



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

PLANNING COMMISSION AGENDA
May 18, 2016
CITY COUNCIL CHAMBERS
6:30 p.m.
50 Natoma Street
Folsom, California 95630

CALL TO ORDER PLANNING COMMISSION: Chair Ross Jackson, Vice Chair John Arnaz; Commissioners: Kelley Butcher, Marci Embree, Jennifer Lane, Brian Martell, and Thomas Scott

Any documents produced by the City and distributed to the Planning Commission regarding any item on this agenda will be made available at the Community Development Counter at City Hall located at 50 Natoma Street, Folsom, California and at the table to the left as you enter the Council Chambers. The meeting is available to view via webcast on the City's website the day after the meeting.

PLEDGE OF ALLEGIANCE

CITIZEN COMMUNICATION: The Planning Commission welcomes and encourages participation in City Planning Commission meetings, and will allow up to five minutes for expression on a non-agenda item. Matters under the jurisdiction of the Commission, and not on the posted agenda, may be addressed by the general public; however, California law prohibits the Commission from taking action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Commission.

MINUTES

The minutes of May 4, 2016 will be presented for approval.

PRESENTATIONS - 2016 Amgen Tour

NEW BUSINESS

1. **PN 15-373, Brewhouse Plaza, 13407 Folsom Blvd. – Conditional Use Permit and Determination that the Project is Exempt from CEQA**

A Public Hearing to consider a request from Visione Enterprise for approval of a Conditional Use Permit for development and operation of a mixed-use commercial development to be known as Brewhouse Plaza. The proposed project, which includes utilization of an existing 9,200-square-foot building, features

a 4,500-square-foot microbrewery (Mraz Brewery) and 4,700 square feet of retail tenant space. The zoning classification for the site is C-2 and the General Plan land-use designation is GC. The project is categorically exempt under Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA). **(Project Planner: Principal Planner, Steve Banks / Applicant: Visione Enterprise)**

2. PN 15-238, Pique at Iron Point Apartments, 2800 Iron Point Road - Planned Development Permit and Consideration of Adoption of a Mitigated Negative Declaration

A Public Hearing to consider a request from Elliott Homes for approval of a Planned Development Permit for development of a 327-unit market-rate apartment project on a 34-acre site located on the south side of Iron Point Road between Serpa Way and Carpenter Hill Road. The zoning classification for the site is SP 95-1 and SP 92-3, while the General Plan land-use designation is MHD. An Initial Study and Mitigated Negative Declaration have been prepared in accordance with the requirements of the California Environmental Quality Act. **(Project Planner: Principal Planner, Steve Banks / Applicant: Elliott Homes)**

3. PN 15-308, Broadstone Estates – General Plan Amendment, Specific Plan Amendment, and Development Agreement Amendment

A Public Hearing to consider a request from Elliott Homes for the Broadstone Estates project located east of Placerville Road and south of Highway 50, for a General Plan Amendment to change the land use designation of the property from SF (Single Family Residential), OS (Open Space), IND/OP (Industrial/Office Park), GC (General Commercial) to SF (Single Family Residential), and OS (Open Space) and a Specific Plan Amendment to change the Specific Plan land use designation from SP-SF (Single Family Residential), SP-OS (Open Space), SP- IND/OP (Industrial/Office Park), SP-GC (General Commercial) to SP-SF-PD (Single Family Residential, Planned Development District), and SP-OS (Open Space). In addition, the proposal includes a Development Agreement Amendment. The proposal is anticipated to include up to 81 residential units. An Initial Study Checklist was prepared to analyze the proposed changes to the FPASP. The conclusion drawn from the analysis is that none of the changes or revisions proposed by the project would result in significant new or substantially more severe environmental impacts, consistent with Public Resources Code Section 21166 and State CEQA Guidelines Sections 15162, 15163, 15164, and 15168. Accordingly, an Addendum to the Folsom Plan Area Environmental Impact Report has been prepared for this project. **(Project Planner: Consultant, Sherri Metzker, AICP / Applicant: Elliott Homes)**

4. PN 16-004, Carr Trust – General Plan Amendment, Specific Plan Amendment, Vesting Tentative Subdivision Map, and Development Agreement Amendment

A Public Hearing to consider a request by Gragg Ranch Recovery Acquisition LLC, for the Carr Trust project located east of Placerville Road approximately 1500± feet north of White Rock Road, to consider a General Plan Amendment to change the land use designation of the property from MLD (Multifamily Low Density) and OS (Open Space) to SFHD-PD (Single Family High Density Residential, Planned Development District), and OS (Open Space), a Specific Plan Amendment to change the Specific Plan land use designation from SP-MLD (Multifamily Low Density) and SP-OS (Open Space) to SP- SFHD-PD (Single Family High Density Residential, Planned Development District), and SP-OS (Open Space), a Vesting Small Lot Tentative Subdivision Map to create 28 single family lots, associated Design Guidelines, an Amendment to the First Amended and Restated Tier 1 Development Agreement, and an Inclusionary Housing Plan. An Initial Study Checklist and Addendum was prepared to analyze the proposed changes to the FPASP. The conclusion drawn from the analysis is that none of the changes or revisions proposed by the project would result in significant new or substantially more severe environmental impacts, consistent with Public Resources Code Section 21166 and State CEQA Guidelines Sections 15162, 15163, 15164, and 15168. Accordingly, an Addendum to the Folsom Plan

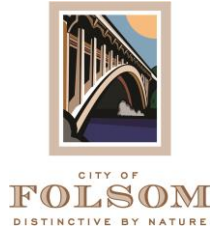
Area Environmental Impact Report has been prepared for this project. **(Project Planner: Consultant, Sherri Metzker, AICP / Applicant: Gragg Ranch Recovery Acquisition, LLC)**

Planning Commission / Planning Manager Report:

The next Planning Commission meeting is scheduled for **June 1, 2016**. Additional non-public hearing items may be added to the agenda; any such additions will be posted on the bulletin board in the foyer at City Hall at least 72 hours prior to the meeting. Persons having questions on any of these items can visit the Community Development Department during normal business hours (8:00 a.m. to 5:00 p.m.) at City Hall, 2nd Floor, 50 Natoma Street, Folsom, California, prior to the meeting. The phone number is 355-7222 and FAX number is 355-7274.

NOTICE REGARDING CHALLENGES TO DECISIONS

The appeal period for Planning Commission Action: Any appeal of a Planning Commission action must be filed, in writing with the City Clerk's Office no later than ten (10) days from the date of the action pursuant to Resolution No. 8081. Pursuant to all applicable laws and regulations, including without limitation, California Government Code Section 65009 and or California Public Resources Code Section 21177, if you wish to challenge in court any of the above decisions (regarding planning, zoning and/or environmental decisions), you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice/agenda, or in written correspondence delivered to the City at, or prior to, the public hearing



PLANNING COMMISSION MINUTES
May 4, 2016
CITY COUNCIL CHAMBERS
6:30 P.M.
50 Natoma Street
Folsom, CA 95630

CALL TO ORDER PLANNING COMMISSION: Chair Ross Jackson; Vice Chair John Arnaz; Commissioners: Kelley Butcher, Marci Embree, Jennifer Lane, Brian Martell, Thomas Scott

ABSENT: Marci Embree

CITIZEN COMMUNICATION: None

MINUTES: The minutes of April 20, 2016 were approved as submitted.

NEW BUSINESS

1. **PN 15-254, CountryHouse at Broadstone Memory Care Community, 2005 Iron Point Road - Planned Development Permit, Conditional Use Permit, and Consideration of Adoption of a Mitigated Negative Declaration**

A Public Hearing to consider a request from Maverick Partners West for approval of a Planned Development Permit, and Conditional Use Permit for development and operation of a 45-unit memory care community on a 1.91-acre site located on the southeast corner of the intersection of Iron Point Road and Oak Avenue Parkway. The zoning classification for the site is C-3 PD and the General Plan land-use designation is RCC. An Initial Study and Mitigated Negative Declaration have been prepared in accordance with the requirements of the California Environmental Quality Act. The public review period begins April 6, 2016 and ends April 25, 2016. **(Project Planner: Principal Planner, Steve Banks / Applicant: Elliot Alta Vista / Maverick Partners West)**

COMMISSIONER SCOTT MOVED TO ADOPT THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM PREPARED FOR THE COUNTRYHOUSE AT BROADSTONE MEMORY CARE COMMUNITY PROJECT (PN 15-254) PER ATTACHMENT 11;

AND

MOVE TO APPROVE A PLANNED DEVELOPMENT PERMIT FOR DEVELOPMENT OF THE COUNTRYHOUSE AT BROADSTONE MEMORYCARE COMMUNITY PROJECT, WHICH

INCLUDES A ONE/TWO-STORY, 36,668-SQUARE-FOOT BUILDING AS ILLUSTRATED ON ATTACHMENTS 2 THROUGH 9;

AND

MOVE TO APPROVE A CONDITIONAL USE PERMIT TO ALLOW THE COUNTRYHOUSE AT BROADSTONE MEMORY CARE COMMUNITY TO OPERATE AT THE SUBJECT PROPERTY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF IRON POINT ROAD AND OAK AVENUE PARKEWAY (APN NO. 072-2680-008) WITH THE FOLLOWING FINDINGS AND CONDITIONS: GENERAL FINDINGS A & B; CEQ FINDINGS C – G; PLANNED DEVELOPMENT PERMIT FINDINGS H – N; CONDITIONAL USE PERMIT FINDING O; CONDITIONS OF APPROVAL 1 – 69, ADDING CONDITION NO. 70 THAT READS AS FOLLOWS “THE OWNER/APPLICANT WILL EXTEND A CONCRETE SIDEWALK FROM THE PROPOSED PROJECT’S DRIVEWAY ACCESS EASTERLY TO THE EXISTING SIDEWALK WHICH CURRENTLY ENDS APPROXIMATELY 200 FEET EAST OF THE PROJECT SITE. IF THE OWNER/APPLICANT CANNOT OBTAIN A PUBLIC EASEMENT AND/OR RIGHT-OF-WAY, IF NEEDED, FROM THE ADJOINING PRIVATE PROPERTY AT NO COST, THE OWNER/APPLICANT WILL NOT BE REQUIRED TO CONSTRUCT THIS OFF-SITE CONCRETE SIDEWALK EXTENSION.”

COMMISSIONER MARTELL SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: BUTCHER, SCOTT, ARNAZ, MARTELL, LANE, JACKSON
NOES: NONE
ABSTAIN: NONE
ABSENT: EMBREE

2. PN 14-279. Hillsborough Properties in the Folsom Plan Area

A Public Hearing to consider a request by West Hillsborough Investors, LLC, Aerojet Rocketdyne, Inc., Hillsborough North, LLC, Oak Avenue Holdings, LLC, and Prairie City Commercial Properties, LLC for approval of the Hillsborough Project located within the Folsom Plan Area Specific Plan (south of Highway 50, east of Prairie City Road and north of White Rock Road). The project includes a General Plan Amendment, Specific Plan Amendment and a Development Agreement Amendment for development of 714 acres into a combination of single family, multi-family, commercial, industrial/office park, parks and an elementary school. The residential component of the project will include approximately 2,018 dwelling units. An Initial Study Checklist was prepared to analyze the proposed changes to the FPASP. The conclusion drawn from the analysis is that none of the changes or revisions proposed by the project would result in significantly new or substantially more severe environmental impacts, consistent with Public Resources Code Section 21166 and State CEQA Guidelines Sections 15162, 15163, 15164, and 15168. Accordingly, an Addendum to the Folsom Plan Area Environmental Impact Report has been prepared for this project. **(Project Planner: Consultant, George Djan, AICP / Applicant: West Hillsborough, LLC, Aerojet Rocketdyne, Inc., Hillsborough North, LLC, Oak Avenue Holdings, LLC, Prairie City Commercial Properties, LLC)**

COMMISSIONER SCOTT MOVED TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE ADDENDUM TO THE FOLSOM PLAN AREA SPECIFIC PLAN EIR;

AND

MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE GENERAL PLAN AMENDMENT FOR THE HILLSBOROUGH PROJECT;

AND

MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE AN AMENDMENT TO THE FOLSOM PLAN AREA SPECIFIC PLAN FOR THE HILLSBOROUGH PROJECT WITH CONDITIONS 1 THROUGH 5;

AND

MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE AMENDMENT NO. 1 TO THE FIRST AMENDED AND RESTATED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FOLSOM AND THE HILLSBOROUGH DEVELOPERS;

AND

MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE MITIGATION MONITORING AND REPORTING PROGRAM AMENDMENTS FOR THE FOLSOM PLAN AREA SPECIFIC PLAN WITH THE FOLLOWING FINDINGS AND CONDITIONS: GENERAL FINDINGS A & B; CEQA FINDINGS C – G; GENERAL PLAN AMENDMENT FINDING H – J; FOLSOM PLAN AREA SPECIFIC PLAN AMENDMENT FINDING K; DEVELOPMENT AGREEMENT AMENDMENT FINDINGS L & M; MITIGATION MONITORING AND REPORTING PROGRAM AMENDMENTS FINDING N; CONDITIONS OF APPROVAL 1 – 5, MODIFYING CONDITION NO. 1 TO READ AS FOLLOWS “THE OWNER/APPLICANT SHALL COMPLY WITH THE FOLLOWING PARKS & RECREATION COMMISSION CONDITIONS: A. THE OWNER/APPLICANT SHALL INCORPORATE THE DESIGN AND GRADING FOR THE PROPOSED ADDITIONAL CLASS I BIKE TRAIL WITHIN THE FORMER COUNTRY DAY SCHOOL SITE INTO THE IMPROVEMENT PLANS CONSISTENT WITH THE HILLSBOROUGH FPA AMENDMENT DATED MARCH 2016 AS AMENDED BY PARKS AND RECREATION COMMISSION CONDITIONS, AS DEPICTED ON ATTACHMENT A.; B. THE OWNER/APPLICANT SHALL PROVIDE AND DEVELOP THE PROPOSED CLASS II BIKE LANE ALIGNMENTS AND CONNECTIONS CONSISTENT WITH THE HILLSBOROUGH FPA AMENDMENT DATED MARCH 2016 WITH THE ADDITION OF CLASS II BIKE LANES ON STREET B ON BOTH SIDES UP TO OAK AVENUE.; C. THE OWNER/APPLICANT SHALL DEDICATE THE PROPOSED NEIGHBORHOOD PARKLAND CONSISTENT WITH THE FMC TO PROVIDE A TOTAL 12.30-ACRES (NET) NEIGHBORHOOD PARKLAND DEDICATION TO THE SATISFACTION OF THE PARKS AND RECREATION DIRECTOR.; D. THE OWNER/APPLICANT SHALL DEDICATE THE PROPOSED NEIGHBORHOOD PARKLAND CONSISTENT WITH PROVIDING ALTERNATIVE B: MAINTAIN A 2.30-ACRE (NET) PARK SITE ADJACENT TO THE FCUSD SCHOOL SITE, AND PROVIDE AN ADDITIONAL 10-ACRE (NET) SITE ADJACENT TO STREET A AND THE OPEN SPACE CORRIDOR (WITH CLASS I TRAIL) WITHIN THE FORMER COUNTRY DAY SCHOOL SITE.; E. THE OWNER / APPLICANT SHALL DEDICATE THE ENTIRE COMMUNITY PARK WEST SITE OF 50.9 A-ACRES, BUT SHALL RECEIVE QUIMBY PARKLAND DEDICATION CREDIT OF 47.9-ACRES PER THE AMENDED RESTATED DEVELOPMENT AGREEMENT (ARDA).”; MODIFICATIONS TO THE AEROJET ROCKETDYNE ARDA.

COMMISSIONER MARTELL SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: LANE, JACKSON, SCOTT, MARTELL, ARNAZ
NOES: NONE
ABSTAIN: BUTCHER
ABSENT: EMBREE

3. PN 15-303, Folsom Heights Project in the Folsom Plan Area

A Public Hearing to consider a request by Folsom Heights, LLC, for approval of the Folsom Heights Project located within the Folsom Plan Area Specific Plan (south of Highway 50, adjacent to the El Dorado/Sacramento County line). The project includes a General Plan Amendment and a Specific Plan Amendment for development of approximately 190 acres into a combination of single family, multi-family and commercial uses. The anticipated number of residential units is 530 dwelling units, which is the same under current approvals. An Initial Study Checklist was prepared to analyze the

proposed changes to the FPASP. The conclusion drawn from the analysis is that none of the changes or revisions proposed by the project would result in significantly new or substantially more severe environmental impacts, consistent with Public Resources Code Section 21166 and State CEQA Guidelines Sections 15162, 15163, 15164, and 15168. Accordingly, an Addendum to the Folsom Plan Area Environmental Impact Report has been prepared for this project. **(Project Planner: Consultant, George Djan, AICP / Applicant: Folsom Heights, LLC)**

COMMISSIONER ARNAZ MOVED TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE ADDENDUM TO THE FOLSOM PLAN AREA SPECIFIC PLAN EIR;

AND

MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE GENERAL PLAN AMENDMENT FOR THE FOLSOM HEIGHTS PROJECT;

AND

MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE AN AMENDMENT TO THE FOLSOM PLAN AREA SPECIFIC PLAN FOR THE FOLSOM HEIGHTS PROJECT WITH THE FOLLOWING FINDINGS AND CONDITIONS: GENERAL FINDINGS A & B; CEQA FINDINGS D – G; GENERAL PLAN AMENDMENT FINDINGS H – J; FOLSOM AREA SPECIFIC PLAN AMENDMENT FINDING K; CONDITIONS OF APPROVAL 1 - 6

COMMISSIONER MARTELL SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES:	JACKSON, MARTELL, SCOTT, ARNAZ, LANE,
NOES:	NONE
ABSTAIN:	BUTCHER
ABSENT:	EMBREE

REPORTS:

Planning Commission/Planning Manager Report:

None

RESPECTFULLY SUBMITTED,

Amanda Palmer, SECRETARY

APPROVED:

Ross Jackson, CHAIRMAN

PLANNING COMMISSION STAFF REPORT

PROJECT TITLE	Brewhouse Plaza Conditional Use Permit
PROPOSAL	Request for approval of a Conditional Use Permit to develop and operate a mixed-use commercial development to be known as Brewhouse Plaza within an existing 9,200-square-foot building located at 13407 Folsom Boulevard
RECOMMENDED ACTION	Approve, based upon findings and subject to conditions
OWNER/APPLICANT	Visione Enterprise/Moe Hirani and Doug Scalzi
LOCATION	13407 Folsom Boulevard
SITE CHARACTERISTICS	The 1.12-acre project site is fully developed with a 9,200-square-foot commercial building (former Children's Creative Learning Center) and associated site improvements including a driveway, drive aisles, parking, pedestrian walkways, a trash/recycling enclosure, landscaping, and site lighting
GENERAL PLAN DESIGNATION	GC (General Commercial)
ZONING	C-2 (Central Business District)
ADJACENT LAND USES/ZONING	North: Undeveloped Commercial Property (C-3) with Open Space Beyond South: Commercial Development (M-1 PD) with Woodmere Road Beyond East: Folsom Boulevard with Commercial Development (SP 93-2) Beyond West: Commercial Development (C-3) with Parkshore Drive Beyond

PREVIOUS ACTION

Architectural Review Commission approval of a Design Review Application for development of a 9,200-square-foot commercial building in 1979.

FUTURE ACTION

Issuance of a Building Permit

APPLICABLE CODES

FMC 17.06, Design Review
FMC 17.22, Commercial Land Use Zones
FMC 17.57, Parking Requirements
FMC 17.59, Signs
FMC 17.60, Use Permits

ENVIRONMENTAL REVIEW

The project is categorically exempt from environmental review based on Section 15301 (Existing Facilities) of the guidelines for the California Environmental Quality Act (CEQA)

ATTACHED REFERENCE MATERIAL

1. Vicinity Map
2. Site Plan, dated December 17, 2015
3. Building Elevations, dated December 17, 2015
4. Building Rendering, dated December 17, 2015
5. Roof Plans, dated December 17, 2015
6. Floor Plans, dated December 17, 2015
7. Brewhouse Plaza Sign Criteria
8. Project Narrative
9. Site Photographs

PROJECT PLANNER

Steve Banks, Principal Planner

BACKGROUND

In February, 1979, the Architectural Review Commission approved a Design Review Application for development of a 9,200-square-foot commercial building on a 1.12-acre site located near the southwest corner of the intersection Folsom Boulevard and Parkshore Drive. The aforementioned commercial building was constructed in 1980 and subsequently occupied by a variety of different businesses. Most recently, the commercial building was occupied by the Children’s Creative Learning Center. The Children’s Creative Learning Center closed in 2015 and the building has remained unoccupied since that time.

APPLICANT’S PROPOSAL

The applicants, Moe Hirani and Doug Scalzi, are requesting approval of a Conditional Use Permit for development and operation of a mixed-use commercial development to be known as Brewhouse Plaza at 13407 Folsom Boulevard. The proposed project, which includes utilization of an existing 9,200-square-foot single-story commercial building, features a 4,500-square-foot microbrewery (Mraz Brewing Company) and 4,700 square feet of retail tenant space. The microbrewery will consist of a tap room, brewing room, a kitchen, conference room, retail sales area, outdoor beer garden, and outdoor bocce ball court. Proposed hours of operation for the microbrewery are 11:00

a.m. to 11:00 p.m. Sunday thru Thursday and 11:00 a.m. to 12:00 p.m. Friday thru Saturday, with occasional seasonal special events at other times. The remaining 4,700 square feet of area will be leased to retail users not necessarily associated with the microbrewery.

The proposed project includes exterior design modifications to the existing single-story commercial building. The most notable design-related changes include a new standing seam metal roof, the addition of exposed heavy timber trusses, replacement and addition of vertical siding on the building facades, and the addition of brick veneer at various locations on the building façades. Primary access to the project site is provided by an existing driveway located on Folsom Boulevard, slightly south of the intersection of Folsom Boulevard and Parkshore Drive. The proposed project includes a total of 58 on-site parking spaces. Existing site improvements include underground utilities, a driveway, drive aisles, sidewalks and walkways, site lighting, site landscaping, and a trash/recycling enclosure. Proposed site improvements include ADA improvements, restriping portions of the parking lot area, adding bicycle racks, and expanding the existing trash/recycling enclosure.

GENERAL PLAN AND ZONING CONSISTENCY

The General Plan land use designation for the project site is GC (General Commercial), and the zoning designation is C-2 (Central Business District). The zoning district corresponds with the General Plan land use designation. The project meets all of the Folsom Municipal Code (Section 17.22) development requirements including setbacks, building coverage, lot area, lot width, and parking. The Folsom Municipal Code (Section 17.22.030E) states that microbreweries are a permitted use within a Central Business District zoning district (C-2) upon the issuance of a Conditional Use Permit by the Planning Commission.

LAND USE COMPATIBILITY/SITE CONSIDERATIONS

The proposed project is located on a fully developed, 1.12-acre commercially-zoned property situated near the southwest corner of the intersection of Folsom Boulevard and Parkshore Drive. The project site is bounded by undeveloped commercial property to the north with Parkshore Drive and the Folsom Lake State Recreational Area beyond, the Lake Natoma Plaza commercial center to the south with commercial development and Woodmere Road beyond, Folsom Boulevard to the east with commercial office development beyond, and the Folsom-Parkshore Self Storage Facility to the west with commercial office development beyond.

As previously stated, the Folsom Municipal Code dictates that microbreweries are required to obtain approval of a Conditional Use Permit by the Planning Commission to operate within a Central Business District zoning district (C-2). In this particular case, the applicant is requesting approval of a Conditional Use Permit to operate the Mraz Brewing Company business within a 4,500-square-foot commercial tenant space at 13407 Folsom Boulevard. In order to approve this request for a Conditional Use Permit, the Commission must find that the “establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood, or to the general welfare of the City.”

In reviewing the request for a Conditional Use Permit, staff also took into consideration the compatibility of the proposed land use in relation to the existing land uses in the immediate project vicinity. Potential noise impacts, odor impacts, traffic impacts, parking impacts, and aesthetic

impacts were also analyzed and are addressed within separate individual sections of this report. As mentioned previously within this report, the project site is located on a major arterial roadway (Folsom Boulevard) and within a development intensive corridor populated with a variety of commercial land uses. The most prominent land uses in the immediate project area are professional office-related and include Lake Natoma Plaza, Parkshore Plaza, and the Office at Parkshore Drive. Other commercial land uses in the project area include a self-storage facility, small retail tenants, a gasoline station, a dance studio, and a motorcycle dealer. The closest residential land use, the Island Subdivision located approximately .25 miles east of the project site, is separated and buffered by Folsom Boulevard, light rail tracks, two-story office buildings, and an open space corridor.

As described above, the project site is situated adjacent to busy north-south arterial roadway in a location that is dominated by intensive commercial development. As mentioned within the project description, the proposed project includes development of a 4,500-square-foot microbrewery and 4,700 square feet of office space. The microbrewery business will include a tap room, brewing room, a kitchen, conference room, retail sales area, outdoor beer garden, and outdoor bocce ball court. Given the commercial nature of the proposed use, staff has determined that the proposed project will be compatible with the existing commercial land uses located in the immediate project vicinity. In addition, taking into account the project's location on a major arterial roadway, staff has determined that the project is well-situated to serve nearby businesses and residents.

Staff would like note that the Brewhouse Plaza Conditional Use Permit (and any other Conditional Use Permit issued by the Planning Commission) is subject to ongoing review by the Community Development Department to ensure that it does not result in adverse impacts to adjacent/nearby businesses and properties. If the Community Development Director finds evidence that conditions of approval for the Brewhouse Plaza project have not been fulfilled or that the use has resulted in a substantial adverse effect on the health, and/or general welfare of users of adjacent or proximate property, or have a substantial adverse impact on public facilities or services, the Director will refer the use permit to the Planning Commission for review. If, upon such review, the Planning Commission finds that any of the above-stated results have occurred, the Commission may modify or revoke the Conditional Use Permit. Condition No. 4 is included to reflect this requirement.

Noise

Based on the fact that a portion of the proposed project includes development and operation of a 4,500-square-foot microbrewery with outdoor use areas, staff evaluated the project in terms of potential noise-related impacts. As noted in the project description, proposed hours of operation for the microbrewery are 11:00 a.m. to 11:00 p.m. Sunday thru Thursday and 11:00 a.m. to 12:00 p.m. Friday thru Saturday, with occasional seasonal special events at other times. The applicant has indicated that the primary function of the microbrewery is to provide beverage and food services to its customers. In terms of entertainment, the applicant indicated that there will background music provided within the building to enhance the ambience of the microbrewery. On occasion, the applicant has indicated that there may be live music in the form of small acoustic one or two person bands.

In reviewing potential noise-related impacts associated with the proposed microbrewery, staff took into consideration existing land uses in the project area, the existing noise environment in the project area, operational characteristics of the proposed brewery, and proposed hours of operation. As described previously within this report, the project site is located in an area dominated by commercial land uses that are primarily office-related in nature. The two commercial developments

in closest proximity to the project site are the Lake Natoma Plaza commercial center and the Folsom Parkshore Self Storage facility. Lake Natoma Plaza, which is situated directly south of the project site, includes professional offices, medical offices, a beauty salon, and a café. Folsom Parkshore Self-Storage, which is located directly west of the project site, features a variety of self-storage units. It is important to note that the closest residential development is located a fairly significant distance (approximately .25 miles to the east) away from the project site. With regard to the existing noise environment, the predominant existing noise sources in the vicinity of the project site are from vehicles on Folsom Boulevard, Parkshore Drive, and Woodmere Road. Additional noise is also generated to a lesser extent from adjacent commercial uses located to the east, west, and south of the project site.

In terms of operational characteristics, the primary function of the proposed microbrewery project is to provide food and beverage services to its customers. The secondary function of the microbrewery is to provide customers with an attractive ambiance in the form of background music and occasional live music within the brewery building and on the adjacent outdoor patio. Proposed hours of operation for the microbrewery are 11:00 a.m. to 11:00 p.m. Sunday thru Thursday and 11:00 a.m. to 12:00 p.m. Friday thru Saturday, with occasional seasonal special events at other times. In general, given the commercial character of the project area, existing noise levels associated with traffic on Folsom Boulevard, and operational characteristics associated with the proposed brewery, staff has determined the proposed project will not impact adjacent properties relative to noise impacts. However, recognizing that the proposed brewery is located adjacent to professional and medical offices (Lake Natoma Plaza), and that employees and customers at these offices may be sensitive to increased noise levels, staff recommends that no live or amplified music be allowed in any outdoor areas associated with the brewery during standard business hours (Monday thru Friday, 8:00 a.m. to 5:00 p.m.). Condition No. 32 is included to reflect this requirement.

Additional operational noises generated by the proposed project include sounds associated with new vehicle trips, vehicles parking, and mechanical equipment associated with the proposed project. To minimize operational noise impacts associated with the operation of the mechanical equipment, staff recommends that roof-mounted mechanical equipment not extend above the height of the parapet walls. In addition, staff recommends that ground-mounted mechanical equipment be shielded by landscaping or trellis-type features. Condition No. 25-3 is included to reflect these requirements.

Odor

The proposed project includes development of a 4,500-square-foot microbrewery that will include a restaurant component. In relation to brewing equipment, the microbrewery will include a 620 gallon brewing system that will include four fermenters and a chiller on the roof. Roof vents will be provided to allow steam from the brewing process to be released into the air. The applicant has indicated that the odor released from the vents is very similar to that of a bakery or the smell of cooking oatmeal. With regard to the restaurant portion of the project, roof vents will be installed to allow steam and food exhaust to be released into the air. Odors associated with the restaurant portion of the project would be typical smells associated with cooked foods. Based on the aforementioned discussion, staff has determined that odors associated with operation of the microbrewery and restaurant would not impact adjacent properties or businesses.

Traffic/Access/Circulation

The proposed project is located on the west side of Folsom Boulevard, slightly southwest of the intersection of Folsom Boulevard and Parkshore Drive. As shown on the submitted site plan, access to the project site is proposed by an existing driveway located on Folsom Boulevard. Internal circulation consists of private drive aisles that loop within the project site. Pedestrian circulation is accommodated by an existing sidewalk along the frontage of Folsom Boulevard and internal pedestrian walkways. The proposed project is expected to generate approximately 15 vehicle-trips during the weekday AM peak hour and 45 during the weekday PM peak hour. In addition the proposed project is projected to generate 400 daily vehicle trips. Based on the relatively low volume of vehicle trips associated with the proposed project, no change in level of service (LOS) is projected during the AM or PM peak hour at any of the nearby street intersections including the intersection of Folsom Boulevard and Parkshore Drive.

As noted above, access to the project site is provided by an existing driveway located on Folsom Boulevard. The existing driveway currently accommodates all turning movements into the project site from Folsom Boulevard and out of the project to Folsom Boulevard. In reviewing the submitted site plan, City staff identified a traffic safety concern with allowing vehicles to make an inbound left turn into the project site from northbound Folsom Boulevard and with allowing vehicles to make an outbound left turn from the project site onto northbound Folsom Boulevard. Specifically, staff determined that, given the substantial volume of traffic on Folsom Boulevard combined with the high vehicle speeds in the project area, that the aforementioned left-turn movements to and from Folsom Boulevard represent a potential traffic safety hazard. To address this concern, staff recommends that the owner/applicant construct a continuous extruded concrete curb in the median of Folsom Boulevard from the southernmost crosswalk at the Intersection of Folsom Boulevard and Parkshore Drive southward past the driveway entrance to the project site. In addition, staff recommends that signage and pavement markings be placed at the driveway exit to Folsom Boulevard indicating the only right-turns-out are permitted. Condition No. 28 is included to reflect these requirements.

Parking

The proposed project includes development and operation of a 9,200-square-foot mixed use commercial building featuring a 4,500-square-foot microbrewery and 4,700 square feet of retail tenant space. The Folsom Municipal Code (Section 17.57.040) states that pad buildings utilized for restaurant-type operations are required to provide one parking space per every three seats based on the capacity of fixed and moveable seating. In addition, retail commercial uses are required to provide one parking space per two hundred square feet of floor area. As shown on the submitted site plan, the project includes a total of 58 on-site parking spaces located around the perimeter of the existing 9,200-square-foot commercial building. Based on the aforementioned information, staff has determined that the proposed project meets the minimum parking requirements established by the Folsom Municipal Code by providing 58 on-site parking spaces whereas 57 on-site parking spaces are required. Staff does recommend that nine bicycle parking spaces be provided in a location that is in close proximity to the primary building entrances. Condition No. 27 is included to reflect this requirement.

Signage

The applicant has submitted a Sign Criteria (Attachment 7) that provides guidelines and criteria for all sign identification for businesses located within the Brewhouse Plaza development. Staff has reviewed the Sign Criteria and is supportive of the content. Staff does recommend that the

owner/applicant obtain a sign permit(s) and that all signage associated with proposed project comply with the requirements established by the submitted Brewhouse Plaza Sign Criteria and the requirements of the Folsom Municipal Code (FMC, Section 17.59, Signs). Condition No. 24 is included to reflect this requirement.

Trash/Recycling Enclosure

The proposed project includes an existing single trash/recycling enclosure which is located within the parking lot area in the southeast portion of the project site. The applicant is proposing to expand the trash/recycling enclosure in order to comply with the City-standard for trash/recycling enclosure dimensions (20' wide by 10' deep). Staff recommends that the final design, materials, and colors of the trash/recycling enclosure is subject to review and approval by the Community Development Department. Condition No. 23 is included to reflect this requirement.

Architecture and Design

The existing 9,200-square-foot commercial building located on Folsom Boulevard, that is the subject of this Conditional Use Permit application, is not located within an area that has established architectural guidelines. As a result, in evaluating the proposed project, staff took into consideration common design principals as established within design guidelines for other buildings and shopping centers throughout the City. A common thread among the various design guidelines is that they are intended not to limit individual creativity, but rather create a framework for a strong collective statement. Design guidelines also typically state that architectural form, color and materials, and other design details should provide continuity among the buildings within an integrated shopping center. In addition, design guidelines generally emphasize the following areas relative to architecture and design:

- The architectural design of buildings should consider the site, relationship to other structures, streetscapes, and climatic orientations.
- Structures with long uninterrupted exterior walls should be avoided, where possible. Walls should have varied forms to create shadows and provide relief that softens the architecture.
- Recesses that create interplay of light and shadow, covered walkways, colonnades, arcades, overhangs, and openings that create interest are encouraged.
- The appropriate use of awnings, arcades, trellises, or other shade structures is strongly encouraged.
- Natural materials which are simple and easy to maintain such as stone, wood, stucco, brick, and masonry should be encouraged. Materials such as textured or patterned concrete are considered compatible building accents.

In reviewing the architecture and design of the proposed building modifications, City staff determined that the proposed project incorporates a significant number of the unique design elements including; the use of prominent roof features and varied building forms and shapes. Staff also determined that the proposed project will create more visual interest through the use of multiple building materials including board & batten siding, brick veneer, and exposed timber trusses.

Lastly, staff determined that the proposed color scheme blends well with the new architectural design of the building and promotes a more contemporary visual appearance. Overall, staff has determined that the proposed project will result in a significant improvement in the appearance of the existing building. In addition, staff has determined that the proposed design is compatible with the architecture and design of existing buildings within the project area. As a result, staff recommends approval of the applicant's design with the following conditions:

1. This approval is for exterior modifications to an existing 9,200-square-foot commercial building associated with the Brewhouse Plaza project. The applicant shall submit building plans that comply with this approval and the attached building elevations and color building renderings dated December 17, 2015.
2. The design, materials, and colors of the proposed Brewhouse Plaza building shall be consistent with the submitted building elevations, materials samples, and color scheme to the satisfaction of the Community Development Department.
3. Roof-mounted mechanical equipment, including satellite dish antennas, shall not extend above the height of the parapet walls. Ground-mounted mechanical equipment shall be shielded by landscaping or trellis type features.
4. Final exterior building and site lighting plans shall be submitted for review and approval by Community Development Department for location, height, aesthetics, level of illumination, glare and trespass prior to the issuance of any building permits. Lighting shall be designed to be shielded and directed downward onto the project site and away from adjacent properties and public rights-of-way. Lighting shall be equipped with a timer or photo condenser.

These recommendations are included in the conditions of approval (Condition No. 25) presented for consideration by the Planning Commission.

ENVIRONMENTAL REVIEW

The project is categorically exempt from environmental review based on Section 15301 (Existing Facilities) of the guidelines for the California Environmental Quality Act (CEQA).

RECOMMENDATION/PLANNING COMMISSION ACTION

MOVE TO APPROVE A CONDITIONAL USE PERMIT TO FOR DEVELOPMENT AND OPERATION OF THE BREWHOUSE PLAZA AT THE PROPERTY LOCATED AT 13407 FOLSOM BOULEVARD WITH THE FOLLOWING FINDINGS AND CONDITIONS (NO. 1-36);

GENERAL FINDINGS

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.
- B. THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN AND ZONING CODE OF THE CITY.

CEQA FINDING

C. THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW BASED ON SECTION 15301 (EXISTING FACILITIES) OF THE GUIDELINES FOR THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

CONDITIONAL USE PERMIT FINDING

D. THE ESTABLISHMENT, MAINTENANCE, OR OPERATION OF THE USE OR BUILDING APPLIED FOR WILL NOT, UNDER THE CIRCUMSTANCES OF THE PARTICULAR CASE, BE DETRIMENTAL TO THE HEALTH, SAFETY, PEACE, MORALS, COMFORT AND GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OF SUCH PROPOSED USE, OR BE DETRIMENTAL OR INJURIOUS TO PROPERTY AND IMPROVEMENTS IN THE NEIGHBORHOOD, OR TO THE GENERAL WELFARE OF THE CITY BECAUSE THE PROPOSED LAND USE WILL NOT HAVE A NEGATIVE IMPACT.

Submitted,

DAVID E. MILLER AICP

Public Works and Community Development Director

CONDITIONS

See attached tables of conditions for which the following legend applies.

RESPONSIBLE DEPARTMENT		WHEN REQUIRED	
CD	Community Development Department	I	Prior to approval of Improvement Plans
NS	Neighborhood Services Department	M	Prior to approval of Final Map
(P)	Planning Division	B	Prior to issuance of first Building Permit
(E)	Engineering Division	O	Prior to approval of Occupancy Permit
(B)	Building Division	G	Prior to issuance of Grading Permit
(F)	Fire Division		
PW	Public Works Department	DC	During construction
PR	Park and Recreation Department	OG	On-going requirement
PD	Police Department		

**CONDITIONS OF APPROVAL FOR THE BREWHOUSE PLAZA PROJECT
CONDITIONAL USE PERMIT (PN 15-373)
13407 FOLSOM BOULEVARD**

Mitigation Measure		When Required	Responsible Department
1.	<p>The applicant shall submit final site development plans to the Community Development Department that shall substantially conform to the exhibits referenced below:</p> <ul style="list-style-type: none"> • Site Plan, dated December 17, 2015 • Building Elevations, dated December 17, 2015 • Building Rendering, dated December 17, 2015 • Roof Plans, dated December 17, 2015 • Floor Plans, dated December 17, 2015 <p>This project approval is for Brewhouse Plaza Conditional Use Permit project, which includes development and operation of a 9,200-square-foot building and associated site improvements on a 1.12-acre site located at 13407 Folsom Boulevard as shown on the above-referenced plans. Modifications may be made to the above-referenced plans to respond to site-specific conditions of approval as set forth herein.</p>	B	CD (P)(E)
2.	<p>Building plans, and all civil engineering and landscape plans, shall be submitted to the Community Development Department for review and approval to ensure conformance with this approval and with relevant codes, policies, standards and other requirements of the City of Folsom.</p>	I, B	CD (P)(E)(B)
3.	<p>The project approval granted under this staff report shall remain in effect for one year from final date of approval (May 18, 2017). Failure to obtain the relevant building (or other) permits within this time period, without the subsequent extension of this approval, shall result in the termination of this approval.</p>	B	CD (P)
4.	<p>If the Community Development Director finds evidence that conditions of approval for the Brewhouse Plaza project have not been fulfilled or that the use has resulted in a substantial adverse effect on the health, and/or general welfare of users of adjacent or proximate property, or have a substantial adverse impact on public facilities or services, the Director will refer the use permit to the Planning Commission for review. If, upon such review, the Planning Commission finds that any of the above-stated results have occurred, the Commission may modify or revoke the Conditional Use Permit.</p>	OG	CD (P)

**CONDITIONS OF APPROVAL FOR THE BREWHOUSE PLAZA PROJECT
 CONDITIONAL USE PERMIT (PN 15-373)
 13407 FOLSOM BOULEVARD**

Mitigation Measure	When Required	Responsible Department
5.	OG	CD (P)
<p>Hours of operation for the microbrewery portion of the Brewhouse Plaza project shall be limited, as proposed, from 11:00 a.m. to 11:00 p.m. Sunday thru Thursday and 11:00 a.m. to 12:00 p.m. Friday thru Saturday.</p> <p>The owner/applicant shall defend, indemnify, and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul any approval by the City or any of its agencies, departments, commissions, agents, officers, employees, or legislative body concerning the project. The City will promptly notify the owner/applicant of any such claim, action or proceeding, and will cooperate fully in the defense. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur:</p> <ul style="list-style-type: none"> • The City bears its own attorney's fees and costs; and • The City defends the claim, action or proceeding in good faith <p>The owner/applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the owner/applicant.</p>	OG	CD (P)(E)(B) PW, PR, FD, PD, EWR
DEVELOPMENT COSTS AND FEE REQUIREMENTS		
7.	I, B	CD (P)(E)
8.	I	CD (P)(E)

**CONDITIONS OF APPROVAL FOR THE BREWHOUSE PLAZA PROJECT
 CONDITIONAL USE PERMIT (PN 15-373)
 13407 FOLSOM BOULEVARD**

Mitigation Measure		When Required	Responsible Department
9.	If the City utilizes the services of consultants to prepare special studies or provide specialized design review or inspection services for the project, the applicant shall reimburse the City for actual costs it incurs in utilizing these services, including administrative costs for City personnel. A deposit for these services shall be provided prior to initiating review of the Final Map, improvement plans, or beginning inspection, whichever is applicable.	I	CD (P)(E)
10.	This project shall be subject to all City-wide development impact fees, unless exempt by previous agreement. This project shall be subject to all Citywide development impact fees in effect at such time that a building permit is issued. These fees may include, but are not limited to, fees for fire protection, park facilities, park equipment, Quimby, Humbug-Willow Creek Parkway, Light Rail, TSM, capital facilities and traffic impacts. The 90-day protest period for all fees, dedications, reservations or other exactions imposed on this project has begun. The fees shall be calculated at the fee rate in effect at the time of building permit issuance.	B	CD (P)(E), PW, PK
11.	If applicable, the owner/applicant shall pay off any existing assessments against the property, or file necessary segregation request and pay applicable fees.	B	CD (E)
12.	The project is subject to the Housing Trust Fund Ordinance, unless exempt by a previous agreement.	B	CD (P)
13.	The owner/applicant agrees to pay to the Folsom-Cordova Unified School District the maximum fee authorized by law for the construction and/or reconstruction of school facilities. The applicable fee shall be the fee established by the School District that is in effect at the time of the issuance of a building permit. Specifically, the owner/applicant agrees to pay any and all fees and charges and comply with any and all dedications or other requirements authorized under Section 17620 of the Education Code; Chapter 4.7 (commencing with Section 65970) of the Government Code; and Sections 65995, 65995.5 and 65995.7 of the Government Code.	B	CD (P)

SITE DEVELOPMENT REQUIREMENTS

14.	Public and private improvements, including roadways, curbs, gutters, sidewalks, bicycle lanes and trails, streetlights, underground infrastructure and all other improvements shall be provided in accordance with the current edition of the City of Folsom <u>Standard Construction Specifications</u> and the <u>Design and Procedures Manual and Improvement Standards</u> .	I, B	CD (P)(E)
15.	The applicant/owner shall submit water, sewer and drainage studies to the satisfaction of the Community Development Department and provide sanitary sewer, water and storm drainage improvements with corresponding easements, as necessary, in accordance with these studies and the current edition of the City of Folsom <u>Standard Construction Specifications</u> and the <u>Design and Procedures Manual and Improvement Standards</u> .	I	CD (E)
16.	The improvement plans for the required public and private improvements shall be reviewed and approved by the Community Development Department prior to issuance of a building permit for the project.	B	CDD(E)
17.	The required public and private improvements including landscape and irrigation improvements for the project shall be completed and accepted by the Community Development Department prior to issuance of a Certificate of Occupancy for the project.	O	CDD(E)
18.	Final lot and building configurations may be modified to allow for overland release of storm events greater than the capacity of the underground system.	B	CD (E)
19.	The owner/applicant shall coordinate the planning, development and completion of this project with the various utility agencies (i.e., SMUD, PG&E, etc.).	I	CD (P)(E)
20.	The owner/applicant shall be responsible for replacing any and all damaged or hazardous public sidewalk, curb and gutter, and/or bicycle trail facilities along the site frontage and/or boundaries, including pre-existing conditions and construction damage, to the satisfaction of the Community Development Department.	O	CD (E)
21.	Final exterior building and site lighting plans shall be submitted for review and approval by Community Development Department for location, height, aesthetics, level of illumination, glare and trespass prior to the issuance of any building permits. Lighting shall be shielded and designed to be directed downward onto the project site and away from adjacent properties and public rights-of-way. Lighting shall be equipped with a timer or photo condenser.	I, B	CD (P)

22.		All future signs for the project shall comply with the Brewhouse Plaza Sign Criteria and the <u>Folsom Municipal Code</u> . (Section 17.59)	B	CD (P)
23.		The final design, materials, and colors of the trash/recycling enclosure is subject to review and approval by the Community Development Department.	B	CD (P)
24.		The owner/applicant shall obtain a sign permit(s) for all future signs and all signage associated with proposed project shall comply with the requirements established by the submitted Brewhouse Plaza Sign Criteria and the requirements of the <u>Folsom Municipal Code (FMC, Section 17.59, Signs)</u> .	B	CD (P)
25.		<p>ARCHITECTURE/DESIGN REQUIREMENTS</p> <p>The project shall comply with the following architecture and design requirements:</p> <ol style="list-style-type: none"> 1. This approval is for exterior modifications to an existing 9,200-square-foot commercial building associated with the Brewhouse Plaza project. The applicant shall submit building plans that comply with this approval and the attached building elevations and color building renderings dated December 17, 2015. 2. The design, materials, and colors of the proposed Brewhouse Plaza building shall be consistent with the submitted building elevations, materials samples, and color scheme to the satisfaction of the Community Development Department. 3. Roof-mounted mechanical equipment, including satellite dish antennas, shall not extend above the height of the parapet walls. Ground-mounted mechanical equipment shall be shielded by landscaping or trellis type features. 4. Final exterior building and site lighting plans shall be submitted for review and approval by Community Development Department for location, height, aesthetics, level of illumination, glare and trespass prior to the issuance of any building permits. Lighting shall be designed to be shielded and directed downward onto the project site and away from adjacent properties and public rights-of-way. Lighting shall be equipped with a timer or photo condenser. 	B	CD (P)
26.		<p>TRAFFIC, ACCESS, CIRCULATION, AND PARKING REQUIREMENTS</p> <p>The owner/applicant shall provide 58 on-site parking spaces.</p>	I, B	CD (E)(P)

27.	The owner/applicant shall provide nine (9) bicycle parking spaces at a location in close proximity to the primary building entrance to the satisfaction of the Community Development Department.	I	CD (E)(P)
28.	The owner/applicant shall construct a continuous extruded concrete curb in the median of Folsom Boulevard from the southernmost crosswalk at the intersection of Folsom Boulevard and Parkshore Drive southward past the driveway entrance to the project site to the satisfaction of the Community Development Department. In addition, the owner/applicant shall install signage and pavement markings at the driveway exit and in Folsom Boulevard indicating only right-turns-out are permitted to the satisfaction of the Community Development Department.	I	CD (E)(P)
LANDSCAPE/TREE PRESERVATION REQUIREMENTS			
29.	The owner/applicant shall be responsible for on-site landscape maintenance throughout the life of the project to the satisfaction of the Community Development Department. Vegetation or planting shall not be less than that depicted on the final landscape plan, unless tree removal is approved by the Community Development Department because the spacing between trees will be too close on center as they mature.	B	CD (P)(E)
30.	Landscape of the parking area shall meet shade requirements as outlined in the <u>Folsom Municipal Code Chapter 17.57</u> . The landscape plans shall comply and implement water efficient requirements as adopted by the State of California (Assembly Bill 1881) until such time the City of Folsom adopts its own Water Efficient Landscape Ordinance. Shade and ornamental trees shall be maintained according to the most current American National Standards for Tree Care Operations (ANSI A-300) by qualified tree care professionals. Tree topping for height reduction, sign visibility, light clearance or any other purpose shall not be allowed. Specialty-style pruning, such as pollarding, shall be specified within the approved landscape plans and shall be implemented during a 5-year establishment and training period.	I, B	CD (P)(E)
NOISE REQUIREMENTS			
31.	Compliance with Noise Control Ordinance and General Plan Noise Element shall be required. Hours of construction operation shall be limited from 7:00 a.m. to 6:00 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on Saturdays. No construction on Sundays or holidays shall be permitted. Construction equipment shall be muffled and shrouded to minimize noise levels.	G, I, B	CD (P)(E)
32.	No live or amplified music shall be allowed in any outdoor areas associated with the Brewhouse Plaza project during standard business hours (Monday thru Friday, 8:00 a.m. to 5:00 p.m.).	OG	CD (P)

OTHER AGENCY REQUIREMENT

33.	The owner/applicant shall obtain all required State and Federal permits and provide evidence that said permits have been obtained, or that the permit is not required, subject to staff review and approval of any grading or improvement plan.	G, I	CD (P)(E)
FIRE DEPARTMENT REQUIREMENTS			
34.	The building shall have illuminated addresses visible from the street or drive fronting the property. Size and location of address identification shall be reviewed and improved by the Fire Marshal.	I	FD
35.	Prior to the issuance of any improvement plans or building permits, the Community Development and Fire Departments shall review and approve all detailed design plans for accessibility of emergency fire equipment, fire hydrant flow location, and other construction features.	I, B	FD

POLICE/SECURITY REQUIREMENT

36.	The owner/applicant shall consult with the Police Department in order to incorporate all reasonable crime prevention measures. The following security/safety measures shall be required:	G, I, B	PD
	<ul style="list-style-type: none"> • A security guard shall be on-duty at all times at the site or a six-foot security fence shall be constructed around the perimeter of construction areas. (This requirement shall be included on the approved construction drawings). • Security measures for the safety of all construction equipment and unit appliances shall be employed. • Landscaping shall not cover exterior doors or windows, block line-of-sight at intersections or screen overhead lighting. 		

Attachment 1

Vicinity Map



Coastal Dr

Folsom Blvd

SITE

Lake Forest Industrial Park

Walden Rd

Riverbike Trail

Attachment 2

Preliminary Site Plan, dated December 17, 2015



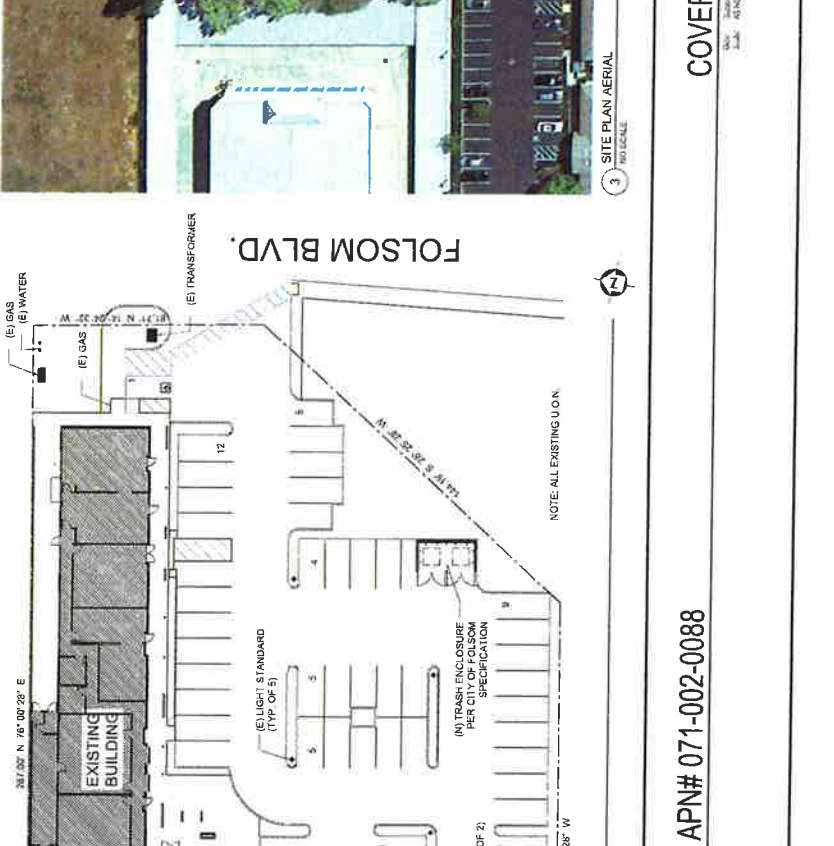
TENANT IMPROVEMENT SUBMITTAL FOR:

FOLSOM BREWERY

13407 FOLSOM BLVD.
FOLSOM, CA 95630
APN# 071-002-0088

SHEET/REVISION INDEX	PROJECT DESCRIPTION	PROJECT TEAM
1	<p>THE FOLSOM BREWERY IS A 100,000 SQ. FT. BLDG. WITH A 100,000 SQ. FT. PARKING GARAGE. THE WORK IS RESTRICTED TO THE INTERIOR OF THE BLDG. AND THE PARKING GARAGE. THE WORK IS RESTRICTED TO THE INTERIOR OF THE BLDG. AND THE PARKING GARAGE.</p> <p>THE WORK IS RESTRICTED TO THE INTERIOR OF THE BLDG. AND THE PARKING GARAGE.</p> <p>THE WORK IS RESTRICTED TO THE INTERIOR OF THE BLDG. AND THE PARKING GARAGE.</p>	<p>OWNER: FOLSOM BREWERY 13407 FOLSOM BLVD. FOLSOM, CA 95630 916.450.1000 www.folsombrewery.com</p> <p>ARCHITECT: plus architects inc. 444 ALVARADO STREET, SUITE 100 SAN FRANCISCO, CA 94133 415.675.1000 www.plusarch.com</p>
<p>SITE STATISTICS</p> <p>U.S. AREA: 100,000 SQ. FT. BUILDING AREA: 100,000 SQ. FT. TOTAL AREA: 100,000 SQ. FT.</p>		<p>PARKING SUMMARY</p> <p>REQUIRED: 100 SPACES PROVIDED: 100 SPACES TOTAL: 100 SPACES</p>

1 VICINITY MAP
1" = 200'



2 SITE PLAN
1" = 200'



3 SITE PLAN AERIAL
1" = 200'

Folsom Brewery APN# 071-002-0088
13407 Folsom Blvd.
Folsom, CA 95630

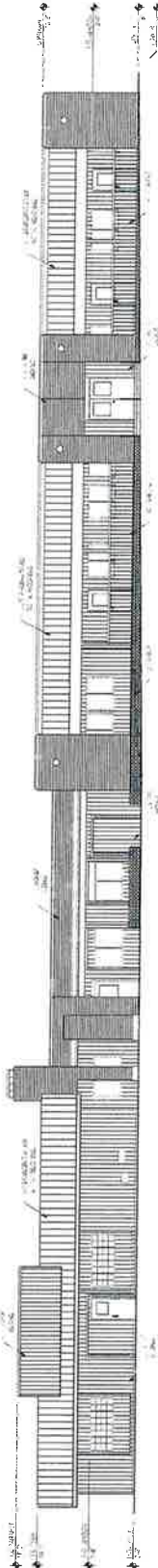
plus architects inc.
444 Alvarado Street, Suite 100
San Francisco, CA 94133
415.675.1000
www.plusarch.com

COVER SHEET

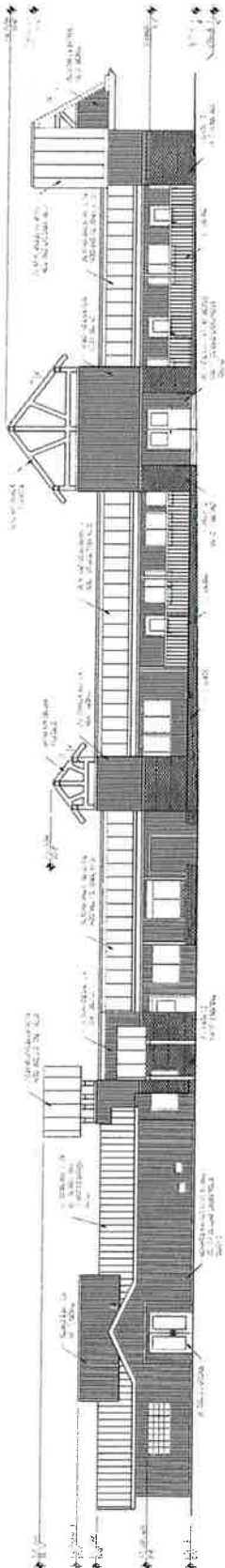
A-1

Attachment 3

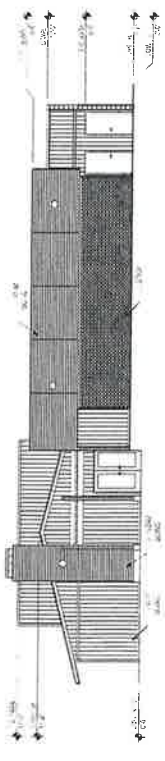
Building Elevations, dated December 17, 2015



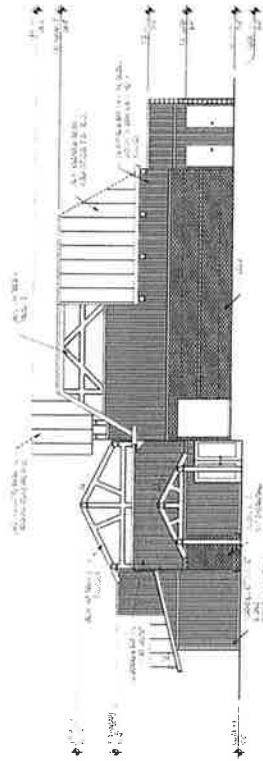
1 EXISTING SOUTH ELEVATION
1/8" = 1'-0"



2 NEW SOUTH ELEVATION
1/8" = 1'-0"



3 EXISTING EAST ELEVATION
1/8" = 1'-0"



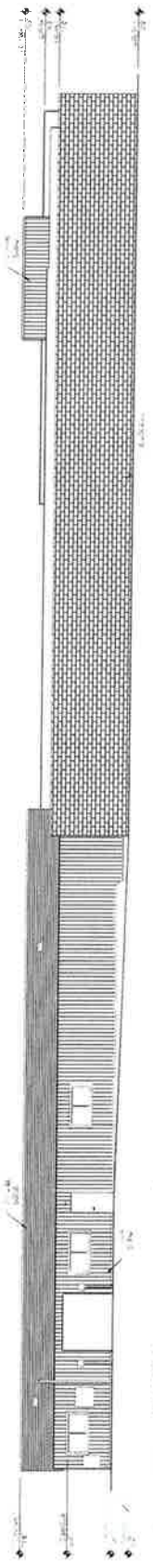
4 NEW EAST ELEVATION
1/8" = 1'-0"

Folsom Brewery
 13407 Folsom Blvd.
 Folsom, CA 95630

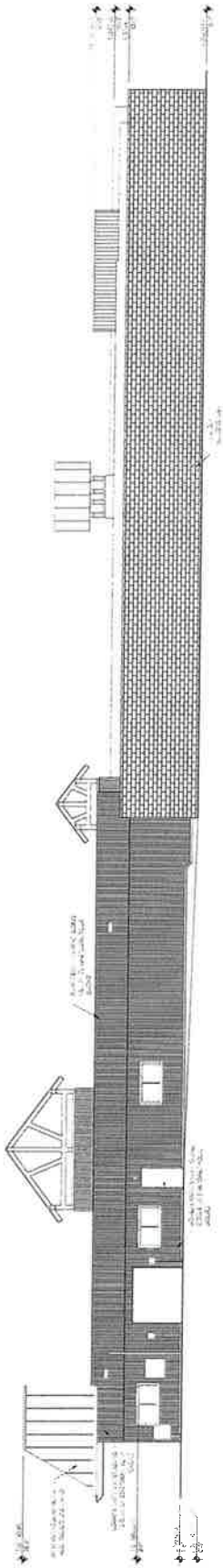
EXTERIOR ELEVATIONS

DATE: 07/13

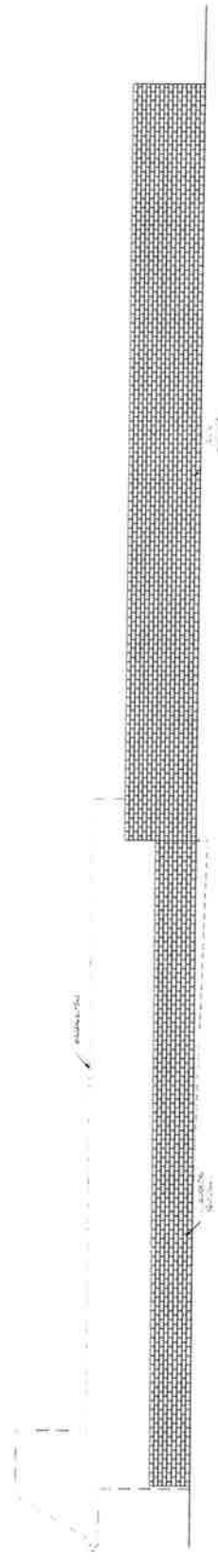




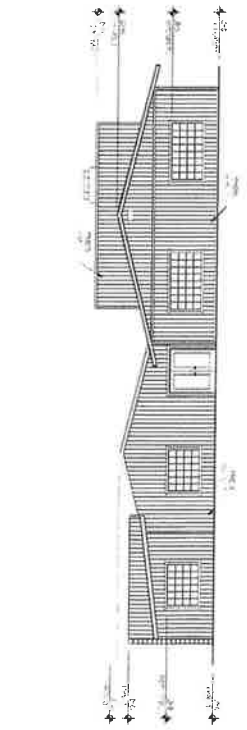
1 EXISTING NORTH ELEVATION
1/8" = 1'-0"



2 NEW NORTH ELEVATION
1/8" = 1'-0"



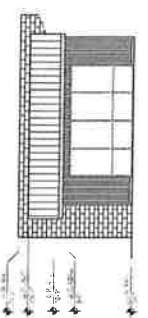
3 NEW NORTH ELEVATION @ PROPERTY LINE
1/8" = 1'-0"



4 EXISTING WEST ELEVATION
1/8" = 1'-0"



5 NEW WEST ELEVATION
1/8" = 1'-0"



6 NEW SOUTH ELEVATION
1/8" = 1'-0"

Folsom Brewery
13407 Folsom Blvd.
Folsom, CA 95630

EXTERIOR ELEVATIONS



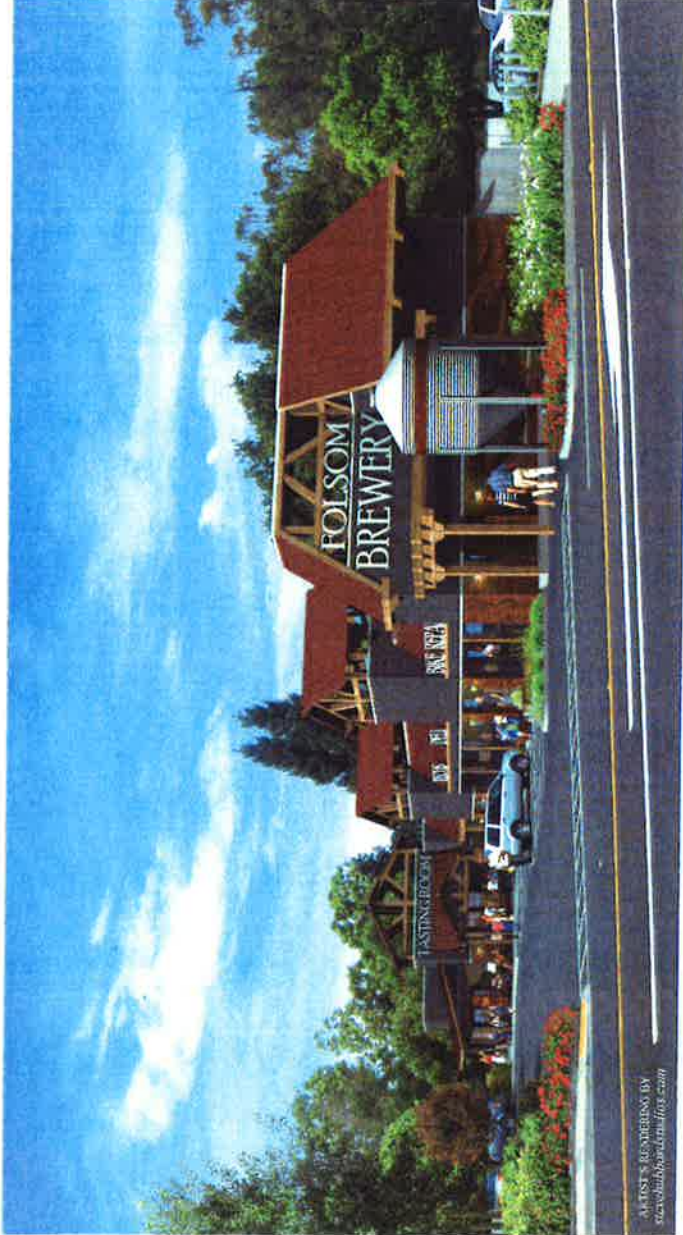
A-5

Attachment 4

Building Rendering, dated December 17, 2015



1) EXISTING PHOTOS
NO SCALE



ARTIST'S RENDERING BY
STUDIO ARCHITECTURE

2) ARTIST RENDERING
NO SCALE

Folsom Brewery
13407 Folsom Blvd.
Folsom, CA 95630

ARTIST RENDERING

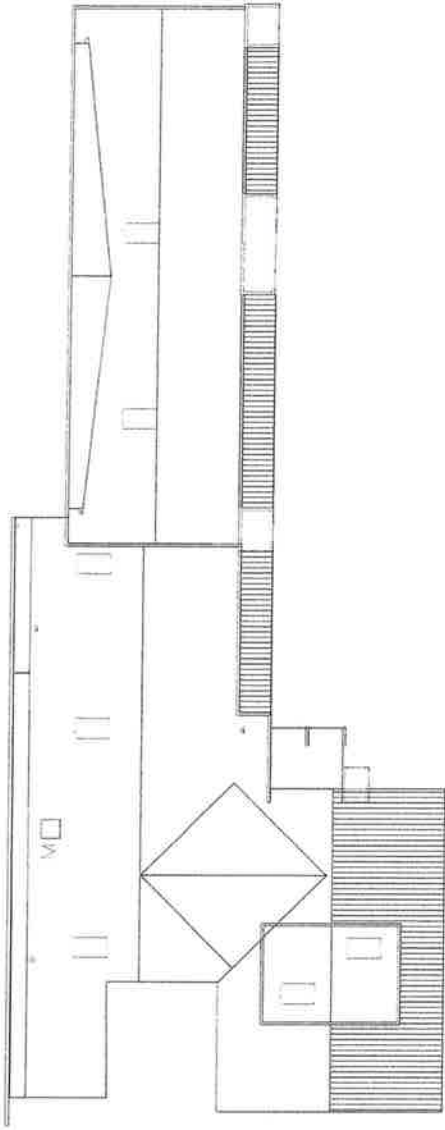
Date: September 17, 2018
Scale: AS NOTED

plus
architects inc.
A PROFESSIONAL ARCHITECTURAL COMPANY
1300 S. GATEWAY BLVD.
SUITE 200
FOLSOM, CA 95630

A-6

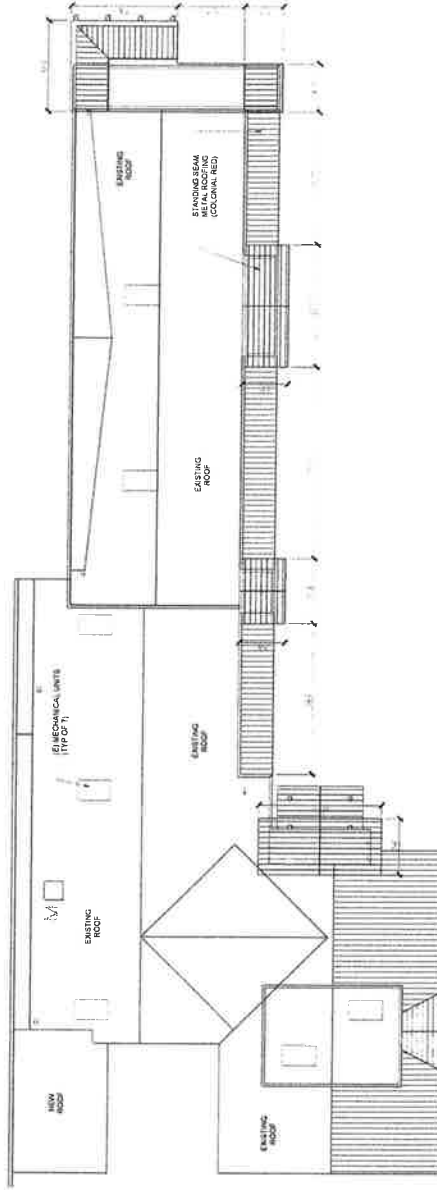
Attachment 5

Roof Plans, dated December 17, 2015



1 EXISTING ROOF PLAN (OLD DAY CARE & OFFICES)
3/22/11 1/2"

2



2 NEW ROOF PLAN
3/22/11 1/2"

2

Folsom Brewery
13407 Folsom Blvd.
Folsom, CA 95630

APN# 071-002-0088

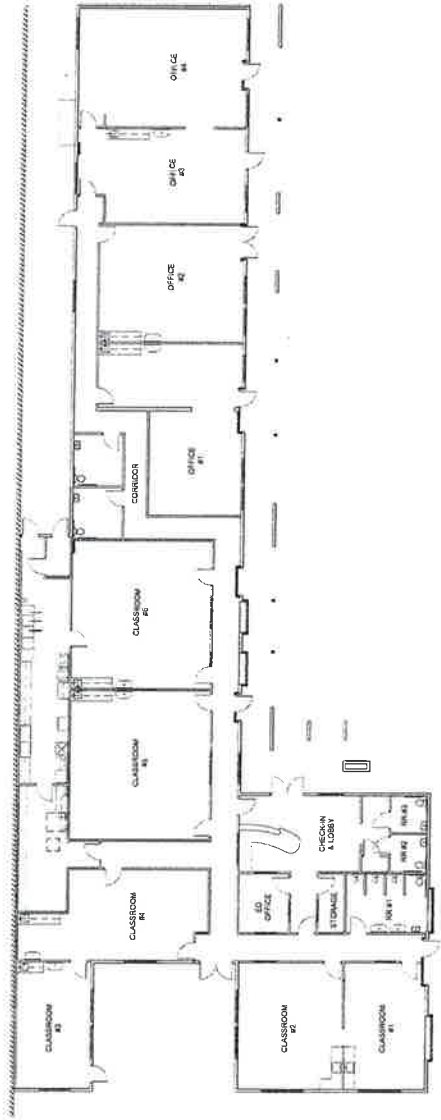
ROOF PLANS
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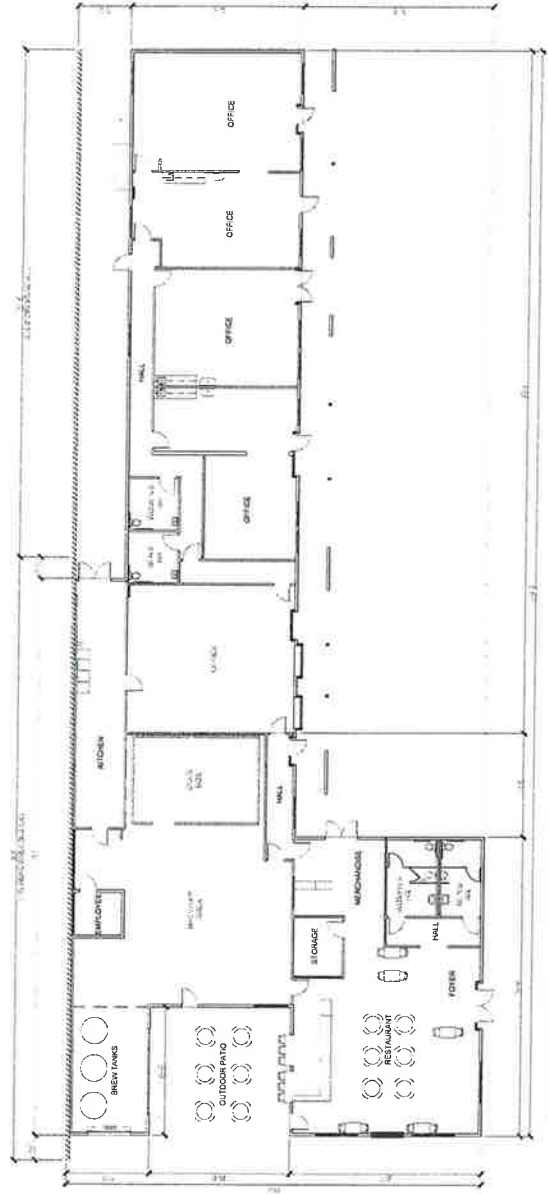
A-3

Attachment 6

Floor Plans, dated December 17, 2015



(1) EXISTING FLOOR PLAN (OLD DAY CARE & OFFICES)



(2) PROPOSED FLOOR PLAN (RESTAURANT AND OFFICES)

Folsom Brewery
 13407 Folsom Blvd.
 Folsom, CA 95630

FLOOR PLANS
 Scale: 1/8" = 1'-0"



A-2

Attachment 7

Brewhouse Plaza Sign Criteria

SIGN CRITERIA **BREWHOUSE**

The goal of this sign program is to insure the uniformity and consistency of the signage for the entire center.

A sign program shall be included with each individual project and submitted to the City Planning staff for review and approval prior to issuance of sign permit. Any sign application not in compliance with the sign criteria will require a modification to the overall sign criteria approved by the Planning Commission.

The following criteria will aid in eliminating excessive and confusing sign displays, preserve and enhance the appearance of the shopping center development, safeguard and enhance property values, and will encourage the use of quality signage which if integrated with and is harmonious to the buildings and sites that it occupies.

A. GENERAL REQUIREMENTS

1. Lessee shall submit, before fabrication, four (4) copies of the proposed signs, including one (1) copy, which is to be colored, to the Lessor for approval. These drawings must include total # location, size, and style of lettering, material, type of illumination, installation details, color selection, logo design, and wall graphics, and must comply with the City of Folsom Sign Requirements.
2. All permits for signs shall be obtained and paid for by the Lessee. The Lessee shall pay for all signs and their installation and maintenance.
3. Lessee shall be responsible for the fulfillment of all requirements and specifications.
4. The size, location, design, color, texture, lighting and materials of these signs shall in no way detract from the design of the shopping center and the surrounding properties.
5. All signs, permits, drawings, and related expenses to be at Lessee's sole cost and expense.
6. Signs to be installed within thirty (30) days of delivery of premises to Lessee.

B. WALL/FASCIA SIGN (SEE SIGN EXHIBIT "B1")

1. Sign area calculations as in Folsom Municipal Code: Each tenant is permitted one wall sign, not to exceed 1.5 sq. ft. in size for each lineal foot of building front to a total maximum sign area of 150 sq. ft.
2. Fascia signs shall be made up of individual channel letters with internally illuminated colored neon tubes to match plexiglass color of letters. Letter return shall be black aluminum 5-inch deep, with 3/4-inch black trim cap.
3. Each Lessee may have, in conjunction with the fascia sign, one illuminated sign (not to exceed 36"x36") logo of the same construction as the fascia sign letters, unless a different size is approved by Lessor. Shop tenants with (2) street frontages are allowed (2) fascia signs on both frontages. Free standing pad buildings are permitted signage on (2) sides maximum.
4. Lessee shall use a letter style, consistent with overall project and as approved by Lessor. Logo color will also be approved by Lessor from the selection of colors listed in #7 below.
5. Sign length, including logo, shall not exceed 75 percent of shop front, consistent with City standards.
6. Minimum letter height shall be 18 inches with a maximum letter height not to exceed 24 inches. Lessor may allow tenant two lines of copy based upon the center's sign criteria and/or length of business name, minimum 16" letter height with a maximum height of 36".
7. Approved Lessee sign colors are as follows:
(Additional colors must be approved by landlord in writing).

Red 209	Green 323	Raspberry 747
Yellow 2465	White 015	Magenta 311
Mustard 2564	Blue 2114	
8. Lessee shall keep fascia sign illuminated daily from dusk throughout the night, so as to provide advertising to potential customers.

C. **RESTRICTIONS**

1. Vertical copy or signs projecting perpendicular to the building are not permitted.
2. Logos or manufacturer's decals, hours of business, telephone numbers, etc., are limited to a total of 144 square inches per single door entrance. All "sale" signs, special announcements, etc. are not permitted on exterior or interior glass. Such advertising materials must be set back 24 inches from glass surface, and all window signs are not to exceed a maximum total of 25% of total window area.
3. Advertising devices such as attraction boards, posters, banners and flags will not be permitted.
4. Painted, flashing, animated, audible, revolving or other signs that create the illusion of an animation are not permitted.
5. Exposed bulb signs are not permitted.
6. No exposed junction boxes, lamps, tubing, conduits, raceways or neon cross-over's of any type are permitted.
7. There shall be no roof top signs, or signs which extend above the parapet wall of the roofline of the building to which they are attached.
8. No "Can Signs" are allowed except for corporate logos.

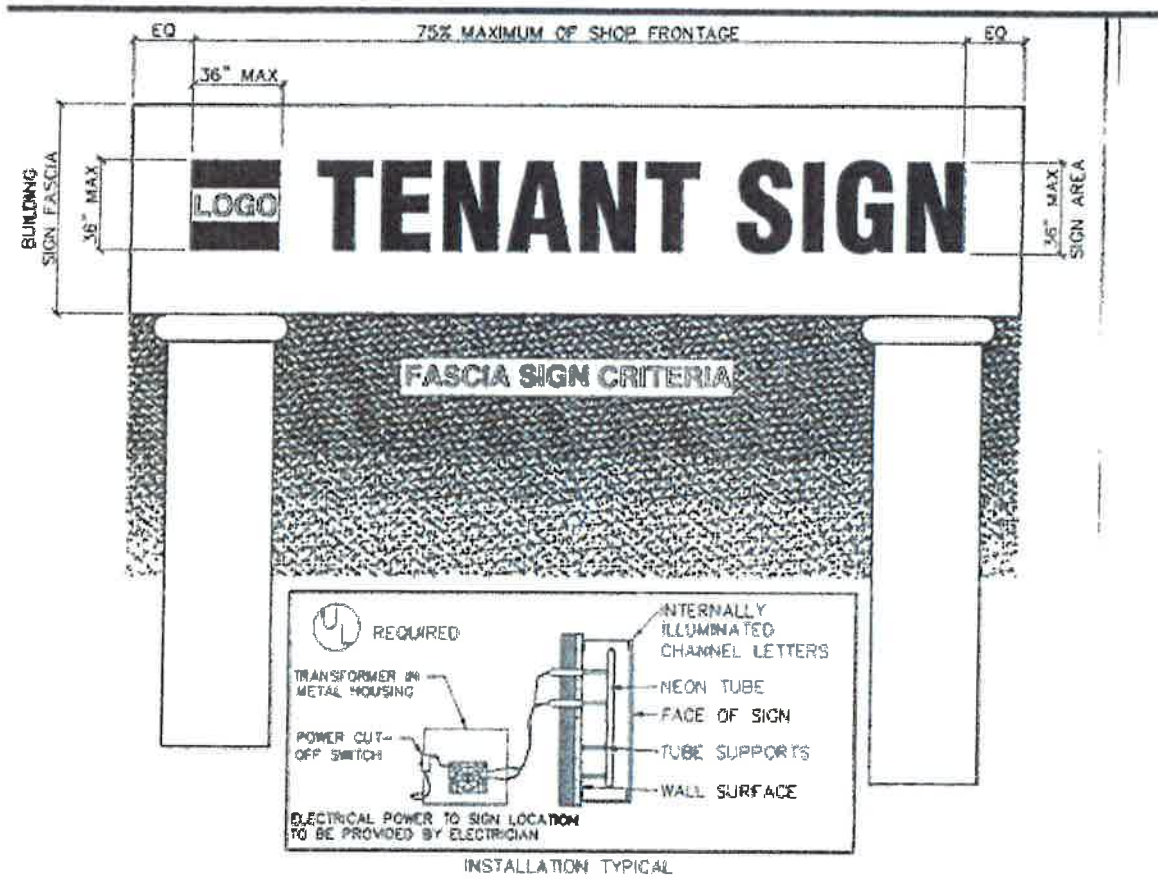
D. **CONSTRUCTION REQUIREMENTS**

1. Lessee is required to obtain from the City of Folsom Building Department, any and all required sign, building and electrical permits.
2. Location of all openings for conduit in sign panels of building walls shall be indicated by the sign contractor on drawings submitted to Owner.
3. Each sign contractor must seal off (watertight) and touch up all mounting holes and leave premises free of debris after installation. The general contractor or Lessor is authorized to correct all such work at the expense of Lessee.
4. All signs must bear the "U.L." label, and the installation must comply with the County of Sacramento Building and Electrical Codes.
5. Lessee shall be responsible for the operations of their sign contractor.

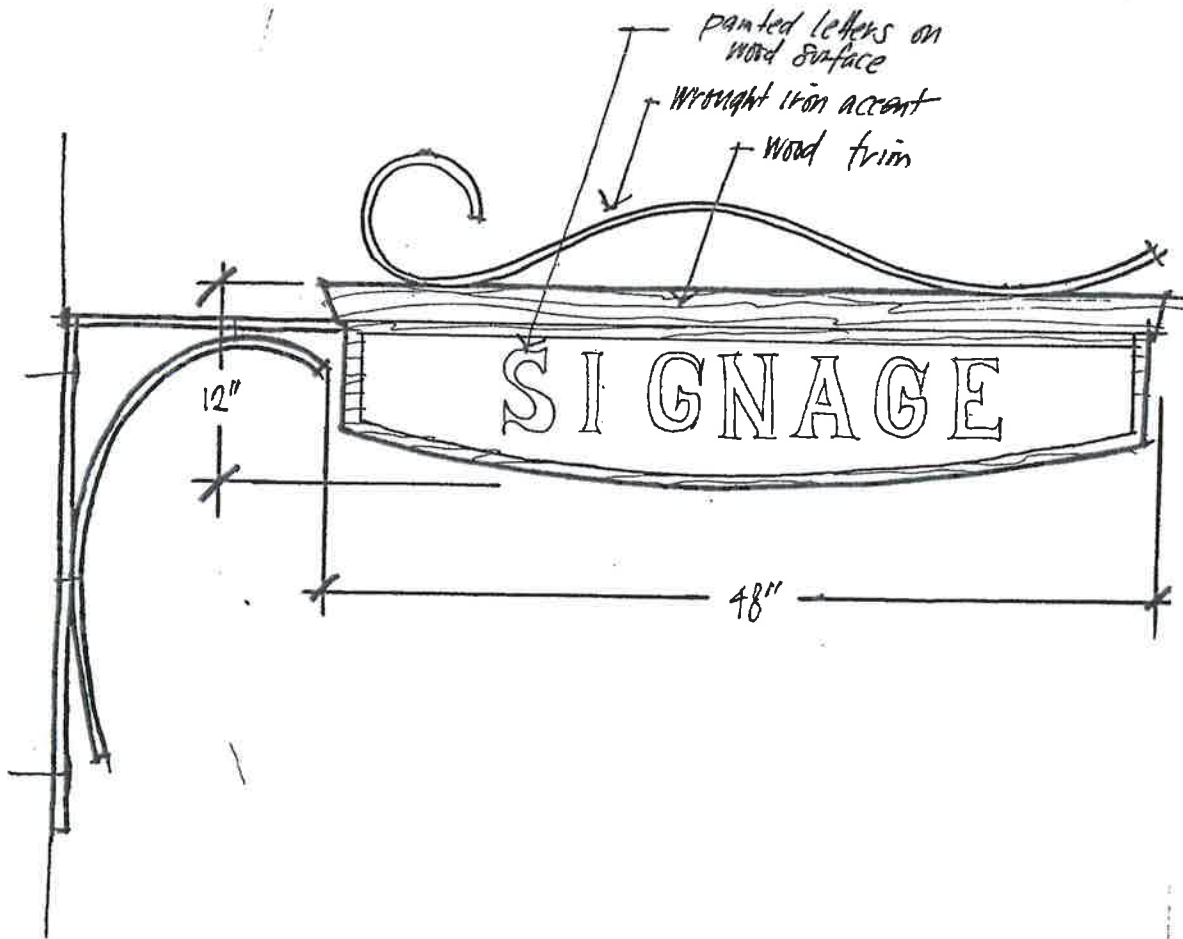
E. **UNDER CANOPY SIGN** (SEE SIGN EXHIBIT "B2")

1. Lessee shall install one (1) under canopy sign (4 sf. max area) over the walkway in front of the premises. This sign can be exempt from sign permit, but must be included in the plan check for compliance with Exhibit B1.
2. The sign shall conform to the specifications attached hereto and must maintain 8' minimum clearance over the walkway.

B-1 EXHIBIT



B 2 EXHIBIT



Attachment 8
Project Narrative

BREWHOUSE PLAZA



Brewhouse Plaza Proposal
13407 Folsom Blvd.
Folsom, California

INTRODUCTION

Visione Folsom is pleased to request the Planning Commission's approval of a conditional use permit and remodel of the Brewhouse Plaza Located at 13407 Folsom Blvd. Folsom Ca.

The Brewhouse Plaza team is comprised of the following: Moyez Hirani (Owner), Doug Scalzi (Project Coordinator) and Jeff Jennings (Project Architect), and Mike Mraz (Brewery Owner)

Mr. Hirani is a long time developer, and commercial and residential property investor. Mr. Hirani has established himself in the Historic District by investing in multiple historic houses throughout the District, as well as Commercial Properties, to include The Natoma Street Office complex at Folsom Blvd. and Natoma Street, an office building at 300 Natoma Street that is now the much needed expansion of Sundance Montessori School, currently housed in the Historic Emma's Place, 916 Figuaroa Street (Fig House Vacation Rental), 718 Sutter Street (Gaslight Building) 807-809 Sutter Street (Black Rooster Building) and last but not least the successful conversion of the Donley House located at 608 Sutter Street, currently the home of "Hamptons Restaurant" on Sutter.

Doug Scalzi owner of Sacramento Commercial Properties has been a lifelong resident of Folsom, current resident of Historic Folsom. Doug has developed such projects as the Kohls Retail Strip building, Lake Natoma Retail Center, Natoma Village, Folsom Electric Power and Lighting Company Building and Parking Garage located at 604 Sutter Street, and currently developing 607 Sutter Street (A new mixed use building).

Jeff Jennings (J Plus Architects) has designed such projects as, 604 Sutter Street, 607 Sutter Street, Cal Family Fit facilities, Hamptons Restaurant, and currently Brewhouse Plaza, to name a few.

Mike Mraz (Owner, Mraz Brewery) El Dorado Hills. Mike Mraz began brewing as a hobby in 2006. Within two years, he was crowned home brewer of the year for the state of California, and then repeated the accomplishment the very next year. In May 2013, Mike turned his passion into a profession when he opened Mraz Brewing Company.

A lover of Belgian-style beers, Mike cites the level of respect paid to the craft by the great Belgian brewers as a major influence in the way he designs and crafts his beers. But Mike will be the first to tell you that his appreciation for fine beers extends far beyond a Belgian Dubbel or a Farmhouse Style Ale. From an English Mild to an Imperial IPA, there's an unyielding commitment to quality evident in the appearance, aroma and flavor of every beer Mike brews.

His demanding standards were rewarded in June 2014 when, after a mere 13 months in operation, Mraz Brewing Company received its first gold medals for the Window of Opportunity Belgian Tripel and The Cardinal, Flanders style red at the California State Fair Craft Brew Competition.

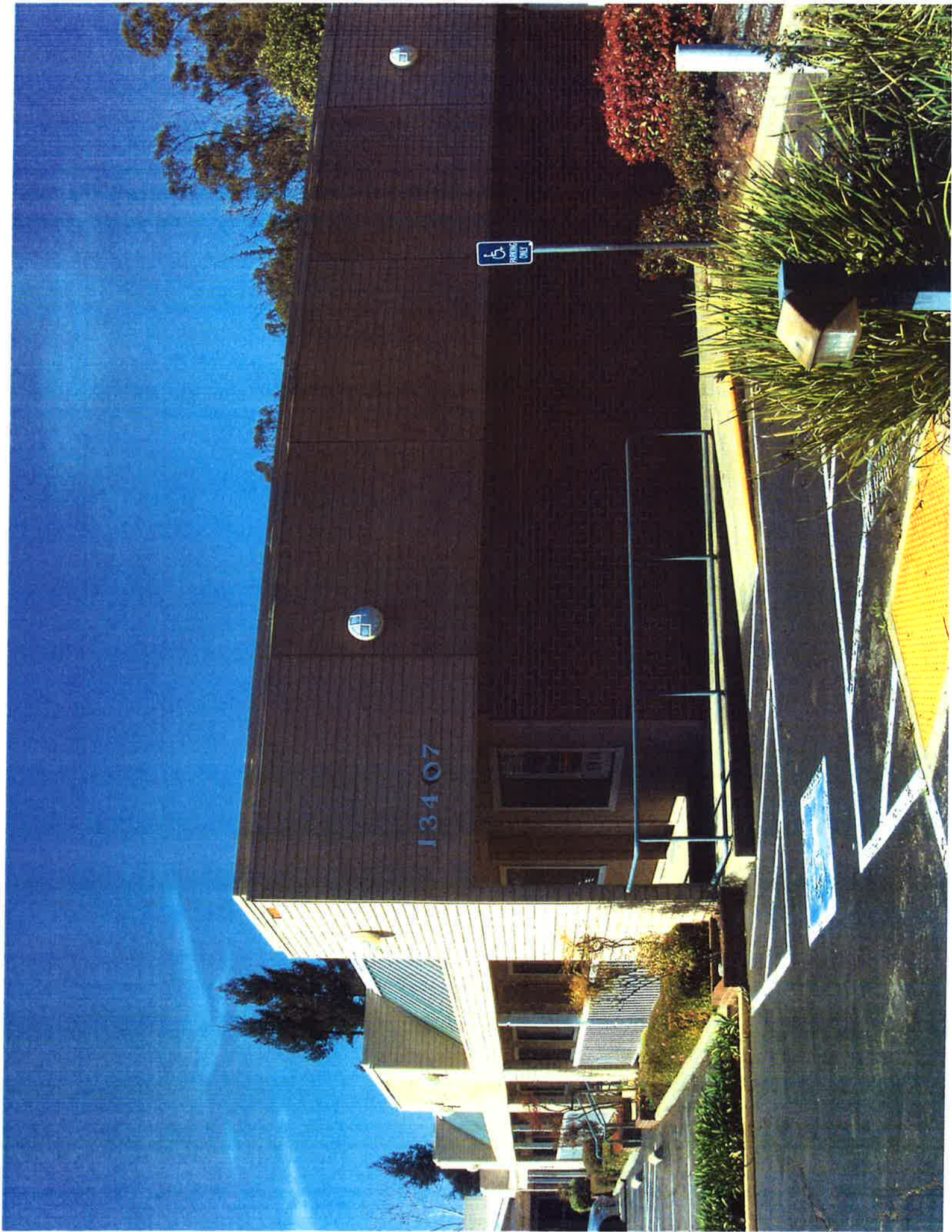
DESCRIPTION OF BREWHOUSE PLAZA

The Brewhouse Plaza (Formerly La Patite Daycare Facility) is located at 13407 Folsom Blvd. at the Southwest Corner of Parkshore Drive and Folsom Blvd. The building was built in 1974 and housed the famous Joe and Dodies Restaurant and Bar, along with multi Tenant Retail and Office users. The Facility has since been used by different operators, but in the most recent years was housed by La Petite Academy. La Petite Academy vacated in late 2014 and the building was subsequently sold to Visione Folsom in mid 2015.

THE BREWHOUSE PLAZA PROJECT

The Brewhouse Plaza is planned as a mixed use center that will cater to the continuous needs of Folsom residents, Tourists, Sports Enthusiasts, Foodies, and Micro Brew Connoisseur's. The Building consists of Approximately 9,200 sq/ft. of which approximately 4,500 sq/ft. will be housed by Mraz Brewery. The Brewery will consist of a tap room, retail sales area, conference room, kitchen (Separate Sublease to food Operator) Brewing room, Outdoor garden area, and Bocce Ball court. The Planned operation of Mraz Brewery will be serving the beers that are brewed on site. There will be a separate food operator that will supply different styles of food conducive to beer tasting and parings. The operations will be similar to a restaurant that serves beer and wine. There will be no hard alcohol. The outdoor area will be used for a garden area offering seating, fire pits, and a variety of entertainment, to include Bocce Ball, Music and Relaxation. The Brewery side will also produce brews that will be supplied to local area restaurants, bars and grocery stores. The hours of operations will be seven days a week. Sunday thru Thursday 11 a.m. to 11 p.m. and Friday and Saturday 11 a.m. to Midnight. There will be occasional special events that may run earlier to later timeframes (estimated 6-10 events per year). The remaining square footage of the Brewhouse Plaza will house mixed uses that will enhance the center and brewery, i.e. Day Spa, Bike Shop, Bike and

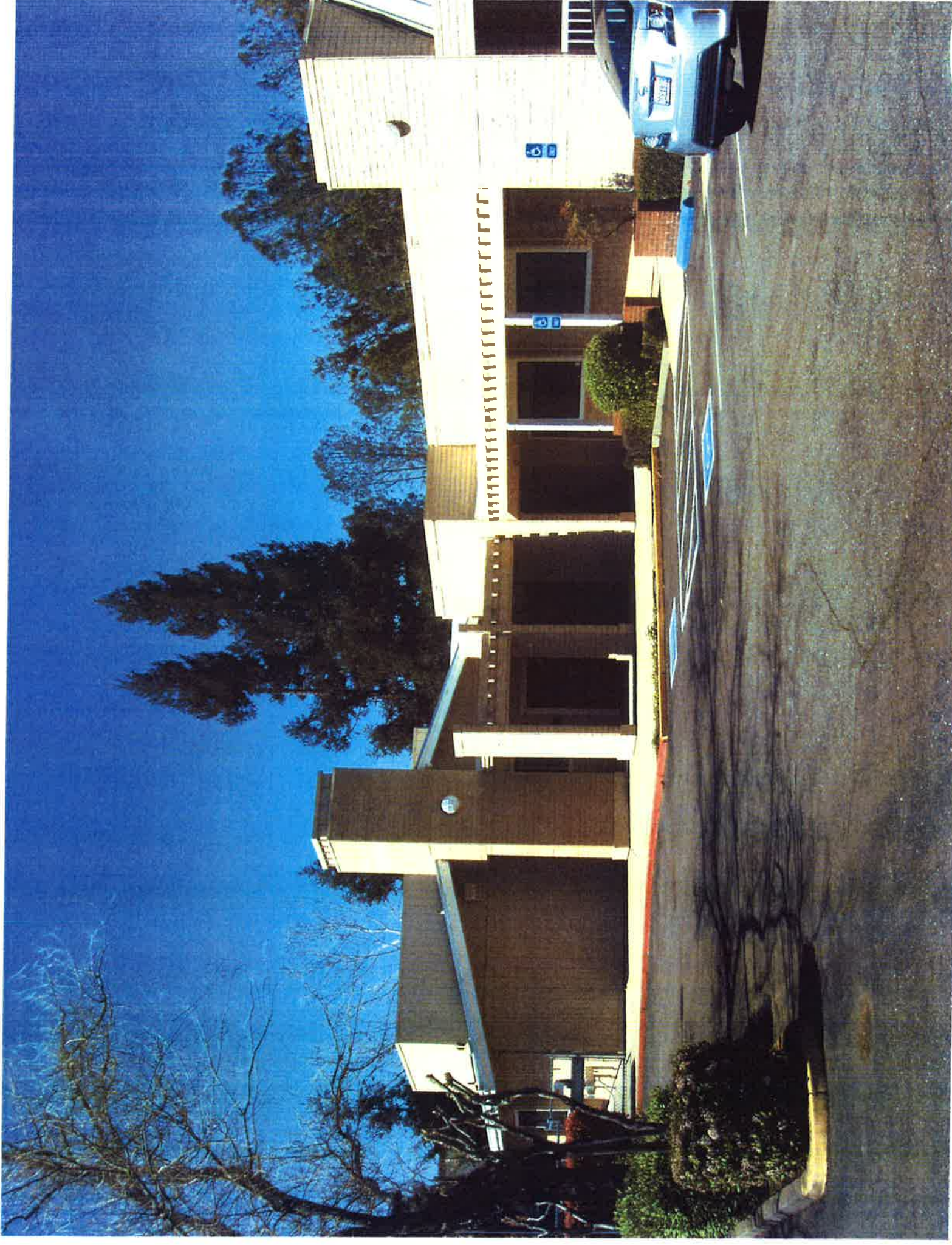
Attachment 9
Site Photographs



13407

HANDICAPPED PARKING ONLY











PLANNING COMMISSION STAFF REPORT

PROJECT TITLE	Pique at Iron Point Apartments
PROPOSAL	Request for approval of a Planned Development Permit for development of a 327-unit market-rate apartment community
RECOMMENDED ACTION	Approve, based upon findings and subject to conditions
OWNER/APPLICANT	Elliott Homes
LOCATION	The 35-acre project site is located on the south side of Iron Point Road between Serpa Way and Carpenter Hill Road (2800 Iron Point Road)
ASSESSORS PARCEL NUMBER	APN: 072-2270-009 and 072-1170-107
SITE CHARACTERISTICS	The 35-acre project site consists of two undeveloped parcels that have previously been disturbed by rough grading activity and construction of erosion control and storm water management features. The project site, which located on the southwest slope of Carpenter Hill, is characterized by steep slopes and graded terraces. Vegetation for a majority of the project site is predominantly non-native grassland. A seasonal wetland is located in the southernmost portion of the site; vegetation in this area is a mosaic of seasonal and permanent wetland species. A storm drain outfall and associated ditch are situated near the western tip of the project site.
GENERAL PLAN DESIGNATION	MMD (Multi-Family Medium Density) and MHD (Multi-Family High Density)

ZONING

SP 95-1 (Broadstone Unit No. 3 Specific Plan) with an underlying zoning designation of R-M PD (Residential Multi-Family, Planned Development District) and SP 92-3 (Empire Ranch Specific Plan) with an underlying zoning designation or R-4 PD (General Apartment, Planned Development District)

ADJACENT LAND USES/ZONING

North: Iron Point Road with Undeveloped Multi-Family Zoned Property (SP 95-1) and Open Space (OSC) Beyond

South: U.S. Highway 50 with the Folsom Plan Area Beyond

East: Single-Family Residential Development (92-3) with Undeveloped Commercial Property Beyond

West: Open Space (SP 95-1) with Undeveloped and Under Development (Life Time Fitness) Commercial Property Beyond

PREVIOUS ACTION

City Council Approval of the Empire Ranch Specific Plan (SP 92-3) in 1992, City Council Approval of a Broadstone Unit No. 3 Specific Plan (SP 95-1) in 1995, City Council Approval of a General Plan Amendment and Rezone in 2003, and City Council Approval of the Broadstone Unit No. 3 General Plan Amendment and Specific Plan Amendment (PN 04-261) in 2005

FUTURE ACTION

Approval of a Lot-Line Adjustment, Issuance of Grading and Building Permits

APPLICABLE CODES

FMC 17.18, General Apartment District
FMC 17.37, Specific Plan District
FMC 17.38, Planned Development District
FMC 17.57, Parking Requirements
FMC 17.59, Signs
Broadstone Unit No. 3 Specific Plan (SP 95-1)
Empire Ranch Specific Plan (SP 92-3)

ENVIRONMENTAL REVIEW

An Initial Study and Mitigated Negative Declaration have been prepared for the project in accordance with the California Environmental Quality Act (CEQA)

ATTACHED REFERENCE MATERIAL

1. Vicinity Map
2. Preliminary Site Plan, dated April 13, 2016
3. Preliminary Grading and Drainage Plans, dated April 13, 2016
4. Preliminary Utility Plans, dated April 13, 2016
5. Access and Circulation Plan, dated April 13, 2016
6. Preliminary Landscape Plans, dated January 5, 2016
7. Preliminary Site Details, dated January 5, 2016
8. Building Elevations and Floor Plans, dated December 18, 2015
9. Color Building Elevations, dated December 18, 2015
10. Color Building Renderings, dated December 22, 2015
11. Color and Materials Board, dated August 5, 2015
12. Project Narrative
13. Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring/Reporting Program
14. Public Comment Letters and Responses to Initial Study and Mitigated Negative Declaration
15. Site Photographs

PROJECT PLANNER

Steve Banks, Principal Planner

BACKGROUND

On December 1, 1992, the City Council certified the Environmental Impact Report and approved a General Plan Amendment, Rezone, Specific Plan and Vesting Tentative Subdivision Map for the Russell Ranch project (now known as Empire Ranch). The 1,739.2-acre Empire Ranch project consisted of: 3,105 single-family, low-density units; 739 single-family, high-density units; 344 multifamily units; a public golf course and private golf course; a regional commercial and neighborhood commercial site; parkland; and natural and improved open space. In 1995, the City Council approved a General Plan Amendment, Rezone, Specific Plan and Vesting Tentative Subdivision Map for establishment of the Broadstone Unit No. 3 Specific Plan area. The 570-acre Broadstone project consisted of: a mixture of custom and production single-family lots totaling 642 units; one multi-family site; one community commercial center; one neighborhood commercial center; 13 industrial lots; three park sites; and a future high school site.

On January 14, 2003, as part of a City-wide rezone process associated with a settlement agreement with Legal Services of Northern California, the City Council approved a General Plan Amendment to change the General Plan land use designation for a 21-acre parcel located on the south side of Iron Point Road (larger portion of subject site) from MMD (Multi-Family Medium Density) to MHD (Multi-Family High Density) and a Specific Plan Amendment to change the Empire Ranch Specific Plan zoning designation from R-M (Residential Multi-Family) to R-4 PD (General Apartment, Planned Development District). On October 25, 2005, the City Council approved a General Plan Amendment to change the General Plan land use designation for a 14-acre parcel located on the south side of Iron Point Road (smaller portion of subject site) from IND (Industrial/Office Park) to MMD (Multi-Family Medium Density) and a Specific Plan Amendment

to change the Broadstone Unit No. 3 Specific Plan zoning designation from IND/OP (Industrial/Office Park) to R-M PD (Residential Multi-Family, Planned Development District).

APPLICANT'S PROPOSAL

The applicant, Elliott Homes, is requesting approval of a Planned Development Permit for development of a 327-unit market-rate apartment community on a 35-acre site located on the south side of Iron Point Road between Serpa Way and Carpenter Hill Road. The proposed apartment development, which is separated into two distinct clusters, includes 213 apartment units within the lower portion (west) of the project site and 114 apartment units in the upper quadrant (east). The project may be constructed in two phases, the upper quadrant being Phase I and the lower quadrant being Phase II. The proposed project includes 71 total apartment buildings including 34 two-unit upslope buildings and 37 seven-unit downslope buildings. The two-unit apartment buildings, which are three-stories-tall, feature two and three bedroom apartments that range from 1,571 to 1,727 square feet in size. The seven-unit apartment buildings, which are also three-stories-tall, feature one and two bedroom units that range from 1,002 to 1,252 square feet in size. In terms of building design, the proposed apartment buildings reflect a fairly contemporary architectural style with many high-quality elements. In addition to the apartment buildings, the proposed project includes two clubhouse buildings featuring numerous recreational amenities (swimming pool, fitness center, lounge, etc.).

Vehicle access to and from the project site is provided by two new driveways connecting directly to Iron Point Road. The western project driveway, which is situated approximately 700 feet east of the intersection of Iron Point Road and Serpa Way, is designed to accommodate right-turns-in, right-turns-out, and left-turns-in only. The eastern project driveway, which is located approximately 1,200 feet west of the intersection of Iron Point Road and Carpenter Hill Road, is designed to accommodate right-turns-in, right-turns-out, and left-turns-out only. Internal vehicle circulation is facilitated by five private roadways that loop throughout the project site. Pedestrian circulation is accommodated by a combination of existing sidewalks and new interior sidewalks and walkways. Bicycle circulation is provided by existing bicycle lanes along the frontage of Iron Point Road. The proposed project includes a total of 677 parking spaces including 395 covered garage parking spaces and 282 uncovered parking spaces. Additional site improvements include: underground utilities, retaining walls, monument signs, curbs, gutters, site lighting, and site landscaping.

GENERAL PLAN AND ZONING CONSISTENCY

The General Plan land use designation for the 35-acre project site is MMD (Multi-Family Medium Density) and MHD (Multi-Family High Density) and the City-approved zoning designation is SP 95-1 (Broadstone Unit No. 3 Specific Plan) with an underlying zoning of R-M PD (Residential Multi-Family, Planned Development District) and SP 92-3 (Empire Ranch Specific Plan) with an underlying zoning designation of R-4 PD (General Apartment, Planned Development District). The Specific Plan zoning designations correspond with the General Plan designation boundary lines. The proposed project is consistent with both the General Plan land use and Specific Plan zoning designations for the site, as multi-family apartments are identified as a permitted land use within the R-M and R-4 zoning district. It is important to note that the proposed project meets or exceeds the development standards established for both the Residential Multi-Family and General Apartment District sites as established by the Folsom Municipal Code (FMC, Section 17.17, Residential Multi-Family Dwelling District and FMC, Section 17.18, General Apartment District and FMC, Section 17.) in terms of lot area, lot width, building coverage, building setbacks, building height, and

parking. In addition, the proposed project will not conflict with any known applicable plans or policies by agencies with jurisdiction over the project.

As noted in the previous discussion, the General Plan land use designation for the 35-acre project site is MMD (Multi-Family Medium Density) and MHD (Multi-Family High Density). The City of Folsom General Plan allows properties assigned with a MMD land use designation to be developed with a maximum density of 17.9-units per acre and properties assigned with a MHD designation to be developed with a maximum density of 30-units per acre. As shown on the submitted site plan, the proposed project is being developed at a residential density of 9.3 dwelling units per acre. Based on the aforementioned information, staff has determined that the proposed project density is consistent with the residential density established for properties assigned with an MMD and MHD land use designation as it does not exceed the maximum residential density of either 17.9 or 30 dwelling units per acre.

LAND USE COMPATIBILITY

As mentioned previously within this report, the 35-acre project site is located on the south side of Iron Point Road between Serpa Way and Carpenter Hill Road. The project is bounded by Iron Point Road to the north with an undeveloped multi-family-zoned property and open space beyond, U.S. Highway 50 to the south with the Folsom Plan Area beyond, single-family residential development to the east with undeveloped commercial property beyond, and open space to the west with commercial property and Serpa Way beyond. As noted earlier, the western portion of the project site is located within the Broadstone Unit No. 3 Specific Plan Area, while the eastern portion of the project site is located within the Empire Ranch Specific Plan Area.

As described above, the project site is located within a unique geographic area that includes a mixture of residential and commercial land uses. The areas to the north and east of the project site are dominated by single-family residential homes, while the area to west of the site includes a fairly intensive stretch of commercial development. In terms of compatibility with the nearby single-family residential development, the proposed project has been designed to minimize impacts to nearby residents with respect of site design and architectural design. In relation to site design, the applicant has positioned the apartments buildings a significant distance away (50-60 feet) from the nearest single-family residential property lines to the east to minimize potential visual impacts those residents. In addition, the apartment buildings in closest proximity to the single-family residences to the east are situated 27-30 feet below the grade of the adjacent homes, further reducing any potential visual impacts. With regard to architectural design, the applicant has created a contemporary design theme for the project that utilizes buildings materials and colors that are complimentary to existing single-family homes in the project area. It should be noted that a number of project-specific impacts (noise, traffic, parking, aesthetics, etc.) were analyzed and are addressed within separate sections of this report.

As noted above, the project site is located in close proximity to the heavy retail-commercial environment associated with development on Iron Point Road and East Bidwell Street. In general, high density residential projects are commonly situated within transitional areas that are in close proximity to major transportation nodes and intensive commercial development. In this particular case, the proposed project is situated near both Iron Point Road and East Bidwell Street, which provides opportunities to directly access and utilize the Folsom Stage Line bus system, and indirectly access the Sacramento Regional Transit light rail system. In relation to commercial development, the proposed project is located near many employment, educational, and shopping

opportunities provided by development along the East Bidwell Street and Iron Point Road corridors. Based on the aforementioned information, staff has determined that the proposed project is ideally situated to take advantage of the many opportunities afforded in the vicinity of the project site. In addition, staff has determined that the proposed project is compatible with the surrounding residential and commercial land uses in the project area.

PLANNED DEVELOPMENT PERMIT

The purpose of the Planned Development Permit process is to allow greater flexibility in the design of integrated developments than otherwise possible through strict application of land use regulations. The Planned Development Permit process is also designed to encourage creative and efficient uses of land. The applicant’s intent, in this particular case, is to provide a multi-family rental product that fits into a niche between the single-family, small-lot category and the multi-family condominium category. In reviewing the applicant’s request for approval of a Planned Development Permit, staff considered a variety of factors including existing/proposed development standards, traffic/access/circulation, parking requirements, noise impacts, aesthetic impacts, site lighting, site landscaping, trash/recycling, grading/drainage, and architecture/design.

Development Standards

The applicant’s intent with the subject application is to comply with the existing development standards established for both the Broadstone Unit No. 3 Specific Plan (R-M) and Empire Ranch Specific Plan (R-4) areas. The following table outlines the existing development standards for the R-M and R-4 zoning districts and how those standards are being met by the Pique at Iron Point Apartment project:

Pique at Iron Point Apartments Development Standards Table							
	Lot Area	Lot Width	Building Coverage	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Building Height limit
R-M Standard	7,500 s.f.	60 feet	60%	20 feet	20 feet	15 feet	50 feet
R-4 Standard	7,500 s.f.	75 feet	60%	20 feet	20 feet	15 feet	50 feet
Proposed Project	1,524,600 s.f.	2,200 feet	14%	50 feet	75 feet	25/50 feet	37/39 feet

As shown on the development standards table above, the proposed project is consistent with the development standards established for both the Broadstone Unit No. 3 Specific Plan and the Empire Ranch Specific Plan in terms of lot area, lot width, building coverage, building setbacks, and building height. As a result, staff has determined that the proposed project meets the intent, purposes, and standards set forth in the Specific Plan District (FMC Section 17.37) and in the Planned Development District (FMC Section 17.38).

Traffic/Access/Circulation

Existing Roadway Network:

Significant roads in the project vicinity include Iron Point Road, East Bidwell Street, Empire Ranch Road, and Serpa Way. Iron Point Road is an east-west arterial roadway that generally runs parallel to and just north of U.S. Highway 50. In the general vicinity of the project site, Iron Point Road is a six-lane, median-divided road with bike lanes and a 45 MPH speed limit. East Bidwell Street is an

arterial roadway that runs from U.S. Highway 50 on the south to Coloma Way on the north. Near the project site, East Bidwell Street is a median-divided road with bike lanes and a 45 MPH speed limit. Empire Ranch Road is a north-south arterial street that runs from Iron Point Road to East Natoma Street. In the vicinity of the project site, Empire Ranch Road is a six-lane, median-divided road with a 45 MPH speed limit. Serpa Way is a two-lane road that runs from Broadstone Parkway to south of Iron Point Road. Serpa Way includes a number of residential driveways and has a posted 25 MPH speed limit.

Traffic Impacts:

The traffic, access, and circulation analysis associated with the proposed project is based on the results of a Traffic Impact Analysis that was prepared on December 15, 2015 by MRO Engineers. The traffic study analyzed traffic operations in the vicinity of the project site under five scenarios: Existing Conditions, Construction Year No Project Conditions, Construction Year Plus Project Conditions, Cumulative No Project Conditions, and Cumulative Plus Project Conditions.

Potential impacts of the project were evaluated at six street intersections: Iron Point Road/East Bidwell Street, Iron Point Road/Serpa Way, Iron Point Road/Carpenter Hill Road, Iron Point Road/Empire Ranch Road, East Bidwell Street/ U.S. Highway 50 Westbound Off-Ramp, and East Bidwell Street/ U.S. Highway 50 Eastbound Off-Ramp.

Under Existing Conditions, all of the study intersections operate at an acceptable level of service during the AM Peak Hour. Under Existing Conditions, all of the study intersections operate at an acceptable level of service during the PM Peak Hour with the exception of the intersection of Iron Point Road/East Bidwell Street (LOS D). Under Construction Year No Project Conditions, no change in level of service is projected in the AM Peak Hour at any of the six study intersections. Under Construction Year No Project Conditions, the level of service in the PM Peak Hour is expected to decline from LOS D to LOS F at the intersection of Iron Point Road/East Bidwell Street and decline from LOS C to LOS E at the intersection of East Bidwell Street/U.S. Highway 50 Off-Ramp.

The proposed Pique at Iron Point Apartment project is expected to generate a total of 167 vehicle-trips during the weekday AM peak hour (33 inbound and 134 outbound) and 203 during the weekday PM peak hour (132 inbound and 71 outbound). In addition, the proposed project is projected to generate a total of 2,175 daily vehicle trips. Under Construction Year Plus Project Conditions, no change in level of service is projected, and all of the study intersections will operate at an acceptable levels of service during the AM Peak Hour. Under Construction Year Plus Project Conditions, all of the study intersections will operate at an acceptable level of service with the exception of the intersection of Iron Point Road/East Bidwell Street (LOS F). However, the project-related delay is only 1.2 seconds per vehicle which is not considered a significant impact (< 5.0 seconds). Under Construction Year Plus Project Conditions, the study concluded that all of the project-related impacts at the six study intersections were less than significant and no measures were necessary to resolve project-related off-site traffic impacts.

Under Cumulative No Project Conditions, two additional study intersections (Empire Ranch Road/U.S. Highway 50 Westbound Off-Ramp and Empire Ranch Road/U.S. Highway 50 Eastbound Off-Ramp) were evaluated. Under Cumulative No Project Conditions, two of the study intersections are expected to fall short of the City's LOS C standard during the AM Peak Hour. The intersection of Iron Point Road and Carpenter Hill Road (Stop-Sign controlled intersection) is projected to operate at LOS F, as is the intersection of Iron Point Road and Empire Ranch Road.

Under Cumulative No Project Conditions, three of the study intersections (Iron Point Road/East Bidwell Street, Iron Point Road/Carpenter Hill Road, and Iron Point Road/Empire Ranch Road) will operate at LOS F during the PM Peak Hour.

Under Cumulative Plus Project Conditions, all but two of the study intersections will operate at an acceptable level of service in the AM Peak Hour (Iron Point Road/Carpenter Hill Road and Iron Point Road/Empire Ranch Road will operate at LOS F). It is important to note that both project driveway locations will have insufficient traffic to meet the “Peak Hour” warrants to justify installation of a traffic signal. Under Cumulative Plus Project Conditions, no change in level of service is projected at any of the study intersections during the PM Peak Hour. Although three of the study intersections are projected to be at LOS F, the project-related increase in vehicle delay is less than the City’s significance threshold of five seconds.

Project Access and On-Site Circulation:

As shown on the submitted site plan, vehicular access to and from the project site is provided by two new driveways located on Iron Point Road. The westernmost project driveway, which is positioned approximately 700 feet east of the intersection of Iron Point Road and Serpa Way, is designed to accommodate right-turns-in, right-turns-out, and left-turns-in only. No outbound left turns onto Iron Point Road would be permitted at this driveway location. The easternmost project driveway, which is located approximately 1,200 feet west of the intersection of Iron Point Road and Carpenter Hill Road, is designed to accommodate right-turns-in, right-turns-out, and left-turns-out only. No inbound left turns from Iron Point Road would be permitted at this driveway location. Internal vehicle circulation is facilitated by five private roadways that loop throughout the project site. Pedestrian circulation is accommodated by a combination of existing sidewalks and new interior sidewalks and walkways. Bicycle circulation is provided by existing bicycle lanes along frontage of Iron Point Road.

The traffic study prepared for the proposed project analyzed the operation and configuration of the project access system in terms of: driveway spacing, turn restrictions, sight distance, vehicle queuing, right-turn deceleration lanes or tapers. Based on the configuration of the proposed project driveways and the physical characteristics of Iron Point Road, the study determined that adequate spacing (approximately 1,600 feet between two proposed driveways) is provided between the proposed driveways and no further turn restrictions are necessary at either driveway location. In terms of sight distance for the westernmost project driveway, the study determined that adequate sight distance is available for vehicles exiting the project site onto eastbound Iron Point Road if landscape materials located along the street frontage to the west are removed or trimmed down. The study also determined that adequate sight distance is available for vehicles making a left-turn movement into the project site from westbound Iron Point Road.

In terms of sight distance for the easternmost project driveway, the study determined that adequate sight distance is available for vehicles making a right turn movement onto eastbound Iron Point Road. However, with respect to the left-turn movement out of the project site onto westbound Iron Point Road, the study determined that insufficient sight distance was available due to the curvature of the roadway, change in topography, and high vehicle speeds. To address the aforementioned situation, the study recommends that the configuration of westbound Iron Point Road be modified to provide a protected lane for vehicles exiting the project site onto westbound Iron Point Road. The modifications to Iron Point Road would result in a third westbound lane on Iron Point Road exclusively for use of exiting vehicles from the project site.

With respect to vehicle queuing at the two project driveways, the study evaluated the throat depth of each driveway to ensure that adequate stacking space was provided to ensure that vehicles don't back onto Iron Point Road or into internal project drive aisles. The study determined that adequate throat depth is provided at both project driveways. With regard to right-turn deceleration lanes or tapers, the study determined that the peak hour traffic volumes are sufficient enough that right-turn deceleration lanes are necessary at both the western and the eastern project driveways. To further ensure safe travel in and around the project site, staff recommends that the following measures be implemented (Condition No. 56):

- Western Project Driveway
 - Left-turns-in and right-turns-in/out shall be provided (no outbound left turns).
 - For the inbound left-turn lane, in addition to the 50 feet needed to store vehicles waiting to complete the turn, 315 feet of full-width deceleration length shall be provided.
 - A standard right-turn deceleration taper shall be constructed to assist eastbound drivers entering the site.
 - The plant material in the parkway strip to the west of the driveway shall be removed or modified in such a way as to ensure a minimum of 425 feet of sight distance is available in that direction from the driveway.
 - STOP-sign control shall be employed on the driveway approach to Iron Point Road.

- Eastern Project Driveway
 - Left-turns out and right-turns in/out shall be provided (no inbound left turns).
 - The pavement markings on Iron Point Road shall be modified, as conceptually illustrated in the Traffic Impact Analysis, so that vehicles exiting the project site have their own lane as they join westbound Iron Point Road. This lane will become the third westbound lane on Iron Point Road. Caltrans-standard delineators shall also be employed to guide westbound through traffic in this area.
 - STOP-sign control shall be employed on the driveway approach to Iron Point Road.
 - A standard right-turn deceleration taper shall be constructed for inbound traffic.

Traffic Safety Committee

The proposed project was reviewed by the Traffic Safety Committee at its February 25, 2016 meeting. At the aforementioned meeting, the Committee discussed a number of traffic, access, and circulation-related topics associated with the proposed project including emergency vehicle access. In relation to emergency vehicle access, the Committee recommended that City staff work with the applicant to design an emergency vehicle access route that would provide adequate access into the project site from westbound Iron Point Road. Subsequently, City staff and the applicant worked

together to design an acceptable emergency vehicle access route within the median on Iron Point Road. To ensure that adequate emergency vehicle access is provided to the project site, staff recommends that the following measure be implemented (Condition No. 57):

- An Emergency Vehicle Access (EVA) for fire apparatus shall be installed and maintained to allow immediate left-turn access into the project's eastern driveway entrance across the existing median from west-bound Iron Point Road. The design of the EVA shall be approved by both the Fire Code Official and the City Engineer. The EVA shall be a paved surface that can support a gross vehicle weight of 80,000 pounds. The EVA shall have an unobstructed vertical clearance of not less than 13'6".

Parking

The applicant proposes to provide a total of 677 parking spaces including 395 covered garage parking spaces and 282 uncovered parking spaces. As currently designed, the proposed project provides parking at a ratio of 2.07 spaces per apartment unit. The Folsom Municipal Code (Section 17.18.110 Parking) requires 1.5 parking spaces per unit for multi-family structures and complexes located within the R-4 (General Apartment) zoning district. Utilizing the aforementioned parking ratio, the proposed project includes more than adequate parking by providing 677 parking spaces whereas 490 parking spaces are required.

The Design Guidelines for Multi-Family Development (adopted by the City Council in 1998) require multi-family apartment projects to provide 1.5 parking spaces for one bedroom units, 1.75 parking spaces for two bedroom units, 2.0 parking spaces for three bedroom units, and .2 guest parking spaces for each unit within the development. Applying the parking recommendations of the Design Guidelines for Multi-Family Development, the proposed project also includes sufficient parking by providing 677 parking spaces whereas 627 parking spaces are recommended. To address the discrepancy between the parking requirements associated with the R-4 zoning district and the parking recommendations of the Design Guidelines for Multi-Family Development, staff requested that the applicant provide a supplemental parking analysis. Based on the aforementioned analysis, staff has determined that the proposed project meets the parking requirements recommended by the Design Guidelines for Multi-Family Development.

Noise

Based on the proximity of the project site to Iron Point Road, U.S. Highway 50, and nearby commercial development, acoustical measurements and modeling were prepared by HELIX Environmental Planning, Inc. (HELIX). The purpose of the noise analysis was to quantify existing noise levels associated with traffic on Iron Point Road, traffic on U.S. Highway 50, and nearby commercial activities, and to compare those noise levels against the applicable City of Folsom noise standards for acceptable noise exposure at residential land uses. Noise sources associated with the proposed project, including on-site parking/circulation and mechanical equipment noise, were also evaluated in the noise analysis.

As noted previously, the predominant existing noise sources in the vicinity of the project site are from vehicles on Iron Point Road and U.S. Highway 50, as well as background noises from nearby commercial land uses. Persons and activities potentially sensitive to noise in the project vicinity include residents within the Broadstone Unit No. 3 Subdivision to the north and northwest of the project site and residents of the Empire Ranch Subdivision to the east. Potential noise impacts

associated with the Pique at Iron Point Apartment Community project can be categorized as those resulting from construction-related activities and those caused by operational activities. Construction-related noise would have a short-term effect, while operational noise would continue throughout the lifetime of the project.

Development of the 327-unit apartment community would temporarily increase noise levels in the project vicinity during the construction period, which would take approximately 12 to 18 months. Construction activities, including site clearing, excavation, grading, building construction, and paving, would be considered an intermittent noise impact throughout the construction period of the project. The City's Noise Ordinance excludes construction activities from meeting the General Plan Noise Element standards, provided that all phases of construction are limited to the hours between 7:00 a.m. and 6:00 p.m. on weekdays, and between 8:00 a.m. and 5:00 p.m. on Saturdays. To ensure compliance with the City's Noise Control Ordinance and General Plan Noise Element, staff recommends that hours of construction operation be limited from 7:00 a.m. to 6:00 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on Saturdays with no construction permitted on Sundays or holidays. In addition, staff recommends that construction equipment be muffled and shrouded to minimize noise levels. Condition No. 59 is included to reflect these requirements.

The noise environment in the area of the project site is dominated by traffic noise generated by vehicles on Iron Point Road and U.S. Highway 50. Additional noise is also generated to a lesser extent from nearby commercial uses located to the west of the project site. Traffic noise levels were measured with respect to the outdoor activity areas associated with the project and also for interior spaces within the proposed apartment buildings. The noise analysis determined that the future greatest exterior noise level in the outdoor activity areas would be 47.2 dBA in the upper portion of the project site and 56.1 dBA in the lower portion of the project site, thus complying with the 60 dBA noise level standard established by the City for residential developments.

Traffic noise levels were also calculated for the interior spaces within the proposed residential apartment buildings. The noise analysis determined that the exterior noise levels for buildings closest to Iron Point Road range from 60.1 to 64.8 dBA in the eastern portion of the project site and from 48.1 to 57.7 dBA in the western portion of the site. For buildings closest to U.S. Highway 50, the noise analysis determined that the exterior noise levels would range from 70.4 to 75.3 dBA. Traditional architectural materials are expected to reduce these noise levels by approximately 15 dBA. Based on the projected exterior noise levels, traditional architectural materials would not attenuate the interior level to 45 dBA at all building locations. To address the interior noise level impacts, staff recommends that the following measures be implemented (Condition No. 60):

- Interior building noise levels for the proposed project shall not exceed 45 dBA CNEL. Wall design at buildings with interior noise levels potentially exceeding 45 dBA (i.e., impacted receivers R16-R25 located adjacent to U.S. Highway 50) shall be comprised of a typical 2x4 stud wall construction with ½ typical 2X4 stud wall construction with ½-inch exterior shear wall covered with 7/8-inch thick stucco. Any variance from this wall design will require a final update of this analysis when the finished building plans are available to be submitted with the final building plans prior to the issuance of construction permits.

- All window glazing must provide a minimum STC 37 rating. Use of dual glazing with the following minimum design will normally fulfill this specification (other designs may be used provided they have a manufacturer's certified minimum STC 37 rating):
 - ¼ -inch thick exterior glass
 - ¾ -inch air gap
 - ¼ -inch thick interior glass

- Appropriate means of air circulation and provision of fresh air shall be provided to allow windows to remain closed for extended intervals of time so that acceptable interior noise levels can be maintained. The mechanical ventilation system shall meet the criteria of the International Building Code (Chapter 12, Section 1203.3 of the 2013 California Building Code).

Operational noises generated by the proposed project include sounds associated with new vehicle trips, vehicles parking, and mechanical equipment associated with the apartment community. Based on the moderate amount of project-generated vehicle trips, vehicle noise exposure (less than 3 dBA increase) would increase only slightly as compared to existing conditions in the project vicinity. There would also only be slight noise increase from activities occurring in the parking lot areas. To minimize operational noise impacts associated with the operation of the mechanical equipment, staff recommends that roof-mounted mechanical equipment not extend above the height of the parapet walls. In addition, staff recommends that ground-mounted mechanical equipment be shielded by landscaping or trellis-type features. Condition No. 60 is included to reflect these requirements.

Walls/Fencing/Gates

The applicant is proposing to construct a series of rockery retaining walls at various locations throughout the project site. In the eastern portion the project site adjacent to Iron Point Road, there is a rockery retaining wall that ranges from 3 to 10 feet in height and is 300 feet in length. In the vicinity of the eastern property boundary adjacent to the existing single-family homes, there is a rockery retaining wall that ranges from 8 to 11 feet in height and is 350 feet in length. In the southern portion of the project site adjacent to U.S. Highway 50, there are a series of rockery retaining walls that range from 4 to 8 feet in height and vary in length. In terms of fencing, the applicant is proposing to place six-foot-tall decorative steel fencing interspaced with stone veneer pilasters around the perimeter of the project site. The two vehicle entrances to the project site will be secured by six-foot-tall decorative steel gates. Pedestrian access gates are proposed to be located adjacent to the vehicle gates. Staff has determined that the design of the proposed retaining walls, fences, and gates is complementary to the architecture and design of the proposed apartment buildings. However, staff does recommend that the final location, design, height, materials, and colors of the retaining walls, fences, and gates be subject to review and approval by the Community Development Department. Condition No. 62-7 is included to reflect this requirement.

Site Lighting

The applicant is proposing to use a combination of free-standing parking area lights, landscape and walkway lighting, and building-attached lights. The free-standing parking area lights, which are primarily located within the interior parking areas and adjacent to the two clubhouse buildings, are 16 feet in height and feature a contemporary design. The landscape and walkway lights are short

(40-inches-tall), ground-mounted fluorescent lights that provide illumination for the walkways and landscape areas throughout the project site. The building attached lighting includes decorative light fixtures mounted along the front of the individual apartment buildings. To minimize potential lighting-related impacts, staff recommends that all free-standing parking area lights, landscape and walkway lights, and building attached lights be screened, shielded, and directed downward to minimize glare towards the surrounding properties. In addition, staff recommends that the final design of all exterior lighting be subject to review and approval by the Community Development Department. Condition No. 28 is included to reflect these requirements.

Signage

The proposed project includes two monument sign that will be located within the landscape areas at each of the project driveways on Iron Point Road respectively. The proposed monument signs, which are double-sided, are 6 feet in height by 13 feet in width with an approximate sign area of 24 square feet. The proposed signs include copy that reads, “The Pique at Iron Point Apartments”. The design of the monument signs includes a stone base and decorative trim cap elements. The applicant is proposing to match color scheme of the building with respect to colors for the proposed monument sign. Staff has also determined that the proposed monument signs utilize a design, materials, and colors that are complimentary to the design of the proposed buildings.

Mechanical Equipment

The proposed plans do not identify the proposed location for mechanical and utility equipment, such as transformers, electric and gas meters and junction boxes. Staff recommends all mechanical and utility equipment for all units be screened from view of public streets, neighboring properties and nearby higher buildings. Condition No. 62-4 is included to reflect this requirement.

Trash/Recycling

The proposed project includes interior trash and recycling collection rooms within each of the apartment buildings. Outside each of the trash and recycling collection rooms is a designated area where the refuse will be collected. Staff recommends that the final trash and recycling collection plan be subject to review and approval by the Community Development Department. Condition No. 71 is included to reflect this requirement.

Schools

Representatives of the Folsom-Cordova Unified School District have concluded the proposed project is anticipated to generate 111 (K-12) students. Students from the proposed project will attend Russell Ranch Elementary School, Folsom Middle School, and Vista del Lago High School. The school district had indicated that the aforementioned schools may accommodate the students generated from this project. The following table details the student generation associated with the proposed project:

	Single-Family Units	Pupils Generated	Multi-Family Units	Pupils Generated	Total Pupils Generated
K-5	NA	NA	327	56	56
6-8	NA	NA	327	32	32
9-12	NA	NA	327	23	23
Totals	NA	NA		111	111

The Folsom-Cordova Unified School District has indicated that all of the aforementioned schools are currently operating at or near capacity and that there may not be excess capacity at current

school sites. It is the policy of the District to balance class loads at each school. If an individual grade level is full, then the student or pupil may be bused to another school within the district. It is important to note that the District also reviews attendance boundaries on a yearly basis and makes adjustments as necessary.

The State of California (Government Code Section 65995) establishes the maximum fee that a school district can impose on residential development or construction to address the impacts associated with an increase in student population. In the specific case of the Folsom Cordova Unified School District, the established residential impact fee is approximately \$6.50 per square foot. Based on the aforementioned impact fee, the District expects to generate approximately \$2,014,320 (\$6,160 per unit) in revenue from the proposed project. It is critical to note that, under state law, the City is prohibited from denying or refusing to approve a residential subdivision based on the adequacy of the existing school facilities.

Existing and Proposed Landscaping

Existing vegetation on the 35-acre project site includes non-native annual grassland and other weedy forbs. A seasonal wetland is located in the southernmost portion of the site; vegetation in this area is a mosaic of seasonal and permanent wetland species. A 30-foot-wide landscape corridor, which is situated along the frontage of Iron Point Road, includes a variety of trees, shrubs, and groundcover. All of the vegetation on the project site will be removed with development of the apartment project with the exception of vegetation situated within the aforementioned landscape buffer area along Iron Point Road and vegetation within the sloped internal open space areas.

Proposed landscaping includes a variety of trees, shrubs, and groundcover. The proposed shade and accent trees include American Elm, California Fan Palm, Crape Myrtle, Interior Live Oak, Red Oak, Strawberry Tree, and Valley Oak. Proposed landscape improvements include drought-tolerant plant materials including shrubs and groundcover. Proposed shrubs and groundcover will consist of Autumn Sage, Blue Grama Grass, Coffee Berry, Day Lily, Dwarf Pomegranate, Fortnight Lily, Flax Lily, Heavenly Bamboo, New Zealand Flax, Rock Rose, and Wintercreeper. Staff recommends that the final landscape plan be subject to review and approval by the Community Development Department. Condition No. 35 is included to reflect this requirement.

The concepts of hydro-zoning, or using materials that are compatible in their water use requirements together within the same irrigation zones, are to be applied with all planting and irrigation design. All proposed landscape areas will have automatically controlled irrigation systems that incorporate the use of spray, subsurface in-line emitters, and other high efficiency drip-type systems. All irrigation watering will be required to comply with the water conservation requirements established within the Folsom Municipal Code (FMC, Section 13.26 Water Conservation) and shall comply with all state water conservation regulations including the Governor's declarations and restrictions pertaining to water conservation and outdoor landscaping.

Grading and Drainage

The 35-acre project site is located on the southwest slope of Carpenter Hill and is characterized by steep slopes and graded terraces. The site has previously been disturbed by rough grading activity and construction of erosion control and storm water management features. The project site's elevation ranges from approximately 750 feet above sea level in the northeastern portion of the project site, to 590 feet in the northwestern portion of the project site. The proposed project includes grading to construct terraces along the slope, on which to construct the roads and buildings.

Approximately 203,000 cubic yards of soil will be cut, and 195,000 cubic yards of soil will be filled, resulting in a five percent shrink in the site balance. Due to the topography of the project site, retaining walls are proposed throughout the site, including intermittently along the southern project site boundary, intermittently through the center of the west cluster, and along portions of the perimeter of the east cluster. Since development of the project site is anticipated to require moderate movement of soils and the compaction of said materials; the applicant will be required to provide a complete geotechnical report before the design of interior road, parking lot areas, and building foundations are finalized. Condition No. 13 is included to reflect this requirement.

As mentioned above, the project site includes existing drainage ditches that transect the property and stormwater basins that are located in the southeast and northwest portions of the site. The existing ditch running between the two residential clusters would be extended to reach an existing concrete-lined ditch generally paralleling the south side of Iron Point Road, north of the west development cluster. Stormwater generated in the development clusters would be collected by storm drain inlets throughout the site, and retention basins located in the center of the development clusters, and would be directed via the storm drain system to drain outfalls south of the west cluster. Flows in the ditch between the clusters would flow east and west to storm drain inlets at either end of the feature. Overland flows from the east cluster would generally flow south and east, and overland flows from the west cluster would generally flow west, to exit the site at the southwestern project site boundary. Staff recommends the storm drain improvement plans provide for “Best Management Practices” that meet the requirements of the water quality standards of the City’s National Pollutant Discharge Elimination System Permit issued by the State Regional Water Quality Control Board. Condition No. 31 is included to reflect this requirement.

Architecture and Design

The proposed project includes development of a 327-unit multi-family apartment community partially within the Broadstone Unit No. 3 Specific Plan area and partially within the Empire Ranch Specific Plan area. The proposed project includes 71 total apartment buildings including 34 two-unit upslope buildings and 37 seven-unit downslope buildings. The two-unit apartment buildings, which are three-stories-tall, feature two and three bedroom apartments. The seven-unit apartment buildings, which are also three-stories-tall, feature one and two bedroom units. The design of the proposed apartment buildings reflects a fairly contemporary architectural style with many high-quality elements including varied roof elements, dormers, highly articulated facades, recessed and exposed balconies, and multiple decorative enhancements. Proposed building materials include stucco siding, stucco bands, stone veneer accents, stucco window and door trim, wood rafters, wood eaves, wood outlookers, decorative metal railing, wood-paneled garage doors, and concrete roof tiles. Primary colors are generally earth tone with richer trim and accent colors.

The project is subject to Design Guidelines established by Broadstone Unit No. 3 Specific Plan, the Empire Ranch Specific Plan, and the City’s Design Guidelines for Multi-Family Development. The Design Guidelines are intended to establish and reinforce the neighborhood character of the Broadstone Subdivision and the Empire Ranch Subdivision through the use of quality design, materials, and colors. The Design Guidelines include a variety of recommendations for residential land uses including:

- The architectural design of buildings should consider the site, relationship to other structures, and climatic orientation.

- Strong variations of traditional architecture, massing, and form which create texture and shadow should be a major consideration.
- Openings in buildings should be accentuated architecturally through indentation, framing, and roof variations.
- Buildings with long uninterrupted exterior walls should be avoided. Walls should have varied forms to create shadows which soften the architecture.
- Buildings should be articulated with balconies, dormers, gables, porches, varied setbacks, and staggered roof planes to break up the visual massing of building facades.
- Natural materials such as stone, masonry, wood, and patterned concrete should be used as building materials.
- Finish colors of general wall areas should be of natural earthtones or variations of these tones. Limited accent colors of compatible schemes may be used for trim, window areas, balconies, and doors.

In reviewing the architecture and design of the proposed apartment buildings, City staff determined that the applicant incorporated many of the essential design elements required by the Broadstone Unit No. 3 Specific Plan Design Guidelines, the Empire Ranch Specific Plan Design Guidelines, and the Design Guidelines for Multi-Family Development including highly articulated facades on each of the apartment buildings, varied roof design elements, enhanced window and door trim, recessed and exposed balconies, and multiple decorative enhancements. As recommended by the Design Guidelines, the primary colors are generally earth tone in nature and feature shades of beige and tan. The supporting trim and accent colors offer slightly more vibrant colors such as brown, olive, and black. Proposed roof tile colors, which have been designed to complement the building colors, feature charcoal and brown-toned blends. In addition, the proposed apartment buildings utilize a variety of natural building materials as suggested by the Design Guidelines including stucco siding, stucco bands, stone veneer accents, stucco window and door trim, wood rafters, wood eaves, and metal railing, wood-paneled garage doors, and concrete roof tiles. Staff forwards the following design recommendations to the Commission for consideration:

1. This approval is for 71 individual apartment buildings associated with the Pique at Iron Point Apartment project. The applicant shall submit building plans that comply with this approval, the attached building elevations dated July 30, 2015.
2. The design, materials, and colors of the proposed Pique at Iron Point Apartment buildings shall be consistent with the submitted building elevations, color renderings, materials samples, and color scheme to the satisfaction of the Community Development Department.
3. All mechanical equipment shall be roof-mounted and screened from view of public streets, neighboring properties and nearby higher buildings.
4. Utility equipment such as transformers, electric and gas meters, electrical panels, and junction boxes shall be screened by walls and or landscaping.

5. Brick pavers, stamped colored asphalt, or another type of colored masonry material (ADA compliant) shall be used to designate pedestrian crosswalks on the project site, in addition to where pedestrian paths cross drive aisles, and shall be incorporated as a design feature at the driveway entrances.
6. The final design of the building-attached light fixtures shall be subject to review and approval by the Community Development Department to ensure architectural consistency with the apartment buildings.
7. The final design, material, and colors for the retaining walls shall be subject to review and approval by the Community Development Department.

These recommendations are included in the conditions of approval presented for consideration by the Planning Commission (Condition No. 62).

In evaluating architecture and design of the proposed project, staff also took into consideration the compatibility of the proposed project relative to the surrounding residential and commercial development. The single-family residential subdivision, located to the north and east of the project site, consists of a combination of fairly large, one and two story homes with contemporary “California” design features. The Broadstone Crossing Shopping Center, located to the west of the project site, includes a mixture of commercial buildings with a “Mediterranean” design theme. The Palladio at Broadstone Shopping Center, which is located further west of the project site, features a mixture of larger commercial buildings also with a “Mediterranean” design theme. In reviewing the submitted building elevations, color renderings, and color and materials board, staff has determined that the design, materials, and colors of the proposed apartment buildings is similar to and compatible with the surrounding residential and commercial development.

ENERGY AND WATER CONSERVATION

To reduce impacts in terms of energy and water consumption, the proposed project is required to meet the 2014 Title 24 Building Envelope Energy Efficiency Standards. The project will be allowed to achieve this performance standard through a combination of measures to reduce energy use for heating, cooling, water heating and ventilation. Because energy use for each different system type (i.e., heating, cooling, water heating, and ventilation) as well as appliances is defined, this method will also easily allow for application of individual measures aimed at reducing the energy use of these devices in a prescriptive manner.

In an effort to address water conservation, the proposed project includes a number of measures aimed at reducing on-site water usage. As discussed within the Landscape section of this staff report, the proposed project has been designed to achieve an overall water efficient landscape rating utilizing primarily low water use plant materials. The concepts of utilizing plant materials that are compatible in their water use requirements together within the same irrigation zones, are to be applied with all planting and irrigation design. In addition, all proposed landscape areas will have automatically controlled irrigation systems that incorporate the use of spray, subsurface in-line emitters, and other high efficiency drip-type systems. To further ensure water conservation is being achieved, the proposed project is required to comply with all State and local rules, regulations, Governor’s Declarations, and restrictions including but not limited to: Executive Order B-29-15 issued by the Governor of California on April 1, 2015 relative to water usage and conservation, requirements relative to water usage and conservation established by the State Water Resources

Control Board, and water usage and conservation requirements established within the Folsom Municipal Code, (Section 13.26 Water Conservation), or amended from time to time. Condition No 69 is included to reflect these requirements.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study and Mitigated Negative Declaration (Attachment 13) for the project in accordance with the California Environmental Quality Act (CEQA) regulations and determined that with the proposed mitigations, the project will not have a significant effect on the environment. The Mitigated Negative Declaration has been prepared and noticed for public comment on the project, and mitigation measures have been included as Conditions of Approval. City staff received four comment letters from public agencies (California Department of Transportation, Sacramento Metropolitan Utility District, California Department of Fish and Wildlife, and Central Valley Regional Water Quality Control Board) regarding the Initial Study and Mitigated Negative Declaration. The aforementioned letters and responses are included as Attachment 14 to this staff report. To date, no other written comments have been received from the public during the Mitigated Negative Declaration public review period.

RECOMMENDATION/PLANNING COMMISSION ACTION

MOVE TO ADOPT THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM PREPARED FOR THE PIQUE AT IRON POINT APARTMENT PROJECT (PN 15-238) PER ATTACHMENT 13;

AND

MOVE TO APPROVE A PLANNED DEVELOPMENT PERMIT FOR DEVELOPMENT OF THREE-HUNDRED AND TWENTY SEVEN (327) MULTI-FAMILY APARTMENT UNITS AS ILLUSTRATED ON ATTACHMENTS 2 THROUGH 11 FOR THE PIQUE AT IRON POINT APARTMENT PROJECT WITH THE FOLLOWING FINDINGS AND CONDITIONS (NO. 1-73).

GENERAL FINDINGS

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.
- B. THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN AND ZONING CODE OF THE CITY AS WELL AS THE BROADSTONE UNIT NO. 3 SPECIFIC PLAN AND THE EMPIRE RANCH SPECIFIC PLAN.

CEQA FINDINGS

- C. A MITIGATED NEGATIVE DECLARATION HAS BEEN PREPARED FOR THE PROJECT IN ACCORDANCE WITH CEQA.

- D. THE PLANNING COMMISSION HAS CONSIDERED THE PROPOSED MITIGATED NEGATIVE DECLARATION BEFORE MAKING A DECISION REGARDING THE PROJECT.
- E. THE MITIGATED NEGATIVE DECLARATION REFLECTS THE INDEPENDENT JUDGMENT AND ANALYSIS OF THE CITY OF FOLSOM.
- F. THE MITIGATED NEGATIVE DECLARATION HAS DETERMINED THAT THE PROPOSED PROJECT WOULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT WITH THE REQUIRED MITIGATION MEASURES.
- G. ON THE BASIS OF THE WHOLE RECORD, THERE IS NO SUBSTANTIAL EVIDENCE THAT THE PROJECT WILL HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT WITH THE REQUIRED MITIGATION MEASURES.

PLANNED DEVELOPMENT PERMIT FINDINGS

- H. THE PROPOSED PROJECT COMPLIES WITH THE INTENT AND PURPOSES OF CHAPTER 17.38 (PLANNED DEVELOPMENT DISTRICT) OF THE FOLSOM MUNICIPAL CODE AND OTHER APPLICABLE ORDINANCES OF THE CITY.
- I. THE PROPOSED PROJECT IS CONSISTENT WITH THE OBJECTIVES, POLICIES AND REQUIREMENTS OF THE DEVELOPMENT STANDARDS OF THE CITY.
- J. THE PHYSICAL, FUNCTIONAL AND VISUAL COMPATIBILITY BETWEEN THE PROPOSED PROJECT AND EXISTING AND FUTURE ADJACENT USES AND AREA CHARACTERISTICS IS ACCEPTABLE.
- K. THERE ARE AVAILABLE PUBLIC FACILITIES, INCLUDING BUT NOT LIMITED TO, WATER, SEWER AND DRAINAGE TO ALLOW FOR THE DEVELOPMENT OF THE PROJECT SITE IN A MANNER CONSISTENT WITH THIS PROPOSAL.
- L. THE PROPOSED PROJECT WILL NOT CAUSE UNACCEPTABLE VEHICULAR TRAFFIC LEVELS ON SURROUNDING ROADWAYS, AND THE PROPOSED PROJECT WILL PROVIDE ADEQUATE INTERNAL CIRCULATION.
- M. THE PROPOSED PROJECT WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY AND GENERAL WELFARE OF THE PERSONS OR PROPERTY WITHIN THE VICINITY OF THE PROJECT SITE, AND THE CITY AS A WHOLE.
- N. ADEQUATE PROVISION IS MADE FOR THE FURNISHING OF SANITATION SERVICES AND EMERGENCY PUBLIC SAFETY SERVICES TO THE DEVELOPMENT.

Submitted,



DAVID E. MILLER, AICP
Director of Public Works and Community Development

CONDITIONS

See attached tables of conditions for which the following legend applies.

RESPONSIBLE DEPARTMENT		WHEN REQUIRED	
CD	Community Development	I	Prior to approval of Improvement Plans
(P)	Department	M	Prior to approval of Final Map
(E)	Planning Division	B	Prior to issuance of first Building Permit
(B)	Engineering Division	O	Prior to approval of Occupancy Permit
(F)	Building Division	G	Prior to issuance of Grading Permit
	Fire Division		
PW	Public Works Department	DC	During construction
PR	Park and Recreation Department	OG	On-going requirement
PD	Police Department		
EWR	Environmental/Water Resources		

**CONDITIONS OF APPROVAL FOR THE PIQUE AT IRON POINT APARTMENT PROJECT (PN 15-238)
 PLANNED DEVELOPMENT PERMIT
 SOUTH SIDE OF IRON POINT ROAD BETWEEN CAVITT DRIVE AND CARPENTER HILLS ROAD**

Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
1.	<p>The applicant shall submit final site development plans to the Community Development Department that shall substantially conform to the exhibits referenced below:</p> <ul style="list-style-type: none"> • Preliminary Site Plan, dated April 13, 2016 • Preliminary Grading and Drainage Plans, dated April 13, 2016 • Preliminary Utility Plans, dated April 13, 2016 • Access and Circulation Plan, dated April 13, 2016 • Preliminary Landscape Plans, dated January 5, 2016 • Preliminary Site Details, dated January 5, 2016 • Building Elevations and Floor Plans, dated December 18, 2015 • Color Building Elevations, dated December 18, 2015 • Color Building Renderings, dated December 22, 2015 • Color and Materials Board, dated August 5, 2015 	B	CD (P)(E)
2.	<p>The Planned Development Permit is approved for the development of a 327-unit multi-family apartment community (Pique at Iron Point Apartments). Implementation of the project shall be consistent with the above-referenced items as modified by these conditions of approval.</p> <p>Building plans, and all civil engineering and landscape plans, shall be submitted to the Community Development Department for review and approval to ensure conformance with this approval and with relevant codes, policies, standards and other requirements of the City of Folsom.</p>	I, B	CD (P)(E)(B)
3.	<p>The project approvals granted under this staff report (Planned Development Permit) shall remain in effect for two years from final date of approval (May 18, 2018). Failure to obtain a building permit within this time period, without the subsequent extension of this Planned Development Permit, shall result in the termination of this Planned Development.</p>	B	CD (P)

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SOUTH SIDE OF IRON POINT ROAD BETWEEN CAVITT DRIVE AND CARPENTER HILLS ROAD

Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
4.	<p>The owner/applicant shall defend, indemnify, and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul any approval by the City or any of its agencies, departments, commissions, agents, officers, employees, or legislative body concerning the project. The City will promptly notify the owner/applicant of any such claim, action or proceeding, and will cooperate fully in the defense. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur:</p> <ul style="list-style-type: none"> • The City bears its own attorney's fees and costs; and • The City defends the claim, action or proceeding in good faith 	OG	CD (P)(E)(B) PW, PR, FD, PD
5.	<p>The owner/applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the owner/applicant.</p> <p>The owner/applicant shall be required to participate in a mitigation monitoring and reporting program pursuant to City Council Resolution No. 2634 and Public Resources Code 21081.6. The mitigation monitoring and reporting measures identified in the Pique at Iron Point Apartment Project Initial Study and Mitigated Negative Declaration prepared for this project have been incorporated into these conditions of approval in order to mitigate or avoid significant effects on the environment. These mitigation monitoring and reporting measures are identified with a check mark (✓) in the mitigation measure column.</p>	G, I	CD (P)
DEVELOPMENT COSTS AND FEE REQUIREMENTS			
6.	<p>The owner/applicant shall pay all applicable taxes, fees and charges for the project at the rate and amount in effect at the time such taxes, fees and charges become due and payable.</p>	I, B	CD (P)(E)
7.	<p>If applicable, the owner/applicant shall pay off any existing assessments against the property, or file necessary segregation request and pay applicable fees.</p>	B	CD (E)

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
8.		The City, at its sole discretion, may utilize the services of outside legal counsel to assist in the implementation of this project, including, but not limited to, drafting, reviewing and/or revising agreements and/or other documentation for the project. If the City utilizes the services of such outside legal counsel, the applicant shall reimburse the City for all outside legal fees and costs incurred by the City for such services. The applicant may be required, at the sole discretion of the City Attorney, to submit a deposit to the City for these services prior to initiation of the services. The applicant shall be responsible for reimbursement to the City for the services regardless of whether a deposit is required.	I	CD (P)(E)
9.		If the City utilizes the services of consultants to prepare special studies or provide specialized design review or inspection services for the project, the applicant shall reimburse the City for actual costs it incurs in utilizing these services, including administrative costs for City personnel. A deposit for these services shall be provided prior to initiating review of the Final Map, improvement plans, or beginning inspection, whichever is applicable.	I, M, B	CD (P)(E)
10.		This project shall be subject to all City-wide development impact fees, unless exempt by previous agreement. This project shall be subject to all City-wide development impact fees in effect at such time that a building permit is issued. These fees may include, but are not limited to, fees for fire protection, park facilities, park equipment, Humbug-Willow Creek Parkway, Light Rail, TSM, capital facilities and traffic impacts. The 90-day protest period for all fees, dedications, reservations or other exactions imposed on this project will begin on the date of final approval (May 18, 2016). The fees shall be calculated at the fee rate in effect at the time of building permit issuance.	B	CD (P)(E), PW, PK
11.		The Owner/Applicant shall pay parkland dedication in-lieu fees (Quimby) for approximately 1.15 acres for the Broadstone Unit No. 3 portion of the project; and in accordance with the Folsom Municipal Code, Section 16.32.040. The Empire Ranch portion of the project has fulfilled parkland dedication requirements by existing dedication as verified with the Owner/Applicant. In-lieu fee payment shall be made prior to the first building permit for each of the two distinct product/projects within the project.	B	CD (P)(E), PW, PK

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
12.		The owner/applicant agrees to pay to the Folsom-Cordova Unified School District the maximum fee authorized by law for the construction and/or reconstruction of school facilities. The applicable fee shall be the fee established by the School District that is in effect at the time of the issuance of a building permit. Specifically, the owner/applicant agrees to pay any and all fees and charges and comply with any and all dedications or other requirements authorized under Section 17620 of the Education Code; Chapter 4.7 (commencing with Section 65970) of the Government Code; and Sections 65995, 65995.5 and 65995.7 of the Government Code.	B	CD (P)
SITE DEVELOPMENT REQUIREMENTS				
13.	✓	Prior to the issuance of any grading and/or building permit, the owner/applicant shall have a geotechnical report prepared by an appropriately licensed engineer that includes an analysis of site suitability, proposed foundation design for all proposed structures, and roadway and pavement design.	G, B	CD (E)
14.	✓	Should paleontological or other geologically sensitive resources be identified during any phase of project development, the construction manager shall cease operation at the site of the discovery and immediately notify the City of Folsom Community Development Department. The owner/applicant shall retain a qualified paleontologist to provide an evaluation of the find and to prescribe mitigation measures to reduce impacts to a less than significant level. In considering any suggested mitigation proposed by the consulting paleontologist, the Community Development Department shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.	G, B	CD (E)
15.		Public and private improvements, including roadways, curbs, gutters, sidewalks, bicycle lanes and trails, streetlights, underground infrastructure and all other improvements shall be provided in accordance with the current edition of the City of Folsom <u>Standard Construction Specifications</u> and the <u>Design and Procedures Manual and Improvement Standards</u> .	I, B	CD (P)(E)

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SOUTH SIDE OF IRON POINT ROAD BETWEEN CAVITT DRIVE AND CARPENTER HILLS ROAD

	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
16.		The applicant/owner shall submit water, sewer and drainage studies to the satisfaction of the Community Development Department and provide sanitary sewer, water and storm drainage improvements with corresponding easements, as necessary, in accordance with these studies and the current edition of the City of Folsom <u>Standard Construction Specifications</u> and the <u>Design and Procedures Manual and Improvement Standards</u> .	I	CD (E)
17.		The improvement plans for the required public and private subdivision improvements, including but not limited to street and frontage improvements on Iron Point Road shall be reviewed and approved by the Community Development Department prior to issuance of the Building Permit.	B	CD (E)
18.		Required public and private subdivision improvements, including but not limited to street and frontage improvements on Iron Point Road shall be completed prior to issuance of a Certificate of Occupancy.	O	CD (E)
19.		Any reimbursement for public improvements constructed by the applicant shall be in accordance with a formal reimbursement agreement entered into between the City and the owner/applicant prior to approval of the improvement plans.	I	CD (E)
20.		Final lot and building configurations may be modified to allow for overland release of storm events greater than the capacity of the underground system.	B	CD (E)
21.		The owner/applicant shall coordinate the planning, development and completion of this project with the various utility agencies (i.e., SMUD, PG&E, etc.).	I	CD (P)(E)
22.		The owner/applicant shall be responsible for replacing any and all damaged or hazardous public sidewalk, curb and gutter, and/or bicycle trail facilities along the site frontage and/or boundaries, including pre-existing conditions and construction damage, to the satisfaction of the Community Development Department.	O	CD (E)
23.		A Master Apartment Rental Lease Agreement shall be prepared by the owner/applicant and shall be subject to review and approval by the Community Development Department for compliance with this approval and with the <u>Folsom Municipal Code</u> and adopted policies, prior to the issuance of the first Building Permit. In addition, the Master Apartment Rental Lease Agreement shall comply with the conditions of approval for this project.	B	CD (P)(E)

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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
24.	The owner/applicant shall disclose to the apartment renters in the Master Apartment Rental Agreement that a future fitness center is located in close proximity to the proposed project, and that the fitness center includes outdoor facilities (tennis courts, and swimming pools) that may generate noise impacts during various times, including but not limited to evening and nighttime hours. The owner/applicant shall also disclose that the tennis courts include nighttime sports lighting that may generate lighting impacts during evening and nighttime hours. In addition, it shall be disclosed to apartment renters that the project site is located within close proximity to the Mather Airport flight path and that overflight noise may be present at various times.	B	CD (P) PK
25.	The owner/applicant shall form a Landscape Lighting Assessment District, a Community Services District, or a Property Management Company, which shall be responsible for maintenance of all private streets, maintenance of all common areas, maintenance of all on-site landscaping, maintenance of storm drainage facilities, maintenance of storm water detention/retention basins and association channels, maintenance of water quality ponds, maintenance of sanitary sewer improvements, and maintenance of any other on-site facilities throughout the life of the project to the satisfaction of the Community Development Department. Vegetation or plantings shall not be less than that depicted on the final landscape plan, unless tree removal is approved by the Community Development Department because the spacing between trees will be too close on center as they mature.	I, B	CD (P)(E)
26.	For any improvements constructed on private property that are not under ownership or control of the owner/applicant, a right-of-entry, and if necessary, a permanent easement shall be obtained and provided to the City prior to issuance of a grading permit and/or approval of improvement plans.	G, I	CD (E)
27.	The owner/applicant shall prepare and implement a facility use regulation as part of the Master Apartment Rental Agreement that prohibits outdoor storage on porches/balconies to the satisfaction of the Community Development Department. Outdoor storage closets on porches will be permitted.	B, OG	CD (P)

CONDITIONS OF APPROVAL FOR THE PIQUE AT IRON POINT APARTMENT PROJECT (PN 15-238)

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SOUTH SIDE OF IRON POINT ROAD BETWEEN CAVITT DRIVE AND CARPENTER HILLS ROAD

Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
28.	Final exterior building and site lighting plans shall be submitted for review and approval by Community Development Department for location, height, aesthetics, level of illumination, glare and trespass prior to the issuance of any building permits. All lighting, including but not limited to free-standing parking area lights, landscape/walkway lights, and building-attached lights shall be designed to be screened, shielded, and directed downward onto the project site and away from adjacent properties and public rights-of-way. The final design of the building-attached lights shall be subject to review and approval by the Community Development Department. Lighting shall be equipped with a timer or photo condenser. In addition, pole-mounted parking lot lights shall utilize a low-intensity, energy efficient lighting method.	I, B	CD (P)
MAP REQUIREMENT			
29.	Prior to the issuance of the first Building Permit, the owner/applicant shall complete and record a lot-line adjustment to relocate the common lot-line between Parcel No. 072-227-009 and Parcel No. 072-117-107 further to the east so that the new common lot line does not bisect any apartment buildings and meets required building setbacks.	B	CD (E)
STORM WATER POLLUTION/CLEAN WATER ACT REQUIREMENTS			
30.	During Construction, the owner/applicant shall be responsible for litter control and sweeping of all paved surfaces in accordance with City standards. All on-site storm drains shall be cleaned immediately before the commencement of the rainy season (October 15).	G, I, B	CD (E)
31.	The storm drain improvement plans shall provide for "Best Management Practices" that meet the requirements of the water quality standards of the City's National Pollutant Discharge Elimination System Permit issued by the State Regional Water Quality Control Board.	G, I, B, O	CD (E)
32.	Erosion and sedimentation control measures shall be incorporated into construction plans. These measures shall conform to the City of Folsom requirements and the County of Sacramento <i>Erosion and Sedimentation Control Standards and Specifications</i> -current edition and as directed by the Community Development Department.	G, I	CD (E)

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
33.		<p>Prior to the approval of the final facilities design and the initiation of construction activities, the applicant shall submit an erosion control plan to the City for review and approval. The plan shall identify protective measures to be taken during excavation, temporary stockpiling, any reuse or disposal, and revegetation. Specific techniques may be based upon geotechnical reports, the <u>Erosion and Sediment Control Handbook</u> of the State of California Department of Conservation, and shall comply with all updated City standards.</p>	G, I	CD (E)
34.		<p>Prior to issuance of grading permits, the project applicant shall obtain coverage under the State Water SWRCB General Permit for Discharges of Storm Water Associated with Construction Activity (Order 2009-0009-DWQ), including preparation and submittal of a project-specific SWPPP at the time the Notice of Intent (NOI) is filed. The project applicant shall also prepare and submit any other necessary erosion and sediment control and engineering plans and specifications for pollution prevention and control to the City of Folsom.</p>	G, I, B	CD (E)
		<p>The SWPPP shall contain a site map(s) which shows the construction site perimeter, existing and proposed buildings, lots, roadways, storm water collection and discharge points, general topography both before and after construction, and drainage patterns across the project. The SWPPP must list BMPs the discharger will use to protect storm water runoff and the placement of those BMPs. Additionally, the SWPPP must contain a visual monitoring program; a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment. Section A of the Construction General Permit describes the elements that must be contained in a SWPPP.</p>		

LANDSCAPE/TREE PRESERVATION REQUIREMENTS

35.	<p>Final landscape plans and specifications for the project shall be prepared by a registered landscape architect and approved by the City Arborist and City staff prior to the approval of improvement plans. Said plans shall include all landscape specifications and details. Landscaping of the parking areas for guest parking shall meet shade requirements as outlined in the <u>Folsom Municipal Code Chapter 17.57</u>. The landscape plans shall comply and implement water efficient requirements as adopted by the State of California (Assembly Bill 1881) until such time the City of Folsom adopts its own Water Efficient Landscape Ordinance. Shade and ornamental trees shall be maintained according to the most current American National Standards for Tree Care Operations (ANSI A-300) by qualified tree care professionals. Tree topping for height reduction, sign visibility, light clearance or any other purpose shall not be allowed. Specialty-style pruning, such as pollarding, shall be specified within the approved landscape plans and shall be implemented during a 5-year establishment and training period.</p>	I	CD(P)(E)
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BIOLOGICAL RESOURCE REQUIREMENTS

<p>36.</p>	<p>✓</p>	<p>If construction activities, including clearing and grubbing, commence during the tricolored blackbird breeding season (March 15 – August 1), a qualified biologist shall conduct two (2) surveys to confirm tricolored blackbird use of the Himalayan blackberry patch southwest of the project site. One survey shall be conducted between 10 and 15 days prior to the start of construction and one survey shall be conducted no more than 24 hours prior to the start of construction. If construction activities are underway prior to the tricolored nesting season, but will continue after March 15, a qualified biologist shall survey the Himalayan blackberry patch once between March 1–15. If the surveys are negative, the qualified biologist shall conduct follow up surveys every 48 hours until April 15. If no nests have been established by April 15, the biologist shall coordinate with CDFW to determine whether the monitoring has been conducted for a duration deemed sufficient to ensure continued absence. Written results of the surveys shall be submitted to the Folsom Community Development Department and CDFW. If tricolored blackbirds are present and exhibiting nesting behavior or actively nesting at this location at the time of the surveys, the following minimization and monitoring shall be required:</p> <ol style="list-style-type: none"> 1. Maintain an approximate 150-foot-wide fenced buffer around the colony, within which any/all construction activity, parking, or other human disturbance shall be strictly prohibited during the breeding season (March 15 – August 1) or until the nesting activities cease and the colony departs. The fencing shall consist of a material and be of sufficient height to provide a visual barrier between the colony and the construction activities. 2. A qualified biologist shall monitor construction activities to verify that activities occurring on the project site are in no way disrupting the colony. Monitoring shall include daily inspections of the colony for any activities occurring within 300 feet of the nesting colony. If needed, measures to reduce disruption will be implemented, including noise restrictions, noise walls, additional buffer distances, rerouting construction access, relocating staging areas, modification of construction scheduling, relocating activities within the site, etc. If modified construction activities are still found to be causing disruption to tricolored blackbird nesting, disrupting construction activities shall cease until the colony abandons the site or until the end of the breeding season, whichever occurs first. 	<p align="center">G</p>	<p align="center">CD (P)(E)</p>
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37.	✓	<p>The final project design shall include fencing and signage along the western edge of the project to discourage entry of humans and domestic animals into the vicinity of the tricolored blackbird nesting colony. Fencing shall be designed to discourage passage of domestic cats as well as people. All project lighting shall be directed down and away from the tricolored blackbird nesting colony and shall be designed to minimize overspill into the area between the project boundary and the tricolored blackbird nesting colony.</p>	G	CD(P)(E)
38.	✓	<p>If construction activities, including tree removal and/or trimming or pruning of branches and limbs, occur during the typical bird nesting season (February 15 through August 31), pre-construction nesting bird surveys shall be conducted by a qualified biologist on the project site and within a 500-foot radius of proposed construction areas, where access is available, no more than 14 days prior to the initiation of construction. An additional survey shall be conducted within 48 hours prior to commencement of construction.</p> <ol style="list-style-type: none"> 1. If no nests are found, no further mitigation is required. 2. If active nests are identified in these areas, the owner/applicant shall coordinate with the CDFW to develop measures to avoid disturbance of active nests prior to the initiation of any construction activities, or construction could be delayed until the young have fledged. Avoidance measures may include establishment of a buffer zone and monitoring of the nest by a qualified biologist until the young have fledged the nest and are independent of the site. If a buffer zone is implemented, the size of the buffer zone shall be determined by a qualified biologist in coordination with the CDFW and shall be appropriate for the species of bird and nest location. <p>Prior to initiation of construction activities that would impact jurisdictional riparian habitat, the owner/applicant shall obtain a Streambed Alteration Agreement from the California Department of Fish and Wildlife for impacts to jurisdictional riparian habitat located in the southeastern portion of the project site, and shall provide all mitigation required under that agreement (The project may be phased to allow the Phase I portion to develop without impacts to riparian habitat).</p>	G	CD(P)(E)
39.	✓	<p>Prior to initiation of construction activities that would impact jurisdictional riparian habitat, the owner/applicant shall obtain a Streambed Alteration Agreement from the California Department of Fish and Wildlife for impacts to jurisdictional riparian habitat located in the southeastern portion of the project site, and shall provide all mitigation required under that agreement (The project may be phased to allow the Phase I portion to develop without impacts to riparian habitat).</p>	G	CD(P)(E)

40.	✓	<p>Prior to initiation of construction activities that would impact jurisdictional wetlands, the project proponent shall obtain a current permit from the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act, and a Water Quality Certification from the Central Valley Regional Water Quality Control Board under Section 401 of the Clean Water Act for impacts to jurisdictional wetlands. The project proponent shall provide all mitigation required under those permits. Construction activities shall follow standard engineering practices that reduce impacts to water quality, including off-site waters adjacent to the project site. The practices include reduction of sediment loading and disturbance as well as other standard Best Management Practices (BMP) for maintaining water quality (The project may be phased to allow the Phase I portion to develop without impacts to wetlands).</p>	G	CD(P)(E)
41.	✓	<p>Prior to initiation of construction activities, a certified arborist shall conduct a survey of the project site and determine the location and extent of any Protected Zone(s) for trees protected by the City of Folsom Tree Preservation Ordinance. The final project design shall avoid all such Protected Zones, or the project proponent shall obtain a Tree Permit for any protected tree affected by project activities. The Tree Permit may include requirements of mitigation for all protected trees affected by the project, including:</p> <ol style="list-style-type: none"> 1. Payment into the Tree Planting and Replacement Fund of an inch-for-diameter-inch replacement in lieu fee set by City Council resolution; 2. Dedication of property for the purpose of planting trees based on the following ratio: 1 diameter inch = 0.004 acre of land (175 square feet) – the minimum area of dedication for such property shall be five acres of land, unless the property is contiguous to existing or planned open space, in which case the minimum dedication is one acre of land; off-site mitigation of this type must be approved by the City council; or 3. Planting of trees on either public property, property with a conservation easement, and/or on property with an irrevocable offer of dedication to the City, pursuant to the ratios set forth in the Tree Ordinance. 	G	CD(P)(E)

CULTURAL RESOURCE REQUIREMENTS

42.	<p align="center">✓</p>	<p>In the event that buried historic resources are discovered during construction operations shall stop within a 100-foot radius of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. City staff, the Folsom Historical Society, and the Heritage Preservation League shall also be consulted. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The archaeologist shall make recommendations concerning appropriate measures that will be implemented to protect the resources, including but not limited to excavation and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Historic resources could consist of, but are not limited to, stone, wood, or shell artifacts, structural remains, privies, or historic dumpsites. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate Department of Parks and Recreation (DPR) 523 forms and evaluated for significance in terms of CEQA criteria.</p>	G, I	CD (P)(E)
43.	<p align="center">✓</p>	<p>In the event that archaeological resources are discovered during construction, construction operations shall stop within a 100-foot radius of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The archaeologist shall make recommendations concerning appropriate measures that will be implemented to protect the resources, including but not limited to, excavation and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Archaeological resources could consist of, but are not limited to, stone, bone, wood, or shell artifacts or features, including hearths. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate Department of Parks and Recreation 523 forms and evaluated for significance in terms of CEQA criteria.</p>	G, I	CD (P)(E)

44,	✓	<p>In the event of the accidental discovery or recognition of any human remains, CEQA Guidelines § 15064.5; Health and Safety Code § 7050.5; Public Resources Code § 5097.94 and § 5097.98 must be followed. If during the course of project development there is accidental discovery or recognition of any human remains, the following steps shall be taken:</p> <ol style="list-style-type: none"> 1. There shall be no further excavation or disturbance within a 100-foot radius of the potentially human remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the “most likely descendant” (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98. 2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the project site in a location not subject to further subsurface disturbance: <ul style="list-style-type: none"> • The NAHC is unable to identify a most likely descendant or the most likely descendant failed to make a recommendation within 48 hours after being notified by the commission. • The descendant identified fails to make a recommendation. • The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner. 	G, I	CD (P)(E)
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AIR QUALITY REQUIREMENTS

45.	✓	<p>All diesel-powered off-road equipment used during project construction shall meet Tier 3 off-road emissions standards. A copy of each unit's certified Tier specification shall be provided to the City of Folsom Building Department at the time of mobilization of each applicable unit of equipment.</p>	G, I, B	CD (P)(E)(B)
46.	✓	<p>Construction emissions shall be maintained and operated to minimize exhaust emissions. During construction, trucks and equipment shall be running only when necessary. Engines shall be shut off when trucks are loading, unloading, or waiting. Equipment shall also be kept in good condition and well-tuned to minimize exhaust emissions.</p>	G, I, B	CD (P)(E)(B)
47.	✓	<p>The owner/applicant shall be responsible for ensuring that the contractor shall reduce NOx, ROC, and CO emissions by complying with the construction vehicle air pollutant control strategies developed by the SMAQMD. The developer shall include in the construction contracts the following requirements:</p> <ul style="list-style-type: none"> • During smog season (May through October), the construction period shall be lengthened so as to minimize the number of vehicles and equipment operating at the same time. • New technologies shall be utilized to control ozone precursor emissions as they become available and feasible. 	G, I, B	CD (P)(E)(B)

48.	<p>The owner/applicant shall follow all construction control measures recommended by the Sacramento Air Quality Management District (SMAQMD). The following control measures, which are consistent with basic construction emission control practices recommended by SMAQMD, shall be implemented by the owner/applicant to reduce PM10 emission during construction:</p> <ul style="list-style-type: none"> • Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads. • Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered. • Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited. • Limit vehicle speeds on unpaved roads to 15 miles per hour (mph). • All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used. • Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site. • Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated. 	G, I, B	CD (P)(E)(B)
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WATER QUALITY REQUIREMENTS

49.	✓	<p>Prior to issuance of a Grading Permit, the owner/applicant shall submit detailed drainage plans for approval by the City. The City-approved drainage plans shall be submitted to Caltrans with substantial evidence showing that the proposed project would not create adverse impacts to Caltrans drainage facilities within U.S. Highway 50. The drainage plans shall include measures to minimize the total amount of additional surface runoff and to limit the flows released to off-site receiving waters to existing pre-development levels or provide documentation that downstream improvements are designated to mitigate the increase in flow (Broadstone Unit No. 3-Pond 3A), in accordance with the requirements of the Community Development Department.</p>	G, I	CD (P)(E)(B)
50.	✓	<p>Prior to issuance of a Grading Permit, the owner/applicant shall submit erosion control plans and other monitoring programs for the construction and operational phases of the proposed project for review by the City. The plan shall include Best Management Practices (BMP) to minimize and control the level of pollutants in stormwater runoff, and in runoff released to off-site receiving waters. Specific techniques may be based on geotechnical reports or the Erosion and Sediment Control Handbook of the California Department of Conservation, and shall comply with current City standards.</p>	G, I	CD (P)(E)(B)
51.	✓	<p>Prior to issuance of a Grading Permit, the owner/applicant shall obtain coverage under the State Water Resources Control Board General Permit for Discharges of Storm Water Associated with Construction Activity (Order 2009-0009-DWQ), including preparation and submittal of a project-specific Storm Water Pollution Prevention Plan (SWPPP) at the time the Notice of Intent (NOI) is filed. The project applicant shall also prepare and submit any other necessary erosion and sediment control and engineering plans and specifications for pollution prevention and control to the City of Folsom.</p>	G, I, B	CD (P)(E)(B)

HAZARDOUS MATERIALS REQUIREMENTS

52.	Discovery of unknown contaminated soils during construction. If during construction, currently unknown contaminated soils are discovered (i.e., discolored soils, odorous, other indications), construction within the area shall be halted, the extent and type of contamination shall be characterized, and a clean-up plan shall be prepared and executed. The plan shall require remediation of contaminated soils. The plan shall be subject to the review and approval of SCEMD, RWQCB, the City of Folsom, or other agencies, as appropriate. Remediation can include in-situ treatment, disposal at an approved landfill, or other disposal methods, as approved. Construction can proceed within the subject area upon approval of and in accordance with the plan.	G, I, B	CD (P)(E)(B)
53.	This project is located in a geologic unit within the boundaries of the City of Folsom, which is likely to contain naturally occurring asbestos. The owner/applicant shall be required to obtain approval from the Sacramento Metropolitan Air Quality Management District (SMAQMD) prior to approval of any grading and/or construction on the project site. The owner/applicant shall provide to the Community Development Department a copy of the written approval from SMAQMD prior to approval of grading and/or site improvement plans.	G, I, B	CD (P)(E)(B)
TRAFFIC, ACCESS, CIRCULATION, AND PARKING REQUIREMENTS			
54.	A minimum of 677 vehicle parking spaces shall be provided for the project including 395 carport parking spaces and 282 uncovered parking spaces. A minimum of 65 bicycle parking spaces shall be provided to serve residents. The bicycle parking spaces shall be evenly distributed throughout the project site.	I, O	CD (P,E)

55.	<p>The proposed project shall include the following parking and vehicle restrictions (this condition shall be included in the Master Apartment Rental Agreement for this project):</p> <p>1) <u>Parking and Vehicle Restrictions</u></p> <p>a) <u>Parking Restrictions</u> - The purpose and intent of this Declaration is to restrict the areas where motor vehicles can be parked within the development.</p> <ul style="list-style-type: none"> • Residents shall only park motor vehicles in garages or in on-site parking spaces. <p>b) <u>Garage Restrictions</u> – The purpose and intent of this Declaration is to restrict the use of garages within the development.</p> <ul style="list-style-type: none"> • Garages shall remain available for the parking of motor vehicles and shall not be used for other purposes which would displace the parking of motor vehicles. • Garages shall not be used for workshops, hobby facilities, or storage areas which will prevent the parking of motor vehicles. <p>c) <u>Vehicle Type Restrictions</u> - The purpose and intent of this Declaration is to restrict the types of vehicles which can be parked within the development.</p> <ul style="list-style-type: none"> • <u>Permitted Vehicles</u> – Only motor vehicles registered and permitted to drive on public roadways by a government agency are permitted within the development. • <u>Recreational Vehicles</u> - No trailer, motor home, camper, boat, personal watercraft, all-terrain, or other similar recreational vehicle shall be parked, stored, or permitted to remain within the development. <p>d. <u>Parking Rules and Enforcement</u> – In order to prevent or eliminate parking problems within the development, or to further define and enforce restrictions, the owner/applicant shall impose further reasonable rules and restrictions regarding vehicles and parking within the development.</p>	M	CD (P,E)
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56.	<p>In accordance with the Traffic Impact Study prepared by MRO Engineers, Inc. dated December 15, 2015, the following traffic design measures shall be implemented to the satisfaction of the Community Development Department:</p> <ul style="list-style-type: none"> • Western Project Driveway <ul style="list-style-type: none"> ○ Left-turns-in and right-turns-in/out shall be provided (no outbound left turns). ○ For the inbound left-turn lane, in addition to the 50 feet needed to store vehicles waiting to complete the turn, 315 feet of full-width deceleration length shall be provided. ○ A standard right-turn deceleration taper shall be constructed to assist eastbound drivers entering the site. ○ The plant material in the parkway strip to the west of the driveway shall be removed or modified in such a way as to ensure a minimum of 425 feet of sight distance is available in that direction from the driveway. ○ STOP-sign control shall be employed on the driveway approach to Iron Point Road. • Eastern Project Driveway <ul style="list-style-type: none"> ○ Left-turns out and right-turns in/out shall be provided (no inbound left turns). ○ The pavement markings on Iron Point Road shall be modified, as conceptually illustrated in the Traffic Impact Analysis, so that vehicles exiting the project site have their own lane as they join westbound Iron Point Road. This lane will become the third westbound lane on Iron Point Road. Caltrans-standard delineators shall also be employed to guide westbound through traffic in this area. ○ STOP-sign control shall be employed on the driveway approach to Iron Point Road. ○ A standard right-turn deceleration taper shall be constructed for inbound traffic. 	I	CD (P)(E)
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57.		An Emergency Vehicle Access (EVA) for fire apparatus shall be installed and maintained to allow immediate left-turn access into the project's eastern driveway entrance across the existing median from west-bound Iron Point Road. The design of the EVA shall be approved by both the Fire Code Official and the City Engineer. The EVA shall be a paved surface that can support a gross vehicle weight of 80,000 pounds. The EVA shall have an unobstructed vertical clearance of not less than 13'6".	I, B	CD (E), FD
NOISE REQUIREMENTS				
58.		Prior to issuance of a Building Permit for any residential unit, the owner/applicant or any successor in interest shall provide evidence to the City of Folsom that air conditioning is provided for all general occupancy apartment units, to allow occupants to close doors and windows as desired for additional acoustical isolation.	B	CD (P)(E)
59.		Compliance with Noise Control Ordinance and General Plan Noise Element shall be required. Hours of construction operation shall be limited from 7:00 a.m. to 6:00 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on Saturdays. No construction is permitted on Sundays or holidays. Construction equipment shall be muffled and shrouded to minimize noise levels.	I, B	CD (P)(E)

60.	✓	<p>Interior building noise levels for the proposed project shall not exceed 45 dBA CNEL. Wall design at buildings with interior noise levels potentially exceeding 45 dBA (i.e., impacted receivers R16-R25 located adjacent to U.S. Highway 50) shall be comprised of a typical 2x4 stud wall construction with ½ typical 2X4 stud wall construction with ½-inch exterior shear wall covered with 7/8-inch thick stucco. Any variance from this wall design will require a final update of this analysis when the finished building plans are available to be submitted with the final building plans prior to the issuance of construction permits.</p> <p>All window glazing must provide a minimum STC 37 rating. Use of dual glazing with the following minimum design will normally fulfill this specification (other designs may be used provided they have a manufacturer's certified minimum STC 37 rating):</p> <ul style="list-style-type: none"> ○ ¼ -inch thick exterior glass ○ ¾ -inch air gap ○ ¼ -inch thick interior glass <p>Appropriate means of air circulation and provision of fresh air shall be provided to allow windows to remain closed for extended intervals of time so that acceptable interior noise levels can be maintained. The mechanical ventilation system shall meet the criteria of the International Building Code (Chapter 12, Section 1203.3 of the 2013 California Building Code).</p>	I, B	CD (P)(E)
61.		<p>Roof-mounted mechanical equipment not extend above the height of the parapet walls. In addition, ground-mounted mechanical equipment be shielded by landscaping or trellis-type features.</p>	I, B	CD (P)(E)

ARCHITECTURE/SITE DESIGN REQUIREMENTS

62.	<p>The project shall comply with the following architecture and design requirements:</p> <ol style="list-style-type: none"> 1. This approval is for 71 individual apartment buildings associated with the Pique at Iron Point Apartment project. The applicant shall submit building plans that comply with this approval, the attached building elevations dated July 30, 2015. 2. The design, materials, and colors of the proposed Pique at Iron Point Apartment buildings shall be consistent with the submitted building elevations, color renderings, materials samples, and color scheme to the satisfaction of the Community Development Department. 3. All mechanical equipment shall be screened from view of public streets, neighboring properties and nearby higher buildings. 4. Utility equipment such as transformers, electric and gas meters, electrical panels, and junction boxes shall be screened by walls and or landscaping. 5. Brick pavers, stamped colored asphalt, or another type of colored masonry material (ADA compliant) shall be used to designate pedestrian crosswalks on the project site, in addition to where pedestrian paths cross drive aisles, and shall be incorporated as a design feature at the driveway entrances. 6. The final design of the building-attached light fixtures shall be subject to review and approval by the Community Development Department to ensure architectural consistency with the apartment buildings. 7. The final design, material, and colors for the retaining walls shall be subject to review and approval by the Community Development Department. 	B	CD (P)
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GRADING REQUIREMENTS

63.		The owner/applicant shall locate and remediate all antiquated mine shafts, drifts, open cuts, tunnels and water conveyance or impoundment structures existing on the project site, with specific recommendations for the sealing, filling or removal of each that meet all applicable health, safety, and engineering standards. Recommendations shall be prepared by an appropriately licensed engineer or geologist. All remedial plans shall be reviewed and approved by the City.	G, I	CD (E)
FIRE DEPARTMENT REQUIREMENTS				
64.		The buildings shall have illuminated addresses visible from the street or drive fronting the property. Size and location of address identification shall be reviewed and improved by the Fire Department.	I	FD
65.		Prior to the issuance of any improvement plans or building permits, the Community Development and Fire Departments shall review and approve all detailed design plans for accessibility of emergency fire equipment, fire hydrant flow location, and other construction features.	I, B	FD
ENVIRONMENTAL AND WATER RESOURCE REQUIREMENTS				
66.		The project shall comply with all measures identified by the City of Folsom to meet the 28 percent reduction in Citywide water use compared to 2013, including, if generally required by the City, the installation of ultra-low water use appliances, and any other applicable measures adopted by the City.	I, OG	EWR, CD (E)
67.		The owner/applicant shall be subject to all requirements established by <u>Folsom Municipal Code (FMC, Section 17.26, Water Conservation)</u> relative to water conservation.	I, OG	EWR, CD (E)

POLICE/SECURITY REQUIREMENT

68.	<p>The owner/applicant shall consult with the Police Department in order to incorporate all reasonable crime prevention measures. The following security/safety measures shall be required:</p> <ul style="list-style-type: none"> • A security guard shall be on-duty at all times at the site or a six-foot security fence shall be constructed around the perimeter of construction areas. (This requirement shall be included on the approved construction drawings). • Security measures for the safety of all construction equipment and unit appliances shall be employed. • Landscaping shall not cover exterior doors or windows, block line-of-sight at intersections or screen overhead lighting. 	G, I, B	PD
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MISCELLANEOUS REQUIREMENT

69.	<p>The proposed project shall comply with all State and local rules, regulations, Governor's Declarations, and restrictions including but not limited to: Executive Order B-29-15 issued by the Governor of California on April 1, 2015 relative to water usage and conservation, requirements relative to water usage and conservation established by the State Water Resources Control Board, and water usage and conservation requirements established within the <u>Folsom Municipal Code, (Section 13.26 Water Conservation)</u>, or amended from time to time.</p>	I, B, OG	CD (P)(E)
70.	<p>The owner/applicant shall request materials from the Folsom-Cordova Unified School District regarding the District's school housing philosophy and shall make available such materials to prospective apartment renters at the project leasing office. Additionally, the owner/applicant shall provide written evidence signed by the project renters that such materials have been presented to the renters as part of the lease transaction and that the renters are aware that children from this development may not be able to attend their designated neighborhood school.</p>	B, O	CD (P)
71.	<p>The final trash and recycling collection plan shall be subject to review and approval by the Community Development Department.</p>	I, B	CD (P)
72.	<p>The owner/applicant shall widen the existing concrete sidewalk located along the frontage of the open space parcel (APN No. 072-2270-008) located directly to the west of the project site from six-feet to ten feet to the satisfaction of the Parks and Recreation Department.</p>	I, B	CD (E) PK

73.		<p>The owner/applicant may reserve the right to develop the proposed project in phases. The Phase I portion of the project is located in the eastern portion of the project site and is accessed by the easternmost project drive. The Phase II portion of the project site is located in the western portion of the project site and is accessed by the westernmost project driveway.</p>	I, B	CD (P)(E)
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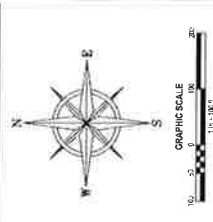
Attachment 1

Vicinity Map



Attachment 2

Preliminary Site Plan, dated April 13, 2016



OWNER/DEVELOPER/APPLICANT
 ELLIOTT MOVES, INC.
 344 PALMADO PARKWAY, SUITE 521
 FOLSOM, CA 95630

ENGINEER/PLANNER/SURVEYOR
 TONYA PATRICK, INC.
 25 IRON POINT CIRCLE, SUITE 120
 FOLSOM, CA 95630

ARCHITECT
 LPAS ARCHITECTURE & DESIGN
 1005 PARK DRIVE, SUITE 100
 SACRAMENTO, CA 95825

ASSESSOR'S PARCEL NUMBERS
 072-227-008
 072-117-107

PROJECT AREA
 34.87 ACRES

EXISTING PARCELS
 PM 161-6 LOT 54
 PM 162-6 LOT 9

EXISTING ZONING
 R-4 PD & RM SP95-1

PROPOSED ZONING
 R-4 PD & RM SP95-1

PROPOSED DENSITY
 9 DU/AC

PROPOSED FAR
 46%

PROJECT INFORMATION / GENERAL NOTES

- THE OWNER'S INTENT IS TO PROPOSE ONLY THE CHARACTERISTICS TO BE SHOWN PRIOR TO APPLICATION TO PUBLIC AGENCY. BOUNDARY WILL BE PERFORMED BY SEPARATE SURVEYOR. EXISTING ONLY BOUNDARY TO BE SHOWN AS SHOWN ON THIS PLAN. EXISTING ONLY BOUNDARY TO BE SHOWN AS SHOWN ON THIS PLAN.
- NO SPECIAL LOCAL ORDINANCES EXIST WITHIN THE BOUNDARIES OF THIS PROJECT.
- ALL UTILITIES TO BE SHOWN AS SHOWN ON THIS PLAN.
- PROJECT TO BE CONSTRUCTED IN PHASES.

DATE	JANUARY 22, 2018
SHEET	1
OF	7

THE PIQUE AT IRON POINT
 SITE PLAN
 2800 IRON POINT ROAD
 FOLSOM, CALIFORNIA

MORTON & PITALO, INC.
 CIVIL ENGINEERING - LAND PLANNING - LAND MARKETING
 2200 W. 14th Street, Suite 200
 Folsom, CA 95630
 Tel: (916) 452-1000
 Fax: (916) 452-1001
 www.mortonandpitalo.com



COMPILED	MC
DESIGNED	SS
DRAWN	JW
PROJ. ENGR.	SP

SCALE	BENCH MARK
HORIZ. 1" = 100'	
VERT. 1" = 10'	

RESIDENTIAL HOUSING SUMMARY

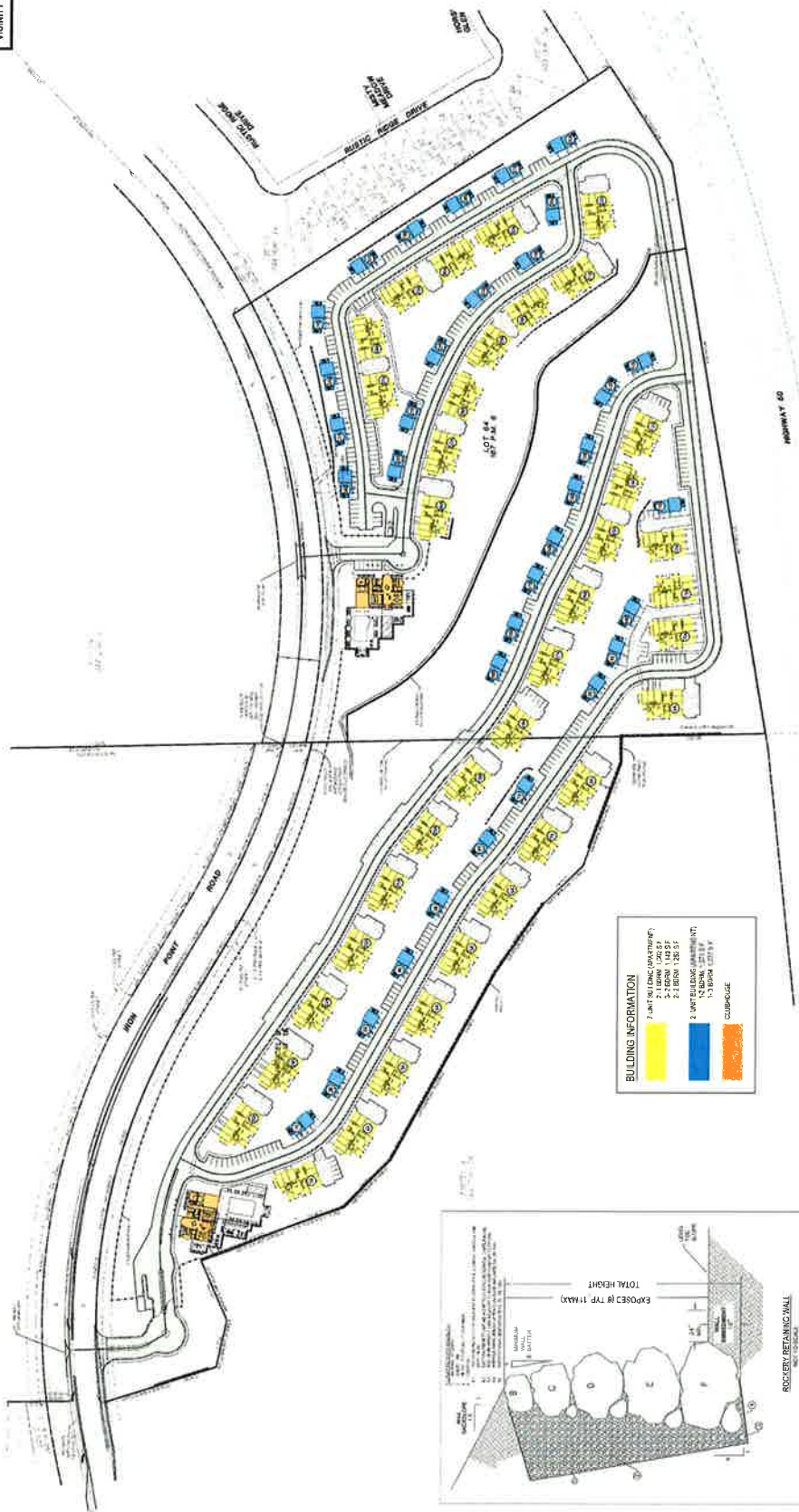
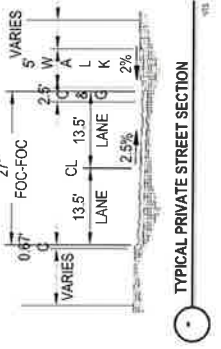
2 UNIT RESIDENTIAL BUILDINGS	34	84 RESIDENTIAL UNITS	14,035 SF GROSS
7 UNIT RESIDENTIAL BUILDINGS	37	289 RESIDENTIAL UNITS	17,132 SF GROSS
TOTAL RESIDENTIAL UNITS			

CLUBHOUSE BUILDINGS 2 (45,146 SF)

ADDITIONAL SUMMARY

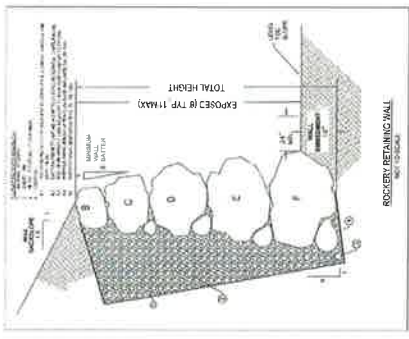
ON-STREET PARKING PROVIDED	222 SPACES
OFF-STREET PARKING PROVIDED	395 SPACES
TOTAL PARKING PROVIDED	617
TOTAL PARKING REQUIRED	628

NOTE: ALL DIMENSIONS ARE PER LOCAL ORDINANCES AND COUNTY REGULATIONS.



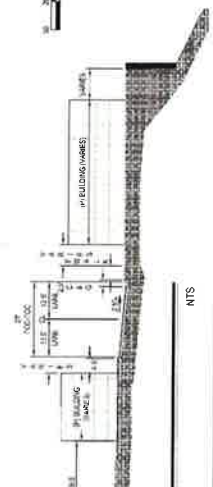
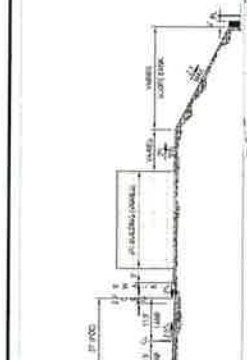
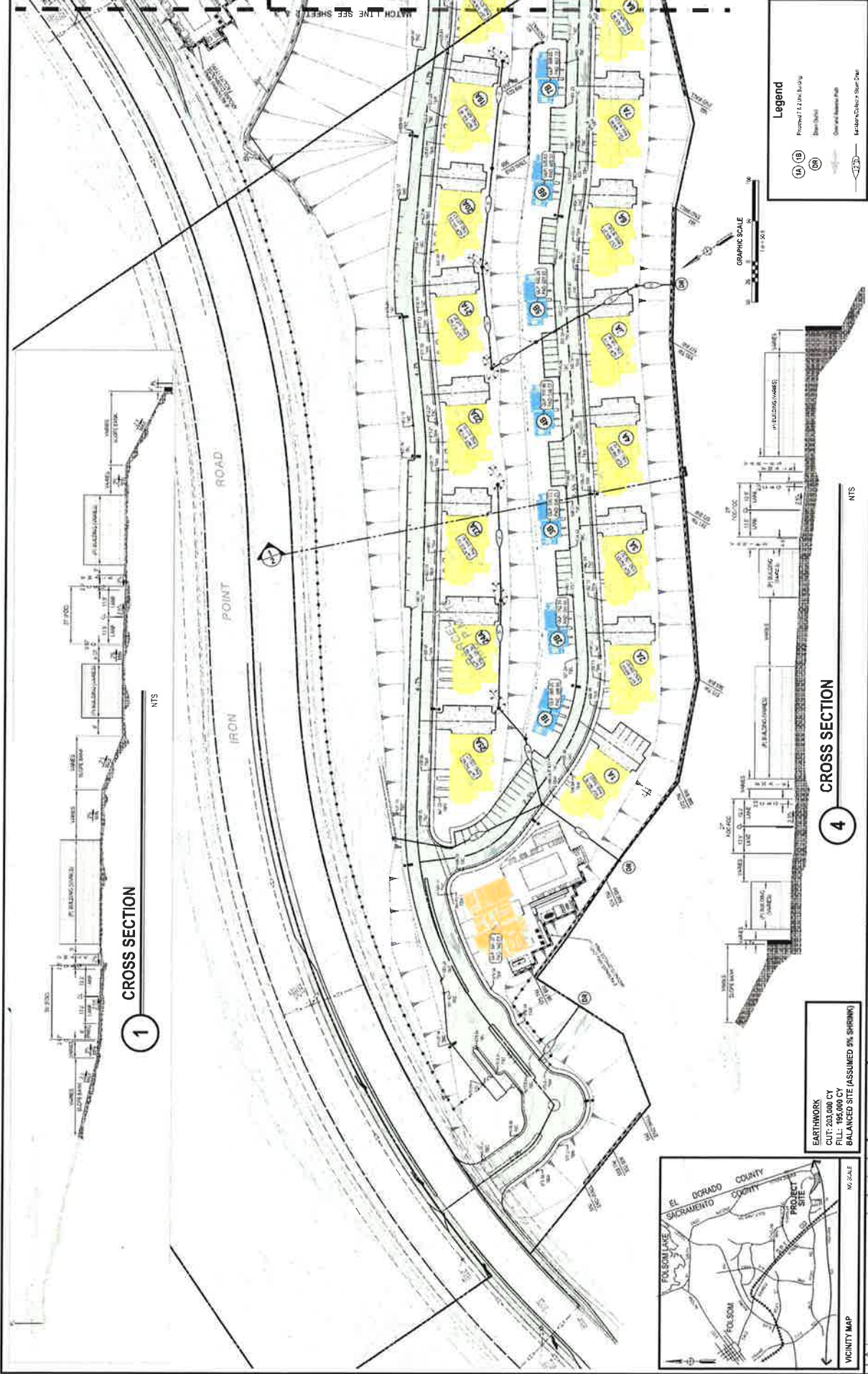
BUILDING INFORMATION

1 UNIT BUILDING (APPROXIMATE)	2 UNIT BUILDING (APPROXIMATE)	CLUBHOUSE
27 BLDG. 128 SF	27 BLDG. 128 SF	
27 BLDG. 128 SF	27 BLDG. 128 SF	
1 CLUBHOUSE (45,146 SF)	1 CLUBHOUSE (45,146 SF)	



Attachment 3

**Preliminary Grading and Drainage Plans,
Dated April 13, 2016**



Legend

- Proposed 7.5.0 PM Building
- Other PM Building
- Other PM Building
- 44-300A-200-01-01-01-01-01-01

DATE	AMENDMENTS
15-238	2
15-238	7

THE PIQUE AT IRON POINT
PRELIMINARY GRADING PLAN (WEST SECTION)
 2800 IRON POINT ROAD
 FOLSOM, CALIFORNIA

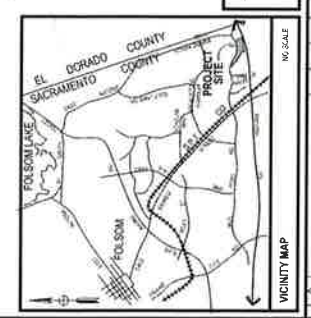
PREPARED BY
MORTON & PITALO, INC.
 CIVIL ENGINEERS - LAND PLANNING - LAND MARKETING

1700 Folsom Blvd., Suite 100
 Folsom, CA 95630
 Phone: (916) 938-1111
 Fax: (916) 938-1112
 Website: www.morton-pitalo.com

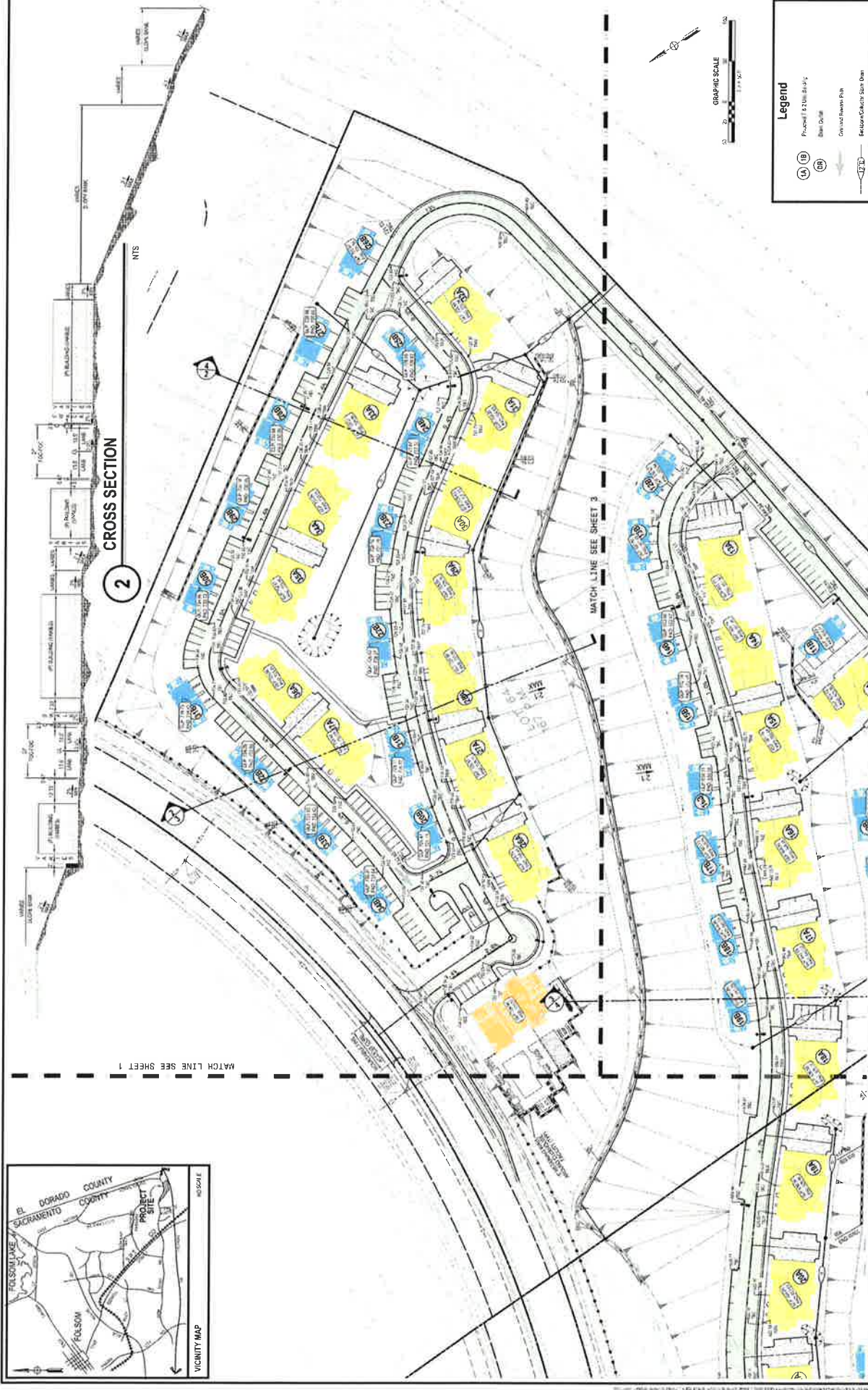


COMPUTED	MC
DESIGNED	SS
DRAWN	JH
PROJ. ENGR.	SP

EARTHWORK
 CUT: 203,000 CY
 FILL: 195,000 CY
 BALANCED SITE (ASSUMED 2% SLOPING)



NO.	DATE	DESCRIPTION



DATE	JANUARY 26, 2011
SHEET	3
OF	7

THE PIQUE AT IRON POINT
PRELIMINARY GRADING PLAN (NE SECTION)
2800 IRON POINT ROAD
 FOLSOM, CALIFORNIA

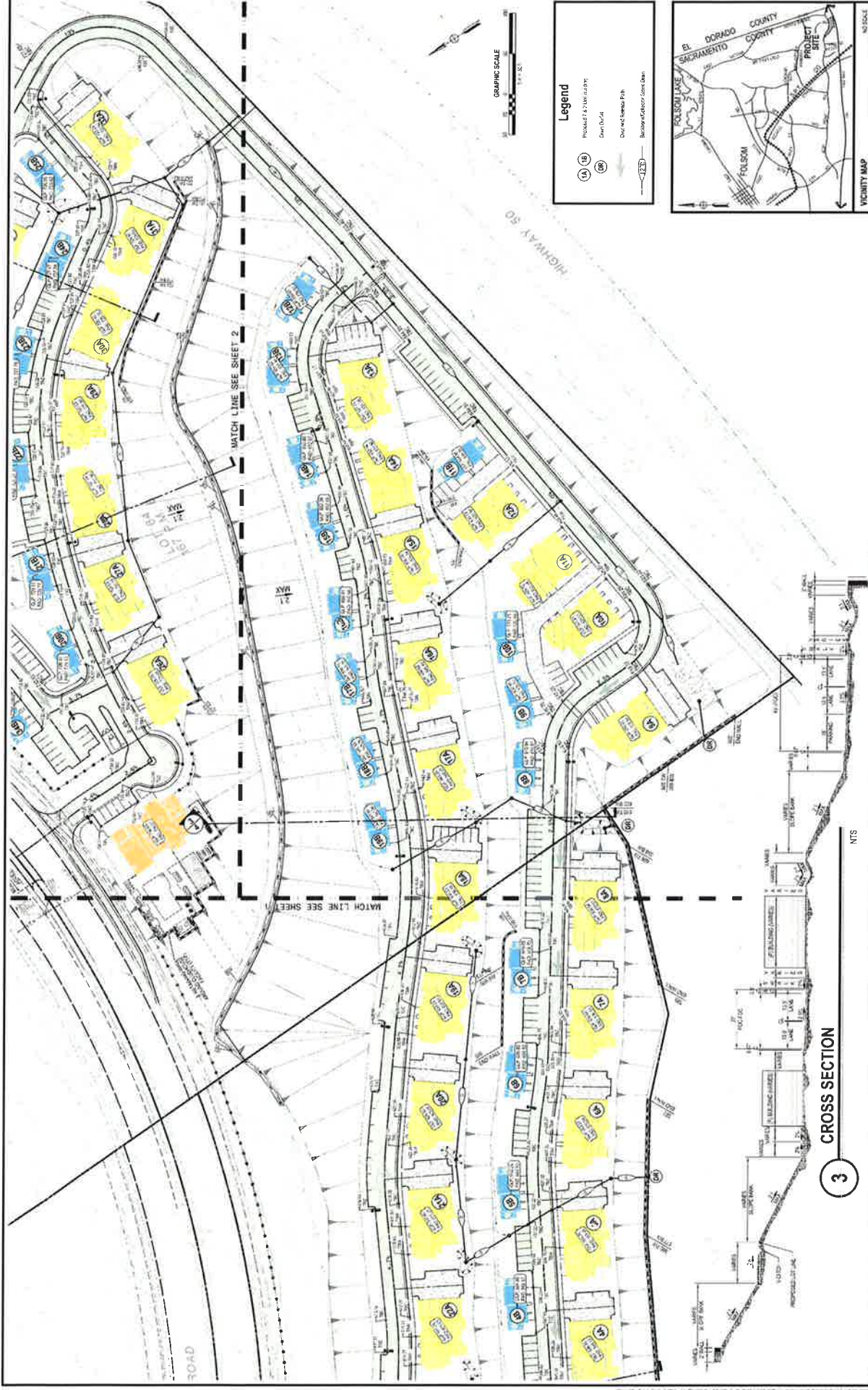
ENTITLED FOR
MORTON & PITALO, INC.
 CIVIL ENGINEERING - LAND PLANNING - LAND MARKETING
 1800 North Sacramento Street, Suite 200
 Folsom, CA 95630
 Tel: 916.439.8200
 Fax: 916.439.8201
 www.mortonpitalo.com



COMPUTED	MC
DESIGNED	SS
DRAWN	JH
PROJ. ENGR.	SP

BENCH MARK	SCALE
	1" = 40'
	1" = 80'
	1" = 160'

NO.	DESCRIPTION	DATE	BY



MORTON & PITALO, INC.
 CIVIL ENGINEERING, LAND PLANNING, LAND SURVEYING
 9011 North California Oaks, Colton, California 92324
 5000 North California Oaks, Colton, California 92324
 Phone: 951.853.5200 Fax: 951.853.5205
 www.mortonandpitalo.com

mp

THE PIQUE AT IRON POINT
 PRELIMINARY GRADING PLAN (SE SECTION)
 2800 IRON POINT ROAD
 COLTON, CALIFORNIA

DATE: JANUARY 20, 2016
 SHEET: 4
 OF: 7
 JOB NO.: 14-0070-06

NO.	DESCRIPTION	DATE	BY	CHK

COORDINATED	MC
DESIGNED	SS
DRAWN	JW
PROJ. ENGR.	SP

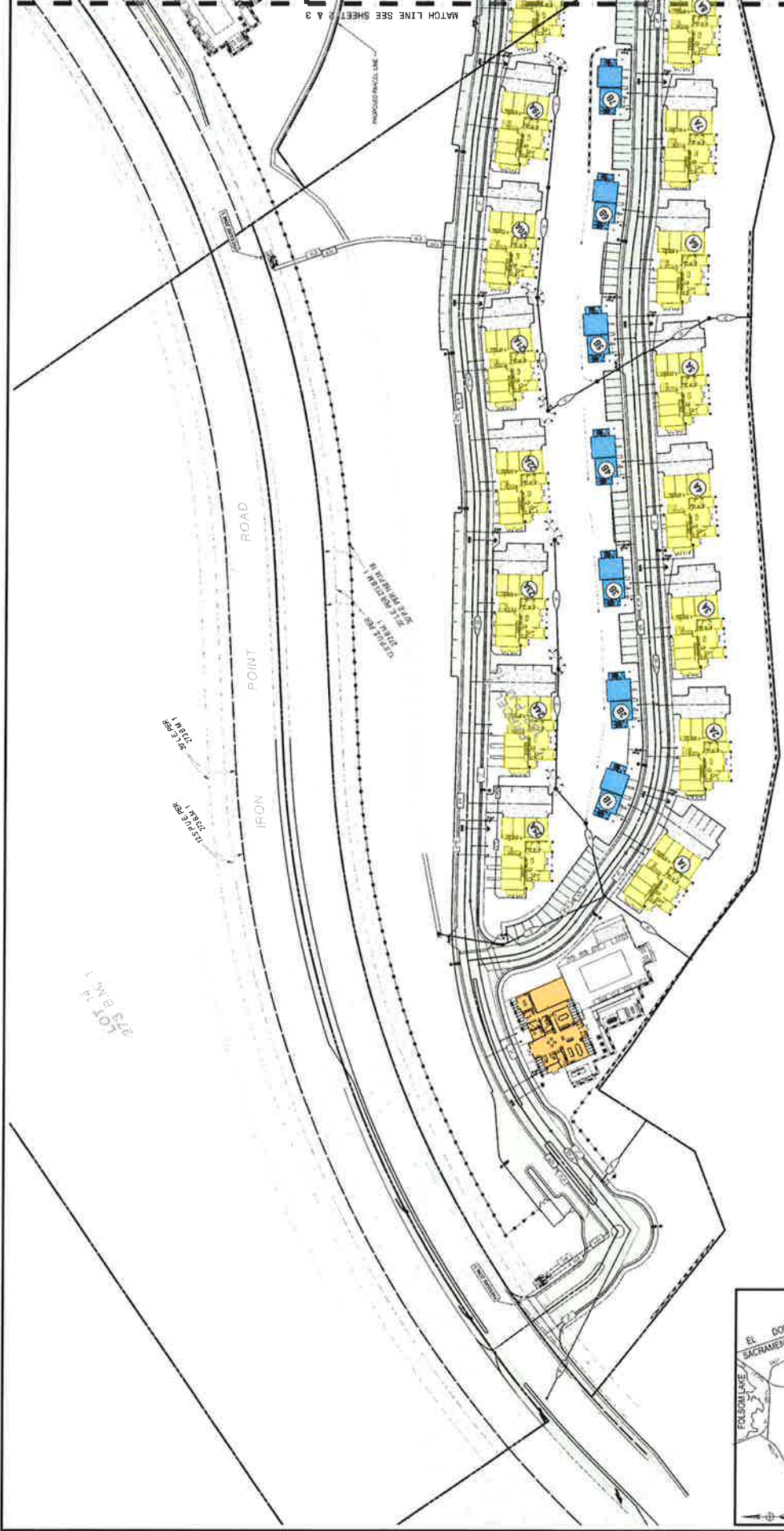
SCALE: HORIZ. 1" = 30'
 VERT. 1" = 10'

BENCH MARK

CROSS SECTION 3
 NTS

Attachment 4

Preliminary Utility Plans, dated April 13, 2016



Legend

- Proposed 7.5' Utility Right-of-Way
- Proposed 10' Utility Right-of-Way
- Proposed 15' Utility Right-of-Way
- Proposed 20' Utility Right-of-Way
- Proposed 25' Utility Right-of-Way
- Proposed 30' Utility Right-of-Way
- Proposed 35' Utility Right-of-Way
- Proposed 40' Utility Right-of-Way
- Proposed 45' Utility Right-of-Way
- Proposed 50' Utility Right-of-Way



DATE	JANUARY 2011
SHEET	5
OF	7

ENTRUSTED FOR
THE PIQUE AT IRON POINT
 PRELIMINARY UTILITY PLAN (WEST SECTION)
 2800 IRON POINT ROAD
 FOLSOM, CALIFORNIA

MORTON & PITALO, INC.
 CIVIL ENGINEERS - LAND PLANNING - LAND SURVEYING
 1400 RIVER STREET
 SACRAMENTO, CALIFORNIA 95811
 TEL: (916) 442-1111 FAX: (916) 442-1112
 WWW.MORTONANDPITALO.COM

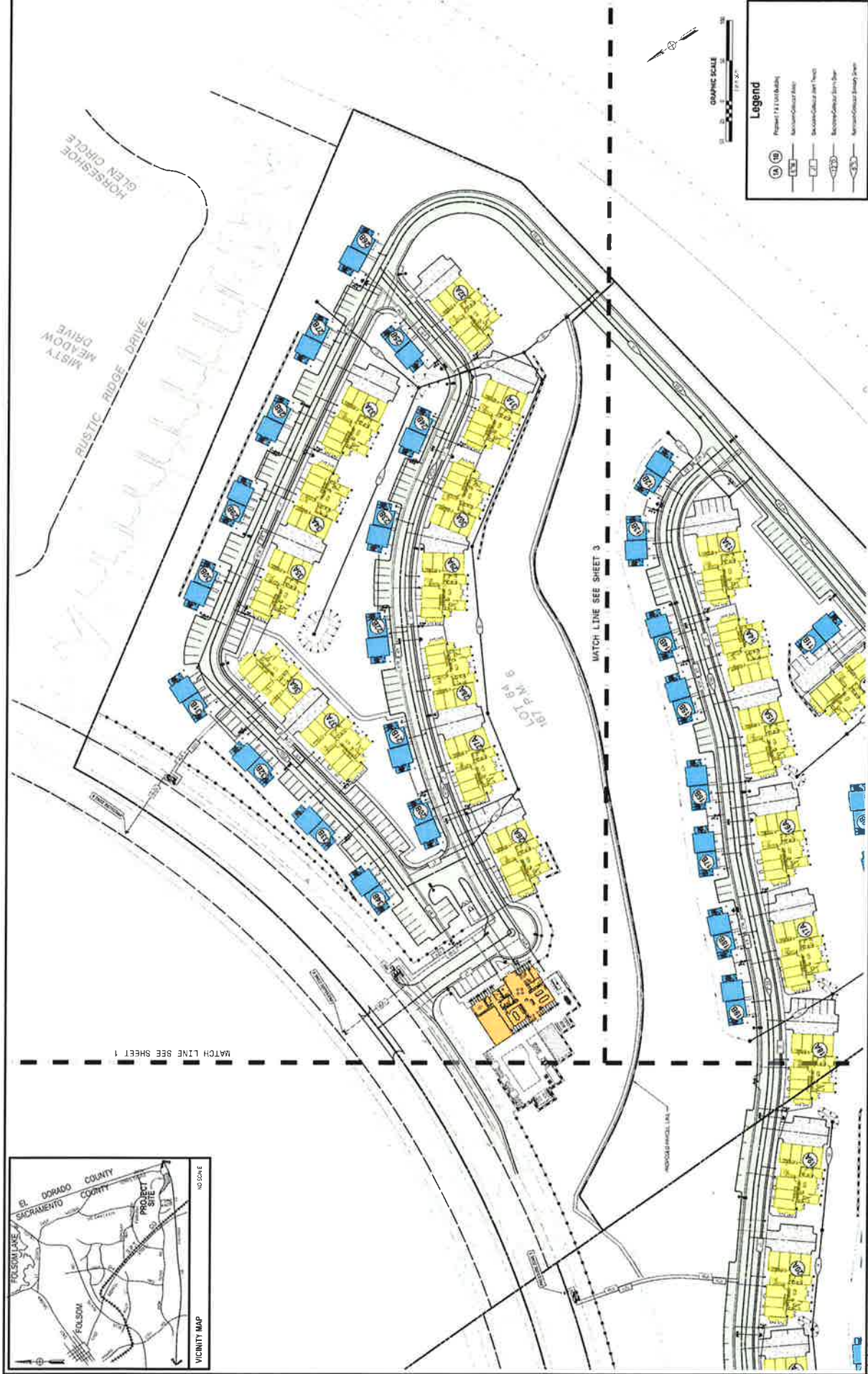


COMPUTED	MC
DESIGNED	SS
DRAWN	JW
PROJ. ENGR.	SP

BENCH MARK	SCALE
	HORIZ. 1" = 50'
	VERT. 1" = 10'



NO.	DATE	BY	DESCRIPTION



Legend

- Proposed 12' Utility Right-of-Way
- Proposed 12' Utility Right-of-Way
- Proposed 12' Utility Right-of-Way
- Proposed 12' Utility Right-of-Way
- Proposed 12' Utility Right-of-Way

GRAPHIC SCALE
1" = 20'

DATE	JANUARY 22, 2016
SHEET	6
OF	7

THE PIQUE AT IRON POINT
PRELIMINARY UTILITY PLAN (NE SECTION)
2800 IRON POINT ROAD

MORTON & PITALO, INC.
 CIVIL ENGINEERING - LAND PLANNING - LAND SURVEYING
 1500 California Street, Suite 2000, Sacramento, CA 95811
 1500 California Street, Suite 2000, Folsom, CA 95630
 1500 California Street, Suite 2000, Folsom, CA 95630
 1500 California Street, Suite 2000, Folsom, CA 95630

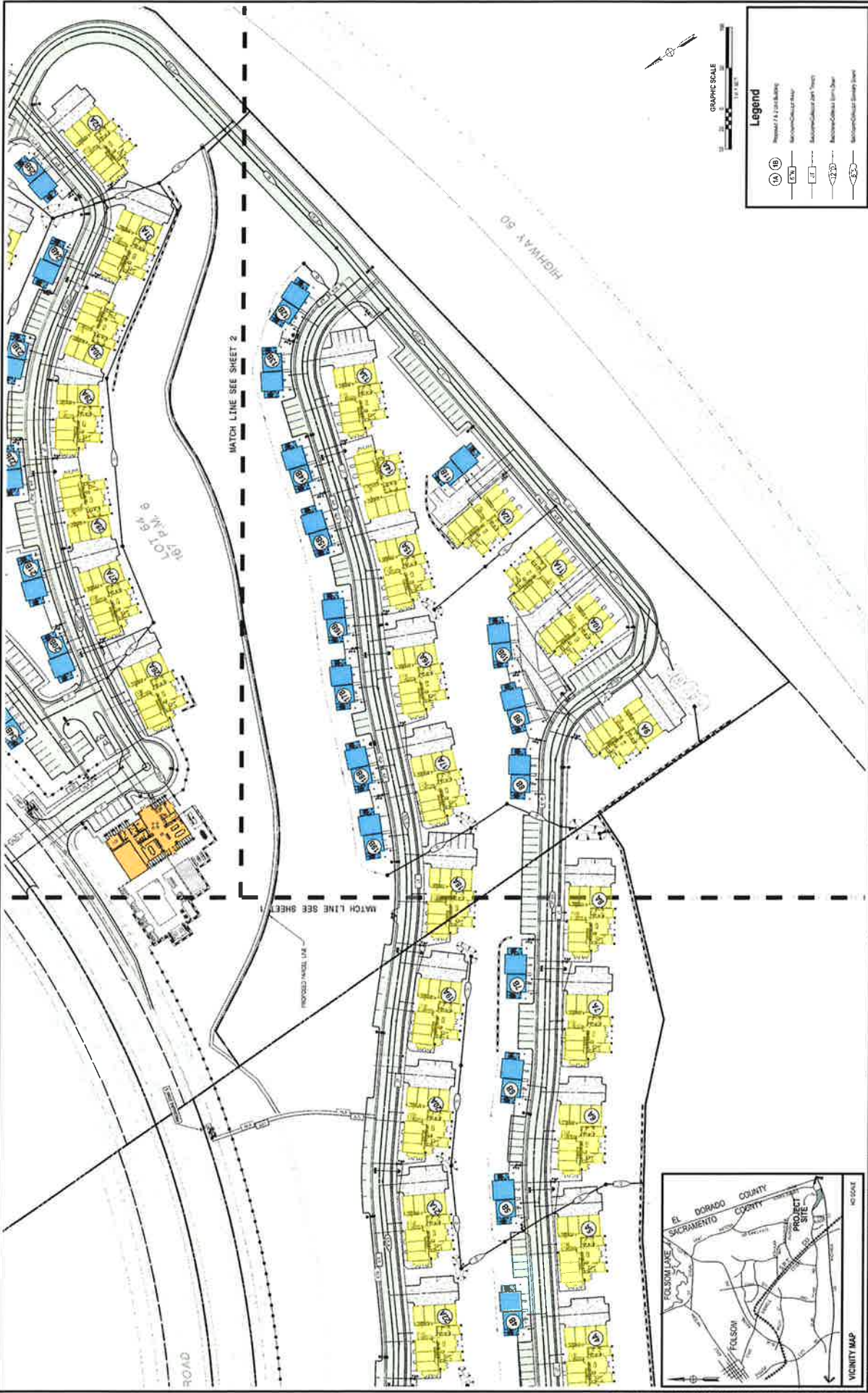


NO.	DATE	DESCRIPTION

DESIGNED	MC
DRAWN	JY
PROJ. ENGR.	SP

SCALE	1" = 20'
DATE	
BY	

NO.	DATE	DESCRIPTION



GRAPHIC SCALE
1" = 100'

Legend

- (A) (B) Proposed 1 & 2 Unit Building
- (C) (D) Existing/Proposed Drive
- (E) (F) Existing/Proposed Walkway
- (G) (H) Existing/Proposed Storm Drain
- (I) (J) Existing/Proposed Utility Line

DATE	14-07-04
REVISION	7
BY	7
DATE	7

THE PIQUE AT IRON POINT
PRELIMINARY UTILITY PLAN (SEE SECTION)
 2800 IRON POINT ROAD
 152504 CALIFORNIA

MORTON & PITALO, INC.
 CIVIL ENGINEERING - LAND PLANNING - LAND SURVEYING
 2500 RIVERVIEW DRIVE, SUITE 100
 SACRAMENTO, CA 95833
 TEL: (916) 486-1000
 FAX: (916) 486-1001
 WWW.MORTONANDPITALO.COM



NO.	DESCRIPTION	DATE	BY

SCALE	1" = 100'
DATE	

DESIGNED	SS
DRAWN	JR
PROJ. ENGR.	GP

NO.	DESCRIPTION	DATE	BY

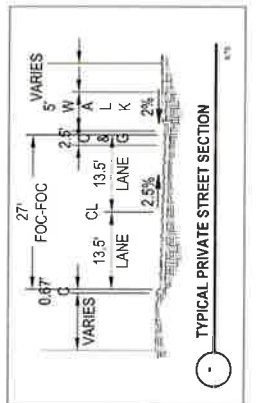
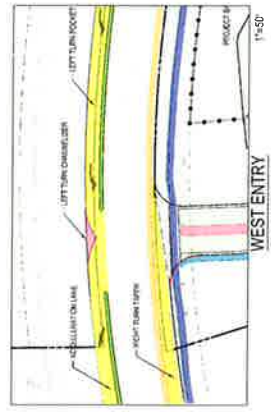
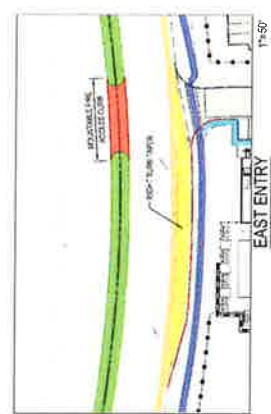
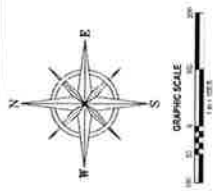
NO.	DESCRIPTION	DATE	BY

NO.	DESCRIPTION	DATE	BY

NO.	DESCRIPTION	DATE	BY

Attachment 5

Access and Circulation Plan, dated April 13, 2016



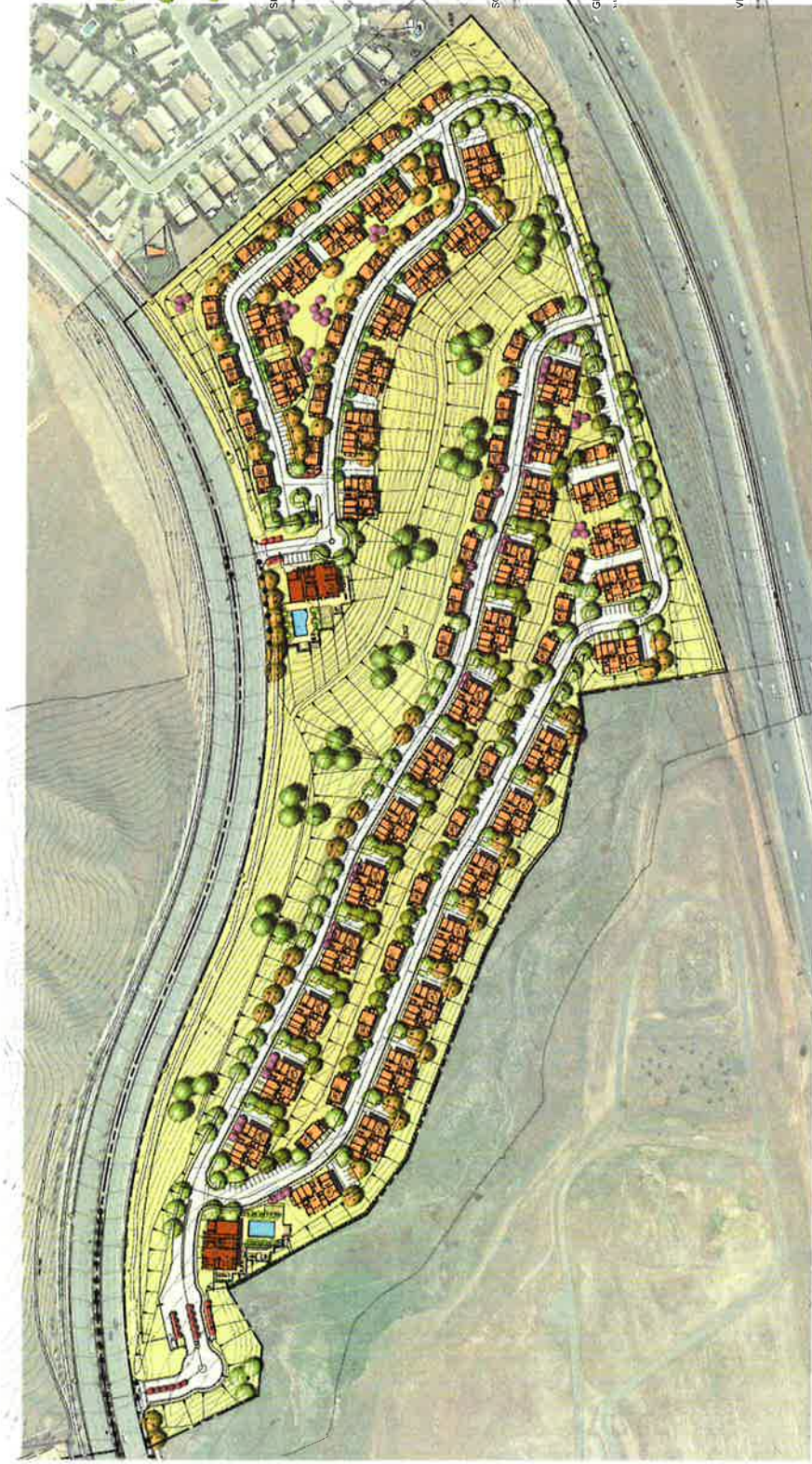
ACCESS LEGEND

- █ SPECIAL EXISTING
- █ SCHEDULED CROSSWALK PROPOSED
- █ NEW LANE EXISTING
- █ NEW PARK EXISTING
- █ NEW PARK PROPOSED
- █ TURN LANE PROPOSED
- █ MONTHLY FIRE ACCESS CURB

DATE	JANUARY 20, 2016	SHEET	1	OF	1
THE PIQUE AT IRON POINT CIRCULATION AND ACCESS EXHIBIT 2800 IRON POINT ROAD FOLSOM, CALIFORNIA					
mp MORTON & PITALO INC. CIVIL ENGINEERING - LAND PLANNING - LAND SURVEYING 2775 W. 15th Street, Suite 100, Folsom, CA 95630 Phone: 916.937.9053 www.mortonandpitalo.com					
COMPLETED	MC	BENCH MARK		SCALE	HORIZ. 1" = 100'
DESIGNED	SS			VERT.	1" = 10'
DRAWN	WT			DATE	1/20/16
PROJECT ENGINEER	SP			DATE	1/20/16

Attachment 6

Preliminary Landscape Plans, dated January 5, 2016



PLANT SCHEDULE

INDEX	REFERENCE SYMBOL/COMMON NAME	SIZE	QTY	DETAIL
1	Medium Density Strawberry Tree Bush	15 gal	40	
2	Green Gumbo Limbo / Mexican Redwood	15 gal	300	
3	Large Stemmed Lemon Eucalyptus / Citrus Myrtle	15 gal	20	
4	Greenish Shrub / Valley Oak	15 gal	100	
5	Shrub / Impatiens / Shrub / Impatiens	15 gal	10	
6	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
7	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
8	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
9	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
10	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
11	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
12	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	

SHRUB LEGEND

SYMBOL	COMMON NAME	SIZE	QTY	DETAIL
1	Medium Density Strawberry Tree Bush	15 gal	40	
2	Green Gumbo Limbo / Mexican Redwood	15 gal	300	
3	Large Stemmed Lemon Eucalyptus / Citrus Myrtle	15 gal	20	
4	Greenish Shrub / Valley Oak	15 gal	100	
5	Shrub / Impatiens / Shrub / Impatiens	15 gal	10	
6	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
7	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
8	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
9	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
10	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
11	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
12	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	

SCREENING LEGEND

SYMBOL	COMMON NAME	SIZE	QTY	DETAIL
1	Medium Density Strawberry Tree Bush	15 gal	40	
2	Green Gumbo Limbo / Mexican Redwood	15 gal	300	
3	Large Stemmed Lemon Eucalyptus / Citrus Myrtle	15 gal	20	
4	Greenish Shrub / Valley Oak	15 gal	100	
5	Shrub / Impatiens / Shrub / Impatiens	15 gal	10	
6	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
7	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
8	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
9	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
10	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
11	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
12	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	

GROUND COVER LEGEND

SYMBOL	COMMON NAME	SIZE	QTY	DETAIL
1	Medium Density Strawberry Tree Bush	15 gal	40	
2	Green Gumbo Limbo / Mexican Redwood	15 gal	300	
3	Large Stemmed Lemon Eucalyptus / Citrus Myrtle	15 gal	20	
4	Greenish Shrub / Valley Oak	15 gal	100	
5	Shrub / Impatiens / Shrub / Impatiens	15 gal	10	
6	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
7	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
8	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
9	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
10	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
11	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
12	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	

VINE LEGEND

SYMBOL	COMMON NAME	SIZE	QTY	DETAIL
1	Medium Density Strawberry Tree Bush	15 gal	40	
2	Green Gumbo Limbo / Mexican Redwood	15 gal	300	
3	Large Stemmed Lemon Eucalyptus / Citrus Myrtle	15 gal	20	
4	Greenish Shrub / Valley Oak	15 gal	100	
5	Shrub / Impatiens / Shrub / Impatiens	15 gal	10	
6	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
7	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
8	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
9	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
10	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
11	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	
12	Shrub / Impatiens / Shrub / Impatiens	15 gal	20	

The Pique at Iron Point

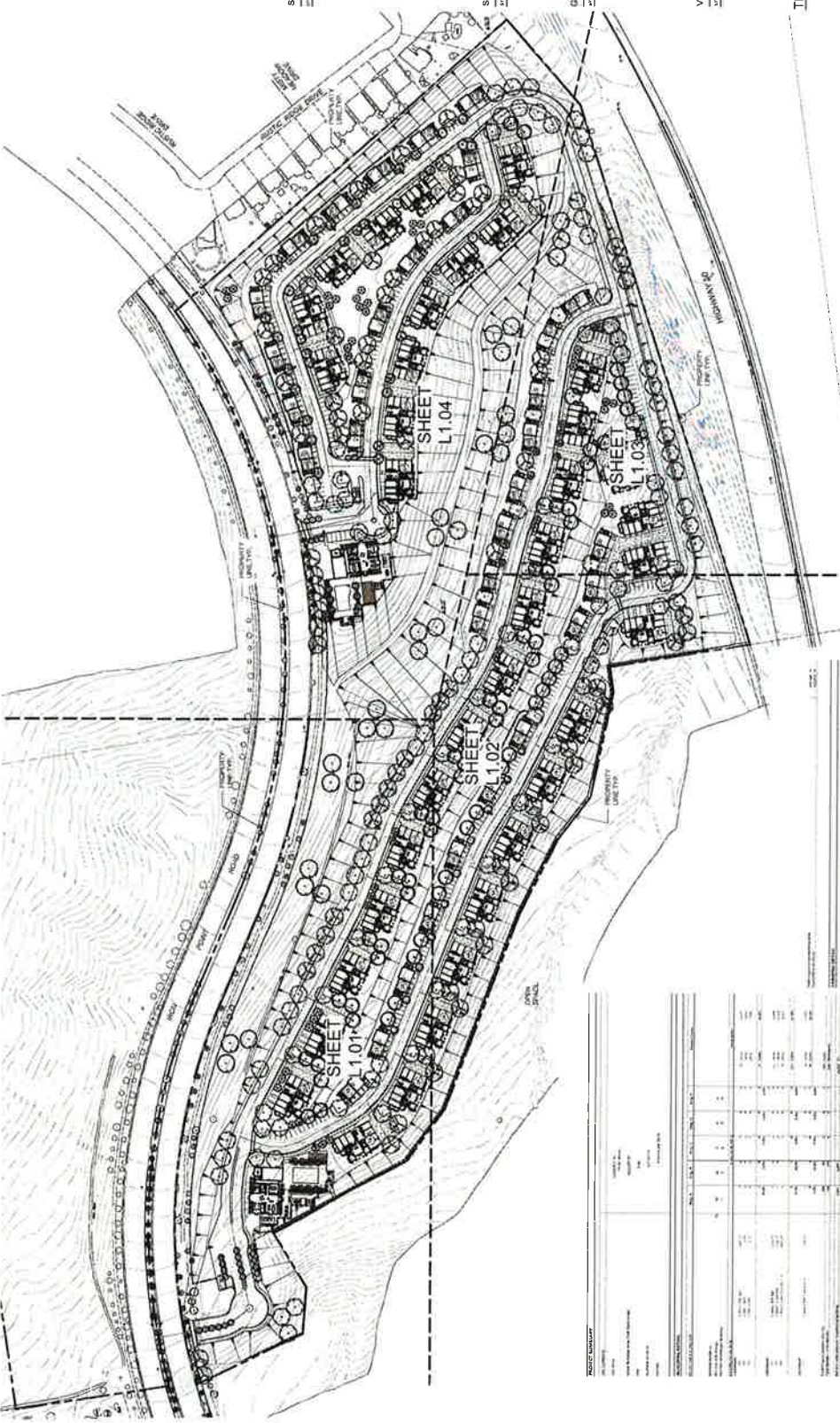
Folsom, CA

COLOR LANDSCAPE PLAN

DATE: 1-05-2016
 PROJECT NO: 855-0003
 SCALE:
 SHEET:

ELLIOTT HOMES





PLANT SCHEDULE

TREES	SCIENTIFIC NAME / COMMON NAME	DBHT	CITY
	Arbutus menziesii / Strawberry Tree Shrub	15 gal	40
	Carex scopulorum / Western Ruscus	15 gal	56
	Liquidambar styraciflua / Sweetgum	15 gal	25
	Quercus lobata / Valley Oak	15 gal	110
	Quercus muhlenbergii / Burbank Red Oak	15 gal	71
	Quercus agrifolia / Live Oak	27" DBH	26
	Ulmus p. 'Firmus' / American Elm	15 gal	56
	Hamamelis virginica / Witch Ham	15 gal	14
	Zelkova serotina / California / Spanish Zelkova	15 gal	12

SHRUB LEGEND

SYMBOL	SCIENTIFIC NAME	COMMON NAME	PLANT SIZE	INSTALL QUANTITY
(Symbol)	Arbutus menziesii	Strawberry Tree Shrub	15 gal	40
(Symbol)	Carex scopulorum	Western Ruscus	15 gal	56
(Symbol)	Liquidambar styraciflua	Sweetgum	15 gal	25
(Symbol)	Quercus lobata	Valley Oak	15 gal	110
(Symbol)	Quercus muhlenbergii	Burbank Red Oak	15 gal	71
(Symbol)	Quercus agrifolia	Live Oak	27" DBH	26
(Symbol)	Ulmus p. 'Firmus'	American Elm	15 gal	56
(Symbol)	Hamamelis virginica	Witch Ham	15 gal	14
(Symbol)	Zelkova serotina	California / Spanish Zelkova	15 gal	12

SCREENING LEGEND

SYMBOL	SCIENTIFIC NAME	COMMON NAME	PLANT SIZE	INSTALL QUANTITY
(Symbol)	Arbutus menziesii	Strawberry Tree Shrub	15 gal	40
(Symbol)	Carex scopulorum	Western Ruscus	15 gal	56
(Symbol)	Liquidambar styraciflua	Sweetgum	15 gal	25
(Symbol)	Quercus lobata	Valley Oak	15 gal	110
(Symbol)	Quercus muhlenbergii	Burbank Red Oak	15 gal	71
(Symbol)	Quercus agrifolia	Live Oak	27" DBH	26
(Symbol)	Ulmus p. 'Firmus'	American Elm	15 gal	56
(Symbol)	Hamamelis virginica	Witch Ham	15 gal	14
(Symbol)	Zelkova serotina	California / Spanish Zelkova	15 gal	12

GROUND COVER LEGEND

SYMBOL	SCIENTIFIC NAME	COMMON NAME	PLANT SIZE	INSTALL QUANTITY
(Symbol)	Arbutus menziesii	Strawberry Tree Shrub	15 gal	40
(Symbol)	Carex scopulorum	Western Ruscus	15 gal	56
(Symbol)	Liquidambar styraciflua	Sweetgum	15 gal	25
(Symbol)	Quercus lobata	Valley Oak	15 gal	110
(Symbol)	Quercus muhlenbergii	Burbank Red Oak	15 gal	71
(Symbol)	Quercus agrifolia	Live Oak	27" DBH	26
(Symbol)	Ulmus p. 'Firmus'	American Elm	15 gal	56
(Symbol)	Hamamelis virginica	Witch Ham	15 gal	14
(Symbol)	Zelkova serotina	California / Spanish Zelkova	15 gal	12

VINE LEGEND

SYMBOL	SCIENTIFIC NAME	COMMON NAME	PLANT SIZE	INSTALL QUANTITY
(Symbol)	Arbutus menziesii	Strawberry Tree Shrub	15 gal	40
(Symbol)	Carex scopulorum	Western Ruscus	15 gal	56
(Symbol)	Liquidambar styraciflua	Sweetgum	15 gal	25
(Symbol)	Quercus lobata	Valley Oak	15 gal	110
(Symbol)	Quercus muhlenbergii	Burbank Red Oak	15 gal	71
(Symbol)	Quercus agrifolia	Live Oak	27" DBH	26
(Symbol)	Ulmus p. 'Firmus'	American Elm	15 gal	56
(Symbol)	Hamamelis virginica	Witch Ham	15 gal	14
(Symbol)	Zelkova serotina	California / Spanish Zelkova	15 gal	12

TREE SHADE CALCULATION

WATER EFFICIENT LANDSCAPE NOTE
 LANDSCAPE WILL BE DESIGN TO ACHIEVE BOTH CURRENT STATE WATER
 EFFICIENT LANDSCAPE ORDINANCE AND CITY OF FOLSOM MUNICIPAL
 CODES.



OVERALL LANDSCAPE PLAN

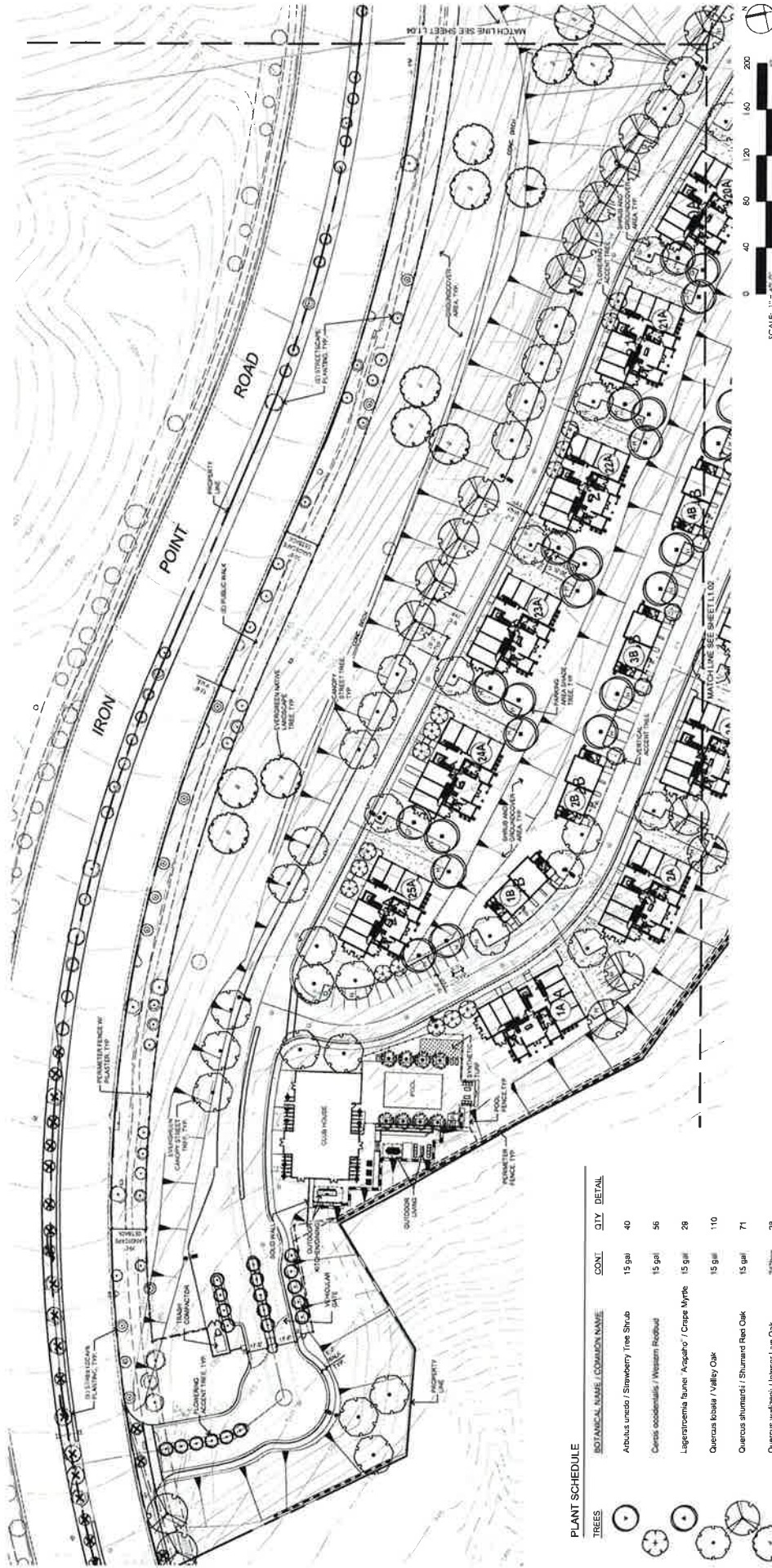
ELLIOTT HOMES

DATE: 1-05-2016
 PROJECT NO: 835-0003
 SCALE: 1/8" = 1'-0"
 SHEET: L1.00



The Pique at Iron Point

Folsom, CA



PLANT SCHEDULE

TREES	BOTANICAL NAME / COMMON NAME	QTY	DETAIL
	<i>Arbutus unedo</i> / Strawberry Tree Shrub	15 gal	40
	<i>Cercis occidentalis</i> / Western Redbud	15 gal	56
	<i>Legostemaria laevis</i> 'Argentea' / Crepe Myrtle	15 gal	28
	<i>Quercus laevis</i> / Valley Oak	15 gal	110
	<i>Quercus shumardii</i> / Shumard Red Oak	15 gal	71
	<i>Quercus walpolei</i> / Interior Live Oak	24" tree	28
	<i>Ulmus x Fraxinus</i> / American Elm	15 gal	56
	<i>Washingtonia filifera</i> / California Fan Palm	15 gal	14
	<i>Zelkova serrata</i> / Japanese Zelkova	15 gal	2

The Pique at Iron Point

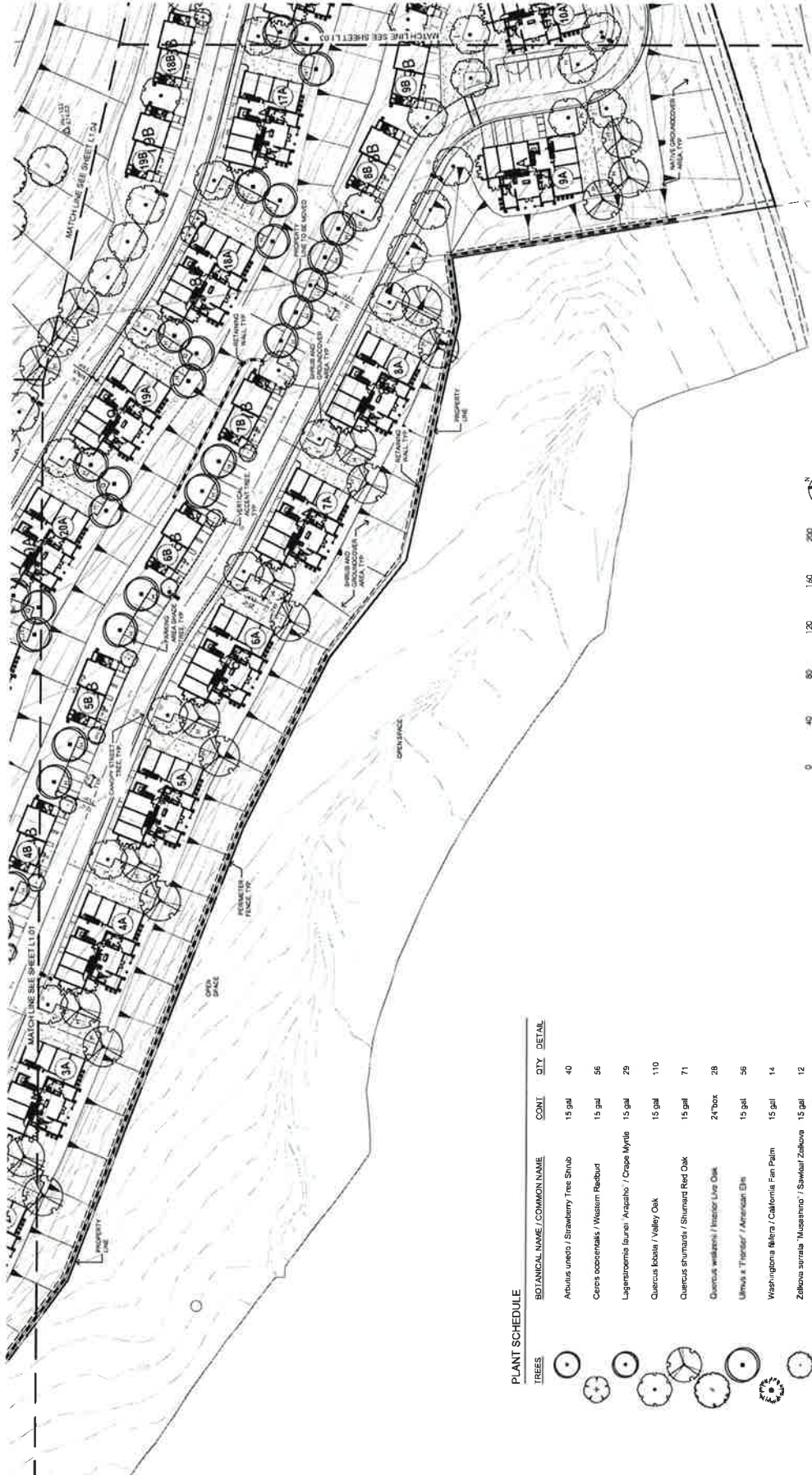
Folsom, CA

ENLARGED LANDSCAPE PLAN

ELLIOTT HOMES

DATE: 1-05-2016
 PROJECT NO: 835-0003
 SCALE:
 SHEET: L1.01





PLANT SCHEDULE

TREES	BOTANICAL NAME / COMMON NAME	CONT.	QTY	DETAIL
	<i>Abutilon stricto</i> / Strawberry Tree Shrub	15 gal	40	
	<i>Cercis soppentata</i> / Western Redbut	15 gal	56	
	<i>Lagerströmia laurifolia</i> / Arquehe / Craple Myrtle	15 gal	29	
	<i>Quercus lobata</i> / Valley Oak	15 gal	110	
	<i>Quercus shumardii</i> / Shumard Red Oak	15 gal	71	
	<i>Quercus wislizeni</i> / Interior Live Oak	24" box	28	
	<i>Ulmus x 'Flinders'</i> / American Elm	15 gal	56	
	<i>Washingtonia filifera</i> / California Fan Palm	15 gal	14	
	<i>Zelkova serrata</i> / Mueshino / Sawleaf Zelkova	15 gal	12	

The Pique at Iron Point

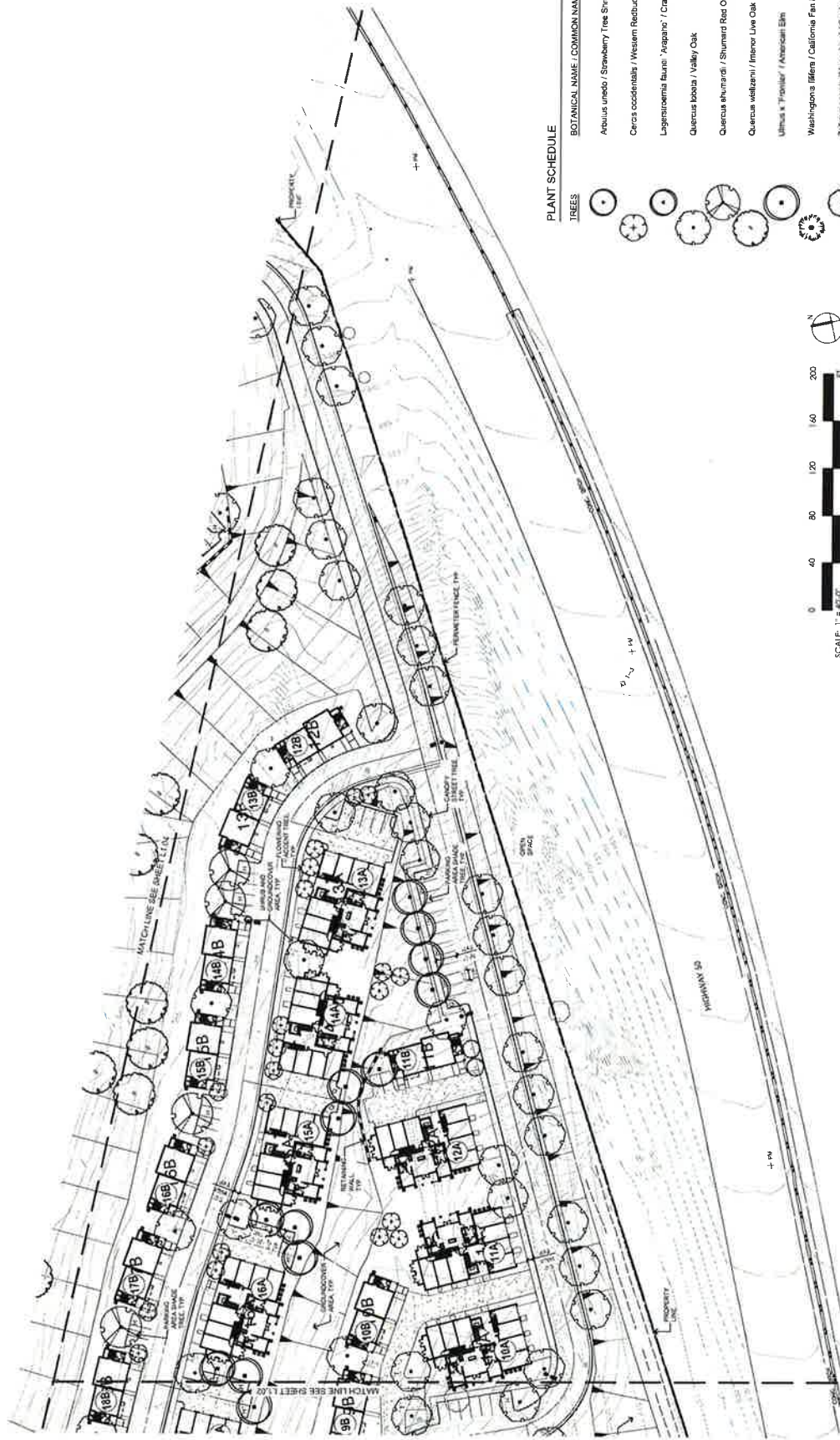
Folsom, CA

ENLARGED LANDSCAPE PLAN

ELLIOTT HOMES

DATE: 1-05-2016
 PROJECT NO: 835-0003
 SCALE: 1/8" = 1'-0"
 SHEET: L1.02





PLANT SCHEDULE

TREES	BOTANICAL NAME / COMMON NAME	CONT.	QTY	DETAIL
	Arbutus unedo / Strawberry Tree Shrub	15 gal	40	
	Cercis occidentalis / Western Redbud	15 gal	56	
	Lagerströmia baurei 'Argano' / Cape Myrtle	15 gal	28	
	Quercus lobata / Valley Oak	15 gal	110	
	Quercus shumardii / Shumard Red Oak	15 gal	71	
	Quercus velutina / Interior Live Oak	24" box	28	
	Ulmus x 'Pinnatifid' / American Elm	15 gal	56	
	Washingtonia filifera / California Fan Palm	15 gal	14	
	Zelkova serotina 'Munshopho' / Sankalop Zelkova	15 gal	12	



The Pique at Iron Point

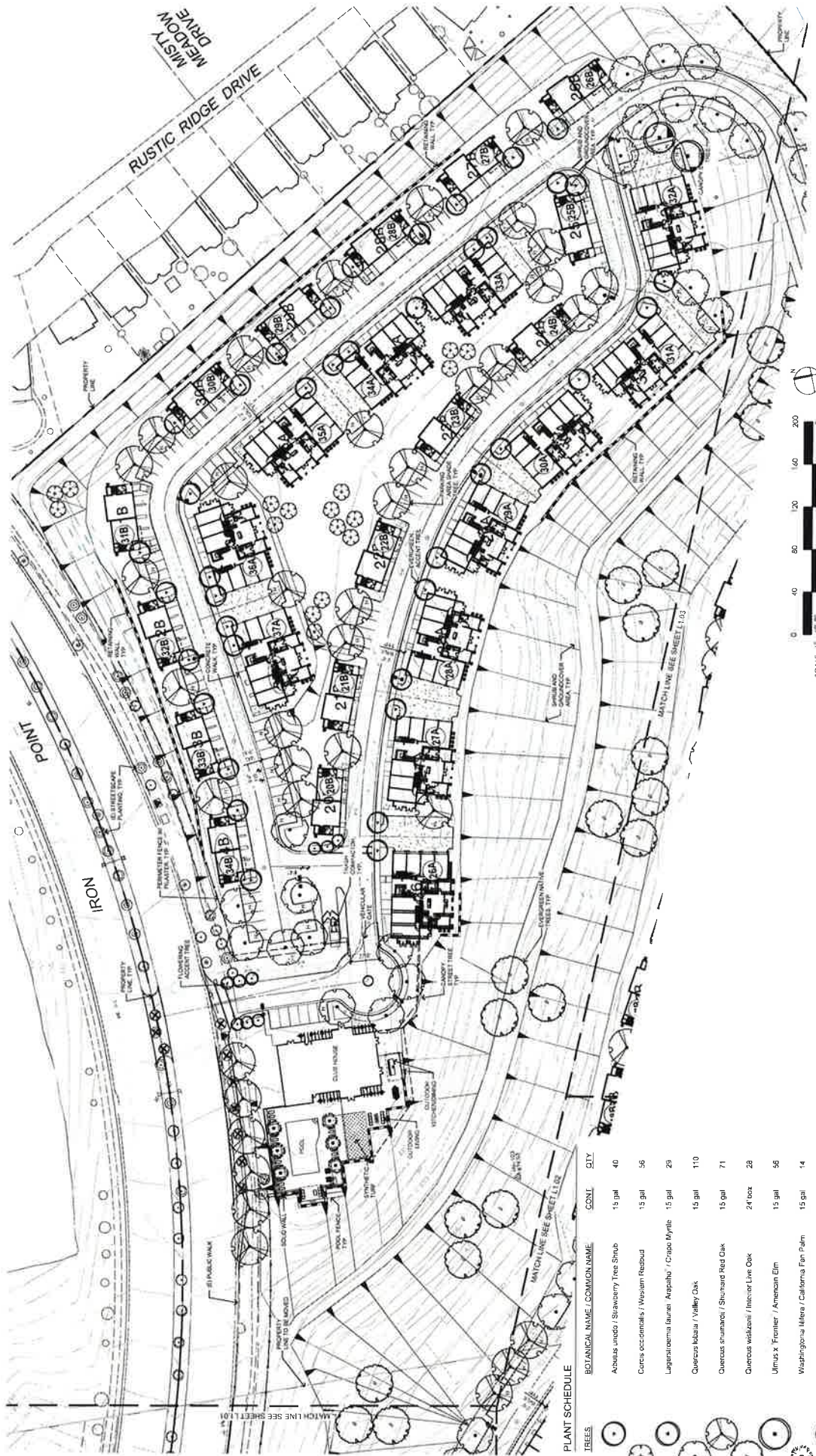
Folsom, CA

ENLARGED LANDSCAPE PLAN

DATE: 1-05-2016
 PROJECT NO: 835-0003
 SCALE:
 SHEET: L1.03

ELLIOTT HOMES





ELLIOTT HOMES

ENLARGED LANDSCAPE PLAN

DATE: 1-05-2016
 PROJECT NO: 835-0003
 SCALE:
 SHEET: L1.04

PLANT SCHEDULE

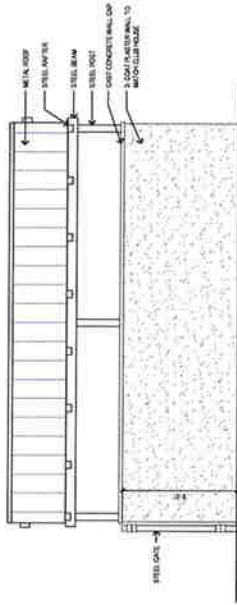
IREES	BOTANICAL NAME / COMMON NAME	CONL	QTY
	Abutilon unedo / Strawberry Tree Shrub	15 gal	40
	Cercis occidentalis / Western Redbud	15 gal	56
	Lagerstroemia laureri / Arapaho / Crapo Myrtle	15 gal	29
	Quercus laevis / Valley Oak	15 gal	110
	Quercus emutata / Shumard Red Oak	15 gal	71
	Quercus wislizeni / Interior Live Oak	24" box	28
	Ulmus x 'Fronier' / American Elm	15 gal	56
	Washingtonia filifera / California Fan Palm	15 gal	14
	Zelkova serrata / Manchurian / Sawleaf Zelkova	15 gal	12

The Pique at Iron Point

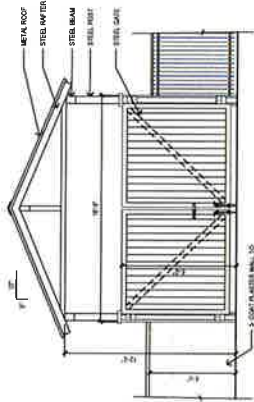
Folsom, CA

Attachment 7

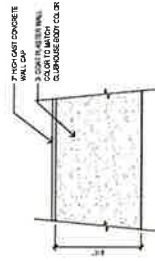
Preliminary Site Details, dated January 5, 2016



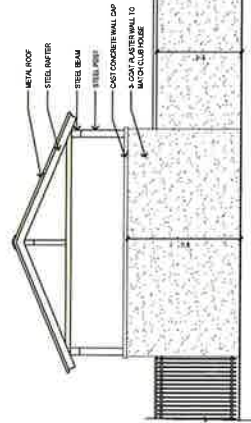
TRASH COMPACTOR SIDE ELEVATION - 1/4" = 1'-0"



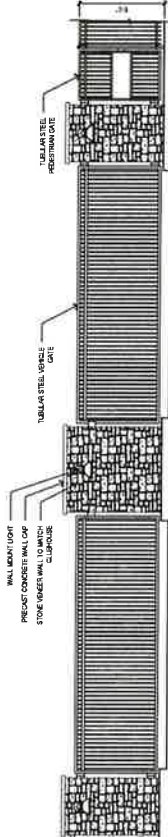
TRASH COMPACTOR FRONT ELEVATION - 1/4" = 1'-0"



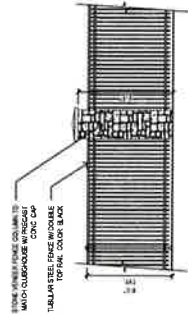
SOLID WALL @ POOL - 1/4" = 1'-0"



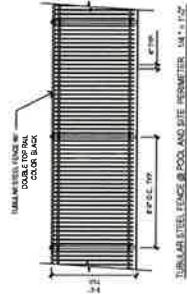
VEHICLE GATE ENTRANCE - 1/4" = 1'-0"



TUBULAR STEEL FENCE @ POOL - 1/4" = 1'-0"



TUBULAR STEEL FENCE @ BACK POINTED - 1/4" = 1'-0"



TUBULAR STEEL FENCE @ POOL AND SITE PERIMETER - 1/4" = 1'-0"

STREET LIGHT

The Pique at Iron Point

Folsom, CA

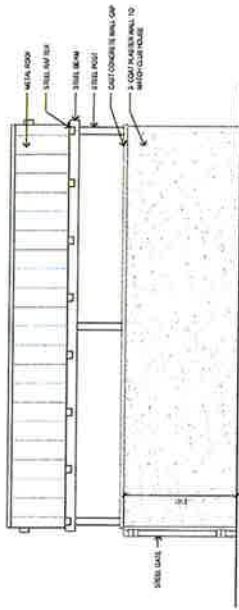
SITE DETAILS

DATE: 1-05-2018
 PROJECT NO: 833-0003
 SCALE:
 SHEET: L1 05

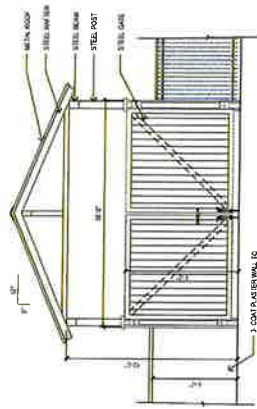
ELLIOTT HOMES

LPFS

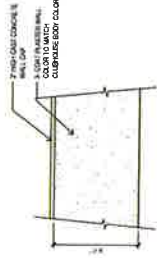
1801 Lakeside Park Drive, Suite 100, Sacramento, CA 95833
 916.442.8338 | elliott.com



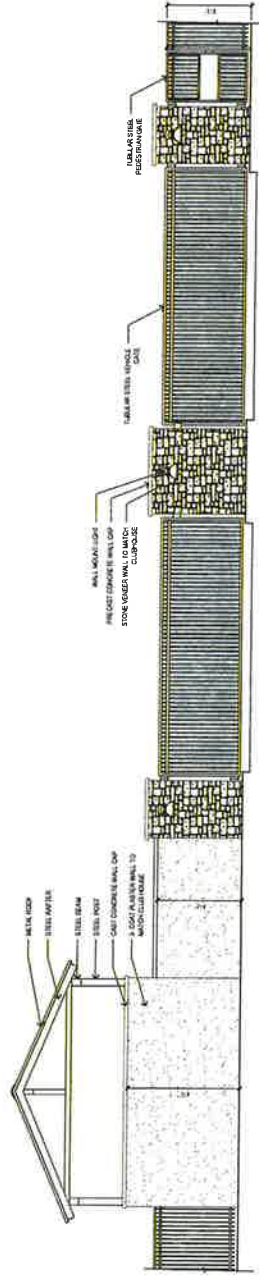
TRASH COMPACTOR SIDE ELEVATION 1/4" = 1'-0"



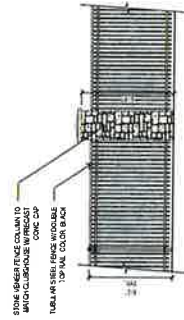
TRASH COMPACTOR FRONT ELEVATION 1/4" = 1'-0"



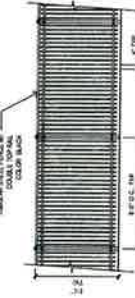
SOLID WALL & POOL 1/4" = 1'-0"



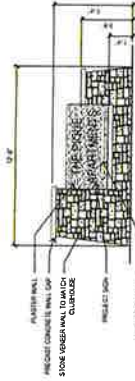
VERTICAL GATE ENTRANCE 1/4" = 1'-0"



TUBULAR STEEL FENCE & HIGH POINTERS 1/4" = 1'-0"



TUBULAR STEEL FENCE @ POOL AND SITE PERIMETER 1/4" = 1'-0"



MONUMENT FENCE 1/4" = 1'-0"



BUILDING LIGHT



GLX1

STREET LIGHT

The Pique at Iron Point

Folsom, CA

SITE DETAILS

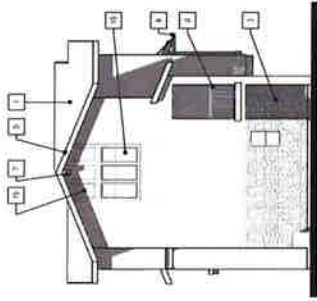
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ELLIOTT HOMES

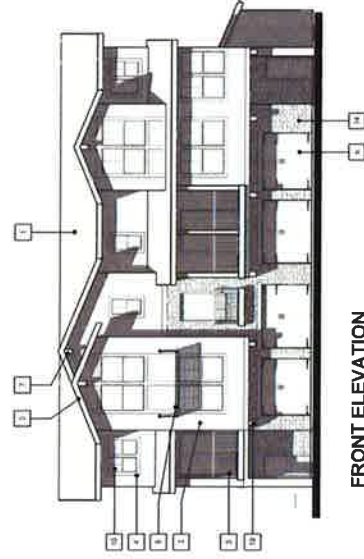


Attachment 8

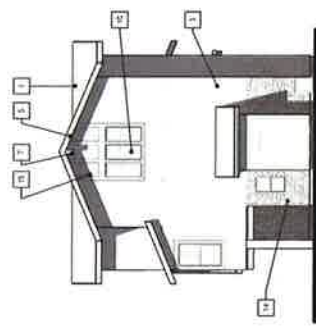
**Building Elevations and Floor Plans,
Dated December 18, 2015**



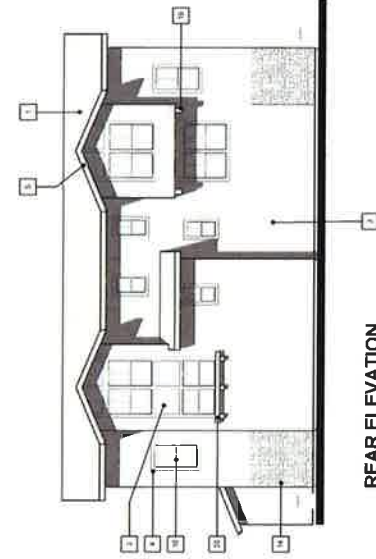
LEFT ELEVATION



FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

KEYNOTE LEGEND

- 1 PAINT CONCRETE FINISH
- 2 SPACED TO VERTICAL FINISH ELEMENT TYPICAL IN G.C. OVER
- 3 DOOR EXTENSION PLASTIC
- 4 POLYURETHANE SURFACE COATING
- 5 BRICKWORK AT EXITS AND WINDOWS
- 6 REGIONAL STEEL ORNAMENT DOOR
- 7 DECORATIVE POLYURETHANE BASED AN OUTDOORS
- 8 PAINTED STEEL
- 9 PAINTED STEEL GUARDRAIL
- 10 METAL FRAME WINDOW
- 11 FEDERAL PAINT FINISH DOOR
- 12 TYPICAL QUARTZITE COMPACT PAINTED ORNAMENT
- 13 ADJACENT BUILDING SURFACE
- 14 ARCHITECT MANUFACTURED STONE AS PER
- 15 GABLE END CLOSURE VENTS
- 16 PRECAST STONE HEADER
- 17 METAL STUDS WITH PRECAST CONCRETE TRIM
- 18 COPPER
- 19 DECORATIVE POLYURETHANE BASED AN OUTDOORS
- 20 PAINTED VENT SUPPORTS

SCALE 1/8" = 1'-0"

THE PIQUE AT IRON POINT
APARTMENTS

FOLSOM, CA

BUILDING 1 ELEVATIONS

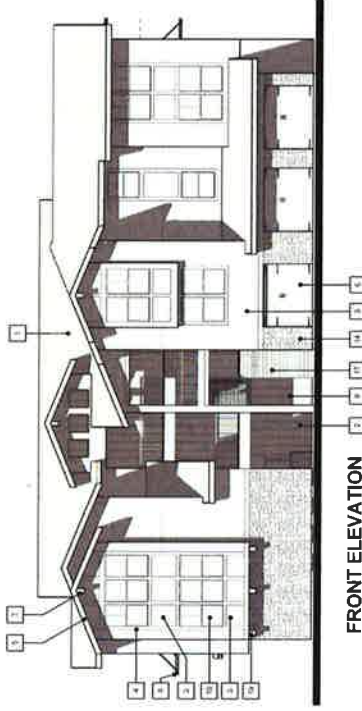
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PROJECT NO: B35-0003
SCALE: 1/8" = 1'-0"
SHEET A6

ELLIOTT
HOMES

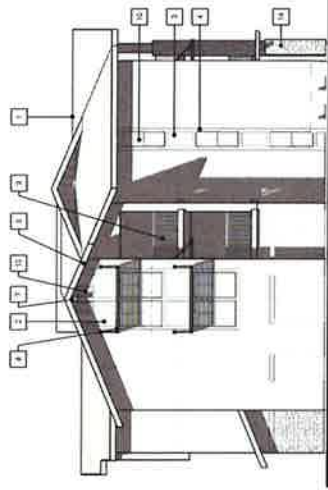




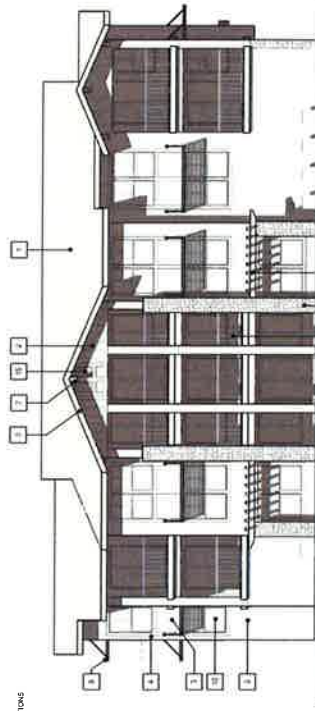
LEFT ELEVATION



FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

KEYNOTE LEGEND

- 1 1/2" CONCRETE
- 2 1/2" POLYURETHANE ZI-KOZONOL FOAM IRM
- 3 3/4" GYPSUM BOARD
- 4 POLYURETHANE ZI-KOZONOL FOAM IRM
- 5 2X8 WOOD PLACED AT RAFTERS AND BARKES
- 6 SECTIONAL STEEL GARAGE DOOR
- 7 2X4 WOOD PLACED AT RAFTERS AND BARKES
- 8 2X4 WOOD PLACED AT RAFTERS AND BARKES
- 9 PAINTED STEEL ANCHOR
- 10 PAINTED STEEL LUMBER
- 11 VINYL FRAME WINDOWS
- 12 FIBERGLASS FIBER REINFORCED POLYMER (FRP) ROOFING
- 13 1/2" POLYURETHANE ZI-KOZONOL FOAM IRM
- 14 1/2" POLYURETHANE ZI-KOZONOL FOAM IRM
- 15 PAINTED WOOD SHINGLES
- 16 PAINTED WOOD SHINGLES
- 17 1/2" POLYURETHANE ZI-KOZONOL FOAM IRM
- 18 1/2" POLYURETHANE ZI-KOZONOL FOAM IRM
- 19 METAL LUMBER WITH FINISH COORDINATE FINISH
- 20 SCULPTOR
- 21 DECORATIVE FIBERGLASS BASED FAB CORNICE
- 22 PLANTING WITH SUBSTRATE

THE PIQUE AT IRON POINT
APARTMENTS

FOLSOM, CA

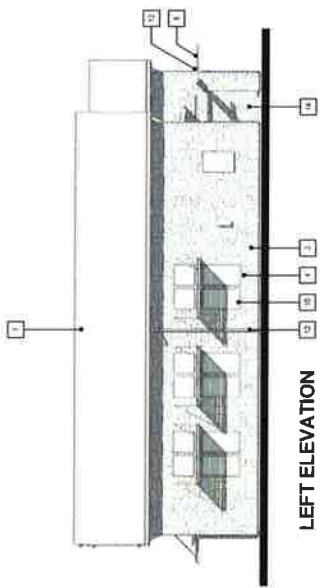
BUILDING 2 ELEVATIONS

ELLIOTT
HOMES

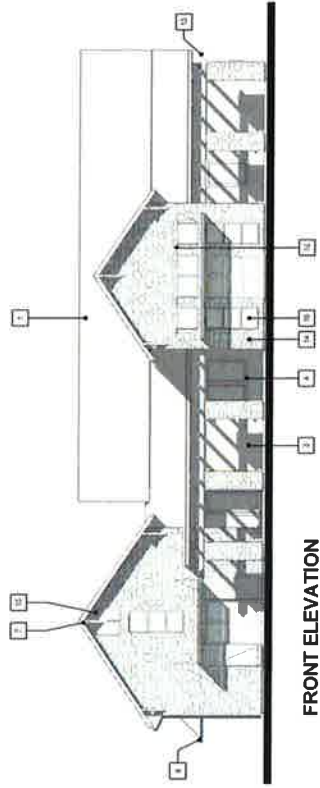
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SHEET: A7



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



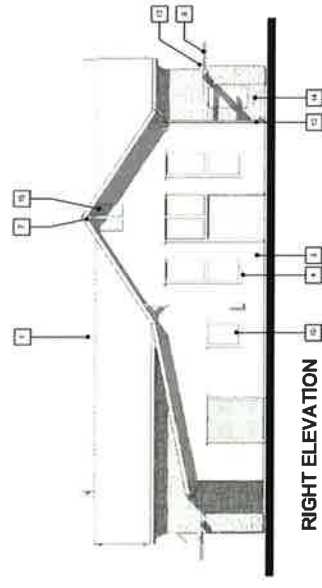
LEFT ELEVATION



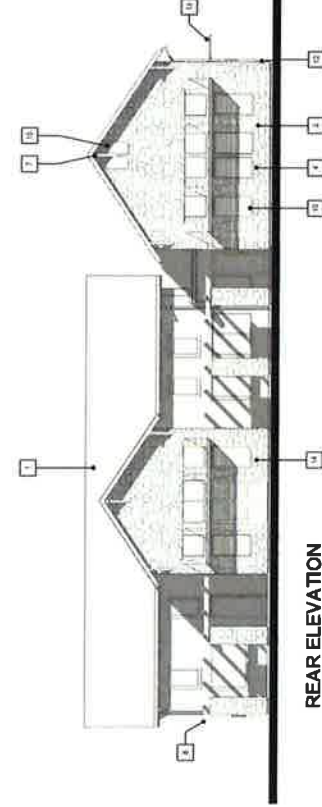
FRONT ELEVATION

KEYNOTE LEGEND

- 1 FINE CONCRETE TILE
- 2 SAND AND GRAVEL COVER
- 3 POLYURETHANE RESIN
- 4 POLYURETHANE RESIN
- 5 POLYURETHANE RESIN
- 6 POLYURETHANE RESIN
- 7 POLYURETHANE RESIN
- 8 POLYURETHANE RESIN
- 9 POLYURETHANE RESIN
- 10 POLYURETHANE RESIN
- 11 POLYURETHANE RESIN
- 12 POLYURETHANE RESIN
- 13 POLYURETHANE RESIN
- 14 POLYURETHANE RESIN



RIGHT ELEVATION



REAR ELEVATION

THE PIQUE AT IRON POINT
APARTMENTS

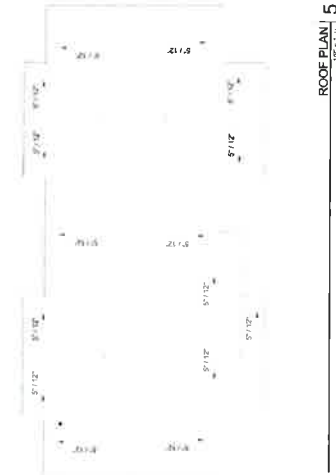
FOLSOM, CA

CLUBHOUSE - ELEVATIONS

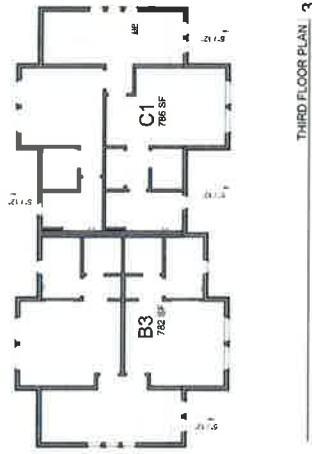
DATE: 12/18/2015
PROJECT NO.: 835-0003
SCALE:
SHEET: A9

ELLIOTT
HOMES

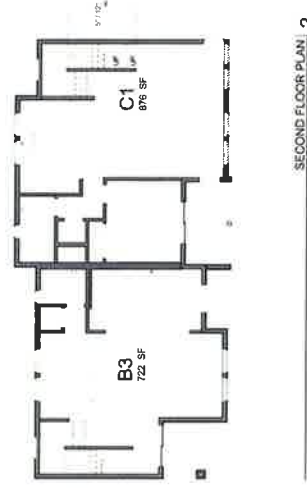




ROOF PLAN | 5



THIRD FLOOR PLAN | 3



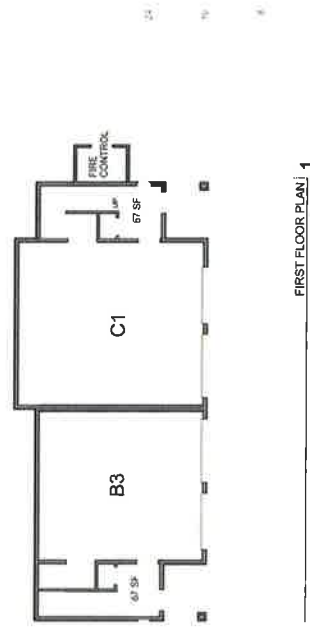
SECOND FLOOR PLAN | 2

KEYNOTE LEGEND

- 1 FLAT CONCRETE TILT UP
- 2 SPACED 1x4 VERTICAL FIBER CONCRETE TRIM AT W/C JOINTS
- 3 HANDICAP: SELECT CERAMIC TILE FINISH PANELS
- 4 POLYURETHANE FINISH (DART TRIM)
- 5 2x8 JOIST FASCIA AT EAVES AND RAVES
- 6 SELECTED STEEL GROUND COVER
- 7 DECORATIVE POLYURETHANE BASED LAB OUTLOOKERS
- 8 4 x 4 JOISTS WITH WOOD GRAIN FINISH W/O RISE ELEVATIONS
- 9 PAINTED STEEL JOISTS
- 10 PAINTED STEEL GUYWIRE
- 11 1/2" x 1/2" FIBER WINDOWS
- 12 1 1/2" x 1 1/2" FIBER FRAMES (TRIM) / 1 1/2" x 1 1/2" FIBER FRAMES (TRIM) / 1 1/2" x 1 1/2" FIBER FRAMES (TRIM)
- 13 PAINTED WOOD SHAKE STRUCTURE
- 14 1 1/2" x 1 1/2" FIBER FRAMES (TRIM) / 1 1/2" x 1 1/2" FIBER FRAMES (TRIM)
- 15 1 1/2" x 1 1/2" FIBER FRAMES (TRIM) / 1 1/2" x 1 1/2" FIBER FRAMES (TRIM)
- 16 PRECAST CONCRETE
- 17 ACTUAL STAIR WITH INCLUSIVE CONCRETE FINISH
- 18 SCUMPER
- 19 DECORATIVE POLYURETHANE BASED HANDICAP
- 20 PAINTED WOOD SHAKE



FIRST FLOOR PLAN, ACCESSIBLE OPTION | 4



FIRST FLOOR PLAN | 1

THE PIQUE AT IRON POINT APARTMENTS

FOLSOM, CA

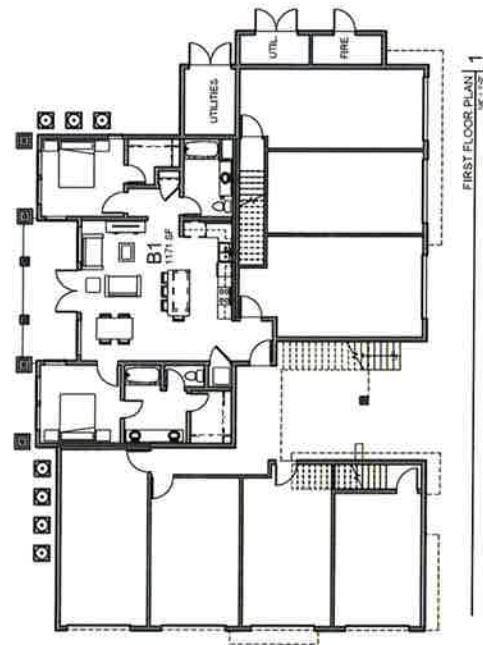
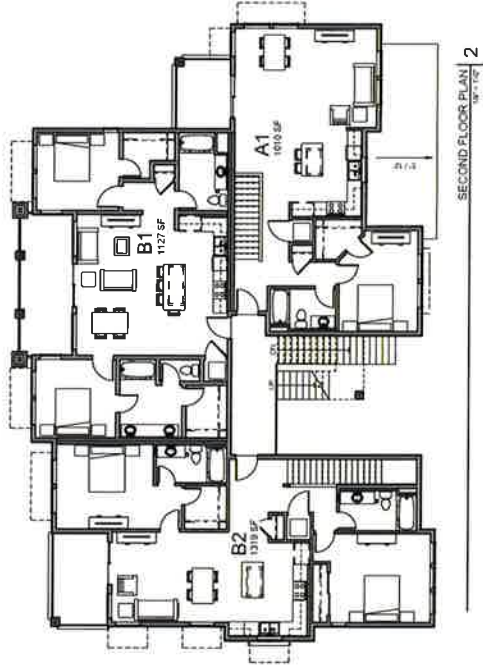
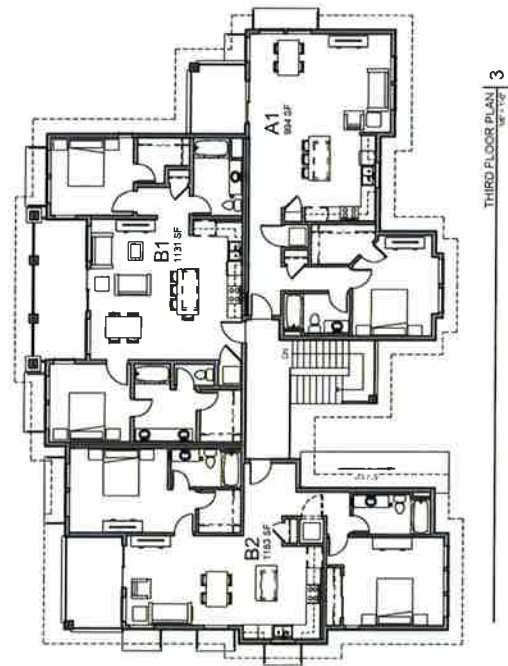
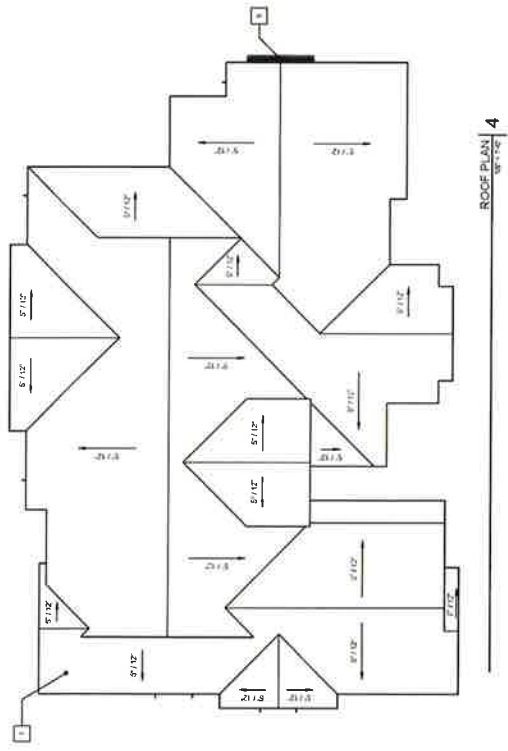
BUILDING 1 FLOOR PLANS

DATE: 12/18/2015
PROJECT NO: BLS-0003
SCALE: 1/8" = 1'-0"
SHEET: A4

ELLIOTT HOMES



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



- KEYNOTE LEGEND**
- 1 PLAIN CONCRETE TILE
 - 2 SPACED TO VERTICAL FIBER CONCRETE TREATMENT OR OVER
 - 3 COAST EXTERIOR PAINT
 - 4 POLYURETHANE SANDGRAIN FLAM TM
 - 5 METALLIC STEEL SHARPE COLOR
 - 6 2X8 WOOD FASCIA AT EAVES AND IMBES
 - 7 DECORATIVE POLYURETHANE BASED AIR OUT GROUND
 - 8 1/2" X 1/2" X 1/2" WOOD GRAY PAPER CO. PERFECTION
 - 9 PAINTED STEEL SHARPE
 - 10 W/WT. FRAME WINDOWS
 - 11 FIBERGLASS FRAM FRENCH DOORS
 - 12 TYPICAL OUTLET AND DOWNSPUT PAINTED TO MATCH
 - 13 ADJUSTABLE RAILING SURFACE
 - 14 ADHERED MANUFACTURED STONE VENEER
 - 15 ADHERED MANUFACTURED STONE VENEER
 - 16 GABLE END CONCRETE
 - 17 FRESH STONE FINDER
 - 18 METAL STAIRS WITH PRECAST CONCRETE TREADS
 - 19 SOLID
 - 20 DECORATIVE POLYURETHANE BASED COBBLES
 - 21 PAINTED GRIP WITH HUMPHREYS

THE PIQUE AT IRON POINT APARTMENTS

FOLSOM, CA

BUILDING 2 FLOOR PLANS

DATE: 12/18/2015
PROJECT NO: 835-0003
SCALE: 1/8" = 1'-0"
SHEET: A5

ELLIOTT HOMES



Attachment 9

Color Building Elevations, dated December 18, 2015



LEFT ELEVATION



FRONT ELEVATION

KEYNOTE LEGEND

1. FLAT CONCRETE SLAB
2. SPACED 12" VERTICAL REBAR CONCRETE FINISH AT 2" O.C. DOWN
3. 3/8" EXTERIOR FLASTER
4. POLYURETHANE 2IN COUSERS FROM FINISH
5. 2IN BRICK FACED AT FINISH AND FINISH
6. SECTIONAL STEEL GARAGE DOOR
7. DECORATIVE POLYURETHANE BASED GROUT JOINTS
8. 4X4 JOISTS WITH WOOD GRANT FINISH W/ C. PERFECTION
9. PAINTED STEEL JOISTS
10. PAINTED STEEL GUARDRAILS
11. W/VP TRAMP RIFTERS
12. FREE RELEASE FRAME FRENCH DOORS
13. TYPICAL OUTLET AND CONDUIT PATTERN PAINTED TO MATCH
14. PAINTED WOOD AND METALS
15. 4X4 JOISTS WITH WOOD GRANT FINISH W/ C. PERFECTION
16. PRECAST CONCRETE
17. PRECAST CONCRETE WITH PRECAST CONCRETE TRUSSES
18. SCUPPER
19. DECORATIVE POLYURETHANE BASED ON COURSES
20. PLANTER WITH PLANTS



RIGHT ELEVATION



REAR ELEVATION

THE PIQUE AT IRON POINT
APARTMENTS

FOLSOM, CA

BUILDING 1 ELEVATIONS
COLOR SCHEME 1

DATE: 12/18/2015
PROJECT NO: 835-0003
SCALE: 1/8" = 1'-0"
SHEET: A6

ELLIOTT
HOMES

LPAS

2485 Norwood Park Circle, Suite 100, Sacramento, CA 95833
916.443.2231 | lpas.com

SCALE 1/8" = 1'-0"

3
2
11
1

5

7



LEFT ELEVATION



FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

KEYNOTE LEGEND

- 1 FLAT CONCRETE TIE
- 2 SPAN TO VERTICAL FIBER CEMENT TRIM AT 2" O.C. OVER HANDRAILS. SELECT CEANALLY FIBER CEMENT PANELS
- 3 2.00"X1" EXTERIOR PLASTER
- 4 POLYURETHANE 2IN-LOOKUP FIBER TRIM
- 5 2IN SPONGE FIBROX AT LANTHS AND SPACCE
- 6 SECTIONAL STEEL GARAGE COOR
- 7 DECORATIVE POLYURETHANE BACKED GAS OUT ARCHES 8 IN X 6 INCHES WITH WOOD GRANT FINISH AT 1" PER ELEVATIONS
- 8 PAINTED STEEL HANDRAIL
- 9 PAINTED STEEL GLAZING
- 10 100% FRAMP FINISH
- 11 FIBERGLASS FIBRE MESH DOORS
- 12 TYPICAL OUTER AND CORNER PUT PAINTED TO MATCH
- 13 PAINTED WOOD GRANT FINISH AT 1" PER ELEVATIONS
- 14 ADHESIVE MANUFACTURED STONE VENER
- 15 GABLE END JOINTS
- 16 PRECAST STONE MASON
- 17 METAL STRAPS WITH PRELUS / CONCRETE TIEBARS
- 18 SCUPPER
- 19 DECORATIVE POLYURETHANE BASED GAS CORBELLS
- 20 FLATFIELD WITH SUPPLY

THE PIQUE AT IRON POINT
APARTMENTS

FOLSOM, CA

BUILDING 1 ELEVATIONS
COLOR SCHEME 2

DATE: 12/18/2015
PROJECT NO: 835-0003
SCALE: 1/8" = 1'-0"
SHEET: A6

ELLIOTT
HOMES



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



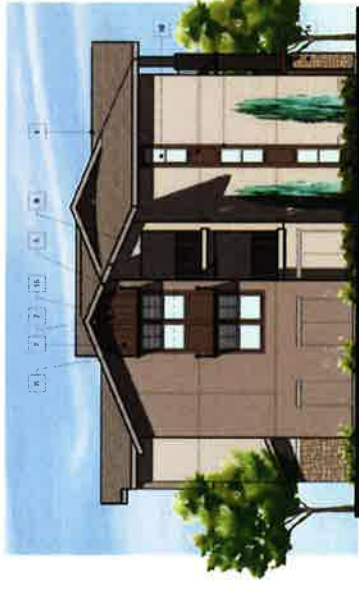
LEFT ELEVATION



FRONT ELEVATION

KEYNOTE LEGEND

- 1 PAINT CONCRETE TILE
- 2 POLYURETHANE FINISH (BASED ON COLOR SAMPLES)
- 3 AGGREGATE EXTERIOR PLASTER
- 4 POLYURETHANE ENAMEL (BASED ON COLOR SAMPLES)
- 5 2X6 JOIST RAFTERS (UNLESS NOTED OTHERWISE)
- 6 SECTIONAL STEEL GARAGE DOOR
- 7 2X6 JOIST RAFTERS (UNLESS NOTED OTHERWISE)
- 8 2X6 JOIST RAFTERS (UNLESS NOTED OTHERWISE)
- 9 PAINTED STEEL WINDOW
- 10 PAINTED STEEL GARAGE DOOR
- 11 2X6 JOIST RAFTERS (UNLESS NOTED OTHERWISE)
- 12 1/2" TYPICAL SPACING (UNLESS NOTED OTHERWISE)
- 13 ADJACENT BLEND SURFACE
- 14 2X6 JOIST RAFTERS (UNLESS NOTED OTHERWISE)
- 15 2X6 JOIST RAFTERS (UNLESS NOTED OTHERWISE)
- 16 2X6 JOIST RAFTERS (UNLESS NOTED OTHERWISE)
- 17 PRECAST STONE VENEER
- 18 METAL STAIRS WITH PRECAST CONCRETE TREADS
- 19 SCRAPERS
- 20 POLYURETHANE FINISH (BASED ON COLOR SAMPLES)
- 21 PLASTER (WITH SUPPORTS)



RIGHT ELEVATION



REAR ELEVATION

THE PIQUE AT IRON POINT
APARTMENTS

FOLSON, CA

BUILDING 2 ELEVATIONS
COLOR SCHEME 1

DATE: 12/18/2015
PROJECT NO: 835-0003
SCALE: 1/8" = 1'-0"
SHEET: A7

ELLIOTT
HOMES



SCALE 1/8" = 1'-0"



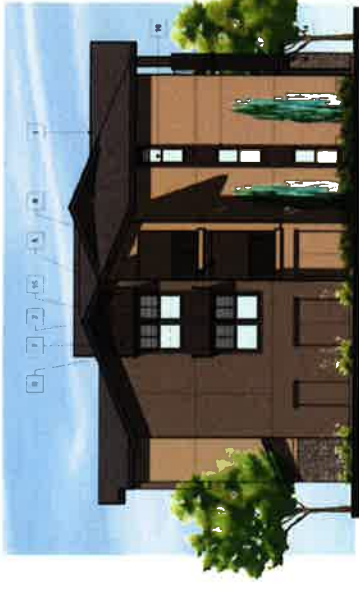
LEFT ELEVATION



FRONT ELEVATION

KEYNOTE LEGEND

- 1 PAVE CONCRETE TYP
- 2 SPACE FOR VERTICAL LETTERS ASSET TRACK AS OFS ORP
- 3 HORIZONTAL SELECT CORNELL FLUR SEAVANT PANELS
- 4 LIGHT EXTERIOR PLASTER
- 5 POLYURETHANE ENAMELS (DUM "300)
- 6 RECTANGULAR STEEL, DARKER COOR
- 7 2" X 4" POLYURETHANE ENAMELS (DUM "300)
- 8 2" X 4" POLYURETHANE ENAMELS (DUM "300)
- 9 PAINTED STEEL, WHITE
- 10 PAINTED STEEL, DARKER COOR
- 11 FIBREGLASS FIBRE (FIBREGLASS) PANELS (30 INCHES)
- 12 HORIZONTAL SELECT CORNELL FLUR SEAVANT PANELS
- 13 HORIZONTAL SELECT CORNELL FLUR SEAVANT PANELS
- 14 HORIZONTAL SELECT CORNELL FLUR SEAVANT PANELS
- 15 HORIZONTAL SELECT CORNELL FLUR SEAVANT PANELS
- 16 HORIZONTAL SELECT CORNELL FLUR SEAVANT PANELS
- 17 HORIZONTAL SELECT CORNELL FLUR SEAVANT PANELS
- 18 HORIZONTAL SELECT CORNELL FLUR SEAVANT PANELS
- 19 HORIZONTAL SELECT CORNELL FLUR SEAVANT PANELS
- 20 HORIZONTAL SELECT CORNELL FLUR SEAVANT PANELS



RIGHT ELEVATION



REAR ELEVATION

THE PIQUE AT IRON POINT
APARTMENTS

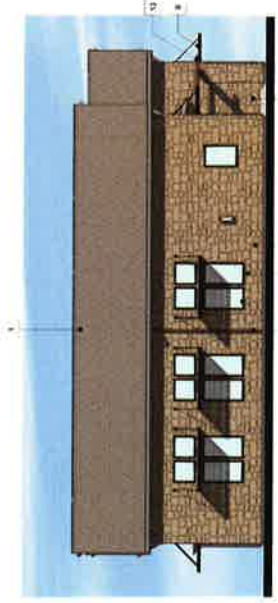
FOLSOM, CA

BUILDING 2 ELEVATIONS
COLOR SCHEME 2

DATE: 12/18/2015
PROJECT NO: 835-0003
SCALE: 1/8" = 1'-0"
SHEET: A7

ELLIOTT
HOMES

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



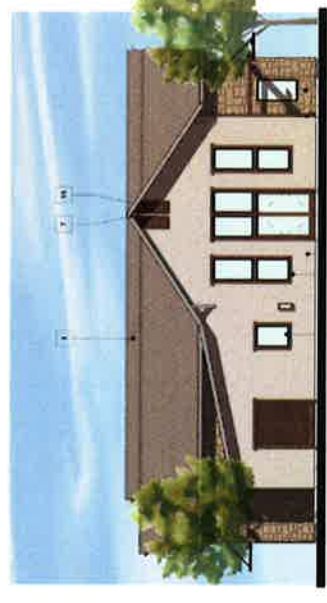
LEFT ELEVATION



FRONT ELEVATION

KEYNOTE LEGEND

- 1 FLAT CONCRETE TILE
- 2 SPACED 1x2 VERTICAL FIBER CEMENT TRIM AT 16" O.C. OVER PARAPETS. SELECT CHANNEL FIBER CEMENT PANELS
- 3 LIGHT EXTENSION FINISHES
- 4 POLYURETHANE CHARBRED FOAM TRIM
- 5 2x6 WOOD FLOOR AT LIVES AND FINISH
- 6 SECTIONAL STEEL GARAGE DOOR
- 7 DECORATIVE POLYURETHANE BASED GAR OUTLOOKERS & 4x4 FLOORS WITH WOOD GRAIN FINISH W.O. PER ELEVATIONS
- 8 PAINTED STEEL MIMING
- 9 PAINTED STEEL QUADRONA
- 10 UPV. TRIMME TREKETS
- 11 FERRUCOSE PAINT FRENCH DOORS
- 12 PAINTED POLYURETHANE TRIM PAINTED TO MATCH PAINT OF BUILDING
- 13 PAINTED WOOD SHAKE STRUCTURE, DOOR BAND AND HANDTIGS
- 14 FORMED MANUFACTURED STONE VENEER
- 15 SABLE END LOUVER VINYL
- 16 PRECAST STONE HEADR
- 17 METAL SLABS WITH PRECAST CONCRETE TRIGADE
- 18 SCUPPER
- 19 DECORATIVE POLYURETHANE WOULD ARE CORBELLS
- 20 PLANTERS WITH SUPPORTS



RIGHT ELEVATION



REAR ELEVATION

**THE PIQUE AT IRON POINT
APARTMENTS**

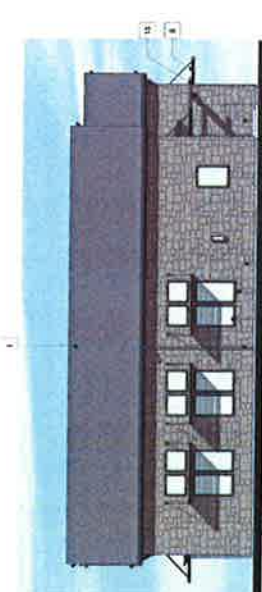
FOLSOM, CA

**CLUBHOUSE - ELEVATIONS
COLOR SCHEME 1**

DATE: 12/18/2015
PROJECT NO: 835-0003
SCALE:
SHEET: A9

**ELLIOTT
HOMES**





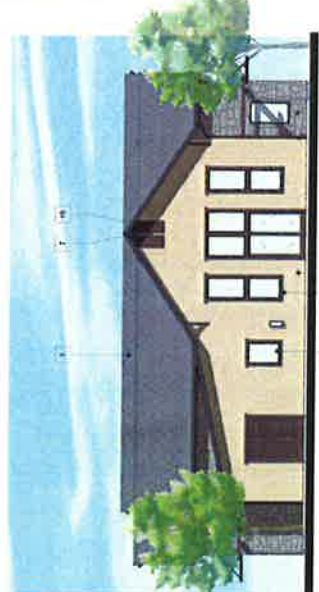
LEFT ELEVATION



FRONT ELEVATION

KEYNOTE LEGEND

- 1 PLAT CONCRETE TILE
- 2 FINISHED VERTICAL FIBER CEMENT FINISH AT E.O.C. OVER POLYURETHANE INSULATED CONCRETE PANELS
- 3 SOffit EXTENSION PLATES
- 4 POLYURETHANE INSULATED FOAM TRIM
- 5 2X8 WOOD FASCIA AT GABLES AND TRIM
- 6 METALLIC STEEL GARAGE DOOR
- 7 POLYURETHANE POLYURETHANE INSULATED AND OUTDOOR FINISH AT GABLES AND TRIM
- 8 PAINTED STEEL LINING
- 9 PAINTED STEEL CHANNEL
- 10 WIRE FRAME WINDOWS
- 11 FIBERGLASS FRAME FRENCH DOORS
- 12 TYPICAL GUTTER AND DOWNSPOUT PAINTED TO MATCH ADJACENT BUILDING SURFACE
- 13 2X8 TRUSS AND RAFTERS
- 14 ADHESIVE MANUFACTURED STONE VENEER
- 15 GABLE END GABLE VENTS
- 16 PRECAST STONE BLOCK
- 17 METAL SHIMS WITH PRECAST CONCRETE TRUSSES
- 18 JOISTS
- 19 DECORATIVE POLYURETHANE BASED AIR CONSOLE
- 20 PLASTER/EIFL WITH SUPPORTS



RIGHT ELEVATION



REAR ELEVATION

**THE PIQUE AT IRON POINT
APARTMENTS**

FOLSOM, CA

**CLUBHOUSE - ELEVATIONS
COLOR SCHEME 2**

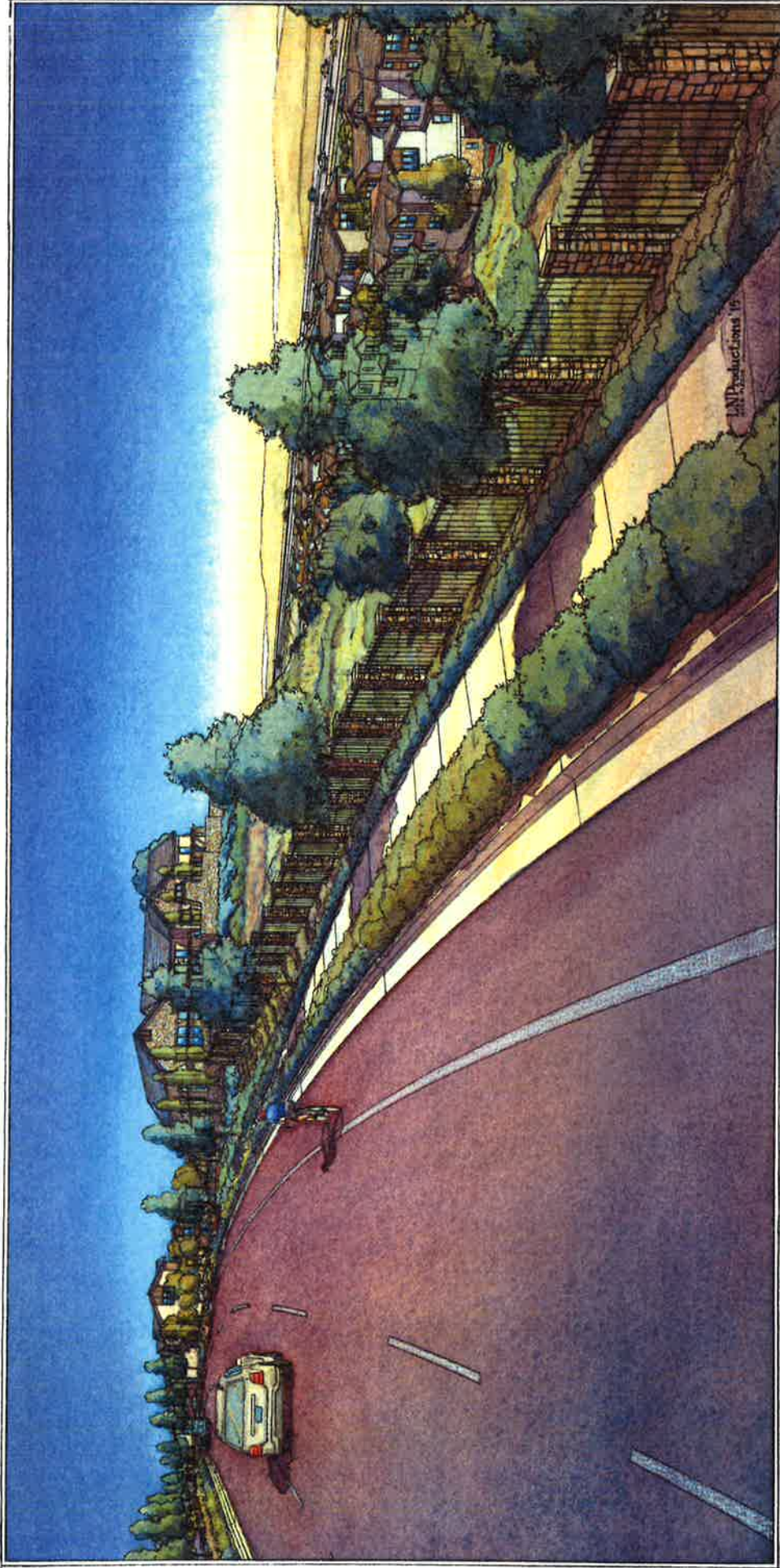
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PROJECT NO: 835-0003
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**ELLIOTT
HOMES**



Attachment 10

Color Building Renderings, dated December 22, 2015



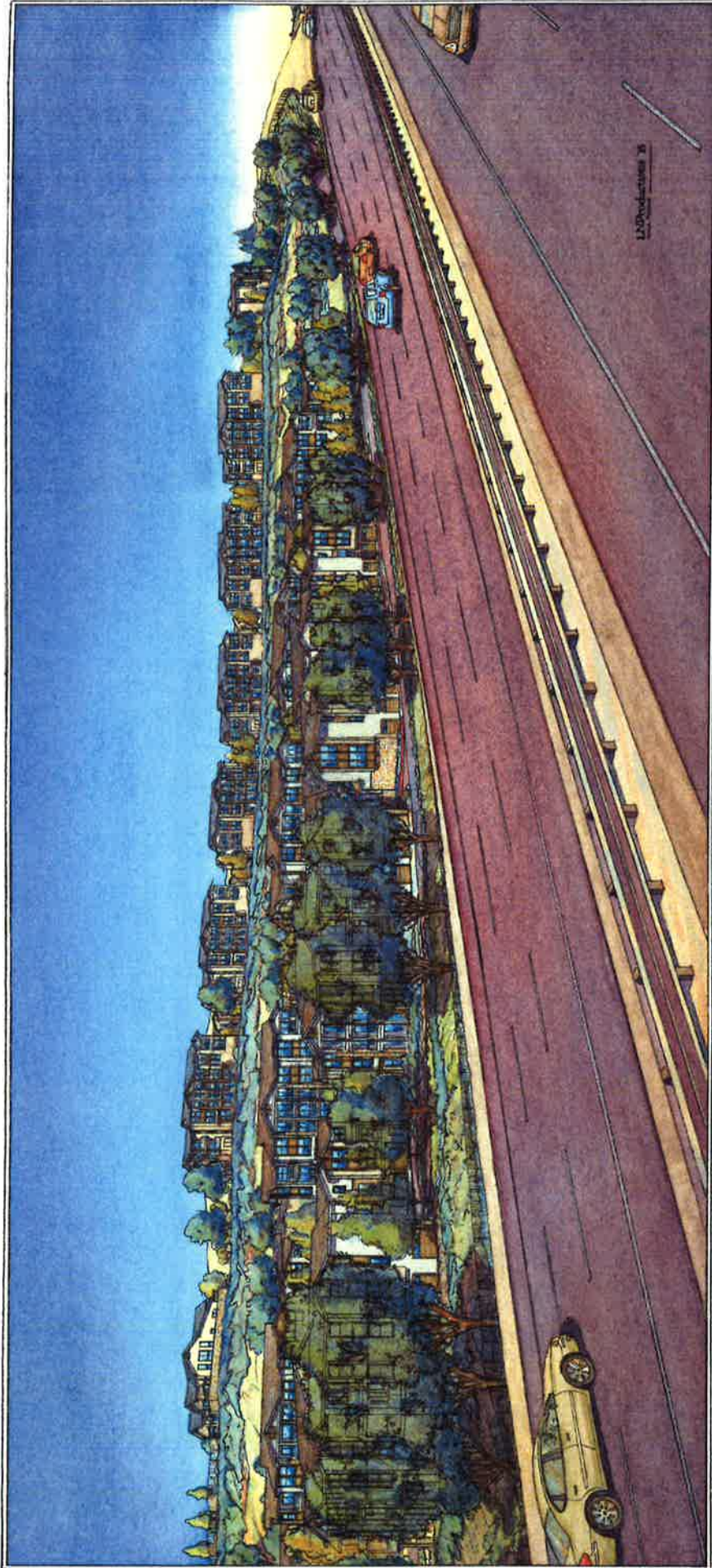
THE PIQUE AT IRON POINT
APARTMENTS

FOLSOM, CA

IRON POINT ROAD RENDERING

DATE: 12.22.2015
PROJECT NO: 635-0003





L2DProductions 78

THE PIQUE AT IRON POINT APARTMENTS

FOLSOM, CA

HIGHWAY 50 RENDERING

DATE: 12.22.2015
PROJECT NO: E95-0003



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Attachment 11

Color and Materials Board, Dated August 5, 2015



KM4599 Fossil



KM4601 Dried Grass

Paint Color 1
Field Color 1

Paint Color 2
Field Color 2



KM5706 Bonnie's Bench



Similar to SW6258 Tricorn Black

Paint Color 3
Accent - Doors, Door Frames, and Trim

Window Frames and Railings



El Dorado Stone - Lucera Hillstone

Stone Veneer



Eagle Roofing - Panderosa Brown Range

Roof



KM4670-3 Tiki Hut

Paint Color 1
Field Color 1



KM5761 Colusa Wetlands

Paint Color 2
Field Color 2



KMA77 Brown Bear

Paint Color 3
Accent - Doors, Door Frames, and Trim



Similar to SW6258 Tricorn Black

Window Frames and Railings



El Dorado Stone - Verona Hillstone

Stone Veneer



Eagle Roofing - Panderosa Brown Range

Roof

Attachment 12

Project Narrative

The Pique at Iron Point

Project Narrative

The Pique at Iron Point is a proposed new 327-unit luxury apartment community located at on 2800 Iron Point Road in the City of Folsom, CA. The project site is comprised of 2 existing parcels (APNs 072-227-009 & 072-117-107) and contains 34.87+/- Acres. The property is bounded on the north by Iron Point Road, to the east by existing single-family residences, Highway 50 to the south, and a drainage open space area to the west. The site is conveniently located near major shopping centers and transportation corridors. The two properties that comprise the overall site are zoned R-4 PD & R-M SP 91-1 respectively, each zone allowing for the proposed use.

The Pique at Iron Point is designed to terrace along a steep hillside that traverses the site generally west to east. The proposed project has been carefully designed to minimize grading impacts, while maximizing residential views of the adjacent open space and Sacramento valley to the west. The Pique at Iron Point is generally separated into two portions (lower and upper) to best take advantage of the existing terrain of the site. The lower (west) portion is envisioned to provide 213 units, and the upper (east) portion will have 114 units. Though designed holistically as a single project, the intent is that the community will be constructed in two phases along this natural lower/upper separation. Additionally, due to the overall project size and topography, each phase has been designed with its own gated entrance off Iron Point Road, its own clubhouse, and amenity areas. The two phases will be connected with an internal road and pedestrian paths.

Two building types are proposed throughout both the lower and upper phases of The Pique at Iron Point. A total of 34 two-story townhome buildings with tuck-under garages are proposed as duplexes (2 units 1,571 s.f. & 1,729 s.f.) are placed on uphill side of the private roads. There are 37 of the three-story, seven-unit buildings incorporating single-level units (2 units-1,002 s.f., 3 units-1,143 s.f., 2 units 1,252 s.f.) are proposed on the downhill side of the private roads. There is a minimum of one garage space provided for every unit, and many units have direct access to their garage. Additional surface parking is provided along the private streets and in parking courts. City parking standards require the provision of 628 parking spaces. Currently, the site design more than provides for this requirement with 395 garage spaces and 282 surface spaces for a total surplus of 49 spaces.

The project has been designed in a contemporary California bungalow style with three-story buildings that reflect the residential architectural vocabulary of the region. The primary building material is cement plaster with earth tones that complement the surrounding hillsides. Concrete tile roofs, stone veneer, and other accents provide additional richness and texture to the buildings.

The current line separating the two properties that comprise the site will require a future lot line adjustment to provide a separating property line that reflects the upper/lower design configuration of the project, which was driven by the existing topography and desire to utilize the property's significant views for each future resident.

Attachment 13

**Initial Study, Mitigated Negative Declaration, and
Mitigation Monitoring/Reporting Program**

The Pique at Iron Point Apartments

Draft Initial Study
and Environmental Evaluation

April 2016

Prepared for:
City of Folsom
Community Development Department
50 Natoma Street
Folsom, CA 95630

Prepared by:
HELIX Environmental Planning, Inc.
11 Natoma Street, Suite 155
Folsom, CA 95630

The Pique at Iron Point Apartments

**Draft Initial Study
and
Environmental Evaluation**

Prepared for:

City of Folsom
Community Development Department
50 Natoma Street
Folsom, CA 95630

Prepared by:

HELIX Environmental Planning, Inc.
11 Natoma Street, Suite 155
Folsom, CA 95630

April 2016

ENVIRONMENTAL DETERMINATION

On the basis of the initial evaluation that follows:

- I find that the proposed project **WOULD NOT** have a significant effect on the environment.
- A **NEGATIVE DECLARATION** will be prepared.

- I find that although the proposed project could have a significant effect on the environment, the project impacts were adequately addressed in an earlier document or there will not be a significant effect in this case because revisions in the project have been made that will avoid or reduce any potential significant effects to a less than significant level. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
-

- I find that the proposed project **MAY** have a significant effect on the environment. An **ENVIRONMENTAL IMPACT REPORT** will be prepared.
-

- I find that the proposed project **MAY** have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by MMs based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
-

- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or MMs that are imposed upon the proposed project, nothing further is required.
-

Signature

Date

Printed Name

**THE PIQUE AT IRON POINT APARTMENTS
DRAFT INITIAL STUDY AND ENVIRONMENTAL EVALUATION**

TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
ENVIRONMENTAL DETERMINATION.....	iii
1.0 INTRODUCTION	1
2.0 PROJECT BACKGROUND	1
3.0 DESCRIPTION OF PROJECT.....	3
3.1 Project Location.....	3
3.2 Project Setting and Surrounding Land Uses	3
3.3 Project Characteristics	4
3.4 Construction and Phasing	7
3.5 General Plan Land Use Designation and Lot Line Adjustment.....	7
3.6 City Regulation of Urban Development.....	8
4.0 PROJECT OBJECTIVES	11
5.0 REQUIRED APPROVALS	12
6.0 PREVIOUS RELEVANT ENVIRONMENTAL ANALYSIS	12
6.1 Tiering.....	12
6.2 Incorporation of the Folsom General Plan and East Area Facilities Plan EIRs by Reference	13
7.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED	14
8.0 EVALUATION OF ENVIRONMENTAL IMPACTS	15
8.1 Aesthetics.....	15
8.2 Agriculture and Forestry Resources	18
8.3 Air Quality	21
8.4 Biological Resources	30
8.5 Cultural Resources.....	46
8.6 Geology and Soils.....	55
8.7 Greenhouse Gas Emissions.....	61
8.8 Hazards and Hazardous Materials	66
8.9 Hydrology and Water Quality.....	69
8.10 Land Use and Planning.....	75
8.11 Mineral Resources	77
8.12 Noise	78
8.13 Population and Housing.....	84
8.14 Public Services.....	85
8.15 Recreation	88
8.16 Transportation/Traffic.....	90
8.17 Utilities and Service Systems	98
8.18 Mandatory Findings of Significance.....	102

8.19 Mitigation Monitoring and Reporting Program.....	109
9.0 INITIAL STUDY PREPARERS.....	110
10.0 SUPPORTING INFORMATION SOURCES.....	111

LIST OF TABLES

<u>No.</u>	<u>Title</u>	<u>Page No.</u>
1	Neighboring Land Uses	3
2	Summary of Project Features.....	4
3	City of Folsom Municipal Code Regulating Construction and Development.....	10
4	Sacramento Valley Air Basin – Attainment Status.....	23
5	Summary of Annual Air Quality Data for Folsom Area Air Quality Monitoring Stations	24
6	Estimated Project Construction NO _x Emissions	26
7	Estimated Project Operational NO _x Emissions	27
8	Estimated Project Construction PM Emissions	28
9	Global Warming Potentials and Atmospheric Lifetimes	62
10	Estimated Annual GHG Emissions from Project Construction.....	63
11	Estimated Annual GHG Emissions from Project Operation.....	64
12	City of Folsom Municipal Code Sections Regulating the Effects on Hydrology and Water Quality from Urban Development	71
13	Student Yield Factor	87
14	Intersection Level of Service – Existing Conditions	92
15	Project Trip Generation Estimate.....	94
16	Level of Service – Construction Year Plus Project (Alternative Access Plan) Conditions	95
17	Level of Service – Cumulative Plus Project Conditions.....	107

LIST OF APPENDICES

Appendix A	Figures 1-8
Appendix B	CalEEMod.2013.2.2 Construction Phase Emissions Model Input
Appendix C	Special Status Species Lists
Appendix D	Noise Analysis
Appendix E	Traffic Impact Analysis
Appendix F	Mitigation Monitoring and Reporting Program

**INITIAL STUDY AND
ENVIRONMENTAL EVALUATION**

Project Title:	The Pique at Iron Point Apartments
Entitlements Requested:	Planned Development Permit
Lead Agency Name and Address:	City of Folsom Community Development Department 50 Natoma Street Folsom, CA 95630
Contact Person and Phone Number	Steve Banks, Principal Planner (916) 355-7385
Project Applicant:	Elliott Homes
General Plan Designation: Multi-Family Medium Density (MMD); Multi-Family High Density (MHD)	Existing Zoning: SP 95-1 (Broadstone Unit No. 3 Specific Plan) with underlying zoning designation of Residential Multi-Family Planned Development District (R-M PD); SP 92-3 (Empire Ranch Specific Plan) with underlying zoning designation of R-4 PD (General Apartment, Planned Development District)

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1.0 INTRODUCTION

This Initial Study addresses the proposed Pique at Iron Point Apartment Project (proposed project) and whether it may cause significant effects on the environment. These potential environmental effects are further evaluated to determine whether they were examined in the Folsom General Plan Environmental Impact Report (EIR; 1988) as amended by the EIR for the East Area Facilities Plan (1992). In particular, consistent with Public Resources Code (PRC) §21083.3, this Initial Study focuses on any effects on the environment which are specific to the proposed project, or to the parcels on which the project would be located, which were not analyzed as potentially significant effects in the General Plan EIR as amended by the EIR for the East Area Facilities Plan, or for which substantial new information shows that identified effects would be more significant than described in the previous EIRs. For additional information regarding the relationship between the proposed project and the previous EIRs, see Section 6 of this Initial Study.

The Initial Study is also intended to assess whether any environmental effects of the project are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or by other means [§15152(b)(2)] of the California Environmental Quality Act (CEQA) Guidelines. If such revisions, conditions, or other means are identified, they will be identified as mitigation measures.

This Initial Study relies on State CEQA Guidelines Sections §§15064 and 15064.4 in its determination of the significance of environmental effects. According to §15064, the finding as to whether a project may have one or more significant effects shall be based on substantial evidence in the record, and that controversy alone, without substantial evidence of a significant effect, does not trigger the need for an EIR.

2.0 PROJECT BACKGROUND

The proposed project falls within the plan areas for two Specific Plans – the Empire Ranch Specific Plan (SP 92-3) and the Broadstone Unit No. 3 Specific Plan (SP 95-1). The Empire Ranch Specific Plan area encompasses approximately 1,791 acres along the eastern City of Folsom boundary, between East Natoma Street and U.S. Highway 50. An EIR dated February, 1991 was prepared for the entire Russell Ranch (now known as Empire Ranch) Specific Plan area. In December, 1993, the City Council approved the Russell Ranch Specific Plan (SP 92-3; now Empire Ranch), and in May, 1994, the City Council approved the East Area Facilities Financing Plan, which included the Empire Ranch Development. The project site is comprised of two parcels, and the easternmost parcel (Assessor Parcel Number [APN] 072-1170-107) falls within the Empire Ranch Specific Plan area. The Broadstone Unit No. 3 Specific Plan area encompasses approximately 570 acres between East Bidwell Street and the Empire Ranch Specific Plan area, and is bound by Folsom Lake College to the north, and U.S. Highway 50 to the south. An EIR for the Specific Plan was approved by the City Council in September 1994. The western parcel of the project site (APN 072-2270-009) falls within the Broadstone Unit No. 3 Specific Plan area.

The portion of the project site within the Broadstone Unit No. 3 Specific Plan area was analyzed as industrial/office in the Draft EIR, but the land use was revised to multi-family for the Final EIR. The portion of the project site within the Empire Ranch Specific Plan area was analyzed as

single family residential in the Draft EIR, and was adopted as such with the Final EIR. The land use; however, was changed to multi-family residential in 2001, subsequent to adoption of the EIR (Steve Banks pers. comm. November 20, 2015).

Both Specific Plans establish guidance and regulations for development within the plan area. The analyses contained in the EIRs prepared for the Specific Plans are incorporated into this Initial Study, as applicable. Additionally, the following technical reports, quantified analysis and/or surveys were used in preparation of this Initial Study and are incorporated by reference:

- Air Quality Analysis: CalEEMod.2013.2.2 Construction Phase Emissions Model Input, prepared by HELIX Environmental Planning, Inc. (HELIX).
- Biological reconnaissance of project site for biological resources and trees conducted on November 12, 2015 by HELIX biologists.
- Cultural Resources records search and pedestrian survey, performed by HELIX archaeologist on October 9, 2015 and February 16, 2016, respectively.
- Noise analysis and modeling prepared by HELIX
- Traffic Impact Analysis, prepared by MRO Engineers, Inc. (December 2015).

3.0 DESCRIPTION OF PROJECT

3.1 PROJECT LOCATION

The project site consists of a 34-acre site situated in east/central City of Folsom in northeastern Sacramento County, California. The project site is located on the south side of Iron Point Road between Serpa Way and Carpenter Hill Road. The project site is located at 2800 Iron Point Road, and the parcels are identified as Assessor’s Parcel Numbers (APNs) 072-1170-107 and 072-2270-009. The project site is located within Section 9, Township 9 North, Range 8 East (Mount Diablo Base and Meridian, United States Geological Survey 7.5 minute “Clarksville Quadrangle”). Refer to **Figure 1** for the project location and **Figure 2** for the APNs and lot boundaries on an aerial image (Appendix A).

3.2 PROJECT SETTING AND SURROUNDING LAND USES

3.2.1 Physical Landscape

The project site is currently undeveloped and is bound by Iron Point Road to the north, a single family residential neighborhood to the east, U.S. Highway 50 to the south, and an open space parcel and undeveloped lot to the west and south. The more regional setting is primarily characterized by dense retail/commercial and residential development associated with built-out portions of Folsom to the west including residential development and commercial business centers, patchy low-density residential and undeveloped parcels to the east and north, and extensive undeveloped lands south of U.S. Highway 50. Neighboring land uses are summarized in **Table 1**.

DIRECTION	LAND USE
North	Iron Point Drive, undeveloped lots, residential development
East	Residential development
South	U.S. Highway 50; open space
West	Open space, lot under construction for a Lifetime Fitness Center

The project site is not associated with any current land use, but shows evidence of past grading and construction of terraces, and erosion control and storm water management features. Terrain in the immediate vicinity of the site is primarily flat to rolling hills. The project site is located on the southwest slope of Carpenter Hill and is characterized by steep slopes and graded terraces. The site’s elevation ranges from approximately 750 feet above mean sea level (amsl) in the northeastern portion of the project site, to 590 feet amsl in the northwestern portion of the project site, and 620 feet amsl in the southwestern portion of the project site. Existing constructed drainage ditches transect the project site, and existing stormwater basins are located in the southeast and northwest portions of the site. A sidewalk and landscaping follow the northern boundary of the project site, along Iron Point Road.

3.2.2 General Plan Land Use Designation and Zoning

The project site is comprised of two APNs. The General Plan currently identifies APN 072-117-009 as MMD (Multi-Family Medium Density) and APN 072-117-107 as MHD (Multi-Family High Density), and the current zoning for APN 072-227-009 as SP 95-1 (Broadstone Unit No. 3 Specific Plan) with an underlying zoning designation of R-M PD (Residential Multi-Family, Planned Development District); and for APN 072-117-107 is SP 92-3 (Empire Ranch Specific Plan) with an underlying zoning designation of R-4 PD (General Apartment, Planned Development District).

3.3 PROJECT CHARACTERISTICS

The proposed project includes the construction of a 327-unit market-rate apartment project on the 34-acre site. The proposed apartment development, which is divided into two distinct clusters, includes 213 apartment units in the lower (west) cluster and 114 apartment units in the upper (east) cluster.

Additional proposed improvements include underground utilities, 677 on-site parking spaces, driveways, drive aisles, retaining walls, sidewalks and walkways, fencing, entry gates, lighting, landscaping, and a trash/recycling enclosure. The project features are summarized in **Table 2** and are described in detail in the following paragraphs. Refer to **Figures 3 – 7** in Appendix A for project design features, including parking/circulation and proposed landscaping.

Table 2 Summary of Project Features		
PROJECT FEATURE	UNITS/SPACES	SQUARE FEET
<i>Buildings</i>		
2-unit residential building	68 units	4,879
7-unit residential building	259 units	11,932
Clubhouse buildings	2 units	10,148
<i>Parking</i>		
On-street parking	282 spaces	--
Garage spaces (2 spaces per unit in 2-unit residential buildings)	136 spaces	--
Garage spaces (1 space per unit in 7-unit residential buildings)	259 spaces	--
Total Parking Spaces/Square Footage	677 spaces	26,959

Source: The Pique at Iron Point Site Plans dated January 30, 2016 by Morton & Pitalo, Inc.

3.3.1 Residential and Community Buildings

The proposed development includes a total of 71 buildings including 34 two-unit buildings and 37 seven-unit buildings. Both clusters would include a combination of two- and seven-unit buildings, with the two-unit buildings situated on the upslope side of the road along which it is

located, and the seven unit buildings situated on the down slope side of the road along which it is located.

The two-unit apartment buildings would be three stories in height, and would feature two and three bedroom apartment units ranging from 1,571 to 1,727 square feet in size. The seven unit apartment buildings would also be three stories in height, and would feature one and two bedroom apartment units ranging from 1,002 to 1,252 square feet in size. An accessible apartment option is included.

The building would be constructed with a combination of stone and plaster exterior with pitched roofs. Exterior stairs would be metal, with metal balcony railings and awnings. The buildings would be neutral colors, including various shades of beiges and browns.

Two clubhouse buildings are proposed for construction – one near the entrance to each development cluster. Each club house would be 10,148 square feet in size. The clubhouses would be constructed with materials and color palates to match the residential buildings. Each clubhouse would feature a variety of amenities (swimming pool, fitness center, lounge, etc.) to serve the residents.

3.3.2 Parking and Circulation

The project site would be accessed by two driveways connecting to Iron Point Road. The two clusters would be connected by a driveway near the southern site boundary. The western project driveway would be stop-sign controlled and would allow left turns in and right turns in/out. An inbound right turn taper would be constructed along Iron Point Road, and the median would be modified to include an opening and an inbound left-turn lane. The eastern driveway would also be stop sign controlled, and would allow left turns out, and right turns in/out. An inbound right turn taper would be constructed along Iron Point Road, and the median would be modified to include an opening for the allowable left turns. The pavement markings on Iron Point Road would be modified to create a third westbound lane west of the driveway. The median would also be modified with a mountable curb to allow emergency vehicles to make a left turn into the east driveway from westbound Iron Point Road. Additional emergency vehicle access would be provided between the eastern driveway and the northernmost interior road east of the driveway.

Each cluster would feature two roads forming a generally circular access for the cluster. A total of 677 on-site parking spaces are proposed, including garage and on-street. A total of 282 on-street parking would be provided in designated parking spaces throughout the project site. A total of 395 off-street garage parking would be provided in the residential buildings. Two garage parking spaces would be provided for each unit located in the 2-unit residential buildings (a total of 136 spaces), and one parking space would be provided for each unit located in the 7-unit residential buildings (a total of 259 spaces). Based on City parking requirements, a total of 628 parking spaces are required for the proposed project – 49 spaces less than the 677 parking spaces included in the proposed project.

3.3.3 Grading and Drainage

Nearly the entire 34-acre project site would be disturbed during site preparation and grading – existing landscaping along the northern project site boundary would not be disturbed by grading

activities. The project site currently slopes from north and east to south and west. The site would be graded to construct terraces along the slope, on which to construct the roads and buildings. Approximately 203,000 cubic yards of soil will be cut, and 195,000 cubic yards of soil will be filled, assuming a 5 percent shrink in the site balance. Due to the topography of the project site, retaining walls are proposed throughout the site, including intermittently along the southern project site boundary, intermittently through the center of the west cluster, and along portions of the perimeter of the east cluster.

An existing ditch running between the two clusters would be extended to reach an existing concrete-lined ditch generally paralleling the south side of Iron Point Road, north of the west development cluster. Stormwater generated in the development clusters would be collected by storm drain inlets throughout the site, and retention basins located in the center of the development clusters, and would be directed via the storm drain system to drain outfalls south of the west cluster. Flows in the ditch between the clusters would flow east and west to storm drain inlets at either end of the feature. Overland flows from the east cluster would generally flow south and east, and overland flows from the west cluster would generally flow west, to exit the site at the southwestern project site boundary.

3.3.4 Utilities

Tie-ins to the existing City of Folsom water and sewer lines would be installed. Sewer lines (6 and 8 inches in diameter) and water lines (6 and 12 inches in diameter) would be installed in the project site. The new sewer and water lines would be installed in the roadways through the project site to connect existing lines in Iron Point Road.

3.3.5 Trash/Recycling Enclosure

Each cluster would feature a trash/recycling enclosure located near the driveway entrance to the cluster. The trash/recycling facilities are intended to serve the proposed project only. The enclosures would be approximately 12 feet tall and would be constructed of plaster walls to match the club houses. They would feature metal roofs above an opening between the enclosure wall, with steel rafters, steel posts, and steel gates. An emergency back-up generator would also be installed at this location.

3.3.6 Lighting

The gated entrance would feature lights, while the remainder of the development would use building sconce lights to provide security lighting.

3.3.7 Fencing and Gates

The project site would have gated vehicular access at both entry driveways. The vehicle gates would be 6-foot-high tubular steel picket gates with stone veneer walls at the gate posts.

Five- to six-foot-high steel tubular picket (i.e., non-solid) fencing with a double top rail would be installed along the northern boundary of the site, between the proposed development, and the existing City of Folsom maintained sidewalk and landscaping along Iron Point Road.

3.3.8 Landscaping

The applicant proposes a landscaping plan that includes a variety of trees, shrubs, and groundcover. Native species include interior live oak (*Quercus wislizenii*), Valley oak (*Q. lobata*), and western redbud (*Cercis occidentalis*). The native interior live oak would be placed in the open area between the development clusters, and Valley oak would be included in landscaping around the perimeter of the development clusters, and concentrated along roadways lacking adjacent development, especially the new road following the southern project site boundary. Ornamental species and shade trees, such as strawberry tree shrub (*Arbutus unedo*), crape myrtle (*Lagerstroemia fauriei* 'Arapaho'), Shumard red oak (*Q. shumardii*), American elm (*Ulmus* x 'Frontier'), and sawleaf zelkova (*Zelkova serrata*) would be included around the structures and parking areas. The landscaping design includes shrubs and groundcovers to be placed in open areas throughout the project site.

3.4 CONSTRUCTION AND PHASING

The project would be constructed in two phases – Phase I consists of the western development, and Phase II consists of the eastern development. Initial grading activities for Phase I are anticipated to begin in June 2016, and building construction is anticipated to begin in November 2016, with construction anticipated to last for approximately 8 months. Phase II would begin the following year on a similar schedule with initial grading activities anticipated to begin in June 2017, and building construction is anticipated to begin in November 2017 with construction anticipated to last for approximately 8 months.

Construction activities would take place during daytime hours between 7 a.m. and 6 p.m. on weekdays and between 8 a.m. and 5 p.m. on Saturdays, in accordance with Section 8.4.2.060 of the City's Municipal Code (Noise Ordinance). No construction would take place on Sundays or holidays.

3.5 GENERAL PLAN LAND USE DESIGNATION AND LOT LINE ADJUSTMENT

The General Plan land use designation for the 34-acre project site is MMD (Multi-Family Medium Density) and MHD (Multi-Family High Density) and the City-approved zoning designation is SP 95-1 (Broadstone Unit No. 3 Specific Plan) with an underlying zoning of R-M PD (Residential Multi-Family and SP 92-3 (Empire Ranch Specific Plan) with an underlying zoning designation of R-4 PD (General Apartment, Planned Development District). The proposed project is consistent with both the General Plan land use and zoning designations for the site, as multi-family apartments are identified as a permitted land use within both the R-M zoning district and the R-4 zoning district. The project site is currently comprised of two APNs, in which the boundary separating the parcels runs north/south, bisecting the proposed west cluster. The applicant proposes to adjust the parcel line so it runs through the undeveloped portion of the project site and would not bisect a proposed development. Under this scenario, the two development clusters would be in separate parcels. A Planned Development Permit would be required because the proposed project is sited within a planned development overlay zoning designation. The Planned Development Permit would allow the City to review the site plan and associated project site details to ensure the project meets the standards and requirements beneficial to the City and its residents as defined in Section 17.38.100 of the Zoning Code.

3.6 CITY REGULATION OF URBAN DEVELOPMENT

3.6.1 General Plan

The City of Folsom updated and adopted its current comprehensive General Plan in October 1988. The General Plan is a long-term planning document that guides growth and land development in the City. It provides the foundation for establishing community goals and supporting policies, and directs appropriate land uses for all land parcels within the City. As previously described, the General Plan land use designations for the project site are MMD and MHD, and multi-family apartments are identified as a permitted land use under these existing General Plan land use designations.

3.6.2 Zoning Ordinance

Developed land uses in the City of Folsom are regulated specifically by the City's Zoning Code, in addition to the other adopted regulations and programs that apply to all proposed development within the City. In more detail than the General Plan, the Zoning Code regulates land uses on a parcel-by-parcel basis throughout the City. In order to achieve this regulation, the City assigns each parcel within the City to a zoning district, such as a district for single-family homes. Regulations for each district apply equally to all properties within the district.

As mentioned previously, a portion of the project site is located within the Broadstone Unit No. 3 Specific Plan Area and the other portion of the site is located within the Empire Ranch Specific Plan Area. The Broadstone Unit No. 3 Specific Plan outlines development standards for the Residential Multi-Family, Planned Development District. The development standards do not require a minimum lot area nor a minimum lot width. The maximum overall building coverage of the lot is 60 percent. A 20-foot setback for building front is required, while the side yard and rear yard setbacks are established as part of the Planning Development Permit process. The building height limit is three stories not to exceed 50 feet. Two off-street parking spaces must be provided per unit for multi-family structures and complexes.

The Empire Ranch Specific Plan also outlines development standards for General Apartment, Planned Development District. The development standard is a 6,000-square-foot lot with 7,500 square feet for a corner lot. The minimum lot width is 60 feet wide, and the maximum overall building coverage of the lot is 60 percent. The minimum setbacks are as follows: 15-foot setback for building front, one 5-foot side yard, and one 11-foot side yard, 20-foot minimum setback for the building rear. The building height limit is four stories not to exceed 50 feet. One and a half spaces must be provided per unit for multi-family structures and complexes. For a multi-family residential building, 1.5 parking spaces must be provided per residential unit.

3.7 OTHER CITY REGULATION OF URBAN DEVELOPMENT

The City of Folsom further regulates urban development through standard construction conditions and through mitigation, building, and construction requirements set forth in the Folsom Municipal Code. Required of all projects constructed throughout the City, compliance with the requirements of the City's standard conditions and the provisions of the Municipal Code avoids or reduces many potential environmental effects. City procedures to minimize negative environmental effects and disruptions include an analysis of existing features, responsible agency and public input to the design process, engineering and design standards, and construction

controls. The activities that mitigate typical environmental impacts to be implemented by the City during the project review, design, and construction phases are described in greater detail below.

3.7.1 Community Development Department Standard Construction Conditions

The City's standard construction requirements are set forth in the City of Folsom, Community Development Standard Construction Specifications published in May 2004. A summary of these requirements is set forth below, and hereby incorporated by reference into the project description as though fully set forth herein. Copies of these documents may be reviewed at the City of Folsom, Community Development Department, 50 East Natoma Street; Folsom, California 95630.

The Community Development Department's standard construction specifications are required to be adhered to by any contractor constructing a public or private project within the City.

Use of Pesticides – Requires contractors to store, use, and apply a wide range of chemicals consistent with all local, state, and federal rules and regulations.

Air Pollution Control – Requires compliance with all Sacramento Metropolitan Air Quality Management District (SMAQMD) and City air pollution regulations.

Water Pollution – Requires compliance with City water pollution regulations, including National Pollutant Discharge Elimination System (NPDES) provisions.

Noise Control – Requires that all construction work comply with the Folsom Noise Ordinance (discussed further below), and that all construction vehicles be equipped with a muffler to control sound levels.

Naturally Occurring Asbestos – Requires compliance with all SMAQMD and City air pollution regulations, including preparation and implementation of an Asbestos Dust Mitigation Plan consistent with the requirements of Section 93105 of the State Government Code.

Weekend, Holiday, and Night Work – Prohibits construction work during evening hours, or on Sunday or holidays, to reduce noise and other construction nuisance effects.

Public Convenience – Regulates traffic through the work area, operations of existing traffic signals, roadway cuts for pipelines and cable installation, effects to adjacent property owners, and notification of adjacent property owners and businesses.

Public Safety and Traffic Control – Regulates signage and other traffic safety devices through work zones.

Existing Utilities – Regulates the relocation and protection of utilities.

Preservation of Property – Requires preservation of trees and shrubbery, and prohibits adverse effects to adjacent property and fixtures.

Cultural Resources – Requires that contractors stop work upon the discovery of unknown cultural or historic resources, and that an archaeologist be retained to evaluate the significance of the resource and to establish mitigation requirements, if necessary.

Protection of Existing Trees – Specifies measures necessary to protect both ornamental and native oak trees.

Clearing and Grubbing – Specifies protection standards for signs, mailboxes, underground structures, drainage facilities, sprinklers and lights, trees and shrubbery, and fencing. Also requires the preparation of a Stormwater Pollution Prevention Plan (SWPPP) to control erosion and siltation of receiving waters.

Reseeding – Specifies seed mixes and methods for reseeded of graded areas.

3.7.2 City of Folsom Municipal Code

The City regulates many aspects of construction and development through requirements and ordinances established in the Folsom Municipal Code. These requirements are summarized in **Table 3**, and hereby incorporated by reference into the Project Description as though fully set forth herein. Copies of these documents may be reviewed at the City of Folsom, Office of the City Clerk, 50 East Natoma Street; Folsom, California 95630.

Table 3 City of Folsom Municipal Code Regulating Construction and Development		
CODE SECTION	CODE NAME	EFFECT OF CODE
8.42	Noise Control	Establishes interior and exterior noise standards that may not be exceeded within structures, including residences; establishes time periods for construction operations.
8.70	Stormwater Management and Discharge Control	Establishes conditions and requirements for the discharge of urban pollutants and sediments to the storm-drainage system; requires preparation and implementation of Stormwater Pollution Prevention Plans.
9.34	Hazardous Materials Disclosure	Defines hazardous materials; requires filing of a Hazardous Material Disclosure Form by businesses that manufacture, use, or store such materials.
9.35	Underground Storage of Hazardous Substances	Establishes standards for the construction and monitoring of facilities used for the underground storage of hazardous substances, and establishes a procedure for issuance of permits for the use of these facilities.

continued on next page

Table 3
City of Folsom Municipal Code Regulating Construction and Development (continued)

CODE SECTION	CODE NAME	EFFECT OF CODE
12.16	Tree Preservation	Regulates the cutting or modification of trees, including oaks and specified other trees; requires a Tree Permit prior to cutting or modification; establishes mitigation requirements for cut or damaged trees.
13.26	Water Conservation	Prohibits the wasteful use of water; establishes sustainable landscape requirements; defines water use restrictions.
14.19	Energy Code	Adopts the California Energy Code, 2010 Edition, published as Part 6, Title 24, C.C.R. to require energy efficiency standards for structures.
14.20	Green Building Standards Code	Adopts the California Green Building Standards Code (CALGreen Code), 2010 Edition, excluding Appendix Chapters A4 and A5, published as Part 11, Title 24, C.C.R. to promote and require the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices.
14.29	Grading Code	Requires a grading permit prior to the initiation of any grading, excavation, fill or dredging; establishes standards, conditions, and requirements for grading, erosion control, stormwater drainage, and revegetation.
14.32	Flood Damage Prevention	Restricts or prohibits uses that cause water or erosion hazards, or that result in damaging increases in erosion or in flood heights; requires that uses vulnerable to floods be protected against flood damage; controls the modification of floodways; regulates activities that may increase flood damage or that could divert floodwaters.

4.0 PROJECT OBJECTIVES

The objective of the proposed project is to develop a medium density residential community with the appropriate supporting facilities and infrastructure in the City of Folsom. The objective of providing the residential development must be achieved while minimizing environmental impacts to the maximum extent practicable and while meeting the requirements of the General Plan, as amended, the Empire Ranch Specific Plan, and the Broadstone Unit No. 3 Specific Plan.

5.0 REQUIRED APPROVALS

A listing and brief description of the regulatory permits and approvals required to implement the proposed project is provided below. This environmental document is intended to address the environmental impacts associated with all of the following decision actions and approvals:

- Planned Development Permit

The City of Folsom has the following discretionary powers related to the proposed project:

- **Certification of the environmental document:** The Folsom City Council will act as the lead agency as defined by the California Environmental Quality Act (CEQA), and will have authority to determine if the environmental document is adequate under CEQA.
- **Approval of project:** The Folsom City Council will consider approval of the project and all entitlements as described above.

Pre-construction and post-construction coordination with the California Department of Fish and Wildlife (CDFW) is required for proposed avoidance of tri-colored blackbird habitat in the project site. Additional pre-construction consultation would be required if active nests are found for species protected by the Migratory Bird Treaty Act.

Prior to project implementation, the project applicant will obtain a Streambed Alteration Agreement from CDFW, a Clean Water Act (CWA) Section 404 permit issued by the U.S. Army Corps of Engineers (USACE) for impacts to waters of the U.S., and a CWA Section 401 Water Quality Certification issued by the California Regional Water Quality Board for impacts to a vegetated drainage through the project site.

6.0 PREVIOUS RELEVANT ENVIRONMENTAL ANALYSIS

The EIR for the City of Folsom General Plan (1988) as amended by approval of the East Area Facilities Plan (1992) provides relevant policy guidance for this environmental analysis. Even though the site is not located within the boundaries of the East Area, the East Area Facilities Plan EIR was designed to update the EIR for the General Plan and the whole city. Thus, the East Area Facilities Plan EIR updated and revised the environmental conclusions of the General Plan EIR so that the East Area Facilities Plan EIR provides the foundation environmental document for evaluating development throughout this part of the City.

6.1 TIERING

“Tiering” refers to the relationship between a program-level EIR (where long-range programmatic cumulative impacts are the focus of the environmental analysis) and subsequent environmental analyses such as the subject document, which focus primarily on issues unique to a smaller project within the larger program or plan. Through tiering a subsequent environmental analysis can incorporate, by reference, discussion that summarizes general environmental data found in the program EIR that establishes cumulative impacts and mitigation measures, the planning context, and/or the regulatory background. These broad based issues need not be reevaluated subsequently, having been previously identified and evaluated at the program stage.

Tiering focuses the environmental review on the project-specific significant effects that were not examined in the prior environmental review, or that are susceptible to substantial reduction or

avoidance by specific revisions in the project, by the imposition of conditions or by other means. Section 21093(b) of the Public Resources Code requires the tiering of environmental review whenever feasible, as determined by the Lead Agency.

In the case of the proposed project, this Initial Study tiers from the EIR for the Broadstone Unit No. 3 Specific Plan, the EIR for the Empire Ranch Specific Plan, and the EIR for the City of Folsom General Plan as amended by approval of the East Area Facilities Plan. The Folsom General Plan, as amended, is a project that is related to the proposed project and, pursuant to §15152(a) of the State CEQA Guidelines, tiering of environmental documents is appropriate. State CEQA Guidelines §15152(e) specifically provides that:

“[w]hen tiering is used, the later EIRs or Negative Declarations shall refer to the prior EIR and state where a copy of the prior EIR may be examined. The later [environmental document] should state that the Lead Agency is using the tiering concept and that the [environmental document] is being tiered with the earlier EIR.”

The above mentioned EIRs can be reviewed at the following location:

City of Folsom
Community Development Department
50 East Natoma Street
Folsom, CA 95630
Contact: Mr. Steve Banks, Principal Planner
(916) 355-7385

6.2 INCORPORATION OF THE FOLSOM GENERAL PLAN AND EAST AREA FACILITIES PLAN EIRS BY REFERENCE

The EIRs for the Folsom General Plan and the East Area Facilities Plan are comprehensive documents. Due to various references to the Folsom General Plan and East Area Facilities Plan EIRs in this proposed project, and to its importance relative to understanding the environmental analysis that has occurred to date with respect to development in the Folsom area, both documents are hereby incorporated by reference pursuant to State CEQA Guidelines §15150.

7.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- | | | |
|--|--|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input checked="" type="checkbox"/> Air Quality/Greenhouse Gases |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input checked="" type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

8.0 EVALUATION OF ENVIRONMENTAL IMPACTS

Responses to the following questions and related discussion indicate if the proposed project will have, or will potentially have a significant adverse impact on the environment, either individually or cumulatively with other projects. All phases of project planning, implementation, and operation are considered. Mandatory Findings of Significance are located in Section XVIII below.

8.1 AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

8.1.1 Environmental Setting

The project site is undeveloped with relatively hilly terrain sloping to the south and the west. The project site is bound by Iron Point Road to the north, and U.S. Highway 50 to the south. Areas immediately west of the project site are undeveloped, with an open space corridor bordering the western and a portion of the southern project site boundary. A Lifetime Fitness center is currently under construction west of the project site, and areas further west are large scale commercial retail centers, including Costco. Areas north of Iron Point Road are developed with residential land uses, with an undeveloped parcel directly north of the project site. Areas south of U.S. Highway 50 are undeveloped.

The project site is not associated with any current land use, but shows evidence of past grading and construction of terraces, and erosion control and storm water management features. As a result, the site is largely disturbed, and features primarily ruderal vegetation. The southernmost portion of the project site, adjacent to U.S. Highway 50, supports a drainage and seasonal wetland. Vegetation in this area is a mosaic of seasonal and permanent wetland that includes willows, cattail, and extensive patches of seasonal wetland.

8.1.2 Evaluation of Aesthetics

Question A: Less than Significant

A scenic vista is defined as a viewpoint that provides expansive view of a highly valued landscape for the benefit of the general public. Neither the project site nor the surrounding areas are considered to be scenic vistas due to the existing development and suburban environment typical of the area. Further, neither the project site, nor views to or from the project site, have been designated an important scenic resource by the City of Folsom or any other public agency. Therefore, construction of the proposed development would not interfere with or degrade a scenic vista. No impacts would occur, and no mitigation would be necessary.

Question B: No Impact

There are no state or locally designated scenic highways in the vicinity of the proposed project (Caltrans 2015). Implementation of the proposed would not adversely affect scenic resources within a designated scenic highway. No impact would occur, and no mitigation would be necessary.

Question C: Less than Significant

The existing visual character of the area surrounding the project site is primarily defined by undeveloped areas interspersed with development. The project site is clearly visible by motorists on U.S Highway 50 – in particular, those travelling in the eastbound lanes have a clear view of the west facing hills. The project site is topographically higher than the freeway, and the west facing hills are clearly visible from the freeway. While eastbound motorists would have mostly travelled past the currently highly developed portions of Folsom largely visible from the highway, as motorists on the highway pass East Bidwell Street and the development north of the freeway, the views open up and the undeveloped hillsides north of the highway are visually predominant. The project site and immediate vicinity are currently largely undeveloped, and the surrounding residential development are not clearly visible from the highway. Motorists would currently experience relatively rural views along the segment of U.S. Highway 50.

Areas along U.S. Highway 50 are rapidly urbanizing, and the views of the project site would be relatively short for eastbound motorists, and substantially less visible for westbound motorists. As previously mentioned, the parcel west of the project site is currently being developed with a Lifetime Fitness center. Therefore, while views of the project site would differ from existing conditions, the proposed project would be consistent with surrounding and on-going development in the area, and the project development would not appear as an anomaly in the area.

Portions of the project site are slightly topographically lower than Iron Point Road. Areas to the north of the road are topographically higher than the road and are also undeveloped. Due to the topography, predominant views for motorists along this segment of Iron Point Road are the hills to the north of the road, and the expansive views of areas to the south of U.S. Highway 50. Development on the project site would partially block the expansive views from the roadway, although some views would remain from west of the project site. Iron Point Road is constructed as an urban parkway with a landscaped median, sidewalks, and landscaped roadside frontage typical of urban and suburban areas. Therefore, although areas to the north and south of the segment of Iron Point Road as it passes the project site are undeveloped, it maintains a suburban character. While construction of the proposed project on the currently undeveloped site would result in a significant change to the visual character of the site, the development would be consistent with the residential developments in the vicinity and the suburban character of the overall area.

Residents of the adjacent residential properties may be affected by construction of the nearby, multi-story buildings particularly because the buildings in the eastern portion of the project site, in particular, would have more stories than the adjacent residences. The residential properties adjacent to the east project site boundary are topographically higher than the project site (approximately 18 to 24 feet higher), which would lessen the visual effects of three story buildings being constructed nearby. Further, an existing 6-foot high masonry wall between the existing residences and the project site limit views of the project site from the residences.

Although the proposed project would alter the existing visual character of the site and the surrounding area, the proposed project is consistent with the land uses for the site included in the Specific Plans and the General Plan. The proposed project would be required to comply with the City's Hillside Development Guidelines which include key design principles and issues applicable to the proposed project such as grading and drainage, landscaping, architecture and site design (including building materials and colors), fencing and walls, and lighting. Further, the project would be required to comply with the goals and policies of the Broadstone Unit No. 3 Specific Plan Design Guidelines and the Empire Ranch Specific Plan Design Guidelines. The proposed land use is consistent with the overall suburban character and ongoing development in the vicinity, and is expected to integrate into the existing and planned development of the area. A less than significant impact to visual character would occur, and no mitigation is necessary.

Question D: Less than Significant Impact

Lighting associated with the proposed project would include security lighting at the gated entrance and building sconce lights to provide security lighting. Any new lighting associated with development within the project area would be subject to City standard practices regarding night lighting that would be made a condition of approval of the Planned Development Permit. Consistent with the City's practices, the lighting shall be sited and designed to avoid light spillage and glare on adjacent properties, with timers or photo-electric cells for turning the lights on and off within one-half hour after dusk and one-half hour prior to dawn. Lighting would be low level as necessary for safety and security. The proposed landscaping between the project site and adjacent properties would provide screening from adjacent properties. Because existing City practices would limit light spillover and intensity, this would be a less than significant impact, and no mitigation is necessary.

8.2 AGRICULTURE AND FORESTRY RESOURCES

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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In determining whether impacts to agriculture resources are significant environmental effects, lead agencies may refer to the California Agriculture Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

12220(g)), timberland (as defined by Public Resources Code Section 4526 (g)), or timberland zoned Timberland Production (as defined by Government Code Section 51104 (g))?

d) Result in the loss of forest land or conversion of forest land to non-forest use?

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8.2.1 Environmental Setting

No agricultural activities or timber management occur on the project site or in adjacent areas and the site is not designated for agricultural or timberland uses. The California Important Farmlands Map prepared for Sacramento County by the California Resources Agency classifies the project site as other land, and immediately adjacent areas are urban and built up (California Department of Conservation 2015). Other land is defined by the California Resources Agency as land that is not included in any other category, which includes areas not suitable for agricultural uses. Urban and built up land is land occupied by structures or infrastructure to accommodate a building density of at least one unit to one and one-half acres, or approximately six structures to 10 acres (Natural Resources Agency 2006).

The Natural Resources Conservation Service (NRCS) soil survey report generated for the project site (NRCS 2015) indicates that no Prime or Unique Farmland or Farmland of Statewide Importance occurs on the project site.

Agriculture and forestry resources were not evaluated in the EIRs for the Empire Ranch and Broadstone No. 3 Specific Plans.

8.2.2 Evaluation of Agriculture and Forestry Services

Questions A, B, E: No Impact

Because no important agricultural resources or activities exist on the project site, no impact would occur, and no mitigation would be necessary.

Questions C, D, E: No Impact

Because no portion of the City or the project site are zoned for forest land, timberland, or zoned Timberland Production, no impact would occur, and no mitigation would be necessary.

8.3 AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.				
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

8.3.1 Environmental Setting

Climate in the Folsom area is characterized by hot, dry summers and cold, rainy winters. During summer's longer daylight hours, plentiful sunshine provides the energy needed to fuel photochemical reactions between Oxides of Nitrogen (NO_x) and Reactive Organic Gasses (ROG), which result in Ozone (O₃) formation. High concentrations of O₃ are reached in the Folsom area due to intense heat, strong and low morning inversions, greatly restricted vertical mixing during the day, and daytime subsidence that strengthens the inversion layer. At this time, the greatest pollution problem in the Folsom area is from NO_x.

The City of Folsom lies within the eastern edge of the Sacramento Valley Air Basin (SVAB). The Sacramento Metropolitan Air Quality Management District (SMAQMD) is responsible for implementing emissions standards and other requirements of federal and state laws in the project area. As required by the California Clean Air Act (CCAA), SMAQMD has published various air quality planning documents as discussed below to address requirements to bring the District into compliance with the federal and state ambient air quality standards. The Air Quality Attainment Plans are incorporated into the State Implementation Plan, which is subsequently submitted to the U.S. Environmental Protection Agency (EPA), the federal agency that administrates the Federal Clean Air Act of 1970, as amended in 1990.

Ambient air quality is described in terms of compliance with state and national standards, and the levels of air pollutant concentrations considered safe, to protect the public health and welfare. These standards are designed to protect people most sensitive to respiratory distress, such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and persons engaged in strenuous work or exercise. The EPA has established national ambient air quality standards (NAAQS) for seven air pollution constituents. As permitted by the Clean Air Act, California has adopted more stringent air emissions standards (CAAQS), and expanded the number of regulated air constituents.

The California Air Resources Board (CARB) is required to designate areas of the state as attainment, nonattainment, or unclassified for any state standard. An "attainment" designation for an area signifies that pollutant concentrations do not violate the standard for that pollutant in that area. A "nonattainment" designation indicates that a pollutant concentration violated the standard at least once.

The EPA designates areas for ozone (O₃), carbon monoxide (CO), and nitrogen dioxide (NO₂) as either "Does not meet the primary standards", "Cannot be classified", or "Better than national standards". For sulfur dioxide (SO₂), areas are designated as "Does not meet the primary standards", "Does not meet the secondary standards", "Cannot be classified", or "Better than national standards". The area air quality attainment status of the SVAB, including the City of Folsom, is shown in **Table 4**.

**Table 4
Sacramento Air Basin – Attainment Status**

POLLUTANT	STATE OF CALIFORNIA ATTAINMENT STATUS	FEDERAL ATTAINMENT STATUS
Ozone	Nonattainment	Nonattainment
Suspended Particulate Matter (PM ₁₀)	Nonattainment	Attainment
Fine Particulate Matter (PM _{2.5})	Attainment	Nonattainment
Carbon Monoxide	Attainment	Attainment/Unclassified
Nitrogen Dioxide	Attainment	Attainment/Unclassified
Lead	Attainment	Attainment/Unclassified
Sulfur Dioxide	Attainment	Attainment/Unclassified
Sulfates	Attainment	No Federal Standard
Hydrogen Sulfide	Unclassified	No Federal Standard
Visibility Reducing Particles	Unclassified	No Federal Standard

Sources: California Air Resources Board Area Designations. State Area Designations and Maps. Reviewed January 9, 2015. Accessed at <http://www.arb.ca.gov/desig/changes.htm#reports> on December 14, 2015.

U.S. Environmental Protection Agency Nonattainment Areas for Criteria Pollutants. Accessed at <http://www.epa.gov/airquality/greenbk/anc12.html> on December 14, 2015.

The Sacramento County/Sacramento Metropolitan Area portion of the SVAB is currently in nonattainment for federal and/or state ozone, PM₁₀ and PM_{2.5} standards. Concentrations of all other pollutants meet state and federal standards.

Ozone is not emitted directly into the environment, but is generated from complex chemical reactions between ROG, or non-methane hydrocarbons, and NO_x that occur in the presence of sunlight. ROG and NO_x generators in Sacramento County include motor vehicles, recreational boats, other transportation sources, and industrial processes. PM₁₀ and PM_{2.5} arise from a variety of sources, including road dust, diesel exhaust, fuel combustion, tire and brake wear, construction operations and windblown dust.

8.3.2 Air Quality Monitoring

CARB’s air quality monitoring network provides information on ambient concentrations of air pollutants in the SVAB. SMAQMD operates a monitoring station in Folsom, where the air quality data for ozone and PM_{2.5} were obtained. Other data are reported from one additional location in Sacramento County. **Table 5** compares a three-year summary of the highest annual criteria air pollutant emissions collected at these monitoring stations with applicable CAAQS, which are more stringent than the corresponding NAAQS. The pollutants ozone, PM_{2.5}, and PM₁₀ are expected to be fairly representative of the project site, due to the regional nature of these pollutants.

Table 5
Summary of Annual Air Quality Data for Folsom Area
Air Quality Monitoring Stations

POLLUTANT	2012	2013	2014
<i>Ozone (O3) 1-hour: Monitoring location: Folsom – East Natoma Street</i>			
Maximum Concentration (ppm)	0.122	0.14	0.100
Days Exceeding State Standard (1-hr avg. 0.09 ppm)	19	5	7
<i>Ozone (O3) 8-hour: Monitoring location: Folsom -- East Natoma Street</i>			
Maximum Concentration (ppm)	0.106	0.087	0.085
Days Exceeding State Standard (8-hr avg. 0.070 ppm)	57	17	35
Days Exceeding National Standard (8-hr avg. 0.075 ppm)	38	6	14
<i>PM10: Monitoring location: Sacramento – Branch Center Road 2</i>			
Maximum State 24-Hour Concentration (µg/m ³)	60.0	63.0	46.0
Days Exceeding State Standard (Daily Standard 50 µg/m ³)	3	1	0
Maximum Federal 24-Hour Concentration (µg/m ³)	60.0	59.0	45.0
Days Exceeding Federal Standard (Daily Standard 150 µg/m ³)	0	0	0
<i>PM2.5: Monitoring location: Folsom – East Natoma Street</i>			
Maximum National 24-Hour Concentration (µg/m ³)	*	*	*
Days Exceeding National 2006 Standard (Daily Standard 35 µg/m ³)	*	*	*

*Insufficient data to determine the value

Source: California Air Resources Board, Air Quality Data and Statistics. Accessed at: <http://www.arb.ca.gov/adam/index.html> on December 14, 2015.

As indicated in **Table 5**, ozone and PM₁₀ standards have been exceeded in Folsom over the past three years. Although no data are available for PM_{2.5} at the Folsom monitoring station, data collected regionally at the Sacramento Health Department monitoring site on Stockton Boulevard in Sacramento show that there have been exceedances for this pollutant as well over the last five years.

Air Quality Attainment Planning

In order to work towards attainment for ozone, PM₁₀ and PM_{2.5}, the EPA Office of Air Quality Planning & Standards requires that each state containing nonattainment areas develop a written plan for cleaning the air in those areas. The plans developed are called State Implementation Plans (SIP). Through these plans, states outline efforts they will make to try to correct the levels of air pollution and bring their areas back into attainment. The status of air quality attainment planning for the Sacramento area is:

- The Sacramento region was classified by the EPA as a “serious” nonattainment area on June 15, 2004 for the federal 8-hour ozone standard, with an attainment deadline of June 15, 2013. Emission reductions needed to achieve the air quality standard were identified using an air quality modeling analysis. An evaluation of proposed control

measures and associated VOC and NO_x emission reductions concluded that no set of feasible controls were available to provide the needed emission reductions before the attainment deadline year. Given the magnitude of the shortfall in emission reductions, and the schedule for implementing new control measures, the earliest possible attainment demonstration year for the Sacramento region is determined to be the “severe” area deadline of 2019. Section 181(b)(3) of the Clean Air Act permits a state to request that the EPA reclassify a nonattainment area to a higher classification and extend the time allowed for attainment. This process is appropriate for areas that must rely on longer-term strategies to achieve the emission reductions needed for attainment. The EPA approved this request on May 5, 2010.

- In March 2002, the EPA officially determined that Sacramento County had attained the PM₁₀ standards. In November 2010, the SMAQMD formally requested that the EPA redesignate Sacramento County from nonattainment to attainment for PM₁₀. The EPA approved this request effective October 28, 2013. The SMAQMD additionally adopted a PM₁₀ Maintenance Plan. The plan establishes PM₁₀ Motor Vehicle Emission Budgets.
- The EPA Administrator signed the SMAQMD’s final PM_{2.5} nonattainment designations for Sacramento on October 8, 2009. In October 2013, the SMAQMD formally requested that the EPA redesignate Sacramento County from nonattainment to attainment for PM_{2.5}. The EPA has not acted on this redesignation request as of the date of this Initial Study.

8.3.3 Evaluation of Air Quality

While the final determination of whether or not a project has a significant effect is within the purview of the lead agency pursuant to CEQA Guidelines Section 15064(b), SMAQMD recommends that its air pollution thresholds be used to determine the significance of project emissions. The criteria pollutant thresholds and various assessment recommendations are contained in SMAQMD’s Guide to Air Quality Assessment in Sacramento County (2009, revised), and are discussed under the checklist questions below.

Question A: Less than Significant

In accordance with SMAQMD’s Guide, construction-generated NO_x and operational-generated ROG and NO_x (all ozone precursors) are used to determine consistency with the Ozone Attainment Plan. The Guide states:

By exceeding the District’s mass emission thresholds for operational emissions of ROG or NO_x, the project would be considered to conflict with or obstruct implementation of the District’s air quality planning efforts.

As shown in the discussion for questions b and c below, with implementation of Mitigation Measure AIR-1, the project would not exceed construction generated NO_x, PM₁₀, and PM_{2.5} or the operational generated ROG and NO_x thresholds. Impacts would be less than significant and no additional mitigation would be necessary.

Question B: Less than Significant with Mitigation Incorporated

The EIR's for the Empire Ranch Specific Plan and Broadstone Unit No. 3 Specific Plan concluded that impacts from PM₁₀, CO, VOCs, and NO_x emissions associated with the build out of the specific plans would be significant and unavoidable. These air pollutants were evaluated at the project level to determine the project's contribution to the overall impacts of the specific plans.

Construction Emissions

Regional Emissions

SMAQMD's Guide includes a construction screening level to determine if a project would exceed the NO_x threshold of significance. However, because the proposed project includes cut-and-fill operations and multiple phases of overlapping activity, the NO_x construction screening level is not recommended for use. As such, the California Emissions Estimator Model (CalEEMod) version 2013.2.2 was used to quantify project-generated construction emissions. The analysis methodology, assumptions, and CalEEMod output are provided in Appendix B. Construction of the project is anticipated to begin June 2016 and be completed by August 2018.

The SMAQMD does not have a recommended threshold for construction-generated ROG; therefore, the maximum daily emissions of NO_x are analyzed below. As shown in **Table 6**, the proposed project would generate the ozone precursor NO_x in excess of the SMAQMD threshold, therefore mitigation is required.

CONSTRUCTION YEAR	NO_x (lbs./day)
2016	105
2017	125
2018	27
SMAQMD Threshold	85
Threshold exceeded?	Yes

Source of emissions: CalEEMod output (Appendix B)

Source of Threshold: SMAQMD 2009

The following mitigation measure should be implemented to avoid and minimize impacts to construction period NO_x emissions:

- AIR-1 All diesel-powered offroad equipment used during project construction shall meet Tier 3 off-road emissions standards. A copy of each unit's certified Tier

specification shall be provided to the City of Folsom Building Department at the time of mobilization of each applicable unit of equipment.

Implementation of the above mitigation measure would reduce NO_x emissions by approximately 55 percent. As shown in **Table 7**, with implementation of Mitigation Measure AIR-1, impacts would be less than significant and no additional mitigation measures would be required.

CONSTRUCTION YEAR	NO_x (lbs./day)
2016	42
2017	56
2018	17
SMAQMD Threshold	85
Threshold exceeded?	No

Source of emissions: CalEEMod output (Appendix B)

Source of Threshold: SMAQMD 2009

EAFP mitigation measures incorporated into the mitigation for the Empire Ranch Specific Plan and Broadstone Unit No. 3 Specific Plan are also applicable to the proposed project and would be implemented to reduce the impacts to less than significant. The following mitigation measures are adapted from Broadstone Unit No. 3 Specific Plan Mitigation Measures 4.3.2 and 4.7-2.

AIR-2 Construction emissions shall be maintained and operated to minimize exhaust emissions. During construction, trucks and equipment shall be running only when necessary. Engines shall be shut off when trucks are loading, unloading, or waiting. Equipment shall also be kept in good condition and well-tuned to minimize exhaust emissions.

AIR-3 The developer shall be responsible for ensuring that the contractor shall reduce NO_x, ROC, and CO emissions by complying with the construction vehicle air pollutant control strategies developed by the SMAQMD. The developer shall include in the construction contracts the following requirements:

- During smog season (May through October), the construction period shall be lengthened so as to minimize the number of vehicles and equipment operating at the same time.
- New technologies shall be utilized to control ozone precursor emissions as they become available and feasible.

Local Emissions

The SMAQMD utilizes the same screening level as the NO_x emission screening level to assist a project proponent or lead agency in determining if PM₁₀ or PM_{2.5} emissions from constructing a project in Sacramento County will exceed the SMAQMD's construction significance thresholds. As with the NO_x screening presented above, because the proposed project includes cut-and-fill operations and multiple phases of overlapping activity, the PM₁₀ and PM_{2.5} construction screening level is not recommended for use. As such, CalEEMod was used to quantify project-generated construction emissions as discussed previously. The analysis methodology, assumptions, and CalEEMod output are provided in Appendix B.

The maximum daily emissions of PM₁₀ and PM_{2.5} are analyzed below. As shown in **Table 8**, the proposed project would generate less than significant levels of PM₁₀ and PM_{2.5}. Impacts related to construction-generated PM₁₀ and PM_{2.5} emissions would be less than significant.

CONSTRUCTION YEAR	PM₁₀ (lbs./day)	PM_{2.5} (lbs./day)
2016	26	15
2017	27	17
2018	4	2
SMAQMD Threshold	80	82
Threshold exceeded?	No	No

Source of emissions: CalEEMod output (Appendix B)
Source of Threshold: SMAQMD 2009

Operational Emissions

Regional Emissions

SMAQMD provides screening levels to identify when additional analysis is necessary to determine potential significance for operational ROG, NO_x, PM₁₀, or PM_{2.5} emissions. The operational screening levels represent the development size at which the operational emissions thresholds of significance would not be exceeded. The ROG and NO_x screening level for multi-family housing is 460 dwelling units. The PM₁₀ and PM_{2.5} screening level for multi-family housing is 1,375 dwelling units. The proposed project includes 327 multi-family dwelling units, which is less than the screening levels. Therefore, the proposed project would generate less than significant quantities of operational ROG, NO_x, PM₁₀, and PM_{2.5}, and project-specific modeling for operational emissions is not required.

Local Emissions

The primary pollutant of localized concern is mobile-source CO. Local mobile-source CO emissions near roadway intersections are a direct function of traffic volume, speed, and delay. Long-distance transport of CO is extremely limited because it disperses rapidly with distance from the source under normal meteorological conditions. Under specific meteorological conditions and traffic conditions, CO concentrations at receptors located near roadway intersections may reach unhealthy levels, when combined with background CO levels.

The SMAQMD's two-tiered screening criteria identifies when a project has the potential to contribute to a CO hotspot and if CO dispersion modeling is necessary. According to the first screening tier, the proposed project will result in a less-than-significant impact to air quality for local CO if:

1. Traffic generated by the proposed project will not result in deterioration of intersection level of service (LOS) to LOS E or F; and
2. The project will not contribute additional traffic to an intersection that already operates at LOS E or F.

As detailed in the Traffic Impact Analysis, the proposed project would not result in the deterioration of any intersection to LOS E or F (MRO Engineers 2015). Because the first tier of screening criteria is met, there would be no potential for a CO hotspot or exceedance of State or federal CO ambient air quality standard. The impact would be less than significant and no MMs are required.

Question C: Less than Significant with Mitigation Incorporated

The Sacramento region is in non-attainment for ozone (NO_x and ROG) and particulate matter (PM_{2.5} and PM₁₀). As discussed above, with incorporation of Mitigation Measures AIR-1, no exceedance of the District's emission thresholds for criteria pollutants would be expected for the proposed project. The project would not result in a cumulatively considerable net increase in any criteria pollutant. A less than significant impact would result, and no additional mitigation would be necessary.

Questions D and E: Less than Significant

Sensitive receptors in the vicinity of the project include nearby residents, Vista Del Lago High School approximately 0.25 mile north of the project site, and Russell Ranch Elementary School approximately 0.5 mile east of the project site. Other than emissions from vehicle trips by residents, and potential emissions from natural gas used for space heating, no other air emissions or odors would be released during operation of the proposed development. Normal activities associated with operation of the development would not result in the release of any odors or toxic substances into the air. Similarly, emissions of criteria air pollutants during project construction would be expected to be less than significant. Thus, overall air emissions would not expose sensitive receptors to substantial air pollutant concentrations or create objectionable odors. This would be a less than significant impact and no mitigation would be necessary.

8.4 BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) 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 U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any applicable policies protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

	□	□	□	■
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8.4.1 Environmental Setting

The project site is an undeveloped parcel surrounded by residential and commercial development, Iron Point Road, and U.S. Highway 50. The project site is not associated with any current land use, but shows evidence of past grading and construction of erosion control and storm water management features. Land uses in the general area of the project site transition from dense retail/commercial and residential development associated with built-out portions of Folsom to the west, to patchy low-density residential and undeveloped parcels to the east and north, and extensive undeveloped lands south of U.S. Highway 50. The project site is located on the southwest slope of Carpenter Hill and is characterized by steep slopes and graded terraces. Terrain in the general area reflects the transition between the flat or gently rolling terrain of the Central Valley to the west, to the steeper slopes of the Sierra Nevada foothills to the east.

Vegetation on the project site is predominantly non-native grassland dominated by oats (*Avena* spp.), Medusa head (*Elymus caput-medusae*), rose clover (*Trifolium hirtum*), and American bird's foot trefoil (*Acmispon americanum*). Other species associated with disturbance occur in scattered patches throughout the site, including yellow star thistle (*Centaurea solstitialis*), stinkwort (*Dittrichia graveolens*), milk thistle (*Silybum maritimum*), perennial mustard (*Hirschfeldia incana*), and naked buckwheat (*Eriogonum nudum*).

The southernmost portion of the project site, adjacent to U.S. Highway 50, supports a drainage and seasonal wetland. Vegetation in this area is a mosaic of seasonal and permanent wetland that includes arroyo willow (*Salix lasiolepis*), black willow (*Salix gooddingii*), and common cattail (*Typha latifolia*) in the drainage, and extensive patches of seasonal wetland dominated by common rush (*Juncus effusus* ssp. *pacificus*), narrow leaf milkweed (*Asclepias fascicularis*), Klamathweed (*Hypericum perforatum*), hyssop loosestrife (*Lythrum hyssopifolia*), and pennyroyal (*Mentha pulegium*).

A storm drain outfall and associated ditch near the western tip of the project site support a stand of common cattail. This ditch is tributary to a larger area of cattail off-site to the west of the project site.

8.4.2 Regulatory Framework Related to Biological Resources

The City of Folsom regulates urban development through standard construction conditions and through mitigation, building, and construction requirements set forth in the Folsom Municipal Code. Required of all projects constructed in the City, compliance with the requirements of the

City's standard conditions and the provisions of the Municipal Code avoids or reduces many potential environmental effects. No Habitat Conservation Plan, Natural Community Conservation Plan, or other local, regional, or state habitat conservation plan has been approved for the City of Folsom. The project site is located partially within the Empire Ranch Specific Plan Area, and partially within the Broadstone Unit No. 3 Specific Plan Area.

State and Federal Endangered Species Acts

Special status species are protected by state and federal laws. The California Endangered Species Act (CESA; California Fish and Game Code Sections 2050 to 2097) protects species listed as threatened and endangered from harm or harassment. This law is similar to the Federal Endangered Species Act of 1973 (FESA; 16 USC 1531 *et seq.*) which protects federally threatened or endangered species (50 CFR 17.11, and 17.12; listed species) from take. Both laws include a process for issuance of permits for incidental take of listed species through consultation with the agency having jurisdiction over the protected species. Incidental take is take resulting as an unintended consequence of an otherwise lawful action.

California Code of Regulations and California Fish and Game Code

The official listing of endangered and threatened animals and plants is contained in the California Code of Regulations Title 14 § 670.5. A state candidate species is one that the California Fish and Game Code has formally noticed as being under review by CDFW for inclusion on the state list pursuant to Sections 2074.2 and 2075.5 of the California Fish and Game Code. CDFW also designates Species of Special Concern that are not currently listed or candidate species.

Legal protection is also provided for wildlife species in California that are identified as "fully protected animals." These species are protected under Sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and 5515 (fishes) of the California Fish and Game Code. These statutes prohibit take or possession of fully protected species at any time. Incidental take of fully protected species is not permitted except in conjunction with an approved Natural Community Conservation Plan that provides adequate coverage to the fully protected species (California Fish and Game Code Section 2835).

California Native Plant Protection Act

The California Native Plant Protection Act of 1977 (California Fish and Game Code Sections 1900 to 1913) requires all state agencies to use their authority to implement programs to conserve endangered and otherwise rare species of native plants. Provisions of the act prohibit the taking of listed plants from the wild and require notification of CDFW at least 10 days in advance of any change in land use other than changing from one agricultural use to another, which allows CDFW to salvage listed plants that would otherwise be destroyed.

Nesting and Migratory Birds

Nesting birds are protected by state and federal laws. California Fish and Game Code (§3503, 3503.5, and 3800) prohibits the possession, incidental take, or needless destruction of any bird nests or eggs; Fish and Game Code §3511 designates certain bird species, including all raptors, “fully protected”, making it unlawful to take, possess, or destroy these species except under issuance of a specific permit. Under the Migratory Bird Treaty Act (MBTA) of 1918 (16 USF §703-711), migratory bird species and their nests and eggs that are on the federal list (50 CFR §10.13) are protected from injury or death, and project-related disturbance must be reduced or eliminated during the nesting cycle.

City of Folsom Tree Preservation Ordinance

Requirements related to biological resources include protection of existing trees, and specify measures necessary to protect native oaks and ornamental trees. Chapter 12.16 of the Folsom Municipal Code, the Tree Preservation Ordinance, regulates the cutting or modification of protected trees. Protected trees include:

- Native oak trees with a diameter of 6 inches or larger for single trunk trees and 20 inches or greater combined diameter for multi-trunk trees;
- Heritage oak trees - native oaks with a single trunk diameter of 19 inches or greater or a multi-trunk diameter of 38 inches or greater;
- Landmark trees identified individually by the City Council through resolution as being a significant community benefit;
- Street trees within the tree maintenance strip.

The Tree Preservation Ordinance requires a Tree Permit prior to cutting or modification of a protected tree, and establishes mitigation requirements for cut or damaged protected trees (City of Folsom 2000). Actions regulated by the Tree Preservation Ordinance include:

- Removal of a Protected Tree;
- Pruning/trimming of a Protected Tree;
- Grading or trenching within the Protected Zone of a Protected Tree.

City of Folsom General Plan

The following goal and policies from the *City of Folsom General Plan* are applicable to biological resources:

- Goal 25 Wherever feasible, to preserve, acquire, rehabilitate, enhance and maintain the identified resources for the use and enjoyment of present and future generations. The identified resources include, but are not limited to:
3. Freshwater marshland and associated sensitive flora
 6. Permanent and seasonal wetlands and associated sensitive flora
 15. Tricolored blackbird

16. Swainson's hawk

- Policy 25.4 The City shall require that require that a qualified biologist conduct a vegetative/wildlife field survey, and analysis prior to consideration of development applications for projects within or adjacent to sensitive habitat areas and potential habitats for sensitive wildlife and floral species.

Jurisdictional Waters

Any person, firm, or agency planning to alter or work in the waters of the U.S. (WOUS), including the discharge of dredged or fill material, must first obtain authorization from the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act (CWA). Section 401 of the CWA requires an applicant for a federal license or permit under Section 404 to also obtain a state certification that the discharge complies with other provisions of the CWA. The Regional Water Quality Control Board (RWQCB) administers the certification program in California. The extent of USACE jurisdiction under the CWA is determined by USACE according to published definitions that are informed by statute, regulatory practice, and judicial rulings.

Waters of the State are protected by state laws including Section 1600 *et seq.* of the California Fish and Game Code, and the Porter-Cologne Water Quality Control Act. Waters of the State generally have a broader definition than WOUS. Alteration of a lake or stream as defined in the California Fish and Game Code requires the execution of a Streambed Alteration Agreement with CDFW. Actions that would result in a discharge of pollutants into waters of the State must be permitted by the RWQCB pursuant to Porter-Cologne.

8.4.3 Methods

Biological studies conducted for the preparation of this IS/MND included a desktop review of regionally-occurring special-status species and habitats with the potential to occur in the project site and/or be affected by the proposed project, and biological reconnaissance surveys. The results of the biological database and records searches for the project site are compiled in Appendix C.

Species were considered to be special-status if they fall into one or more of the following categories:

- Listed as endangered or threatened under the FESA (including candidate species and species proposed for listing);
- Listed as endangered or threatened under the CESA (including candidate species and species proposed for listing);
- Designated as a Species of Special Concern by the CDFW; and/or,
- Having a California Rare Plant Rank of 1, 2, or 3.

To determine the potential for special-status species or their habitats to occur in the project site and vicinity, the most current lists of regionally-occurring special-status species known to occur or having the potential to occur on the "Clarksville, CA" U.S. Geological Survey 7.5-minute quadrangle were obtained from the following databases: the California Natural Diversity

Database (CNDDDB) maintained by CDFW (CDFW 2016), the California Native Plant Society (CNPS) database (CNPS 2015), and the Information for Planning and Conservation (IPaC) online system maintained by the USFWS (USFWS 2016). These lists were then reviewed to determine which of the regionally-occurring special-status species have the potential to occur in the project site and vicinity and/or be affected by the proposed project (refer to Appendix C for the species lists). The potential for each regionally-occurring special-status species to occur in the project site and vicinity and/or be affected by the proposed project was determined based on a comparison of the life history requirements, habitat affinities, and known ranges (geographic and/or elevational) to the habitats on the project site noted during the biological reconnaissance survey as well as other factors such as local knowledge of such species distribution(s) and professional judgement by HELIX biologists.

A biological reconnaissance survey was conducted by HELIX biologists Catherine Silvester and George Aldridge on November 12, 2015 to determine current conditions at the project site, and the current presence/location, and/or extent of biological resources in the project site. George Aldridge also conducted surveys of the site in conjunction with surveys of adjacent sites on July 10, October 5, and October 19, 2015.

The biological reconnaissance survey was accomplished by walking meandering transects through the project site in order to obtain 100 percent visual coverage of the site. Habitats present in the project site were classified based on the dominant plant species present and identifiable at the time of the survey. The site was also surveyed for aquatic features exhibiting characteristics indicating the potential for waters of the U.S. and/or State, including the presence of hydrophytic vegetation, incised bed and bank, or basin topography.

8.4.4 Biological Communities/Land Cover Types

Biological communities/land cover types (hereafter referred to as “habitat types”) present on the project site include annual grassland, wet meadow, and fresh emergent wetland. These habitat types are described below. Habitat nomenclature is based upon the California Wildlife Habitat Relationships System used by the CDFW as referenced on the internet at:

[http://www.dfg.ca.gov/biogeodata/cwhr/wildlife_habitats.asp].

Annual Grassland

Annual grassland is generally an open, herbaceous community dominated by non-native grass species originally introduced as forage for livestock and now naturalized throughout California. Annual grassland usually occurs in dry climates on heavy, poorly-developed soils that discourage the growth of deep-rooted woody perennials; however, disturbance to vegetation on more productive soils will often result in conversion to annual grassland. Undisturbed annual grassland includes a large representation of native wildflowers and also often includes vernal pools where topsoil is underlain by an impermeable layer. Annual grassland associated with disturbance lacks significant representation of native wildflowers and typically includes dense patches of weedy forbs.

Annual grassland covers the vast majority of the project site, and is dominated by oats and medusa head, as well as a variety of broad-leaved forbs associated with disturbance. Species

observed at the time of the survey represent weeds typical of disturbed areas in the region, including yellow star thistle, perennial mustard, stinkwort, doveweed (*Croton setigerus*), long-beak filaree (*Erodium botrys*), smooth cat's ear (*Hypochaeris glabra*), spikeweed (*Centromadia fitchii*), and vinegarweed (*Trichostema lanceolatum*).

Wet Meadow

Wet meadow is typically a short herbaceous community with scattered willow (*Salix* spp.) the only shrubs present. Vegetative cover is usually near 100-percent, and dominated by sedges (*Carex* spp.) and rushes (*Juncus* spp.). Wet meadow occurs in topographic depressions and floodplains that are seasonally inundated, where soils remain saturated to near the surface for most of the year, but surface water is present only during spring.

Wet meadow occurs along the southern edge of the project site, adjacent to a seasonal stream. Vegetation in this area is heavily dominated by common rush, with narrow leaf milkweed, Klamathweed, pennyroyal, and hyssop loosestrife common. Sticky cinquefoil (*Drymocallis glandulosa*), annual fireweed (*Epilobium brachycarpum*), and green dock (*Rumex conglomeratus*) are also present at lower density. A few large arroyo willow and black willow trees grow at the margins of this area.

Fresh Emergent Wetland

Fresh emergent wetland is characterized by perennial monocots up to 2 meters tall rooted in saturated, anaerobic soils. Vegetative cover is typically near 100-percent and dominated by cattail (*Typha* spp.), bulrush (*Schoenoplectus* spp.), and reed (*Phragmites* spp.) in wetter places. Surface water is usually present for all or most of the year in the lowest areas; however, vegetation is excluded only where water is deeper than approximately 2 meters. Soils in fresh emergent wetland are typically silt and clay.

Fresh emergent wetland occurs in the drainage that runs along the southern edge and in a storm drain channel in the western end of the project site. Vegetation in these areas consists of dense stands of common cattail.

8.4.5 Wildlife

The project site provides habitat for disturbance-tolerant wildlife species typical of urban and suburban areas. Wildlife consistently present on the project site during surveys include American crow (*Corvus brachyrhynchos*), northern mockingbird (*Mimus polyglottos*), white-crowned sparrow (*Zonotrichia leucophrys*), horned lark (*Eremophila alpestris*), house finch (*Carpodacus mexicanus*), black phoebe (*Sayornis nigricans*), mourning dove (*Zenaida macroura*), rock dove (*Columba livia*), desert cottontail (*Sylvilagus audubonii*), black-tailed jackrabbit (*Lepus californicus*), and California vole (*Microtus californicus*). Predators observed during surveys include red-tailed hawk (*Buteo jamaicensis*), American kestrel (*Falco sparverius*), white-tailed kite (*Elanus leucurus*), and coyote (*Canis latrans*). Tracks of raccoon (*Procyon lotor*) were observed in the project site following rains in early November.

A large patch of Himalayan blackberry (*Rubus armeniacus*) approximately 100 feet west of the project site supports a breeding colony of tricolored blackbird (*Agelaius tricolor*), which is under

review for listing under FESA and CESA. Individuals in this nesting colony forage south of U.S. Highway 50, and do not use or cross the project site.

Special-Status Species with the Potential to Occur

The CDFW, USFWS, and CNPS lists included a total of 26 regionally-occurring special-status species that were reviewed for the potential to occur on the project site or otherwise be impacted by the proposed project. These regionally-occurring special-status species are typically associated with aquatic habitats including perennial waterbodies and/or vernal pools, or are associated with relatively undisturbed contiguous stands of oak or riparian woodland. Species expected to use the project site would be highly adaptable common species tolerant of disturbance and urban areas.

No special-status plant or wildlife species are expected to occur on the project site with the exception of a special-status bird using the project site for foraging or as a temporary stopover in transit to or from more suitable habitats. Three regionally-occurring special-status bird species that could potentially use low quality habitat in the project site on an intermittent basis are burrowing owl (*Athene cunicularia*), Swainson's hawk (*Buteo swainsonii*), and white-tailed kite (*Elanus leucurus*). Although tricolored blackbird is not expected to use the project site, a known breeding site for that species is adjacent to the project site and could potentially be affected by the project. These species are discussed in detail below.

Burrowing Owl (*Athene cunicularia*)

Federal Status – None

State Status – Species of Special Concern

Other – Designated as a Migratory Bird under the MBTA (50 CFR §10.13)

Burrowing owls are often found in open, dry grasslands, agricultural and range lands, and desert habitats. They can also inhabit grass, forb, and shrub stages of pinyon and ponderosa pine habitats. Burrowing owls occur at elevations ranging from 200 feet below mean sea level to over 9,000 feet amsl. In California, the highest elevation where burrowing owls are known to occur is 5,300 feet amsl in Lassen County. In addition to natural habitats, burrowing owls can be found in urban habitats such as at the margins of airports and golf courses and in vacant urban lots. Burrowing owls nest in underground burrows and commonly perch on nearby fence posts or mounds. The owls use ground squirrel burrows, badger dens or artificial burrows such as abandoned pipes or culverts.

Although the more northern burrowing owl populations migrate seasonally, burrowing owls are year-round residents in much of California. The nesting season for burrowing owl can begin as early as February 1 and continues through August 31. Burrowing owls forage in adjacent grasslands and other suitable habitats primarily for insects and rodents; California ground squirrel (*Spermophilus beecheyi*) is the favored prey.

The CNDDDB contains three reported occurrences of burrowing owls within approximately 1 mile southeast of the project site from the winters of 2006 and 2010. All observations were in undeveloped areas south of U.S. Highway 50, with no reported occurrences of burrowing owl in suburban areas within the City of Folsom. There are no historic records of the species occurring in the City of Folsom north of U.S. Highway 50.

While the project site supports a general habitat type used by burrowing owl, steep slopes and dense cover of annual grasses, forbs, and thatch makes most of the site unsuitable. Graded pads and terraces on the site are more open and level, which is the favored terrain of burrowing owl; however, there are few large rodent burrows, and no California ground squirrels have been observed during surveys of the site.

Swainson's Hawk (*Buteo swainsonii*)

Federal status – None

State status – Threatened

Other – Designated as a Migratory Bird under the MBTA (50 CFR §10.13)

Swainson's hawk is an uncommon breeding resident and migrant in the Central Valley, Klamath Basin, Modoc Plateau, Lassen County, and the Mojave Desert. There has been very limited Swainson's hawk breeding reported from Lanfair Valley, Owens Valley, Fish Lake Valley, Antelope Valley, and in eastern San Luis Obispo County. Swainson's hawk breeds in stands with few trees in juniper-sage flats, riparian areas, and in oak savannah in the Central Valley and forages in adjacent grasslands or suitable grain or alfalfa fields, or livestock pastures. Swainson's hawks breed in California and winter in Mexico and South America. Swainson's hawks usually arrive in the Central Valley between March 1 and April 1, and migrate south between September and October.

Swainson's hawks usually nest in trees adjacent to suitable foraging habitat, which may include trees near the edges of riparian stands, in lone trees or groves of trees in agricultural fields, and in mature roadside trees. Valley oak, Fremont cottonwood, walnut, and large willow with an average height of about 58 feet, and ranging from 41 to 82 feet, are the most commonly used nest trees in the Central Valley. Suitable foraging areas for Swainson's hawk include native grasslands or lightly grazed pastures, alfalfa and other hay crops, idle land, certain grain and row croplands, and ruderal lands. Swainson's hawks primarily feed on voles; however, they will feed on a variety of prey including small mammals, birds, and insects.

The CNDDDB contains three reported occurrences of nesting Swainson's hawks approximately 1.8 miles southwest of the project site; these are the closest reported occurrences of nesting Swainson's hawk to the project site. The records are from the springs of 2011 and 2012, where Swainson's hawks were reported nesting or exhibiting nesting behavior in undeveloped areas south of U.S. Highway 50. Areas where Swainson's hawks have been reported are within a larger expanse of higher quality suitable habitat including oak savannah and large pastures and other open fields. There are no reported occurrences in the CNDDDB of Swainson's hawk nesting north of U.S. Highway 50 in the suburban areas within the City of Folsom.

The project site provides potential low-quality foraging habitat for Swainson's hawk, at the margin of a contiguous area of higher-quality suitable habitat, and trees in and near the site provide potential low-quality nesting sites. No hawk nests have been observed in any of the trees in or near the site.

White-tailed kite (*Elanus leucurus*)

Federal status – none

State status – Fully Protected

Other – Designated as a Migratory Bird under the MBTA (50 CFR §10.13)

White-tailed kite is a common to uncommon, yearlong resident in coastal and valley lowlands and is rarely found away from agricultural areas. The species does, however, inhabit herbaceous and open stages of most habitats, mostly in cismontane California. The main prey of white-tailed kite is voles and other small, diurnal mammals, but it occasionally preys on birds, insects, reptiles, and amphibians. White-tailed kite forages in undisturbed, open grasslands, meadows, farmlands and emergent wetlands. Nests are made of loosely piled sticks and twigs and lined with grass, straw, or rootlets and placed near the top of a dense oak, willow, or other tree stand; usually 6- 20 meters (20-100 feet) above ground. Nests are located near open foraging areas in lowland grasslands, agricultural areas, wetlands, oak-woodland and savannah habitats, and riparian areas associated with open areas.

The most recent CNDDDB reported occurrence of white-tailed kite within 5 miles of the project site is of a nesting pair observed approximately 2 miles north of the project site in 2008. A single white-tailed kite was observed by HELIX biologists foraging over the project site during site visits in July and October, 2015. No evidence of a nest was detected on either of these surveys. While white-tailed kites are fully protected from take, protection extends only to individual birds and does not include habitat.

Tricolored blackbird (*Agelaius tricolor*)

Federal status – under review

State status – under review

Other – Designated as a Migratory Bird under the MBTA (50 CFR §10.13)

Tricolored blackbird breeds in dense colonies throughout the Central Valley and overwinters in the Delta and central coast. Preferred breeding sites have open accessible water, a protected nesting substrate of flooded, thorny, or spiny vegetation, and abundant insect and seed prey. Tricolored blackbird shows high nest site fidelity, and colonies return to nest sites each year unless the site is disturbed. The species' population has declined rapidly due to habitat loss.

CNDDDB includes a record for the tricolored blackbird nesting colony southwest of the project site. This colony was active in July 2015, and presumably will be active in future breeding seasons. The Himalayan blackberry patch used by tricolored blackbird is approximately 100 feet west of the project site and individual birds forage south of U.S. Highway 50 without crossing the project site; however, there is potential for project construction activities to create noise impacts to the tricolored blackbird breeding colony, as well as an increased presence of humans and domestic animals once the completed project is occupied.

Other Migratory Birds and Nesting Birds

While no special-status bird species are expected to nest on the project site, habitat is present on the site for a variety of common bird species that nest in trees or on the ground in urban and suburban areas. A variety of bird species may use the willows and cottonwoods (*Populus fremontii*) in and adjacent to the project site for nesting. No bird nests were observed on the project site; however, birds could occupy the project site prior to construction.

8.4.6 Protected Trees

There are no native oak trees in the project site. The only native oak tree observed during the site survey is located just outside the property line, in the right-of-way of U.S. Highway 50; however, the protected zone of this tree might extend into the project site. The only trees in the project site are willows, scattered small cottonwoods, and a single Chinese tallow tree (*Triadica sebifera*). None of these trees qualify as protected under the City of Folsom Tree Preservation Ordinance.

8.4.7 Jurisdictional Waters

A 0.07-acre area of freshwater seep was delineated at the southern edge of the project site as part of the Russell Ranch Specific Plan EIR (Environmental Science Associates, Inc. 1991). This corresponds to the location of the wet meadow and fresh emergent wetland identified in the biological reconnaissance conducted for this Initial Study. No jurisdictional areas were delineated in the location of the storm drain outfall and fresh emergent wetland at the west end of the project site that were identified during the biological reconnaissance of the project site.

8.4.8 Evaluation of Biological Resources

Question A: Less than Significant with Mitigation Incorporated

The proposed project has potential to affect special-status species as well as birds protected by the MBTA and the California Fish and Game Code. The project site has limited potential to provide low-quality foraging habitat to Swainson's hawk and burrowing owl, does provide foraging habitat to white-tailed kite, and is adjacent to a known nesting site of tricolored blackbird. Swainson's hawk is listed as threatened under CESA; burrowing owl is a CDFW Species of Special Concern and covered by special protocols; white-tailed kite is fully protected under the California Fish and Game Code; tricolored blackbird is under review for listing under FESA and CESA.

The fully protected status of white-tailed kite does not extend to habitat protection, and significant impact to white-tailed kite would occur only if project activities resulted in direct take of an individual. Because white-tailed kite does not nest on the project site, and adult birds are presumed to be able to avoid danger, the project is not expected to require specific avoidance or mitigation measures to prevent significant impacts to white-tailed kite.

Swainson's hawk is not expected to reside in the project site, but cannot be entirely ruled out for possible occurrence in the site. However, the project is not expected to result in significant impact to that species for the following reasons: (1) the vegetation on the project site is not included in the list of foraging habitats for Swainson's hawk published in the 1994 CDFW Staff Report on Swainson's hawk; (2) the project site provides only low-quality, marginal potential habitat and loss of that area would not constitute a significant impact to the availability of habitat for a nesting pair. The nearest recorded Swainson's hawk nest is located 1.8 miles southwest of the project site. A 2-mile radius circle around that location includes approximately 8,000 acres, of which approximately 7,350 acres (92 percent) are south of U.S. Highway 50 and entirely undeveloped except for 20 acres. The approximately 650 acres within that circle and north of U.S. Highway 50 are mostly developed, except for pockets such as the 30-acre project site. The cumulative impact of developing all 650 acres north of U.S. Highway 50 would be to remove 8-percent of potential Swainson's hawk foraging habitat from within 2 miles of the nearest nest

location. Thus, development of the project site would have no effect on the approximately 92-percent of all the land equidistant to the nearest Swainson's hawk nest location that is potentially suitable foraging habitat for that species. The project is not expected to require specific avoidance or mitigation measures to prevent significant impacts to Swainson's hawk.

Burrowing owl is not expected to reside in the project site, but cannot be entirely ruled out for possible occurrence in the site. However, the project is not expected to result in significant impact to that species for the following reasons: (1) no suitable burrows or California ground squirrels, which are the preferred prey of burrowing owl, were observed during surveys of the site, and most of the project site is steep slopes that are unsuitable for burrowing owl. (2) The project site provides only low-quality, marginal potential habitat and loss of that area would not constitute a significant impact to the regional availability of habitat for the species. The nearest CNDDDB recorded occurrence of burrowing owl is approximately 0.7-mile southeast of the project site. A 1.1-mile radius circle around that location encompasses the entire project site and a total of approximately 2,400 acres. Of that area, 1,760 acres are undeveloped, most of which is a contiguous area south of U.S. Highway 50. The 30-acre project site constitutes 2-percent of the undeveloped land equidistant to the nearest recorded occurrence of burrowing owl and less than 2-percent of suitable habitat. The project is not expected to require specific avoidance or mitigation measures to prevent significant impacts to burrowing owl.

The project site is within approximately 100 feet of an active tricolored blackbird nesting site. Project construction activities could result in significant impacts to nesting tricolored blackbird through noise, fugitive dust, human presence, and/or night lighting. Occupancy of the completed project could result in significant impacts to nesting tricolored blackbird through increased human presence, domestic animals, trash, and night lighting. Implementation of Mitigation Measures BIO-1 and BIO-2 would reduce potential project impacts to tricolored blackbird to less than significant.

BIO-1 If construction activities, including clearing and grubbing, commence during the tricolored blackbird breeding season (March 15 – August 1), a qualified biologist shall conduct two (2) surveys to confirm tricolored blackbird use of the Himalayan blackberry patch southwest of the project site. One survey shall be conducted between 10 and 15 days prior to the start of construction and one survey shall be conducted no more than 24 hours prior to the start of construction.

If construction activities are underway prior to the tricolored nesting season, but will continue after March 15, a qualified biologist shall survey the Himalayan blackberry patch once between March 1–15. If the surveys are negative, the qualified biologist shall conduct follow up surveys every 48 hours until April 15. If no nests have been established by April 15, the biologist shall coordinate with CDFW to determine whether the monitoring has been conducted for a duration deemed sufficient to ensure continued absence.

Written results of the surveys shall be submitted to the Folsom Community Development Department and CDFW. If tricolored blackbirds are present and exhibiting nesting behavior or actively nesting at this location at the time of the surveys, the following minimization and monitoring shall be required:

1. Maintain an approximate 150-foot-wide fenced buffer around the colony, within which any/all construction activity, parking, or other human disturbance shall be strictly prohibited during the breeding season (March 15 – August 1) or until the nesting activities cease and the colony departs. The fencing shall consist of a material and be of sufficient height to provide a visual barrier between the colony and the construction activities.
2. A qualified biologist shall monitor construction activities to verify that activities occurring on the project site are in no way disrupting the colony. Monitoring shall include daily inspections of the colony for any activities occurring within 300 feet of the nesting colony. If needed, measures to reduce disruption will be implemented, including noise restrictions, noise walls, additional buffer distances, rerouting construction access, relocating staging areas, modification of construction scheduling, relocating activities within the site, etc. If modified construction activities are still found to be causing disruption to tricolored blackbird nesting, disrupting construction activities shall cease until the colony abandons the site or until the end of the breeding season, whichever occurs first.

BIO-2 The final project design shall include fencing and signage along the western edge of the project to discourage entry of humans and domestic animals into the vicinity of the tricolored blackbird nesting colony. Fencing shall be designed to discourage passage of domestic cats as well as people.

All project lighting shall be directed down and away from the tricolored blackbird nesting colony and shall be designed to minimize overspill into the area between the project boundary and the tricolored blackbird nesting colony.

If active nests of birds protected by the MBTA are present at the time of construction, construction activities may result in injury or death of individual birds (e.g., if trees or limbs containing active nests are removed), or harassment which may cause nesting birds to abandon active nests resulting in the loss of eggs or young. The loss of foraging habitat in the vicinity of an active nest may result in the reduced health and vigor of eggs and/or nestlings, resulting in reduced survival rates. Any harassment, injury, or death of nesting birds, their nestlings, or eggs would be considered a significant impact. Implementation of Mitigation Measure BIO-3 would reduce potential project impacts to birds protected by the MBTA to less than significant.

BIO-3 If construction activities, including tree removal and/or trimming or pruning of branches and limbs, occur during the typical bird nesting season (February 15 through August 31), pre-construction nesting bird surveys shall be conducted by a qualified biologist on the project site and within a 500-foot radius of proposed construction areas, where access is available, no more than 14 days prior to the initiation of construction. An additional survey shall be conducted within 48 hours prior to commencement of construction.

- If no nests are found, no further mitigation is required.
- If active nests are identified in these areas, the City shall coordinate with the CDFW to develop measures to avoid disturbance of active nests prior to the

initiation of any construction activities, or construction could be delayed until the young have fledged. Avoidance measures may include establishment of a buffer zone and monitoring of the nest by a qualified biologist until the young have fledged the nest and are independent of the site. If a buffer zone is implemented, the size of the buffer zone shall be determined by a qualified biologist in coordination with the CDFW and shall be appropriate for the species of bird and nest location.

Question B: Less than Significant with Mitigation Incorporated

The proposed project has potential to have a substantial adverse effect on riparian habitats identified by the California Department of Fish and Wildlife under Section 1600 *et seq.* of the California Fish and Game Code. These habitats include fresh emergent wetland and wet meadow in the south and fresh emergent wetland in the west of the project site. Loss of these habitats would be considered a significant impact. Implementation of Mitigation Measure BIO-4 would reduce potential project impacts to riparian habitats to less than significant.

BIO-4 Prior to initiation of construction activities, the project proponent shall obtain a Streambed Alteration Agreement from the California Department of Fish and Wildlife for impacts to jurisdictional riparian habitat in the project site, and shall provide all mitigation required under that agreement.

Question C: Less than Significant with Mitigation

The proposed project has potential to have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal and filling. The project proponent obtained a permit from the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act, and provided mitigation required under that permit; however, the permitted activities did not occur and the permit has since expired. Direct removal or fill of federally protected wetlands would be considered a significant impact. Implementation of Mitigation Measure BIO-5 would reduce potential project impacts to federally protected wetlands to less than significant.

BIO-5 Prior to initiation of construction activities, the project proponent shall obtain a current permit from the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act, and a Water Quality Certification from the Central Valley Regional Water Quality Control Board under Section 401 of the Clean Water Act for impacts to jurisdictional wetlands. The project proponent shall provide all mitigation required under those permits.

Construction activities shall follow standard engineering practices that reduce impacts to water quality, including off-site waters adjacent to the project site. The practices include reduction of sediment loading and disturbance as well as other standard Best Management Practices (BMP) for maintaining water quality.

Question D: Less than Significant

The project site is bounded on the south by a six-lane freeway (U.S. Highway 50), on the north by a six-lane arterial street (Iron Point Road), on the west by a two-lane street (Serpa Way) and extensive commercial development, and on the north by residential development. A narrow corridor of undeveloped land along U.S. Highway 50 connects the project site to undeveloped lands east of the existing residential development that borders the project site; however, these lands do not connect to any extensive open space. Lands on Carpenter Hill north of Iron Point Road are a mosaic of residential development and pockets of undeveloped land that do not connect to any extensive open space. There are extensive undeveloped lands south of U.S. Highway 50; however, U.S. Highway 50 is a six-lane freeway on an embankment and presents a major barrier to wildlife movement. The project site functions as part of a mosaic of habitat patches, separated by roads and developed areas, that provides only for limited dispersal among those patches.

No native wildlife nursery sites would be affected. The project would result in less than significant impacts to the movement of native resident wildlife and would not impede the use of native wildlife nursery sites; no mitigation is necessary.

Question E: Less than Significant with Mitigation Incorporated

Native oak trees with trunk diameter at least 6-inches are protected by the City of Folsom Tree Preservation Ordinance, and grading is prohibited within the Protected Zone of protected trees. No trees covered by the City of Folsom Tree Preservation Ordinance are rooted in the project site; however, a single native interior live oak (*Quercus wislizenii*) is located just outside the property boundary in the U.S. Highway 50 right-of-way and overhangs the project site. The Protected Zone of this tree extends into the project site and grading within that Protected Zone would conflict with the City of Folsom Tree Preservation Ordinance. Implementation of Mitigation Measure BIO-6 would reduce potential project conflicts with the City of Folsom Tree Preservation Ordinance to less than significant.

BIO-6 Prior to initiation of construction activities, a certified arborist shall conduct a survey of the project site and determine the location and extent of any Protected Zone(s) for trees protected by the City of Folsom Tree Preservation Ordinance. The final project design shall avoid all such Protected Zones, or the project proponent shall obtain a Tree Permit for any protected tree affected by project activities. The Tree Permit may include requirements of mitigation for all protected trees affected by the project, including:

1. Payment into the Tree Planting and Replacement Fund of an inch-for-diameter-inch replacement in lieu fee set by City Council resolution;
2. Dedication of property for the purpose of planting trees based on the following ratio: 1 diameter inch = 0.004 acre of land (175 square feet) – the minimum area of dedication for such property shall be five acres of land, unless the property is contiguous to existing or planned open space, in which case the minimum dedication is one acre of land; off-site mitigation of this type must be approved by the City council; or

3. Planting of trees on either public property, property with a conservation easement, and/or on property with an irrevocable offer of dedication to the City, pursuant to the ratios set forth in the Tree Ordinance.

Goal 25 of the City of Folsom General Plan requires protection and maintenance of sensitive resources that include the following resources that may be affected by the project: freshwater marsh, permanent and seasonal wetlands, and tricolored blackbird. Implementation of Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4, BIO-5 and BIO-6 would provide adequate protection to sensitive resources and reduce potential project conflicts with the City of Folsom General Plan Goal 25 to less than significant.

Question F: No Impact

No Habitat Conservation Plan, Natural Community Conservation Plan, or other local, regional, or state habitat conservation plan has been approved for the City of Folsom. Therefore, no impacts to an existing adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan would occur, and no mitigation is necessary.

8.5 CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8.5.1 Environmental Setting

Regulatory Setting

State and federal legislation requires the protection of historical and cultural resources. In 1971, President's Executive Order No. 11593 required that all federal agencies initiate procedures to preserve and maintain cultural resources by nomination and inclusion on the National Register of Historic Places. In 1980, the Governor's Executive Order No. B-64-80 required that state agencies inventory all "significant historic and cultural sites, structures, and objects under their jurisdiction which are over 50 years of age and which may qualify for listing on the National Register of Historic Places." Section 15064.5(b)(1) of the CEQA Guidelines specifies that projects that cause "...physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historic resource would be materially impaired" shall be found to have a significant impact on the environment. For the purposes of CEQA, an historical resource is a resource listed in, or determined eligible for listing in the California Register of Historical Resources. When a project could impact a resource, it must be determined whether the resource is an historical resource, which is defined as a resource that:

(A) is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political or cultural annals of California; and,

(B) Meets any of the following criteria: 1) is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; 2) is associated with the lives of persons important in our past; 3) embodies the distinctive characteristics of a

type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or 4) has yielded, or may be likely to yield, information important in prehistory or history. The City of Folsom Standard Construction Specifications were developed and approved by the City of Folsom in May 2004 and updated in December 2014. They include Article 11 - Cultural Resources, which provides direction on actions to be taken in the event that materials are discovered that may ultimately be identified as a historical or archaeological resource, or human remains (City of Folsom 2014).

Cultural Background

Following is a brief summary providing a context in which to understand the background and relevance of resources that may occur in the general project area. This section is not intended to be a comprehensive review of the current resources available; rather, it serves as a general overview. Further details can be found in ethnographic studies, mission records, and major published sources

Southern Maidu

At the time of European contact, the Southern Maidu tribe of California Native Americans, previously referred to as the Nisenan, occupied the project vicinity. The Southern Maidu occupied the drainages of the Yuba, Bear, and American rivers and the lower drainages of the Feather River, bounded by the west bank of the Sacramento River to the west, the crest of the Sierra Nevada to the east, a few miles south of the American River to the south. The northern boundary is not well established due to the Southern Maidu's linguistic similarity with neighboring groups, but extended somewhere between the Feather and Yuba rivers (Kroeber 1925; Wilson and Towne 1978).

The Southern Maidu constructed villages on natural rises along streams and rivers ranging in size from three to fifty houses. The houses were typically dome or conical shaped and covered with earth, tule mats, or grasses, and major villages contained a semi-subterranean dance house structure covered by earth, tule, and brush (Wilson and Towne 1978). The Southern Maidu subsistence base varied and included gathering seeds and seasonal plant resources, hunting, and fishing. The Southern Maidu were not dependent on one staple, as their territory provided abundant year-round sources of different food. Acorns were a primary food source and were stored in granaries, in addition to buckeye nuts, digger and sugar pine nuts, and hazelnuts. Ethnographic reports indicate the Southern Maidu obtained large game such as deer, antelope, tule elk, mountain lions, and black bears, by game drives, snares, decoys, deadfalls, and bows and arrows. Rabbits and other small game were hunted with sticks, blunted arrows, traps, snares, nets, fire, and rodent hooks.

The Southern Maidu political organization was centered on the tribelet and each village was governed by a headman who served as an advisor and whose position was typically passed on patrilineally, although some chiefs were chosen by the villagers (Beals 1933; Wilson and Towne 1978). Very little contact existed for the Southern Maidu outside of their tribelet area, and outside contact was typically only for ceremonies, trade, and warfare (Beals 1933). Southern Maidu disposed of their dead by cremation and then burial, usually on the morning after the person died. The deceased person's property would be burned and their house moved or

destroyed. After the cremation, the bones and ashes would be gathered and buried in the village cemetery. When a death occurred away from the person's village, they would be cremated where they died and their remains returned to their village to be buried (Wilson and Towne 1978).

Historic Background

The history of the northern Central Valley and Sierra Nevada foothills can be divided into several periods of influence; pertinent historic periods are briefly summarized below.

Spanish Period

The arrival and expansion of the Spanish did not have a significant effect on the Southern Maidu way of life, as contact with the Spanish was limited, and only in the southern edge of their territory. Spanish exploration of the greater Southern Maidu territory occurred when José Canizares explored the adjacent Plains Miwok territory in 1776. There is no recorded history of any Southern Maidu being removed and forced into the Spanish Mission system as neophytes, unlike their Miwok neighbors (Wilson and Towne 1978). There are numerous accounts of neophytes fleeing the missions, and a series of "Indian Wars" broke out when the Spanish tried to return them to the missions (Johnson 1978). The Southern Maidu received some of the escaped mission neophytes and felt pressure on their southern borders from displaced Miwok villages.

Mexican Period

With the declaration of Mexican independence in 1821, Spanish control of Alta California ended, although little change actually occurred. Political change did not take place until mission secularization in 1834, when Native Americans were released from missionary control and the mission lands were granted to private individuals. Shoup and Milliken (1999) state that mission secularization exposed Native Americans to further exploitation by outside interests, often forcing them into a marginal existence as laborers for large ranchos. Following mission secularization, the Mexican population grew as the native population continued to decline. Anglo-American settlers began to arrive in Alta California during this period and often married into Mexican families, becoming Mexican citizens, which made them eligible to receive land grants. In 1846, on the eve of the U.S.-Mexican War (1846 to 1848), the estimated population of Alta California was 8,000 non-natives and 10,000 Native Americans. However, these estimates have been debated. Cook (1976) suggests the Native American population was 100,000 in 1850; the U.S. Census of 1880 reports the Native American population as 20,385.

European Expansion

Jedediah Smith was the first to explore the Central Valley in 1828, but other fur-trapping expeditions soon followed. In the late 1820s, American trappers, as well as ones from the Hudson's Bay Company, began establishing camps in the Southern Maidu territory to trap beavers, an occupation that was said to have been peaceful (Wilson and Towne 1978). During this period, Native American populations were declining rapidly, due to an influx of Euro-American diseases. In 1832, a party of trappers from the Hudson's Bay Company, led by John Work, traveled down the Sacramento River unintentionally spreading a malaria epidemic to

Native Californians. This epidemic wiped out much of the Southern Maidu, and survivors moved into the hills. Four years later, a smallpox epidemic decimated local populations, and it is estimated that up to 75 percent of the Southern Maidu population died (Cook 1955).

After the upheaval of the Bear Flag Revolt in 1846, John Sutter sent James Marshall to construct a sawmill in the Sierra Nevada foothills at Coloma in 1847 (Severson 1973). In January of 1848, Marshall discovered gold near the Southern Maidu village of “Culloma”, (Coloma) which marked the start of the Gold Rush. The influx of miners and entrepreneurs increased the population of California, not including Native Californians, from 14,000 to 224,000 in just four years. This, in turn, stimulated commercial growth in the Sacramento Valley as eager entrepreneurs set up businesses to support the miners and mining operations. When the Gold Rush was over, many miners settled in the area and established farms, ranches, and lumber mills.

City of Folsom

The City of Folsom’s history can be traced back to 1847 when William Leidesdorff traveled to the Sacramento area to see the 35,000 acres he had purchased years earlier. Following Leidesdorff’s death in 1848, US Army Captain Joseph Folsom purchased the land from Leidesdorff’s heirs and with the help of Theodore Judah established a town site near the Negro Bar mining spot on the American River. Naming the town Granite City, the original plans were for a railroad terminus although at that time there were no railroad trains in northern California. Folsom died before the first railroad arrived in 1856 but the name of the town was changed Granite City to “Folsom” in his honor.

The town soon began to prosper with new hotels and businesses but the real boost to local economy came with the establishment of Folsom Prison in 1880 and the Folsom Powerhouse in 1895. Plans for Folsom Prison moved forward when the wealthy, Robert Livermore family offered to donate land in exchange for prison labor to build a hydro-electric dam across the American River to power a sawmill. Although the sawmill was never established, the family soon realized that force of the dammed water could be used to provide power to Sacramento and in 1895, Folsom made history when the first long-distance transmission of electricity spanned 22 miles from Folsom to Sacramento.

As Folsom continued to grow in size, bridges were constructed across the American River including the Truss Bridge in 1895 and the Rainbow Bridge in 1919. In 1945, the City of Folsom was incorporated and in 1955, Folsom Dam was constructed to provide hydroelectric power and recreation for the burgeoning local population. In the mid-1960s, Johnny Cash made the City of Folsom famous with his hit single “Folsom Prison Blues” coinciding with a time when the city’s economy was centered around the prison. A huge economic boom came to Folsom in 1984 when Intel opened its vast campus and established itself as the largest private employer in the Sacramento area. In the 1990s, Folsom grew rapidly as a suburb community to Sacramento and it continues to grow today as an upscale community.

8.5.2 Record Searches and Pedestrian Survey Results

This section describes the existing cultural resource setting and potential effects from project implementation on the project site and its surrounding area. The results are based on a record search at the North Central Information Center on October 9, 2015 and a pedestrian field survey

conducted on February 16, 2016. This section assesses potential impacts related to historic resources, archaeological resources, and human remains.

North Central Information Center Record Search

To determine the presence of cultural and historical resources within the project area and a 0.50-mile radius, staff at the North Central Information Center (NCIC) conducted a record search on October 9, 2015. To identify any historic properties or resources, the current inventories of the National Register of Historic Places (NR), the California Register of Historic Resources (CRHR), the California Historical Landmarks (CHL) list, the California Points of Historical Interest list, the California State Historic Resources Inventory (HRI) for Sacramento County, and the Archaeological Determinations of Eligibility (ADOE), were reviewed. Historic maps were also examined to gain insights into past developments and changes within the project area and its surroundings.

The NCIC results indicate that 12 historic resources have been recorded within the 0.50-mile search radius. Seven of the 12 historic resources are recorded as walls/fences and the other five include mining tailings and quarries as well as foundations and structures, roads, trails and railroad grades and water conveyance systems.

One of the recorded sites, P-34-000808, a historic wall/fence was recorded as being within the project area but no evidence of the fence was found during the survey. The resource was originally recorded in 1997 by Ric Windmiller as follows:

Approximately 22,500 linear feet of historic fence lines were identified on the Woodard and Gould ranches. The Woodard Ranch dates back to the 1850s; the Gould dates to 1860. The old fence lines include standing segments of stone fence, remnants of what may have been brush fences and still other fence lines that may have been constructed of posts and wire. Dairy and beef cattle were the predominant livestock, according to census records.

An update to the original site record was recorded in 2012 by Applied EarthWorks that noted "Applied EarthWorks, Inc., revisited the site area in 2012 for PG&Es Missouri Flat Reconductoring Project. No evidence of the fence was found during the current survey, and the area where it is reported to have been has been heavily disturbed for the construction of houses and a high school."

Eleven reports have been prepared within the search radius and two of the reports (004481 and 009185) included the portions of the project area.

Pedestrian Survey

On February 16, 2016, HELIX Senior Archaeologist, Carrie Wills, MA, RPA, conducted a pedestrian survey of the project site. The field survey consisted of walking 10- to 15-meter transects within the project site, where possible. Ground surface visibility was poor to non-existent depending on the density of the vegetation. Roughly, 5 per cent of the project area had fair visibility. In general, the project area was a combination of flat areas with slightly steep slopes between the flat areas and a drainage running along the southern project boundary. The

drainage was visible in a number of areas but in other parts, the dense weeds, small bushes and tall grasses obscured it. The hills on the east and north edges of the project site were relatively steep and covered with dense grass.

Review of historic aerials dating back to 1952 and historic topographical maps dating back to 1906 indicate that there were never any structures within the project site. Based on the map review, it appears that the drainage was not in its current location until the early 1950s, although this may be a factor of poor cartography rather than a fact. Scattered across the eastern end of the project site were various sized boulders and rocks; all were checked for signs of human modification or use and none was found. The only area where there was some ground surface visibility was a small knoll in the northeastern portion of the project site; the area was surveyed carefully but no evidence of any resources were discovered.

No pre-contact or historic resources or sites were discovered during the course of the field survey.

8.5.3 Evaluation of Cultural Resources

Question A: Less than Significant with Mitigation

Review of historic aerials and topographic maps dating back to 1952 and 1906, respectively, indicate that no structures were ever present within the project site. However, although no historic-age resources were found during the field survey, there is always the possibility that previously unknown historic resources exist below the ground surface. Therefore, implementation of standard cultural resource construction mitigation (Mitigation Measure CUL-1) would ensure that this impact is less than significant.

Standard Construction Specifications were developed and approved by the City of Folsom on May 25, 2004. They include Article 11 – Cultural Resources, which provides direction on actions to be taken in the event that materials are discovered that may ultimately be identified as a historical or archaeological resource or human remains (City of Folsom 2004).

CUL-1 It is always possible that ground-disturbing activities during construction may uncover previously unknown, buried historic resources. In the event that buried historic resources are discovered during construction, construction operations shall stop within a 100-foot radius of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The archaeologist shall make recommendations concerning appropriate measures that will be implemented to protect the resources, including but not limited to excavation and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Historic resources could consist of, but are not limited to, stone, wood, or shell artifacts, structural remains, privies, or historic dumpsites. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate Department of Parks and Recreation (DPR) 523 forms and evaluated for significance in terms of CEQA criteria.

Question B: Less than Significant with Mitigation

No pre-contact resources have been recorded within a 0.50-mile radius of the project nor is the project area in a location that would have typically been occupied by Native Americans. Therefore, the project area does not appear to be sensitive for Native American resources. In addition, no pre-contact resources were discovered during the course of the field survey within the project area.

However, it is possible that subsurface excavation activities may encounter previously undiscovered archaeological resources. The implementation of standard cultural resource construction mitigation (Mitigation Measure CUL-2) would ensure that this impact is less than significant.

CUL-2 It is always possible that ground-disturbing activities during project development may uncover previously unknown archaeological resources. In the event that archaeological resources are discovered during construction, construction operations shall stop within a 100-foot radius of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The archaeologist shall make recommendations concerning appropriate measures that will be implemented to protect the resources, including but not limited to, excavation and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Archaeological resources could consist of, but are not limited to, stone, bone, wood, or shell artifacts or features, including hearths. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate Department of Parks and Recreation 523 forms and evaluated for significance in terms of CEQA criteria.

Question C: Less than Significant with Mitigation

No human remains are known to exist within the project area nor were there any indications of human remains found during the field survey. However, there is always the possibility that subsurface construction activities associated with the proposed project, such as trenching and grading, could potentially damage or destroy previously undiscovered human remains. Accordingly, this is a potentially significant impact. However, if human remains are discovered, implementation of Mitigation Measure CUL-3 would reduce this potential impact to a less than significant level.

CUL-3 In the event of the accidental discovery or recognition of any human remains, CEQA Guidelines § 15064.5; Health and Safety Code § 7050.5; Public Resources Code § 5097.94 and § 5097.98 must be followed. If during the course of project development there is accidental discovery or recognition of any human remains, the following steps shall be taken:

1. There shall be no further excavation or disturbance within a 100-foot radius of the potentially human remains until the County Coroner is contacted to

determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the “most likely descendant” (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98.

2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the project site in a location not subject to further subsurface disturbance:
 - The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission.
 - The descendant identified fails to make a recommendation.
 - The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.

Discussion of Tribal Cultural Resources

Effective July 1, 2015, AB 52 amended CEQA to mandate consultation with California Native American tribes during the CEQA process to determine whether or not the proposed project may have a significant impact on a Tribal Cultural Resource, and that this consideration be made separately from cultural and paleontological resources.

Recognizing that California tribes are experts in their tribal cultural resources and heritage, AB 52 requires that CEQA lead agencies carry out consultation with tribes at the commencement of the CEQA process to identify Tribal Cultural Resources. Furthermore, because a significant effect on a Tribal Cultural Resource is considered a significant impact on the environment under CEQA, consultation is required to develop appropriate avoidance, impact minimization, and mitigation measures.

If there is a Tribal Cultural Resource within the project area that would sustain a significant impact, the consultation efforts between the City and the appointed Native American representative would provide reasonable mitigation measure(s) that may result in a less than significant impact.

On November 9, 2015, the City of Folsom provided a Notice of Opportunity to Consult Letter to the Wilton Rancheria regarding the proposed project. In accordance with AB 52 and Section

21080.3.1(b) of the California Public Resources Code (PRC), the City was responding to specific requests from the Wilton Rancheria to be notified of projects in the City's jurisdiction that will be reviewed under CEQA. In the aforementioned letter, it was stated that in accordance with PRC Section 21080.3.1(b), each of the tribes was given 30 days from the receipt of the letter to either request or decline consultation in writing for this project. City staff did not received any written communication from either of the tribes within the required 30-day time period, thus no consultation occurred.

8.6 GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

8.6.1 Environmental Setting

Geology

The project area is at the base of the western Sierra Nevada foothills, and is underlain by metamorphic rocks.

The project site is not located within an Alquist-Priolo Study Zones (i.e., active faults). Several faults have been mapped in the vicinity of the project site; however, historical seismicity has been minor. Because no active faults are located on the project site and activity of faults mapped in the project vicinity has been minor, the potential for ground rupture due to faulting is considered negligible.

The Bear Mountain Fault, four miles east of Folsom, is a potentially active trace of the Foothills fault system. Although historic seismic activity has been minor, and no faults are located on the project site, a significant seismic event that could damage and destroy buildings and other structures could occur on the project site. The project area is within seismic risk Zone 3. A maximum credible earthquake (Richter scale magnitude 6.5) on the Bear Mountain Fault could cause groundshaking of modified Mercalli scale intensity VII or greater, and subsequently cause major damage to structures and injury to people.

Soils

Soils on the project site are mapped entirely as Auburn-Argonaut-rock outcrop complex, 8 to 30 percent slopes (Map Unit 110; NRCS 2016). This complex is characterized by a loamy, well-drained soil on hill slopes. The susceptibility of the soil to sheet and rill erode is moderate (K factor rating of 0.37).

As described in the Empire Ranch EIR, Argonaut soils have a high risk of steel corrosion, and Auburn soils have a moderate risk. Both soils have a moderate risk of concrete corrosion.

City Regulation of Geology and Soils

The City of Folsom regulates the effects of soils and geological constraints on urban development primarily through enforcement of the California Building Code, which requires the implementation of engineering solutions for constraints to urban development posed by slopes, soils, and geology. The City as additionally adopted a Grading Code (FMC §14.29) that regulates grading citywide to control erosion, stormwater drainage, revegetation, and ground movement.

8.6.2 Evaluation of Geology and Soils

Questions A, C: Less than Significant with Mitigation

The project site is not located within an Alquist-Priolo Study Zones (i.e., active faults); therefore, there would be no potential for impacts associated with rupture of a known earthquake fault. There is the potential that the proposed project could be exposed to the effects of groundshaking, erosion, and landsliding. These potential impacts are discussed in detail below.

Groundshaking

The Folsom area is a low severity zone, with a maximum earthquake magnitude of up to 7.0 on the Richter Scale. The project site is mapped as Auburn-Argonaut-rock outcrop complex, which is underlain by a relatively shallow bedrock, which reduces the danger from earthquake-induced liquefaction or landsliding; however, a 7.0 magnitude earthquake could cause damage to structures and infrastructure, and would expose people to associated risks.

Youngdahl Consulting Group, Inc. performed a geotechnical engineering study on the Empire Ranch portion of the project site in 2002 (Youngdahl 2002), which included seismic considerations. The geotechnical study recommended that the project be designed to meet seismic safety requirement specified in the California Building Code. EAFP mitigation measures incorporated into the mitigation for the Empire Ranch Specific Plan and Broadstone Unit No. 3 Specific Plan would be implemented to reduce the impacts to less than significant. Applicable mitigation measures from the Specific Plans have been incorporated into project specific mitigation measure GEO-1.

GEO-1 Prior to the approval of any entitlement to construct, project sponsors shall retain an Engineering Geologist or equivalent professional to conduct a geotechnical study of the site. The study shall include further investigation of the following: potential secondary seismic hazards such as landslides; corrosive properties of the soil; and the condition of the engineering strength characteristics of the soil. The results of the study and associated recommendations based on the study shall be provided to the City in a report prior to the City issuing a grading permit. Recommendations may include monitoring for slope hazards during grading activities. Upon review and approval of the report by the City of Folsom, all requirements and recommendations of the evaluation shall be incorporated in the construction design of structures, roadways, utilities, and other infrastructure. All structures must be built to the most recent version of the California Building Code requirements. The proposed development plans shall be reviewed by an engineering geologist or equivalent professional regarding possible damage from seismic shaking or landslides.

While the risk of seismic hazard cannot be eliminated, implementation of the above mitigation measure would reduce the potential for damage, injury, and death to less than significant.

Erosion and Landslides

The Empire Ranch Specific Plan and Broadstone Unit No. 3 Specific Plan EIRs identified that the proposed project site is within an area containing slopes greater than 20 percent and existing landslides. Residual slope instability in graded and cut and fill areas or trenched slopes would be a significant impact. Further, Auburn soils may have shallow bedrock, and a preliminary geotechnical study prepared for the Broadstone Unit No. 3 Specific Plan area identified the area of the project site as having depth to bedrock ranging from 10 to 40 inches (EIP Associates 1994). Construction in areas with near-surface hard bedrock would require heavy duty excavation equipment, and may require blasting to implement excavation.

The 2002 geotechnical engineering study on the Empire Ranch portion of the project site included surface and subsurface investigations. The findings of the study indicated that bedrock was present within 9 feet of the soil surface at each of the test pits, and the surface soils consisted of sandy silts. The project site (both the Empire Ranch and Broadstone Unit No. 3 parcels) was mass graded and building pads constructed in 2003 – 2004. Monitoring and compaction testing were conducted at that time, and the results of the operations were summarized in a letter report prepared by Youngdahl Consulting Group, Inc. (2004). The earthwork operations included over-excavating a landslide area located within the southeast portion of the project site to bedrock materials prior to the placement of engineered fill. The building pads were constructed, and field density testing performed. The letter report noted that finish grade operations needed to be completed, and finished grade testing would need to be conducted at that time. The letter report included the maintenance measures that would need to be performed in order to maintain the engineering strength characteristics of the soil, including: the construction of trenches; grout plugs at foundation penetrations; collection and channeling of drained water from impermeable surfaces (i.e., roofs, concrete or asphalt paved areas); utilization of low flow irrigation systems; installation of cut off subdrain provision; and monitoring site conditions for the potential need or drainage and/or subdrainage measures.

While initial grading of the site has already occurred, the proposed project would be required to obtain a grading permit pursuant to subsection 14.33.150.C of the Folsom Municipal Code, Hillside Development Procedures and Standards, Ordinance No. 798 for subsequent grading activities. In addition to the requirements of the Hillside Ordinance, the proposed project would be required to implement the following EAFP mitigation measures incorporated into the mitigation for the Empire Ranch Specific Plan and Broadstone Unit No. 3 Specific Plan. The following Specific Plan mitigation measures are incorporated into the project specific mitigation measure GEO-1: Empire Ranch Specific Plan Mitigation Measures 4.10.3a – d, which are modified from the EAFP mitigation measures as they are presented in the Broadstone Unit No. 3 Specific Plan Mitigation Measures 4.10.5a – d and 4.7.5a – d. Mitigation measure GEO-1 would be implemented to reduce potential impacts related to erosion and landslide to less than significant.

Liquefaction

The results of the 2002 geotechnical engineering study indicated that due to the absence of a permanent elevated groundwater table, the relatively low seismicity of the area, and the

relatively shallow depth to bedrock the potential for site liquefaction is considered negligible (Youngdahl 2002). Impacts associated with liquefaction would be less than significant.

Corrosion

As noted in the Empire Ranch EIR, Argonaut soils have a high risk for steel corrosion and Auburn soils have a moderate risk. Both soils have a moderate risk of concrete corrosion. The presence of corrosive soils may result in premature deterioration of project features, such as underground utilities, which could lead to possibly hazardous leaks. The risks associated with corrosion are a potentially significant impact.

Empire Ranch Specific Plan Mitigation Measure 4.10.5 has been incorporated into the project specific mitigation measure GEO-1. Mitigation measure GEO-1 would be implemented to reduce potential impacts related to corrosion to less than significant.

Question D: Less than Significant with Mitigation

Argonaut soils have high shrink-swell potential. The proposed project would locate residential dwellings and associated infrastructure on soils with a high shrink-swell potential which can result in structural damage and may create residual impacts. The results of the geotechnical study prepared for the Empire Ranch portion of the project indicated that the soils encountered on site are silts, sands, and rock materials, which are considered to be relatively non-expansive; however, the study recommended monitoring activities during grading activities and during foundation excavations to verify that no expansive clays were encountered or that they have been properly blended during grading.

EAFP mitigation measures incorporated into the mitigation for the Empire Ranch Specific Plan and Broadstone Unit No. 3 Specific Plan would be implemented to reduce the impacts to less than significant. These measures include special design, drainage, and construction techniques to minimize the potential for impacts.

The following mitigation matches Empire Ranch Specific Plan Mitigation Measures 4.10.4a and b, and Broadstone Unit No. 3 Specific Plan Mitigation Measures 4.10.8a and 4.10.8b. Mitigation measure GEO-1 has been modified to specifically address the recommendations of the geotechnical report. With implementation of the above mitigation measures, potential impacts related to shrink-swell would be reduced to less than significant.

Question E: No Impact

The proposed project would be served by a community wastewater system and no on-site wastewater disposal would occur. No significant impacts from or to geophysical features or hazards would occur with implementation of the proposed project and no mitigation is required.

Question F: Less than Significant with Mitigation

None of the previous analyses of the area have identified the project site as sensitive for paleontological resources or other geologically sensitive resources, nor have testing or ground disturbing activities performed to date uncovered any paleontological resources or geologically

sensitive resources. While the likelihood encountering paleontological resources and other geologically sensitive resources is considered low, project-related ground disturbing activities could affect the integrity of a previously unknown paleontological or other geologically sensitive resource, resulting in a substantial change in the significance of the resource. Therefore, project development could result in potentially significant impacts to paleontological resources. Implementation of Mitigation Measure GEO-2 would reduce potentially significant impacts to less than significant.

GEO-2 Should paleontological or other geologically sensitive resources be identified during any phase of project development, the construction manager shall cease operation at the site of the discovery and immediately notify the City of Folsom Community Development Department. The project applicant shall retain a qualified paleontologist to provide an evaluation of the find and to prescribe mitigation measures to reduce impacts to a less than significant level. In considering any suggested mitigation proposed by the consulting paleontologist, the Community Development Department shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.

8.7 GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

8.7.1 Environmental Setting

Climate change refers to any significant change in measures of climate, such as average temperature, precipitation, or wind patterns over a period of time. Climate change may result from natural factors, natural processes, and human activities that change the composition of the atmosphere and alter the surface and features of the land. Significant changes in global climate patterns have recently been associated with global warming, which is an average increase in the temperature of the atmosphere near the Earth's surface; this is attributed to an accumulation of greenhouse gas (GHG) emissions in the atmosphere. GHGs trap heat in the atmosphere which, in turn, increases the Earth's surface temperature. Some GHGs occur naturally and are emitted to the atmosphere through natural processes, while others are created and emitted solely through human activities. The emission of GHGs through fossil fuel combustion in conjunction with other human activities appears to be closely associated with global warming.

GHGs, as defined under California's Assembly Bill 32 (AB 32), include carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFC), perfluorocarbons (PFC), and sulfur hexafluoride (SF₆). General discussions on climate change often include water vapor, ozone, and aerosols in the GHG category. Water vapor and atmospheric ozone are not gases that are formed directly in the construction or operation of development Projects, nor can they be controlled in these Projects. Aerosols are not gases. While these elements have a role in climate change, they are not considered by either regulatory bodies, such as CARB, or climate change groups, such as the Climate Registry, as gases to be reported or analyzed for control. Therefore, no further discussion of water vapor, ozone, or aerosols is provided.

GHGs vary widely in the power of their climatic effects; therefore, climate scientists have established a unit called global warming potential (GWP). The GWP of a gas is a measure of both potency and lifespan in the atmosphere as compared to CO₂. For example, since CH₄ and

N₂O are approximately 25 and 298 times more powerful than CO₂, respectively, in their ability to trap heat in the atmosphere, they have GWPs of 25 and 298, respectively (CO₂ has a GWP of 1). Carbon dioxide equivalent (CO₂e) is a quantity that enables all GHG emissions to be considered as a group despite their varying GWP. The GWP of each GHG is multiplied by the prevalence of that gas to produce CO₂e. The atmospheric lifetime and GWP of selected GHGs are summarized in **Table 9**.

Table 9 Global Warming Potentials and Atmospheric Lifetimes		
GREENHOUSE GAS	ATMOSPHERIC LIFETIME (years)	GLOBAL WARMING POTENTIAL (100-year time horizon)
Carbon Dioxide (CO ₂)	50.0–200.0	1
Methane (CH ₄)	12.0	25
Nitrous Oxide (N ₂ O)	114.0	298
HFC-134a	14	1,430
PFC: Tetrafluoromethane (CF ₄)	50,000.0	7,390
PFC: Hexafluoroethane (C ₂ F ₆)	10,000.0	12,200
Sulfur Hexafluoride (SF ₆)	3,200.0	22,800
Carbon Dioxide (CO ₂)	50.0–200.0	1
Methane (CH ₄)	12.0	25
Nitrous Oxide (N ₂ O)	114.0	298
HFC-134a	14	1,430

HFC: hydrofluorocarbons; PFC: perfluorocarbons
Source: IPCC 2007.

Regulatory Framework Relating to Greenhouse Gas Emissions

Assembly Bill 32, the California Global Warming Solutions Act of 2006, recognizes that California is a source of substantial amounts of GHG emissions. The statute states that:

Global warming poses a serious threat to the economic wellbeing, public health, natural resources, and the environment of California. The potential adverse impacts of global warming include the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snowpack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems.

In order to help avert these potential consequences, AB 32 established a State goal of reducing GHG emissions to 1990 levels by the year 2020, which is a reduction of approximately 16 percent from forecasted emission levels, with further reductions to follow (CARB 2011).

8.7.2 Evaluation of Greenhouse Gas Emissions

While the final determination of whether or not a project has a significant effect is within the purview of the lead agency pursuant to State CEQA Guidelines Section 15064(b), SMAQMD recommends that its GHG thresholds be used to determine the significance of project emissions. The GHG thresholds and various assessment recommendations are contained in SMAQMD's 2009 Guide, and are discussed under the checklist questions below.

Question A: Less than Significant Impact

Construction

Construction GHG emissions are generated by vehicle engine exhaust from construction equipment, on-road hauling trucks, vendor trips, and worker commuting trips. Construction GHG emissions were calculated by using CalEEMod Version 2013.2.2; the model is described in Section III, Air Quality. Input details are provided in Appendix B. The results are output in metric tons of CO₂e (MT CO₂e) for each year of construction. The estimated construction GHG emissions for the project are shown in **Table 10**. The proposed project would generate less than significant levels of the GHGs.

YEAR	EMISSIONS (MT CO₂e)
2016	394
2017	524
2018	295
SMAQMD Threshold	1,100
Threshold Exceeded?	No

MT CO₂e: metric tons of carbon dioxide equivalent

Operation

Along with the recommended threshold of significance referenced in **Table 10**, the SMAQMD provides that a 21.7 percent reduction of GHG emissions shows consistency with AB 32 and CARB Scoping Plan GHG reduction goals (SMAQMD 2009). The analysis presented below follows the SMAQMD technical guidance documents *Quantification of GHG Emissions for Transportation Activities* and *Quantification of GHG Emissions for Non-Transportation Activities* describing how to conduct the GHG analysis to demonstrate the 21.7 percent reduction of project operational emissions compared to the project "No Action Taken" (NAT) scenario. Operational GHG emissions for the proposed project are estimated by including purchased electricity; natural gas use for space and water heating; the electricity embodied in water

consumption; the energy associated with solid waste disposal; and mobile source emissions. Operational GHG emissions were calculated by using CalEEMod Version 2013.2.2 for both the project and the NAT scenarios. For the NAT scenario, CalEEMod is set to a 2020 operational year with adjustments to reflect NAT for energy use and transportation. For energy use, the energy consumption rates are adjusted using the CalEEMod “historical” energy option to account for compliance with 2005 energy standards. Mobile source emission factors are adjusted according to the methods described in *Quantification of GHG Emissions for Transportation Activities* to remove credit associated with Pavley and Low Carbon Fuel Standard.

For the project scenario, CalEEMod is set to a 2020 operational year with adjustments to reflect project specific data and mitigation. Project specific adjustments include the following:

- Renewables Portfolio Standard (RPS) – The electricity emission factor is manually adjusted to scale up to the expected RPS percentage.
- 2013 Title 24 Standards – The energy efficiency is adjusted to account for mandatory compliance with the most recent Title 24 Standards.
- In accordance with 2013 CALGreen mandatory measures the Project will reduce potable water use by 20 percent when compared to statewide averages.
- In accordance with AB 341, at least 75 percent of operational waste would be diverted from landfills through reuse and recycling.

The results of the calculations are shown in **Table 11**. As shown therein, the total operational GHG emissions under the NAT scenario are estimated at 3,395 MT CO₂e/yr. The total operational GHG emissions under the project scenario are estimated at 2,547 MT CO₂e/yr. Comparing the project scenario to the NAT scenario yields a 25.0 percent reduction, which exceeds the 21.7 percent reduction goal identified by SMAQMD. Therefore, the project’s impacts related to GHG emissions would be less than significant.

Table 11 Estimated Annual GHG Emissions from Project Operation		
SOURCE	NAT EMISSIONS (MT CO₂e)	PROJECT EMISSIONS (MT CO₂e)
Area	6	6
Energy	594	436
Mobile	2,673	2,034
Waste	68	34
Water	54	37
TOTAL	3,395	2,547
Total Reduced Emissions	(848)	
Percent Reduction	25.0%	
Greater than 21.7% Reduction?	Yes	
Significant Impact?	No	

MT CO₂e: metric tons of carbon dioxide equivalent

Question B: Less than Significant Impact

In accordance with SMAQMD's Guide, project emissions should be evaluated with respect to consistency with the following plans that have been adopted to reduce GHG emissions:

1. AB 32 and the Scoping Plan; and,
2. The Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS).

The SMAQMD's recommended thresholds and mitigation measures were developed to show consistency with AB 32 and the Scoping Plan. As discussed in response to Question VII(a) above, project specific reductions would exceed the SMAQMD GHG reduction goal. Therefore, the proposed project would be consistent with AB 32 and the Scoping Plan.

According to the Sacramento Area Council of Governments, a project can only be consistent with the MTP/SCS if it is consistent with the general land use designation, density, building intensity, and applicable policies specified for the project area in the adopted SCS. As discussed in Section 9.10, *Land Use and Planning*, the proposed project is consistent with the existing General Plan and Municipal Code zoning designation, and is consistent with all applicable land use plans, policies, and regulations. This impact would be less than significant and no mitigation would be required.

8.8 HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No Impact
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response plan or emergency evacuation plan?

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

8.8.1 Environmental Setting

The project site is currently undeveloped and has no past land uses associated with potentially hazardous sites. The schools nearest to the project site are the Russell Ranch Elementary School located 0.4 mile east of the project site, and Vista Del Lago High School located 0.35 mile north of the project site at its nearest point.

8.8.2 Evaluation of Hazards and Hazardous Materials

Questions A, B: Less than Significant Impact with Mitigation

No existing hazardous materials have been identified on the project site, and the site has no history of past land uses associated with potentially hazardous sites. Development of the project site to residential land uses would result in an increase in the generation, storage, and disposal of hazardous wastes. During project construction, oil, gasoline, diesel fuel, paints, solvents, and other hazardous materials may be used. If spilled, these substances could pose a risk to the environment and to human health. Following construction, household hazardous materials such as various cleansers, paints, solvents, pesticides, and automobile fluids would be expected to be used. The routine transport, use, and disposal of hazardous materials are subject to local, state, and federal regulations to minimize risk and exposure. The Empire Ranch Specific Plan EIR required that a hazardous materials and transportation program be prepared for the Specific Plan area. The proposed project would be required to handle and transport hazardous materials consistent with the plan. Further, the Empire Ranch Specific Plan EIR contains mitigation measures to aid the handling of household hazardous wastes, and reduce the amounts generated. With adherence to these previously adopted mitigation measures, all impacts related to hazardous materials stemming from the proposed project would be reduced to a level less than significant.

Question C: No Impact

The schools nearest to the project site are 0.35 and 0.4 mile from the site at their nearest points. No schools are proposed for construction within 0.25 mile of the project site. Therefore, the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. No impact would occur and no mitigation is necessary.

Question D: No Impact

The project site is not included on the lists of hazardous materials sites compiled by Sacramento County pursuant to Government Code Section 65962.5 (California Department of Toxic Substances Control 2015), and no significant hazard to the public or environment would result with project implementation. Thus, no impact would occur, and no mitigation is necessary.

Questions E, F: No Impact

The project site is not located in an Airport Land Use Plan area, and no public or private airfields are within two miles of the project site; therefore, the project would not result in a safety hazard for people residing or working in the project area. No impact would occur, and no mitigation is necessary.

Question G: Less than Significant Impact

Consistent with the City's Multi-Hazard Emergency Management Plan, the City of Folsom maintains pre-designated emergency evacuation routes along major streets and thoroughfares (City of Folsom 2005). No aspect of the proposed project would modify these streets or preclude their continued use as an emergency evacuation route. The proposed project would not result in an increased concentration of large numbers of persons in any at-risk location, and the proposed project would not have a significant impact on any emergency plans. Thus, no significant impact would occur, and no mitigation would be necessary.

Question H: Less than Significant Impact

The project site is located in the City of Folsom, and it is provided urban levels of fire protection by the City. Therefore, the proposed project would not increase the risk of wildland fires. No significant impact would occur, and no mitigation is necessary.

8.9 HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

8.9.1 Environmental Setting

The project site is graded and altered, and reflects a history of past hydrologic manipulation. Precipitation is the only source of water for the project site. Existing constructed drainage ditches follow the contours of the terraces on the site, and drain towards existing stormwater basins located in the southeast and northwest portions of the site. Storm drains from Iron Point Road discharge in the northwest portion of the project site and flow to wetlands in the open space area west of the project site.

Federal Emergency Management Agency (FEMA) flood insurance rate maps were reviewed for the project's proximity to a 100-year floodplain. The proposed project is on FEMA panel 06067C0140H effective 8/16/2012. The project site is not located within a 100-year floodplain.

Free groundwater was not encountered during the test pits completed for the portion of the project site within the Empire Ranch Specific Plan (Youngdahl 2002), nor during the subsequent grading activities of the entire project site (Youngdahl 2004). Groundwater levels fluctuate in response to precipitation patterns, off-site construction activities, and site utilization. Groundwater in the project site is expected to be associated with water bearing fractures in exposed bedrock, or from collected and channeled water perched in the subsurface soils on the relatively impermeable bedrock (Youngdahl 2002, 2004).

8.9.2 Regulatory Framework Relating to Hydrology and Water Quality

The City is a signatory to the Sacramento Countywide National Pollutant Discharge Elimination Program (NPDES) permit for the control of pollutants in urban stormwater. Since 1990, the City has been a partner in the Sacramento Stormwater Quality Partnership, along with the County of Sacramento and the Cities of Sacramento, Citrus Heights, Elk Grove, Galt, and Rancho Cordova. These agencies are implementing a comprehensive program involving public outreach, construction and industrial controls (i.e., BMPs), water quality monitoring, and other activities designed to protect area creeks and rivers. This program would be unchanged by the proposed project, and the project would be required to implement all appropriate program requirements.

In addition to these activities, the City maintains the following requirements and programs to reduce the potential impacts of urban development on stormwater quality and quantity, erosion and sediment control, flood protection, and water use. These regulations and requirements would be unchanged by the proposed project.

Standard construction conditions required by the City include:

- *Water Pollution* – requires compliance with City water pollution regulations, including NPDES provisions.
- *Clearing and Grubbing* – specifies protection standards for signs, mailboxes, underground structures, drainage facilities, sprinklers and lights, trees and shrubbery, and fencing. Also requires the preparation of a Stormwater Pollution Prevention Plan (SWPPP) to control erosion and siltation of receiving waters.
- *Reseeding* – specifies seed mixes and methods for reseeded of graded areas.

Additionally, the City enforces the following requirements of the Folsom Municipal Code as presented in **Table 12**.

Table 12 City of Folsom Municipal Code Sections Regulating the Effects on Hydrology and Water Quality from Urban Development		
CODE SECTION	CODE NAME	EFFECT OF CODE
8.70	Stormwater Management and Discharge Control	Establishes conditions and requirements for the discharge of urban pollutants and sediments to the storm-drainage system; requires preparation and implementation of Stormwater Pollution Prevention Plans.
13.26	Water Conservation	Prohibits the wasteful use of water; establishes sustainable landscape requirements; defines water use restrictions.

**Table 12 (continued)
City of Folsom Municipal Code Sections Regulating the Effects on
Hydrology and Water Quality from Urban Development**

CODE SECTION	CODE NAME	EFFECT OF CODE
14.20	Green Building Standards Code	Adopts the California Green Building Standards Code (CALGreen Code), 2010 Edition, excluding Appendix Chapters A4 and A5, published as Part 11, Title 24, C.C.R. to promote and require the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices.
14.29	Grading Code	Requires a grading permit prior to the initiation of any grading, excavation, fill or dredging; establishes standards, conditions, and requirements for grading, erosion control, stormwater drainage, and revegetation.
14.32	Flood Damage Prevention	Restricts or prohibits uses that cause water or erosion hazards, or that result in damaging increases in erosion or in flood heights; requires that uses vulnerable to floods be protected against flood damage; controls the modification of floodways; regulates activities that may increase flood damage or that could divert floodwaters.
14.33	Hillside Development	Regulates urban development on hillsides and ridges to protect property against losses from erosion, ground movement and flooding; to protect significant natural features; and to provide for functional and visually pleasing development of the city's hillsides by establishing procedures and standards for the siting and design of physical improvements and site grading.

Source: Folsom Municipal Code

8.9.3 Evaluation of Hydrology and Water Quality

Questions A, C, D, E, F: Less than Significant Impact

The project site is highly modified and includes constructed drainage features to manage storm water flows through the site, including drainage ditches and basins. A natural drainage flows through the southern portion of the project site. Implementation of the proposed project would alter the existing drainage patterns on the project site. The currently undeveloped site would be replaced with impervious surfaces such as roads, sidewalks, and buildings. The existing storm drain system would be replaced with a storm drain system designed for the proposed project. The natural drainage in the southern portion of the project site would be partially filled and altered.

Modifications to the existing drainage patterns may result in localized flooding, and an increase in impervious surfaces may result in an increase in the total volume and peak discharges of

stormwater runoff which may contribute to downstream erosion and flooding. Construction of the proposed project has the potential to degrade water quality associated with urban runoff. Ground disturbing activities would expose soil to erosion and may result in the transport of sediments which could adversely affect water quality. Modifications to the onsite drainage resulting in on-or off-site erosion, pollutants, flooding, and/or otherwise substantially degrade water quality would be a potentially significant impact.

Drainage plans have been prepared for both the Broadstone Unit No. 3 and the Empire Ranch Specific Plan areas. The overall storm water drainage systems included in those plans serve the project site. Construction on the site would be subject to NPDES permit conditions (including the implementation of BMPs) and all of the City's standard conditions and Code requirements. Operation of these requirements, which would be unchanged with approval of the project, would ensure that no adverse effects due to stormwater generation or contamination would take place. EAFP mitigation measures incorporated into the mitigation for the Empire Ranch Specific Plan and Broadstone Unit No. 3 Specific Plan would be implemented to reduce the impacts to less than significant.

HYD-1 Prior to issuance of entitlements to construct, the applicant shall submit detailed drainage plans for evaluations by the City. Approved plans shall be implemented prior to project occupancy. The drainage plans shall include measures to minimize the total amount of additional surface runoff and to limit the flows released to off-site receiving waters to existing pre-development levels in accordance with the requirements of the Folsom City Public Works Department.

HYD-2 Prior to issuance of entitlements to construct, the applicant shall submit erosion control plans and other monitoring programs for the construction and operational phases of the proposed project for review by the City. The plan shall include Best Management Practices (BMP) to minimize and control the level of pollutants in stormwater runoff, and in runoff released to off-site receiving waters. Specific techniques may be based on geotechnical reports or the Erosion and Sediment Control Handbook of the California Department of Conservation, and shall comply with current City standards.

HYD-3 Prior to issuance of grading permits, the project applicant shall obtain coverage under the State Water Resources Control Board General Permit for Discharges of Storm Water Associated with Construction Activity (Order 2009-0009-DWQ), including preparation and submittal of a project-specific Storm Water Pollution Prevention Plan (SWPPP) at the time the Notice of Intent (NOI) is filed. The project applicant shall also prepare and submit any other necessary erosion and sediment control and engineering plans and specifications for pollution prevention and control to the City of Folsom.

With implementation of the above mitigation measures, potential impacts related to on-or off-site erosion, pollutants, flooding, and/or otherwise substantial degradation of water quality would be reduced to less than significant.

Question B: Less than Significant Impact

Implementation of the proposed project would not result in the use of groundwater, because domestic water in Folsom is provided solely by a surface water source (Folsom Lake). While the proposed project would result in additional impervious surfaces on the site, the project includes landscaping and detention basins within and around the developments. Storm water generated at the project site would flow to the detention basins. The landscaped areas provide pervious surfaces, and the basins recover percolation loss; therefore, the proposed development would not substantially interfere with groundwater recharge. No significant impacts would occur, and no mitigation would be necessary.

Questions G, H: No Impact

Because the project site is located outside of a 100-year floodplain, development of the proposed project would not place persons or structures at risk from flood hazards, nor would it interfere with existing floodway capacity. Thus, no impacts would occur and no mitigation would be necessary.

Question I: Less than Significant Impact

The proposed project would not expose new development to inundation in the event of the failure of a dam. Should either of the City's two main dams (Folsom Lake and Mormon Island) fail, failure would most likely occur with adequate warning to evacuate residents. The project is required to adhere to City established evacuation plans reviewed by the Reclamation District that establish protocol in the event of the dam failure. With implementation of the evacuation plan, the impact would be less than significant and no mitigation would be necessary.

Question J: Less than Significant Impact

The City of Folsom is located approximately 95 miles from the Pacific Ocean, at elevations ranging from approximately 140 to 828 feet amsl. Because of this, there would be no possibility of inundation by tsunami. The City is located adjacent to Folsom Lake, a reservoir of the American River impounded by a main dam on the river channel and wing dikes. Areas of the City adjacent to the wing dikes could be adversely affected by a seiche as a result of an earthquake, either through sloshing within a full reservoir or by a massive landslide or earth movement into the lake. Although historic seismic activity has been minor, the potential for strong ground shaking is present and the possibility exists of a strong earthquake occurring when lake levels are high. This could create a large enough wave to overtop or breach the wing dikes although this is considered to be a remote possibility.

Mudslides and other forms of mass wasting occur on steep slopes in areas having susceptible soils or geology, typically as a result of an earthquake or high rainfall event. Slopes associated with the edges of the building pads are located on the project site; however, City grading standards, including requirements to evaluate slope stability and implement slope stabilizing measures as necessary, would prevent this potential effect.

In summary, there would be no potentially significant effect from inundation by seiche, tsunami, or mudflow and no mitigation would be necessary.

8.10 LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8.10.1 Environmental Setting

Land use in the project area is regulated by the City of Folsom through the various plans and ordinances adopted by the City. These include the City of Folsom General Plan and the City of Folsom Municipal Code, including the Zoning Code. The General Plan currently identifies the project site as MMD (Multi-Family Medium Density) and MHD (Multi-Family High Density), and the current zoning for the project site is SP 95-1 (Broadstone Unit No. 3 Specific Plan) with an underlying zoning of R-M PD (Residential Multi-Family, Planned Development District) and SP 92-3 (Empire Ranch Specific Plan) with an underlying zoning designation of R-4 PD (General Apartment, Planned Development District).

8.10.2 Evaluation of Land Use and Planning

Question A: No Impact

The project site is currently undeveloped. It is bounded by undeveloped land to the north and west, a residential development to the east, and U.S. Highway 50 to the south. Development on the project site would not physically divide an established community. Therefore, there would be no impact and no mitigation would be required.

Question B: Less than Significant Impact

The General Plan identifies MMD as 12 – 17.9 residences per acre, and MHD as 18 – 25 residences per acre. The proposed project would result in a density of 9 residences per acre, which is consistent with the maximum allowable density under the MMD and MHD General Plan land use designations. As a result, potential impacts would be less than significant and no mitigation is necessary.

Question C: No Impact

No Habitat Conservation Plan or Natural Community Conservation Plan has been approved for the project area. Implementation of the proposed project would not conflict with any conservation plan. No impact would occur and no mitigation is necessary.

8.11 MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8.11.1 Environmental Setting

The Folsom area regional geologic structure is defined by the predominantly northwest- to southeast-trending belt of metamorphic rocks and the strike-slip faults that bound them. The structural trend influences the orientation of the feeder canyons into the main canyons of the North and South Forks of the American River. This trend is interrupted where the granodiorite plutons outcrop (north and west of Folsom Lake) and where the metamorphic rocks are blanketed by younger sedimentary layers (west of Folsom Dam) (CGS 2006). The four primary rock divisions found in the area are: ultramafic intrusive, metamorphic, granodiorite intrusive, and volcanic mud flows (Geotechnical Consultants, Inc. 2003).

The presence of mineral resources within the City has led to a long history of gold extraction, primarily placer gold. No areas of the City are currently designated for mineral resource extraction.

8.11.2 Evaluation of Mineral Resources

Questions A, B: No Impact

The proposed project is not located in a zone of known mineral or aggregate resources. No active mining operations are present on or near the site. Implementation of the project would not interfere with the extraction of any known mineral resources. Thus, no impacts would result, and no mitigation would be necessary.

8.12 NOISE

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in any applicable plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project (including construction)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8.12.1 Environmental Setting

The predominant existing noise sources in the vicinity of the proposed project site are vehicles on adjacent streets. No commercial airports are located within two miles of the project site, though occasional overflights and associated noise occur from aircraft landing at Sacramento Mather Airport Air Force Base or McClellan Air Force Base (located approximately 11 miles southwest and 16 miles west of the project site, respectively).

8.12.2 Regulatory Framework

Noise Element

The City of Folsom General Plan Noise Element establishes land use compatibility criteria for transportation noise sources such as roadways. For these sources, the City establishes a noise level criterion of 60 dBA $L_{DN}/CNEL$ ¹ or less in outdoor activity areas of noise-sensitive land uses, and 45 dBA $L_{DN}/CNEL$ or less for interior noise levels of noise sensitive land uses. A residential land use would be considered a noise sensitive land use.

Noise Ordinance

For stationary noise sources, the City has adopted a Noise Ordinance as Section 8.42 of the Folsom Municipal Code (City of Folsom 2011). The Noise Ordinance establishes hourly noise level performance standards that are most commonly quantified in terms of the one-hour average noise level (L_{EQ}). Using the limits specified in Table 8.42.040 of the Noise Ordinance, noise levels generated by the project would be significant if they exceeded 50 dBA L_{EQ} from 7 a.m. to 10 p.m. and 45 dBA L_{EQ} from 10 p.m. to 7 a.m. at the residential property boundary.

The City has also established Standard Construction Specifications as published in May 2004 (City of Folsom 2004). The standard construction specifications are required to be adhered to by any contractor constructing a public or private project within the City. Standards regarding the noise environment are summarized below.

- *Noise Control* – Requires that all construction work comply with the City Noise Ordinance, and that all construction vehicles be equipped with a muffler to control sound levels.
- *Weekend, Holiday, and Night Work* – Prohibits construction work during evening hours, or on Sunday or holidays, to reduce noise and other construction nuisance effects.

¹ The Community Noise Equivalent Level (CNEL) is a 24-hour average, where noise levels during the evening hours of 7:00 p.m. to 10:00 p.m. have an added 5 dBA weighting, and sound levels during the nighttime hours of 10:00 p.m. to 7:00 a.m. have an added 10 dBA weighting. Similarly, the Day-Night sound level (L_{DN}) is a 24-hour average with an added 10 dBA weighting on the same nighttime hours but no added weighting on the evening hours.

8.12.3 Evaluation of Noise

Question A: Less than Significant with Mitigation Incorporated

Construction Noise

Construction of the project would generate elevated noise levels that may disrupt nearby noise-sensitive land uses including the nearby single-family residences directly to the east. The magnitude of the impact would depend on the type of construction activity, equipment, duration of each construction phase, distance between the noise source and receiver, and any intervening structures.

Construction noise impact analysis includes grading, which is typically significantly louder than other activities and has the greatest potential to create impacts to off-site noise-sensitive land uses. Grading involves the ripping of materials using a dozer and an excavator, and a dump truck to haul the materials.

A dozer and excavator may be working on the site simultaneously, but would not be working in close proximity to one another at a given time due to the nature of their respective operations. Therefore, a dozer with a dump truck and front end loader and an excavator with a dump truck and front end loader were analyzed for construction noise impacts in isolation, using construction models to determine the worst-case construction noise levels at nearby residential receptors.

For modeling purposes using the Roadway Construction Noise Model, at the nearest building sites, these pieces of equipment were assumed to operate at 70 feet from the nearest noise-sensitive land uses beyond the eastern edge of the project site and be in operation for 40 percent of an 8-hour construction day. Based on these assumptions, the highest impact level for a front end loader and dump truck with a dozer at the nearest noise-sensitive land use is 77.5 dBA L_{EQ} and with an excavator is 77.0 dBA L_{EQ} .

Construction noise would be regulated by Section 8.4.2.060 of the City's Municipal Code (Noise Ordinance), which states that construction activities are exempt from noise standards if they take place during daytime hours between 7 a.m. and 6 p.m. on weekdays and between 8 a.m. and 5 p.m. on Saturdays, with no Sunday or Holiday work permitted. Project construction would only occur during these exempted hours. Therefore, construction noise impacts are less than significant and no mitigation would be required.

Operational Noise

Noise Exposure in Excess of Standards

The noise environment in the area of the project site is dominated by traffic noise from vehicles on US Highway 50 and Iron Point Road. Potential outdoor activity areas include flat landscaped spaces between residences within the upper cluster, and a landscaped space adjacent to the western clubhouse (see R1 and R15 on **Figure 8** in Appendix A for the receiver locations; modeled values are provided in Table D-1 in Appendix D). Areas with steep slopes were not considered useable as outdoor space and were excluded from the analysis. In addition, the community pool area was not considered an outdoor activity area as it is a community amenity and not part of a private residence; therefore, it is not considered a noise-sensitive land use and

useable outdoor space noise limits would not apply. Potential outdoor activity areas were modeled at 47.2 dBA CNEL within the upper cluster (R15) and 56.1 CNEL at the lower cluster (R1). Therefore, noise levels would be below the City noise threshold of 60 dBA CNEL for outdoor activity areas, and impacts to exterior areas from on-site transportation noise would be less than significant.

A preliminary interior to exterior noise analysis was conducted to determine predicted interior noise levels of the noise-sensitive land uses (included Appendix D). The analysis was conducted by modeling exterior noise levels at the building façades and predicting the interior noise levels based on standard noise reduction from building materials. Refer to Figure 8 for the receiver locations and Table D-2 in Appendix D for the modeled noise levels. Exterior noise levels at the northernmost building façades facing Iron Point Road within the eastern development cluster ranged from 60.1 – 64.8 CNEL (R11 – R14 on **Figure 8**) and within the western cluster the noise levels ranged from 48.1 – 57.7 CNEL (R2 – R10 on **Figure 8**). In the southern portion of the site where residences are exposed to traffic noise from US Highway 50, exterior noise levels ranged from 70.4 – 75.3 CNEL (R16 – R25 on **Figure 8**). Traditional architectural materials may reduce exterior to interior noise by up to approximately 15 dBA. Based on these exterior noise levels, traditional architectural materials would not be expected to attenuate interior noise to a level of 45 CNEL at all of the interior noise-sensitive land uses. This is a potentially significant impact to interior noise levels impacted receivers R16-R25.

Additional analysis was conducted on impacted receivers R16-R25 to determine the appropriate materials needed to abate potential interior noise impacts. Room dimensions and window sizes were estimated based on available drawing information. This planning provided a worst case consideration for the exterior to interior requirements, and assumed a typical 2x4 stud wall construction with ½-inch exterior shear wall covered with 7/8-inch thick stucco. The results of the analysis determined that dual pane windows with the use of dual glazing, meeting minimum design standards, would be expected to reduce interior noise levels at the impacted receivers (R16-R25) to below 45 CNEL. Refer to the Interior-to-Exterior Noise Analysis in Appendix D for the details of the analysis.

The following mitigation measure would be implemented to avoid and minimize impacts to interior noise:

NOI-1 Interior building noise levels for the proposed project shall not exceed 45 dBA CNEL. Wall design at buildings with interior noise levels potentially exceeding 45 dBA (i.e., impacted receivers R16-R25 located adjacent to U.S. Highway 50) shall be comprised of a typical 2x4 stud wall construction with ½ typical 2X4 stud wall construction with ½-inch exterior shear wall covered with 7/8-inch thick stucco. Any variance from this wall design will require a final update of this analysis when the finished building plans are available to be submitted with the final building plans prior to the issuance of construction permits.

All window glazing must provide a minimum STC 37 rating. Use of dual glazing with the following minimum design will normally fulfill this specification (other designs may be used provided they have a manufacturer's certified minimum STC 37 rating):

1. ¼ -inch thick exterior glass
2. ¾ -inch air gap
3. ¼ -inch thick interior glass

Appropriate means of air circulation and provision of fresh air would be provided to allow windows to remain closed for extended intervals of time so that acceptable interior noise levels can be maintained. The mechanical ventilation system would meet the criteria of the International Building Code (Chapter 12, Section 1203.3 of the 2013 California Building Code).

With implementation of the above mitigation measure, impacts to interior noise would be less than significant and no additional mitigation measures would be required.

Off-site Transportation Noise

The project is expected to generate approximately a total of 203 peak hour trips with a total of 2,175 daily trips (MRO Engineers 2015). A general rule of thumb is that a doubling of vehicles would cause a doubling in noise (a 3 dBA increase), which would be considered a significant increase. Peak hour traffic without the project is 976 peak hour trips for Iron Point Road. Given the expected project-added increase in traffic, the project would not cause a doubling in traffic on Iron Point Road or other nearby roads, and therefore less than a 3 dBA increase. Impacts from off-site transportation noise would be less than significant and mitigation measures are not required.

HVAC

Specific planning data for the future HVAC systems is not available at this stage of project design; however, using a typical to larger-sized residential condenser mounted on ground level pads provides a reasonable basis for analysis. The unit used in this analysis is a Carrier 38HDR060 split system condenser (see Appendix D, *Carrier 38HDR060 Split System Condenser*).

This unit typically generates a noise level of 56 dBA at a distance of 7 feet. Based on the site plan, the closest buildings to the nearest NSLU property line would be those on the eastern edge of the upper cluster. For these three-story buildings, it is likely that the HVAC units would be installed on the ground level adjacent to the buildings. At the eastern portion of the project site, the building pad is set back an approximate distance of 50 feet from the adjacent property line. Assuming that an HVAC system is 3 feet from the building, the minimum distance that the HVAC unit would be to the property line would be 47 feet. At this distance, the condenser would generate a noise level of 39 dBA L_{EQ} , which would not exceed the City's day (50 dBA L_{EQ}) or night (45 dBA L_{EQ}) maximum acceptable noise levels; impacts would be less than significant and mitigation measures are not required.

Question B: Less than Significant Impact

An on-site source of vibration during project construction would be a vibratory roller (primarily used to achieve soil compaction as part of the foundation and paving construction), which is expected to be used within 80 feet of the nearest off-site occupied residence. A vibratory roller creates approximately 0.210 inches per second peak particle velocity (PPV) at a distance of 25 feet.

The City does not state specific standards in the General Plan or Municipal Code. Caltrans standards for construction vibration impacts use a criterion of 0.4 inches per second PPV at 25 feet (Caltrans 2013). Using these standards, the approximately 0.210 inches per second PPV vibration impact would be less than what is considered a “severe” impact. Therefore, although vibration may be perceptible by nearby residences, temporary impacts associated with the vibratory roller (and other potential equipment) would be less than significant. No mitigation measures are required.

Question C: Less than Significant Impact

See Question A. Operational noise from the project (traffic and HVAC) would not exceed significance thresholds. No mitigation measures are required.

Question D: Less than Significant Impact

See Question A. Construction of the proposed project would not exceed applicable thresholds and impacts would be less than significant. No mitigation measures are required.

Question E, F: No Impact

Since the project site is not located in an area for which an Airport Land Use Compatibility Plan has been prepared, and no public or private airfields are within two miles of the project area, the residents of the proposed project would not be exposed to adverse levels of noise due to aircraft overflight. Therefore, no impact would occur and no mitigation would be necessary.

8.13 POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8.13.1 Evaluation of Population and Housing

Question A: Less than Significant

Implementation of the project would result in the construction of 327 residential units for an estimated 621 residents. While the proposed project would construct new residences and provide new job opportunities, there are a relatively small number of residents associated with the project. The proposed project was envisioned in the Empire Ranch and Broadstone Unit No. 3 Specific Plans; and the infrastructure envisioned under those plans considers development of the proposed project. The proposed project would not induce substantial growth in the City of Folsom that was not already envisioned in the Specific Plans in which the project is included. The impact would not be significant and no mitigation would be required.

Questions B, C: No Impact

The proposed project would affect a currently undeveloped site that is proposed for development with residential land uses. There are no existing residences on the project site; therefore, neither housing units nor people would be displaced, and no replacement housing would be required. There would be no impact and no mitigation would be necessary.

8.14 PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No Impact
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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:

a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

8.14.1 Environmental Setting

The proposed project is in an area currently served by urban levels of all utilities and services. Public services provided by the City of Folsom in the project area include fire, police, school, library, and park services. The site is served by all public utilities including domestic water, wastewater treatment, and stormwater utilities.

The City of Folsom Fire Department provides fire protection services. There are four stations within the City of Folsom. Station 37 is nearest to the project site. It is located at 70 Clarksville Road (near East Bidwell and Clarksville), approximately 2 miles northwest of the project site.

The project site is located within the Folsom Cordova Unified School District, and is within the attendance area for the Russell Ranch Elementary School, Folsom Middle School, and Vista Del Lago High School. There are several existing and proposed parks in the vicinity of the project site, including the Handy Family Park and Nisenan Community Park (both existing), and several proposed park sites, including one next to Vista Del Lago High School at Broadstone Parkway and Carpenter Hill Road (Park Site #51), and two other proposed parks along Empire Ranch Road – Porter Court and Empire Ranch Road (Park Site # 48), and Ritchie Street (Park Site # 47).

The Sacramento Municipal Utilities District (SMUD) would supply electricity to the project site. PG&E provides natural gas to the area, and would provide natural gas to the project site. The City of Folsom has a program of maintaining and upgrading existing utility and public services

within the City. Similarly, all private utilities maintain and upgrade their systems as necessary for public convenience and necessity, and as technology changes.

8.14.2 Evaluation of Public Services

Questions A, B, D, E: Less than Significant

The project site is within the urban area of Folsom, and there is no indication that public services are inadequate. Service demands of the proposed project were evaluated as part of the Specific Plans in which it is located. Further, the City has informed the service providers of the proposed project, and requested comments or concerns. No responses indicating a lack of service capacity were received. Implementation of the project would result in the construction of 327 residential units for an estimated 621 residents. While implementation of the proposed project would result in an increased demand for public services, no new public facilities to accommodate the project's service demands would be necessary, but as a condition of approval, the City would require the applicant to participate in funding its fair share of public services to maintain service delivery standards Citywide. Because there are no unique aspects of the project that would increase service demands or render the current service levels to be inadequate, no new public facilities would be necessary to serve the proposed project. The impact of the project would be less than significant and mitigation would not be necessary.

Question C: Less than Significant

The proposed project is within the attendance areas for the Russell Ranch Elementary School, Folsom Middle School, and Vista Del Lago High School in the Folsom Cordova Unified School District (FCUSD 2015). Schools serving the project site have already been constructed, with the population increase generated by development of both plan areas already envisioned in school facilities planning.

The 2013/2014 Folsom Cordova Unified School District Facility Master Plan contains enrollment projections for schools within the District through 2022/23. The projected enrollment for Russell Ranch Elementary School shows the enrollment currently exceeding the optimal capacity for the school, with an exceedance of approximately 225 students by 2022/2023 (FCUSD 2013b, D-38). The projected enrollment for Folsom Middle School shows an increase to 1,591 students in the 2017/2018 school year, which would greatly exceed the capacity of the school (optimal capacity is 1,293 students), and then a decline to 1,312 in 2022/23 which would be slightly above capacity for the school (FCUSD 2013b, D-52). The projected enrollment for Vista Del Lago High School shows that the school is currently at or near its optimal capacity (1,542 students). By 2020/2021, the enrollment is projected to reach 2,041, well over the optimal capacity of the school, and then decrease slightly but remain above capacity (FCUSD 2013, D-64). **Table 13** presents to the total number of students that the proposed project would generate based on student yield factors for free-standing single family dwelling units, and multi-family dwelling units included in the District's Facility Master Plan (FCUSD 2013; E-2).

**Table 13
Student Yield Factor**

GRADE LEVEL	MULTI-FAMILY (327 DWELLING UNITS)	
	Number of Students per Dwelling Unit*	Number of Students
K-5	0.11	36
6-8	0.08	26
9-12	0.03	10
Special Education	0.01	3
Total	--	75

*Source: FCUSD 2013, E-2

The proposed project would generate a total of 75 students, including 36 kindergarten through 5th grade students, 26 middle school students, 10 high school students, and 3 special education students. The 2013/2014 Folsom Cordova Unified School District Facility Master Plan identifies 344 multi-family residential development units occurring within its attendance area by 2022/2023 Facility Master Plan. The projected attendance rates include the proposed project; however, implementation of the proposed project would aggravate the already at or over-capacity conditions at the schools. It is the policy of the District to balance class loads at each school within the District. If an individual grade level is full, then the student or pupil may be bused to another school within the District. The District reviews attendance boundaries on a yearly basis and makes adjustments as necessary.

AB 2926 (Chapter 887) was enacted on January 1, 1987 which requires that school districts pay a share of the cost of school construction based on the square footage of residential, commercial, and industrial construction taking place within their districts. The law commissions school districts to levy a developer impact fee for this purpose. The State of California (Government Code Section 65995) establishes the maximum fee that a school district can impose on residential development or construction to address the impacts associated with an increase in student population. In the specific case of the Folsom Cordova Unified School District, the established residential impact fee is approximately \$6.16 per square foot. Based on the aforementioned impact fee, the District expects to generate up to \$103,556 (16,811 square feet of multi-family residential) in revenue from the proposed project. It is critical to note that, under state law, the City is prohibited from denying or refusing to approve a residential subdivision based on the adequacy of the existing school facilities. Payment of the District's impact fee offsets the potential for any significant impact related to schools stemming from the proposed project and mitigation is unwarranted. With implementation of the aforementioned impact fee, impacts to schools would be less than significant.

8.15 RECREATION

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8.15.1 Environmental Setting

The Folsom Parks and Recreation Department provides and maintains a full range of recreational activities and park facilities for the community.

8.15.2 Evaluation of Recreation

Question A: Less than Significant with Mitigation

The residents of the proposed project would not result in a substantial population increase in relation to the overall City of Folsom population; further the proposed project includes recreational facilities for the residents of the development, including clubhouses and pools. The proposed project is part of two Specific Plan areas in which recreation facility requirements were evaluated for the ultimate build out. As identified in the EIRs for the Broadstone Unit No. 3 Specific Plan and the Empire Ranch Specific Plan, the cumulative build out of the Broadstone Unit No. 3 Specific Plan, the Empire Ranch Specific Plan, and the Broadstone 2 Master Plan and the Folsom General Plan would result in a shortage of park facilities and overcrowding of existing and proposed facilities. While the combined plans include proposed parkland, the types of parks do not satisfy the policies set forth in the General Plan, the Park and Recreation Master Plan, or the Parkland Dedication Ordinance. As a result, impacts to parks would be considered significant and mitigation is required. The following applicable mitigation is Mitigation Measure 4.18.2 from the Empire Ranch Specific Plan EIR, as modified from the mitigation contained in the EAFP EIR.

REC – 1 Prior to the approval of a tentative map for any residential use, the City of Folsom shall ensure that sufficient, acceptable park land and/or fees in-lieu thereof, consistent with the adopted Parks and Recreation Master Plan and the Parkland Dedication Ordinance would be available and capable of being developed within the planned buildout period of the subdivision.

With implementation of the above mitigation, potential impacts to recreational facilities in the City would be reduced to less than significant.

Question B: Less than Significant

The proposed project includes construction of two clubhouse buildings, each with a swimming pool and outdoor area. These facilities would for use by the residents of the Pique Apartments, and would not be open to the public. As described above, recreational facilities in the City are insufficient for build out of Specific Plans north of U.S. Highway 50 in the City. The proposed project would be subject to review by the City to ensure that the City has sufficient park land or fees consistent with the adopted Parks and Recreation Master Plan and the Parkland Dedication Ordinance. The construction of new recreational facilities to meet the recreational demands of the City would be evaluated for environmental impacts on a case-by-case basis. As lead CEQA agency, the City would be responsible for implementing the construction and operation of recreational facilities that would not result in an adverse impact on the environment without an evaluation of overriding considerations. As a result, the potential impacts would be less than significant.

8.16 TRANSPORTATION/TRAFFIC

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Transportation and traffic were evaluated in a project specific traffic impact analysis as attached in Appendix E (MRO Engineers 2015).

8.16.1 Environmental Setting

Roadway System

Brief descriptions of the key roadways serving the project site are provided below.

- Iron Point Road is an east-west arterial roadway that generally runs parallel to and just north of U.S. Highway 50. It extends from Folsom Boulevard on the west to the City limit east of Empire Ranch Road. In the immediate vicinity of the project site, it is a six-lane, median-divided road with bike lanes and a 45 MPH speed limit.
- East Bidwell Street is an arterial roadway that runs from U.S. Highway 50 on the south to Coloma Way (just south of the Folsom Historic District) on the north. South of U.S. Highway 50, it becomes Scott Road. East Bidwell Street serves many types of land uses, primarily commercial, throughout its length. Near Iron Point Road, it is a median-divided road with bike lanes and a 45 MPH speed limit. In the immediate vicinity of Iron Point Road, three lanes are provided for through traffic in both directions, although one of the northwest-bound lanes is dropped at Clarksville Road/Scholar Way.
- Serpa Way is a two-lane road that runs from Broadstone Parkway to south of Iron Point Road, where it serves Costco and Green Acres Nursery. It meets Broadstone Parkway at an all-way-stop-controlled intersection. At Iron Point Road/Serpa Way, the intersection is traffic-signal controlled. Serpa Way directly serves single-family homes and includes a number of residential driveways. It has a posted 25 MPH speed limit.
- Empire Ranch Road is the easternmost north-south arterial street in the City of Folsom. To the north of Iron Point Road (where it currently terminates), it is a six-lane, median-divided road with bike lanes. North of Broadstone Parkway, it transitions to a four-lane road with a raised median and bike lanes. Continuing north past East Natoma Street, Empire Ranch Road becomes Sophia Parkway. In the vicinity of the project site, Empire Ranch Road has a posted 45 MPH speed limit.

Parking and Access

The project site is currently undeveloped and does not contain existing access to the roadway system. The project site would be accessed by two driveways connecting to Iron Point Road. The two clusters would be connected by a driveway near the southern site boundary. The western project driveway would provide full access with turning movements allowable in all directions. For the eastern driveway the turning movements would be limited to left and right turns from Iron Point Road for vehicles entering the site, and right turn only for vehicles leaving the site. A mountable fire access curb would be installed in the median in Iron Point Road at the eastern project driveway to allow emergency vehicle access.

Transit, Bicycle, and Pedestrian Facilities

The City maintains a network of pedestrian and bike trails throughout the city, in addition to a network of on-street bike lanes. Iron Point Road has on-street bike lanes and sidewalks adjacent

to the project site. The Folsom Stage Line Dial-A-Ride service is provided for senior citizens age 55 and older, and residents with physical, developmental, or mental disabilities.

Airports

No private or public airports are located within the City of Folsom. The nearest public airfields are the Mather Airport, located approximately 11 miles southwest of the project site, and the Cameron Airpark located approximately 9.5 miles northeast of the project site. Neither airport is a commercial service airport.

Emergency Access

The City of Folsom identifies most major streets in the city as emergency evacuation routes. No aspect of the proposed project would modify these streets or preclude their continued use as an emergency evacuation route. The minimum width available for driving or turning movements through the parking lot is 27 feet, to provide sufficient access for fire trucks.

8.16.2 Existing Intersection Operations

Existing intersection delay and level of service (LOS) calculated for the study intersections are presented in **Table 14**. As described in the General Plan, LOS A, B, and C are considered acceptable, while LOS D, E, and F are considered unacceptable. The U.S. Highway 50 on and off-ramp intersections were evaluated against California Department of Transportation (Caltrans) criteria in which the concept level of service for U.S. Highway 50 in the study area is LOS F. The acceptable LOS for the U.S. Highway 50 ramp intersections is LOS E. The intersection LOS definitions and evaluation criteria are described in detail in the “Analysis Methodology” section of the traffic study.

INTERSECTION	TRAFFIC CONTROL	AM PEAK HOUR			PM PEAK HOUR		
		Delay ¹	Level of Service	Meet Signal Warrant?	Delay	LOS	Meet Signal Warrant?
Iron Point Rd./East Bidwell St.	Signal	26.5	C	--	53.1	D	--
Iron Point Rd./Serpa Way	Signal	13.3	B	--	5.4	A	--
Iron Point Rd./Carpenter Hill Rd.	All-Way STOP	14.0	B	No	9.4	A	No
Iron Point Rd./Empire Ranch Rd.	All-Way STOP	10.2	B	No	10.7	B	No

INTERSECTION	TRAFFIC CONTROL	AM PEAK HOUR			PM PEAK HOUR		
		Delay ¹	Level of Service	Meet Signal Warrant?	Delay	LOS	Meet Signal Warrant?
East Bidwell St./U.S. Highway 50 Westbound Off-ramp	Signal	19.0	B	--	26.3	C	--
East Bidwell St./U.S. Highway 50 Eastbound Off-ramp	Signal	7.1	A	--	8.1	A	--

Source: MRO Engineers, Inc. 2015

¹Average control delay (seconds per vehicle)

²Based on “Peak Hour” signal warrant documented in “Part 4 – Highway Traffic Signals” of the *California Manual on Uniform Traffic Control Devices*, November 7, 2014.

All of the study intersections operate at acceptable levels of service during the a.m. peak hour.

Iron Point Road/East Bidwell Street operates at LOS C, while the other study locations are currently operating at LOS A or B. Neither of the unsignalized intersections has sufficient traffic to meet the minimum requirements for installation of a traffic signal.

During the p.m. peak hour, all but one of the study intersections operate at acceptable levels of service. The exception is the intersection of Iron Point Road/East Bidwell Street, which operates at LOS D. The East Bidwell Street/U.S. Highway 50 Westbound Off-ramp operates at LOS C, and the other four study locations operate at LOS A or B. Neither of the STOP-sign-controlled intersections has sufficient traffic to meet the minimum requirements of the “Peak Hour” signal warrant.

8.16.3 Construction Year Plus Project Conditions

Trip Generation

The AM and PM peak-hour trip generation estimates for the proposed project were developed using information presented in the Trip Generation Manual (Institute of Transportation Engineers, Ninth Edition, 2012). **Table 15** summarizes the resulting trip generation estimates for the proposed project. The proposed project is expected to generate a total of 167 AM peak-hour trips, with 33 inbound and 134 outbound. The PM peak hour trip generation is estimated to be 203 trips, with 132 inbound and 71 outbound. About 2,175 daily trips are projected, evenly split between inbound and outbound.

LAND USE		Daily Trips	AM PEAK HOUR			PM PEAK HOUR		
			In	Out	Total	In	Out	Total
Apartment - General Occupancy ² (327 DU ³)	Trip Rate	6.65	0.102	0.408	0.510	0.403	0.217	0.620
	Trips	2,175	33	134	167	132	71	203

Source: MRO Engineers, Inc. 2015

Intersection Level of Service

Table 16 presents the peak hour LOS at each study intersection (including the project access locations) under the Construction Year No Project and Plus Project conditions.

The traffic impact analysis report presented intersection LOS for two access scenarios: 1) the project access plan (City policy compliant access scheme) which does not allow outbound left turns from either of the project driveways; and 2) the alternative access plan which allows outbound left turns from the eastern driveway. Both scenarios are based off of project driveway access points as depicted in the site plans for the proposed projects.

Based on the findings of the traffic impact study, the City has elected to implement the alternative access plan, in which left turns in and right turns in/out would be allowed at the western project driveway, but no outbound left turns would be allowed; and at the eastern driveway, outbound left turns would be allowed, along with right turns in/out. Implementation of this scheme requires that an exception be made to the City policy prohibiting outbound left turns from private driveways on six-lane roads. The analysis contained in this Initial Study is based on the traffic and LOS projections for the alternative access plan scenario presented in the traffic impact analysis.

No Project Conditions

Project trip generation traffic was compared against construction year traffic projections at the study intersections, which include the two project access driveways. The traffic associated with 34 previously approved (or reasonably foreseeable) developments was added to the study area roadway system to evaluate traffic operations under Construction Year No Project conditions. During the AM peak hour, all study intersections are projected to operate at an acceptable LOS. Similarly, during the PM peak hour, the same intersection is projected to decline from LOS C during existing conditions to LOS E. The Iron Point Road/East Bidwell Street intersection is projected to decline from LOS D during existing conditions to unacceptable LOS F. Iron Point Road/Carpenter Hill Road will fall from LOS A to LOS B and East Bidwell Street/U.S. Highway 50 Westbound Off-ramp will fall from LOS C to LOS E (which is acceptable under Caltrans' criteria). The unsignalized study intersections will fall short of meeting the "Peak Hour" signal warrant.

Table 16
Intersection Level of Service
Construction Year Plus Project (Alternative Access Plan) Conditions

Intersection	Traffic Control	Weekday AM Peak Hour				Weekday PM Peak Hour			
		Construction Year No Project		Construction Year + Project		Construction Year No Project		Construction Year + Project	
		Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Iron Point Rd./East Bidwell St.	Signal	32.6	C	34.2	C	110.0 ⁵	F	111.2	F
Iron Point Rd./Serpa Way	Signal	17.0	B	17.1	B	8.9	A	9.2	A
Iron Point Rd./Carpenter Hill Rd.	All-Way STOP	16.9	C	17.8	C	10.1	B	10.4	B
Iron Point Rd./Empire Ranch Rd.	All-Way STOP	11.3	B	12.1	B	13.4	B	14.4	B
East Bidwell St./U.S. Highway 50 Westbound Off-ramp	Signal	36.5	D	37.3	D	56.3	E	60.1	E
East Bidwell St./U.S. Highway 50 Eastbound Off-ramp	Signal	7.8	A	7.9	A	10.0	A	10.2	B
Iron Point Rd./West Project Access	Side-St. STOP ⁶	--	--	10.2	B	--	--	12.7	B
Iron Point Rd./East Project Access	Side-St. STOP ⁶	--	--	11.8	B	--	--	14.4	B

Source: MRO Engineers 2015

Notes: Delay = average control delay (seconds per vehicle),

LOS = level of service,

NA = not applicable. Intersection does not exist under "no project" conditions.

Shaded cell denotes unacceptable level of service.

Worst-case minor movement delay shown for STOP-sign-controlled intersection.

Plus Project Conditions

AM Peak Hour

In the AM peak hour, addition of the project-generated traffic will cause the delay value at the study intersections to increase, but no change in level of service is projected. All intersections would operate at an acceptable LOS during the AM peak hour. Both of the STOP-sign-controlled project access intersections will operate at LOS B, and both of those locations will fail to meet the minimum requirements of the “Peak Hour” signal warrant.

PM Peak Hour

In the PM peak hour, the Iron Point Road/East Bidwell Street intersection would operate at an unacceptable LOS F during the PM peak hour both with and without the project. The greatest increase in delay with construction of the project would be at the East Bidwell Street/U.S. Highway 50 Westbound Off-Ramp where the delay increase would be 3.8 seconds/vehicle. This incremental delay is less than the City’s threshold of 5.0 seconds/vehicle, and the projected LOS E is consistent with Caltrans acceptable LOS for the U.S. Highway 50 ramp intersection.

The remainder of the study intersections will conform to the City and Caltrans level of service standards. As in the AM peak hour, the addition of the project-generated traffic would cause the delay value at the study intersections to increase, but no change in level of service is projected. Traffic volumes at the unsignalized project access intersections will again be insufficient to meet the “Peak Hour” signal warrant requirements.

8.16.4 Evaluation of Transportation/Traffic

Questions A, B: Less than Significant Impact

Under the General Plan, LOS A, B, and C are considered acceptable levels of operation, while LOS D, E, and F are considered unacceptable. Based on Caltrans criteria, the acceptable LOS for the U.S. Highway 50 ramp intersections is LOS E.

Construction year plus project intersection delay and LOS were calculated for the study intersections and compared against construction year conditions. Under both the construction year and construction year plus project conditions, all of the study intersections would operate at an acceptable LOS for the AM peak hour. During the PM peak hour, the Iron Point Road/East Bidwell Street intersection would operate at an unacceptable LOS F during the PM peak hour both with and without construction of the proposed project. The remainder of the intersections would continue to operate at an acceptable LOS. While implementation of the proposed project would result in a slight increase in traffic volumes at the study intersections, the increase would not result in changes in the LOS at those intersections. Operation of the project would not conflict with City street operational standards, or result in a substantial increase in traffic congestion, and impacts would be less than significant.

Construction of the proposed project may result in temporary traffic delays; however, as a condition of approval, and consistent with City regulations, a Traffic Control Plan would be

prepared. Impacts associated with construction of the proposed project would be less than significant.

Question C: No Impact

No private or public airports are located within the City of Folsom. The nearest public airfields are the Mather Airport, located approximately 11 miles southwest of the project site, and the Cameron Airpark located approximately 9.5 miles northeast of the project site. The proposed project would not result in modification to any air travel route. There would be no impact and no mitigation would be required.

Question D: Less than Significant Impact

The proposed project would construct two new driveways accessing Iron Point Road. Although the proposed project would modify Iron Point Road, the proposed project is consistent with the surrounding land uses. By allowing left turns from the eastern project driveway onto Iron Point Road, the City Community Development Department has allowed a deviation from the City's access management policy in regards to making left turns onto six-lane roadways. However, the analysis contained in the Traffic Impact Analysis has deemed this a feasible alternative (MRO 2015). Because the modifications to Iron Point Road would be minor and compatible with the existing use of the roadway, the project would result in a less than significant impact, and no mitigation would be necessary.

Question E: Less than Significant Impact

Consistent with the City of Folsom's Multi-Hazard Emergency Management Plan, the City maintains pre-designated emergency evacuation routes along major streets and thoroughfares. No aspect of the proposed project would modify these streets or preclude their continued use as an emergency evacuation route. The project driveways have been designed to accommodate emergency access – the design plans include driveway widths adequate for the fire truck turning radius. The project access plans would be approved by the Fire Department prior to project implementation and a traffic control plan would be prepared for project construction; therefore, no significant impact to fire protection would occur and no mitigation would be necessary.

Question F: Less than Significant Impact

On-street (Class II) bike lanes exist on both sides of Iron Point Road, including along the project frontage. These lands adequately meet the needs of bicyclists in the vicinity of the project, and no additional bicycle facilities are recommended. The proposed project would enhance existing pedestrian access by incorporating walkways into the project design and providing connectivity to existing sidewalks along Iron Point Road. Impacts related to bicycle and pedestrian facilities from operation of the proposed project would be less than significant.

Construction of the proposed project may result in temporary impacts to bicycle and pedestrian connectivity through the area; however, as a condition of approval, and consistent with City regulations, a Traffic Control Plan would be prepared. Impacts associated with construction of the proposed project would be less than significant.

8.17 UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8.17.1 Environmental Setting

Existing utilities on the project site include SMUD for electricity, PG&E underground gas lines, AT&T underground telephone lines, City of Folsom for solid waste disposal, and City of Folsom water and sewer facilities. The City of Folsom employs a design process that includes coordination with potentially affected utilities as part of project development. Identifying and accommodating existing utilities is part of the design process, and utilities are considered when finalizing public project plans. The City of Folsom coordinates with the appropriate utility companies to plan and implement any needed accommodation of existing utilities, including water, sewer, telephone, gas, electricity, and cable television lines. Based on the results of an initial request for comments from the utility providers, all utility services are able to accommodate the proposed project.

8.17.2 Evaluation of Utilities and Service Systems

Questions A, B, E (Wastewater): No Impact

The City of Folsom is responsible for managing and maintaining its wastewater collection system, including 267 miles of pipeline and nine lift stations. This system ultimately discharges into the Sacramento Regional County Sanitation District interceptor sewer system. Wastewater is treated at the Sacramento Regional Wastewater Treatment Plant, located in Elk Grove.

In compliance with the 2006 State Water Resources Control Board (SWRCB) General Waste Discharge Requirements for Sanitary Sewer Systems, the City of Folsom adopted a Sewer System Management Plan on July 28, 2009. The plan outlines how the municipality operates and maintains the collection system, and the reporting of all Sanitary Sewer Overflows (SSO) to the SWRCB's online SSO database. Because the City has sufficient capacity to accommodate any additional demand that could result from implementation of the proposed project, and because the City is in compliance with statutes and regulations related to wastewater collection and treatment, there would be no impact and mitigation would not be necessary.

Question C: Less than Significant Impact

Folsom's Public Works Department handles all stormwater management issues for the City, from design and construction of the storm drain system to operation and maintenance, and urban runoff pollution prevention.

Stormwater drains would be installed throughout the site, and curb and gutter would be installed along the parking lot to collect stormwater flows and prevent flooding or ponding. Stormwater facilities would need to be expanded to connect to existing stormwater drainage facilities; 12-inch drains would be installed to carry stormwater to the existing storm drain line in Iron Point Road. Bio-swailes would be constructed on the project site to collect stormwater and direct it to drain inlets to the storm drain system. With implementation of these measures, environmental impacts from expanding the stormwater facilities would be less than significant and no mitigation would be necessary.

Question B, D (Water): Less than Significant Impact

Water Supply

Folsom's Water Treatment Plant has a capacity of 50 million gallons per day. According to the City of Folsom General Plan Housing Element, the combination of treated and untreated water demands (through General Plan build-out in 2018) are not anticipated to exceed the City's current water entitlements of 34,000 acre-feet annually (City of Folsom 2009). Because sufficient supplies are available, no additional facilities would need to be constructed or expanded and impacts would be less than significant.

Water Supply and the Drought

While the General Plan identifies sufficient water supplies for build out of projects identified in the General Plan (including the proposed project), the State has been in a severe drought and continued growth in the City has generated concern from many residents. Folsom City Manager, Evert Palmer explained that "Folsom has rights to 34,000 acre feet of water from Folsom Lake, and consumes less than two percent of the water that passes through Folsom Dam each year. Last year, the City used just over half of its allocated supply. Folsom's new housing demand, including the development south of U.S. Highway 50, is also relatively low, comprising just four percent of the planned housing in the entire Sacramento region through 2036" (Newell 2015) The proposed project would provide housing for approximately 681 residents, and would not result in a substantial increase in water demand on the City.

Water Conservation Efforts

The City actively implements water conservation actions in response to the drought. Standards and regulations issued by the State Water Resources Control Board that came into effect June 1, 2015, require the City to reduce water consumption by 32 percent. In response, the City developed a water reduction plan to reduce water consumption, and conserve water in the City.

City actions include reducing watering in parks by one third, removing turf and retrofitting irrigation in more than 30 medians citywide, turn off irrigation in ornamental streetscapes that do not have trees, prohibiting new homes and buildings from irrigating with potable water unless water-efficient drip systems are used, replacing and upgrading sprinklers and irrigation systems with water-efficient systems, suspending operation of water features throughout the City. The City also implemented water restrictions and rebate programs for residents of the City. Folsom residents successfully reduced water consumption by 21 percent in 2014. The City reduced water consumption in parks by 27 percent, and 31 percent in Landscape and Lighting Districts. This was among the highest conservation rates statewide (Brainerd 2015).

Questions F and G: No Impact

The City of Folsom provides solid waste, recycling, and hazardous materials collection services to its residential and business communities. In order to meet the State mandated 50 percent landfill diversion requirements stipulated under AB 939, the City has instituted several community-based programs. The City offers a door-to-door collection program for household hazardous and electronic waste, in addition to six "drop off" recycling locations within the City.

After processing, solid waste is taken to the Kiefer Landfill, the primary municipal solid waste disposal facility in Sacramento County. The landfill facility sits on a site of 1,084 acres in the community of Sloughhouse. Currently 250 acres, the State permitted landfill is 660 acres in size, and is of sufficient capacity to accommodate the solid waste disposal needs of the City of Folsom. Because the landfill serving the project area is of sufficient capacity to accommodate solid waste needs, there is no impact and no mitigation would be necessary.

8.18 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur. Where prior to commencement of the environmental analysis a project proponent agrees to MMs or project modifications that would avoid any significant effect on the environment or would mitigate the significant environmental effect, a lead agency need not prepare an EIR solely because without mitigation the environmental effects would have been significant (per Section 15065 of the State CEQA Guidelines):

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present and probable future projects)?

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

□	□	■	□
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Question A: Less than Significant

The preceding analysis indicates that the proposed project would result in potentially significant impacts related to aesthetics, air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, noise, and recreation. With adoption and implementation of the proposed mitigation measures and compliance with City programs and requirements identified in this report, the proposed project would not have a significant adverse impact on overall environmental quality, including the potential to reduce the habitat of fish and wildlife species, or contribute to lowering populations to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

Question B: Less than Significant with Mitigation Incorporated

While the project would indirectly contribute to cumulative impacts associated with increased urban development in the city and region, these impacts have previously been evaluated by the City and considered in development of the City’s General Plan as set forth in this Initial Study, as well as the EIRs prepared for the Broadstone Unit No. 3 and Empire Ranch Specific Plans. Key areas of concern are discussed in detail below.

Evaluation of cumulative aesthetic impacts: Implementation of the proposed project, with continued cumulative growth within Folsom and implementation of the East Area Folsom Plan and the Folsom South of U.S. Highway 50 Specific Plan, would contribute to the urbanization of the area because the project would involve conversion of an undeveloped area to developed uses. The regional landscape would continue to develop a more urban visual character than is currently experienced by viewers.

By implementing the proposed design elements that tie in the proposed building and landscaping to the adjacent land uses, the proposed project is not expected to substantially contribute to the cumulative impacts on the regional visual character. The project site is within in area that is partially developed with mixed uses, and is continuing to be developed. With implementation of mitigation measures AES-1a through 1f, as well as the elements already incorporated into the project design that are consistent with the mitigation contained in the EIRs for the Specific Plans, the proposed project would not result in significant cumulative impacts to aesthetic resources, and no additional mitigation to address cumulative impacts would be necessary.

Evaluation of cumulative air quality impacts: As previously described in Section 8.3.3, the Sacramento region is in non-attainment for ozone (NO_x and ROG) and particulate matter (PM_{2.5} and PM₁₀). The proposed project would not exceed the District's emission thresholds for criteria pollutants; therefore, the proposed project would not result in a cumulatively considerable increase in any criteria pollutant. The project would be required to implement mitigation measures contained in the EIRs for the Broadstone Unit No. 3 and Empire Ranch Specific Plans (included as project mitigation measures AIR-1 through 3), which would further reduce the projects effects on air quality. The project would not result in a cumulatively considerable net increase in any criteria pollutant. A less than significant impact would result, and no additional mitigation would be necessary to address cumulative impacts would be necessary.

Evaluation of cumulative biological resources impacts: Implementation of the proposed project, with continued growth within Folsom and implementation of the East Area Folsom Plan and the Folsom South of U.S. Highway 50 Specific Plan, would contribute to continued loss of habitat for biological resources by converting undeveloped area to developed uses.

The project site has limited potential to provide low-quality foraging habitat to Swainson's hawk and burrowing owl, does provide foraging habitat to white-tailed kite, and is adjacent to a known nesting site of tricolored blackbird. There is the potential for birds covered under the MBTA to nest on the project site. Because of the low forage value the habitat present in the project site would provide to Swainson's hawk, burrowing owl, and white-tailed kite, the project would not contribute to a significant cumulative loss of foraging habitat for these species.

The project site is near a known nesting site for tricolored blackbird. Potential impacts relate to construction-related activities. The proposed project would not remove the nesting habitat; therefore, with implementation of Mitigation Measures BIO-1 and BIO-2 to avoid potential impacts associated with construction related activities, the project would not contribute to a significant cumulative loss of foraging habitat for tricolored blackbird.

The project site has been previously cleared and graded and is largely cleared of potential nest sites (trees, shrubs, dense vegetation). Although there is the potential for birds to use the site for nesting, the loss of the few remaining trees and minimal vegetation would not contribute to a significant cumulative loss of nesting habitat for birds protected under the MBTA. Implementation of Mitigation Measure BIO-3 would avoid the loss of nesting birds, thereby avoiding a significant cumulative loss of nesting birds.

The continued loss of native oaks in the region is a significant cumulative impact. The loss of nine blue oaks would contribute to the cumulative impact; however, the project's contribution to the impacts would be reduced to a less than significant level with the implementation of Mitigation Measure BIO-X. The project site has largely been previously cleared and graded, and the habitat previously disturbed. The proposed project would not result in significant cumulative impacts to biological resources with the implementation of Mitigation Measures BIO-1 through BIO-X.

Evaluation of cumulative noise impacts: Noise and vibrations are localized occurrences and rapidly decrease in magnitude as the distance between the source and receptors increases; therefore, when determining whether the overall noise (and vibration) impacts from related projects would be cumulatively significant and whether the project's incremental contribution to

any significant cumulative impacts would be cumulatively considerable, only projects in the direct vicinity of the project and those that are considered influential in regards to noise and vibration would have the potential to be considered in a cumulative context with the project's incremental contribution.

The adjacent areas have largely been previously developed consistent with the City of Folsom General Plan. Projects in the vicinity of the proposed project that may contribute to a cumulative noise impact include the existing Specific Plan, the existing and planned elements of the Empire Ranch Development. The proposed project, along with adjacent existing development and planned development in the vicinity would contribute to increases in the overall noise environment, primarily through traffic level increases. Development of the currently undeveloped parcel east of the project site may contribute to temporary cumulative noise and vibration impacts during construction.

All projects within the City of Folsom are subject to the City of Folsom Noise Ordinance, and are considered based on the land use compatibility criteria included in the Noise Element of the General Plan. Through evaluation and mitigation consistent with the City's noise regulations, cumulative impacts would be expected to be less than significant. The proposed project would result in a less than significant cumulative impact.

Evaluation of cumulative transportation impacts: Cumulative transportation impacts were evaluated in the traffic impact analysis prepared for the project (MRO Engineers 2015). The year 2035 traffic volumes for Cumulative No Project conditions were derived from traffic forecasts developed as part of the Folsom Sphere of Influence Project. The project's contribution to the Cumulative No Project traffic conditions were evaluated. The proposed project is expected to generate 2,175 daily trips (167 during the AM peak hour, and 203 during the PM peak hour). Under Cumulative No Project conditions, the Iron Point Road/East Bidwell Street would operate at LOS F during the PM peak hour. The Iron Point Road/Carpenter Hill Road and Iron Point Road/Empire Ranch Road study intersections would operate at LOS F during both the AM and PM peak hours. The rest of the study intersections would operate within an acceptable LOS. The Iron Point Road/Carpenter Hill Road intersection would meet the criteria warranting a signal at that intersection for the AM peak hour with and without the project.

With implementation of the proposed project, project-generated traffic would contribute traffic delays less than 3.6 seconds per vehicle, which is less than the City's significance threshold of a 5-second delay per vehicle. The resulting delays would not result in a change in LOS from the Cumulative No Project condition at any of the intersections. Refer to **Table 17** for the cumulative level of service.

The proposed project would result in less than significant impacts to traffic operations at the study intersection under cumulative conditions. Three of the existing study intersections and both of the project intersections (Iron Point Road/West Project Access and Iron Point Road/East Project Access) are projected to fail to conform to the City's LOS standard. The incremental increase in delay at the existing study intersections from implementation of the proposed project is less than the significance threshold of 5 seconds per vehicle. While the project intersections

would fail to confirm to the City's LOS standards, they are new intersections, so there is no impact to existing intersections.

Question C: Less than Significant Impact

Because of site conditions, existing City regulations, and regulation of potential environmental impacts by other agencies, the proposed project would not have the potential to cause substantial adverse effects on human beings as demonstrated in the detailed evaluation contained in this Initial Study.

**Table 17
Level of Service – Cumulative Plus Project Conditions**

INTERSECTION	TRAFFIC CONTROL	AM PEAK HOUR						PM PEAK HOUR					
		Cumulative No Project			Cumulative + Project			Cumulative No Project			Cumulative + Project		
		Delay	LOS	Meet Signal Warrant? 3	Delay	LOS	Meet Signal Warrant ?	Delay	LOS	Meet Signal Warrant ?	Delay	LOS	Meet Signal Warrant ?
Iron Point Rd./East Bidwell St.	Signal	31.0	C		31.5	C		134.7	F		135.5	F	
Iron Point Rd./Serpa Way	Signal	16.5	B		16.7	B		19.6	B		19.9	B	
Iron Point Rd./Carpenter Hill Rd.	All-Way STOP	58.3	F		58.9	F		57.1	F		57.7	F	
Iron Point Rd./Empire Ranch Rd.	Signal	122.0	F		124.7	F		94.0	F		94.8	F	
East Bidwell St./U.S. Highway 50 Westbound Off-ramp	Signal	11.6	B		11.6	B		13.6	B		14.0	B	
East Bidwell St./U.S. Highway 50 Eastbound Off-ramp t	Signal	15.1	B		15.2	B		16.4	B		16.5	B	
Empire Ranch Rd./U.S. Highway 50 Westbound Off-ramp	Signal	13.7	B		14.0	B		10.3	B		10.4	B	
Empire Ranch Rd./U.S. Highway 50 Eastbound Off-ramp	Signal	8.5	A		8.6	A		12.4	B		12.6	B	
Iron Point Rd./West Project Access	Side-St. STOP	--	--	--	13.3	B		--	--		39.2	E	
Iron Point Rd./East	Side-St. STOP	--	--	--	31.9	D	--	--	--		49.5	E	

Notes on next page.

Source: MRO Engineers 2015
Notes: Delay = average control delay (seconds per vehicle).
LOS = level of service.
NA = not applicable. Intersection does not exist under "no project" conditions.
Shaded cell denotes unacceptable level of service.
Worst-case minor movement delay shown for STOP-sign-controlled intersection.

8.19 MITIGATION MONITORING AND REPORTING PROGRAM

A Mitigation Monitoring and Reporting Program (MMRP) has been prepared by the City per Section 15097 of the CEQA Guidelines and is presented in Appendix F.

9.0 INITIAL STUDY PREPARERS

City of Folsom

David Miller, AICP, Director of Public Works and Community Development Department

Scott Johnson, AICP, Planning Manager

Steve Banks, Principal Planner

HELIX Environmental Planning, Inc.

Robert Edgerton, AICP CEP, Project Manager

David Claycomb, AICP, Quality Assurance/Quality Control

George Aldridge, Senior Biologist

Carrie Wills, Senior Archaeologist

Catherine Silvester, Environmental Specialist

Noosheen Pouya, GIS Specialist/Environmental Planner

Jason Runyan, Environmental Planner

Victor Ortiz, Air Quality Specialist

Bill Vosti, Noise Specialist

10.0 SUPPORTING INFORMATION SOURCES

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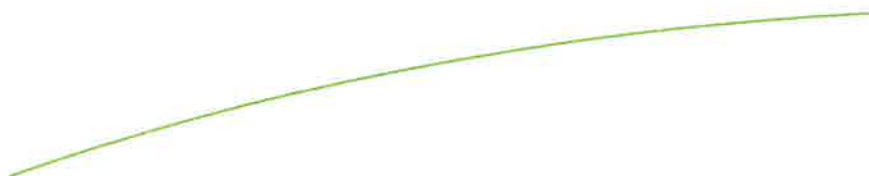
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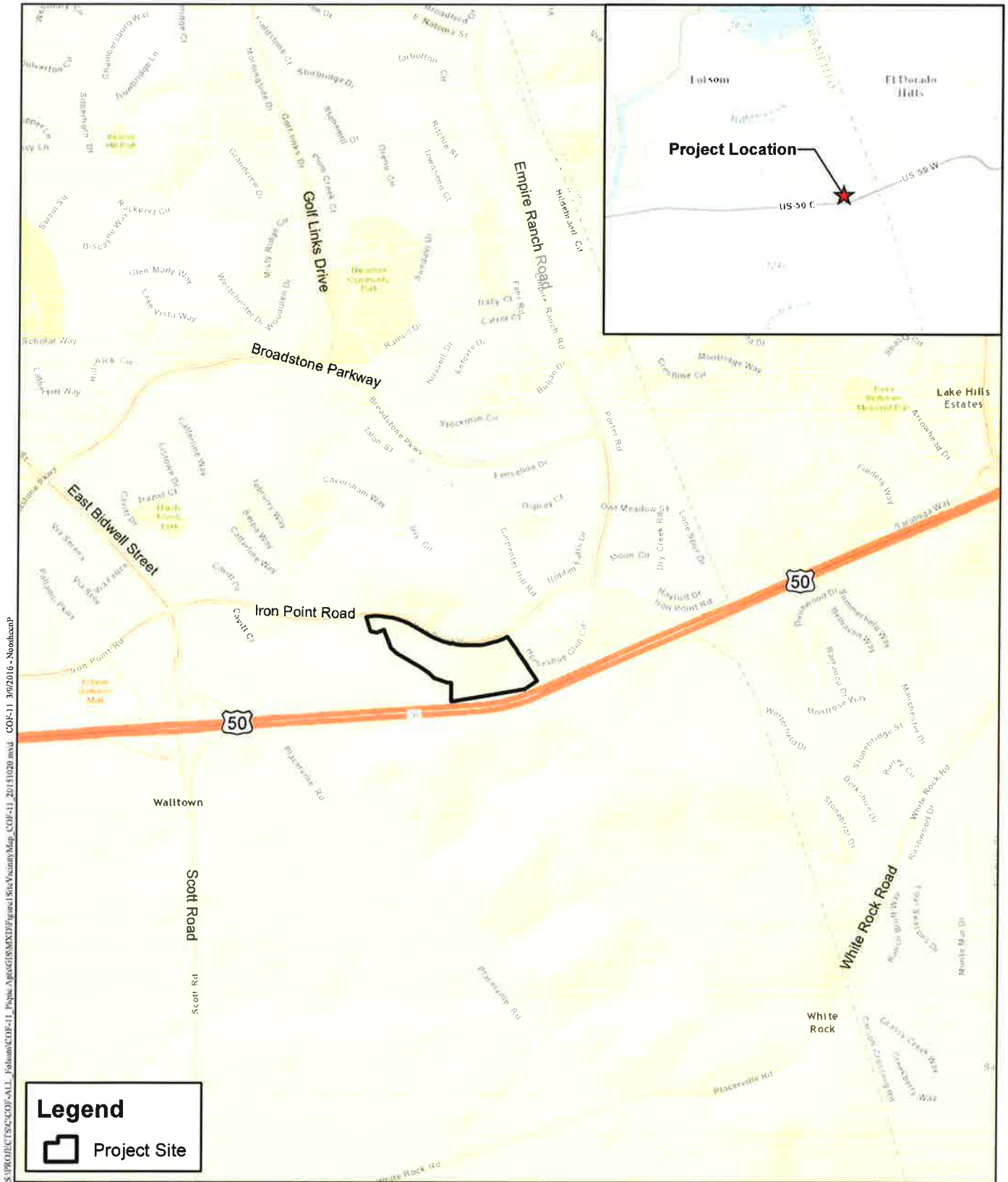
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Appendix A

FIGURES 1-8

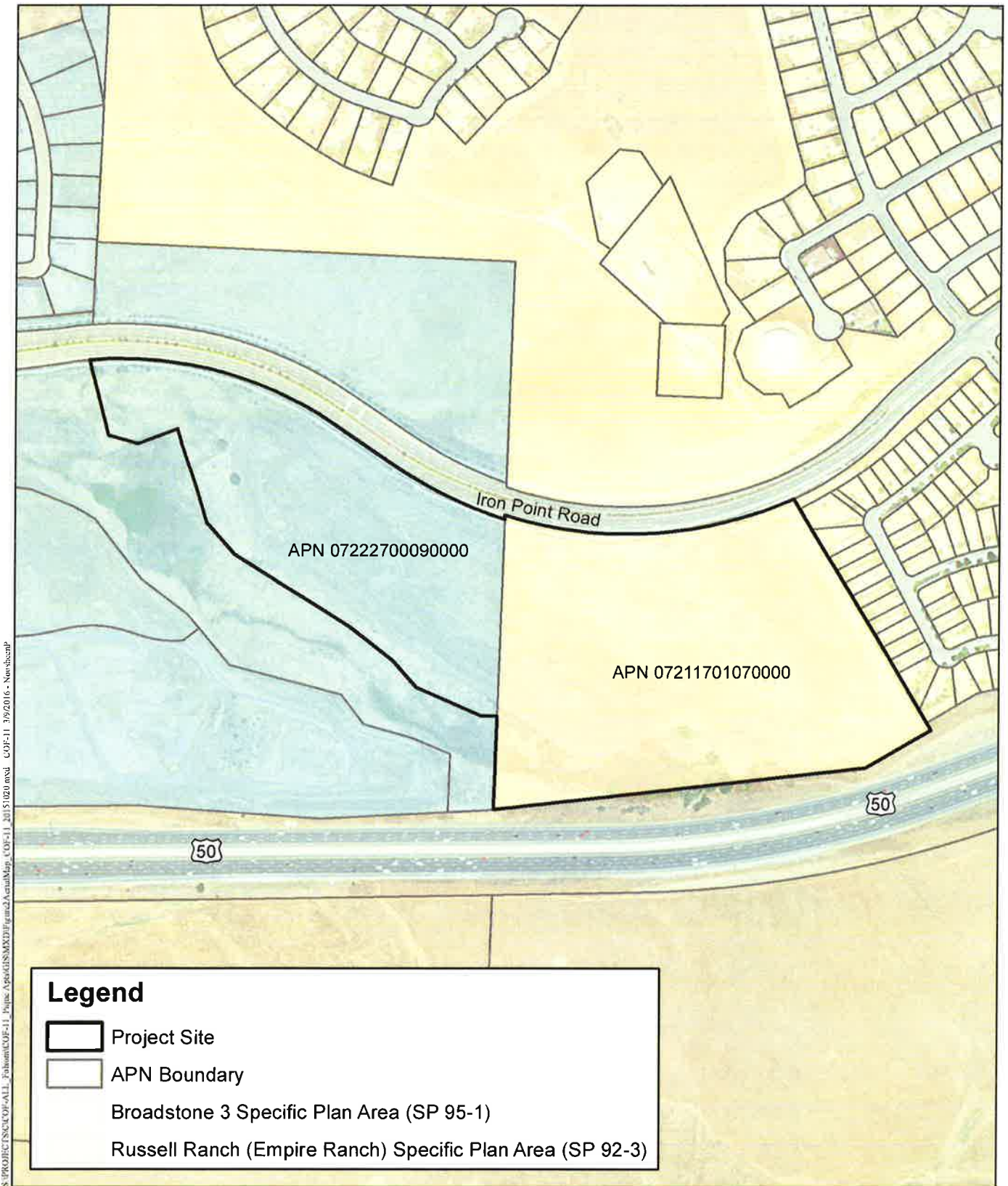




Project Site and Vicinity

THE PIQUE AT IRON POINT PROJECT

Figure 1

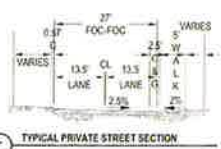


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Aerial Imagery Map

THE PIQUE AT IRON POINT PROJECT

Figure 2



SEE THE FOLLOWING SHEETS FOR THE PLAN AND ELEVATION OF THE PROPOSED DRIVEWAYS AND DRIVEWAYS TO BE CONSTRUCTED BY THE OWNER.

SEE THE FOLLOWING SHEETS FOR THE PLAN AND ELEVATION OF THE PROPOSED DRIVEWAYS AND DRIVEWAYS TO BE CONSTRUCTED BY THE OWNER.



SUBMITTAL INFORMATION

EXISTING ZONING: R4 PD & RM SPSS-1

PROPOSED ZONING: R4 PD & RM SPSS-1

PROPOSED DENSITY: 20 UNITS PER ACRE

PROPOSED FAR: 0.25

OWNER: DEVELOPER/CLIENT
 BELLEFLORE HOME INC.
 348 PINEWOOD PARKWAY, SUITE 201
 FOLSOM, CA 95630

ENGINEER/PLANNER/SURVEYOR:
 MONTON & PEARCE INC.
 75 IRON POINT CIRCLE, SUITE 120
 FOLSOM, CA 95630

ARCHITECT:
 LPA3 ARCHITECTURE & DESIGN
 1001 GARDENS PARK DRIVE, SUITE 120
 SACRAMENTO, CA 95833

ASSESSOR'S PARCEL NUMBER:
 072-277-03
 072-277-03

PROJECT AREA:
 31.77 ACRES

EXISTING PARCELS:
 PM 17 & LOT 24
 PM 108 & LOT 1

EXISTING ZONING:
 R4 PD & RM SPSS-1

PROPOSED ZONING:
 R4 PD & RM SPSS-1

PROPOSED DENSITY:
 20 UNITS PER ACRE

PROPOSED FAR:
 0.25

PROJECT DESCRIPTION / GENERAL NOTES:

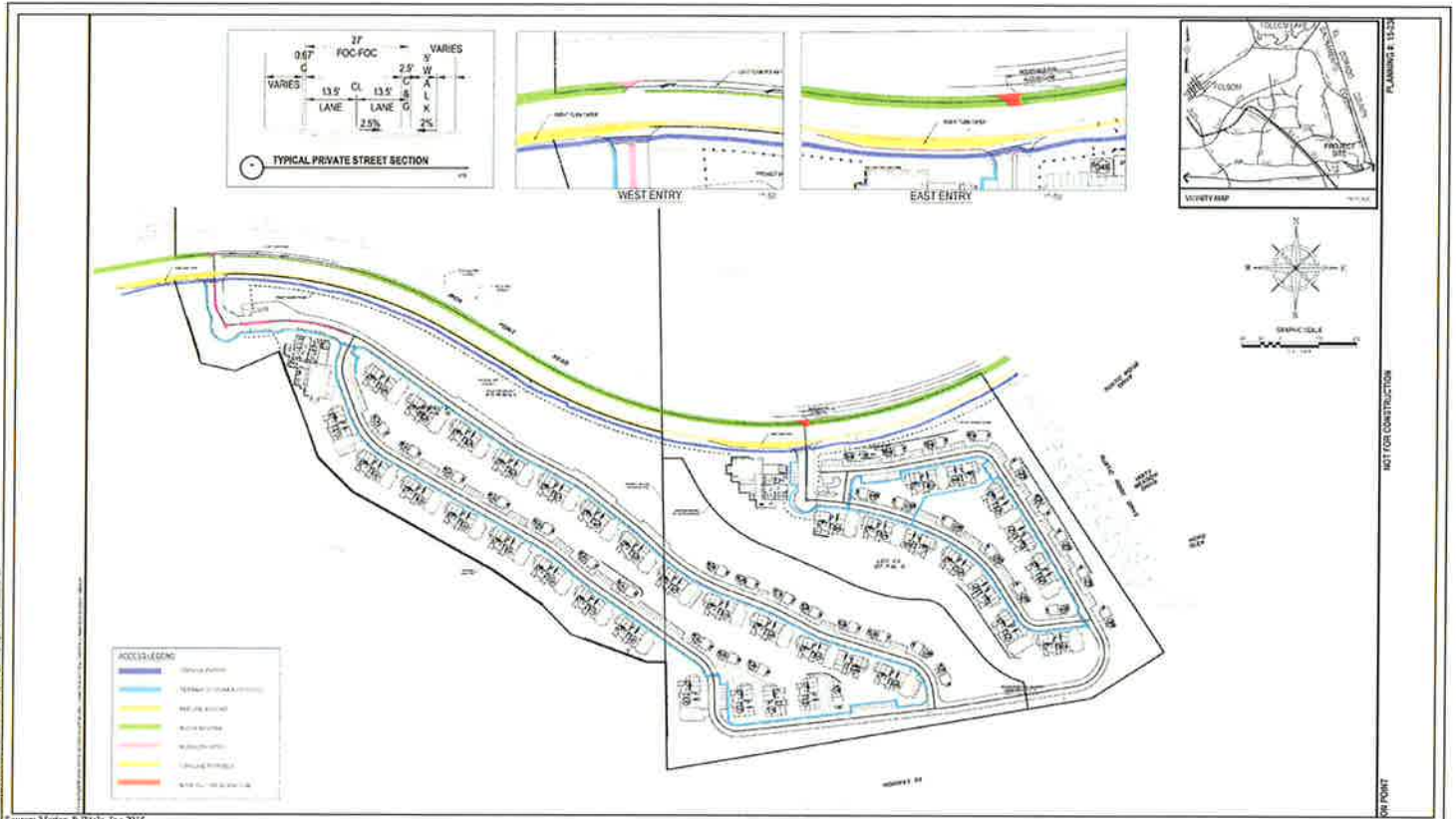
1. THIS SITE PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO APPROVAL BY THE LOCAL AGENCIES.
2. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE LOCAL AGENCIES' REQUIREMENTS AND REGULATIONS.
3. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE LOCAL AGENCIES' REQUIREMENTS AND REGULATIONS.
4. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE LOCAL AGENCIES' REQUIREMENTS AND REGULATIONS.
5. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE LOCAL AGENCIES' REQUIREMENTS AND REGULATIONS.

Source: Morrison & Pitala, Inc 2016

Site Plan

THE PIQUE AT IRON POINT PROJECT
 Figure 3



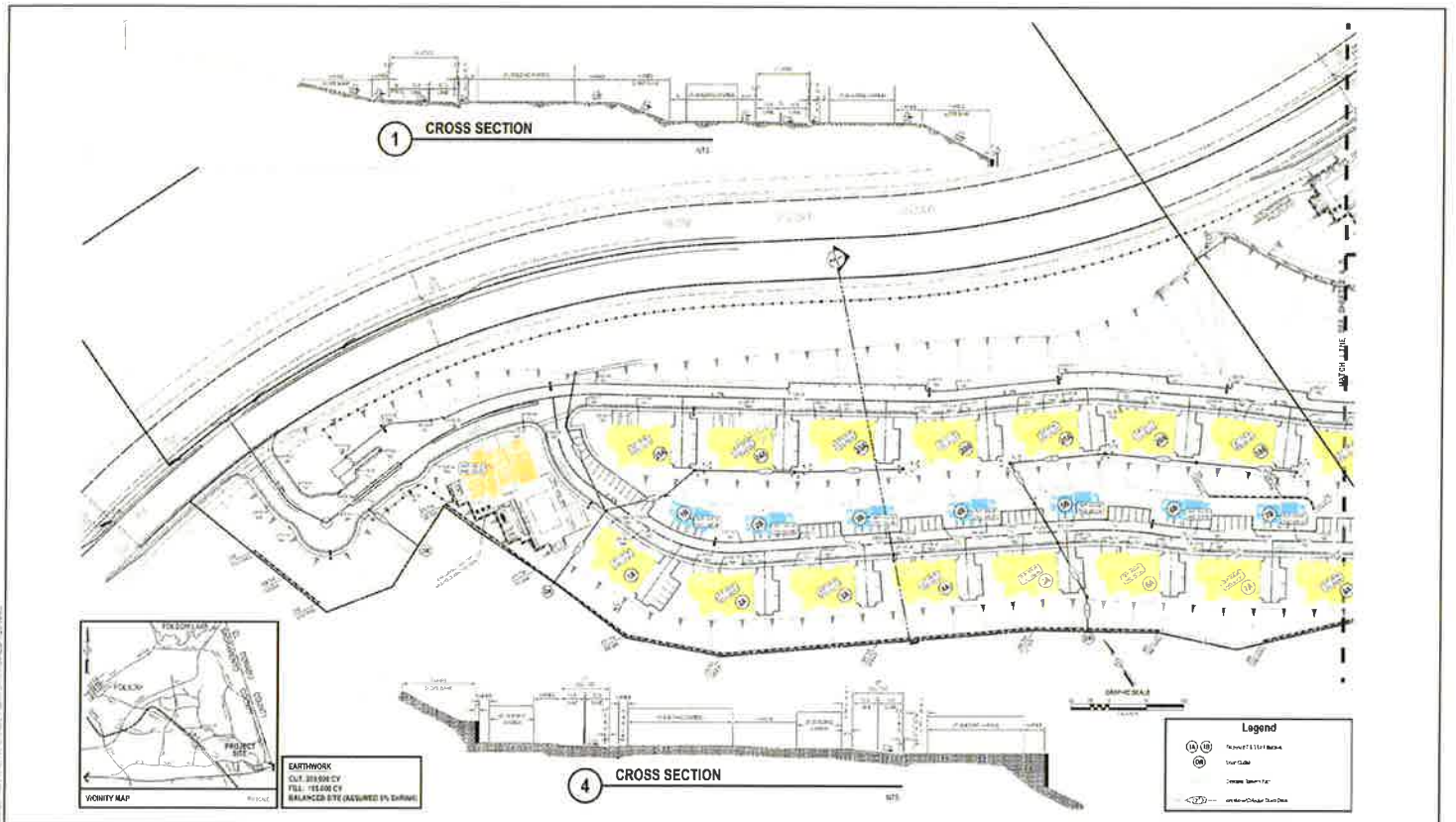


Source: Martin & Maho, Inc. 2016

Access and Circulation

THE PIQUE AT IRON POINT PROJECT

Figure 4

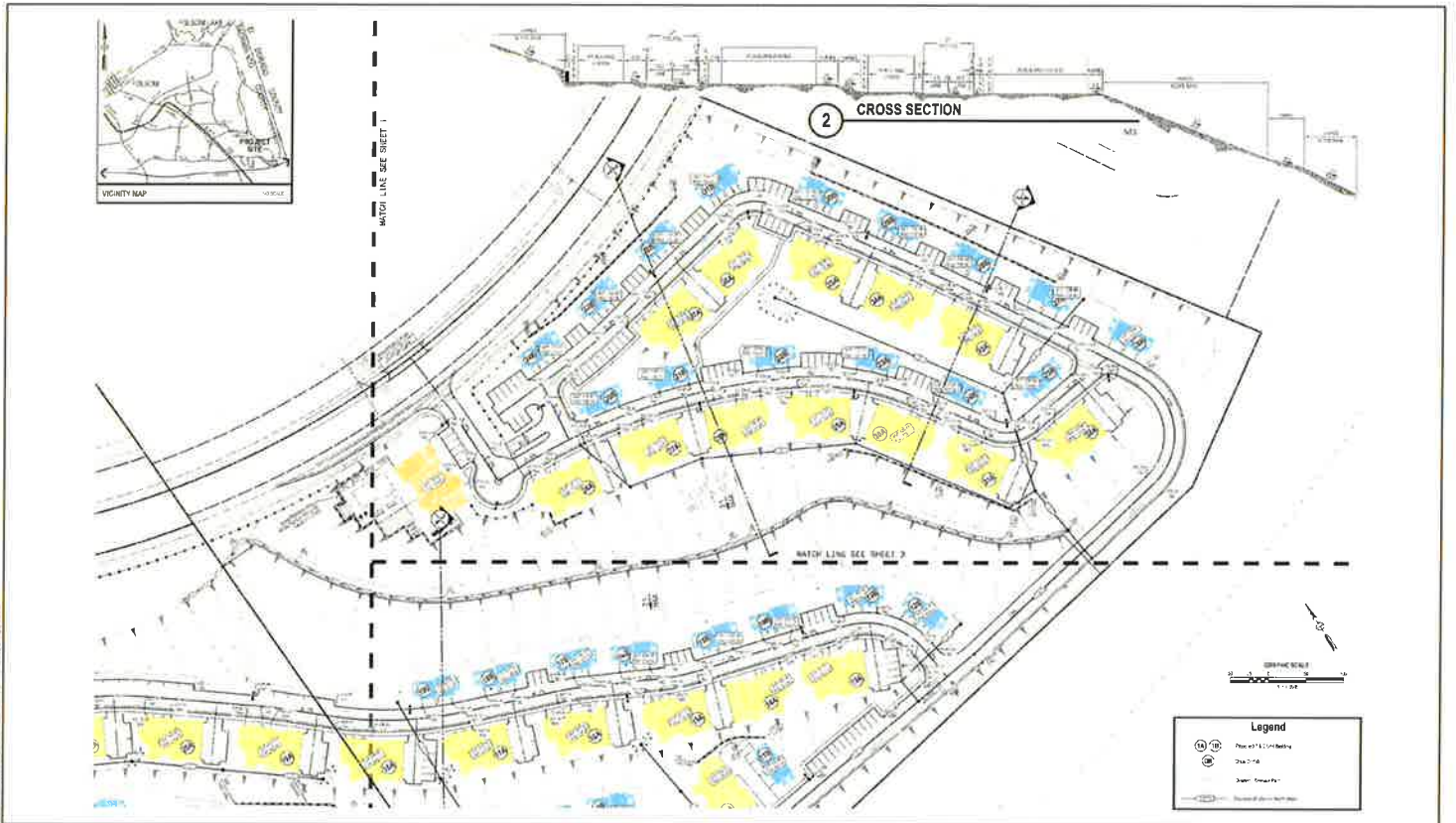


Source: Morrison & Piatto, Inc 2016

Preliminary Grading Plan (West Section)

THE PIQUE AT IRON POINT PROJECT

Figure 5a

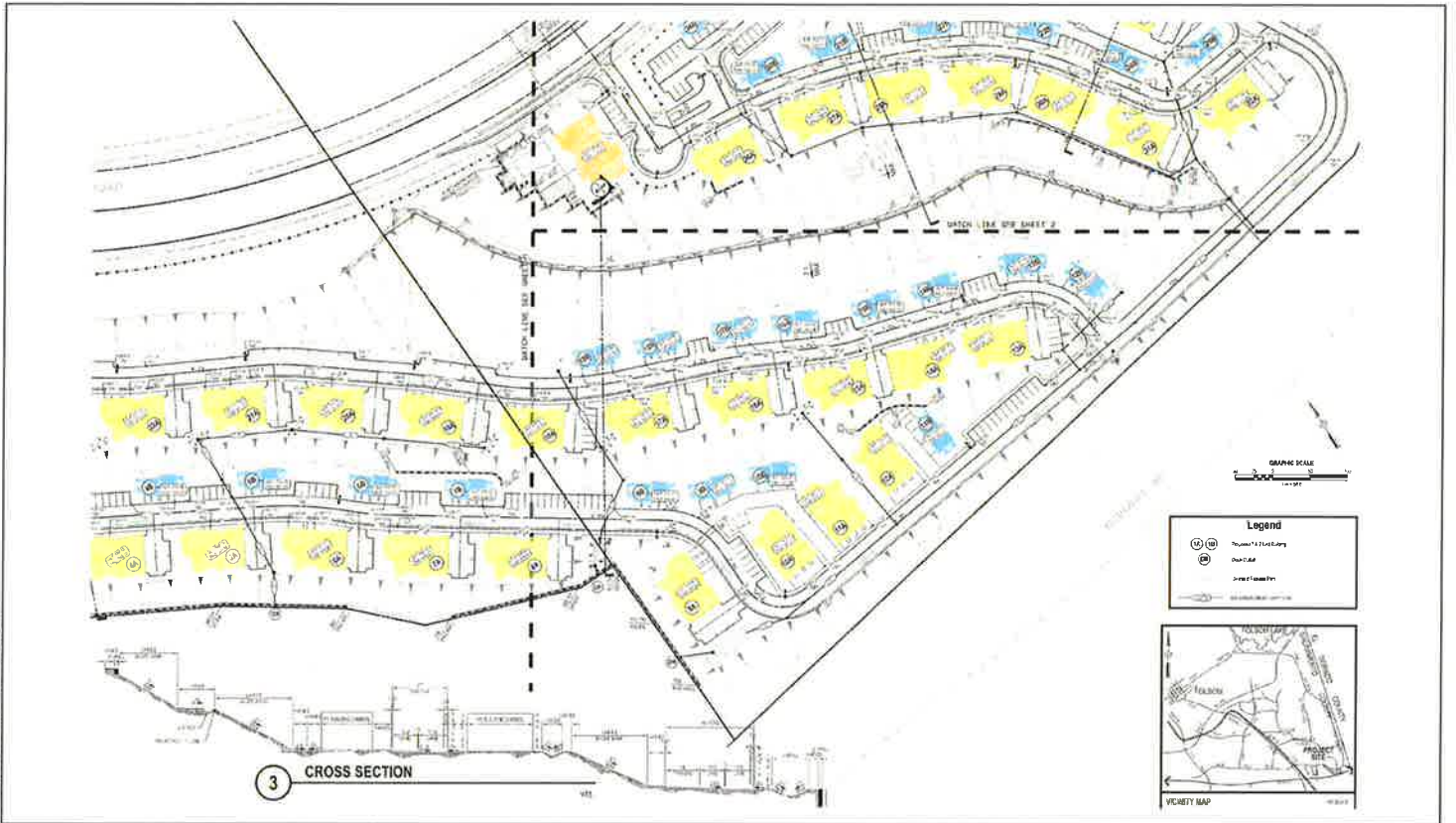


Source: Morrison & Pitalo, Inc. 2016

Preliminary Grading Plan (Northeast Section)

THE PIQUE AT IRON POINT PROJECT

Figure 5b



Source: Mormon & Piatto, Inc 2016

Preliminary Grading Plan (Southeast Section)

THE PIQUE AT IRON POINT PROJECT

Figure 5c



Source: Mattern & Pisko, Inc 2016

Preliminary Utility (West Section)

THE PIQUE AT IRON POINT PROJECT

Figure 6a



Source: Morman & Piatek, Inc 2016

Preliminary Utility Plan (Northeast Section)

THE PIQUE AT IRON POINT PROJECT

Figure 6b



Source: Morrison & Pitolo, Inc 2016

Preliminary Utility Plan (Southeast Section)

THE PIQUE AT IRON POINT PROJECT

Figure 6c



Source: LPSAS and Elliot Homes, 2016

Landscape Plan

THE PIQUE AT IRON POINT PROJECT

Figure 7



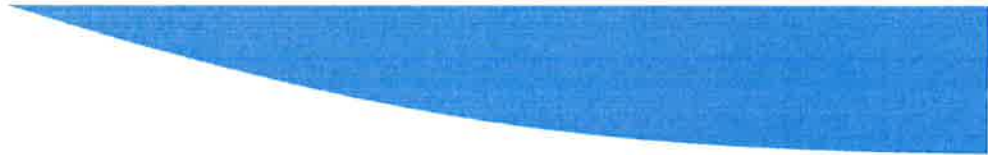
Source: Morton & Pitalo, Inc. February 2016

Modeled Receiver Locations

THE PIQUE AT IRON POINT PROJECT



Figure 8



Appendix C

SPECIAL STATUS SPECIES LISTS





United States Department of the Interior



FISH AND WILDLIFE SERVICE

Sacramento Fish and Wildlife Office

FEDERAL BUILDING, 2800 COTTAGE WAY, ROOM W-2605

SACRAMENTO, CA 95825

PHONE: (916)414-6600 FAX: (916)414-6713

Consultation Code: 08ESMF00-2016-SLI-1005

March 07, 2016

Event Code: 08ESMF00-2016-E-02181

Project Name: Pique at Iron Point

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, under the jurisdiction of the U.S. Fish and Wildlife Service (Service) that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Please follow the link below to see if your proposed project has the potential to affect other species or their habitats under the jurisdiction of the National Marine Fisheries Service:

http://www.nwr.noaa.gov/protected_species/species_list/species_lists.html

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2)

of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: Pique at Iron Point

Official Species List

Provided by:

Sacramento Fish and Wildlife Office
FEDERAL BUILDING
2800 COTTAGE WAY, ROOM W-2605
SACRAMENTO, CA 95825
(916) 414-6600

Consultation Code: 08ESMF00-2016-SLI-1005

Event Code: 08ESMF00-2016-E-02181

Project Type: DEVELOPMENT

Project Name: Pique at Iron Point

Project Description: Pique Apartments

Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior
Fish and Wildlife Service

Project name: Pique at Iron Point

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-121.10383987426758 38.647813208846024, -121.10299229621887 38.64764562432219, -121.10206961631775 38.64730207482291, -121.10124349594115 38.64688310978962, -121.10031008720397 38.64665686765302, -121.09919428825378 38.64655631536302, -121.0983145236969 38.64666524700417, -121.09749913215639 38.64687473046397, -121.0969305038452 38.64716800627878, -121.09540700912476 38.64490556176274, -121.09681248664855 38.64443630506679, -121.09843254089355 38.64413463842526, -121.10111474990843 38.644042462253715, -121.10120058059691 38.64498097773084, -121.10198378562927 38.6449474595326, -121.10387206077576 38.64740262606638, -121.10383987426758 38.647813208846024)))

Project Counties: Sacramento, CA



United States Department of Interior
Fish and Wildlife Service

Project name: Pique at Iron Point

Endangered Species Act Species List

There are a total of 13 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Amphibians	Status	Has Critical Habitat	Condition(s)
California red-legged frog (<i>Rana draytonii</i>) Population: Entire	Threatened	Final designated	
California tiger Salamander (<i>Ambystoma californiense</i>) Population: U.S.A. (Central CA DPS)	Threatened	Final designated	
Crustaceans			
Vernal Pool fairy shrimp (<i>Branchinecta lynchi</i>) Population: Entire	Threatened	Final designated	
Vernal Pool tadpole shrimp (<i>Lepidurus packardii</i>) Population: Entire	Endangered	Final designated	
Fishes			
Delta smelt (<i>Hypomesus transpacificus</i>) Population: Entire	Threatened	Final designated	
steelhead (<i>Oncorhynchus (=salmo)</i>)	Threatened	Final designated	



United States Department of Interior
Fish and Wildlife Service

Project name: Pique at Iron Point

<i>mykiss</i> Population: Northern California DPS			
Flowering Plants			
El Dorado bedstraw (<i>Galium californicum ssp. sierrae</i>)	Endangered		
Layne's butterweed (<i>Senecio layneae</i>)	Threatened		
Pine Hill ceanothus (<i>Ceanothus roderickii</i>)	Endangered		
Pine Hill flannelbush (<i>Fremontodendron californicum ssp. decumbens</i>)	Endangered		
Stebbins' morning-glory (<i>Calystegia stebbinsii</i>)	Endangered		
Insects			
Valley Elderberry Longhorn beetle (<i>Desmocerus californicus dimorphus</i>) Population: Entire	Threatened	Final designated	
Reptiles			
Giant Garter snake (<i>Thamnophis gigas</i>) Population: Entire	Threatened		



United States Department of Interior
Fish and Wildlife Service

Project name: Pique at Iron Point

Critical habitats that lie within your project area

There are no critical habitats within your project area.



Selected Elements by Scientific Name
California Department of Fish and Wildlife
California Natural Diversity Database



Query Criteria: Quad is (Clarksville (3812161))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<i>Agelaius tricolor</i> tricolored blackbird	ABPBXB0020	None	None	G2G3	S1S2	SSC
<i>Andrena blennospermatis</i> Blennosperma vernal pool andrenid bee	IIHYM35030	None	None	G2	S2	
<i>Aquila chrysaetos</i> golden eagle	ABNKC22010	None	None	G5	S3	FP
<i>Ardea alba</i> great egret	ABNGA04040	None	None	G5	S4	
<i>Ardea herodias</i> great blue heron	ABNGA04010	None	None	G5	S4	
<i>Athene cunicularia</i> burrowing owl	ABNSB10010	None	None	G4	S3	SSC
<i>Branchinecta lynchi</i> vernal pool fairy shrimp	ICBRA03030	Threatened	None	G3	S3	
<i>Ceanothus roderickii</i> Pine Hill ceanothus	PDRHA04190	Endangered	Rare	G1	S1	1B.2
<i>Chlorogalum grandiflorum</i> Red Hills soaproot	PMLILOG020	None	None	G2	S2	1B.2
<i>Clarkia biloba ssp. brandegeae</i> Brandegee's clarkia	PDONA05053	None	None	G4G5T4	S4	4.2
<i>Crocianthemum suffrutescens</i> Bisbee Peak rush-rose	PDCIS020F0	None	None	G2Q	S2	3.2
<i>Desmocerus californicus dimorphus</i> valley elderberry longhorn beetle	IICOL48011	Threatened	None	G3T2	S2	
<i>Elanus leucurus</i> white-tailed kite	ABNKC06010	None	None	G5	S3S4	FP
<i>Emys marmorata</i> western pond turtle	ARAAD02030	None	None	G3G4	S3	SSC
<i>Fremontodendron decumbens</i> Pine Hill flannelbush	PDSTE03030	Endangered	Rare	G1	S1	1B.2
<i>Galium californicum ssp. sierrae</i> El Dorado bedstraw	PDRUB0N0E7	Endangered	Rare	G5T1	S1	1B.2
<i>Haliaeetus leucocephalus</i> bald eagle	ABNKC10010	Delisted	Endangered	G5	S2	FP
<i>Hydrochara rickseckeri</i> Ricksecker's water scavenger beetle	IICOL5V010	None	None	G2?	S2?	
<i>Packera layneae</i> Layne's ragwort	PDAST8H1V0	Threatened	Rare	G2	S2	1B.2
<i>Rana draytonii</i> California red-legged frog	AAABH01022	Threatened	None	G2G3	S2S3	SSC



Selected Elements by Scientific Name
California Department of Fish and Wildlife
California Natural Diversity Database



Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<i>Sagittaria sanfordii</i> Sanford's arrowhead	PMALI040Q0	None	None	G3	S3	1B.2
<i>Wyethia reticulata</i> El Dorado County mule ears	PDAST9X0D0	None	None	G2	S2	1B.2

Record Count: 22

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Scientific Name	Common Name	Family	Lifeform	Rare Plant Rank	State Rank	Global Rank
Calandrinia breweri	Brewer's calandrinia	Montiaceae	annual herb	4.2	S4	G4
Ceanothus roderickii	Pine Hill ceanothus	Rhamnaceae	perennial evergreen shrub	1B.1	S1	G1
Chlorogalum grandiflorum	Red Hills soaproot	Agavaceae	perennial bulbiferous herb	1B.2	S2	G2
Clarkia biloba ssp. brandegeae	Brandegee's clarkia	Onagraceae	annual herb	4.2	S4	G4G5T4
Crocanthemum suffrutescens	Bisbee Peak rush-rose	Cistaceae	perennial evergreen shrub	3.2	S2	G2Q
Eriophyllum jepsonii	Jepson's woolly sunflower	Asteraceae	perennial herb	4.3	S3	G3
Fremontodendron decumbens	Pine Hill flannelbush	Malvaceae	perennial evergreen shrub	1B.2	S1	G1
Galium californicum ssp. sierrae	El Dorado bedstraw	Rubiaceae	perennial herb	1B.2	S1	G5T1
Packera layneae	Layne's ragwort	Asteraceae	perennial herb	1B.2	S2	G2
Sagittaria sanfordii	Sanford's arrowhead	Alismataceae	perennial rhizomatous herb	1B.2	S3	G3
Wyethia reticulata	El Dorado County mule ears	Asteraceae	perennial herb	1B.2	S2	G2

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Appendix D

NOISE ANALYSIS



**Appendix D
ACOUSTICAL DATA**

Table D-1 FUTURE OUTDOOR ON-SITE NOISE LEVELS	
Receiver¹	Noise Levels (CNEL)
R1	56.1
R15	47.2

Note: Noise levels in table are for the "Construction Year + Project" condition.

Table D-2 FUTURE BUILDING FAÇADE ON-SITE NOISE LEVELS	
Receiver¹	Noise Levels (CNEL)
R2	57.7
R3	55.9
R4	55.3
R5	54.4
R6	54.2
R7	53.4
R8	53.3
R9	53.7
R10	48.1
R11	64.8
R12	63.9
R13	63.3
R14	60.1
R16	70.4
R17	74.4
R18	75.2
R19	75.3
R20	74.8
R21	74.9
R22	74.1
R23	74.0
R24	72.8
R25	74.1

Note: Noise levels in table are for the Construction Year + Project" condition.

**Table D-3
OFF-SITE TRAFFIC NOISE LEVELS**

Roadway/Segment	Existing Conditions				Construction Year + Project				Construction Year No Project			
	CNEL @ 100 ft. (dBA)	70 CNEL (ft.)	65 CNEL (ft.)	60 CNEL (ft.)	CNEL @ 100 ft. (dBA)	70 CNEL (ft.)	65 CNEL (ft.)	60 CNEL (ft.)	CNEL @ 100 ft. (dBA)	70 CNEL (ft.)	65 CNEL (ft.)	60 CNEL (ft.)
Iron Point Road												
West of E. Bidwell St.	63.5	28	76	189	64.5	34	91	220	64.4			
E. Bidwell St. to Cavitt Dr.	63.5	28	75	189	65.4	42	108	255	65.2			
Cavitt Dr. to Serpa Way	61.0	14	47	120	63.3	27	74	180	62.9			
Serpa Way to Carpenter Hill Rd.	60.1	11	40	101	61.3	15	50	127	60.7			
Carpenter Hill Rd. to Empire Ranch Rd.	59.7	9	36	95	60.5	12	42	110	60.3			
East of Empire Ranch Rd.	56.4	-	15	51	56.5	-	16	51	56.5			
Serpa Way												
North of Iron Point Rd.	47.7	-	-	-	48.3	-	-	-	48.3			
South of Iron Point Rd.	49.8	-	-	9	53.5	-	-	26	53.5			
US Hwy 50												
E. of Scott Rd.	74.9	99	475	875	76.4	290	575	1025	76.4			

The Pique at Iron Point Apartments: Preliminary Exterior to Interior Noise Impact Analysis

1.0 INTRODUCTION

This preliminary Exterior to Interior analysis is submitted to satisfy the following City of Folsom (City) noise requirements for multi-family residential interior space:

1. Determine whether mitigation is necessary and feasible to reduce interior noise impacts to below 45 CNEL, in compliance with the City's multi-family interior space noise limits.

This is a preliminary exterior to interior analysis based only on the available site graphics without a final set of building plans. Room dimensions and window sizes were estimated based on available drawing information. This planning is intended to provide a worst case consideration for the exterior to interior requirements.

This planning assumes a typical 2X4 stud wall construction with ½-inch exterior shear wall covered with 7/8-inch thick stucco. Any variance from this wall design will require a final update of this analysis when the finished building plans are available to be submitted with the final building plans prior to the issuance of construction permits.

1.1 NOISE AND SOUND LEVEL DESCRIPTORS

All noise level or sound level values presented herein are expressed in terms of decibels (dB), with A-weighting (dBA) to approximate the hearing sensitivity of humans. Time-averaged noise levels are expressed by the symbol L_{EQ} , with a specified duration. The Community Noise Equivalent Level (CNEL) is a 24-hour average, where noise levels during the evening hours of 7:00 p.m. to 10:00 p.m. have an added 5 dB weighting, and sound levels during the nighttime hours of 10:00 p.m. to 7:00 a.m. have an added 10 dB weighting. This is similar to the Day-Night sound level (L_{DN}), which is a 24-hour average with an added 10 dB weighting on the same nighttime hours but no added weighting on the evening hours. Sound levels expressed in CNEL are always based on dBA. These metrics are used to express noise levels for both measurement and municipal regulations, for land use guidelines, and for enforcement of noise ordinances.

Sound Transmission Class (STC) is expressed as a single number, which approximates or best represents the sound reduction for a single unit area, in decibels, from one side of a common partition to the other.

1.2 CITY OF FOLOSM GENERAL PLAN

POLICY 30.5

New development of residential or other noise sensitive land uses will not be permitted in noise impacted areas unless effective mitigation measures are incorporated into the project design to reduce noise levels to:

1. For noise due to traffic on public roadways, railroad line operations and aircraft: 60 db Ldn/CNEL or less in outdoor activity areas, and interior noise levels to 45 db Ldn/CNEL or less. Where it is not possible to reduce exterior noise due to these sources to 60 db Ldn/CNEL or less by incorporating a practical application of the best available noise reduction technology, an exterior noise level of up to 65 db Ldn/CNEL will be allowed. Under no circumstances will interior noise levels be permitted to exceed 45 db Ldn/CNEL With the Windows and doors closed

2.0 INTERIOR NOISE

2.1 GUIDELINES FOR THE DETERMINATION OF SIGNIFICANCE

The City of Folsom guidelines require that usable residential interior space have noise control that reduces interior noise levels to a maximum of 45 CNEL.

2.2 SUMMARY OF BUILDING-SPECIFIC FEATURES USED IN THE EXTERIOR-TO-INTERIOR NOISE PLANNING

Exact wall specifications are not available at this time. This analysis is based on a typical assumed exterior wall design with the following element:

The type of exterior wall would be constructed from the interior to exterior as follows:

- 5/8" drywall
- 2 X 4 wood stud's 16" OC
- fiberglass batt insulation
- shear wall
- 7/8" cement plaster mix (Scratch, Brown, and Finish coats)

This wall would provide an approximate STC of 48.

2.3 METHODOLOGY FOR EXTERIOR-TO-INTERIOR NOISE ANALYSIS

The California Building Code, California Department of Transportation (Caltrans), local municipalities, and other agencies (such as Housing and Urban Development) may require an acoustical analysis for interior usable spaces that have high levels of exterior noise. This analysis must demonstrate that building features and/or mitigation will provide interior noise levels within the agency-specified maximum noise limits. To compute this exterior-to-interior noise level decrease, the following information about the interior space is required.

Required Data:

- Number of unique assemblies in the wall (doors, window/wall mount air conditioners, sliding glass doors, windows, roof, etc.)
- Size, number of units, and sound transmission data for each assembly type
- Length of sound impacted wall(s)
- Depth of sound impacted room
- Height of room to be analyzed
- Exterior noise level at wall(s) (and roof if applicable) assemblies of sound impacted room

Octave Exterior Noise per Wall(s):

Typically, the exterior noise is provided as dBA, CNEL, or L_{DN}. These data must be converted to un-weighted Octave data. To make this conversion, the calculated noise exposure is converted to octave band sound pressure levels (S_{PL}) by the addition of the following octave data curves shown in Table 2 for different noise sources.

Table 2 CNEL OR DBA TO OCTAVE SPL CONVERSION FOR SPECIFIC NOISE SOURCES						
Band	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz
Traffic	-16.7	-11.2	-8.7	-4.7	-4.7	-10.7
Aircraft	-15.3	-6.8	-4.3	-6.3	-9.3	-15.3
Heavy Trucks	-11.1	-6.6	-5.1	-6.1	-9.1	-15.1
Train	-6.6	-13.1	-6.7	-6.5	-7.3	-10.5

XP = noise exposure + SPL

Composite Sound Transmission per Octave per Wall(s) Assembly:

The composite unit (typically 1 square foot) STC is calculated from the individual exterior wall assemblies by the following formulae:

$$\tau_n = 1/10^{TL_n/10}$$
$$\tau_{avg} = (S_1 \tau_n + S_2 \tau_n \dots S_n \tau_n) / S$$
$$TL_c = 10 \log_{10} (1 / \tau_{avg})$$
$$NR = TL_c - 10 \log_{10} (S)$$

Room Absorption:

Each analyzed room has a unique noise absorption level that reduces the overall interior noise. The reduction in room noise due to absorption is calculated by the following methodology:

$$ABS = 10 \log_{10} (A)$$

Octave Room Noise Level:

$$\text{Noise Level} = XP - NR - ABS - AW$$

Explanation of Abbreviations:

- XP – Octave Wall Noise Exposure
- τ_n – Component Transmission Coefficient
- τ_{avg} – Average Transmission Coefficient All Components
- TL_n – Component Sound Transmission Loss
- TL_c – Combined Sound Transmission Loss
- S_n – Area of Components
- S – Total Area
- NR – Component Noise Reduction
- A – Absorption (Sabins)
- ABS – Noise Reduction Due to Room Absorption
- AW – Octave A - weighting

Final Overall Noise:

The octave noise levels transmitted through all of the exterior wall assemblies which may typically include two walls if it is a corner room and may include the roof (total of three walls, including the roof, if aircraft noise is an element) are logarithmically added to produce the overall room noise level.

2.4 ROOMS FOR ANALYSIS

An analysis is not required for each individual room; it is only provided for each room type or usable space area that would be exposed to the highest exterior noise levels. There are no requirements for hallways, restrooms, storage rooms, or any room without an exterior wall.

The rooms to be analyzed are:

1. Building 1 Master Bedroom (2nd and 3rd Floors same)
2. Building 1 B3(2nd and 3rd Floors same)
3. Building 2 Master Bedroom Room (2nd and 3rd Floors same)
4. Building 2 A1 (2nd and 3rd Floors same)

2.5 EXTERIOR NOISE

The Noise Impact Analysis, lists the exterior noise levels facing the south as 75.3 CNEL (worst case 2nd Floor) from freeway-generated traffic noise (HELIX Environmental Planning, Inc.; HELIX 2016).

2.6 INTERIOR NOISE LEVELS

#	Plan ID	Use	Interior CNEL	Required	Pass/Fail
1	Building 1 Master Bedroom (2nd and 3rd Floors same)	Bedroom	44.7	45	Pass
2	Building 1 B3(2nd and 3rd Floors same)	Living/Grand Room	43.5	45	Pass
3	Building 2 Master Bedroom Room	Bedroom	43.2	45	Pass
4	Building 2 A1	Living/Grand Room	44.6	45	Pass

For analysis details please see Appendix B, Exterior to Interior Spreadsheets.

3.0 DESIGN FEATURES

All window glazing must provide a minimum STC 37 rating. Use of dual glazing with the following minimum design will normally fulfill this specification (other designs may be used provided they have a manufacturer's certified minimum STC 37 rating):

1. ¼ -inch thick exterior glass
2. ¾ -inch air gap
3. ¼ -inch thick interior glass

This planning assumes a typical 2X4 stud wall construction with ½-inch exterior shear wall covered with 7/8-inch thick stucco. Any variance from this wall design will require a final update of this analysis when the finished building plans are available to be submitted with the final building plans prior to the issuance of construction permits.

4.0 MITIGATION

With the planned design features, no additional mitigation is required.

5.0 CERTIFICATION

The findings and recommendations of this acoustical analysis report are based on the available information, and are a true and factual analysis of the potential acoustical issues associated with Jackie Robinson YMCA project located near the intersection of Imperial Avenue and North 45th Street, at 151 YMCA Way, San Diego, California. This report was prepared by Charles Terry.



Charles Terry, Acoustics and Noise Group Manager

February 11, 2016

Date

6.0 REFERENCES

California Building Code

- 2001 California Building Code., Based on the 1997 Uniform Building Code, Appendix Chapter 12, Division II - Sound Transmission Control, Section 1208 - *Sound Transmission Control*.
- 2001 Based on the 1997 Uniform Building Code, Chapter 12, Section 1203.3 - Ventilation.

California Noise Insulation Standards

- 2001 Based on 1997 Uniform Building Code, California Code of Regulations, Title 24. Effective 11/01/02.

City of San Diego

- 2011 City of San Diego California Environmental Quality Act Significance Determination Thresholds
- 2008 City of San Diego Noise Element to the General Plan,

Harris, Cyril M. 1998. Handbook of Acoustical Measurements and Noise Control, 3rd Edition, Acoustical Society of America.

Heeden, Robert A. 1978. Compendium of Materials for Noise Control, U.S. Department of Health, Education and Welfare, National Institute for Occupational Safety and Health.

HELIX Environmental Planning, Inc. (HELIX). 2015. Noise Impact Analysis, Jackie Robinson YMCA. Prepared for REC Consultants, Inc.

Irvine, Leland K., Richards, Roy L. 1998. Acoustics and Noise Control Handbook for Architects and Builders, Kreiger Publishing Company.

EXTERIOR TO INTERIOR NOISE REDUCTION ANALYSIS

Project Name: Pique Apartments
 Project # : COF-11
 Room Name: Master Bedroom

Wall 1 of 1

Room Type : Moderate						
	<u>125 Hz</u>	<u>250 Hz</u>	<u>500 Hz</u>	<u>1KHz</u>	<u>2KHz</u>	<u>4KHz</u>
Reverberation Time (sec):	1.2	1.2	1.2	1.2	1.0	1.0
Room Absorption (Sabins):	60	60	60	60	78	76

	Noise Level	125 Hz	250 Hz	500 Hz	1KHz	2KHz	4KHz
Source 1: Traffic	75.3 CNEL	58.6	64.1	66.6	70.6	70.6	64.6
Source 2: <N/A>	0.0 CNEL	0.0	0.0	0.0	0.0	0.0	0.0
Source 3: <N/A>	0.0 CNEL	0.0	0.0	0.0	0.0	0.0	0.0
Source 4: <N/A>	0.0 CNEL	0.0	0.0	0.0	0.0	0.0	0.0
Overall:	75.3 CNEL	58.6	64.1	66.6	70.6	70.6	64.6

Assembly Type	Open	Width	Height	Qty	Total Area	125 Hz	250 Hz	500 Hz	1KHz	2KHz	4KHz
STC 46 Typical Exterior Wall	N	12	9	1	36.0	29	40	46	46	44	53
STC 37 1/4 - .75 1/4 Dual	N	3	6	4	72.0	19	28	35	39	38	44
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0

Room Depth: **14** ft Overall Area: **108.0** ft²
 Volume: **1512** ft³
 Number of Impacted Walls: **1**

Windows Closed	
Interior Noise Level:	43.5 CNEL

125 Hz	250 Hz	500 Hz	1KHz	2KHz	4KHz	
58.6	64.1	66.6	70.6	70.6	64.6	: Exterior Wall Noise Exposure
20.5	29.8	36.8	40.3	39.2	45.5	: Transmission Loss
0.2	9.3	16.3	20.0	18.9	25.2	: Noise Reduction
17.8	17.8	17.8	17.8	18.8	18.8	: Absorption
40.8	37.0	32.5	32.8	32.9	20.7	: Noise Level
43.5 CNEL WINDOWS OPEN						
125 Hz	250 Hz	500 Hz	1KHz	2KHz	4KHz	
58.6	64.1	66.6	70.6	70.6	64.6	: Exterior Wall Noise Exposure
20.5	29.8	36.8	40.3	39.2	45.5	: Transmission Loss
0.2	9.3	16.3	20.0	18.9	25.2	: Noise Reduction
17.8	17.8	17.8	17.8	18.8	18.8	: Absorption
40.8	37.0	32.5	32.8	32.9	20.7	: Noise Level
43.5 CNEL WINDOWS CLOSED						

EXTERIOR TO INTERIOR NOISE REDUCTION ANALYSIS

Project Name: Plique Apartments
 Project #: COF-11
 Room Name: Building 2 Great/Living Room A1

Wall 1 of 3

Room Type: Hard						
	125 Hz	250 Hz	500 Hz	1KHz	2KHz	4KHz
Reverberation Time (sec):	2.5	2.5	2.5	2.5	2.0	2.0
Room Absorption (Sabins):	107	107	107	107	134	134

	Noise Level		125 Hz	250 Hz	500 Hz	1KHz	2KHz	4KHz	
Source 1: Traffic	75.3 CNEL		58.6	64.1	66.6	70.6	70.6	64.6	: Traffic Spectrum
Source 2: <N/A>	0.0 CNEL		0.0	0.0	0.0	0.0	0.0	0.0	
Source 3: <N/A>	0.0 CNEL		0.0	0.0	0.0	0.0	0.0	0.0	
Source 4: <N/A>	0.0 CNEL		0.0	0.0	0.0	0.0	0.0	0.0	
Overall:	75.3 CNEL		58.6	64.1	66.6	70.6	70.6	64.6	: Effective Noise Spectrum

Assembly Type	Open	Width	Height	Qty	Total Area	125 Hz	250 Hz	500 Hz	1KHz	2KHz	4KHz
STC 46 Typical Exterior Wall	N	22	9	1	162.0	29	40	46	46	44	53
STC 37 1/4 - /75 1/4 Dual	N	3	6	2	36.0	19	28	35	39	38	44
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0

Room Depth: **27** ft Overall Area: **198.0** ft²
 Volume: **5346** ft³

Number of Impacted Walls: **3**

Windows Closed	
Interior Noise Level:	44.6 CNEL

125 Hz	250 Hz	500 Hz	1KHz	2KHz	4KHz	
58.6	64.1	66.6	70.6	70.6	64.6	: Exterior Wall Noise Exposure
24.8	34.3	41.1	43.6	42.1	46.5	: Transmission Loss
1.8	11.4	18.1	20.7	19.2	26.5	: Noise Reduction
20.3	20.3	20.3	20.3	21.3	21.3	: Absorption
36.5	32.5	28.2	29.7	30.2	16.9	: Noise Level
39.5	CNEL	WINDOWS OPEN				
125 Hz	250 Hz	500 Hz	1KHz	2KHz	4KHz	
58.6	64.1	66.6	70.6	70.6	64.6	: Exterior Wall Noise Exposure
24.8	34.3	41.1	43.6	42.1	46.5	: Transmission Loss
1.8	11.4	18.1	20.7	19.2	26.5	: Noise Reduction
20.3	20.3	20.3	20.3	21.3	21.3	: Absorption
36.5	32.5	28.2	29.7	30.2	16.9	: Noise Level
39.5	CNEL	WINDOWS CLOSED				

EXTERIOR TO INTERIOR NOISE REDUCTION ANALYSIS

Project Name: Pique Apartments
 Project #: COF-11
 Room Name: Building 2 Master Bedroom

Wall 1 of 2

Room Type: Moderate							
	125 Hz	250 Hz	500 Hz	1KHz	2KHz	4KHz	
Reverberation Time (sec):	1.2	1.2	1.2	1.2	1.0	1.0	: Moderately Reflective Room
Room Absorption (Sabins):	52	52	52	52	65	65	

	Noise Level	125 Hz	250 Hz	500 Hz	1KHz	2KHz	4KHz	
Source 1: Traffic	75.3 CNEL	58.6	64.1	66.6	70.6	70.6	64.6	: Traffic Spectrum
Source 2: <N/A>	0.0 CNEL	0.0	0.0	0.0	0.0	0.0	0.0	
Source 3: <N/A>	0.0 CNEL	0.0	0.0	0.0	0.0	0.0	0.0	
Source 4: <N/A>	0.0 CNEL	0.0	0.0	0.0	0.0	0.0	0.0	
Overall:	75.3 CNEL	58.6	64.1	66.6	70.6	70.6	64.6	: Effective Noise Spectrum

Assembly Type	Open	Width	Height	Qty	Total Area	125 Hz	250 Hz	500 Hz	1KHz	2KHz	4KHz
STC 46 Typical Exterior Wall	N	12	0	1	72.0	29	40	46	46	44	53
STC 37 1/4 - .75 1/4 Dual	N	3	6	2	36.0	19	28	35	39	38	44
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0
<N/A>	N	0	0	0	0.0	0	0	0	0	0	0

Room Depth: **12** ft Overall Area: **108.0** ft²
 Volume: **1296** ft³

Number of Impacted Walls: **2**

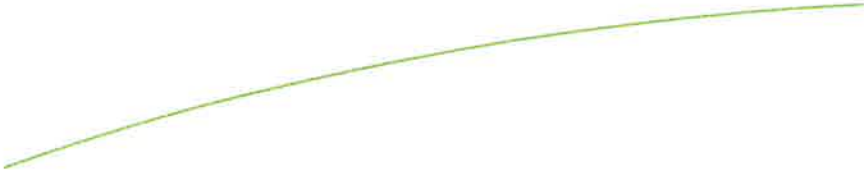
Windows Closed	
Interior Noise Level:	43.2 CNEL

125 Hz	250 Hz	500 Hz	1KHz	2KHz	4KHz	
58.6	64.1	66.6	70.6	70.6	64.6	: Exterior Wall Noise Exposure
23.0	32.3	39.1	42.3	41.0	47.8	: Transmission Loss
2.6	11.9	18.8	22.0	20.7	27.5	: Noise Reduction
17.1	17.1	17.1	17.1	18.1	18.1	: Absorption
38.8	35.0	30.7	31.5	31.8	19.0	: Noise Level
41.8	CNEL	WINDOWS OPEN				
125 Hz	250 Hz	500 Hz	1KHz	2KHz	4KHz	
58.6	64.1	66.6	70.6	70.6	64.6	: Exterior Wall Noise Exposure
23.0	32.3	39.1	42.3	41.0	47.8	: Transmission Loss
2.6	11.9	18.8	22.0	20.7	27.5	: Noise Reduction
17.1	17.1	17.1	17.1	18.1	18.1	: Absorption
38.8	35.0	30.7	31.5	31.8	19.0	: Noise Level
41.8	CNEL	WINDOWS CLOSED				



Appendix E

TRAFFIC IMPACT ANALYSIS





**Final
Traffic Impact Analysis**

**The Pique at Iron Point
Apartments
Folsom, California**

**Prepared For
HELIX Environmental Planning
&
City of Folsom
Community Development Department**

December 15, 2015

TABLE OF CONTENTS

Executive Summary	i
Introduction	1
Existing Conditions	8
Construction Year No Project Conditions	13
Construction Year Plus Project Conditions	18
Cumulative Conditions Analysis	24
Project Access Analysis.....	34

Appendix A

Existing Conditions – Level of Service Calculation Worksheets

Appendix B

Related Projects Trip Generation Summary

Appendix C

Construction Year No Project Conditions – Level of Service Calculation Worksheets

Appendix D

Construction Year Plus Project – Level of Service Calculation Worksheets

Appendix E

Cumulative No Project – Level of Service Calculation Worksheets

Appendix F

Cumulative Plus Project – Level of Service Calculation Worksheets

Appendix G

Left Turn Channelization Device

Appendix H

Class 1 Flexible Post Delineator

LIST OF TABLES

Table 1 – Level of Service Definitions – Signalized Intersections	5
Table 2 – Level of Service Definitions – Unsignalized Intersections	6
Table 3 – Level of Service Summary – Existing Conditions	12
Table 4 – Related Projects	13 - 15
Table 5 – Level of Service Summary – Construction Year No Project Conditions	17
Table 6 – Trip Generation Estimate.....	19
Table 7 – Level of Service Summary – Construction Year Plus Project Conditions	23
Table 8 – Level of Service Summary – Cumulative No Project Conditions	28
Table 9 – Level of Service Summary – Cumulative Plus Project Conditions	32
Table 10 – Level of Service Comparison – Construction Year Plus Project Conditions	37
Table 11 – Level of Service Comparison – Cumulative Plus Project Conditions	40
Table 12 – Minimum Recommended Throat Depth Analysis Summary	46

LIST OF FIGURES

Figure ES-1 – Access System Recommendations.....v
Figure 1 – Project Location2
Figure 2 – Project Site Plan3
Figure 3 – Existing Transportation System.....9
Figure 4 – Peak Hour Traffic Volumes – Existing Conditions10
Figure 5 – Peak Hour Traffic Volumes – Construction Year No Project Conditions16
Figure 6 – Project Trip Distribution20
Figure 7 – Peak Hour Traffic Volumes – Construction Year + Project Conditions.....21
Figure 8 – Peak Hour Traffic Volumes – Cumulative No Project Conditions26
Figure 9 – Project Trip Distribution – Cumulative Conditions.....30
Figure 10 – Peak Hour Traffic Volumes – Cumulative + Project Conditions31
Figure 11 – Peak Hour Traffic Volumes – Project Driveways.....36
Figure 12 – Peak Hour Traffic Volumes – Cumulative + Project Conditions – Alt. Access Plan39
Figure 13 – East Driveway – Conceptual Outbound Left-Turn Lane45
Figure 14 – Access System Recommendations.....49
Figure 15 – Proposed Transportation System Changes.....50

EXECUTIVE SUMMARY

This study addresses the traffic impacts associated with the proposed The Pique at Iron Point Apartments project in Folsom, California. The proposed project would consist of 327 market-rate, multi-family residential units to be located on a 34-acre site on the south side of Iron Point Road between Serpa Way and Carpenter Hill Road. Vehicular access to and from the proposed project would be via two driveways on Iron Point Road.

The study evaluates weekday AM and PM peak hour traffic operations in the vicinity of the project site under the following scenarios:

- Existing Conditions,
- Construction Year No Project Conditions,
- Construction Year Plus Project Conditions,
- Cumulative No Project Conditions, and
- Cumulative Plus Project Conditions.

Impacts of the project were evaluated at six key existing intersections in the immediate vicinity of the project site, as well as two additional intersections that will be constructed in the future. In addition, a detailed analysis of the project's proposed access system was conducted.

Existing Conditions

- AM Peak Hour: All of the study intersections operate at acceptable levels of service. Iron Point Road/East Bidwell Street is at LOS C, while the other study locations are currently operating at LOS A or B. Neither of the unsignalized intersections has sufficient traffic to meet the minimum requirements for installation of a traffic signal.
- PM Peak Hour: All but one of the study intersections operate at acceptable levels of service. The exception is the intersection of Iron Point Road/East Bidwell Street, which operates at LOS D. Neither of the STOP-sign-controlled intersections has sufficient traffic to meet the minimum requirements of the "Peak Hour" signal warrant.

Construction Year No Project Conditions

- The traffic associated with 34 previously-approved (or reasonably foreseeable) developments was added to the study area roadway system to evaluate traffic operations under Construction Year No Project conditions.
- AM Peak Hour: All of the intersections will conform to the pertinent level of service standard. Addition of the related projects traffic will result in no change in level of service at four of the six study intersections. The STOP-sign-controlled intersections will fail to meet the minimum requirements of the "Peak Hour" signal warrant.
- PM Peak Hour: The intersection of Iron Point Road/East Bidwell Street is projected to decline from LOS D to an unacceptable LOS F. Iron Point Road/Carpenter Hill Road will fall from LOS A to LOS B and East Bidwell Street/U.S. Highway 50 Westbound Off-ramp will fall from LOS C

to LOS E (which is acceptable under Caltrans' criteria). The unsignalized study intersections will fall short of meeting the "Peak Hour" signal warrant.

Construction Year Plus Project Conditions

- The proposed multi-family residential project is expected to generate a total of 167 AM peak-hour trips, with 33 inbound and 134 outbound. The PM peak hour trip generation is estimated to be 203 trips, with 132 inbound and 71 outbound. About 2,175 daily trips are projected, evenly split between inbound and outbound.
- AM Peak Hour: No change in level of service is projected, and all of the study intersections will operate at acceptable levels of service. The greatest delay increase is 1.8 seconds/vehicle at Iron Point Road/Carpenter Hill Road. Both of the STOP-sign-controlled project access intersections will operate at LOS B, and both of those locations will fail to meet the minimum requirements of the "Peak Hour" signal warrant.
- PM Peak Hour: Iron Point Road/East Bidwell Street will continue to operate at LOS F, with the project traffic causing an increase in delay of 1.2 seconds/vehicle, which is less than the City's significance threshold of 5.0 seconds/vehicle. The remainder of the study intersections will conform to the City and Caltrans level of service standards. Both project driveway intersections will be at LOS B. Traffic volumes at the unsignalized intersections will again be insufficient to meet the "Peak Hour" signal warrant requirements.
- The project-related impacts at all of the study intersections are less than significant, and no mitigation measures are needed to resolve off-site traffic impacts.

Cumulative No Project Conditions

- The cumulative conditions analysis reflects the level of development anticipated in the City of Folsom and throughout the Sacramento region through the year 2035. The traffic volume projections employed in this analysis are based on information presented in the environmental documentation for the recently-approved Russell Ranch project in the Folsom Plan Area.
- The following major transportation system improvements are reflected in the future year traffic forecasts used in this analysis:
 - Construction of the U.S. Highway 50/Empire Ranch Road interchange,
 - Construction of a new interchange at U.S. Highway 50/Oak Avenue Parkway,
 - Addition of a third through lane in both directions on Iron Point Road (where necessary), and
 - Addition of a third through lane in each direction on East Bidwell Street (where necessary).
- In addition, the traffic projections reflect completion of all roadway system improvements within the Folsom Plan Area Specific Plan, as well as the regional transportation system improvements identified in the SACOG Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS).
- Two additional study intersections were addressed in the cumulative conditions analysis: Empire Ranch Road/U.S. Highway 50 Westbound Off-ramp and Empire Ranch Road/U.S. Highway 50 Eastbound Off-ramp.

- AM Peak Hour: Two of the study intersections are expected to fall short of the City’s LOS C standard. All four of the Caltrans freeway ramp intersections will operate at acceptable levels of service. The all-way-STOP-controlled study intersection of Iron Point Road/Carpenter Hill Road is projected to operate at LOS F, as is the signal-controlled Iron Point Road/Empire Ranch Road intersection. The projected traffic volumes at Iron Point Road/Carpenter Hill Road will be barely sufficient to meet the minimum requirements of the “Peak Hour” signal warrant.
- PM Peak Hour: Iron Point Road/East Bidwell Street, Iron Point Road/Carpenter Hill Road, and Iron Point Road/Empire Ranch Road will operate at LOS F. The freeway ramp intersections will all operate at LOS B, and will therefore conform to the LOS E policy established by Caltrans. The traffic volumes at Iron Point Road/Carpenter Hill Road will not be sufficient to meet the minimum requirements of the “Peak Hour” signal warrant.

Cumulative + Project Conditions

- AM Peak Hour: All but two of the study intersections will operate acceptably under the City of Folsom LOS C standard. Iron Point Road/Carpenter Hill Road and Iron Point Road/Empire Ranch Road will operate at LOS F. The intersection of Iron Point Road/Carpenter Hill Road will meet the minimum requirements of the “Peak Hour” signal warrant, but only just barely, so it is not prudent to recommend installation of a traffic signal. The project access intersections will both have insufficient traffic to meet the “Peak Hour” signal warrant requirements.
- PM Peak Hour: No change in level of service is projected at any of the study intersections. Although three of the study intersections are projected to be at LOS F, the project-related incremental increase in vehicular delay at each will be less than the City’s significance threshold of 5.0 seconds/vehicle. The West Project Access intersection will be at LOS E, but it will not meet the requirements of the “Peak Hour” signal warrant, so the impact is less than significant. In fact, the signal warrant requirements will not be met at any of the unsignalized intersections.
- The project-related impact is less than significant, and no mitigation measures are recommended.

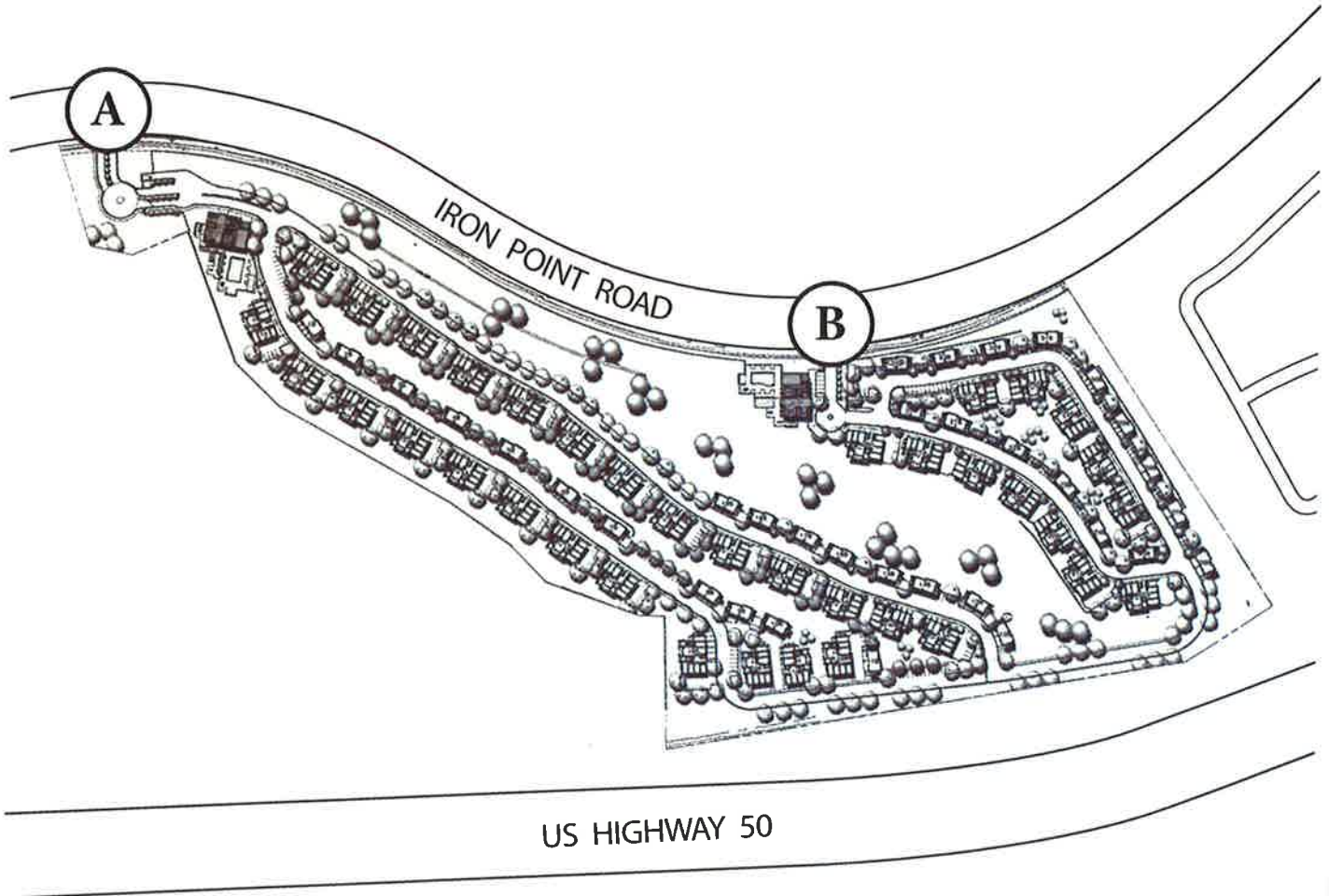
Project Access Analysis

- Two vehicular access points will serve project-generated traffic, both on Iron Point Road. Both project driveways would be STOP-sign controlled.
- Two project access scenarios were evaluated:
 - The “project access plan”
 - West Access: Left turns in and right turns in/out (no outbound left turns)
 - East Access: Right turns in/out
 - The “alternative access plan”
 - West Access: Left turns in and right turns in/out (no outbound left turns)
 - East Access: Left turns out and right turns in/out (no inbound left turns)
- Based on the results of the access analysis, it is recommended that the alternative access plan be implemented, with the following features:

- West Access
 - Left turns in and right turns in/out (no outbound left turns).
 - For the inbound left-turn lane, in addition to the 50 feet needed to store vehicles waiting to complete the turn, 315 feet of full-width deceleration length should be provided. (This distance will allow vehicles to safely decelerate to a stop from 40 MPH.)
 - A standard right-turn deceleration taper should be constructed to assist eastbound drivers entering the site.
 - The plant material in the parkway strip to the west of the driveway should be removed or modified in such a way as to ensure a minimum of 425 feet of sight distance is available in that direction from the driveway.
 - STOP-sign control should be employed on the driveway approach at this location; Iron Point Road should remain uncontrolled. The signal warrant analysis revealed that the Peak Hour warrant would not be met at this location, even under Cumulative Plus Project conditions.
- East Access
 - Left turns out and right turns in/out (no inbound left turns).
 - The pavement markings on Iron Point Road should be modified, as conceptually illustrated on Figure 13, so that vehicles exiting the project site have their own lane as they join westbound Iron Point Road. This lane will become the third westbound lane on Iron Point Road. Caltrans-standard delineators (Appendix H) should also be employed to guide westbound through traffic in this area.
 - STOP-sign control on the driveway approach is recommended at this location, as the Peak Hour signal warrant will not be met.
 - A standard right-turn deceleration taper should be constructed for inbound traffic.
- It is important to recognize that this access analysis has been conducted in the absence of any information with respect to future plans for the vacant parcel of land on the north side of Iron Point Road, directly opposite the project site. Depending upon the nature and magnitude of that development, traffic control features might be installed or constructed on Iron Point Road that would affect access at The Pique at Iron Point.
- A sidewalk already exists along the project's Iron Point Road frontage. This existing amenity will safely serve the needs of pedestrians in that area. No additional pedestrian facilities are considered necessary.
- On-street ("Class II") bike lanes exist on both sides of Iron Point Road, including along the project frontage. These lanes should adequately meet the needs of bicyclists in the vicinity of the project, and no additional bicycle facilities are recommended.
- Figure ES-1 illustrates the access system recommendations.



NOT TO SCALE



A

- Left turns in + Right turns in/out
- STOP-sign control on driveway
- Construct inbound left-turn lane (50ft. storage + 315 ft. deceleration)
- Construct standard inbound right-turn taper
- Modify parkway strip plant material to the west (provide 425 feet of sight distance)

B

- Left turns out + Right turns in/out
- Modify pavement markings to create 3rd WB lane on Iron Point Road to receive outbound left turns
- STOP-sign control on driveway
- Construct standard inbound right-turn taper

INTRODUCTION

This study addresses the traffic impacts associated with the proposed The Pique at Iron Point Apartments project in Folsom, California. The proposed project would consist of 327 market-rate, multi-family residential units to be located on a 34-acre site on the south side of Iron Point Road between Serpa Way and Carpenter Hill Road. Vehicular access to and from the proposed project would be via two driveways on Iron Point Road.

As directed by City of Folsom staff, this study analyzed detailed traffic operations under the following scenarios:

- Existing Conditions,
- Construction Year No Project Conditions,
- Construction Year Plus Project Conditions,
- Cumulative No Project Conditions, and
- Cumulative Plus Project Conditions.

Impacts of the project were evaluated at six key existing intersections in the immediate vicinity of the project site, as well as two additional intersections that will be constructed in the future. In addition, a detailed analysis of the project's proposed access system was conducted.

This report presents the analysis procedures as well as the findings and recommendations resulting from the evaluation.

Project Description

According to information supplied by the project applicant, the proposed project would consist of 327 market-rate, multi-family residential units. The project would be divided into two distinct clusters, with 213 apartment units in the western portion of the site and 114 units in the eastern section; the two clusters are connected by an internal circulation road. The project also includes various amenities for residents, including two clubhouse buildings with swimming pools, fitness centers, lounges and other features. A total of 677 parking spaces will be provided, including garage, on-street, and off-street spaces.

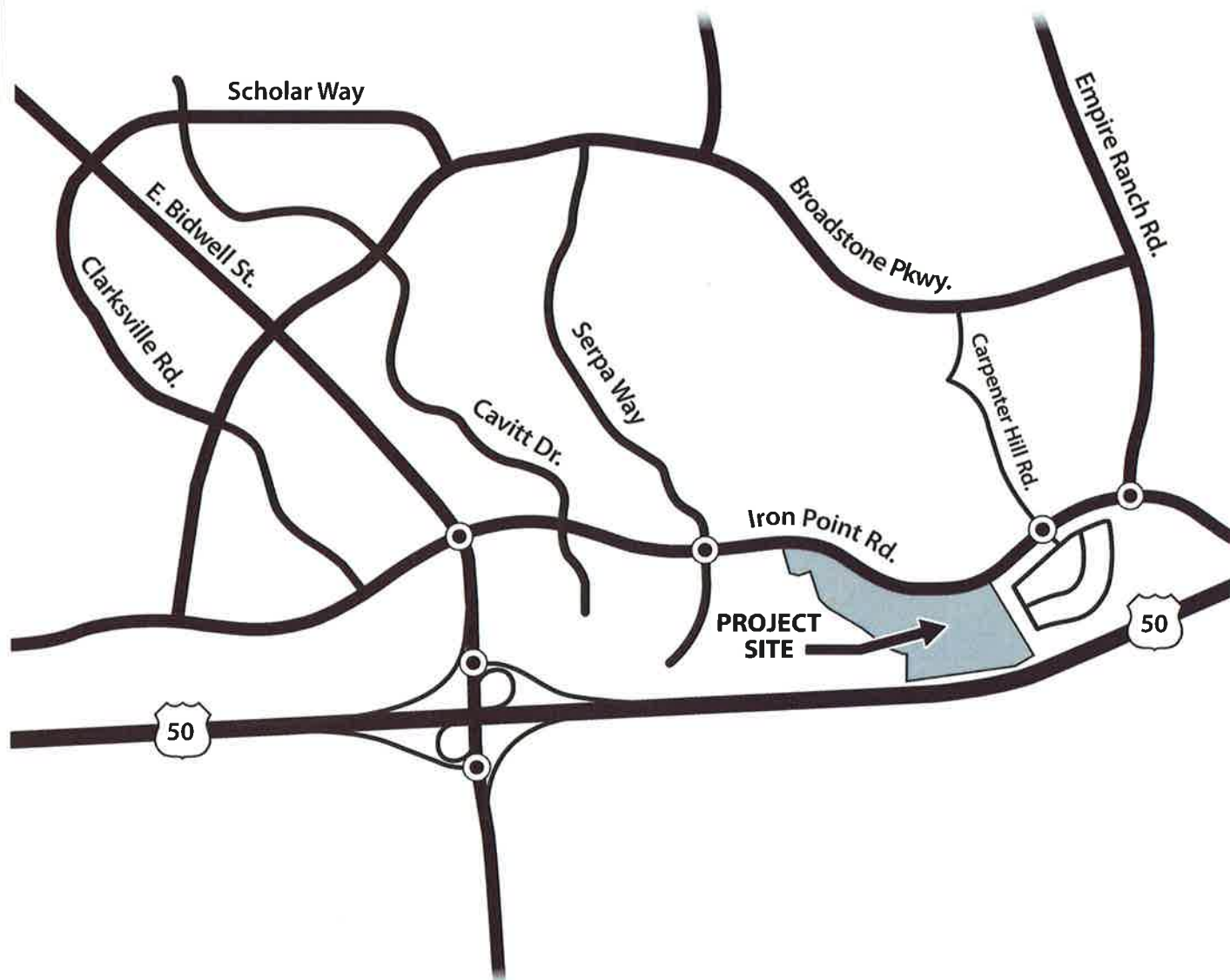
As illustrated on Figure 1, the proposed project is to be located on the south side of Iron Point Road between Serpa Way and Carpenter Hill Road.

Vehicular access to and from the proposed project would be provided at two locations on Iron Point Road. The applicant has proposed that the western driveway provide full access (i.e., all turning movements would be allowed), while the east driveway would serve inbound and outbound right turns as well as outbound left turns (but no inbound left turns). This proposed access plan is not consistent with the City of Folsom policy that prohibits outbound left turns from private driveways on six-lane roads. The project's access scheme is evaluated in detail later in this report.

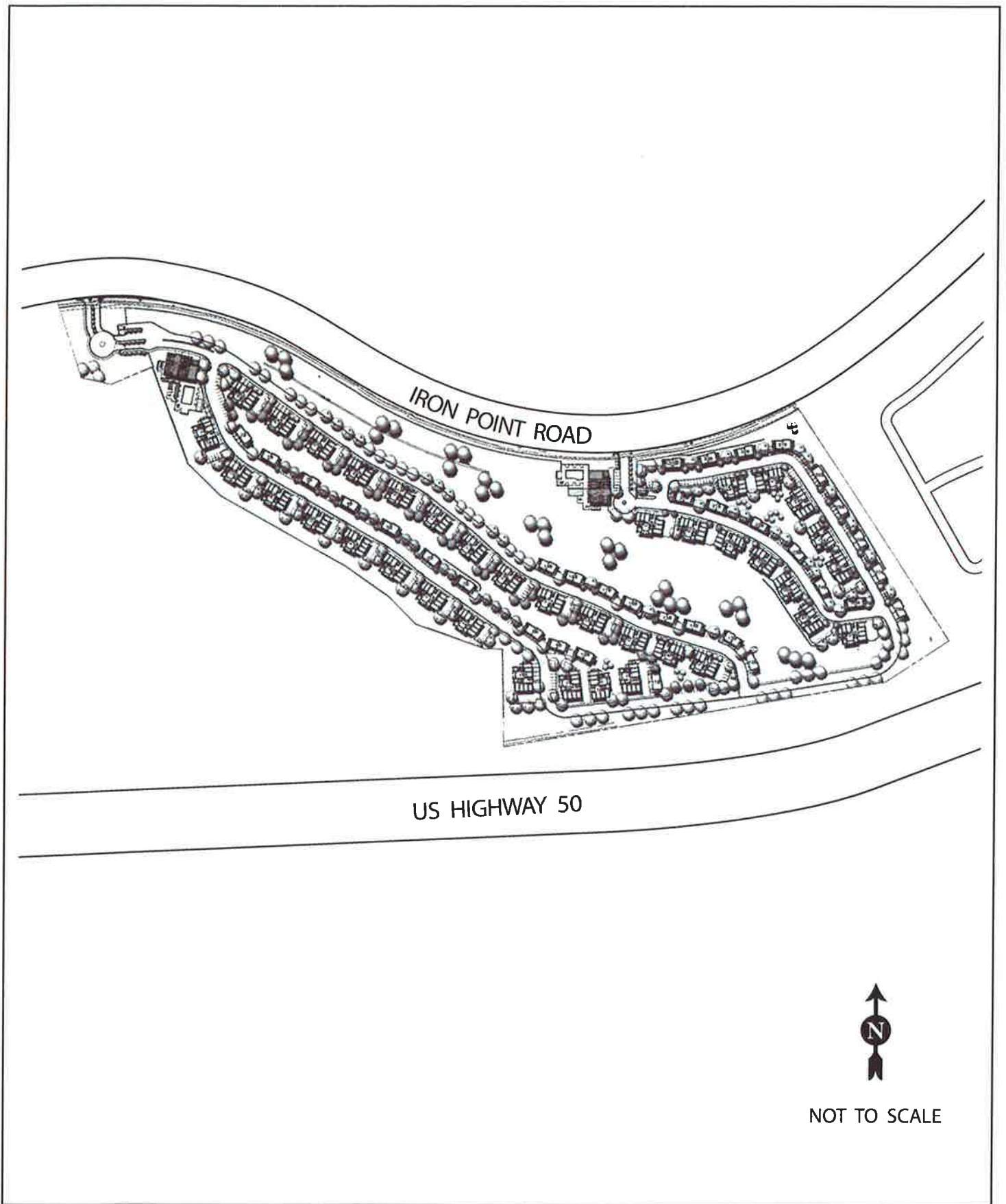
Figure 2 presents the proposed project site plan.



NOT TO SCALE



Study Intersection



Study Area

Based on discussions with City of Folsom staff, the off-site impacts of the proposed project were evaluated at the following intersections:

- Iron Point Road/East Bidwell Street,
- Iron Point Road/Serpa Way,
- Iron Point Road/Carpenter Hill Road,
- Iron Point Road/Empire Ranch Road,
- East Bidwell Street/U.S. Highway 50 Westbound Off-ramp, and
- East Bidwell Street/U.S. Highway 50 Eastbound Off-ramp.

In addition, in recognition of the planned construction of a U.S. Highway 50 freeway interchange at Empire Ranch Road, the cumulative conditions scenarios include analyses of the eastbound and westbound off-ramp intersections at that location.

Analysis Methodology

In accordance with the analysis procedures generally accepted in the City of Folsom, the following techniques were employed in conducting this study.

Intersection Operations

Intersection operations are typically described in terms of level of service (LOS), which is reported on a scale from LOS A (representing free-flow conditions) to LOS F (which represents substantial congestion and delay). The level of service designations are based on a quantitative calculation of average vehicular delay at the intersection. The specific approach to estimating delay is based on procedures documented in the *Highway Capacity Manual 2010* (Transportation Research Board, Fifth Edition, December 2010).

Signalized Intersections

With one exception, the signalized study intersections were analyzed using the “operational analysis” methodology presented in Chapter 18 of the *Highway Capacity Manual 2010 (HCM 2010)*. This methodology determines signalized intersection level of service by comparing the “average control delay per vehicle” to the thresholds shown in Table 1. Control delay represents the delay directly associated with the traffic signal. For this analysis, the level of service calculations were performed using the *Synchro 8* software package, which implements the intersection analysis procedures documented in the *HCM 2010*. The exception mentioned above relates to the intersection of Iron Point Road/East Bidwell Street, which has a substantial volume of northbound U-turns. The *HCM 2010* methodology does not adequately account for U-turns at signal-controlled intersections, so this location was analyzed using the previous (year 2000) version of the *Highway Capacity Manual*.

Table 1 Level of Service Definitions Signalized Intersections		
Level of Service	Description	Average Control Delay (Seconds/Vehicle)
A	Very low delay. Most vehicles do not stop	≤ 10.0
B	Slight delay. Generally good signal progression.	10.1 – 20.0
C	Increased number of stopped vehicles. Fair signal progression.	20.1 - 35.0
D	Noticeable congestion. Large proportion of vehicles stopped.	35.1 – 55.0
E	Operating conditions at or near capacity. Frequent cycle failure.	55.1 - 80.0
F	Oversaturation. Forced or breakdown flow. Extensive queuing.	> 80.0
Reference: Transportation Research Board, <i>Highway Capacity Manual 2010</i> , Fifth Edition, December 2010.		

Unsignalized Intersections

The analysis of the unsignalized study intersections was conducted using the appropriate method documented in Chapter 19 of the *HCM 2010*. This method calculates average control delay for each minor movement but, in the case of “two-way-STOP-control” intersections, not for the intersection as a whole. Level of service results reported for two-way-STOP-control intersections are based upon the average control delay per vehicle for the worst-case minor movement, based on the criteria set forth in Table 2. In contrast to this, the *HCM 2010* methodology for “all-way-STOP-control” intersections provides an average delay value for the entire intersection. For unsignalized intersections, control delay includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. The unsignalized study intersections were also analyzed using the *Synchro 8* software package, which performs level of service calculations in accordance with the *HCM 2010* procedures.

The unsignalized intersection analysis also considered whether the study locations would meet the minimum requirements for installation of a traffic signal. The need for installation of a traffic signal at a given location is judged relative to a defined set of traffic signal “warrants.” The warrants applied in the State of California were established by Caltrans, based on essentially similar requirements documented in the *Manual on Uniform Traffic Control Devices (MUTCD)* published by the Federal Highway Administration (FHWA). The current signal warrants are documented in “Part 4 – Highway Traffic Signals” of the *California Manual on Uniform Traffic Control Devices*, dated November 7, 2014. Nine such warrants have been defined, although not all warrants are relevant to each case. This analysis was conducted using Warrant 3, the “Peak Hour” signal warrant.

Table 2 Level of Service Definitions Unsignalized Intersections		
Level of Service	Description	Average Control Delay (Seconds/Vehicle)
A	Little or no conflicting traffic for minor movements.	≤ 10.0
B	Drivers on minor movements begin to notice absence of available gaps.	10.1 – 15.0
C	Drivers on minor movements begin to experience delays waiting for adequate gaps.	15.1 – 25.0
D	Queuing occurs on minor movements due to a reduction in available gaps.	25.1 – 35.0
E	Extensive minor movement queuing due to insufficient gaps.	35.1 – 50.0
F	Insufficient gaps of adequate size to allow minor movement traffic demand to be accommodated.	> 50.0
Reference: Transportation Research Board, <i>Highway Capacity Manual 2010</i> , Fifth Edition, December 2010.		

Sight Distance

To ensure that drivers will be able to enter and exit the site safely at the project access locations, a stopping sight distance analysis was conducted using parameters documented in *A Policy on Geometric Design of Highways and Streets* (American Association of State Highway and Transportation Officials, 6th Edition, 2011) and the *Caltrans Highway Design Manual* (California Department of Transportation, March 7, 2014).

Queuing/Storage Length

To minimize the potential for queuing problems at the project driveways, the minimum recommended throat depth (MRTD) at each project access point was calculated using the probability-based methodology accepted by the City of Folsom. The intent of this analysis is to ensure that outbound vehicles have enough stacking distance, so that internal circulation aisles are not blocked. This minimizes the possibility that inbound vehicles will queue back onto the street. The queue length estimates considered here were developed within the intersection level of service calculation process, as described above.

Evaluation Criteria

The following criteria were used to determine whether the proposed project would have a significant impact on study area traffic operations.

City of Folsom Intersections

Policy 17.17 of the *City of Folsom General Plan* identifies the minimum acceptable level of service for traffic operations at signalized intersections in the City. Specifically, this policy states:

The City should strive to achieve at least a traffic Level of Service “C” throughout the City. During the course of Plan buildout it may occur that temporarily higher Levels of Service result where roadway improvements have not been adequately phased as development proceeds. However, this situation will be minimized based on annual traffic studies and monitoring programs.

The City has defined appropriate standards of significance to reflect this policy, including criteria that address situations where the intersection level of service is worse than LOS C under “no project” conditions. Those standards of significance are as follows:

- If the “no project” level of service is LOS C or better and the project-generated traffic causes the intersection level of service to degrade to worse than LOS C (i.e., LOS D, E, or F), then the proposed project must implement mitigation measures to return the intersection to LOS C or better.
- If the “no project” level of service is worse than LOS C (i.e., LOS D, E, or F) and the project-generated traffic causes the overall average delay value at the intersection to increase by five seconds or more, then the proposed project must implement mitigation measures to improve the intersection to the “no project” condition or better. It is not necessary to improve the intersection to LOS C.
- If the “no project” level of service is worse than LOS C (i.e., LOS D, E, or F) and the project-generated traffic causes the overall average delay value at the intersection to increase by less than five seconds, then the traffic impact is considered less than significant and no mitigation is required.

At the STOP-sign controlled study intersections, a significant impact is defined to occur if the project-generated traffic is sufficient to cause the intersection to operate at worse than LOS C (as described above), while also meeting the minimum traffic volume requirements associated with the “Peak Hour” signal warrant, as defined in the *California Manual on Uniform Traffic Control Devices*.

Caltrans Intersections

Certain of the study intersections are under the jurisdiction of Caltrans and are, therefore, subject to standards of significance established by that agency. According to the *Highway 50 Corridor System Management Plan* (Caltrans, 2009), the “concept level of service” for Highway 50 within the study area is LOS F because the improvements needed to achieve LOS E are not feasible due to environmental, right-of-way, financial, or other constraints. Thus, for the Highway 50 ramp intersections evaluated in this study, LOS E is the minimum acceptable level of service, and the following standard has been applied:

- An impact would be considered significant if implementation of the proposed project would:
 - Cause a ramp terminal intersection to decline from LOS E or better to LOS F, or
 - Add traffic to a ramp terminal intersection that is already operating at LOS F.

This standard is consistent with other recent traffic studies in Folsom, including the study for the recently-approved Russell Ranch project in the Folsom Plan Area.

EXISTING CONDITIONS

This section describes the roadway network serving the proposed project, as well as existing traffic operations at the key intersections in the vicinity of the project site.

Key Roadways

The existing transportation system in the vicinity of the project site is illustrated on Figure 3. Shown there are the traffic lanes on the adjacent roadways, as well as existing facilities for pedestrians and bicyclists. Brief descriptions of the key roadways serving the project site are provided below.

Iron Point Road is an east-west arterial roadway that generally runs parallel to and just north of U.S. Highway 50. It extends from Folsom Boulevard on the west to the City limit east of Empire Ranch Road. In the immediate vicinity of the project site, it is a six-lane, median-divided road with bike lanes and a 45 MPH speed limit.

East Bidwell Street is an arterial roadway that runs from U.S. Highway 50 on the south to Coloma Way (just south of the Folsom Historic District) on the north. South of Highway 50, it becomes Scott Road. East Bidwell Street serves many types of land uses, primarily commercial, throughout its length. Near Iron Point Road, it is a median-divided road with bike lanes and a 45 MPH speed limit. In the immediate vicinity of Iron Point Road, three lanes are provided for through traffic in both directions, although one of the northwest-bound lanes is dropped at Clarksville Road/Scholar Way.

Serpa Way is a two-lane road that runs from Broadstone Parkway to south of Iron Point Road, where it serves Costco and Green Acres Nursery. It meets Broadstone Parkway at an all-way-STOP-controlled intersection. At Iron Point Road/Serpa Way, the intersection is traffic-signal controlled. Serpa Way directly serves single-family homes and includes a number of residential driveways. It has a posted 25 MPH speed limit.

Empire Ranch Road is the easternmost north-south arterial street in the City of Folsom. To the north of Iron Point Road (where it currently terminates), it is a six-lane, median-divided road with bike lanes. North of Broadstone Parkway, it transitions to a four-lane road with a raised median and bike lanes. Continuing north past East Natoma Street, Empire Ranch Road becomes Sophia Parkway. In the vicinity of the project site, Empire Ranch Road has a posted 45 MPH speed limit.

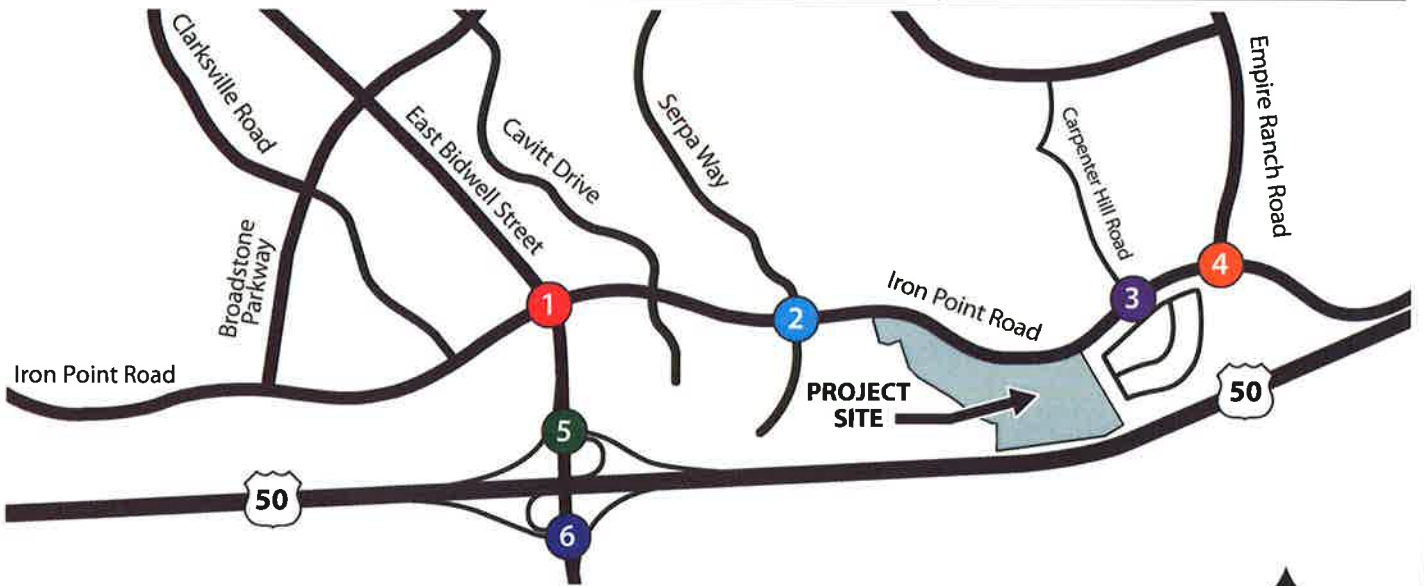
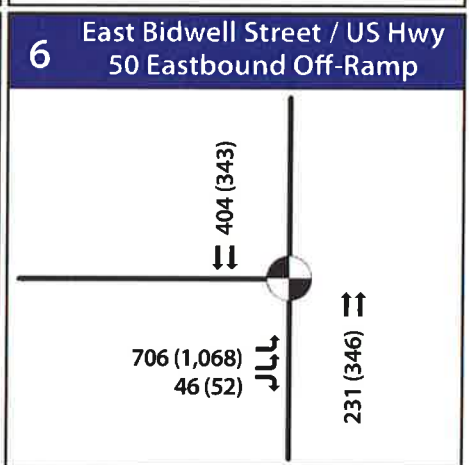
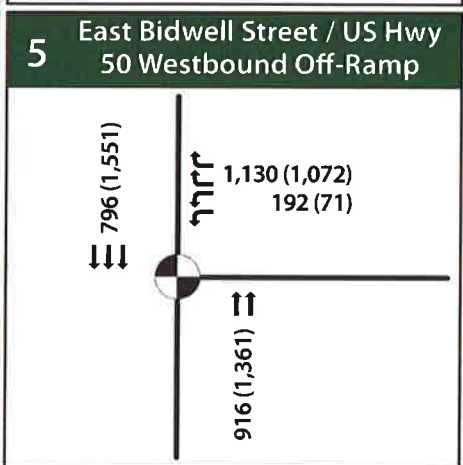
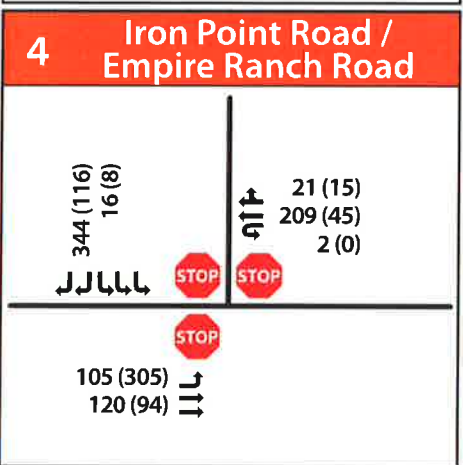
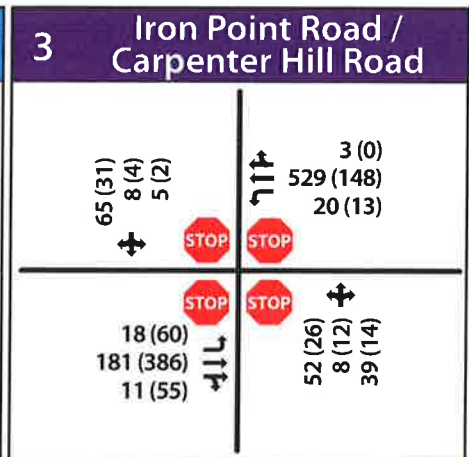
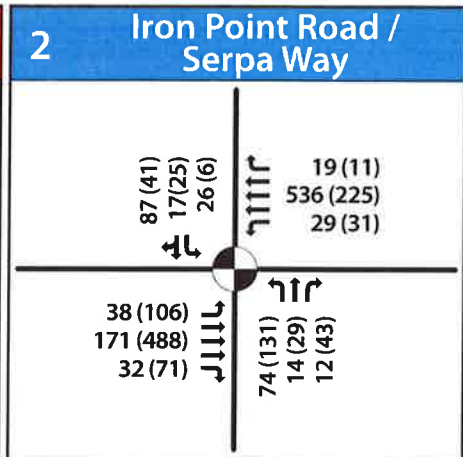
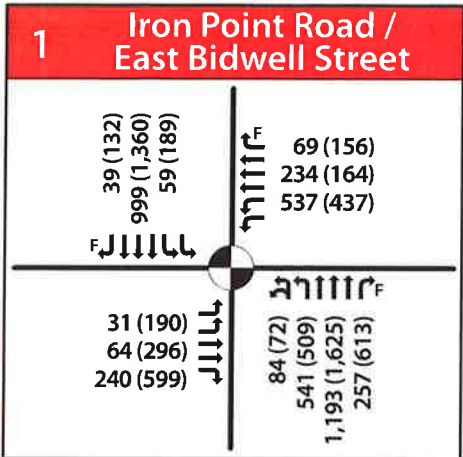
Existing Traffic Volumes

MRO Engineers, Inc., conducted AM and PM peak-period turning movement counts at Iron Point Road/East Bidwell Street on Wednesday, February 11, 2015, while Iron Point Road/Serpa Way and the two Highway 50 ramp intersections were counted on Thursday, September 17, 2015. Finally, counts were conducted at the Iron Point Road intersections at Carpenter Hill Road and Empire Ranch Road on Wednesday, September 23, 2015. Data collection was specifically scheduled on typical school days, to ensure a conservative analysis of traffic operations. The peak-hour traffic volumes and existing intersection lane configurations are shown on Figure 4.



LEGEND

-  SIDEWALK / CROSSWALK
-  BIKE LANE / BIKE PATH
-  MEDIAN



LEGEND

- STOP SIGN
- TRAFFIC SIGNAL
- TURN LANE
- FREE FLOW TURN LANE
- ### (###)** AM (PM) PEAK HOUR TRAFFIC VOLUMES



NOT TO SCALE

Existing Intersection Level of Service

Table 3 summarizes the AM and PM peak hour levels of service at the existing study intersections. Appendix A contains the technical calculation sheets.

AM Peak Hour

All of the study intersections operate at acceptable levels of service. Iron Point Road/East Bidwell Street is at LOS C, while the other study locations are currently operating at LOS A or B. Neither of the unsignalized intersections has sufficient traffic to meet the minimum requirements for installation of a traffic signal.

PM Peak Hour

In the PM peak hour, all but one of the study intersections operate at acceptable levels of service. The exception is the intersection of Iron Point Road/East Bidwell Street, which operates at LOS D. The East Bidwell Street/U.S. Highway 50 Westbound Off-ramp is at LOS C, and the other four study locations operate at LOS A or B. Neither of the STOP-sign-controlled intersections has sufficient traffic to meet the minimum requirements of the "Peak Hour" signal warrant.

Table 3 Level of Service Summary¹ Existing Conditions							
Intersection	Traffic Control	AM Peak Hour			PM Peak Hour		
		Delay ²	LOS ³	Meet Signal Warrant? ⁴	Delay	LOS	Meet Signal Warrant?
Iron Point Rd./East Bidwell St.	Signal	26.5	C	--	53.1	D	--
Iron Point Rd./Serpa Way	Signal	13.3	B	--	5.4	A	--
Iron Point Rd./Carpenter Hill Rd.	All-Way STOP	14.0	B	No	9.4	A	No
Iron Point Rd./Empire Ranch Rd.	All-Way STOP	10.2	B	No	10.7	B	No
East Bidwell St./U.S. Highway 50 Westbound Off-ramp	Signal	19.0	B	--	26.3	C	--
East Bidwell St./U.S. Highway 50 Eastbound Off-ramp	Signal	7.1	A	--	8.1	A	--
Notes:							
¹ Reference: Transportation Research Board, <i>Highway Capacity Manual 2010</i> , Fifth Edition, December 2010.							
² Average control delay (seconds per vehicle).							
³ Level of service.							
⁴ "Peak Hour" signal warrant documented in "Part 4 – Highway Traffic Signals" of the <i>California Manual on Uniform Traffic Control Devices</i> , November 7, 2014.							

CONSTRUCTION YEAR NO PROJECT CONDITIONS

This section documents traffic operations in the anticipated construction year for the proposed The Pique at Iron Point Apartments project, excluding the traffic generated by the project itself. This scenario includes the traffic associated with other previously-approved (or reasonably foreseeable) developments throughout the City of Folsom, as identified by City staff.

Related Projects

To develop a meaningful estimate of “construction year” traffic conditions, MRO Engineers, Inc., estimated the volume of peak-hour traffic to be generated by a number of related projects in the vicinity of the proposed project, as directed by City of Folsom staff. The specific land use assumptions for each of the related projects were confirmed with City of Folsom staff prior to initiating the detailed analyses. Table 4 lists the 34 projects included in this analysis scenario.

As summarized in Appendix B, the related projects listed below will generate a total of about 5,100 AM peak hour trips and 7,075 PM peak hour trips. Where possible, the related project trips were distributed and assigned to the City of Folsom road network in accordance with information presented in previous traffic analyses conducted within the city. Of course, not all of the related project-generated trips will pass through the study area for this analysis. Furthermore, based on discussions with City staff, it was determined that little, if any, development would be complete in the Folsom Plan Area (i.e., the annexation area south of Highway 50) within the construction year time frame. Consequently, while the Russell Ranch traffic was included in this analysis, none of the traffic associated with the Mangini Ranch project or the Hillsborough Subdivision was added to the study intersections.

Table 4 Related Projects¹			
Project	Land Use	Size	Location
Folsom Pointe Highway Commercial	Highway Commercial Center ²		East side of East Bidwell St., south of Iron Point Rd.
Broadstone Park Professional Center	Office	15,000 SF ^{3,4}	South side of Iron Point Road east of McAdoo Drive
Palladio at Broadstone	Retail	220,000 SF ⁴	Bounded by Iron Point Road, East Bidwell Street, and Broadstone Parkway
Island at Parkshore	Residential	315 DU	Southwest of Parkshore Dr. in Silverbrook Island area
Broadstone Crossing Parcel 1	Two Hotels Three Restaurants	236 Rooms 22,230 SF	Southwest quadrant of Iron Point Road/Cavitt Drive
La Collina dal Lago	Single-Family Residential	30 DU ⁶	East Natoma Street west of Blue Ravine Road/Green Valley Road
Empire Ranch	Single-Family Residential	200 DU ⁶	East Natoma Street east of Blue Ravine Road/Green Valley Rd.
The Knolls Subdivision	Single-Family Residential	12 DU ⁶	Northwest quadrant of Blue Ravine Rd./Green Valley Rd./East Natoma St.

Table 4 Related Projects¹			
Project	Land Use	Size	Location
Montara Grove	Office	32,000 SF	South side of East Natoma Street at Prison Road
Willow Bridge Subdivision	Single-Family Residential	12 DU ⁶	South Side of Iron Point Road, East of Barnhill Drive
Masjid Bilal Mosque	Church and School	31,668 SF	Southeast corner of Sibley Street/Levy Road
Psychiatric Services Unit Office & Treatment Facility	Medical Facility	17,395 SF	California State Prison - Sacramento
Folsom Women's Facility	Correctional Facility	403 Female Offenders	Folsom State Prison
Addison Place	Single-Family Residential	10 DU ⁶	Southeast quadrant of Sibley Street/Glenn Drive
Fire and Rain Mixed-Use Building	Retail, Office & Condominiums	8,313 SF	607 Sutter Street
Treehouse West Commercial Center	Retail	3,595 SF	Southwest Quadrant of Iron Point Road and Barnhill Drive
701 Bidwell Street Commercial Center	Office & Retail	7,791 SF	701 Bidwell Street
Parkway Villages H1 & H2	Single-Family Residential	16 DU	North side of Silberhorn Drive, west of Golf Links Drive
The Commons at Prairie City	Senior Residential Facility	131 Units	Southeast quadrant of Prairie City Road/Willard Drive
Cornerstone Dental Center	Medical Office	14,000 SF	2301 East Bidwell Street
Lifetime Fitness	Fitness Facility	116,636 SF	110 Serpa Way
Red Rocket Auto Tech	Automotive Center	3,500 SF	1301 Prairie City Road (former Fire Station Building)
The Canyon	Single-Family Residential	11 DU	Northwest corner -- Orangevale Avenue and American River Canyon Drive South
Leidesdorff Village	Condominium	56 DU	1108 Sutter Street
Superior Self Storage	Self-Storage Facility	124,310 SF	7700 Folsom-Auburn Road
Harvest Subdivision	Single-Family Residential	116 DU	North Side of East Natoma Street across from Bowen Drive
Russell Ranch Subdivision	Single-Family Residential	875 DU	Folsom Plan Area (East)
Mangini Ranch Subdivision	Single-Family Residential	826 DU	Folsom Plan Area (West)
Hillsborough Subdivision	Single-Family Residential	2,103 DU	Folsom Plan Area (Central)

Table 4 Related Projects¹			
Project	Land Use	Size	Location
Veranda Subdivision	Single-Family Residential	63 DU	Southwest quadrant of East Natoma Street/Golf Links Drive/Bonhill Drive
Broadstone Apartments	Multi-Family Residential	300 DU	Southwest corner - Broadstone Parkway and Cavitt Drive
Iron Point Retirement Community	Assisted Living	126 DU	Iron Point Road, south side near Rowberry Drive
Country House at Broadstone Memory Care	Assisted Living	45 DU	2005 Iron Point Road
Cresleigh Ravine	Single-Family and Multi-Family ¹	53 SF DU 230 MF DU	Willard Drive at Iron Point Rd.
Notes: ¹ Reference: City of Folsom, Community Development Department ² Three unbuilt pads (two restaurants and one retail building). ³ Square feet. ⁴ Approximate unoccupied square footage. ⁵ Dwelling units. ⁶ Approximate number of unbuilt dwelling units.			

Planned Roadway System Improvements

Consultation with the City of Folsom Traffic Engineer revealed that the City has no planned or programmed road improvements at any of the study intersections. Therefore, the study intersection lane configurations for the “construction year” traffic analyses are identical to existing conditions.

Construction Year No Project Traffic Volumes

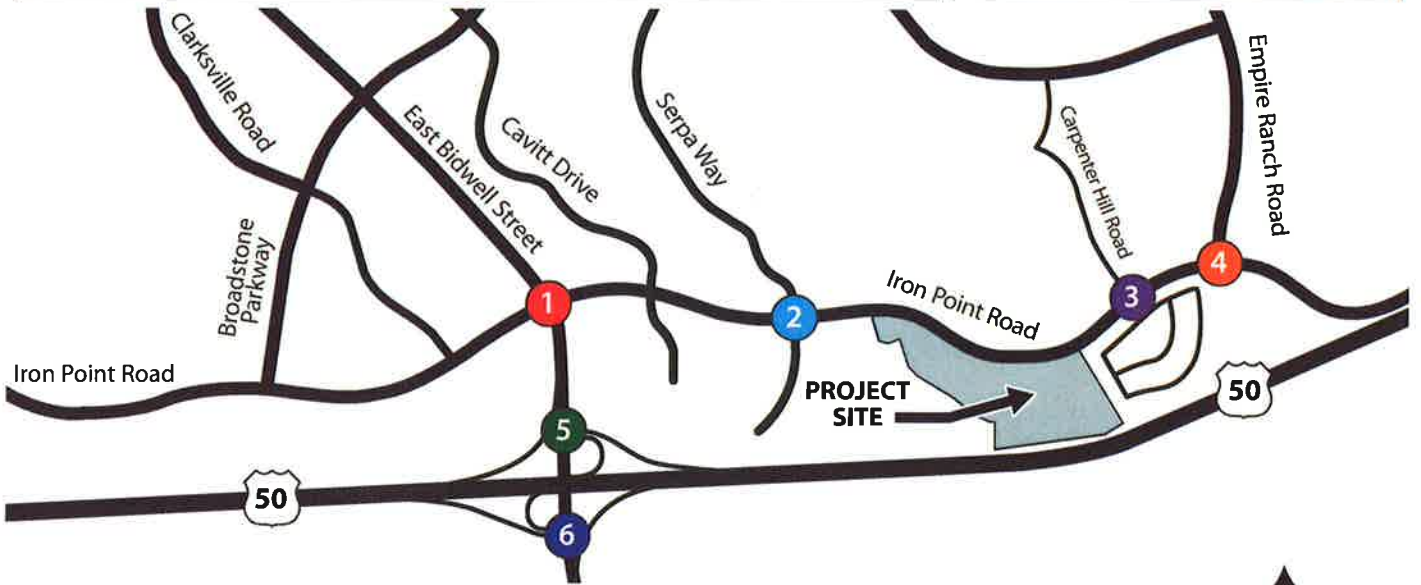
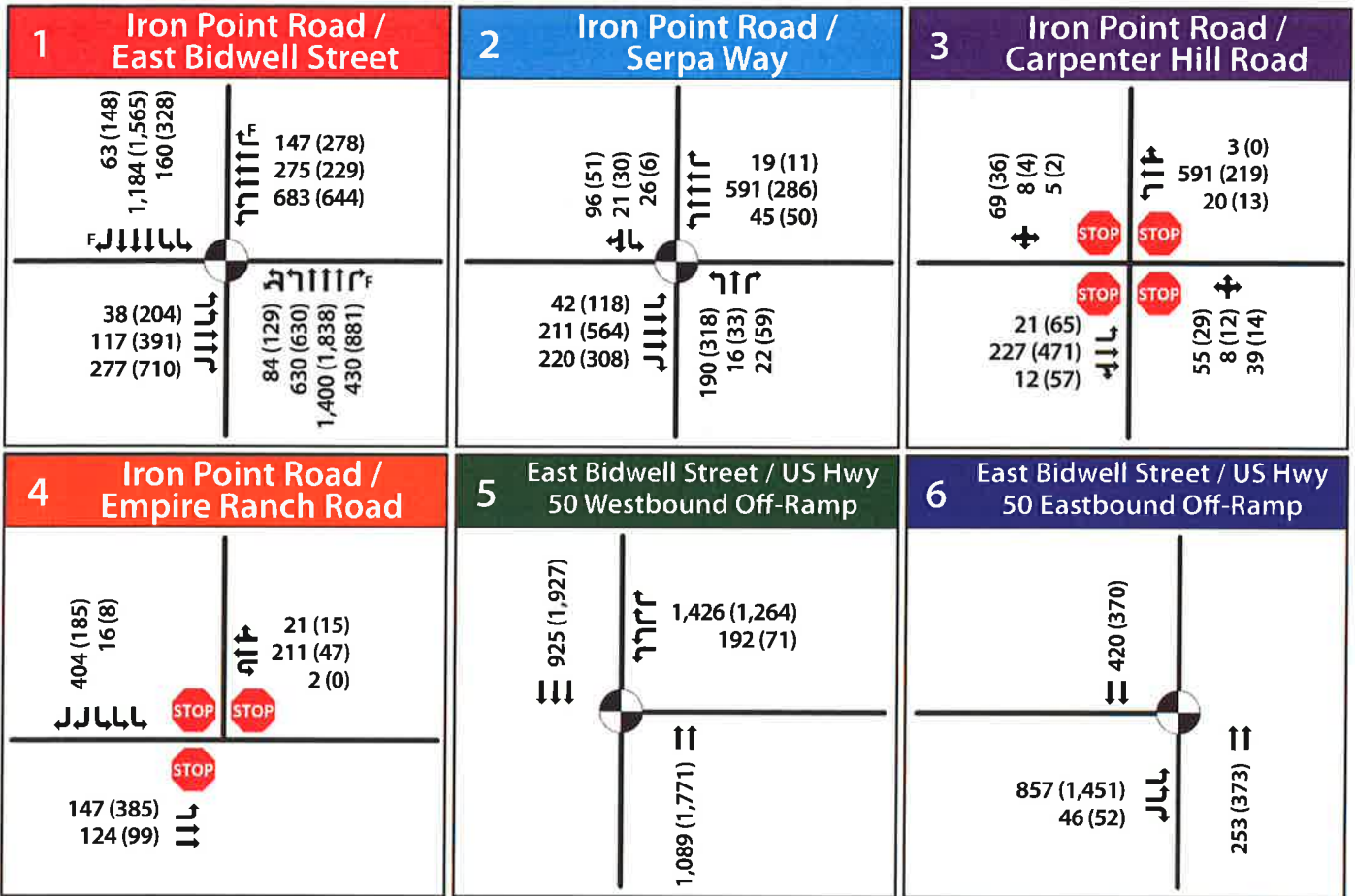
The peak-hour traffic generated by the related projects listed above was added to the road system in the vicinity of the project site to develop a “Construction Year No Project” traffic scenario. Figure 5 illustrates the result of adding the traffic associated with the related projects to the existing traffic volumes for both the AM and PM peak hours.

Intersection Level of Service

Table 5 summarizes the results of the level of service calculations for the study intersections under Construction Year No Project conditions. Appendix C contains the technical calculations.

AM Peak Hour

All of the intersections will conform to the pertinent level of service standard. Addition of the related projects traffic will result in no change in level of service at four of the six study intersections. Iron Point Road/Carpenter Hill Road will decline from LOS B to LOS C and East Bidwell Street/U.S. Highway 50 Westbound Off-ramp will fall from LOS B to LOS D (which is acceptable under Caltrans’ criteria). The STOP-sign-controlled intersections will fail to meet the minimum requirements of the “Peak Hour” signal warrant.



LEGEND

	STOP SIGN	### (###)	AM (PM) PEAK HOUR TRAFFIC VOLUMES		FREE FLOW TURN LANE
	TRAFFIC SIGNAL		TURN LANE		



NOT TO SCALE

PM Peak Hour

Average delay values at the study intersections will increase with addition of the approved projects traffic. This is particularly noteworthy at the intersection of Iron Point Road/East Bidwell Street, which is projected to decline from LOS D to an unacceptable LOS F. Iron Point Road/Carpenter Hill Road will fall from LOS A to LOS B, due to increased traffic volumes on Iron Point Road. East Bidwell Street/U.S. Highway 50 Westbound Off-ramp will fall from LOS C to LOS E (which is acceptable under Caltrans' criteria). As in the AM peak hour, the unsignalized study intersections will fall short of meeting the "Peak Hour" signal warrant.

Table 5 Level of Service Summary¹ Construction Year No Project Conditions							
Intersection	Traffic Control	AM Peak Hour			PM Peak Hour		
		Delay ²	LOS ³	Meet Signal Warrant? ⁴	Delay	LOS	Meet Signal Warrant?
Iron Point Rd./East Bidwell St.	Signal	32.6	C	--	110.0 ⁵	F	--
Iron Point Rd./Serpa Way	Signal	17.0	B	--	8.9	A	--
Iron Point Rd./Carpenter Hill Rd.	All-Way STOP	16.9	C	No	10.1	B	No
Iron Point Rd./Empire Ranch Rd.	All-Way STOP	11.3	B	No	13.4	B	No
East Bidwell St./U.S. Highway 50 Westbound Off-ramp	Signal	36.5	D	--	56.3	E	--
East Bidwell St./U.S. Highway 50 Eastbound Off-ramp	Signal	7.8	A	--	10.0	A	--
Notes:							
¹ Reference: Transportation Research Board, <i>Highway Capacity Manual 2010</i> , Fifth Edition, December 2010.							
² Average control delay (seconds per vehicle).							
³ Level of service.							
⁴ "Peak Hour" signal warrant documented in "Part 4 – Highway Traffic Signals" of the <i>California Manual on Uniform Traffic Control Devices</i> , November 7, 2014.							
⁵ Shaded cell denotes unacceptable level of service.							

CONSTRUCTION YEAR PLUS PROJECT CONDITIONS

This section documents the impacts of the proposed project on traffic conditions in the assumed construction year. To evaluate off-site impacts, the volume of traffic generated by the proposed project was estimated and that traffic was assigned to the adjacent street system. The levels of service at the study intersections were then analyzed for the weekday AM and PM peak hours.

Project Description

As noted above, the proposed The Pique at Iron Point Apartments project would be located on the south side of Iron Point Road between Serpa Way and Carpenter Hill Road. It will consist of 327 market-rate, multi-family residential units, divided into two sections, with 213 apartments in the western portion of the site and 114 units in the eastern area. A total of 677 parking spaces will be provided on-site.

Vehicular access to and from the proposed project would be provided by way of two STOP-sign-controlled driveways on Iron Point Road. The applicant has proposed that the western driveway provide full access (i.e., all turning movements would be allowed), while the east driveway would serve inbound and outbound right turns as well as outbound left turns (but no inbound left turns). This proposed access plan is inconsistent with the City of Folsom access management policy that prohibits outbound left turns from private driveways located on six-lane roads, such as Iron Point Road.

Based on extensive field investigations and subsequent discussions with City staff, the following access scheme, which is fully consistent with City policy, was assumed for the proposed project:

- West Access – Inbound left turns plus inbound and outbound right turns.
- East Access – Right turns inbound and outbound only.

The assumed access scheme reflects various constraints associated with the alignment of Iron Point Road, including its curvature and grade in the vicinity of the project site. In some locations, these features limit the available sight distance for drivers entering or exiting the project site. Further, the downhill slope of the road in the westbound direction results in some drivers exceeding the posted speed limit, which must be considered in establishing a safe access plan for the project.

An alternative access plan that includes outbound left turns at the project's eastern driveway was also evaluated. The detailed evaluation of the project's access scheme is documented later in this report.

Trip Generation

The AM and PM peak-hour trip generation estimates for the proposed project were developed using information presented in the *Trip Generation Manual* (Institute of Transportation Engineers, Ninth Edition, 2012). Table 6 summarizes the resulting trip generation estimates for the proposed The Pique at Iron Point Apartments project. The proposed project is expected to generate a total of 167 AM peak-hour trips, with 33 inbound and 134 outbound. The PM peak hour trip generation is estimated to be 203 trips, with 132 inbound and 71 outbound. About 2,175 daily trips are projected, evenly split between inbound and outbound.

Table 6								
Trip Generation Estimate¹								
Land Use		Daily Trips	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Apartment - General Occupancy ² (327 DU ³)	Trip Rate ⁴	6.65	0.102	0.408	0.510	0.403	0.217	0.620
	Trips	2,175	33	134	167	132	71	203
Notes: ¹ Reference: Institute of Transportation Engineers, <i>Trip Generation Manual</i> , Ninth Edition, 2012. ² ITE Land Use Code 220 - Apartment ³ Dwelling units ⁴ Trips per dwelling unit.								

Trip Distribution

The geographic distribution of the project-generated traffic was based on existing and projected traffic patterns in the vicinity of the proposed project, as well as information presented in previous traffic studies for nearby projects. Generally, about three-quarters of the project-generated traffic is expected to be oriented to/from the west, with the remainder traveling to/from the east of the project site, primarily connecting to Empire Ranch Road. Specifically, about 24 percent of the project traffic is anticipated to use Empire Ranch Road to travel to/from the north.

With regard to the westerly-oriented project traffic, approximately 38 percent is expected to travel to and from the south on East Bidwell Street, generally to and from U.S. Highway 50, although a small proportion would continue south on Scott Road. About two-thirds of the freeway-oriented traffic travels westbound on Highway 50 in the AM peak hour (i.e., departing to the west and approaching from the east) and eastbound in the PM peak hour (i.e., departing to the east and approaching from the west).

About 14 percent of the project-generated traffic is projected to be oriented to and from the north on East Bidwell Street, with much smaller percentages on Cavitt Drive and Serpa Way. Fourteen percent of the project traffic is expected to be oriented to and from the west on Iron Point Road.

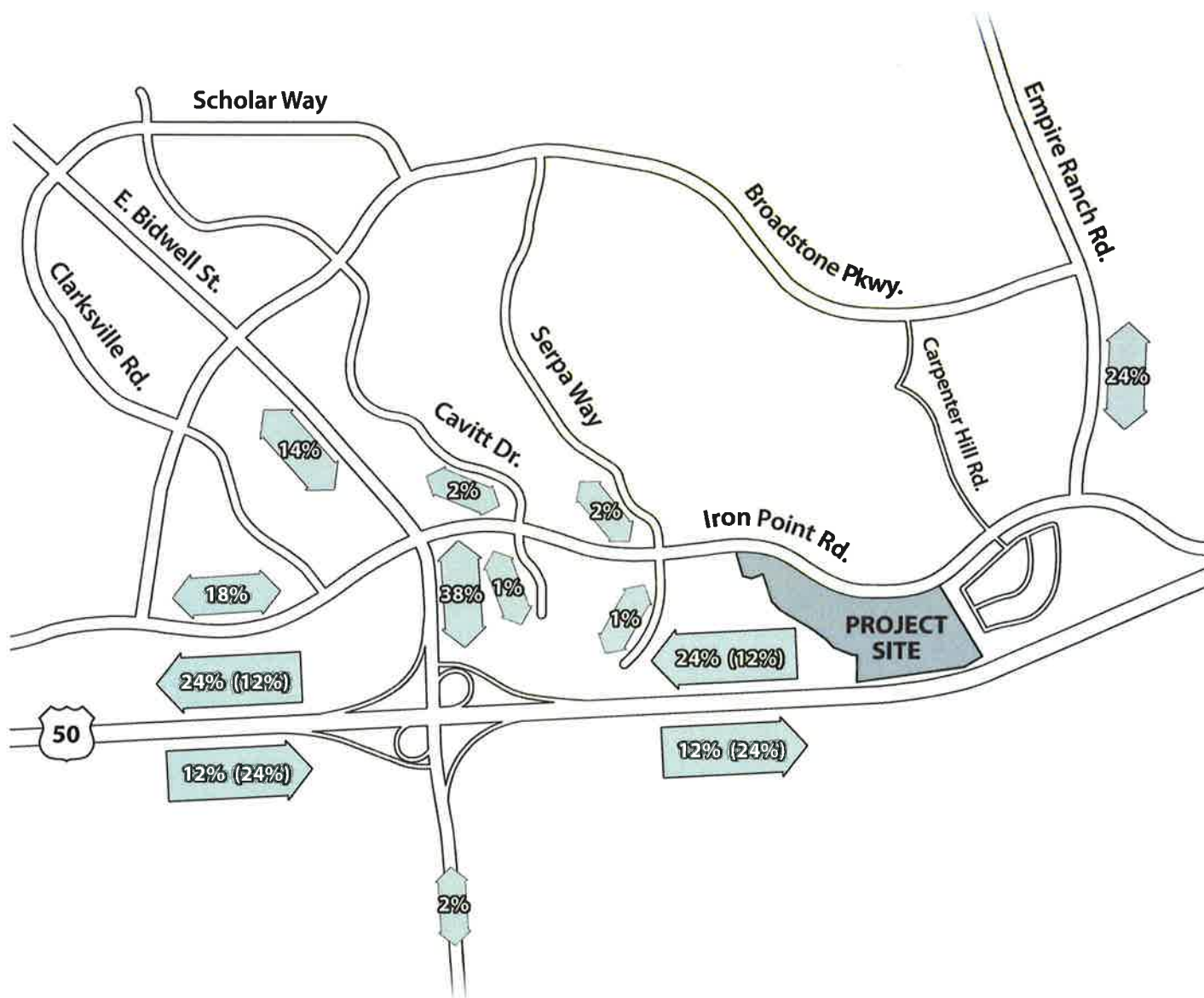
The trip distribution is illustrated on Figure 6.

Project Traffic Assignment

The peak-hour traffic volumes generated by the proposed project were added to the “Construction Year No Project” traffic, with the result being the “Construction Year Plus Project” scenario. Those estimated traffic volumes are shown on Figure 7, which also illustrates the assumed intersection lane configurations. No changes in intersection lane configurations are assumed, as the City of Folsom has no planned or programmed roadway system improvements at the study intersections.



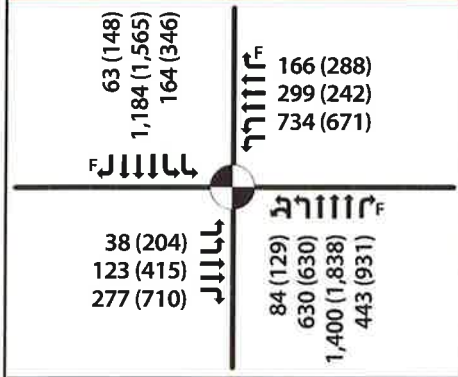
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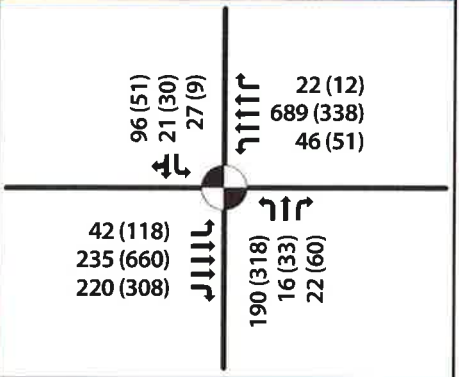
FREeway DISTRIBUTION LEGEND

##% (##%)
AM (PM)

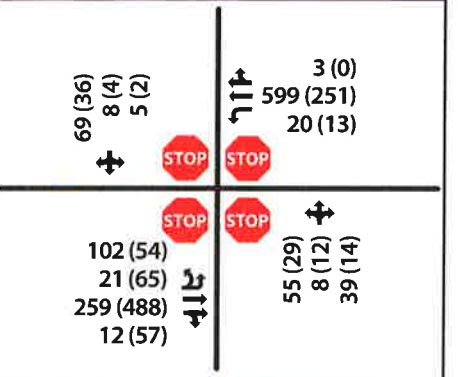
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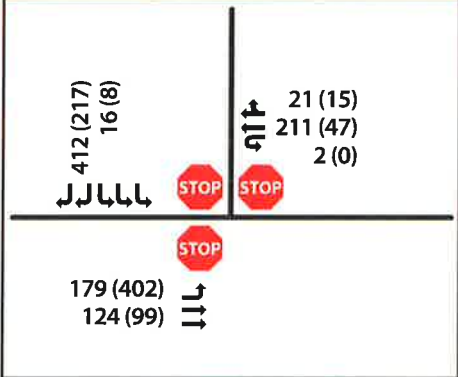
2 Iron Point Road / Serpa Way



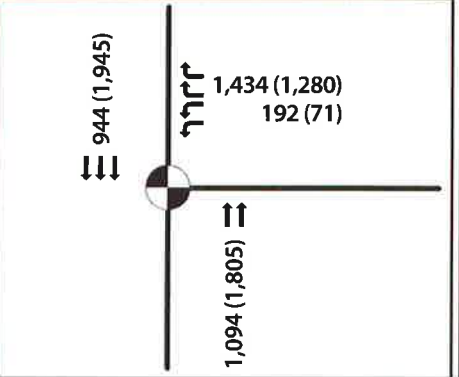
3 Iron Point Road / Carpenter Hill Road



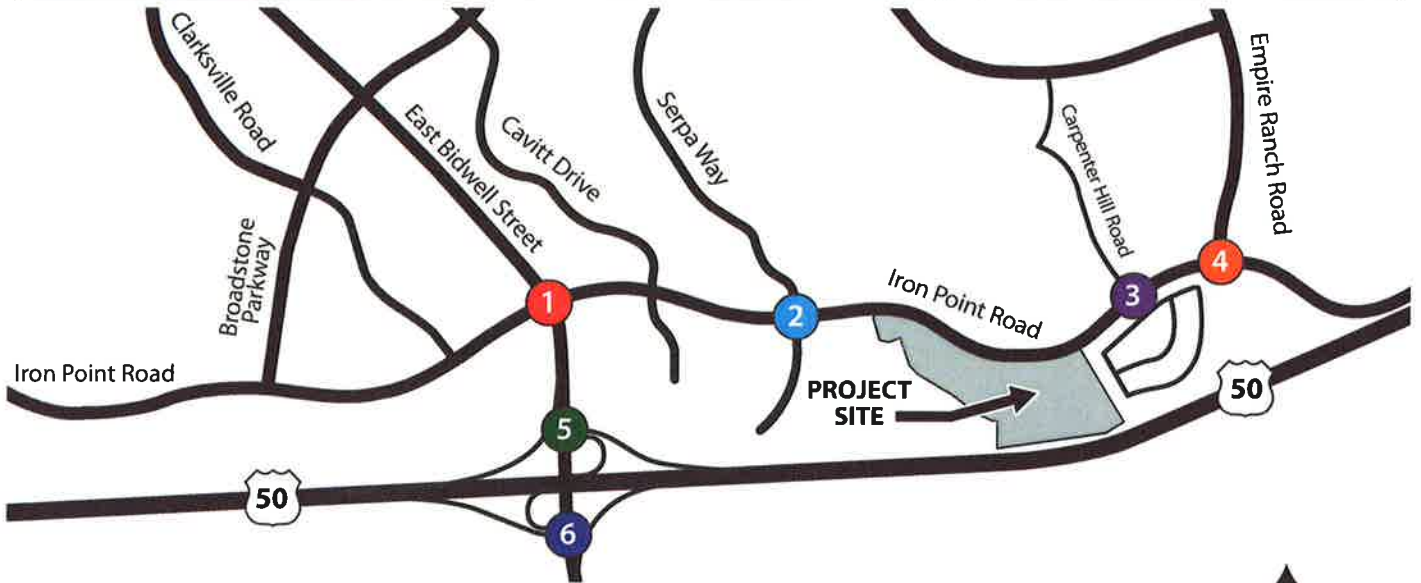
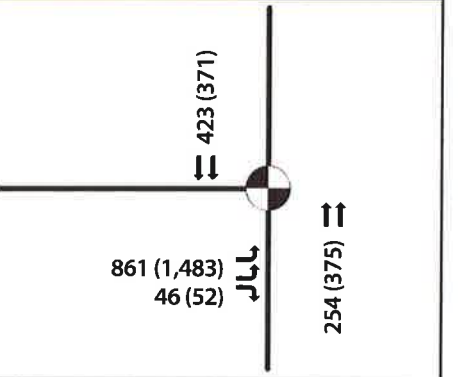
4 Iron Point Road / Empire Ranch Road



5 East Bidwell Street / US Hwy 50 Westbound Off-Ramp



6 East Bidwell Street / US Hwy 50 Eastbound Off-Ramp



LEGEND

- STOP SIGN
- TRAFFIC SIGNAL
- ### (###) AM (PM) PEAK HOUR TRAFFIC VOLUMES
- TURN LANE
- F FREE FLOW TURN LANE



NOT TO SCALE

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**PEAK HOUR TRAFFIC VOLUMES
 CONSTRUCTION YEAR + PROJECT**

FIGURE 7

Intersection Level of Service

Table 7 presents the AM and PM peak hour levels of service at each study intersection under Construction Year Plus Project conditions. Appendix D contains the technical calculation worksheets.

AM Peak Hour

In the AM peak hour, addition of the project-generated traffic will cause the delay value at the study intersections to increase, but no change in level of service is projected. Further, all of the study intersections will continue to operate at acceptable levels of service. The greatest delay increase is 1.8 seconds/vehicle at Iron Point Road/Carpenter Hill Road. Both of the STOP-sign-controlled project access intersections will operate at LOS B, and both of those locations will fail to meet the minimum requirements of the “Peak Hour” signal warrant.

Based on these results, the project-related impact is less than significant in the AM peak hour.

PM Peak Hour

In the PM peak hour, the signalized study intersection of Iron Point Road/East Bidwell Street will continue to operate at LOS F, with the project traffic causing an increase in delay of 1.2 seconds/vehicle. This incremental delay value is less than the City’s threshold of 5.0 seconds/vehicle; therefore, the project’s impact is considered less than significant at this location.

The remainder of the study intersections will conform to the City and Caltrans level of service standards. The only change in level of service is projected at East Bidwell Street/U.S. Highway 50 Eastbound Off-ramp, which will decline from LOS A to LOS B. Both project driveway intersections will again be at LOS B. Traffic volumes at the unsignalized intersections will again be insufficient to meet the “Peak Hour” signal warrant requirements.

In summary, the project-related impact is projected to be less than significant in the PM peak hour.

Mitigation Measures

The project-related impact at all of the study intersections is less than significant, as described above. Therefore, no off-site mitigation measures are recommended in conjunction with the proposed The Pique at Iron Point Apartments project.

**Table 7
Level of Service Summary¹
Construction Year Plus Project Conditions**

Intersection	Traffic Control	AM Peak Hour						PM Peak Hour					
		Construction Year No Project			Construction Year + Project			Construction Year No Project			Construction Year + Project		
		Delay ²	LOS ³	Signal Warrant? ⁴	Delay	LOS	Signal Warrant?	Delay	LOS	Signal Warrant?	Delay	LOS	Signal Warrant?
Iron Point Rd./East Bidwell St.	Signal	32.6	C	--	34.2	C	--	110.0 ⁵	F	--	111.2	F	--
Iron Point Rd./Serpa Way	Signal	17.0	B	--	17.1	B	--	8.9	A	--	9.2	A	--
Iron Point Rd./Carpenter Hill Rd.	All-Way STOP	16.9	C	No	18.7	C	No	10.1	B	No	10.4	B	No
Iron Point Rd./Empire Ranch Rd.	All-Way STOP	11.3	B	No	12.1	B	No	13.4	B	No	14.4	B	No
East Bidwell St./U.S. Hwy. 50 Westbound Off-ramp	Signal	36.5	D	--	37.3	D	--	56.3	E	--	60.1	E	--
East Bidwell St./U.S. Hwy. 50 Eastbound Off-ramp	Signal	7.8	A	--	7.9	A	--	10.0	A	--	10.2	B	--
Iron Point Rd./West Project Access	Side-St. STOP ⁶	--	--	--	10.9	B	No	--	--	--	12.7	B	No
Iron Point Rd./East Project Access	Side-St. STOP ⁶	--	--	--	10.9	B	No	--	--	--	12.2	B	No

Notes:
¹ Reference: Transportation Research Board, *Highway Capacity Manual 2010*, Fifth Edition, December 2010.
² Average control delay (seconds per vehicle).
³ Level of service.
⁴ "Peak Hour" signal warrant from "Part 4 -- Highway Traffic Signals" of the *California Manual on Uniform Traffic Control Devices*, November 7, 2014.
⁵ Shaded cell denotes unacceptable level of service.
⁶ Delay value represents the worst-case movement/approach.

CUMULATIVE CONDITIONS ANALYSIS

This section describes the results of the analysis of study area traffic operations under cumulative conditions in the weekday AM and PM peak hours. This analysis reflects the level of development anticipated throughout the City of Folsom, including the Folsom Sphere of Influence (SOI) annexation area (i.e., the Folsom Plan Area Specific Plan) and the entire Sacramento region, through the year 2035. The traffic volume projections were based on a modified version of the SACMET travel demand forecasting model developed and maintained by the Sacramento Area Council of Governments (SACOG).

Analyses are presented for two scenarios: Cumulative No Project conditions and Cumulative Plus Project conditions, reflecting the addition of the traffic generated by the proposed project to the “no project” volumes. To ensure consistency with other ongoing or recently-conducted traffic analyses in Folsom, the future year traffic forecasts employed in this analysis are based on information developed in connection with the recently-completed traffic analysis for the proposed Russell Ranch project, which is to be located within the Folsom Plan Area Specific Plan (FPASP) boundaries. That traffic analysis is presented in the Draft Environmental Impact Report (DEIR) for the Russell Ranch project. (Reference: Fehr & Peers, *Russell Ranch Final Transportation Impact Study*, December 2014.)

Planned Roadway Improvements

Between now and the year 2035, a variety of major transportation system improvements will be implemented in the Folsom area. These improvements, which are reflected in the future year traffic forecasts used in this analysis, include the following:

- Construction of the U.S. Highway 50/Empire Ranch Road interchange,
- Construction of a new interchange at U.S. Highway 50/Oak Avenue Parkway,
- Addition of the third through lane in both directions on Iron Point Road (where necessary), and
- Addition of a third through lane in each direction on East Bidwell Street (where necessary).

In addition, the traffic projections reflect completion of all roadway system improvements within the Folsom Plan Area Specific Plan, as well as the regional transportation system improvements identified in the SACOG Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS).

The planned construction of the two new freeway interchanges will significantly alter traffic flow patterns in the study area, as traffic will be shifted away from the East Bidwell Street/Scott Road interchange with U.S. Highway 50. This shift in traffic will be reflected in reduced traffic volumes at the Highway 50 East Bidwell Street off-ramps, as well as at Iron Point Road/East Bidwell Street and, to a lesser degree, other study intersections.

Land Use Forecasts

The year 2035 travel demand forecasts developed for the Russell Ranch project, which serve as the basis for the future traffic volumes used in this analysis, assumed the following land uses in the 3,513-acre FPASP area:

- 1,455 acres of residential uses (10,210 residential dwelling units),
- 511 acres of office/business/professional and retail/commercial uses,
- 310 acres of schools and City parks,
- 1,063 acres of open space, and
- 174 acres of major circulation facilities.

In addition, the year 2035 land use estimates for the Sacramento region included in the SACMET travel demand forecasting model were assumed.

Cumulative (2035) No Project Conditions

The year 2035 traffic volumes for Cumulative No Project conditions were derived from traffic forecasts developed for the Russell Ranch project. Those forecasts covered all of the study intersections addressed in this analysis except Iron Point Road/Carpenter Hill Road. For that location, traffic estimates were derived from the traffic forecasts for the adjacent intersections at Serpa Way and Empire Ranch Road.

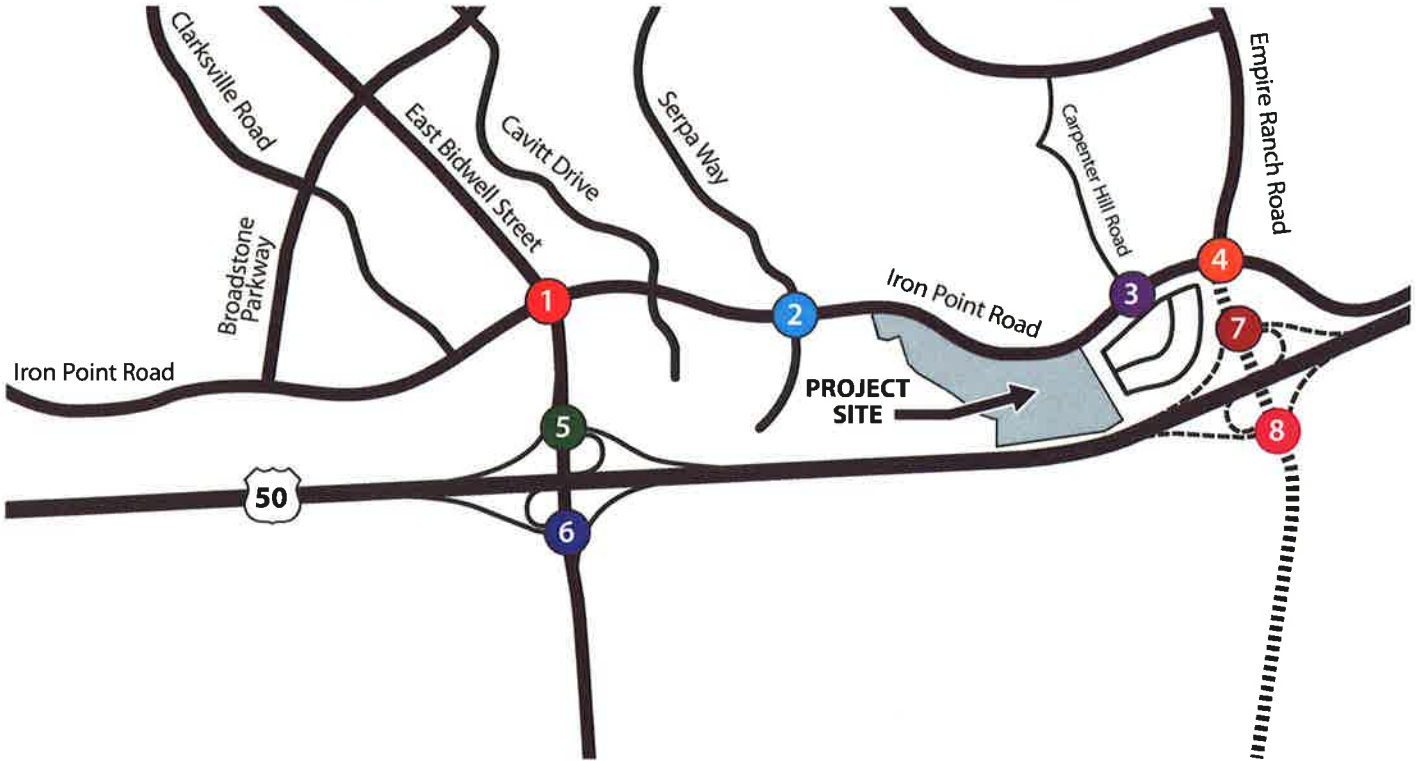
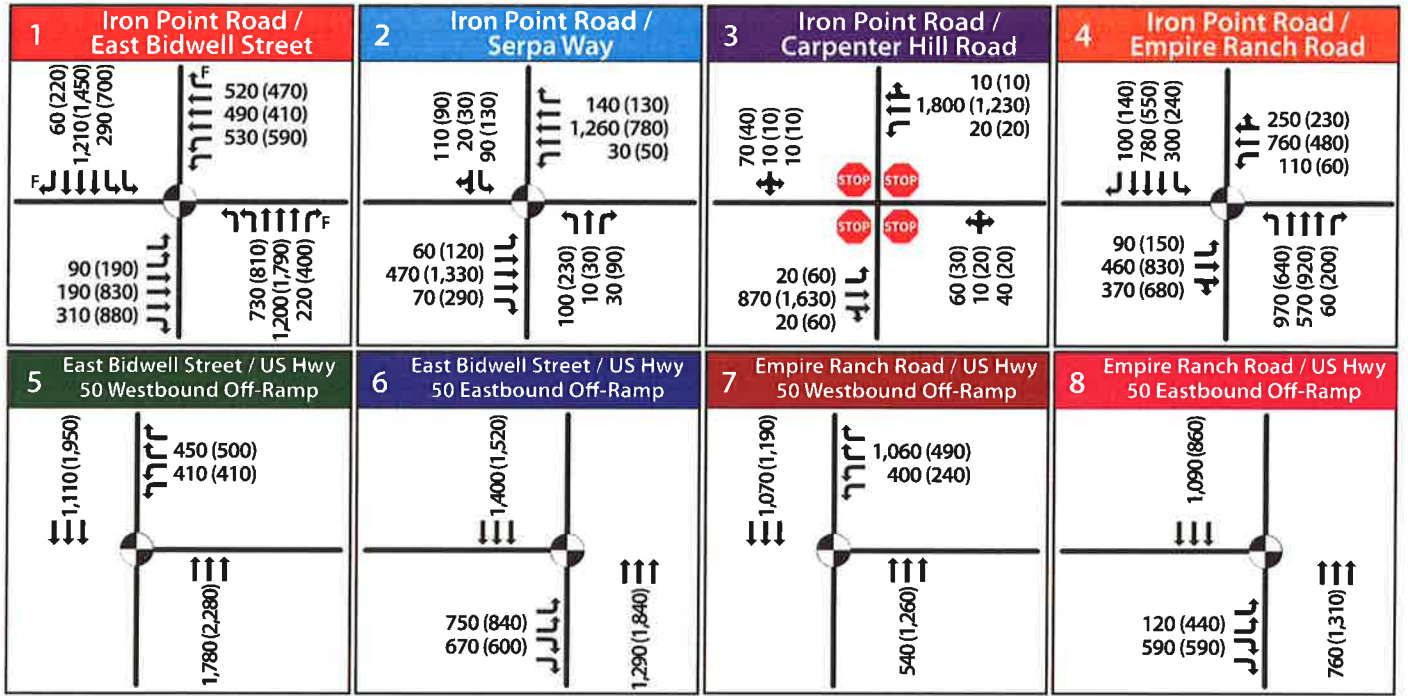
Figure 8 illustrates the Cumulative No Project peak hour traffic volumes employed in this study. Also shown are the intersection lane configurations assumed for year 2035 conditions. Based on information presented in the Russell Ranch traffic analysis, the following intersection improvements were assumed:

- Iron Point Road/East Bidwell Street – Addition of a third eastbound through lane,
- East Bidwell Street/U.S. Highway 50 Westbound Off-ramp – Addition of a third northbound through lane, and
- East Bidwell Street/U.S. Highway 50 Eastbound Off-ramp – Addition of a third northbound through lane, a third southbound through lane, and a second eastbound right-turn lane.

In addition, as noted above, construction of a new U.S. Highway 50 interchange at Empire Ranch Road is expected to occur in this time frame. In conjunction with that major improvement, Empire Ranch Road will be extended to the south from Iron Point Road with three through lanes in each direction, and a traffic signal will be installed at the Iron Point Road/Empire Ranch Road intersection.

With construction of this freeway interchange in relatively close proximity to the project site, project-related traffic patterns are expected to change significantly. Whereas freeway-oriented traffic must now use the Highway 50 ramps at East Bidwell Street, many project-related freeway-bound drivers would use the new Empire Ranch Road ramps when they become available. To account for this change, two additional study intersections were addressed in the cumulative conditions analysis:

- Empire Ranch Road/U.S. Highway 50 Westbound Off-ramp, and
- Empire Ranch Road/U.S. Highway 50 Eastbound Off-ramp.



LEGEND

	STOP SIGN	### (###)	AM (PM) PEAK HOUR TRAFFIC VOLUMES		FREE FLOW TURN LANE
	TRAFFIC SIGNAL		TURN LANE		FUTURE ROAD



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**PEAK HOUR TRAFFIC VOLUMES
 CUMULATIVE NO PROJECT**

FIGURE 8

Intersection Level of Service

Table 8 summarizes the AM and PM peak hour intersection level of service results for Cumulative No Project conditions. The technical calculation worksheets are presented in Appendix E.

Weekday AM Peak Hour

While two of the study intersections are expected to fall short of the City's LOS C standard in the AM peak hour, all four of the Caltrans freeway ramp intersections will operate at acceptable levels of service. The all-way-STOP-controlled study intersection of Iron Point Road/Carpenter Hill Road is projected to operate at LOS F, as is the signal-controlled Iron Point Road/Empire Ranch Road intersection. (At Iron Point Road/Empire Ranch Road, the operational deficiency is related to the planned provision of a single left-turn lane on the northbound approach. If dual left-turn lanes were provided, the intersection delay value would be substantially reduced.) The projected traffic volumes at Iron Point Road/Carpenter Hill Road will be barely sufficient to meet the minimum requirements of the "Peak Hour" signal warrant. (Based solely on this consideration, however, it would not be prudent to recommend installation of a traffic signal.)

Weekday PM Peak Hour

In the PM peak hour, Iron Point Road/East Bidwell Street is projected to operate at LOS F, which falls short of the City's standard. As in the AM peak hour, Iron Point Road/Carpenter Hill Road and Iron Point Road/Empire Ranch Road will also be at LOS F. (As noted above, provision of dual left-turn lanes on the northbound approach at Iron Point Road/Empire Ranch Road would substantially improve operations at that location.) The freeway ramp intersections will all operate at LOS B, and will therefore conform to the LOS E policy established by Caltrans. In the PM peak hour, the traffic volumes at Iron Point Road/Carpenter Hill Road will not be sufficient to meet the minimum requirements of the "Peak Hour" signal warrant.

Table 8 Level of Service Summary¹ Cumulative No Project Conditions							
Intersection	Traffic Control	AM Peak Hour			PM Peak Hour		
		Delay ²	LOS ³	Meet Signal Warrant? ⁴	Delay	LOS	Meet Signal Warrant?
Iron Point Rd./East Bidwell St.	Signal	31.0	C	--	134.7 ⁵	F	--
Iron Point Rd./Serpa Way	Signal	16.5	B	--	19.6	B	--
Iron Point Rd./Carpenter Hill Rd.	All-Way STOP	58.3	F	Yes	57.1	F	No
Iron Point Rd./Empire Ranch Rd.	Signal	122.0	F	--	94.0	F	--
East Bidwell St./U.S. Highway 50 Westbound Off-ramp	Signal	11.6	B	--	13.6	B	--
East Bidwell St./U.S. Highway 50 Eastbound Off-ramp	Signal	15.1	B	--	16.4	B	--
Empire Ranch Rd./U.S. Highway 50 Westbound Off-ramp	Signal	13.7	B	--	10.3	B	--
Empire Ranch Rd./U.S. Highway 50 Eastbound Off-ramp	Signal	8.5	A	--	12.4	B	--
Notes: ¹ Reference: Transportation Research Board, <i>Highway Capacity Manual 2010</i> , Fifth Edition, December 2010. ² Average control delay (seconds per vehicle). ³ Level of service. ⁴ "Peak Hour" signal warrant documented in "Part 4 – Highway Traffic Signals" of the <i>California Manual on Uniform Traffic Control Devices</i> , November 7, 2014. ⁵ Shaded cell denotes unacceptable level of service.							

Cumulative (2035) Plus Project Conditions

The following sections address the effects of adding the project-generated traffic to the Cumulative No Project volumes derived above.

Project Trip Generation

As described in the “construction year” conditions section, the proposed project is expected to generate 167 AM peak hour trips (33 inbound and 134 outbound) and 203 PM peak hour trips (132 inbound and 71 outbound).

Project Trip Distribution

Under cumulative conditions, the orientation of freeway-bound traffic will change. In particular, the availability of the new Highway 50 interchange at Empire Ranch Road will attract project-related drivers who currently use the East Bidwell Street interchange. This is particularly true for freeway-bound drivers traveling to and from the east. Even drivers traveling to the west on Highway 50 from the project site are expected to use the Empire Ranch Road interchange rather than the East Bidwell Street location, as the westbound on-ramp can be accessed via a series of right turns from the project site. (If the alternative access plan (which allows outbound left turns) is implemented at the project, the westbound freeway traffic will be split between the two interchanges, with the bulk of the traffic using the East Bidwell Street on-ramp.) Eastbound freeway traffic (traveling toward the project site from downtown Sacramento, for example) is generally expected to exit the freeway at East Bidwell Street under either access scenario. In addition to the changes in freeway-related trip distribution, a higher percentage of project traffic is expected to travel to and from the south, based on the expected development in the Folsom Plan Area south of Highway 50.

Figure 9 illustrates the project trip distribution for cumulative conditions under the assumed project access plan (i.e., no outbound left turns from the project site).

Intersection Traffic Volumes

Using the project trip generation and trip distribution information described above, the project-related trips were assigned to the future road network and added to the Cumulative No Project volumes. The Cumulative Plus Project traffic volumes for the weekday AM and PM peak hours are illustrated on Figure 10.

Intersection Level of Service

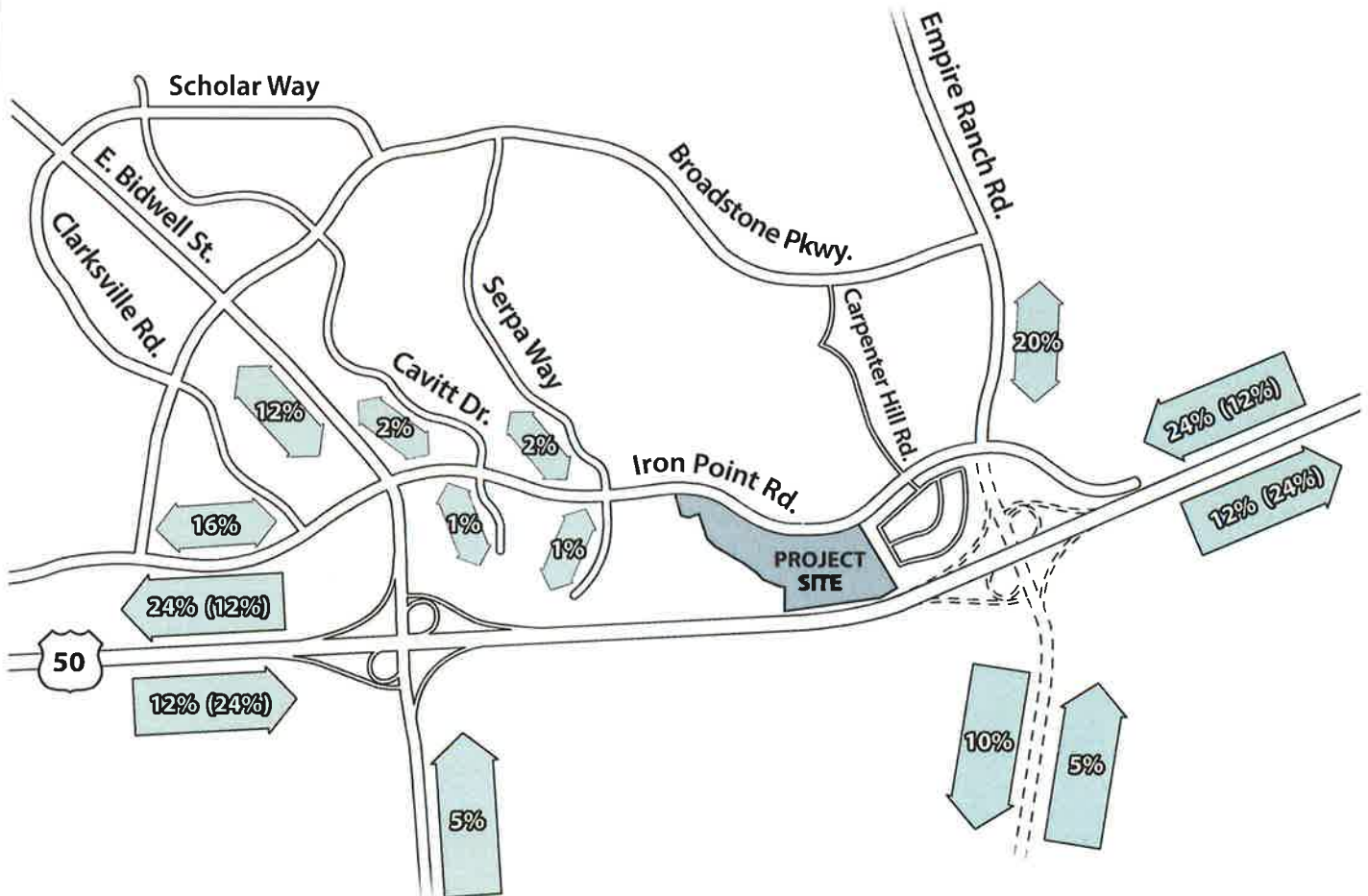
Table 9 presents the results of the intersection level of service analysis for the Cumulative Plus Project scenario. Appendix F contains the level of service calculation worksheets.

Weekday AM Peak Hour

As under Cumulative No Project conditions, all but two of the study intersections will operate acceptably under the City of Folsom LOS C standard. Although Iron Point Road/Carpenter Hill Road and Iron Point Road/Empire Ranch Road will operate at LOS F, the project’s incremental delay impact will be less than the City’s 5.0 seconds/vehicle threshold. Iron Point Road/East Bidwell Street will continue to operate at LOS C, while the other study locations will be at LOS C or better.



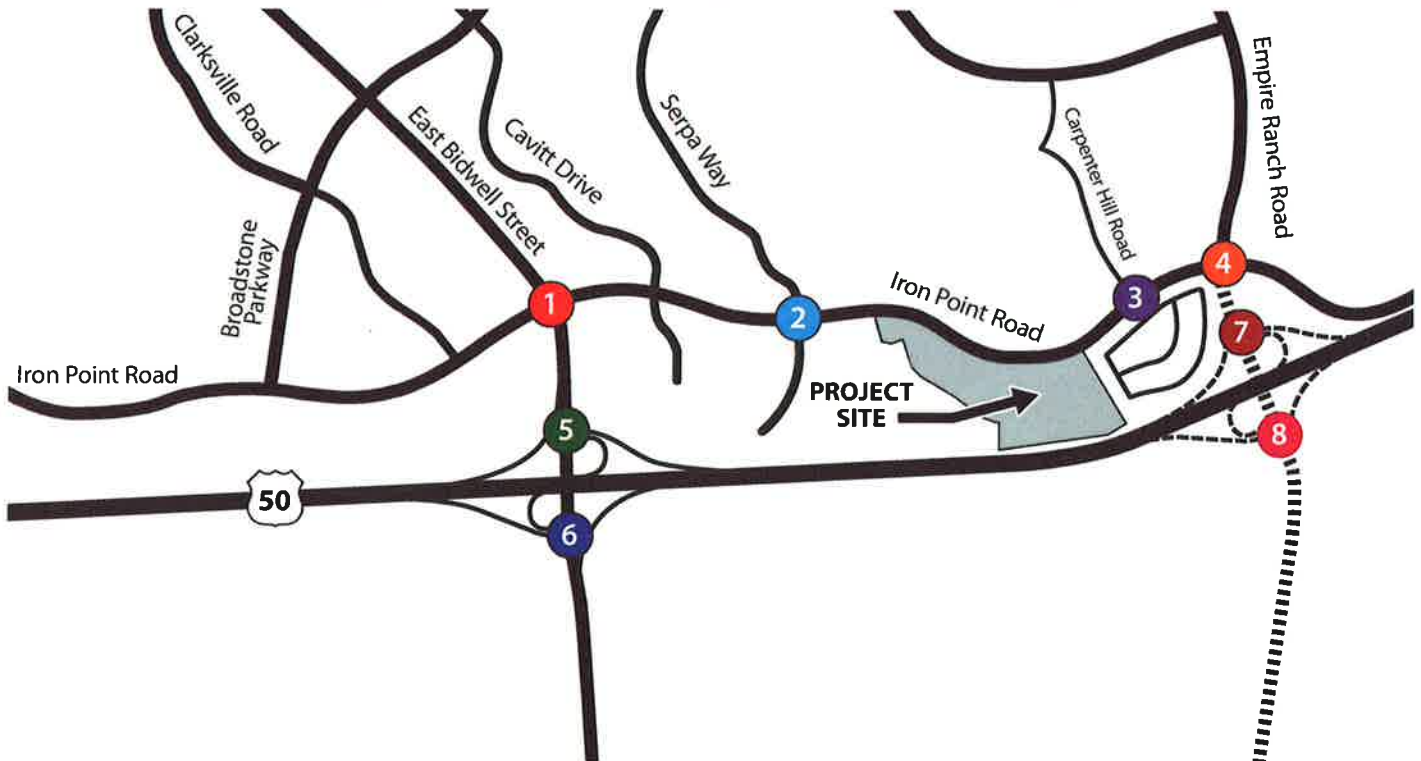
NOT TO SCALE



FREEWAY DISTRIBUTION LEGEND

##% (##%)
AM (PM)

<p>1 Iron Point Road / East Bidwell Street</p> <p>60 (220) 1,210 (1,450) 294 (716)</p> <p>536 (479) 512 (421) 530 (590)</p> <p>90 (190) 195 (851) 310 (880)</p> <p>730 (810) 1,200 (1,790) 226 (438)</p>	<p>2 Iron Point Road / Serpa Way</p> <p>110 (90) 20 (30) 91 (133)</p> <p>143 (131) 1,302 (802) 31 (51)</p> <p>60 (120) 486 (1,409) 70 (290)</p> <p>100 (230) 10 (30) 30 (91)</p>	<p>3 Iron Point Road / Carpenter Hill Road</p> <p>70 (40) 10 (10) 10 (10)</p> <p>10 (10) 1,816 (1,279) 20 (20)</p> <p>46 (24) 20 (60) 958 (1,677) 20 (60)</p> <p>60 (30) 10 (20) 40 (20)</p>	<p>4 Iron Point Road / Empire Ranch Road</p> <p>106 (167) 780 (550) 300 (240)</p> <p>250 (230) 760 (480) 110 (60)</p> <p>117 (164) 460 (830) 431 (713)</p> <p>980 (662) 570 (920) 60 (200)</p>
<p>5 East Bidwell Street / US Hwy 50 Westbound Off-Ramp</p> <p>1,110 (1,950)</p> <p>450 (500) 410 (410)</p> <p>1,786 (2,318)</p>	<p>6 East Bidwell Street / US Hwy 50 Eastbound Off-Ramp</p> <p>1,400 (1,520)</p> <p>754 (872) 670 (600)</p> <p>1,292 (1,846)</p>	<p>7 Empire Ranch Road / US Hwy 50 Westbound Off-Ramp</p> <p>1,099 (1,214)</p> <p>1,068 (506) 400 (240)</p> <p>542 (1,266)</p>	<p>8 Empire Ranch Road / US Hwy 50 Eastbound Off-Ramp</p> <p>1,103 (867)</p> <p>120 (440) 590 (590)</p> <p>762 (1,316)</p>



LEGEND

	STOP SIGN	### (###)	AM (PM) PEAK HOUR TRAFFIC VOLUMES		FREE FLOW TURN LANE
	TRAFFIC SIGNAL		TURN LANE		FUTURE ROAD



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**PEAK HOUR TRAFFIC VOLUMES
 CUMULATIVE + PROJECT**

FIGURE 10

**Table 9
Level of Service Summary¹
Cumulative Plus Project Conditions**

Intersection	Traffic Control	AM Peak Hour						PM Peak Hour					
		Cumulative No Project			Cumulative + Project			Cumulative No Project			Cumulative + Project		
		Delay ²	LOS ³	Signal Warrant? ⁴	Delay	LOS	Signal Warrant?	Delay	LOS	Signal Warrant?	Delay	LOS	Signal Warrant?
Iron Point Rd./East Bidwell St.	Signal	31.0	C	--	31.0	C	--	134.7 ⁵	F	--	134.8	F	--
Iron Point Rd./Serpa Way	Signal	16.5	B	--	16.7	B	--	19.6	B	--	19.9	B	--
Iron Point Rd./Carpenter Hill Rd.	All-Way STOP	58.3	F	Yes	58.8	F	Yes	57.1	F	No	57.7	F	No
Iron Point Rd./Empire Ranch Rd.	Signal	122.0	F	--	125.6	F	--	94.0	F	--	95.8	F	--
East Bidwell St./U.S. Hwy. 50 WB Off-ramp	Signal	11.6	B	--	11.6	B	--	13.6	B	--	13.6	B	--
East Bidwell St./U.S. Hwy. 50 EB Off-ramp	Signal	15.1	B	--	15.2	B	--	16.4	B	--	16.9	B	--
Empire Ranch Rd./U.S. Hwy. 50 WB Off-ramp	Signal	13.7	B	--	14.0	B	--	10.3	B	--	10.6	B	--
Empire Ranch Rd./U.S. Hwy. 50 EB Off-ramp	Signal	8.5	A	--	8.6	A	--	12.4	B	--	12.4	B	--
Iron Point Rd./West Project Access	Side-St. STOP ⁶	--	--	--	14.4	B	No	--	--	--	39.2	E	No
Iron Point Rd./East Project Access	Side-St. STOP	--	--	--	15.1	C	No	--	--	--	22.8	C	No

Notes:
¹ Reference: Transportation Research Board, *Highway Capacity Manual 2010*, Fifth Edition, December 2010.
² Average control delay (seconds per vehicle).
³ Level of service.
⁴ "Peak Hour" signal warrant from "Part 4 – Highway Traffic Signals" of the *California Manual on Uniform Traffic Control Devices*, November 7, 2014.
⁵ Shaded cell denotes unacceptable level of service.
⁶ Delay value represents the worst-case movement/approach.

While the project access intersections will both have insufficient traffic to meet the “Peak Hour” signal warrant requirements, the intersection of Iron Point Road/Carpenter Hill Road will meet those minimum requirements, but only just barely – it will exceed the minimum traffic volume standard by 10 vehicles on the Carpenter Hill Road approach to the intersection. Based on this, it is not prudent to recommend installation of a traffic signal.

As noted in the *California Manual on Traffic Control Devices*, “[t]he satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal.” Other factors must also be considered, including safety (traffic signals typically increase the number of rear-end collisions), spacing from other signals, vehicle delay, etc.

The Iron Point Road/Carpenter Hill Road intersection is located approximately 900 feet west of the intersection of Iron Point Road/Empire Ranch Road, which will be signalized in the future. This distance is somewhat shorter than the desired spacing of 1,000 feet that is generally accepted within the City of Folsom.

In summary, the case for installation of a traffic signal at the Iron Point Road/Carpenter Hill Road is marginal at best. The “Peak Hour” signal warrant is only met in the AM peak hour under Cumulative Plus Project Conditions, which reflects estimated traffic volumes in the year 2035. At this time, it appears that the disadvantages of installing a signal exceed the likely benefits. This issue will likely need to be reevaluated in the future, however.

In summary, the project’s cumulative impact is considered less than significant in the AM peak hour.

Weekday PM Peak Hour

Addition of the project-generated traffic in the weekday PM peak hour would result in no change in level of service at any of the study intersections. Although three of the study intersections are projected to be at LOS F, the project-related incremental increase in vehicular delay at each will be less than the City’s significance threshold of 5.0 seconds/vehicle. Consequently, the project’s impact is considered less than significant at those locations. The West Project Access intersection will be at LOS E, but it will not meet the requirements of the “Peak Hour” signal warrant, so the impact is less than significant. In fact, the signal warrant requirements will not be met at any of the unsignalized intersections.

As in the AM peak hour, the project’s impact is considered less than significant.

Mitigation Measures

As described above, in both peak-hour periods, The Pique at Iron Point Apartments project is expected to result in less-than-significant impacts to traffic operations at the study intersections under cumulative conditions. Although three study intersections are projected to fail to conform to the City’s level of service standard in the PM peak hour, the incremental increase in delay at those locations is less than the City’s adopted significance threshold of 5.0 seconds/vehicle. The other study intersections will operate at acceptable levels of service, even with the addition of project-generated traffic. Therefore, no off-site mitigation measures are recommended. Traffic operations at the project’s access locations on Iron Point Road are discussed in greater detail in the following section.

PROJECT ACCESS ANALYSIS

This section describes the analysis of the proposed project's vehicular access system. Two access schemes are addressed, including one that fully conforms to the City of Folsom access management policy and one that would require an exception to that policy. Under both potential access systems the following two driveways would be provided to serve the needs of project traffic:

- *West Access* – This project driveway would be located near the western edge of the project site, roughly 650 - 700 feet east of the centerline of Serpa Way.
- *East Access* – This proposed driveway would be located about 1,200 – 1,250 feet west of the centerline of Carpenter Hill Road.

Further, there would be roughly 1,600 – 1,650 feet between the driveways.

Project Access Plan

The traffic impact analysis presented above addressed the access plan described below:

- *West Access* – The project applicant proposed that this access point be a full-access location, which would accommodate all turning movements. This proposed access scheme would violate the City of Folsom policy prohibiting outbound left turns from private driveways on six-lane roads, however. Based on field investigations and discussions with City staff, the traffic impact analysis presented above assumed that this driveway would serve right turns (inbound and outbound) and left turns inbound (but not outbound). Exiting traffic would be controlled by a STOP sign.
- *East Access* – The applicant proposed that this driveway serve right turns in and out, as well as outbound left turns. Again, this proposal would violate the City's access policy relating to six-lane roads. For the traffic impact analysis presented above, it was assumed that this driveway would be limited to right turns only, both inbound and outbound. Traffic exiting the project at this location would be controlled by a STOP sign.

Thus, the project access plan analyzed here fully conforms to the City's access management policy.

Alternative Access Plan

While the project access plan described above would be consistent with City of Folsom policy, it potentially creates certain traffic circulation issues. The prohibition of outbound left turns from the project site means that all exiting traffic would be required to travel to the east on Iron Point Road. However, in the short term (i.e., prior to construction of the U.S. Highway 50 Empire Ranch Road interchange), about three-quarters of the project traffic is oriented to/from the west. Drivers desiring to travel to the west would be required to drive to the east to Carpenter Hill Road to make a U-turn. A westbound driver exiting the West Driveway would, therefore, travel slightly over a mile out of his way (i.e., one-half mile to Carpenter Hill Road and one-half mile back) before truly commencing his trip under this scheme.

A related issue is the number of U-turns that would occur at Carpenter Hill Road. In the short term, 102 project-related U-turns are expected at that location in the AM peak hour, while 54 U-turns would occur in the PM peak hour. Those numbers will be reduced in the future due to the presence of the U.S. Highway 50 Empire Ranch Road interchange. Under those conditions, the number of AM peak hour U-turns is projected to be 46 and the PM number is estimated to be 24.

In response to these potential traffic circulation issues and based on further discussions with City staff an alternative access plan was evaluated for the proposed project. It would have the following features:

- *West Access* – The West Access driveway would serve inbound left turns as well as inbound and outbound right turns. No outbound left turns would be allowed at this location. Exiting traffic would be controlled by a STOP sign.
- *East Access* – This driveway would serve outbound left turns in combination with inbound and outbound right turns. No inbound left turns would be allowed. Traffic exiting the project at this location would be controlled by a STOP sign. Implementation of this access scheme would require that an exception be made to the City of Folsom policy prohibiting outbound left turns from private driveways on six-lane roads.

Access Analysis

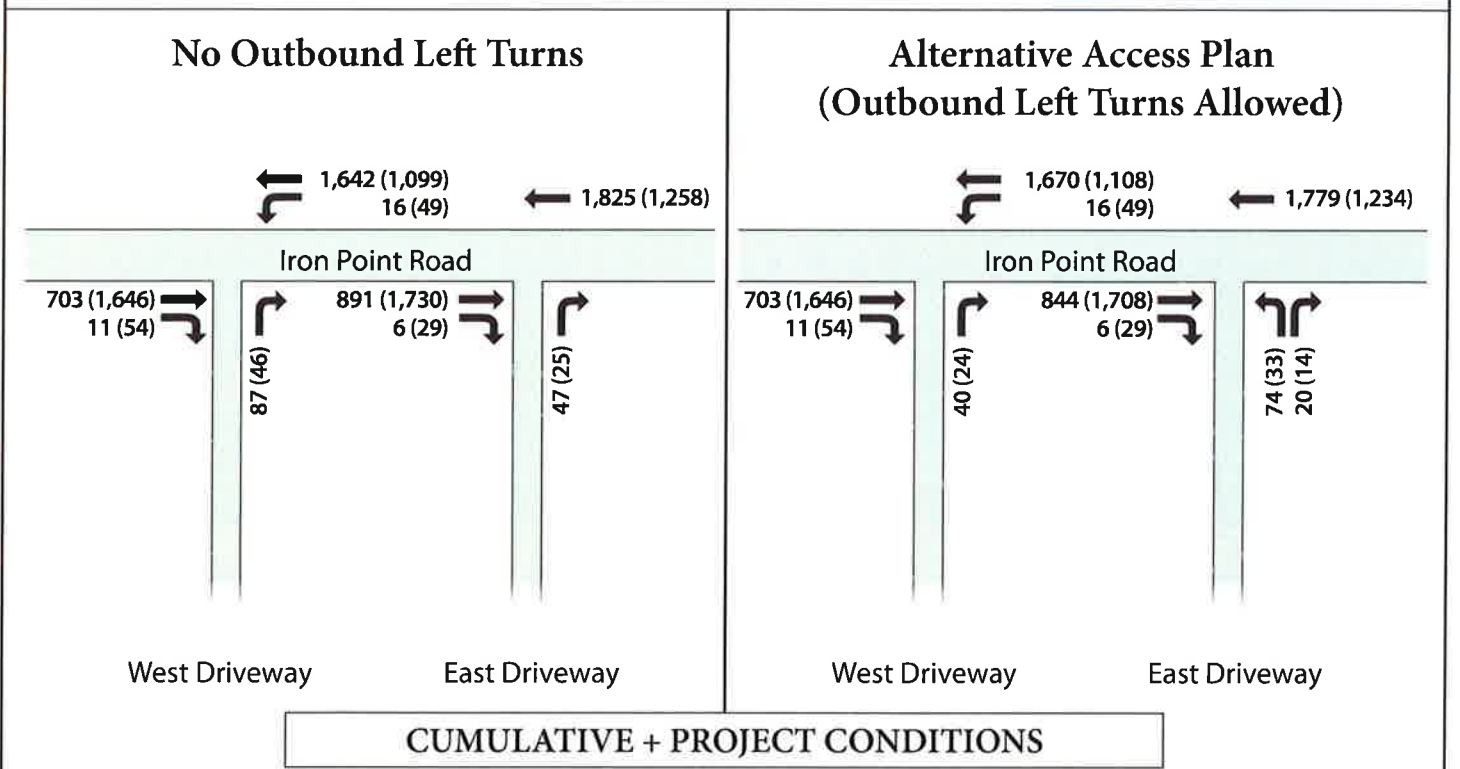
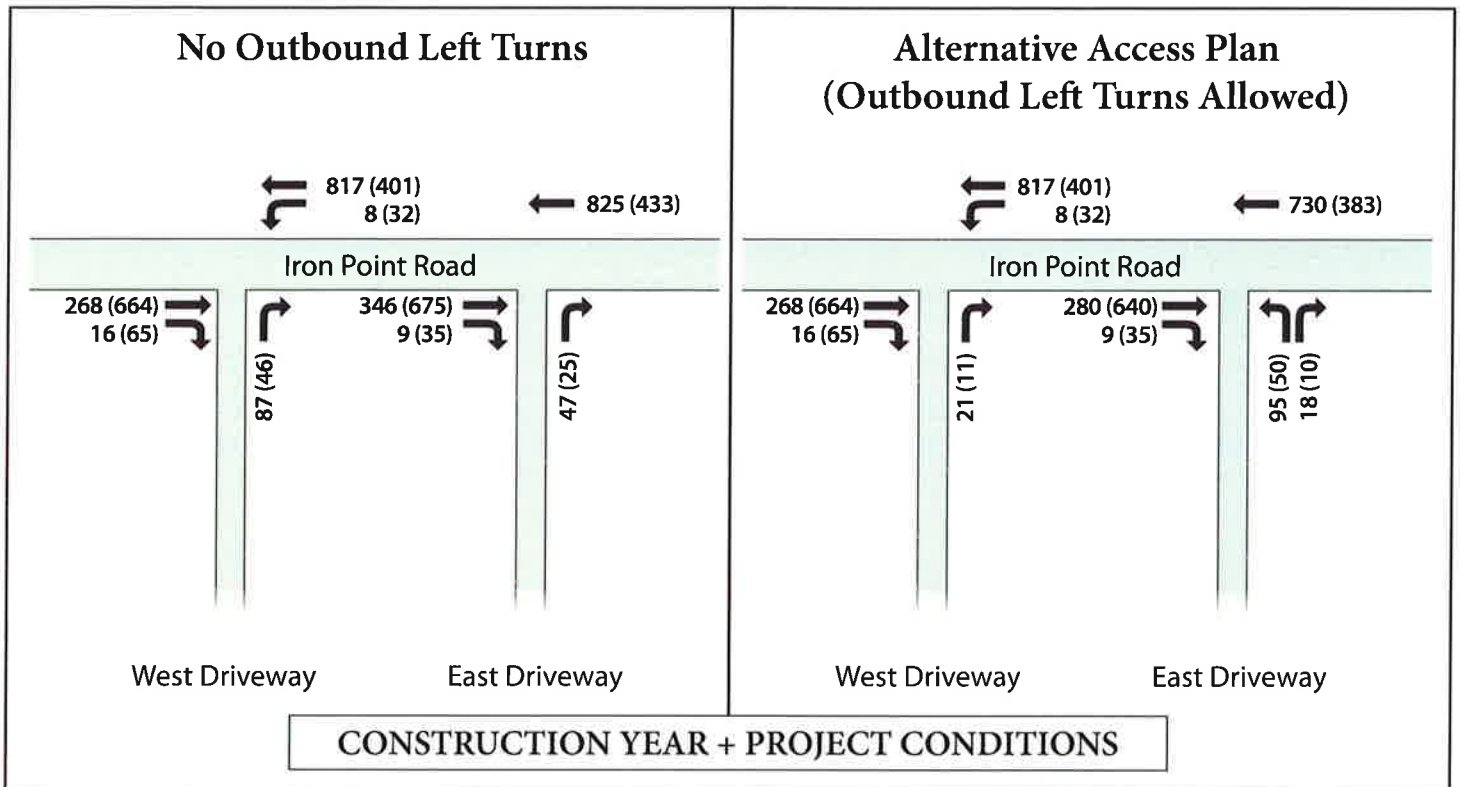
Analyses were performed to address the operation and configuration of the project access system under both alternatives. Those analyses addressed:

- Intersection level of service,
- Driveway traffic control (i.e., STOP sign or traffic signal),
- Intersection spacing,
- Sight distance,
- Turn restrictions,
- Queuing/Minimum Recommended Throat Depth,
- Right-turn deceleration lanes,
- Pedestrian safety, and
- Bicycle safety.

Figure 11 presents a summary of the traffic volumes at both driveways under both access alternatives for both Construction Year Plus Project and Cumulative Plus Project conditions.

Intersection Level of Service

Intersection level of service calculations were performed for the study locations under both access alternatives, and for both Construction Year Plus Project and Cumulative Plus Project Conditions.



NOTE: Through volumes do not match due to assumed future driveways on north side of Iron Point Road

LEGEND

(###) AM (PM) PEAK HOUR TRAFFIC VOLUMES



**PEAK HOUR TRAFFIC VOLUMES
PROJECT DRIVEWAYS**

FIGURE 11

Construction Year Plus Project Conditions

As noted above, under Construction Year Plus Project conditions, the project access plan will add a substantial number of U-turns to the eastbound approach at the intersection of Iron Point Road/Carpenter Hill Road. Those U-turns are largely eliminated if exiting left turns are allowed at the project site, as would occur under the alternative access plan. In fact, aside from the project driveways, that intersection is the only study location at which the volume of project-generated traffic (and, therefore, the intersection delay value) would change in the Construction Year under the alternative access plan.

Table 10 summarizes a comparison of AM and PM peak hour level of service results for the two access schemes at the affected study intersections. In the AM peak hour, elimination of the U-turns in conjunction with the alternative access plan would slightly reduce the delay value at Iron Point Road/Carpenter Hill Road, although the level of service would be unchanged at LOS C. Delay at the West Driveway would decrease slightly, as outbound traffic is diverted to the East Driveway where left turns would be allowed; the intersection would still operate at an acceptable LOS B. A slight increase in delay is projected at the East Driveway, but no change in level of service.

Table 10 Level of Service Comparison¹ Construction Year Plus Project Conditions							
Intersection	Traffic Control	Project Access Plan ²			Alternative Access Plan ³		
		Delay ⁴	LOS ⁵	Signal Warrant? ⁶	Delay	LOS	Signal Warrant?
AM Peak Hour							
Iron Point Rd./Carpenter Hill Rd.	All-Way STOP	18.7	C	No	17.8	C	No
Iron Point Rd./West Project Access	Side-St. STOP ⁷	10.9	B	No	10.2	B	No
Iron Point Rd./East Project Access	Side-St. STOP ⁷	10.9	B	No	11.8	B	No
PM Peak Hour							
Iron Point Rd./Carpenter Hill Rd.	All-Way STOP	10.4	B	No	10.4	B	No
Iron Point Rd./West Project Access	Side-St. STOP ⁷	12.7	B	No	12.7	B	No
Iron Point Rd./East Project Access	Side-St. STOP ⁷	12.2	B	No	14.4	B	No
Notes:							
¹ Reference: Transportation Research Board, <i>Highway Capacity Manual 2010</i> , Fifth Edition, December 2010.							
² No outbound left turns allowed.							
³ Outbound left turns allowed at East Driveway.							
⁴ Average control delay (seconds per vehicle).							
⁵ Level of service.							
⁶ "Peak Hour" signal warrant documented in "Part 4 – Highway Traffic Signals" of the <i>California Manual on Uniform Traffic Control Devices</i> , November 7, 2014.							
⁷ Delay value represents the worst-case movement/approach.							

In the PM peak hour, no change in delay or level of service is projected at Iron Point Road/Carpenter Hill Road. At the project driveways, the effect is again relatively minor. At the West Driveway, delay would be unchanged at 12.7 seconds/vehicle (LOS B). A slight increase in delay is expected at the East Driveway, as the left turning drivers exiting the site wait for an acceptable gap in traffic on Iron Point Road; the driveway intersection would operate at LOS B under both access plans.

Cumulative Plus Project Conditions

Under Cumulative Plus Project conditions, the alternative access plan might be expected to have a greater impact on traffic operations in the study area, as it allows drivers exiting the project site to choose between the East Bidwell Street and Empire Ranch Road interchanges with U.S. Highway 50. In fact, there are minor changes in AM and PM peak hour traffic volumes at each study intersection, as illustrated on Figure 12. As described previously, the driveway volumes are shown on Figure 11.

Table 11 summarizes the intersection level of service results for both access plans. As shown, the only substantial changes in delay or level of service occur at the project driveways, and particularly at the East Driveway, where left turns would be added under the alternative scheme. In the AM peak hour, the East Driveway is expected to operate at LOS D under the alternative plan (due to delays associated with the outbound left turns), compared to LOS C for the project access plan. LOS E is projected for the outbound left turns at that location in the PM peak hour with the alternative plan, compared to LOS C under the project plan. The West Driveway is projected to operate at LOS B under either plan in the AM peak hour. In the PM peak hour, it will be at LOS E under both plans, reflecting the delays associated with the inbound left turns.

Driveway Traffic Control

This section considers how traffic should be controlled at the project access locations, including whether a traffic signal or all-way-STOP-control would be preferable to side-street-STOP-control.

Traffic Signal

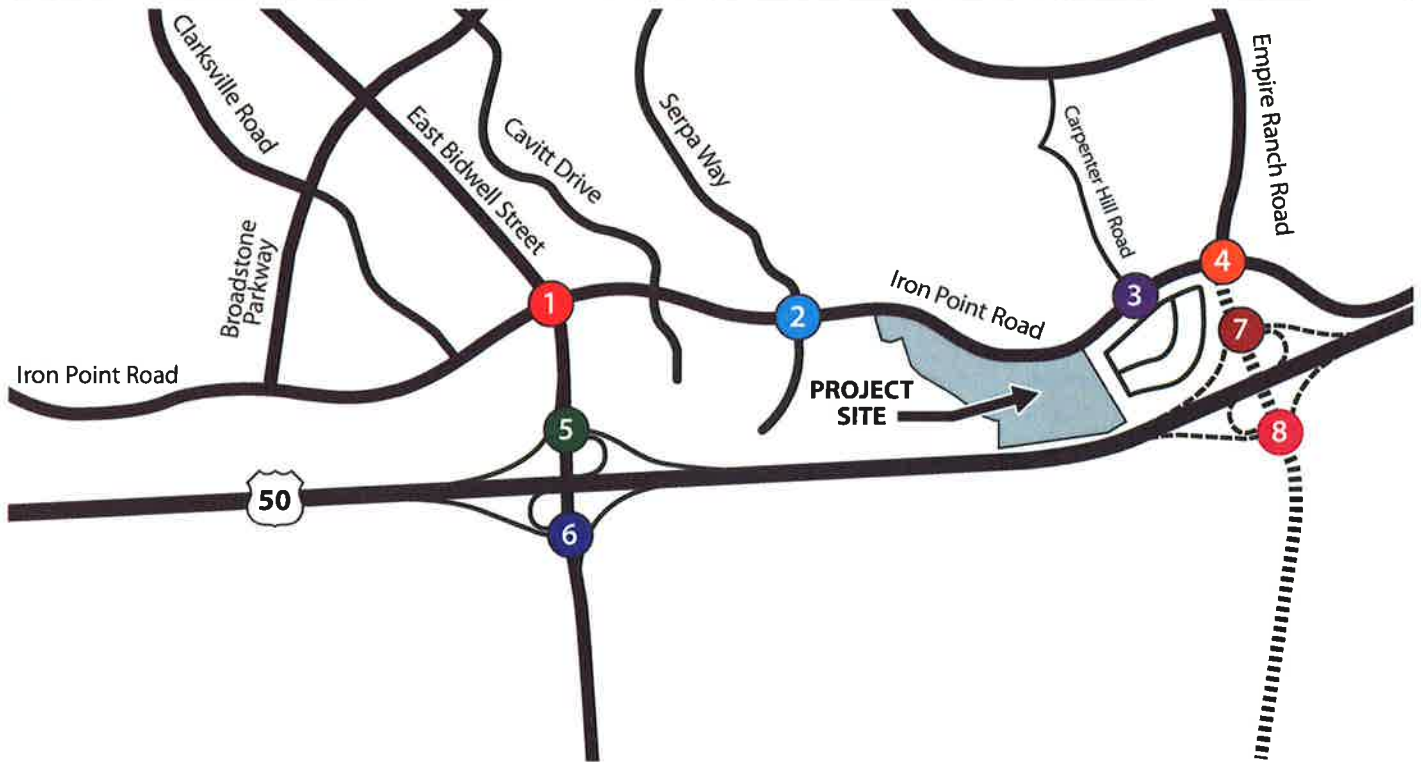
Tables 10 and 11 also summarize the results of the signal warrant analyses for the project driveways under both access alternatives. As shown in Table 10, the unsignalized intersections would all have insufficient traffic to warrant installation of a signal under Construction Year Plus Project conditions.

Table 11 also shows that neither driveway has sufficient traffic to warrant installation of a traffic signal under any Cumulative Plus Project scenario. Thus, STOP-sign control will continue to be appropriate for both locations.

All-Way-STOP-Control

All-way-STOP-control could also be considered for one or both of the driveways. Unfortunately, currently available analysis tools and procedures cannot accommodate consideration of this form of traffic control on six-lane roads. Consequently, it is impossible to determine whether there is a beneficial operational effect associated with implementing this form of traffic control.

<p>1 Iron Point Road / East Bidwell Street</p> <p>60 (220) 1,210 (1,450) 294 (716)</p> <p>536 (479) 512 (421) 558 (599)</p> <p>90 (190) 195 (851) 310 (880)</p> <p>730 (810) 1,200 (1,790) 226 (438)</p>	<p>2 Iron Point Road / Serpa Way</p> <p>110 (90) 20 (30) 91 (133)</p> <p>143 (131) 1,330 (811) 31 (51)</p> <p>60 (120) 486 (1,409) 70 (290)</p> <p>100 (230) 10 (30) 30 (91)</p>	<p>3 Iron Point Road / Carpenter Hill Road</p> <p>70 (40) 10 (10) 10 (10)</p> <p>10 (10) 1,816 (1,279) 20 (20)</p> <p>0 (0) 20 (60) 930 (1,668) 20 (60)</p> <p>60 (30) 10 (20) 40 (20)</p>	<p>4 Iron Point Road / Empire Ranch Road</p> <p>106 (167) 780 (550) 300 (240)</p> <p>250 (230) 760 (480) 110 (60)</p> <p>117 (164) 460 (830) 403 (704)</p> <p>980 (662) 570 (920) 60 (200)</p>
<p>5 East Bidwell Street / US Hwy 50 Westbound Off-Ramp</p> <p>1,117 (1,971)</p> <p>450 (516) 410 (410)</p> <p>1,786 (2,286)</p>	<p>6 East Bidwell Street / US Hwy 50 Eastbound Off-Ramp</p> <p>1,407 (1,524)</p> <p>754 (840) 670 (600)</p> <p>1,292 (1,846)</p>	<p>7 Empire Ranch Road / US Hwy 50 Westbound Off-Ramp</p> <p>1,093 (1,194)</p> <p>1,068 (490) 400 (240)</p> <p>542 (1,298)</p>	<p>8 Empire Ranch Road / US Hwy 50 Eastbound Off-Ramp</p> <p>1,097 (864)</p> <p>120 (472) 590 (590)</p> <p>762 (1,316)</p>



LEGEND			
	STOP SIGN	### (###)	AM (PM) PEAK HOUR TRAFFIC VOLUMES
	TRAFFIC SIGNAL		TURN LANE
	FREE FLOW TURN LANE		FUTURE ROAD



NOT TO SCALE

**Table 11
Level of Service Comparison¹
Cumulative Plus Project Conditions**

Intersection	Traffic Control	AM Peak Hour						PM Peak Hour					
		Project Access Plan ²			Alternative Access Plan ³			Project Access Plan			Alternative Access Plan		
		Delay ⁴	LOS ⁵	Signal Warrant? ⁶	Delay	LOS	Signal Warrant?	Delay	LOS	Signal Warrant?	Delay	LOS	Signal Warrant?
Iron Point Rd./East Bidwell St.	Signal	31.0	C	--	31.5	C	--	134.8	F	--	135.5	F	--
Iron Point Rd./Serpa Way	Signal	16.7	B	--	16.7	B	--	19.9	B	--	19.9	B	--
Iron Point Rd./Carpenter Hill Rd.	All-Way STOP	58.8	F	Yes	58.9	F	Yes	57.7	F	No	57.7	F	No
Iron Point Rd./Empire Ranch Rd.	Signal	125.6	F	--	124.7	F	--	95.8	F	--	94.8	F	--
East Bidwell St./U.S. Hwy. 50 WB Off-ramp	Signal	11.6	B	--	11.6	B	--	13.6	B	--	14.0	B	--
East Bidwell St./U.S. Hwy. 50 EB Off-ramp	Signal	15.2	B	--	15.2	B	--	16.9	B	--	16.5	B	--
Empire Ranch Rd./U.S. Hwy. 50 WB Off-ramp	Signal	14.0	B	--	14.0	B	--	10.6	B	--	10.4	B	--
Empire Ranch Rd./U.S. Hwy. 50 EB Off-ramp	Signal	8.6	A	--	8.6	A	--	12.4	B	--	12.6	B	--
Iron Point Rd./West Project Access	Side-St. STOP ⁶	14.4	B	No	13.3	B	No	39.2	E	No	39.2	E	No
Iron Point Rd./East Project Access	Side-St. STOP	15.1	C	No	31.9	D	No	22.8	C	No	49.5	E	No

Notes:

- ¹ Reference: Transportation Research Board, *Highway Capacity Manual 2010*, Fifth Edition, December 2010.
- ² No outbound left turns allowed.
- ³ Outbound left turns allowed at East Driveway.
- ⁴ Average control delay (seconds per vehicle).
- ⁵ Level of service.
- ⁶ "Peak Hour" signal warrant documented in "Part 4 – Highway Traffic Signals" of the *California Manual on Uniform Traffic Control Devices*, November 7, 2014.

In addition, the City of Folsom has developed an analysis template that addresses the pertinent requirements for all-way-STOP-control, as presented in the *California Manual on Uniform Traffic Control Devices* (CMUTCD). Those requirements are aimed at evaluating existing locations, however, rather than planned or proposed intersections. For example, they require information concerning hourly traffic volumes over the course of a day as well as accident history for the previous twelve months. In short, the CMUTCD requirements cannot be applied in this case.

Implementation of all-way-STOP-control would certainly increase delays for drivers on Iron Point Road, as each vehicle would be required to stop at the intersection. In contrast, under side-street-STOP-control (as currently proposed), east-west through vehicles would not need to stop; their delay would be zero. This has implications with respect to noise (particularly during acceleration away from the stop) and pollutants (in association with idling in a queue at the STOP sign, for example).

In summary, all-way-STOP-control does not appear to be the preferred form of traffic control at either access point in the short term. As conditions change in the future and historical traffic and safety information becomes available, it might become appropriate to consider this form of traffic control as a means of reducing delay for drivers exiting the project site.

Intersection Spacing

As noted above, two access driveways are planned to serve the proposed project, both on Iron Point Road. The West Access is proposed to be located 650 – 700 feet east of Serpa Way and the East Access would be 1,200 – 1,250 feet west of Carpenter Hill Road. Further, there would be roughly 1,600 – 1,650 feet between the driveways. The access point spacing cited here conforms to City of Folsom practice and is, therefore, considered acceptable. This conclusion applies to both access alternatives.

Sight Distance

Iron Point Road has a posted speed limit of 45 MPH. Furthermore, the most recent radar speed survey conducted for the City on Iron Point Road (April 2011) indicated that the 85th-percentile speed was 47 MPH (i.e., 85 percent of drivers were traveling at or below 47 MPH) and the average speed was 42 MPH. Recent field observations and anecdotal evidence suggest that westbound (i.e., downhill) traffic typically travels somewhat faster than the posted speed limit.

Based on criteria established in *A Policy on Geometric Design of Highways and Streets* (American Association of State Highway and Transportation Officials, 2011), a 45 MPH travel speed calls for 360 feet of clear stopping sight distance. To account for those drivers who are exceeding the 45 MPH speed limit, a design value of 425 feet, the stopping sight distance value for 50 MPH, was used in his evaluation.

West Access

Field investigations at the location of this project driveway indicated that visibility to the west for drivers exiting the site is currently impeded by landscaping materials in the parkway strip between the street and the sidewalk. If that material is removed or substantially trimmed, drivers will have adequate sight distance as they exit the site.

With respect to drivers making a left turn into the site from westbound Iron Point Road, over 500 feet of sight distance is available; those drivers will be able to see past Serpa Way, so this maneuver can be safely accomplished.

If an access plan allowing outbound left turns were implemented, two considerations apply to left-turning drivers. The first involves visibility to the west. As described above, with modifications to the landscape materials in the parkway strip, adequate visibility could be provided to allow left-turning drivers to make the initial maneuver from the driveway to the Iron Point Road median. For the second maneuver (from the median into the flow of westbound traffic), over 500 feet of clear sight distance is available to the east, which exceeds even the minimum requirement for 55 MPH. Although adequate visibility is available for this maneuver, other considerations apply, which are discussed later.

East Access

Drivers making an outbound right turn from the East Access driveway will have over 500 feet of clear sight distance, which is equivalent to the minimum sight distance for speeds in excess of 55 MPH. Thus, this maneuver can be made safely.

Drivers desiring to make an inbound left turn from westbound Iron Point Road would have only about 100 feet of clear sight distance, due to the curvature of the road to the right as it “drops away” on its downhill path. The mounded configuration of the raised median at this location exacerbates this situation. Field investigations revealed that even if the median were flattened and planted with lower landscape materials it would not be possible to achieve the needed sight distance.

For outbound left turns at this driveway, the initial maneuver from the driveway to the median can be made safely, as over 500 feet of sight distance exists to the west. However, the East Access is located about 225 feet west of a “crest vertical curve” (i.e., a hill), which limits sight distance to the east. That distance is equivalent to the minimum sight distance for travel at about 37 MPH, so those drivers would have insufficient sight distance to complete the maneuver from the median into the flow of westbound traffic. A modification to the lane configuration on Iron Point Road that would resolve this sight distance deficiency is discussed below.

Turn Restrictions

As described previously, unsignalized project driveways may be subject to restrictions on certain turning movements, based on City of Folsom policies. For example, outbound left turns are generally prohibited from private driveways located on six-lane roadways. This analysis addresses two access options for the proposed project, one of which is consistent with this policy and a second, “alternative access plan,” which would allow outbound left turns at the East Access location. Both access alternatives assume that two STOP-sign-controlled project driveways would be provided.

Based on the sight distance findings described above, in combination with other safety-related considerations, the following conclusions were developed with respect to potential turn restrictions at The Pique at Iron Point:

- West Access
 - Right turns inbound can be made safely and are acceptable.

- Right turns outbound are currently subject to sight distance restrictions associated with plant materials in the parkway strip between the street and the sidewalk to the west of the driveway. Assuming that this material can be removed or trimmed substantially, this maneuver could be made safely.
- Inbound left turns can be made safely and are acceptable. In recognition of the relatively high speeds on westbound Iron Point Road, provision of an extended left-turn lane that would allow substantial deceleration to occur in this lane is recommended. Using a 50 MPH design speed and assuming that deceleration of 10 - 20 MPH occurs in the through lane, a deceleration lane length of 235 - 315 feet would be called for. (Ref.: Caltrans, *Highway Design Manual*, May 7, 2012.)
- Outbound left turns are initially subject to the same issues described above concerning plant materials in the parkway strip to the west of the driveway. Again assuming this material can be adequately modified, the first stage of this maneuver could be safely accomplished.

Although adequate sight distance is available for the second stage of the maneuver (i.e., merging into the flow of westbound traffic on Iron Point Road), the speed of that westbound (downhill) traffic is a significant concern. One option to accommodate this merger involves modifications to the raised median on Iron Point Road. Specifically, a “refuge area” would be provided in the median to allow drivers to pause and wait for an acceptable gap in westbound traffic on Iron Point Road. That refuge area would be combined with an acceleration lane to facilitate the movement of vehicles into the flow of traffic. Appendix G contains an image illustrating a channelizing device used in the Sacramento area that combines an inbound left-turn lane with an outbound left-turn refuge area. Although a variation on this device could be employed in the median at the West Access, the City of Folsom Traffic Engineer has expressed reservations about the safety of such a device in this location.

In addition, the need for an acceleration lane combined with the proximity of this driveway to Serpa Way (about 650 feet to the west) creates a potential “weaving” issue. According to *A Policy on Geometric Design of Highways and Streets* (American Association of State Highway and Transportation Officials, 2004), an acceleration lane of 560 feet is needed on a road with a design speed of 45 MPH, although this length would only allow the vehicle to reach a speed of 35 MPH. An acceleration lane of that length would encroach upon the existing westbound left-turn lane at Iron Point Road/Serpa Way. Realistically, the maximum length of such a lane is probably only about 200 feet; this length would leave a gap of 175 - 200 feet between the end of the acceleration lane and the start of the westbound left-turn lane at Serpa Way.

This configuration, however, creates an unacceptably short “weaving section,” which produces the potential for side-swipe accidents under two conditions. The first involves a driver merging into westbound Iron Point Road traffic from the project site and desiring to make a right turn at Serpa Way. The second case concerns a westbound driver on Iron Point Road who wants to make a left turn at Serpa Way. In both cases, insufficient distance would be available to allow the weaving maneuver to be made safely, particularly during congested peak-hour traffic conditions.

Considering all of the factors cited above, it is recommended that outbound left turns be prohibited at the West Access.

- East Access
 - Right turns inbound can be made safely and are acceptable.
 - Right turns outbound can be made safely and are acceptable.
 - Inbound left turns are not possible, as insufficient clear sight distance is available to allow drivers to see oncoming vehicles.
 - The sight distance evaluation presented above indicated that outbound left turns cannot be made safely because the hill to the east of the driveway causes insufficient sight distance to allow drivers to see vehicles approaching from that direction. However, Figure 13 provides a conceptual illustration showing how outbound left turns could be safely accommodated. This configuration, which was developed based on a suggestion from the City of Folsom Traffic Engineer, takes advantage of the fact that westbound Iron Point Road expands from two lanes to three lanes near the proposed West Access.

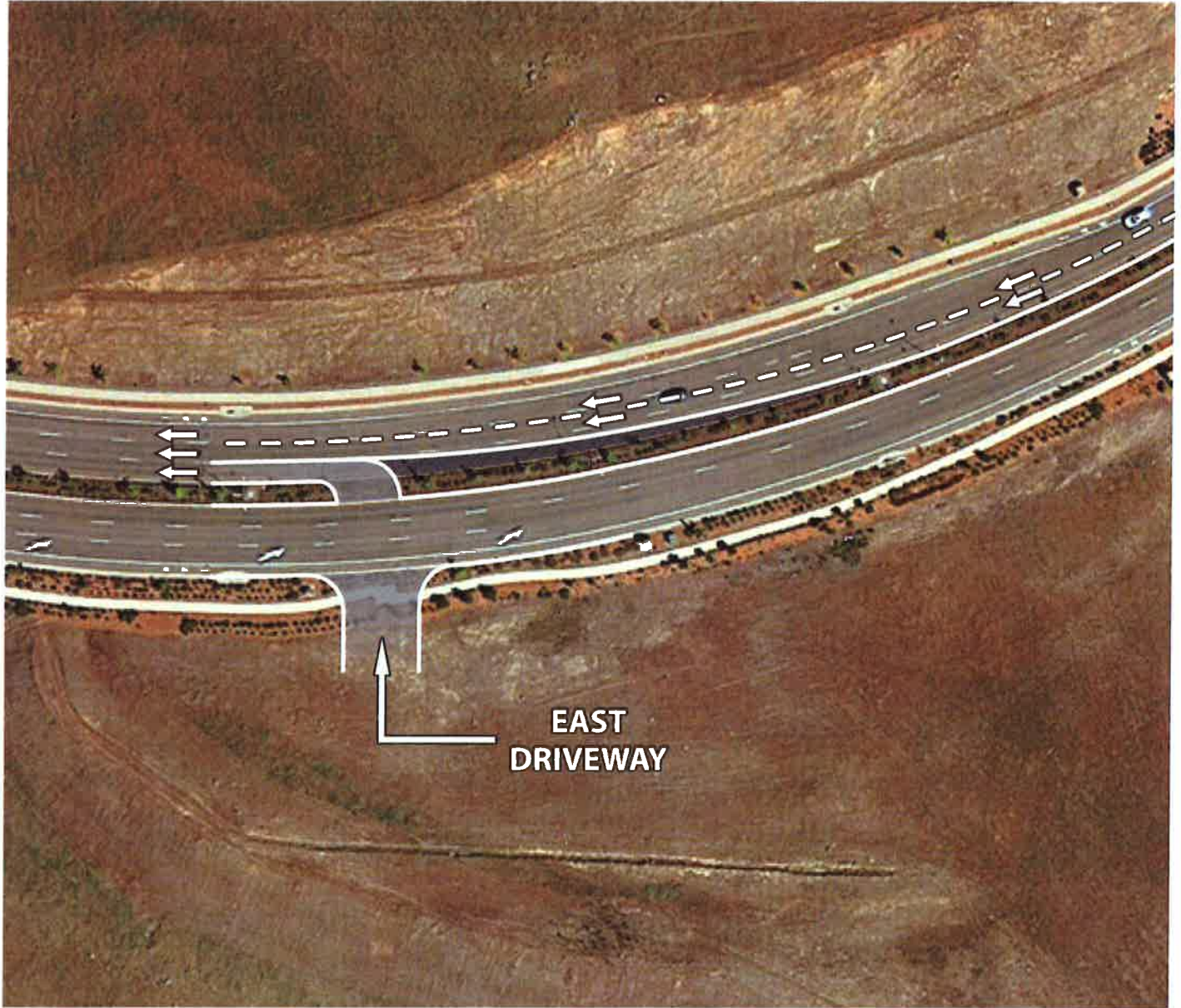
As shown, vehicles exiting the project site would have their own protected lane to use in joining westbound Iron Point Road. This lane would then become the third westbound lane on that road. The configuration illustrated on Figure 13 can be easily accomplished through minor modifications to the Iron Point Road pavement markings and installation of a series of standard “Class 1 Flexible Post – Type G” delineators with yellow reflective elements along the left-hand edge of the two-lane section of Iron Point Road. Those traffic control devices will guide westbound through vehicles as they pass through the area, ensuring that they do not encroach on the added/third lane and allowing vehicles exiting the site to enter the flow of traffic safely. Appendix H contains an excerpt from the *California Manual on Uniform Traffic Control Devices* (Caltrans, November 7, 2014) illustrating the standard delineators.

Minimum Recommended Throat Depth

The minimum recommended throat depth (MRTD) for outbound traffic under “Cumulative Plus Project” conditions was estimated at both of the proposed project driveways. Adequate throat depth is necessary on the internal roadways to provide enough stacking distance for exiting vehicles so that the first on-site driveway or cross street is not blocked. This minimizes the possibility of entering vehicles queuing back onto the public streets.

An analysis was conducted to determine the expected “95th-percentile” queue length (i.e., there is a 95 percent probability that the actual queue at the driveway will be equal to or shorter than the projected queue). Specifically, the MRTD was derived from the *Highway Capacity Manual 2010* intersection capacity calculations.

Table 12 summarizes the results of the queue length analysis. Adequate throat depth is projected at both locations under both potential access plans.



EAST
DRIVEWAY

Table 12					
Minimum Recommended Throat Depth Analysis Summary					
Cumulative + Project Conditions					
Location	Approximate Available Vehicle Storage	95 th -Percentile Queue Length ¹			
		AM Peak Hour		PM Peak Hour	
		Number of Vehicles	Feet	Number of Vehicles	Feet
<i>Project Access Plan</i>					
West Access	250+ ft.	1	25	1	25
East Access	50 ft.	1	25	1	25
<i>Alternative Access Plan</i>					
West Access	250+ ft.	1	25	1	25
East Access	50 ft.	2	50	2	50
Notes:					
¹ Reference: Transportation Research Board, <i>Highway Capacity Manual 2010</i> , Fifth Edition, December 2010.					

Right-Turn Deceleration Lanes

The following guidelines are typically used in the City of Folsom for consideration of the need for right-turn deceleration lanes or tapers at private driveways located on roads with travel speeds of 45 miles per hour or greater, such as Iron Point Road:

- If the peak-hour right-turn volume into a private driveway is projected to be less than 10 vehicles per hour, no improvements are necessary.
- If the right-turn volume into a private driveway is projected to be 10 - 50 vehicles per hour, a right-turn deceleration taper should be constructed.
- If the right-turn volume into a private driveway is projected to be more than 50 vehicles per hour, a right-turn deceleration lane should be constructed.

Although the City has not formally adopted these guidelines, they are consistent with standards used by other jurisdictions in the area. Applying these guidelines to the proposed project access locations on Iron Point Road indicates that a right-turn deceleration lane is needed at the West Access and a right-turn deceleration taper should be provided at the East Access.

However, at the West Access, the maximum projected right-turn volumes are only 54 or 65 vehicles per hour, depending upon the access plan that is implemented. Since these expected volumes are only slightly above the threshold for provision of a right-turn lane, construction of a right-turn taper is considered a reasonable requirement.

Therefore, it is recommended that right-turn deceleration tapers be provided to serve inbound traffic at both access locations.

Pedestrian Safety

Potential pedestrian safety issues that might arise in connection with the proposed residential project were also considered. A sidewalk already exists along the project's Iron Point Road frontage. This existing amenity will safely serve the needs of pedestrians in that area. No additional pedestrian facilities are considered necessary.

Bicycle Safety

On-street ("Class II") bike lanes exist on both sides of Iron Point Road, including along the project frontage. These lanes should adequately meet the needs of bicyclists in the vicinity of the project, and no additional bicycle facilities are recommended.

Access System Recommendations

The project access analysis presented here considered two options for The Pique at Iron Point. The project access plan would prohibit outbound left turns from the project site to Iron Point Road, while the alternative access plan would allow such turns at the East Access. All other features of the project access scheme would be the same for both options.

Based on the results of the access analysis, it is recommended that the alternative access plan be implemented, with the following features:

- West Access
 - Left turns in and right turns in/out (no outbound left turns).
 - For the inbound left-turn lane, in addition to the 50 feet needed to store vehicles waiting to complete the turn, 315 feet of full-width deceleration length should be provided. (This distance will allow vehicles to safely decelerate to a stop from 40 MPH.)
 - A standard right-turn deceleration taper should be constructed to assist eastbound drivers entering the site.
 - The plant material in the parkway strip to the west of the driveway should be removed or modified in such a way as to ensure a minimum of 425 feet of sight distance is available in that direction from the driveway.
 - STOP-sign control should be employed on the driveway approach at this location; Iron Point Road should remain uncontrolled. The signal warrant analysis revealed that the Peak Hour warrant would not be met at this location, even under Cumulative Plus Project conditions. Currently available analysis procedures do not allow consideration of all-way-STOP-control on six-lane roads, so it is not possible to judge whether that form of control would be appropriate (although it would introduce delay for Iron Point Road vehicles that might not be desirable).

- East Access
 - This driveway should allow outbound left turns as well as right turns, both inbound and outbound. No inbound left turns should be allowed.
 - The pavement markings on Iron Point Road should be modified, as conceptually illustrated on Figure 13, so that vehicles exiting the project site have their own lane as they join westbound Iron Point Road. This lane will become the third westbound lane on Iron Point Road. Caltrans-standard delineators (Appendix H) should also be employed to guide westbound through traffic in this area.
 - STOP-sign control on the driveway approach is recommended at this location, as the Peak Hour signal warrant will not be met.
 - A standard right-turn deceleration taper should be constructed for inbound traffic.

It is important to recognize that this access analysis has been conducted in the absence of any information with respect to future plans for the vacant parcel of land on the north side of Iron Point Road, directly opposite the project site. Depending upon the nature and magnitude of that development, traffic control features might be installed or constructed on Iron Point Road that would affect access at The Pique at Iron Point.

For example, that project might have a vehicular entrance near its mid-point (perhaps traffic-signal controlled) that would also serve traffic exiting The Pique at Iron Point and desiring to make a U-turn from eastbound to westbound Iron Point Road. If that were the case, it might be possible to eliminate outbound left turns at The Pique and, instead, require that drivers make the U-turn described here, which would involve substantially less out-of-direction travel than requiring U-turns at Carpenter Hill Road.

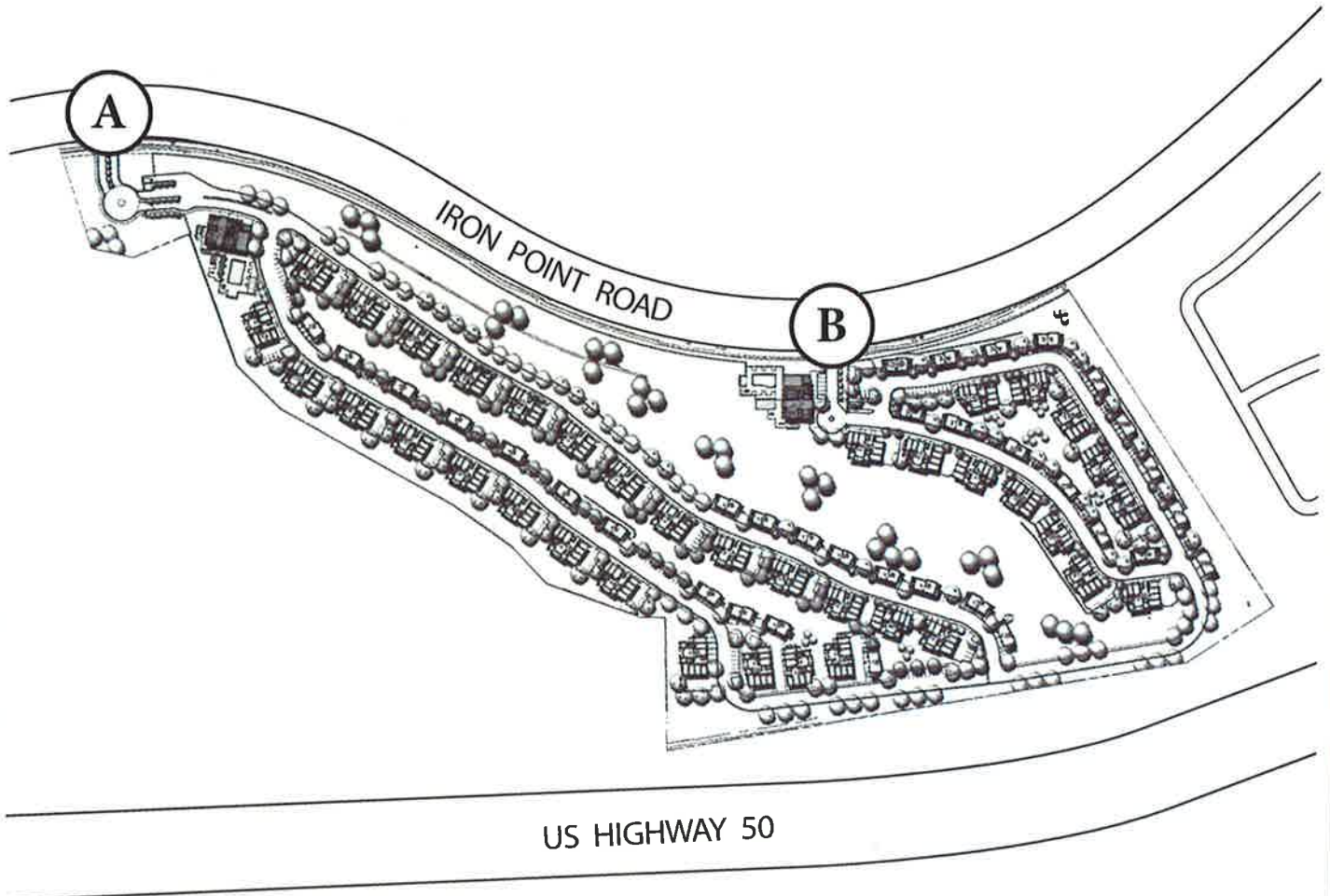
Alternatively, perhaps the north-side development would construct access driveways that align with one or both of the driveways at this proposed project. If the north-side project were large enough to justify installation of a traffic signal, The Pique at Iron Point would again benefit, and its access system could be modified to better reflect conditions prevailing at that time.

Proposed Transportation and Access System Recommendations

The key findings and recommendations resulting from the access analysis presented above are illustrated on Figure 14. Figure 15 illustrates the recommended transportation system in the immediate vicinity of the project site, including the new turn lanes on Iron Point Road.



NOT TO SCALE

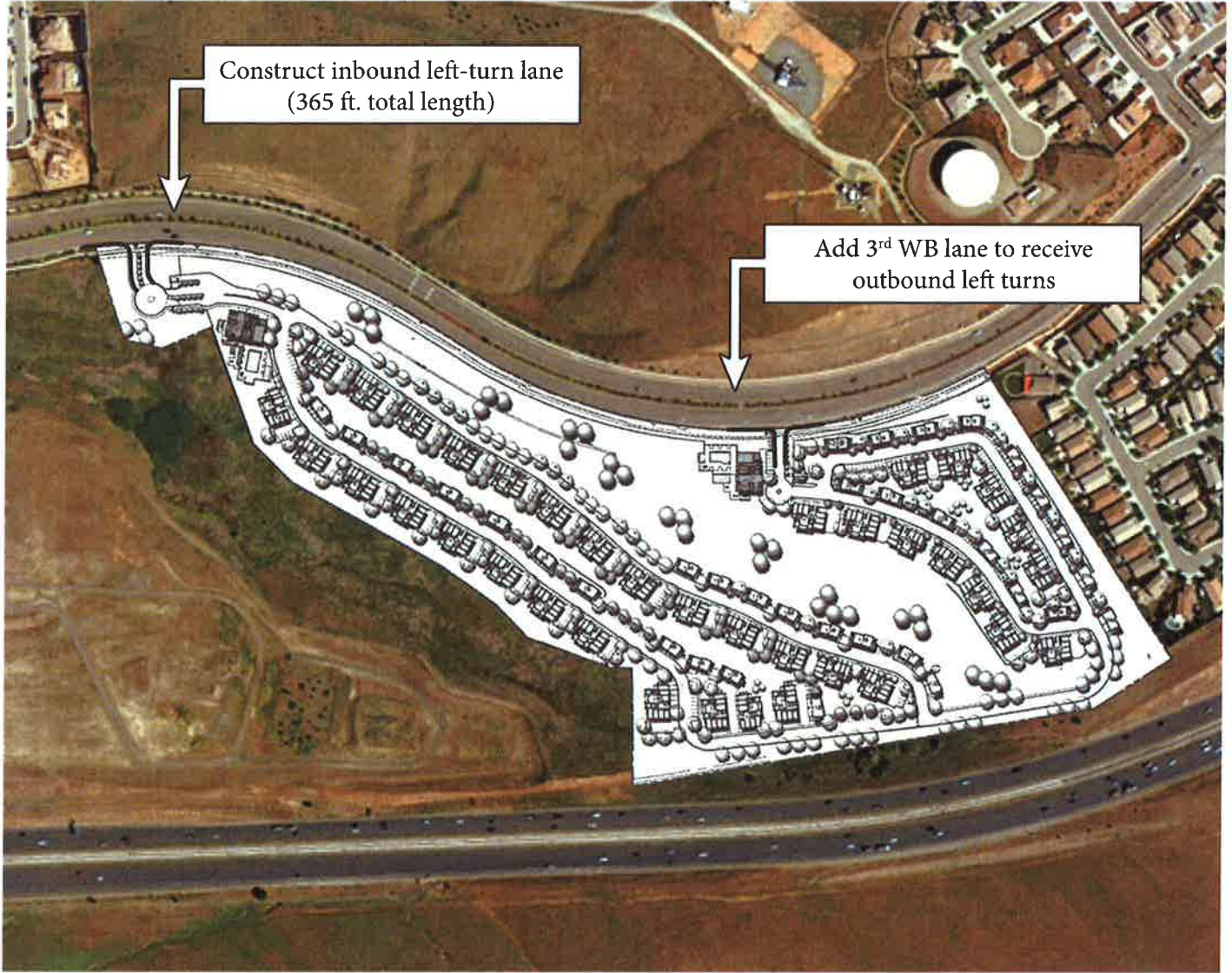


A

- Left turns in + Right turns in/out
- STOP-sign control on driveway
- Construct inbound left-turn lane (50ft. storage + 315 ft. deceleration)
- Construct standard inbound right-turn taper
- Modify parkway strip plant material to the west (provide 425 feet of sight distance)

B

- Left turns out + Right turns in/out
- Modify pavement markings to create 3rd WB lane on Iron Point Road to receive outbound left turns
- STOP-sign control on driveway
- Construct standard inbound right-turn taper



Construct inbound left-turn lane
(365 ft. total length)

Add 3rd WB lane to receive
outbound left turns



Appendix F

MITIGATION AND MONITORING AND
REPORTING PROGRAM



MITIGATION MONITORING AND REPORTING PROGRAM

THE PIQUE AT IRON POINT APARTMENTS

Purpose of Mitigation Monitoring and Reporting Program: The California Environmental Quality Act (CEQA), Public Resources Code Section 21081.6, requires that a Mitigation Monitoring and Reporting Program (MMRP) be established upon completing findings. CEQA stipulates that “the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.”

This MMRP has been prepared in compliance with Section 21081.6 of CEQA to ensure that all required mitigation measures are implemented and completed according to schedule and maintained in a satisfactory manner during the construction and operation of the project, as required. A table (attached) has been prepared to assist the responsible parties in implementing the MMRP. The table identifies individual mitigation measures, monitoring/mitigation timing, the responsible person/agency for implementing the measure, and space to confirm implementation of the mitigation measures. The numbering of mitigation measures follows the numbering sequence found in the Initial Study and Mitigated Negative Declaration.

The proposed project falls within the planning areas for two Specific Plans – the Empire Ranch (Russell Ranch) Specific Plan (SP 92-3) and the Broadstone 3 Specific Plan (SP 95-1). Mitigation presented in this MMRP is modified from applicable mitigation adopted from one or both of the EIRs prepared for the two Specific Plans. The attached table includes a column listing the identification number of the associated mitigation from which the proposed project-specific mitigation is adapted, and the EIR from which it came.

The City of Folsom is the lead agency for the project under CEQA and shall administer and implement the MMRP. The City is responsible for review of all monitoring reports, enforcement actions, and document disposition. The City shall rely on information provided by the project site observers/monitors (e.g., construction manager, project manager, biologist, archaeologist, etc.) as accurate and up-to-date and shall provide personnel to field check mitigation measure status, as required.

Project Description: The project site is located at 2800 Iron Point Road, and is located on the south side of the Road between Serpa Way and Carpenter Hill Road.

The proposed project consists of a 327-unit multi-family residential development which would be divided into two distinct development clusters. The proposed project would include a lot-line adjustment to incorporate each development cluster in a single parcel. The proposed development includes a total of 71 buildings including 34 two-unit buildings and 37 seven-unit buildings. A total of 213 apartment units would be constructed on the western parcel, and 114 apartment units would be constructed in the eastern parcel. All residential buildings would be three stories in height. Two clubhouses would be constructed – one on each parcel – that would serve the cluster with which it is associated.

Additional proposed improvements include underground utilities, 677 on-site parking spaces, driveways, drive aisles, retaining walls, sidewalks and walkways, fencing, entry gates, lighting, landscaping, and a trash/recycling enclosure.

Entitlements for the proposed project include a Lot-line Adjustment and a Planned Development Permit.

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**MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST FOR THE
IRON POINT RETIREMENT COMMUNITY**

EIR Measure	Project-Specific Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
				Initials	Date
AIR QUALITY					
	AIR-1 All diesel-powered offroad equipment used during project construction shall meet Tier 2 off-road emissions standards. A copy of each unit's certified Tier specification shall be provided to the City of Folsom Building Department at the time of mobilization of each applicable unit of equipment.	Prior to and during construction - this mitigation measure shall be included in all construction documents for implementation during construction.	Construction Contractor and City of Folsom Building Department		
4.3.2 (SP 95-1)	AIR-2 Construction emissions shall be maintained and operated to minimize exhaust emissions. During construction, trucks and equipment shall be running only when necessary. Engines shall be shut off when trucks are loading, unloading, or waiting. Equipment shall also be kept in good condition and well-tuned to minimize exhaust emissions.	During construction – this mitigation measure shall be included in all construction documents for implementation during construction	Construction Contractor and City of Folsom Building Department		
4.7-2 (SP 95-1)	AIR-3 The developer shall be responsible for ensuring that the contractor shall reduce NOx, ROC, and CO emissions by complying with the construction vehicle air pollutant control strategies developed by the SMAQMD. The developer shall include in the construction contracts the following requirements: <ul style="list-style-type: none"> • During smog season (May through October), the construction period shall be lengthened so as to minimize the number of vehicles and equipment operating at the same time. 	During construction – this mitigation measure shall be included in all construction documents for implementation during	Construction Contractor and City of Folsom Building Department		

EIR Measure	Project-Specific Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
				Initials	Date
	<ul style="list-style-type: none"> New technologies shall be utilized to control ozone precursor emissions as they become available and feasible. 	construction			
BIOLOGICAL RESOURCES					
	<p>BIO-1</p> <p>If construction activities, including clearing and grubbing, commence during the tricolored blackbird breeding season (March 15 – August 1), a qualified biologist shall conduct two (2) surveys to confirm tricolored blackbird use of the Himalayan blackberry patch southwest of the project site. One survey shall be conducted between 10 and 15 days prior to the start of construction and one survey shall be conducted no more than 24 hours prior to the start of construction.</p> <p>If construction activities are underway prior to the tricolored nesting season, but will continue after March 15, a qualified biologist shall survey the Himalayan blackberry patch once between March 1–15. If the surveys are negative, the qualified biologist shall conduct follow up surveys every week, or as frequently as deemed necessary by the qualified biologist for a duration deemed sufficient by the qualified biologist to ensure continued absence.</p> <p>Written results of the surveys shall be submitted to the Folsom Community Development Department and CDFW. If tricolored blackbirds are present and exhibiting nesting behavior or actively nesting at this location at the time of the surveys, the following minimization and monitoring shall be required:</p> <ol style="list-style-type: none"> Maintain a 500-foot wide fenced buffer around the colony, within which any/all construction activity, parking, or other human disturbance shall be strictly prohibited during the breeding season (March 15 – August 1) or until the nesting activities cease and the colony departs. A qualified biologist shall monitor construction activities to verify that activities occurring on the project site are in no way disrupting the colony. If needed, measures to reduce disruption will be implemented, including noise restrictions, noise walls, additional buffer distances, rerouting construction access, relocating staging areas, modification of 	<p>This mitigation measure shall be included in all construction documents for implementation during construction that occurs between March 15 – August 1.</p> <p>Pre-construction surveys between 10 – 15 days prior to the start of construction, with an additional survey 24 hours prior to the start of construction.</p> <p>Surveys and/or monitoring during construction that occurs between March 15 – August 1.</p>	<p>City of Folsom Community Development Department</p> <p>and</p> <p>Qualified Biologist</p> <p>and</p> <p>CDFW</p>		

EIR Measure	Project-Specific Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
				Initials	Date
	construction scheduling, relocating activities within the site, etc. If modified construction activities are still found to be causing disruption to tricolored blackbird nesting, disrupting construction activities shall cease until the colony abandons the site or until the end of the breeding season, whichever occurs first.				
BIO-2	<p>The final project design shall include fencing and signage along the southwestern edge of the project to discourage entry of humans and domestic animals into the vicinity of the tricolored blackbird nesting colony. Fencing shall be designed to discourage passage of domestic cats as well as people.</p> <p>All project lighting shall be directed down and away from the tricolored blackbird nesting colony and shall be designed to minimize overspill into the area between the project boundary and the tricolored blackbird nesting colony.</p>	Prior to construction.	Construction Contractor and City of Folsom Community Development		
BIO-3	<p>If construction activities, including tree removal and/or trimming or pruning of branches and limbs, occur during the typical bird nesting season (February 15 through August 31), pre-construction nesting bird surveys shall be conducted by a qualified biologist on the project site and within a 500-foot radius of proposed construction areas, where access is available, no more than 14 days prior to the initiation of construction. An additional survey shall be conducted within 48 hours prior to commencement of construction.</p> <ul style="list-style-type: none"> • If no nests are found, no further mitigation is required. • If active nests are identified in these areas, the City shall coordinate with the CDFW to develop measures to avoid disturbance of active nests prior to the initiation of any construction activities, or construction could be delayed until the young have fledged. Avoidance measures may include establishment of a buffer zone and monitoring of the nest by a qualified biologist until the young have fledged the nest and are independent of the site. If a buffer zone is implemented, the size of the buffer zone shall be determined by a qualified biologist in coordination 	<p>This mitigation measure shall be included in all construction documents for implementation during construction that occurs between February 15 – August 31.</p> <p>Surveys shall be conducted no more than 14 days prior to construction, and 48 hours prior to</p>	<p>City of Folsom Community Development Department and Qualified Biologist and CDFW</p>		

EIR Measure	Project-Specific Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
				Initials	Date
	with the CDFW and shall be appropriate for the species of bird and nest location.	construction.			
BIO-4	Prior to initiation of construction activities, the project proponent shall obtain a Streambed Alteration Agreement from the California Department of Fish and Wildlife for impacts to jurisdictional riparian habitat in the project site, and shall provide all mitigation required under that agreement.	Before the approval of grading and improvement plans, or before any ground-disturbing activities, whichever occurs first	City of Folsom Community Development and California Department of Fish and Wildlife		
BIO-5	Prior to initiation of construction activities, the project proponent shall obtain a current permit from the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act, and a Water Quality Certification from the Central Valley Regional Water Quality Control Board under Section 401 of the Clean Water Act for impacts to jurisdictional wetlands. The project proponent shall provide all mitigation required under those permits. Construction activities shall follow standard engineering practices that reduce impacts to water quality, including off-site waters adjacent to the project site. The practices include reduction of sediment loading and disturbance as well as other standard Best Management Practices (BMP) for maintaining water quality.	Before the approval of grading and improvement plans, or before any ground-disturbing activities, whichever occurs first	City of Folsom Community Development and US Army Corps of Engineers and Central Valley Regional Water Quality Control Board		
BIO-6	Prior to initiation of construction activities, a certified arborist shall conduct a survey of the project site and determine the location and extent of any Protected Zone(s) for trees protected by the City of Folsom Tree Preservation Ordinance. The final project design shall avoid all such Protected Zones, or the project proponent shall obtain a Tree Permit for any	Prior to construction.	City of Folsom Community Development and		

EIR Measure	Project-Specific Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
				Initials	Date
	<p>protected tree affected by project activities. The Tree Permit may include requirements of mitigation for all protected trees affected by the project, including:</p> <ol style="list-style-type: none"> 1. Payment into the Tree Planting and Replacement Fund of an inch-for-diameter-inch replacement in lieu fee set by City Council resolution; 2. Dedication of property for the purpose of planting trees based on the following ratio: 1 diameter inch = 0.004 acre of land (175 square feet) – the minimum area of dedication for such property shall be five acres of land, unless the property is contiguous to existing or planned open space, in which case the minimum dedication is one acre of land; off-site mitigation of this type must be approved by the City council; or 3. Planting of trees on either public property, property with a conservation easement, and/or on property with an irrevocable offer of dedication to the City, pursuant to the ratios set forth in the Tree Ordinance. 		City Arborist		
CULTURAL RESOURCES					
	<p>CUL-1 It is always possible that ground-disturbing activities during construction may uncover previously unknown, buried historic resources. In the event that buried historic resources are discovered during construction, construction operations shall stop within a 100-foot radius of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The archaeologist shall make recommendations concerning appropriate measures that will be implemented to protect the resources, including but not limited to excavation and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Historic resources could consist of, but are not limited to, stone, wood, or shell artifacts, structural remains, privies, or historic dumpsites. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate Department of Parks and Recreation</p>	<p>Prior to and during construction – this mitigation measure shall be included in all construction documents for implementation during construction.</p>	<p>City of Folsom Community Development and Archeologist or Qualified Cultural Resource Monitor and Construction</p>		

EIR Measure	Project-Specific Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
				Initials	Date
	(DPR) 523 forms and evaluated for significance in terms of CEQA criteria. .		Contractor		
CUL-2	It is always possible that ground-disturbing activities during project development may uncover previously unknown archaeological resources. In the event that archaeological resources are discovered during construction, construction operations shall stop within a 100-foot radius of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The archaeologist shall make recommendations concerning appropriate measures that will be implemented to protect the resources, including but not limited to, excavation and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Archaeological resources could consist of, but are not limited to, stone, bone, wood, or shell artifacts or features, including hearths. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate Department of Parks and Recreation 523 forms and evaluated for significance in terms of CEQA criteria.	Prior to and during construction – this mitigation measure shall be included in all construction documents for implementation during construction.	City of Folsom Community Development and Archeologist or Qualified Cultural Resource Monitor and Construction Contractor		
CUL-3	In the event of the accidental discovery or recognition of any human remains, CEQA Guidelines § 15064.5; Health and Safety Code § 7050.5; Public Resources Code § 5097.94 and § 5097.98 must be followed. If during the course of project development there is accidental discovery or recognition of any human remains, the following steps shall be taken: I. There shall be no further excavation or disturbance within a 100-foot radius of the potentially human remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the “most likely descendant” (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible	Prior to and during construction – this mitigation measure shall be included in all construction documents for implementation during construction.	City of Folsom Community Development and Archeologist or Qualified Cultural Resource Monitor and Construction		

EIR Measure	Project-Specific Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
				Initials	Date
	<p>for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98.</p> <p>2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the project site in a location not subject to further subsurface disturbance:</p> <ul style="list-style-type: none"> • The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission. • The descendant identified fails to make a recommendation. • The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner. 		Contractor		
GEOLOGY AND SOILS					
4.10.1a – c, 4.10.3b – d, 4.10.5 (SP 92-3); 4.10.2b, c, 4.10.5a - d (SP 95-1)	GEO-1	<p>Prior to the approval of any entitlement to construct, project sponsors shall retain an Engineering Geologist or equivalent professional to conduct a geotechnical study of the site. The study shall include further investigation of the following: potential secondary seismic hazards such as landslides; corrosive properties of the soil; and the condition of the engineering strength characteristics of the soil. The results of the study and associated recommendations based on the study shall be provided to the City in a report prior to the City issuing a grading permit. Recommendations may include monitoring for slope hazards during grading activities. Upon review and approval of the report by the City of Folsom, all requirements and recommendations of the evaluation shall be incorporated in the construction design of structures, roadways, utilities, and other infrastructure. All structures must be built to the most recent version of the California Building</p>	<p>Project design/review stage.</p> <p>The site design plans shall be approved prior to building permits issued.</p>	<p>Project applicant and City of Folsom Community Development Department</p>	

EIR Measure	Project-Specific Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
				Initials	Date
	Code requirements. The proposed development plans shall be reviewed by an engineering geologist or equivalent professional regarding possible damage from seismic shaking or landslides.				
	GEO-2 Should paleontological or other geologically sensitive resources be identified during any phase of project development, the construction manager shall cease operation at the site of the discovery and immediately notify the City of Folsom Community Development Department. The project applicant shall retain a qualified paleontologist to provide an evaluation of the find and to prescribe mitigation measures to reduce impacts to a less than significant level. In considering any suggested mitigation proposed by the consulting paleontologist, the Community Development Department shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.	Prior to and during construction – this mitigation measure shall be included in all construction documents for implementation during construction.	City of Folsom Community Development and Qualified Paleontologist and Construction Contractor		
HYDROLOGY AND WATER QUALITY					
4.11.3a (SP 92-3 and SP 95-1)	HYD-1 Prior to issuance of entitlements to construct, the applicant shall submit detailed drainage plans for evaluations by the City. Approved plans shall be implemented prior to project occupancy. The drainage plans shall include measures to minimize the total amount of additional surface runoff and to limit the flows released to off-site receiving waters to existing pre-development levels in accordance with the requirements of the Folsom City Public Works Department.	Project design/review stage. The site design plans shall be approved prior to building permits issued.	Project applicant and City of Folsom Community Development Department		
4.11.4a (SP 92-3); 4.11.7 (SP	HYD-2 Prior to issuance of entitlements to construct, the applicant shall submit erosion control plans and other monitoring programs for the construction and operational phases of the proposed project for review by the City. The plan shall include Best Management	Project design/review stage.	Project applicant and		

EIR Measure	Project-Specific Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
				Initials	Date
95-1)	Practices (BMP) to minimize and control the level of pollutants in stormwater runoff, and in runoff released to off-site receiving waters. Specific techniques may be based on geotechnical reports or the Erosion and Sediment Control Handbook of the California Department of Conservation, and shall comply with current City standards.	The erosion control plans shall be approved prior to grading permits issued – the BMPs shall be included in all construction documents for implementation during construction.	City of Folsom Community Development Department and Construction Contractor		
	HYD-3 Prior to issuance of grading permits, the project applicant shall obtain coverage under the State Water Resources Control Board General Permit for Discharges of Storm Water Associated with Construction Activity (Order 2009-0009-DWQ), including preparation and submittal of a project-specific Storm Water Pollution Prevention Plan (SWPPP) at the time the Notice of Intent (NOI) is filed. The project applicant shall also prepare and submit any other necessary erosion and sediment control and engineering plans and specifications for pollution prevention and control to the City of Folsom.	Prior to issuance of grading permits.	City of Folsom Engineer and Central Valley Regional Water Quality Control Board		

NOISE						
	NOI-1	<p>Interior building noise levels for the proposed project shall not exceed 45 dBA CNEL. Wall design at buildings with interior noise levels potentially exceeding 45 dBA (i.e., impacted receivers R16-R25 located adjacent to U.S. Highway 50) shall be comprised of a typical 2x4 stud wall construction with ½ typical 2X4 stud wall construction with ½-inch exterior shear wall covered with 7/8-inch thick stucco. Any variance from this wall design will require a final update of this analysis when the finished building plans are available to be submitted with the final building plans prior to the issuance of construction permits.</p> <p>All window glazing must provide a minimum STC 37 rating. Use of dual glazing with the following minimum design will normally fulfill this specification (other designs may be used provided they have a manufacturer's certified minimum STC 37 rating):</p> <ol style="list-style-type: none"> 1. ¼ -inch thick exterior glass 2. ¾ -inch air gap 3. ¼ -inch thick interior glass <p>Appropriate means of air circulation and provision of fresh air would be provided to allow windows to remain closed for extended intervals of time so that acceptable interior noise levels can be maintained. The mechanical ventilation system would meet the criteria of the International Building Code (Chapter 12, Section 1203.3 of the 2013 California Building Code).</p>	<p>Project design/review stage.</p> <p>The site design plans shall be approved prior to building permits issued.</p>	<p>Project applicant</p> <p>and</p> <p>City of Folsom Community Development Department</p>		
RECREATION						
4.18.2 (SP 92-3)	REC - 1	<p>Prior to the approval of a tentative map for any residential use, the City of Folsom shall ensure that sufficient, acceptable park land and/or fees in-lieu thereof, consistent with the adopted Parks and Recreation Master Plan and the Parkland Dedication Ordinance would be available and capable of being developed within the planned buildout period of the subdivision.</p>	<p>Prior to approval of tentative map.</p>	<p>City of Folsom Planning Department</p> <p>and</p> <p>City of Folsom Parks and Recreation Department</p>		

Attachment 14

Public Comments Letters and Responses to Initial Study
and Mitigated Negative Declaration



*Serious drought.
Help save water!*

DEPARTMENT OF TRANSPORTATION

DISTRICT 3 – SACRAMENTO AREA OFFICE
2379 GATEWAY OAKS DRIVE, STE 150 - MS 19
SACRAMENTO, CA 95833
PHONE (916) 274-0635
FAX (916) 263-1796
TTY 711
www.dot.ca.gov/dist3

May 5, 2016

032016-SAC-0073
03-SAC-50/PM 21.50

Mr. Steve Banks
City of Folsom
Community Development Agency
50 Natoma Street
Folsom, CA 95630

The Pique at Iron Point Apartments – Mitigated Negative Declaration (MND)

Dear Mr. Banks:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review for the project referenced above. Caltrans' new mission, vision, and goals signal a modernization of our approach to California's transportation system. We review this project for impacts to the State Highway System in keeping with our mission, vision and goals for sustainability/livability economy, and safety/health. We provide these comments consistent with the state's smart mobility goals that support a vibrant economy, and build communities, not sprawl.

The proposed project includes the construction of a 327-unit market-rate apartment project on a 34-acre site. The proposed apartment development includes 677 on-site parking spaces. The project is located on the south side of Iron Point Road (Rd), approximately one mile northeast of the United States Highway 50 (US 50) / Bidwell Street (St) / Scott Rd Interchange, and directly abuts US 50. The following comments are based on the MND.

Hydraulics

Page 73 of the MND states that mitigation measures HYD-1 and HYD-2 would reduce impacts to a less than significant level. However, that section does not discuss potential adverse impacts to Caltrans facilities. Caltrans requests a copy of the Drainage Plans along with the back-up calculations to ensure that the proposed project would not create adverse impacts to Caltrans Drainage facilities within the US 50 right of way (ROW).

There is a Caltrans 24" culvert located in the vicinity of US 50 Postmile 22.34. No additional

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

Mr. Steve Banks/City of Folsom
May 5, 2016
Page 2

runoff from this site must be directed toward this culvert.

Transportation Impacts

Existing peak hour traffic volumes and existing intersection lane configurations are shown on Figure-4 (intersection # 5 and intersection #6), but we could not find analyses of the westbound (WB) US 50 onramp from southbound (SB) Bidwell St, the loop onramp from northbound (NB) Bidwell St (intersection #5), the eastbound (EB) US 50 onramp from NB Scott Rd, and the loop onramp from SB Scott Rd (intersection #6). These analyses should be included in the cumulative conditions scenarios.

The Traffic Report results show the WB US 50 offramp to Bidwell St to be Level of Service (LOS) F in the project construction year. The report assumes that the Empire Ranch/US 50 interchange will be built and in operation before the cumulative year, and that it will accept much of the load that currently exists on the Bidwell/US 50 interchange. We recommend to monitor the queues on the WB offramp at Bidwell St during the years between construction year (approximately 2017) and the construction of the Empire Ranch/US 50 Interchange.

The report does not include any analysis of this project's potentially significant impacts of vehicle miles traveled (VMT) on the US 50 mainline or any mitigation to reduce increased VMT on US 50. The project should ensure that VMT impacts to US 50 are less than significant. Transportation Demand Management measures or enhanced transit service are potential measures to reduce VMT impacts to US 50. The project could also explore recommendations from the East Bidwell Street Complete Streets Corridor Plan to improve multimodal connectivity in the vicinity of the Bidwell St/US 50 Interchange.

Please provide our office with copies of any further actions regarding this project.

If you have any questions regarding these comments or require additional information, please contact Eileen Cunningham, Intergovernmental Review Coordinator, at (916) 274-0639 or eileen.cunningham@dot.ca.gov.

Sincerely,



ERIC FREDERICKS, Chief
Transportation Planning – South Branch

c: Scott Morgan, State Clearinghouse



May 5, 2016

Steve Banks
City of Folsom
Community Development Department
50 Natoma Street
Folsom, CA 95630

Subject: Mitigated Negative Declaration (MND), The Pique at Iron Point Apartments

Dear Mr. Banks,

The Sacramento Municipal Utility District (SMUD) appreciates the opportunity to provide comments on the MND, The Pique at Iron Point Apartments. SMUD is the primary energy provider for Sacramento County and the proposed project area. SMUD's vision is to empower our customers with solutions and options that increase energy efficiency, protect the environment, reduce global warming, and lower the cost to serve our region. As a Responsible Agency, SMUD aims to ensure that the proposed project limits the potential for significant environmental effects on SMUD facilities, employees, and customers.

It is our desire that the MND, The Pique at Iron Point Apartments will acknowledge any project impacts related to the following:

- Overhead and or underground transmission and distribution line easements. Please view the following links on smud.org for more information regarding transmission encroachment:
 - <https://www.smud.org/en/business/customer-service/support-and-services/design-construction-services.htm>
 - <https://www.smud.org/en/do-business-with-smud/real-estate-services/transmission-right-of-way.htm>
- Utility line routing
- Electrical load needs/requirements
- Energy Efficiency
- Climate Change

Based on our review of the Initial Study and our understanding of the proposed project, SMUD offers the following input:

1. Project Description: SMUD would like to be informed of any anticipated project related impacts on existing or future SMUD facilities. It is important that information

regarding potential impacts to SMUD facilities in the vicinity of the proposed project be contained in the project description chapter of the MND, as well as the existing conditions discussion of the utilities, hazards and hazardous materials, and cumulative impact sections.

2. Energy Delivery (Capacity): Please continue to coordinate with SMUD staff regarding the proposed energy delivery assumptions associated with the proposed project site. The MND should provide analysis regarding SMUD's ability to handle the project's anticipated energy needs. SMUD is looking forward to partnering with the City to ensure that the project is designed in an energy efficient and sustainable way.

3. Energy Delivery (Infrastructure): The MND should provide an analysis of the proposed on-site and off-site energy infrastructure improvements needed to construct and operate the proposed project. The MND should clearly delineate the responsibilities of SMUD and the City of Sacramento, as it pertains to infrastructure improvements.

4. Planning and CEQA Considerations: As a Responsible Agency, SMUD requests that the following issues be considered during the project design and planning and any associated impacts be considered in the MND.

- Structural setbacks of less than 14 feet may create clearance issues. The developer shall meet with all utilities to ensure adequate setbacks are maintained.
- 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.
- Proposed SMUD facilities located on the customer's property outside of the existing or proposed PUE(s) may require a dedicated SMUD easement.
- To ensure adequate access to SMUD equipment, all paved surfaces shall be accessible to a 26,000 pound SMUD service vehicle in all weather. The placement of SMUD equipment shall be no further than 15 feet from said drivable surface that has a minimum width of 20 feet.
- SMUD requires a minimum 12.5-foot PUE adjacent to all public roads for 12kV facilities.
- The developer shall dedicate any private drive, ingress and egress easement, or Irrevocable Offer of Dedication (and 10 feet adjacent thereto) as a public utility easement for overhead and underground facilities and appurtenances.
- If alternative locations are not provided, existing underground 12 kV facilities along Iron Point Road will need to remain in order to maintain existing services not part of development.

SMUD would like to be kept apprised of the planning, development, and completion of The Pique at Iron Point Apartments. We aim to be partners in the efficient and sustainable delivery of the proposed project. Please ensure that the information included in this response is conveyed to the project planners and the appropriate project proponents.

Environmental leadership is a core value of SMUD and we look forward to collaborating with you on this project. Again, we appreciate the opportunity to provide input on the Initial Study. If you have any questions regarding this letter, please contact Ammon Rice, SMUD Environmental Specialist at (916) 732-7466.

Sincerely,



Ammon Rice
Environmental Specialist
Environmental Management
Workforce and Enterprise Services
Sacramento Municipal Utility District

Cc: Rob Ferrera
Jose Bodipo-Memba
Pat Durham
Joseph Schofield

Steven Banks

From: Sheya, Tanya@Wildlife <Tanya.Sheya@wildlife.ca.gov>
Sent: Monday, May 02, 2016 3:00 PM
To: Steven Banks
Cc: Wildlife R2 CEQA
Subject: Comments on the Mitigated Negative Declaration for the Pique at Iron Point Apartments (SCH# 2016042017).

Dear Mr. Banks:

The California Department of Fish and Wildlife (CDFW) has reviewed the Mitigated Negative Declaration (MND) for the Pique at Iron Point Apartments (SCH# 2016042017).

As a trustee for California's fish and wildlife resources, CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Fish & G. Code, § 1802). CDFW may also act as a Responsible Agency (Cal. Code Regs., § 21069) for a project where it has discretionary approval power under the California Endangered Species Act (Fish & G. Code, § 2050 et seq.) and the Lake and Streambed Alteration Program (Fish & G. Code, § 1600 et seq.). CDFW also administers the Native Plant Protection Act, Natural Community Conservation Program, and other provisions of the Fish and Game Code that afford protection to California's fish and wildlife resources.

CDFW is primarily concerned with the projects impacts to Swainson's hawk (*Buteo swainsoni*), tricolored blackbirds (*Agelaius tricolor*) and riparian habitat. CDFW offers the following comments and recommendations for this project in our role as a trustee and responsible agency pursuant to the California Environmental Quality Act (CEQA).

The project site is located on a 34-acre site situated in east/central City of Folsom in northeastern Sacramento County, California. The project site is located at 2800 Iron Point Road, between Serpa Way and Carpenter Hill Road, Assessor's Parcel Numbers (APNs) 072-1170-107 and 072-2270-009. The proposed project includes the construction of a 327-unit market-rate apartment project on the 34-acre site. The proposed apartment development, which is divided into two distinct clusters, includes 213 apartment units in the lower (west) cluster and 114 apartment units in the upper (east) cluster. Additional proposed improvements include underground utilities, 677 on-site parking spaces, driveways, drive aisles, retaining walls, sidewalks and walkways, fencing, entry gates, lighting, landscaping, and a trash/recycling enclosure.

Swainson's Hawk Foraging

As stated in the MND, the site currently provides foraging habitat for Swainson's hawk. Swainson's hawk is listed as threatened under the California Endangered Species Act (CESA) and has additional protection under the Migratory Bird Treaty Act and section 3503.5 of the Fish & G. Code; therefore, impacts may be considered potentially significant unless adequate mitigation is incorporated. Due to the likely significant adverse effects to the foraging habitat on the project site, the CDFW recommends a minimum of acre for acre habitat replacement in the form of fee title acquisition with a conservation easement to protect foraging habitat, as is consistent with the current Swainson's hawk Impact Methodology adopted by Sacramento County and developed in coordination with the CDFW.

Tricolored Blackbirds

As stated in the MND, the project site is within approximately 100 feet of an active tricolored blackbird nesting site and construction activities could result in significant impacts to nesting tricolored blackbird through noise, fugitive dust, human presence, and/or night lighting. Occupancy of the completed project **will** result in significant impacts to the nesting tricolored blackbirds through increased human presence, domestic and feral animals, pest wildlife (ie. rats), trash, and night lighting. The proposed project **will** cause the tricolored blackbird colony to abandon this site. This colony

has nested within 2 square miles of this location for the past thirty years, each previous location was abandoned due to human encroachment, with the colony growing smaller over time (per communication: Bob Hosea). The current proposed minimization measures are not sufficient to protect this nesting location for the colony.

Tricolored blackbird is a candidate species under CESA and as such it is afforded full protection under the act. It is unlawful to take a State-listed endangered or threatened species (Fish & G. Code §2050 et seq.). Take is defined as "hunt, pursue, catch, capture or kill or attempt to hunt, pursue, catch, capture or kill" (Fish & G. Code §86). CESA take authorization, should be obtained if the proposed project has the potential to result in take of a State-listed plant or wildlife species.

Issuance of a CESA permit is subject to CEQA documentation; therefore the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the proposed Project will impact CESA listed species, early consultation is encouraged, as significant modification to the proposed Project and mitigation measures may be required in order to obtain a CESA permit. A CESA permit may only be obtained if the impacts of the authorized take of the species are minimized and fully mitigated and adequate funding has been ensured to implement the mitigation measures. The CDFW may only issue a CESA permit if the CDFW determines that issuance of the permit does not jeopardize the continued existence of the species. The CDFW will make this determination based on the best scientific information available, and shall include consideration of the species' capability to survive and reproduce, including the species known population trends and known threats to the species. Issuance of a CESA permit may take up to 180 days from receipt of an application from the applicant.

Jurisdictional Delineation and Wetlands

The MND should identify all the areas under CDFW's jurisdiction per section 1602 of the Fish & G. Code. These areas include all perennial, intermittent, and ephemeral rivers, streams, and lakes in the State and any habitats supported by these features such as wetlands and riparian habitats. As stated in the MND, the proposed project has potential to have a substantial adverse effect on riparian habitats. The MND should identify any potential impacts to these resources and should include a delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project including an estimate of impact to each habitat type. Please note that the CDFW definition of wetlands as well as extent of the jurisdictional areas differ from other agencies such as the U.S. Army Corps of Engineers or the Regional Water Quality Control Board. The MND should identify the different jurisdictional areas present within the project limits under each agency. Measure BIO-4, requires that "the project proponent shall obtain a Streambed Alteration Agreement from the California Department of Fish and Wildlife for impacts to jurisdictional riparian habitat in the project site, and shall provide all mitigation required under that agreement." CEQA Guidelines section 15126.4 (a)(1)(B) states that formulation of mitigation measures should not be deferred until some future time. Measure BIO-4 relies on future approval or agreement as a means to bring identified significant environmental effects to below a level of significance. Because there is no guarantee that these approvals or cooperation with all of the involved entities will ultimately occur, the mitigation measures are unenforceable and do not reduce the impacts to biological resources to a less-than-significant level. The MND must propose mitigation measures to avoid, minimize, and mitigate impacts to these resources.

General

The proposed project may have an impact to fish and/or wildlife habitat and should be evaluated in such a manner to reduce its impacts to biological resources. Assessment of fees under Public Resources Code §21089 and as defined by Fish & G. Code §711.4 is necessary. Fees are payable by the project applicant upon filing of the Notice of Determination by the lead agency.

Pursuant to Public Resources Code §21092 and §21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the proposed project. Written notifications shall be directed to: California Department of Fish and Wildlife Region 2, 1701 Nimbus Road, Rancho Cordova, CA 95670.

Thank you for considering our concerns for the proposed project and providing the opportunity to comment. I am available for consultation regarding biological resources and strategies to minimize impacts. If you have questions please contact me by e-mail at Tanya.Sheya@wildlife.ca.gov or by phone at (916) 358-2953.

Sincerely,

Tanya Sheya
Environmental Scientist

CALIFORNIA DEPARTMENT OF
FISH and WILDLIFE



North Central Region | Habitat Conservation
1701 Nimbus Road | Rancho Cordova, CA 95670
Phone 916.358.2953 | Fax 916.358.2912
Tanya.Sheya@wildlife.ca.gov

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EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

28 April 2016

Steve Banks
City of Folsom
Community Development Department
50 Natoma Street
Folsom, CA 95630

CERTIFIED MAIL
91 7199 9991 7035 8360 7559

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, THE PIQUE AT IRON POINT APARTMENTS PROJECT, SCH# 2016042017, SACRAMENTO COUNTY

Pursuant to the State Clearinghouse's 6 April 2016 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Pique at Iron Point Apartments Project, located in Sacramento County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER

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Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/.

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:

http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan

(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Caltrans Phase I MS4 Permit, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/caltrans.shtml.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml.

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements – Discharges to Waters of the State

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/for_growers/apply_coalition_group/index.shtml or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water*

(Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.



Stephanie Tadlock
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

Response to Central Valley Regional Water Quality Control Board (April 28, 2016)

The City received a standard (form) response letter from the Central Valley Regional Water Quality Control Board for the proposed project. The letter provides general guidance to the City and project applicant for obtaining additional information related to the protection of surface and groundwater quality. The ISMND prepared for the proposed project addressed potential impacts to surface and groundwater quality in Section 8.9 (Hydrology and Water Quality). As stated in the ISMND, implementation of the proposed project would result in a less than significant impact to surface and/or groundwater quality. The project is subject to the regulatory authority of the U.S. Army Corps of Engineers (Clean Water Act Section 404) as well as the Regional Water Quality Control Board (Clean Water Act Section 401) and California Department of Fish and Wildlife (Lake and Streambed Alteration Program Section 1602). Permit applications are being processed by these regulatory agencies and the City acknowledges that impacts to regulated features may not occur before permits have been obtained.

Response to California Department of Fish and Wildlife (May 2, 2016)

The City recognizes the California Department of Fish and Wildlife's (CDFW) jurisdiction for the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Fish and Game Code, Section 1802).

Swainson's Hawk Foraging Habitat

As outlined in Section 8.4 (Biological Resources) of the ISMND, Swainson's hawk is not expected to reside in the project site but cannot be entirely ruled out for possible occurrence in the site. However, the project is not expected to result in significant impact to that species for the following reasons: (1) the vegetation on the project site is not included in the list of foraging habitats for Swainson's hawk published in the 1994 CDFW Staff Report on Swainson's hawk; (2) the project site provides only low-quality, marginal potential habitat and loss of that area would not constitute a significant impact to the availability of habitat for a nesting pair. The nearest recorded Swainson's hawk nest is located 1.8 miles southwest of the project site. A 2-mile radius circle around that location includes approximately 8,000 acres, of which approximately 7,350 acres (92 percent) are south of U.S. Highway 50 and are entirely undeveloped except for 20 acres. The approximately 650 acres within the radius and north of U.S. Highway 50 are mostly developed, except for pockets (such as the 30-acre project site). The

cumulative impact of developing all 650 acres north of U.S. Highway 50 would be to remove 8-percent of potential Swainson's hawk foraging habitat from within 2 miles of the nearest nest location. Thus, development of the project site would have no effect on the approximately 92-percent of all the land equidistant to the nearest Swainson's hawk nest location that is potentially suitable foraging habitat for that species. The project does not warrant specific avoidance or mitigation measures to prevent significant impacts to Swainson's hawk.

Tri-colored Blackbird

As stated in Section 8.4 (Biological Resources) of the ISMND, the project site is located approximately 100 feet of an active tricolored blackbird nesting site. These birds forage south of Highway 50 and do so without crossing the project site. Still, the City realizes that project construction activities could result in significant impacts to nesting tricolored blackbird through noise, fugitive dust, human presence, and/or night lighting. Occupancy of the completed project could result in significant impacts to nesting tricolored blackbird through increased human presence, domestic animals, trash, and night lighting. These potentially significant impacts warrant mitigation measures, presented in the ISMND, as follows:

Mitigation Measure BIO-1: If construction activities, including clearing and grubbing, commence during the tricolored blackbird breeding season (March 15 – August 1), a qualified biologist shall conduct two (2) surveys to confirm tricolored blackbird use of the Himalayan blackberry patch southwest of the project site. One survey shall be conducted between 10 and 15 days prior to the start of construction and one survey shall be conducted no more than 24 hours prior to the start of construction. If construction activities are underway prior to the tricolored nesting season, but will continue after March 15, a qualified biologist shall survey the Himalayan blackberry patch once between March 1–15. If the surveys are negative, the qualified biologist shall conduct follow up surveys every 48 hours until April 15. If no nests have been established by April 15, the biologist shall coordinate with CDFW to determine whether the monitoring has been conducted for a duration deemed sufficient to ensure continued absence.

Written results of the surveys shall be submitted to the Folsom Community Development Department and CDFW. If tricolored blackbirds are present and exhibiting nesting behavior or actively nesting at this location at the time of the surveys, the following minimization and monitoring shall be required:

1. Maintain an approximate 150-foot-wide fenced buffer around the colony, within which any/all construction activity, parking, or other human disturbance shall be strictly prohibited during the breeding season (March 15 – August 1) or until the nesting activities cease and the colony departs. The fencing shall consist of a material and be of sufficient height to provide a visual barrier between the colony and the construction activities.

2. A qualified biologist shall monitor construction activities to verify that activities occurring on the project site are in no way disrupting the colony. Monitoring shall include daily inspections of the colony for any activities occurring within 300 feet of the nesting colony. If needed, measures to reduce disruption will be implemented, including noise restrictions, noise walls, additional buffer distances, rerouting construction access, relocating staging areas, modification of construction scheduling, relocating activities within the site, etc. If modified construction activities are still found to be causing disruption to tricolored blackbird nesting, disrupting construction activities shall cease until the colony abandons the site or until the end of the breeding season, whichever occurs first.

Mitigation Measure BIO-2: The final project design shall include fencing and signage along the western edge of the project to discourage entry of humans and domestic animals into the vicinity of the tricolored blackbird nesting colony [located off the project site]. Fencing shall be designed to discourage passage of domestic cats as well as people. All project lighting shall be directed down and away from the tricolored blackbird nesting colony and shall be designed to minimize overspill into the area between the project boundary and the tricolored blackbird nesting colony. As concluded in the ISMND, implementation of Mitigation Measures BIO-1 and BIO-2 would reduce potential project impacts to tricolored blackbird to a level less than significant.

It should also be noted that the City is currently monitoring nesting activity by the tri-colored blackbird in the known colony site during construction of the LifeTime Fitness project (located immediately south of the colony). The colony is currently occupied by hundreds (if not thousands) of tri-colored blackbirds. Daily monitoring has shown that construction activities have resulted in no discernable alteration to bird behavior. The mitigation prescribed for the proposed project is more stringent than that required under the LifeTime Fitness project and abandonment of the colony or take of the species, as suggested by CDFW, is unsubstantiated.

Jurisdictional Delineation and Wetlands

As identified in the ISMND, the proposed project has potential to have a substantial adverse effect on riparian habitats identified by the California Department of Fish and Wildlife under Section 1600 et seq. of the California Fish and Game Code. These habitats include fresh emergent wetland and wet meadow in the south and fresh emergent wetland in the west of the project site. A 0.07-acre area of freshwater seep was delineated at the southern edge of the project site as part of the Russell Ranch Specific Plan EIR (Environmental Science Associates, Inc. 1991). Loss of these habitats would be considered a significant impact, requiring compliance with the following mitigation measure outlined in the document:

Mitigation Measure BIO-4: Prior to initiation of construction activities, the project proponent shall obtain a Streambed Alteration Agreement from the California Department of Fish and Wildlife for impacts to jurisdictional riparian habitat in the project site, and shall provide all mitigation required under that agreement.

Implementation of Mitigation Measure BIO-4 would reduce potential project impacts to riparian habitats to less than significant.

The proposed project has potential to have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal and filling. The project proponent previously obtained a permit from the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act, and provided mitigation required under that permit; however, the permitted activities did not occur and the permit has since expired. Direct removal or fill of federally protected wetlands would be considered a significant impact, requiring compliance with the following mitigation measure outlined in the ISMND:

Mitigation Measure BIO-5: Prior to initiation of construction activities, the project proponent shall obtain a current permit from the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act, and a Water Quality Certification from the Central Valley Regional Water Quality Control Board under Section 401 of the Clean Water Act for impacts to jurisdictional wetlands. The project proponent shall provide all mitigation required under those permits. Construction activities shall follow standard engineering practices that reduce impacts to water quality, including off-site waters adjacent to the project site. The practices include reduction of sediment loading and disturbance as well as other standard Best Management Practices (BMP) for maintaining water quality.

Implementation of Mitigation Measure BIO-5 would reduce potential project impacts to federally protected wetlands to less than significant. These mitigation measures contain performance standards and do not constitute deferral of mitigation. The City recognizes that the project applicant must obtain the above outlined permits from the applicable regulatory agencies in advance of impacting jurisdictional features.

The City acknowledges CDFW's fee assessment program and will file fees as required along with the Notice of Determination.

Response to California Department of Transportation (Caltrans) (May 5, 2016)

Hydraulics

As outlined in the ISMND in Section 8.9 (Hydrology and Water Quality), drainage plans have been prepared for both the Broadstone Unit No. 3 and the Empire Ranch Specific Plan areas. The overall storm water drainage systems included in those plans serve the project site. Construction on the site would be subject to NPDES permit conditions (including the implementation of BMPs) and all of the City's standard conditions and Code requirements. Operation of these requirements, which would be unchanged with approval of the project, would ensure that no adverse effects due to stormwater generation or contamination would take place. East Areas Facility Plan mitigation measures incorporated into the mitigation for the Empire Ranch Specific Plan and Broadstone Unit No. 3 Specific Plan would be implemented to reduce the impacts to less than significant. This mitigation measure has been modified, as follows, to reflect Caltrans' request to receive the drainage plans proving that the proposed project would not create adverse impacts to Caltrans drainage facilities within US Highway 50 (revision added as italicized text):

Mitigation Measures HYD-1: Prior to issuance of entitlements to construct, the applicant shall submit detailed drainage plans for evaluations by the City. *The City-approved plan shall be submitted to Caltrans with substantial evidence showing that the proposed project would not create adverse impacts to Caltrans drainage facilities within US Highway 50.* Approved plans shall be implemented prior to project occupancy. The drainage plans shall include measures to minimize the total amount of additional surface runoff and to limit the flows released to off-site receiving waters to existing pre-development levels in accordance with the requirements of the Folsom City Public Works Department.

Transportation Impacts

The comment states that analyses of the on- and off-ramps at the East Bidwell Street/Scott Road interchange with U.S. Highway 50 should be included in the cumulative conditions scenarios. First, we note that Caltrans was provided with the opportunity to review the Scope of Work for the proposed project's traffic impact analysis prior to initiation of the study. Although two subsequent "Early Consultation" letters were received from Caltrans (one dated September 11, 2015 and a revised version dated October 7, 2015), neither letter requested analysis of these freeway ramps. Moreover, given the planned future availability of the Empire Ranch Road interchange, the project-related traffic volumes on the various freeway ramps are low, as summarized below:

Freeway Ramp	Project Traffic	
	AM	PM
Westbound U.S. Highway 50 On-ramp from Southbound East Bidwell Street	21	5
Loop On-ramp from Northbound East Bidwell Street	0	0
Eastbound U.S. Highway 50 On-ramp from Northbound Scott Road	0	0
Loop On-ramp from Southbound Scott Road	0	0

It is extremely unlikely that these low traffic volumes would result in a significant traffic impact at any of the U.S. Highway 50 ramps specified in the Caltrans comment.

The comment incorrectly states that the westbound U.S. Highway 50 off-ramp to East Bidwell Street would operate at Level of Service (LOS) F in the construction year. In reality, the study intersection of East Bidwell Street/U.S. Highway 50 Westbound Off-ramp was found to operate at LOS E in the PM peak hour under both Construction Year No Project and Construction Year Plus Project conditions, with a project-related delay increment of 3.8 seconds per vehicle. In the AM peak hour, that intersection is projected to operate at LOS D. The comment further recommends that queues on the westbound off-ramp be monitored until the Empire Ranch Road interchange is constructed. The comment is noted. However, it should also be noted that neither the project applicant nor the City of Folsom, as Lead Agency, has jurisdiction over the off-ramp. Consequently, their ability to monitor and resolve any queuing issues that might be discovered is extremely limited. Finally, we note that the proposed project's contribution to any queuing issues on the off-ramp is limited by the small number of project-related trips added to the ramp: eight trips in the AM peak hour and sixteen trips in the PM peak hour in the construction year.

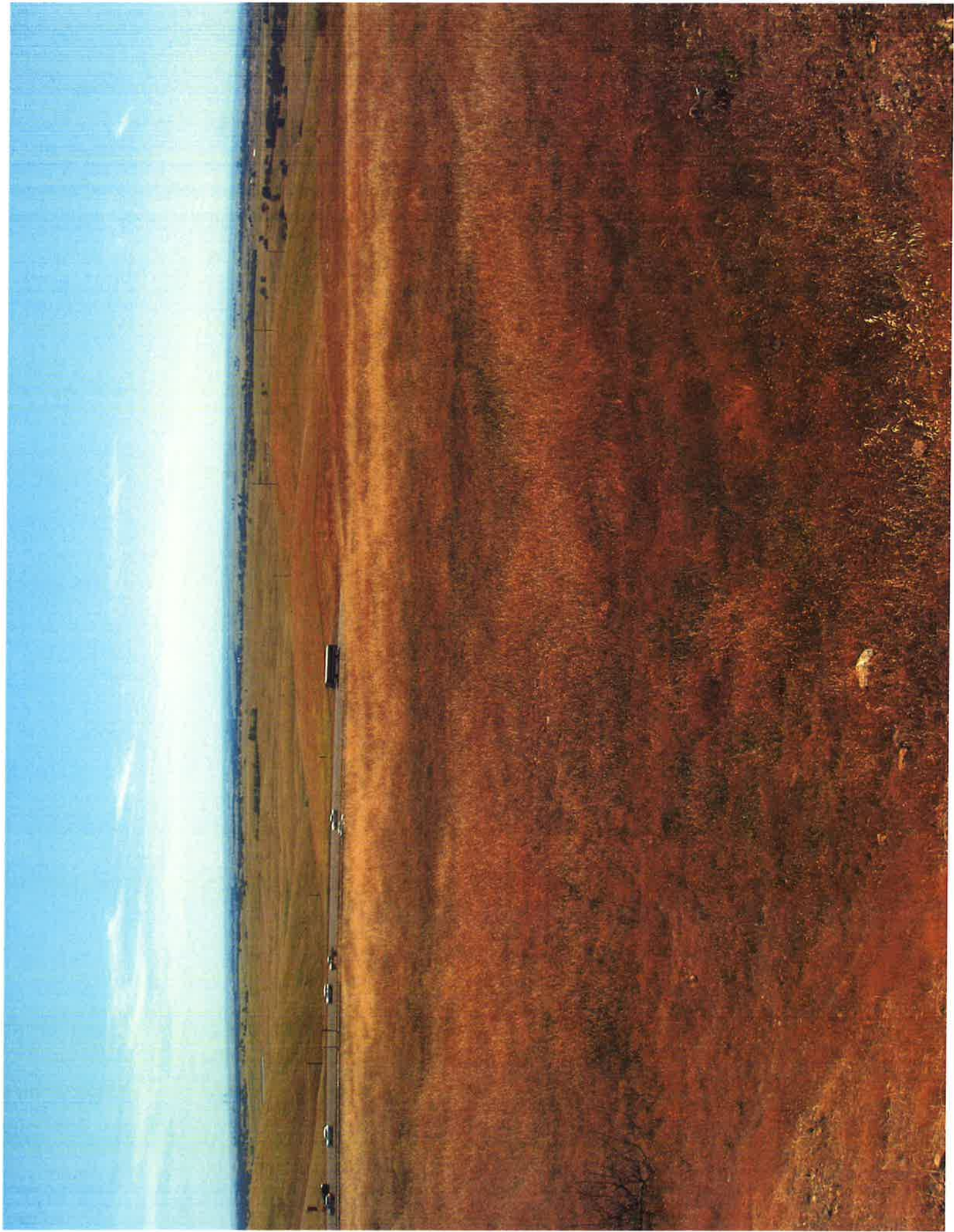
The comment states that the traffic impact study did not include any analysis of the project's effect on vehicle-miles-traveled (VMT) on the U.S. Highway 50 mainline. Caltrans provided two Early Consultation letters regarding the Scope of Work for the proposed project's traffic impact analysis, neither of which requested a VMT analysis. Further, VMT analyses are not required within the standard traffic impact analysis procedures of the Lead Agency (the City of Folsom), and no significance criterion has been established by the City for that metric.

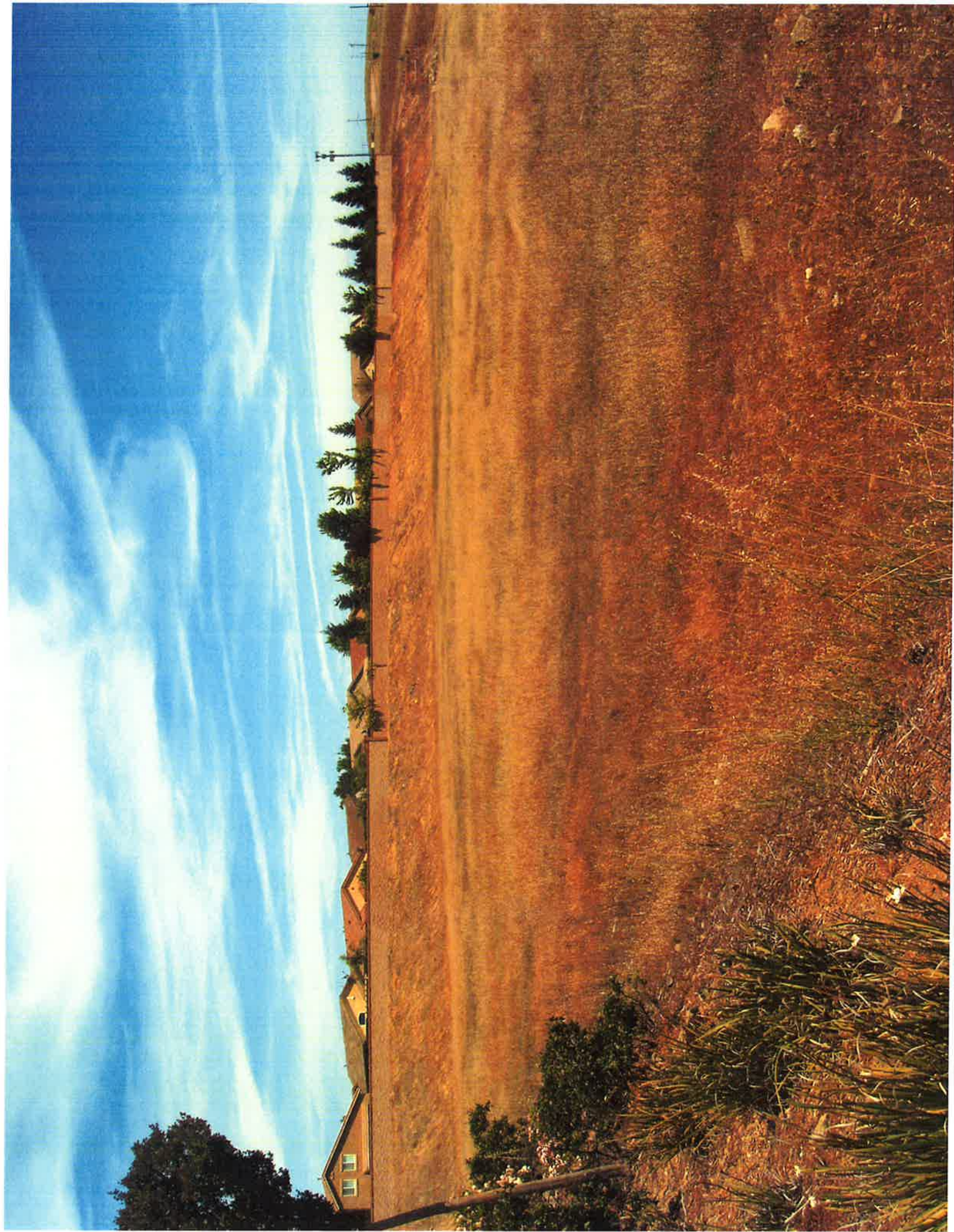
Attachment 15
Site Photographs













PLANNING COMMISSION STAFF REPORT

PROJECT TITLE	Broadstone Estates
PROPOSAL	Request for approval of General Plan Amendment, Specific Plan Amendment and Development Agreement Amendment
RECOMMENDED ACTION	Approve, based upon findings and subject to conditions of approval.
OWNER/APPLICANT	Elliott Homes Inc. Donna Pasquantonio-Leslie, Representative
LOCATION	The 37.20+ - acre project site is located east of Placerville Road and south of (and adjacent to) Highway 50. It is also located to the north and west of the approved Russell Ranch.
SITE CHARACTERISTICS	The project site is situated near the base of the Sierra Nevada foothills, immediately adjacent to the Sacramento Valley Railroad. The topography is hillside covered in non-native and naturalized grasslands. Historically, the site has been used for grazing, farming, and mining and is currently vacant.
GENERAL PLAN DESIGNATION	SF (Single Family Residential) OS (Open Space) IND/OP (Industrial/Office Park) GC (General Commercial)
ZONING	SP-SF (Single Family Residential) SP-OS2 (Open Space) SP-IND/OP (Industrial/Office Park) SP-GC (General Commercial)

ADJACENT LAND USES / ZONING

North:
Highway 50.

South:
Undeveloped property. Property is zoned Single Family Residential, Single Family High Density Residential and Open Space (Portion of the Russell Ranch project).

East:
Undeveloped property zoned Single Family Residential, Single Family High Density Residential and Open Space (Portion of the Russell Ranch project).

West:
Undeveloped property zoned General Commercial and Open Space

PREVIOUS ACTIONS

1. Local Agency Formation Commission approval of Sphere of Influence Amendment in 2001
2. Measure W approved by the Voters in 2004
3. Local Agency Formation Commission approval of Annexation of 3500 acres to Folsom in 2011
4. Approval of Folsom Plan Area Specific Plan in 2011
5. Approval of Tier 1 Development Agreement in 2011
6. Approval of Folsom Plan Area Specific Plan Public Facilities Financing Plan in 2014
7. Approval of First Amended and Restated Tier 1 Development Agreement in 2014

FUTURE ACTIONS

1. Approval of Public Right-of-Way and Land Dedication Plan
2. Approval of Open Space Management and Financing Plan

3. Approval of Drainage Facilities
Maintenance and Financing Plan
4. Recordation of Final Subdivision Maps
5. Issuance of Improvement Plans
6. Issuance of Grading and Building Permits

APPLICABLE CITY CODES

FMC 16.16, Tentative Subdivision Maps
FMC 17.37, Specific Plan District
FMC 17.38, Planned Development District

ENVIRONMENTAL REVIEW

An Environmental Impact Report has been certified for the Folsom Plan Area Specific Plan project in accordance with the California Environmental Quality Act. The State CEQA Guidelines identify criteria for determining whether a subsequent EIR would be required for a project with a previously approved EIR. Further detailed analysis and public review are required only if proposed changes to the project would require “major revisions” to the previously approved EIR because of new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts (CEQA Guidelines § 15162). In accordance with State CEQA Guidelines § 15164, an Addendum has been prepared to document that the proposed project modifications do not require preparation of a subsequent EIR under § 15162. The detailed analysis documenting the project’s consistency with the prior environmental review and thus, its eligibility for these exemptions, is presented in Attachment 5 to this Staff Report.

ATTACHED REFERENCE MATERIAL

1. Composite Map of Folsom Plan Area with Project Location
2. General Plan Amendment Exhibit
3. Specific Plan Amendment Exhibit

4. Water Demand Table
5. Ordinance No. _____ An Uncodified Ordinance of the City of Folsom Approving The First Amended and Restated Tier 1 Development Agreement by and Between the City of Folsom and Elliott Homes, Inc. Relative to the Folsom South Specific Plan
6. Environmental Checklist and Addendum for the Broadstone Estates Project

PROJECT PLANNER

Sherri Abbas Metzker, AICP, Contract Planner

BACKGROUND

The subject site is located in the Folsom Plan Area and is generally located south of Highway 50 and east of Placerville Road. Since the early 20th century, the property has been primarily used for grazing. The proposed project site is part of the approved Folsom Plan Area Specific Plan (FPASP), which is a comprehensively planned community that proposes new development based upon principles of “Smart Growth” and Transit Oriented Development. The FPASP area is generally bounded by Prairie City Road on the west, Highway 50 (US 50) on the north, and White Rock Road on the south and the Sacramento County/El Dorado County boundary on the east. The FPASP includes 10,817 residential units at various densities on a total of 1,525.5 acres; 302 acres designated for commercial and industrial use; 317 acres designated for public/quasi-public uses, elementary, middle, and high schools, and community and neighborhood parks; 1122.8 acres of open-space areas and open-space preserves. The Broadstone Estates project site is included in the FPASP and was planned for 10 single family residential units, 9.8 acres of open space, 10.5 acres of Industrial/Office Park, and approximately 13.3 acres of General Commercial.

APPLICANT’S PROPOSAL

The applicant, Elliott Homes, Inc., is requesting approval of a General Plan Amendment and a Change of Zone/Specific Plan Amendment which will allow for the development of up to an 81-unit single family residential subdivision on 37.2.± acres.

GENERAL PLAN / SPECIFIC PLAN

In 2011, the City of Folsom adopted the Folsom Plan Area Specific Plan (FPASP) which is designed to guide and regulate the development of the area south of Highway 50. The zoning designations correspond with the General Plan designation boundary lines. The adopted General Plan and Specific Plan land use designations for the project site are SF (Single Family Residential), OS (Open Space), IND/OP (Industrial/Office Park), GC (General Commercial). The proposed land use designations are SF (Single Family Residential, Planned Development District), and OS (Open Space).

The following chart illustrates the numerical differences between the proposed and adopted land use acreages on the project site.

Land Use	Adopted Land Uses		Proposed Land Uses	
	Acres	Units	Acres	Units
Single Family Residential (1-4 du/ac)	3.6	10	24.7	81
Industrial / Office Space	10.5	0	0	0
General Commercial	13.3	0	0	0
Open Space	9.8	0	12.5	0
TOTAL	37.20	10	37.2	81

The primary difference between the adopted and the proposed land uses is the elimination of the non-residential land uses (Industrial Office Space and General Commercial). The lowest natural elevation on the site is approximately 444 feet above mean sea level while the highest is approximately 680 feet above mean sea level. To build a non-residential project on this portion of the site would take a tremendous amount of grading just to meet the accessibility requirements. Within the General Commercial portion of the site, there is a grade differential of some 30 feet from the front of the site (along Old Placerville Road) to where the General Commercial portion would end. Accessibility standards require a flat site with a maximum 2% slope when developed. Multiple flat terraces would be required to meet that standard or one very large cut into the hillside. Furthermore, accessibility must be provided between the terraces. Therefore, a practical and desirable development is not likely.

As noted in previous land use changes approved by the City Council in the FPASP, the original plan contained an excess of non-residential land use. Elimination of the General Commercial and Industrial/Office Space on this site will not hinder the development of these types of land uses within the plan area. For example, immediately across Placerville Road to the west lies a large 58 acre parcel zoned for General Commercial. This site does not have the elevation constraints that the project site has and it is located adjacent to the Scott Road off ramp. These features make this a much better location for commercial development.

SPECIFIC PLAN AMENDMENT

In 2011, the City of Folsom adopted the Folsom Plan Area Specific Plan (FPASP) which is designed to guide and regulate the development of the area south of Highway 50. In addition to amending the City's general plan for land use, the applicant is also proposing to amend the FPASP to change the corresponding land use designations (zones). The proposed land uses include Single Family Residential and Open Space.

The proposed zoning designations correspond with the proposed General Plan designation boundary lines. The proposed subdivision is consistent with both the proposed General Plan land use designations and the proposed Zoning designations for the site. In evaluating the request to amend the project site's zoning designations, City staff took into consideration a number of

factors including the existing General Plan land use designation, the existing and proposed zoning designation, and the surrounding land uses. As referenced previously, the proposed General Plan land use designations for the developable portions of the project site is SF (Single Family Residential). Properties with a SF General Plan land use designation are permitted to be developed with single-family residential homes at a density of 1 to 4 units per acre. Given the constraints of the terrain, the Broadstone Estates subdivision will likely be developed at a density within that range, which is consistent with the allowable density for properties with a SF General Plan land use designation.

Based on the aforementioned information and analysis, staff is supportive of the proposed Folsom Plan Area Specific Plan Amendment.

LAND USE COMPATIBILITY

The 37.2±-acre project site is surrounded by vacant undeveloped property, and Placerville Road to the west.

North	Highway 50.
East	Undeveloped property zoned Single Family Residential, Single Family High Density Residential, and Open Space.
West	Undeveloped property zoned General Commercial.
South	Undeveloped property zoned Single Family Residential, Single Family High Density Residential and Open Space.

It is important to note that the proposed designations include open space. This open space will contribute to the 30% open space requirement included in Measure W. As described above, the project site is located within a geographic area that will be dominated by single family residential development. Generally, the terrain is more suited for residential development and open space uses, much like those approved for the Russell Ranch and White Rock Springs Ranch projects. Given the residential nature of the project area combined with surrounding open space areas, staff has determined that the proposed project provides an ideal blend of residential and open space land uses that are compatible with existing land uses in the project vicinity.

Parks and Recreation Commission

The Parks and Recreation Commission, at its February 2, 2016 meeting, recommended approval of the proposed Broadstone Estates project with the following conditions:

1. The Owner/Applicant will pay Parkland Dedication In-Lieu fees based on 0.0146 AC. per single-family unit resulting in a total parkland dedication requirement of 1.04 acres. The in-lieu fee shall be calculated based on a Complete Summary Appraisal prepared to establish a Fair Market Value as defined by the Folsom Municipal Code (FMC 16.32.040).
2. The Owner/Applicant will provide the proposed Class I bike trail alignments and connections consistent with the Bikeways Master Plan and Illustrative Master Plan for Broadstone Estates Exhibit dated October 8, 2015. The Owner/Applicant may enter into a

construction reimbursement agreement with the City in the future to facilitate efficient delivery of the trail facilities to the public.

ENVIRONMENTAL REVIEW

Staff has prepared the attached checklist which analyzes the proposed changes to the FPASP. The conclusion drawn from the analysis is that none of the changes or revisions proposed by the project would result in significant new or substantially more severe environmental impacts, consistent with Public Resources Code Section 21166 and State CEQA Guidelines Sections 15162, 15163, 15164, and 15168. Accordingly, an Addendum to the Folsom Plan Area Environmental Impact Report has been prepared for this project. The complete analysis is included in the attached documentation.

Water Supply

In April of 2016, a Technical Memorandum was prepared by Mackay & Soms detailing a comparison of water demands for the Broadstone Estates project per the Approved Specific Plan Area versus the Amendment to the Folsom Specific Plan Area. The memo concluded that the proposed modified project would reduce demand between the approved project to the proposed project of 0.2acre-feet for dry year demand, which is 0.36% decrease. Normal demand remained the same. As a result, the proposed modified project water demands are complaint with the Folsom Specific Plan Area SB 610 Water Supply Assessment prepared by Tully and Young in June of 2010.

Under current conditions, reflecting a multiple-year drought, all environmental work for south of Highway 50 has appropriately and sufficiently disclosed, analyzed, and discussed information relating to the availability of water supplies to serve this project. The following summary of the City's water supply planning for the FPASP area dry years is provided in the interest of addressing the ongoing and expected continued interest in this issue.

The City is a party to the Water Forum Agreement, which represents a regional commitment by stakeholders in the long term health and sustainability of the American River to cooperate and fulfill two co-equal objectives: (1) to provide a reliable and safe water supply for the region's economic health and planned development to the year 2030; and (2) to preserve the fishery, wildlife, recreational, and aesthetic values of the lower American River. An EIR was prepared in 1999 that examined the effects of implementing the linked actions agreed to by the stakeholders to fulfill those objectives. As relevant to this project, these linked components include: actions to meet water users' needs during dry years while reducing diversion impacts, increased water conservation, and improved groundwater management, among other actions.

The Water Forum Agreement contains provisions by which purveyors (including the City of Folsom) agree to reduce their diversions from the Lower American River by specified levels in defined drier years. When diversions from this source must be reduced, the City meets its

customers' water demands through conservation measures applied City-wide and also by entering into agreements with other purveyors that have access to both surface water and groundwater for an equivalent exchange of the amount of reductions needed by the City.

Consistent with its commitments under the Water Forum Agreement and the Water Conservation Act of 2009, the City has undertaken several water conservation and management improvements in recent years, including approval of the Water System Optimization Review (SOR) Project in 2012, which provides for leak detection, repairs to the City's existing water transmission and distribution facilities. The SOR project is being implemented, and the water savings achievable through these repairs will make available a sufficient amount to supply the FPASP area with the 5,600 acre-feet per year that development within the plan area is currently estimated to require. The impacts of implementing these system improvements and applying the water savings to the FPASP area were reviewed in an Addendum to the FPASP EIR and considered and approved by the City Council in December 2012.

The proposed project would be served by the savings in existing City water supplies achieved through the SOR program described above, which may be used for all beneficial uses determined by the City, including developments south of U.S. 50. There is an existing Water Supply and Facilities Financing Plan and Agreement between the City and certain landowners in the FPASP, approved with the Addendum to the FPASP EIR in December 2012, which provides a framework for supplying water required in the Folsom Plan Area.

During multiple-dry years such as the current circumstances, the City has the authority to declare a water shortage condition under Chapter 13.26 of the Folsom Municipal Code, and implement increasingly more stringent stages of conservation, which limit many types of outdoor water use and water service in restaurants. A development agreement adopted in May 2014, to which the White Rock Springs Ranch project proponent is a party, makes clear that this project area and these landowners are subject to the same water use cut-backs and limitations imposed in the rest of the City during such water shortage conditions.

The City's most recent Urban Water Management Plan (2010) considered the effects of implementing these stages of conservation, as required by law, and still concluded that the City would have sufficient supplies to serve existing residents and planned new growth in multiple dry years. Accordingly, the proposed project's water demand can be accommodated by the City's existing water supplies and dry-year plans, without imposing additional hardship or otherwise further limiting the supplies available to serve the rest of the City's residents.

The City has inventoried its various types of decorative light poles and has found a decorative light fixture that will compliment and work well for the proposed project. It is expected that the fixture will be used throughout the entire FPASP.

Noise Study

Although not typically required until the tentative map stage, a noise study has been prepared for Broadstone Estates which indicates that the unmitigated noise contours emanating from Highway 50 impact the Broadstone Estates property. The contours range from approximately 80 dB Ldn nearest to Highway 50, down to approximately 60 dB Ldn at the southerly property line. All projects like Broadstone Estates that are subject to potential traffic noise impacts must mitigate to meet the General Plan Noise Element Policies. To demonstrate that the outdoor noise impacts could be mitigated as required in the General Plan, a noise study was prepared. The study found that with mitigation including fill to raise the lot elevations, a berm and a 12 foot sound wall, all exterior noise levels can be achieved.

RECOMMENDATION/PLANNING COMMISSION ACTION

MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE ADDENDUM TO THE FOLSOM PLAN AREA SPECIFIC PLAN EIR;

AND

MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE GENERAL PLAN AMENDMENT FOR THE BROADSTONE ESTATES PROJECT;

AND

MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE AN AMENDMENT TO THE FOLSOM PLAN AREA SPECIFIC PLAN FOR THE BROADSTONE ESTATES PROJECT WITH CONDITIONS 1 THROUGH 6;

GENERAL FINDINGS

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY LAW

CEQA FINDINGS

- B. A FINAL ENVIRONMENTAL IMPACT REPORT AND ENVIRONMENTAL IMPACT STATEMENT WAS PREVIOUSLY CERTIFIED FOR THE FOLSOM PLAN AREA SPECIFIC PLAN IN ACCORDANCE WITH CEQA AND NEPA
- C. AN ADDENDUM TO THE FOLSOM PLAN AREA SPECIFIC PLAN FINAL ENVIRONMENTAL IMPACT REPORT AND ENVIRONMENTAL IMPACT STATEMENT HAS BEEN PREPARED FOR THE PROJECT IN ACCORDANCE WITH CEQA.

- D. THE PLANNING COMMISSION HAS CONSIDERED THE ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT BEFORE MAKING A DECISION REGARDING THE PROJECT.
- E. THE ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT REFLECTS THE INDEPENDENT JUDGEMENT AND ANALYSIS OF THE CITY OF FOLSOM.
- F. NONE OF THE CONDITIONS DESCRIBED IN SECTION 15162 OF THE CEQA GUIDELINES CALLING FOR THE PREPARATION OF A SUBSEQUENT ENVIRONMENTAL IMPACT REPORT HAVE OCCURRED.
- G. THE FEASIBLE MITIGATION MEASURES SPECIFIED IN THE FOLSOM PLAN AREA SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT WILL BE IMPLEMENTED FOR THE PROPOSED PROJECT CONSISTENT WITH CEQA GUIDELINES SECTION 15183(e).

GENERAL PLAN AMENDMENT FINDING

- H. THE PROPOSED GENERAL PLAN AMENDMENT IS CONSISTENT WITH THE GOALS, POLICIES AND OBJECTIVES OF THE CITY OF FOLSOM GENERAL PLAN.
- I. THE PROPOSED GENERAL PLAN AMENDMENT IS CONSISTENT WITH THE OBJECTIVES OF THE LAND USE ELEMENT OF THE CITY'S GENERAL PLAN AND DEVELOPMENT POLICIES.
- J. THE PROPOSED GENERAL PLAN AMENDMENT COMPLIES WITH THE REQUIREMENT OF GOVERNMENT CODE SECTION 65352.3 IN THAT NO TRIBES REQUESTED CONSULTATION ON THE PROPOSED PROJECT.

FOLSOM PLAN AREA SPECIFIC PLAN AMENDMENT FINDING

- K. THE PROPOSED AMENDMENT TO THE FOLSOM PLAN AREA SPECIFIC PLAN IS CONSISTENT WITH THE CITY'S GENERAL PLAN (AS AMENDED), ZONING CODE, AND THE FOLSOM MUNICIPAL CODE.

Respectfully,



DAVID E. MILLER, AICP

Public Works and Community Development Director

CONDITIONS OF APPROVAL

- 1 The Owner/Applicant will pay Parkland Dedication In-Lieu fees based on 0.0146 AC. per single-family unit resulting in a total parkland dedication requirement of 1.04 acres. The in-lieu fee shall be calculated based on a Complete Summary Appraisal prepared to establish a Fair Market Value as defined by the Folsom Municipal Code (FMC 16.32.040).
- 2 The Owner/Applicant will provide the proposed Class I bike trail alignments and connections consistent with the Bikeways Master Plan and Illustrative Master Plan for Broadstone Estates Exhibit dated October 8, 2015. The Owner/Applicant may enter into a construction reimbursement agreement with the City in the future to facilitate efficient delivery of the trail facilities to the public.
4. The Owner/Applicant shall update the Folsom Plan Area Specific Plan to include all new or modified tables, maps, text, etc. to reflect any and all modifications that will result from approval of the project. The owner/applicant shall submit an electronic version of the Specific Plan that accounts for all revisions as a result of this project to the satisfaction of the Community Development Director.
5. Prior to approval of First Final Small Lot Map in the FPA (or first building permit if development may occur without any subdivision), a site consistent with the requirements of Section 2.2.3.4 of the ARDA, as may be amended or as otherwise agreed to between the City and the Participating Landowners, shall be identified as acceptable to the City as suitable and feasible for use as the new Corporation Yard, with access to sewer, water and all required utility services. The City's determination of feasibility may include the identification of an alternative site as a back-up for the primary site, as well as an evaluation of the time, cost and likelihood of obtaining any necessary entitlements or other governmental approvals for use of the land as a corporation yard, with the final determination of feasibility subject to the sole and reasonable discretion of the City.

The City intends to impose this condition equitably throughout the Plan Area. If the City fails to impose such a condition with, at least substantially similar terms, although precise language may differ (whether through a tentative subdivision map condition of approval, amendment to the specific plan or to a development agreement, or other agreement between the City and a Participating Landowner), this condition of approval shall be null and void as to Owner/Applicant's Project, and shall not be used as a reason to prevent approval of any final small lot map for Owner/Applicant's Project. If the City approves any other final small lot map

for a project within the Plan Area and the Corporation Yard site has not been approved as provided for herein, Owner/Applicant may seek relief from the terms of this condition by appeal to the City Manager, with the right to review by the City Council.

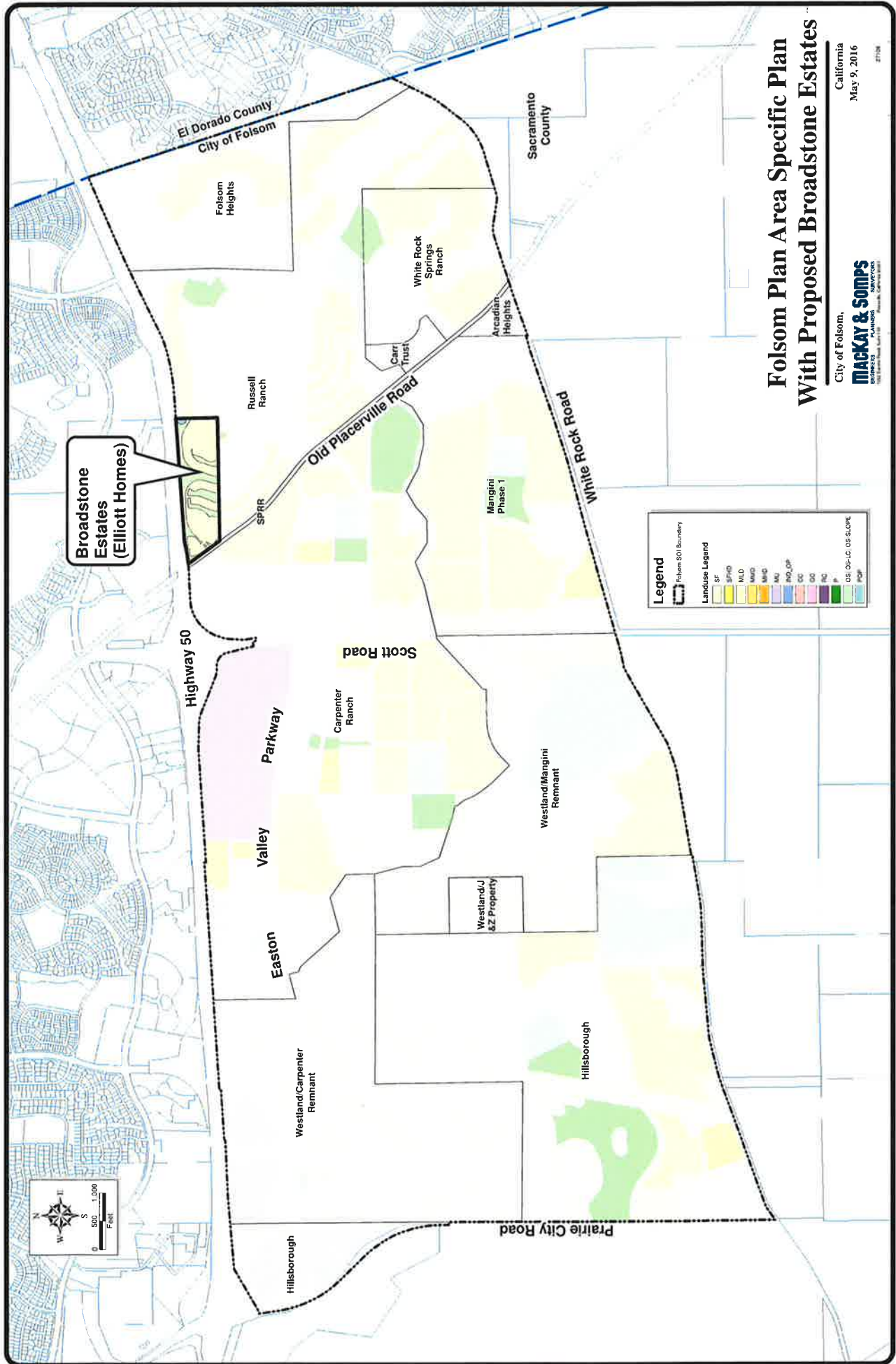
6. The final locations for a site suitable and feasible for use as the future high school and middle school in the Folsom Plan Area have not been approved by the Folsom Cordova Unified School District.

Prior to approval of First Final Small Lot Map in the FPA (or first building permit if development may occur without any subdivision), the sites for the future high school and middle schools in the Folsom Plan Area will be identified and approved by the City, in consultation with the Folsom Cordova Unified School District.

The City intends to impose this condition equitably throughout the Plan Area as and to each and every Participating Landowner who seeks any future specific plan amendment, tentative subdivision map or ARDA amendment in connection with its proposed development. If the City fails to impose such a condition with, at least substantially similar terms, although precise language may differ (whether through a tentative subdivision map condition of approval, amendment to the specific plan or to a development agreement, or other agreement between the City and a Participating Landowner), this condition of approval shall be null and void as to Owner/Applicant's Project, and shall not be used as a reason to prevent approval of any final small lot map for Owner/Applicant's Project. If the City approves any other final small lot map for a project within the Plan Area and the future high school and middle school sites have not been approved as provided for herein, Owner/Applicant may seek relief from the terms of this condition by appeal to the City Manager, with the right to review by the City Council.

A TTACHMENT NO. 1

Composite Folsom Plan Area Map with Project Location



Folsom Plan Area Specific Plan With Proposed Broadstone Estates

City of Folsom,
California
May 9, 2016

MACKEY & SOMPS
PLANNERS ARCHITECTS ENGINEERS
1001 Sacramento Street, Suite 1000, Folsom, CA 95630
916.977.1000

2/15/16

ATTACHMENT NO. 2

General Plan Amendment Exhibit



Existing



Proposed

LAND USE SUMMARY			
Land Use Designation	Existing Acres	Proposed Acres	Delta
SF	3.64	24.64	21.0
OS	9.84	12.35	2.5
IND/OP	10.51	0.0	-10.5
GC	13.31	0.0	-13.3
POP	0.0	0.31	0.3
TOTAL	37.2±	37.2±	0

NOTE: TOTAL "MEASURE W" OPEN SPACE IN THE PROPOSED PLAN = 11.4 AC.



GENERAL PLAN AMENDMENT BROADSTONE ESTATES

Scale: 1" = 400'

October 10, 2015
Revised: April 7, 2016
May 9, 2016

Folsom, California
MACKAY & SOMPS
ENGINEERS PLANNERS SURVEYORS

ATTACHMENT NO. 3
Specific Plan Amendment Exhibit



Existing



Proposed

LAND USE SUMMARY			
Zoning District	Existing Acres	Proposed Acres	Delta
SP-SF	3.6±	0.0±	-3.6
SP-SF-PD	0.0±	24.6±	24.6
SP-OS2	9.8±	0.0±	-9.8
SP-OS2-PD	0.0±	12.3±	12.3±
SP-IND/OP	10.5±	0.0±	-10.5
SP-GC	13.3±	0.0±	-13.3
SP-POP-PD	0.0±	0.3±	0.3±
TOTAL	37.2±	37.2±	0



Specific Plan Amendment

BROADSTONE ESTATES

Scale: 1" = 400'

October 10, 2015
Revised: April 7, 2016
May 9, 2016

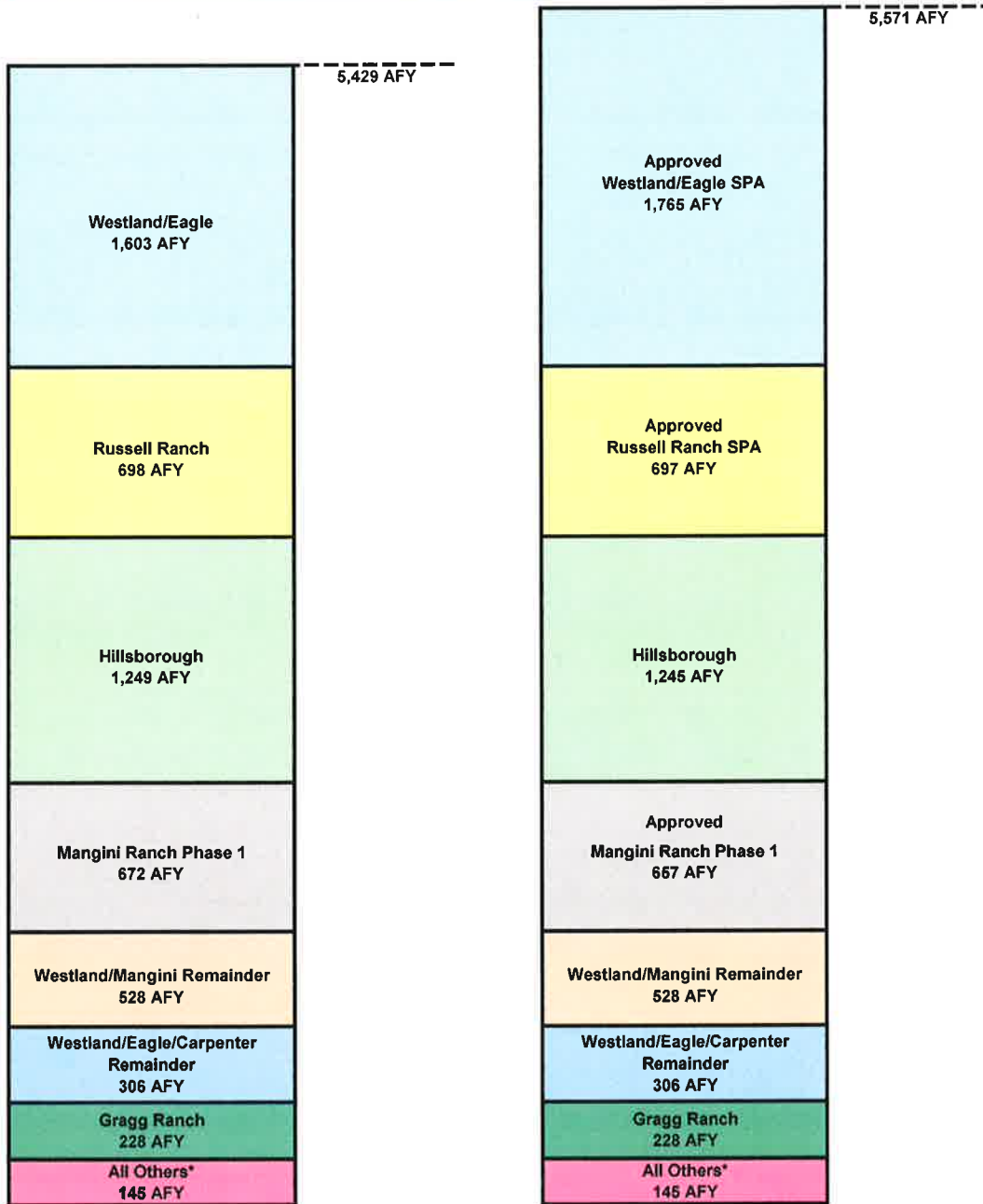
Folsom, California

MACKAY & SOMPS
ENGINEERS PLANNERS SURVEYORS

ATTACHMENT NO. 4
Water Demand Table

Folsom Plan Area Proposed Specific Plan Amendment Potable Water Demand Chart Water Supply Agreement - 5,600 AFY

7919.SPA
Date: June 2, 2015
Revised: April 28, 2016



**Folsom Plan Area
Adopted Land Uses**

**Folsom Plan Area
Adopted Land Uses with
Approved Russell Ranch
SPA, Approved Mangini
Phase 1 Tentative Map,
Approved Westland/Eagle
SPA & Pending Hillsborough
SPA**

NOTE:

"All Others" include Arcadian Heights, Broadstone Estates (Elliott), Carr Trust and Westland/J&Z.

ATTACHMENT NO. 5

Ordinance No. ____ An Uncodified Ordinance of the City of Folsom Approving The First Amended and Restated Tier 1 Development Agreement by and Between the City of Folsom and Elliott Homes, Inc. Relative to the Folsom South Specific Plan

ORDINANCE NO.

**AN UNCODIFIED ORDINANCE OF THE CITY OF FOLSOM APPROVING
FIRST AMENDED AND RESTATED TIER 1 DEVELOPMENT AGREEMENT
BETWEEN THE CITY OF FOLSOM AND ELLIOTT HOMES, INC.
RELATIVE TO THE FOLSOM SOUTH SPECIFIC PLAN**

WHEREAS, a Final Environmental Impact Report/Environmental Impact Statement (FEIR/EIS) for the Folsom Plan Area Specific Plan (FPASP) was certified by the City Council on June 14, 2011, and the FPASP was adopted by the City Council on June 28, 2011; and

WHEREAS, pursuant to the authority in Sections 65864 through 65869.5 of the Government Code, the City Council, following a duly notified public hearing on June 28, 2011, approved the Tier 1 Development Agreement Relative to the Folsom South Specific Plan (Tier 1 DA) for the development of the Folsom Plan Area by adopting Ordinance No. 1149 on July 12, 2011; and

WHEREAS, the proposed Broadstone Estates Project consists of a General Plan Amendment and Specific Plan Amendment for future development within the Folsom Plan Area; and

WHEREAS, the City and the owners of the Broadstone Estates Project desire to amend the Tier 1 DA in order to provide greater certainty and clarity to matters that are common, necessary and essential for the development of the Broadstone Estates Project; and

WHEREAS, the Planning Commission, at its regular meeting on May ___, 2016, considered the First Amended and Restated Tier 1 Development Agreement by and Between the City of Folsom and Elliott Homes, Inc. at a duly noticed public hearing as prescribed by law, and recommended that the City Council approve said amendment to the development agreement; and

WHEREAS, all notices have been given at the time and in the manner required by State Law and the Folsom Municipal Code.

NOW, THEREFORE, the City Council of the City of Folsom hereby does ordain as follows:

SECTION 1. FINDINGS

A. The above recitals are true and correct and incorporated herein by reference.

B. The First Amended and Restated Tier 1 Development Agreement is consistent with the objectives, policies, general land uses and programs specified in the City's General Plan and the Folsom Plan Area Specific Plan.

C. The First Amended and Restated Tier 1 Development Agreement is

in conformity with public convenience, general welfare, and good land use practices.

D. The First Amended and Restated Tier 1 Development Agreement will not be detrimental to the health, safety, and general welfare of persons residing in the immediate area, nor be detrimental or injurious to property or persons in the general neighborhood or to the general welfare of the residents of the City as a whole.

E. The First Amended and Restated Tier 1 Development Agreement will not adversely affect the orderly development of property or the preservation of property values.

F. The Amendment No. 1 has been prepared in accordance with, and is consistent with, Government Code Sections 65864 through 65869.5, and City Council Resolution No. 2370.

G. All notices have been given at the time and in the manner required by State Law and the Folsom Municipal Code.

H. A Final Environmental Impact Report/Environmental Impact Statement was previously certified for the Folsom Plan Area Specific Plan in accordance with CEQA and NEPA. An Addendum to the FPASP EIR/EIS was prepared for the proposed Broadstone Estates Project, which includes the proposed First Amended and Restated Tier 1 Development Agreement, and concludes that the proposed Project will not result in substantial changes to the FPASP.

SECTION 2. APPROVAL OF AMENDMENT TO DEVELOPMENT AGREEMENT

The Mayor is hereby authorized and directed to execute the First Amended and Restated Tier 1 Development Agreement Between the City of Folsom and Elliott Homes, Inc. on behalf of the City after the effective date of this Ordinance.

SECTION 3. SEVERABILITY

If any section, subsection, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 4. EFFECTIVE DATE

This ordinance shall become effective thirty (30) days from and after its passage and adoption, provided it is published in full or in summary within twenty

(20) days after its adoption in a newspaper of general circulation in the City.

This ordinance was introduced and the title thereof read at the regular meeting of the City Council on _____, 2016 and the second reading occurred at the regular meeting of the City Council on _____, 2016.

On a motion by Council Member _____, seconded by Council Member _____, the foregoing ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this ____ day of ____ 2016 by the following vote, to wit:

AYES: Council Member(s):

NOES: Council Member(s):

ABSENT: Council Member(s):

ABSTAIN: Council Member(s):

Stephen E. Miklos, Mayor

ATTEST:

Christa Saunders, CITY CLERK

Effective:

FOR THE BENEFIT OF THE CITY OF FOLSOM
PURSUANT TO GOVERNMENT CODE §6103

RECORDING REQUESTED BY CITY CLERK

WHEN RECORDED MAIL TO:

City Clerk
City of Folsom
50 Natoma Street
Folsom, CA 95630

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

FIRST AMENDED AND RESTATED TIER 1 DEVELOPMENT AGREEMENT
BY AND BETWEEN THE CITY OF FOLSOM AND
ELLIOTT HOMES, INC.
RELATIVE TO THE FOLSOM SOUTH SPECIFIC PLAN

**FIRST AMENDED AND RESTATED TIER 1 DEVELOPMENT AGREEMENT
RELATIVE TO THE FOLSOM SOUTH SPECIFIC PLAN**

TABLE OF INDEX

RECITALS	1
ARTICLE 1 – GENERAL PROVISIONS	4
1.1 Incorporation of Recitals	4
1.2 Property Description and Binding Covenants	4
1.3 Definitions	4
1.4 Term	9
1.4.1 Commencement; Extension; Expiration	9
1.4.2 Tolling and Extension During Judicial Legal Challenge or Moratoria	10
1.5 Amendment of Restated Agreement	10
1.5.1 Required Provisions in Subsequent Tier 2 Development Agreements and Amendments to Incorporate Subsequent Entitlements	10
1.5.2 No Amendment Required for Minor Administrative Modifications	12
1.5.3 Amendments to Restated Agreement after Approval of Subsequent Entitlements	12
1.5.3.1 Specific Plan Amendment Cut-Off Date	13
1.5.4 Recordation Upon Amendment or Termination	13
ARTICLE 2 – DEVELOPMENT OF THE PROPERTY	14
2.1 Permitted Uses	14
2.2 Vested Rights	14
2.2.1 Vested Provisions of the PFFP	14
2.2.2 Vested Provisions of the Specific Plan	15
2.2.3 Exceptions to Vested Rights	15
2.2.3.1 Affordable Housing	15
2.2.3.2 Area 40 – Community Park West	16
2.2.3.3 Quarry Traffic	19
2.2.3.4 Corporation Yard	20
2.2.3.5 PFFP and SPIF	20
2.2.3.6 Adjustment to SPIF After July 1, 2016	21
2.2.4 City Fees and New Plan Area Fees, Including Cost Increases	22
2.2.4.1 Re-Opener on New Plan Area Fees for City Facilities	23
2.2.5 Police Powers and Citywide Ordinances	24
2.2.6 Application of Changes Due to State and Federal Laws	24
2.2.7 Uniform Codes and Standard Construction Specifications	24
2.2.8 Conflict Between Existing Rules, Entitlements and Restated Agreement	25
2.3 Density Transfer	25
2.4 Subsequent Entitlements	25

2.5 Ordinance, Resolution and Officially Adopted Rules	25
2.5.1 Conflicting Ordinances or Moratoria	25
2.5.2 Authority of City	25
2.5.3 Requirements for Subsequent Plans, Guidelines, Funding Mechanisms, Community Facilities Districts and Land Dedications	26
2.5.4 Satisfaction of LAFCO Conditions	28
2.5.5 [Intentionally Omitted]	28
2.5.6 School Impact Mitigation	29
2.6 Application, Development and Project Implementation Fees	29
ARTICLE 3 – LANDOWNER OBLIGATIONS	29
3.1 Development, Connection and Mitigation Fees	29
3.2 Infrastructure CFDs	29
3.2.1 Participation by Landowner	30
3.2.2 Formation of CFD Subject to City Discretion	30
3.3 Alternative Financing Mechanisms	30
3.4 Disclosure of Subsequent Purchasers	30
3.5 EIR Mitigation Measures	31
3.6 Mitigation Monitoring and Reporting Program.....	31
3.7 Backbone Infrastructure	31
3.7.1 White Rock Road Improvements	31
3.8 Dedications of Backbone Lands.....	32
3.8.1 Temporary Construction Easements	33
3.8.2 Manner of Dedication	33
3.8.3 Adjustments to Dedications	33
3.8.4 Release of Excess Offers of Dedication/No Compensation	34
3.8.5 Dedication of Public Parcels.....	34
3.8.5.1 Maintenance of Open Space/Public Property/Fuel Modification Area	35
3.9 Phasing of Development.....	35
3.9.1 Phasing of Necessary Backbone Infrastructure Through Map Conditions	35
3.9.2 Phasing of In-Tract Improvements	36
3.10 Park Improvement and Trail Funding and Construction	36
3.11 Timing of Access Improvements for Fire Stations	37
3.12 Reimbursement of Pro Rata Share of City Costs for Compliance with Requirements of this Restated Agreement.....	37
3.13 Sales Tax Point of Sale in City of Folsom.....	37
ARTICLE 4 – CITY OBLIGATIONS.....	38
4.1 City Cooperation	38
4.2 New Plan Area Fees	38
4.2.1 [Intentionally Omitted]	38
4.2.1.1 [Intentionally Omitted]	39
4.2.2 Specific Plan Infrastructure Fee	39
4.2.2.1 No SPIF Reimbursement for Required Park Dedication	40
4.2.2.2 No SPIF Reimbursements or Credits on Default	40

4.3 Reimbursements/Credits Personal to Dedicating and Constructing Owner	41
4.4 Collection and Administration of New Plan Area Fees	41
4.5 Applications for Permits and Entitlements	43
4.5.1 Plan Check	43
4.5.2 Compliance with Government Code Section 66473.7	43
4.6 Water Supply	43
4.7 City Acceptance of Conservation Easement(s) on Open Space	44
4.8 City/County SCDTF Agreement/Highway 50 Improvement Fee	44
4.9 Assistance with Acquisition of Necessary Real Property Interests	44
ARTICLE 5 – DEFAULT, REMEDIES, TERMINATION	45
5.1 General Provisions	45
5.2 Annual Review	46
5.2.1 Permitted Delay, Extension of Times of Performance	47
5.2.2 Permitted Extensions by City	47
5.3 Legal Action; No Obligation to Develop; Specific Enforcement	47
5.4 Automatic Termination Upon Completion and Sale of Residential Unit	48
5.5 Termination Upon Landowner Request	48
5.6 Effect of Termination	49
5.7 No Protest or Challenge to Fees	49
5.8 Applicable Law	49
ARTICLE 6 – HOLD HARMLESS AND COOPERATION	50
6.1 Hold Harmless	50
6.2 Cooperation and Defense in the Event of Legal Challenge	50
ARTICLE 7 – GENERAL	51
7.1 Enforceability	51
7.2 City Finding	51
7.3 Third Party Beneficiaries	51
7.4 Project as a Private Undertaking	51
7.5 Notices	51
7.6 Severability	52
7.7 Construction	52
7.8 Other Necessary Acts	52
7.9 Estoppel Certificate	53
7.10 Mortgagee Protection	53
7.11 Assignment	54
7.12 Entire Agreement	54
SIGNATURES	55
LIST OF EXHIBITS	56

**FIRST AMENDED AND RESTATED TIER 1 DEVELOPMENT AGREEMENT
RELATIVE TO THE FOLSOM SOUTH SPECIFIC PLAN**

This First Amended and Restated Tier 1 Development Agreement (the "Restated Agreement") is entered into this ____ day of _____, 2016, by and between the City of Folsom ("City") and Elliott Homes, Inc., an Arizona corporation ("Landowner") pursuant to the authority of Sections 65864 through 65869.5 of the Government Code of California. All capitalized terms used herein and not otherwise defined herein shall mean and refer to those terms as defined in Section 1.3 of the Tier 1 Development Agreement between the parties hereto.

RECITALS

A. Tier 1 Development Agreement. The City and Landowner (along with the other Participating Landowners, or predecessors thereto), previously entered into that certain Tier 1 Development Agreement By and Between the City of Folsom and Michele M. Carr and Melissa A. Barron, Et. Al., Relative to the Folsom South Specific Plan, dated August 2, 2011 and recorded on August 3, 2011, in the Official Records of the County Recorder of Sacramento County in Book 20110803, Page 0422 (the "Agreement"). Section 1.5 of the Agreement allows the Agreement to be amended from time to time by mutual written consent of the parties.

B. Purpose of Restated Agreement. The City and Landowner desire to provide greater certainty and clarity to matters that are common, necessary and essential for the development of the Property in the Plan Area, including but not limited to dedication of open space and land for public facilities, environmental mitigation and monitoring, as well as the contribution and reimbursement of the facilities' costs and services by and amongst Landowner and its successors-in-interest. Additionally, Landowner desires to proceed with Development consistent with the Entitlements or any Subsequent Entitlements that may be included within the scope of this Restated Agreement as those terms are described herein. As contemplated and required by the Tier 1 Development Agreement, prior to any Development being approved for or occurring within the Property (including any approval of tentative residential small-lot subdivision maps or grading or construction of any improvements within or serving the Property), Landowner must obtain approval from the City of a Tier 2 Development Agreement (as defined herein). This Restated Agreement is intended to replace the Tier 1 Development Agreement for the Property, implement the requirements of the Entitlements and the Specific Plan EIR as applied to Development of the Property, satisfy the condition for a Tier 2 Development Agreement prior to Development of the Property, and establish a process for evaluating the inclusion of future Specific Plan Amendments within the scope of this Restated Agreement in the event such amendments are approved by the City Council.

C. Effect of Restated Agreement. The Tier 1 Development Agreement requires the agreement and approval of a Tier 2 Development Agreement in conjunction

with subsequent project-specific approvals, and prior to physical development of the Property. This Restated Agreement shall be deemed to implement and satisfy this requirement. Accordingly, upon the recordation of this Restated Agreement in the Official Records of Sacramento County, the Tier 1 Development Agreement, as applied to the Property, shall be deemed amended and replaced in its entirety by this Restated Agreement. The replacement of the Tier 1 Development Agreement by this Restated Agreement as to the Property shall not affect or impair the continuing validity of the Tier 1 Development Agreement and encumbrance thereof on other properties within the Plan Area that do not have an approved, executed and recorded Tier 2 Development Agreement or this Restated Agreement.

D. Property. The subject of this Restated Agreement is the development of the Property and the Plan Area. Landowner owns or has the right to acquire the Property and represents that all persons holding legal or equitable interests in the Property shall be bound by this Restated Agreement.

E. Specific Plan and Public Facilities Financing Plan. The City Council adopted the Specific Plan which Plan is applicable to the Property pursuant to Resolution No. 8863 on June 28, 2011. The City Council also approved the Public Facilities Financing Plan pursuant to Resolution No. 9298 on January 28, 2014 related to the planned development of the Specific Plan, consistent with the requirements of the Tier 1 Development Agreement.

F. Hearings. On _____, 2016, the City Planning Commission, designated as the planning agency for purposes of development agreement review pursuant to Government Code Section 65867, in a duly noticed and conducted public hearing, considered this Restated Agreement and recommended that the City Council approve this Restated Agreement.

G. Mitigation Measures. Mitigation measures were recommended in the Specific Plan EIR/EIS (City Council Resolution No. 8860) and Supplemental Environmental Review(s), if any, related to the City's approval of the Specific Plan, as amended, the Agreement, and this Restated Agreement, and have been incorporated in the Specific Plan and the Entitlements and in the terms and conditions of this Restated Agreement, as reflected by the findings adopted by the City Council concurrently with this Restated Agreement. Pursuant to the Specific Plan, Landowner has certain shared obligations for the construction of Backbone Infrastructure necessary to serve the Project and the Plan Area. In connection with the approval of the design of the Backbone Infrastructure, the City Council reviewed and approved a South of Highway 50 Backbone Infrastructure Project Initial Study/Mitigated Negative Declaration by Resolution No. 9505 on February 25, 2015. The Backbone Infrastructure IS/MND contains certain mitigation measures that are applicable to the Project, which are specifically incorporated herein by reference. In addition to the environmental analysis contained in the Specific Plan EIR/EIS, the City previously certified an Addendum to the Specific Plan EIR/EIS for Purposes of Analyzing an Alternative Water Supply for the Project ("Addendum to the FPASP EIR/EIS"), which was certified by the City Council on

December 11, 2012, by Resolution No. 9096. The Addendum to the Specific Plan EIR/EIS also contains certain mitigation measures that are applicable to the Project, which are specifically incorporated herein by reference.

H. Entitlements. Following consideration and certification of the aforementioned Specific Plan EIR, any Supplemental Environmental Review(s), and CEQA related findings, the City Council has adopted applicable statement(s) of overriding considerations and has approved the following Entitlements that are currently applicable to the Property, which Entitlements are the subject of this Restated Agreement:

1. The General Plan;
2. The Specific Plan, as amended by the City Council by Resolution [];
3. This Restated Agreement;
4. The Public Facilities Financing Plan (the "PFFP"); and
5. The City and Landowner acknowledge that Design Guidelines for the Plan Area will be presented to the City by Landowners and other Participating Landowners for review and approval by the City. Upon approval of the Design Guidelines by the City, such Design Guidelines shall be an Entitlement without the necessity of further amendment to this Restated Agreement.

I. General and Specific Plans. Development of the Property in accordance with the Entitlements and this Restated Agreement will provide orderly growth and development of the area in accordance with the policies set forth in the General Plan and the Specific Plan.

J. Substantial Costs to Landowner. Landowner has incurred and will incur substantial costs in order to implement the Specific Plan and to assure Development in accordance with the Entitlements and the terms of this Restated Agreement.

K. Need for Services and Facilities. Development of the Property will result in a need for urban services and facilities, which services and facilities will be provided by City and other public agencies to such Development subject to the performance of Landowner's obligations hereunder, including but not limited to Landowner's obligation to fund such facilities and services.

L. Contribution to Costs of Facilities and Services. Landowner agrees as provided herein to provide for the costs of such public facilities, services and infrastructure, including but not limited to the Backbone Infrastructure required for the Development of the Property and/or required by the Entitlements, and to mitigate

impacts on the City of the Development. City agrees to provide municipal services subject to Landowner's payment of such costs and compliance with the terms and conditions in this Restated Agreement. Landowner, through the development of its Property in accordance with the Entitlements and this Restated Agreement, will contribute as part of the Specific Plan towards providing a mix of housing and commercial uses meeting a range of needs for the City, dedication of land for, and funding of, public facilities, open space, parkland and related park amenities, and other services and amenities that will be of benefit to the future residents of the City.

NOW, THEREFORE, the parties hereto, in consideration of the mutual covenants, promises, and agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and agreed, the parties hereto do hereby agree as follows:

ARTICLE 1

GENERAL PROVISIONS

1.1 Incorporation of Recitals. The Recitals above are true and correct and constitute enforceable provisions of this Restated Agreement.

1.2 Property Description and Binding Covenants. Upon recordation of this Restated Agreement pursuant to Section 1.4.1 below, the provisions of this Restated Agreement shall constitute covenants which shall run with the Property and the benefits and burdens hereof shall bind and inure to all successors-in-interest to and assigns of the parties hereto. Accordingly, all references herein to "Landowner" shall include each and every subsequent purchaser or transferee of the Property, or any portion thereof, from Landowner, whether or not such purchaser or transferee executes an assumption of this Restated Agreement with respect thereto.

1.3 Definitions.

"Adopting Ordinance" means Ordinance No. _____, dated _____, 2016, approving this Restated Agreement.

"Advancing Owners" means the landowners within the Plan Area who previously advanced costs for the preparation of certain planning studies related to the development and implementation of the Specific Plan, including certain City feasibility studies, other technical studies, design guidelines, development standards, financing plan(s), and infrastructure plans, and the EIR and other environmental studies (the "Advanced Planning Costs").

"Aerojet/Easton Property" means the real property located within the Specific Plan owned by Aerojet Rocketdyne, Inc. and Easton Development Company, LLC, as of the Effective Date, as more particularly shown on Exhibit 2.2.3.2 attached hereto and made a part hereof.

“Agreement” means the Tier I Development Agreement dated August 2, 2011.

“Area 40” means that portion of the Aerojet/Easton Property adjacent to Prairie City Road in the Specific Plan area as delineated by the EPA in the Superfund cleanup effort as depicted on **Exhibit 2.2.3.2**

“Backbone Infrastructure” means the infrastructure described on **Exhibit 2.2.1**, attached hereto and made part hereof.

“Backbone Lands” means the land areas within the Specific Plan as shown on **Exhibit 3.8**.

“CEQA” means the California Environmental Quality Act, Public Resources Code Section 21000 et seq., and all regulations and guidelines promulgated thereunder.

“City” means the City of Folsom, a municipal corporation.

“City Council” means the City Council of the City.

“City Zoning Ordinance” means the provisions of the City Municipal Code, Title 17 et seq.

“CFD” means a Community Facilities District established pursuant to the CFD Act.

“CFD Act” means the Mello-Roos Community Facilities Act of 1982 (Government Code Section 53311 et seq.), and the City of Folsom Community Financing Law (Folsom Municipal Code Chapter 3.110) as amended from time to time.

“Community Development Department” means the Community Development Department of the City.

“Community Development Director” means the Community Development Director of the City.

“Constructing Owner” means either Landowner or any other Participating Landowner who elects to construct any PFFP Facilities.

“Constructing Owner’s Property” means the property within which any fee credits associated with the Constructing Owner’s construction of any PFFP Facilities may be applied, as more particularly described in Section 4.3 below.

“Day(s)” means business day(s), except as expressly stated herein.

“Design Guidelines” means the design guidelines for the FPA approved by the City, and thereafter to be applied by the City to guide and evaluate the design of certain improvements within the Plan Area.

“Develop” or “Development” means any development, construction and use of the Property pursuant to a lawfully issued permit by the City of Folsom in furtherance of the Specific Plan and the Entitlements, including without limitation, the processing and approval of any tentative or final Large-Lot or Small-Lot Maps.

“Development Agreement Statute” means Government Code Section 65864, et seq.

“Development Phase” or “Phase” means a Development Phase as described in Section 3.9 and subsections to Section 3.9 of this Restated Agreement.

“Effective Date” means the date which is thirty (30) calendar days after the date of the Adopting Ordinance approving this Restated Agreement.

“Entitlements” means the entitlements described in items 1 through 5, inclusive, of Recital I above, and those Specific Plan Amendments referenced in Section 1.5.3 of this Restated Agreement.

“Existing Fees” means the development impact and mitigation fees existing in the City as of the Effective Date of the Agreement set forth in **Exhibit 2.2.4** attached hereto.

“Existing Rules”, unless otherwise expressly provided in this Restated Agreement or the Entitlements, means City’s ordinances, and resolutions in force and effect on the Effective Date of the Agreement.

“FPA” means the Folsom Plan Area annexed by the City of Folsom on or about January 18, 2012.

“General Plan” means the Folsom General Plan, as amended by Resolution No. 8861.

“Infrastructure CFD” means a CFD formed to finance (i) the acquisition and/or construction of any Backbone Infrastructure or other public facilities or improvements serving development of the Plan Area and/or (ii) the payment of the SPIF.

“Infrastructure CFD Improvements” means the public facilities or improvements authorized for acquisition or construction by the applicable Infrastructure CFD.

“Landowner” means Elliott Homes, Inc., an Arizona corporation, and its heirs, successors and assigns.

“Land Use Plan” means the Specific Plan Land Use Plan for the Property, as set forth on Figure 4.1 of the Specific Plan, adopted by the City Council pursuant to Resolution No. 8863 and made a part hereof.

“Large-Lot Map” means a subdivision or parcel map processed and approved pursuant to the Subdivision Map Act that, upon recordation hereof, will create Large Lot Parcels.

“Large Lot Parcel” means a parcel created by the recordation of a parcel map, subdivision map consistent with the Subdivision Map Act that is either planned for non-residential or multi-family use, or is planned for single-family residential use

“Mitigation Fee Act” means the Mitigation Fee Act, as defined and implemented pursuant to Section 66000 et seq. of the California Government Code, or any successor statute thereto.

“Mitigation Monitoring and Reporting Program” means the mitigation monitoring and reporting program approved by the City in connection with its approval of the Specific Plan EIR pursuant to Resolution Number 8860, as may be revised from time to time in connection with the City’s approval of any Supplemental Environmental Review(s) applicable to Development of the Property.

“Mortgagee” means any lender or other entity that obtains a mortgage or deed of trust against the Property.

“New Rules” means any new or modified resolution, rule, and/or ordinance adopted by the City or by initiative (whether initiated by the City Council or by a voter petition, which initiative changes, alters or amends the rules, regulations and policies applicable to the rate, timing or sequencing and density and intensity of use or Development of the Property) after the Effective Date which is not part of the Existing Rules. “New Rules” does not include a referendum that specifically overturns the City’s approval of any of the Entitlements.

“New Plan Area Fees” means the new development impact and mitigation fees, including the SPIF and New Plan Area Fees for City Facilities, to be adopted and imposed in connection with the Development of the Plan Area consistent with the terms of the PFFP and this Restated Agreement, as specifically listed and identified in **Exhibit 2.2.4** attached hereto under the Fee categories entitled “New FPASP Plan Area Fees for City Facilities,” “New FPASP Plan Area Fee for Specific Plan Infrastructure (SPIF),” and “New FPASP Planning and Land Fees.”

“New Plan Area Fees for City Facilities” means the new development impact fees to be adopted and imposed in connection with the Development of the Plan Area to finance certain City facilities consistent with the terms of the PFFP and this Restated Agreement, as listed and identified in **Exhibit 2.2.4** under the Fee category entitled “New FPASP Plan Area Fees for City Facilities.”

“Participating Landowners” means Landowner and any and all other landowners of other properties within the Plan Area who have then obtained approval and have executed and recorded, and are not in breach, of a Tier 2 Development Agreement or this Restated Agreement for such other properties.

“Permit Streamlining Act” means the provisions of Government Code Section 65920 et seq.

“PFFP” (“Public Facilities Financing Plan”) means the Public Facilities Financing Plan prepared by Economic and Planning Systems and the Folsom Office of Management and Budget approved by the City on January 28, 2014 by Resolution No. 9298.

“PFFP Facilities” means the public improvements and facilities serving the Plan Area that are to be financed, in whole or in part, by the Plan Area pursuant to the terms and provisions of the PFFP.

“Plan Area” means the entire Specific Plan area shown on **Exhibit B** hereto.

“Planning Commission” means the Planning Commission of the City.

“Project” means Development consistent with the Entitlements, including this Restated Agreement.

“Property” means those certain parcel(s) of land described in **Exhibit A-1** and shown on **Exhibit A-2** attached hereto and made a part hereof within the Plan Area.

“Public Parcels” means the parcels within the Plan Area planned for open space and public uses described and shown on **Exhibit B** hereto.

“Restated Agreement” means this First Amended and Restated Tier 1 Development Agreement.

“Small-Lot Map” means a subdivision map processed and approved pursuant to the Subdivision Map Act that, upon recordation thereof, will create either individual lots or parcels upon which building permits may be issued for the construction of commercial buildings or single-family residential units within a parcel planned for commercial or single-family use, or for construction and sale of individual condominium units within a parcel planned for commercial or multifamily residential use, consistent with the underlying zoning in the Entitlements.

“Specific Plan” means the Folsom Specific Plan adopted by the City Council by Resolution No. 8863 on June 28, 2011.

“Specific Plan Amendment” means an amendment to the Specific Plan approved by the City Council.

“Specific Plan EIR” means the Final EIR for the Specific Plan certified as adequate and complete by the City Council by Resolution No. 8860 on June 14, 2011 (State Clearinghouse No. 2008092051).

“SPIF” means the Specific Plan Infrastructure Fee to be adopted and imposed in connection with the Development of the Plan Area consistent with the terms of the PFFP and Section 4.2.2 of this Restated Agreement.

“Standard Design and Construction Specifications” means the standard specifications approved by the City Council and published and maintained by the City, as amended from time to time.

“Subdivision Map Act” means the provisions of Government Code Section 66410 et seq.

“Subsequent Entitlements” means those project specific approvals which, in addition to the Entitlements, are required in order for Development to occur on a Landowner’s Property. Subsequent Entitlements include, but are not limited to, tentative and final Large and Small-Lot Maps, parcel maps, use permits, design review, grading plans and building permits, and all of the conditions of approval associated with such project specific approvals.

“Supplemental Environmental Review(s)” means any supplemental or additional environmental review and analysis approved or certified by the City, in addition to the review and analysis certified by the City Council in the Specific Plan EIR, associated with and/or required by the City’s review and approval of the Entitlements, including without limitation, any addenda, amendments, or mitigated negative declarations that may be approved or certified by the City in connection with any and all amendments to the Specific Plan.

“Term” means the term of this Restated Agreement as defined in Section 1.4.1 hereof.

“Tier 1 Development Agreement” means the Tier 1 Development Agreement described in Recital A.

“Tier 2 Development Agreement” means a development agreement required by the Tier 1 Development Agreement.

“Vested Rights” means the rights to Develop the Property consistent with the terms and provisions of this Restated Agreement.

“Water Supply Agreement” means that certain Water Supply and Facilities Financing Plan and Agreement Between the City of Folsom and Certain Landowners in the Folsom Plan Area, entered into by and between the City and Folsom Real Estate South, LLC, et al., dated December 11, 2012, and recorded in the Official Records of Sacramento County, Book 20130124, Page 1382, on January 24, 2013, as amended.

1.4 Term.

1.4.1 **Commencement; Extension; Expiration.** The Term shall commence upon the Effective Date. This Restated Agreement shall be recorded against

the Property within ten (10) calendar days after City enters into this Restated Agreement, as required by California Government Code Section 65868.5. The Term of this Restated Agreement shall extend from the Effective Date through June 30, 2044, unless said Term is earlier terminated, modified or extended by circumstances set forth in this Restated Agreement or by mutual consent of the parties hereto. Nothing herein prevents the City from exercising its sole and complete discretion in determining whether this Restated Agreement shall be extended at the end of the Term, and whether any of the terms contained herein should be amended as part of the extension.

Following the expiration of the Term, or if terminated earlier in accordance with the terms of this Restated Agreement, this Restated Agreement shall be deemed terminated and of no further force and effect, except for the implementing ordinances for the SPIF, which shall survive unless and until amended or revoked by the City Council, and the indemnification obligations in this Restated Agreement, which shall survive termination of this Restated Agreement.

1.4.2 Tolling and Extension During Judicial Challenge or Moratoria.

In the event that this Restated Agreement is subjected to a judicial challenge by a third party other than Landowner, and Landowner gives written notice to City that it is electing not to proceed with the Project until such litigation is resolved, the Term of this Restated Agreement and timing for obligations imposed pursuant to this Restated Agreement shall, upon written request of Landowner, be extended and tolled during such litigation until the entry of a final order or judgment upholding this Restated Agreement, or the litigation is dismissed by stipulation of the parties. Similarly, if Landowner is unable to undertake Development due to the imposition by the City or other public agency of a development moratoria for imminent health or safety reasons unrelated to the performance of Landowner's obligations hereunder, then the Term of this Restated Agreement and timing for obligations imposed pursuant to this Restated Agreement shall, upon written request of Landowner, be extended and tolled for the period of time that such moratoria prevents development of the Property. In no event shall any extension of the term of this Restated Agreement under this section exceed twenty four (24) months from the date of filing of any judicial challenge without further action and approval of the City Council.

Notwithstanding any extension or tolling of the Term of this Restated Agreement as provided above in this Section 1.4.2, the City may, at Landowner's sole cost and expense, process any preliminary plans submitted by a Landowner, including, without limitation, any applications for tentative parcel map or tentative subdivision map approval, during such tolling period, provided, however, that Landowner waives the time limits set forth in the Subdivision Map Act or Permit Streamlining Act for any action by City during the tolling period to approve such tentative parcel map or tentative subdivision map or other development permit approval. In the event of a moratorium or judicial challenge as provided in this section City shall not be obligated to hold any hearings, public meetings or to approve such tentative map or development permit during the moratorium, but may proceed with processing of preliminary plans at Landowner's expense.

1.5 Amendment of Restated Agreement. When the City Council finds it in the best interests of the City to do so, this Restated Agreement may be amended from time to time by mutual written consent of City and Landowner with respect to the Property in accordance with the provisions of the Development Agreement Statute and City ordinances. Except as provided in Section 1.5.1, if the proposed amendment affects less than the entirety of the Property, then such amendment need only be approved by the owner(s) in fee of the portion(s) of the Property that is subject to or affected by such amendment.

1.5.1 Required Provisions in Subsequent Tier 2 Development Agreements and Amendments to Incorporate Subsequent Entitlements. In light of the necessity for full and ongoing funding of the FPA as provided in this Restated Agreement and the Entitlements, including the PFFP, the Parties agree that the terms and provisions of this Restated Agreement identified in this section must be included in any other Tier 2 Development Agreement or subsequent Amended and Restated Development Agreement for other properties within the Plan Area. The Parties further agree that the terms and provisions enumerated herein may not be modified or amended as to any property within the Plan Area without the written consent of all of the then existing Participating Landowners. In addition, unless otherwise agreed to in writing by a Constructing Owner, the rights of a Constructing Owner who is no longer a Participating Landowner to any outstanding fee reimbursements and/or fee credits under a Fee Reimbursement Agreement with the City (as defined in Section 4.3 below) shall be protected from the effects of any proposed amendment to Sections 2.2.1, 4.2.2 and 4.3 of this Restated Agreement through the Constructing Owner's contractual rights related thereto under such Fee Reimbursement Agreement. The following terms and provisions fall within the scope of this section:

- A. Portions of the PFFP and SPIF; Credits and Reimbursements (Sections 2.2.1, 4.2.2 and 4.3): The provisions of the PFFP as set forth in Section 2.2.1 (subject to the re-opener provisions of Section 2.2.4.1), the Specific Plan Infrastructure Fee as set forth in Section 4.2.2, and the Fee Credit and Reimbursement rights as set forth in Section 4.3;
- B. Portions of the Financing Programs outlined in the PFFP (Sections 2.2.3.5, 2.5.3 and 3.2): Landowner's and City's commitments under Recital L, Section 2.2.3.5 related to adoption and implementation of the PFFP and the SPIF, Section 2.5.3 to support the formation and implementation of all finance programs and CFDs described therein, including the Aquatic Center CFD for purposes of financing as outlined in the PFFP, and Section 3.2 related to the formation and implementation of any infrastructure CFDs;
- C. New Plan Area Fees (Section 2.2.4 and 2.2.4.1): Landowner's commitment in this Restated Agreement to support and pay the New Plan Area Fees, and all other fees adopted by the City consistent with this Restated Agreement, as and when required by the PFFP and the adopting ordinances;

- D. Design Guidelines (Recital H): The Design Guidelines for the Project upon approval by the City;
- E. Dedications of Backbone and Lands Public Parcels (Sections 3.8 - 3.8.5.1): Landowner's commitment to dedicate and/or grant the Backbone Lands and Public Parcels required for development of the Plan Area at no cost to the City; and
- F. Phasing of Backbone Infrastructure (Sections 3.9 – 3.9.2): Subject to the City's discretion, as described in this Restated Agreement, to determine the phasing and timing for construction of necessary Backbone Infrastructure as maps are processed, Landowner's commitment to maintain the underlying requirement to construct the portion of the Backbone Infrastructure as determined for each Development Phase pursuant to Section 3.9 of this Restated Agreement.

Nothing stated herein is intended to modify the exceptions to vested rights set forth in Section 2.2.3, the re-opener provisions of Section 2.2.4.1, the provisions allowing for cost of living adjustments in Section 2.2.4(7), or the rights of the City under Sections 2.2.5, 2.2.6 and 2.2.7 to enact new laws or regulations as provided for in those sections.

1.5.1.1 Consent to Amend PFFP for Additional Reclaimed/Recycled Water System in Backbone Infrastructure. Pursuant to Section 1.5.1, Developer expressly consents to the City amending the PFFP in connection with an update to the Recycled Water Analysis Appendix to the Folsom Plan Area Water System Master Plan in order to provide funding for additional reclaimed/recycled water system backbone pipeline improvements to serve Zones 4, 5 and 6 of the FPASP east of Placerville Road, including but not limited to conveyance system and related backbone pipeline. An exhibit depicting said additional reclaimed/recycled water system backbone pipeline improvements prepared as part of the Water System Master Plan update and PFFP amendment will be incorporated into the Restated Development Agreement as Exhibit 1.5.1.1. All provisions in the Restated Agreement relating to PFFP shall include the amendment provided herein and the provisions of Section 2.2.4(4) of the Restated Agreement regarding the potential responsibility for Landowner's Development to provide funding for additional off-site transmission, on-site storage and other necessary infrastructure shall apply with respect thereto.

1.5.2 No Amendment Required for Minor Administrative Modifications. The parties acknowledge that under the Specific Plan, the Community Development Director of the City 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 Community Development Department of any Minor Administrative Modifications (as defined in the Specific Plan on the Effective Date of this Restated Agreement) to the Entitlements that are consistent with this Restated Agreement shall not constitute nor require an amendment to this Restated Agreement to

be effective. Notwithstanding the procedure for minor amendments, nothing in the Entitlements or this Restated Agreement would preclude the Community Development Director or the City Manager from bringing such amendments to the Planning Commission and/or City Council for action if he/she believes it is in the best interests of the City to do so.

1.5.3 Amendments to Restated Agreement after Approval of Subsequent Entitlements. A Participating Landowner may file an application for a Specific Plan Amendment and Subsequent Entitlements associated with the Specific Plan Amendment after the approval, execution and recordation of this Restated Agreement. As part of such applications, the Participating Landowner must also obtain an Amendment to this Restated Agreement to allow for the application of the terms of this Restated Agreement to the Specific Plan Amendment and the Subsequent Entitlements it seeks. Such amendments shall be referenced as Amendment No.[] to the Landowner's Restated Agreement, and shall be considered and processed by the City in accordance with the terms of Government Code Section 65864 through 65869.5, inclusive, and any and all applicable provisions of the Folsom Municipal Code and the City Charter and City Council Resolution No. 2370. The City Council retains sole and absolute discretion to evaluate the Specific Plan Amendment and related Subsequent Entitlements, including imposing conditions of development and to conduct any and all necessary Supplemental Environmental Review prior to consideration of the approval of the Specific Plan Amendment and the Subsequent Entitlements. If the City, in its sole and absolute discretion, approves the Specific Plan Amendment and the Subsequent Entitlements and provided that Landowner also reaffirms its agreement to abide by the provisions of this Restated Agreement and any modifications to the Restated Agreement and the Specific Plan or conditions imposed on the project, then the Specific Plan Amendment and Subsequent Entitlements shall be included within the definition of Entitlements as that term is used throughout this Restated Agreement.

1.5.3.1 Specific Plan Amendment Cut-Off Date. The terms set forth in this Restated Agreement shall apply to Specific Plan Amendments approved by the City Council prior to that date that is two (2) years from the date of publication in the Federal Register of the Record of Decision for the Section 404 Permit issued by the United States Army Corps of Engineers relative to Backbone Infrastructure, or July 1, 2016, whichever is later (the "Specific Plan Amendment Cut-off Date"). For Specific Plan Amendments approved by the City Council on or after the Specific Plan Amendment Cut-off Date, the City retains the right to modify this Restated Agreement as applied to the lands covered by the proposed Specific Plan Amendment, to impose additional conditions or requirements of the Project that are not project specific or "nexus" based, including imposing additional costs, conditions or requirements to: (1) fund and/or construct facilities other than PFFP Facilities, and (2) fund services or amenities other than those described in the PFFP, in conjunction with the approval of an amendment to the Specific Plan or to accelerate the funding of projects in the PFFP. Nothing in this section is intended to prevent development of the Property for the uses and to the density or intensity of development or the rate and timing of development as set forth in this Restated Agreement and the Entitlements, or permit modifications of other existing rights

or application of New Rules, except as expressly permitted in this Restated Agreement including, as provided in Government Code Section 65865.2. Landowner retains its right to object to the cost of additional conditions or requirements, but expressly waives any argument that the imposition of such conditions or requirements violate the terms of this Restated Agreement and agrees to comply with such conditions or requirements, including any cost associated therewith, should such be imposed by the City as part of an amendment to this Restated Agreement following consideration of Landowner's objection. Regardless of the date of approval of a Specific Plan Amendment, nothing stated herein is intended to modify, alter or limit in any way the City's right to impose new conditions or terms which derive from environmental review and are required to mitigate environmental impacts, or are otherwise directly project related or "nexus" based.

1.5.4 Recordation Upon Amendment or Termination. Except in the event that this Restated Agreement is automatically terminated due to the expiration of the Term, the City shall cause any amendment hereto, including any extension of the Term, and any other termination hereof to be recorded, with the County Recorder within ten (10) calendar days after City executes such amendment or termination. Any amendment or termination of this Restated Agreement to be recorded that affects less than all the Property shall describe the portion thereof that is the subject of such amendment or termination.

1.6 Consistency with Other Amendments to Restated Agreements for the Plan Area. By entering into Restated Development Agreements on like terms with other owners of property within the Plan Area, the City intended, and now reaffirms its intention, to apply comparable rules to all property within the Plan Area for vesting of entitlements and exceptions thereto, term of agreement, requirements imposed on development of the property, obligations of landowners and obligations imposed by City upon itself. In light of the intention to maintain equality in terms and provisions among landowners, City agrees to consider, upon request of the Landowner, and approve or deny in its sole and absolute discretion, a subsequent amendment to this Restated Agreement to provide like terms that may be included in an amendment to Restated Agreement for another owner within the Plan Area. Furthermore, with respect to the provisions of Section 2.5.3B(9) and 2.5.3B(10) herein, City intends to impose these conditions equitably throughout the Plan Area as and to each and every Participating Landowner who seeks any future specific plan amendment, tentative subdivision map or ARDA amendment in connection with its proposed development. If City fails to impose either condition, when required, with at least substantially similar terms, although precise language may differ (whether through a tentative subdivision map condition of approval, amendment to the specific plan or to a development agreement, or other agreement between the City and a Participating Landowner), the corresponding condition of approval hereunder shall be null and void as to Landowner's Project, and shall not be used as a reason to prevent approval of any final Small-Lot Map for the Project. If the City approves any other final Small-Lot Map for a project within the Plan Area and the Corporation Yard or high school/middle school site(s), as applicable, has not been approved as provided for in said Section 2.5.3B(9) or 2.5.3B(10), Landowner may seek relief from the terms of the applicable condition by appeal to the City Manager, with the right to review by the City Council.

ARTICLE 2

DEVELOPMENT OF THE PROPERTY

2.1 Permitted Uses. The permitted uses of the Property, the density and intensity of use, the maximum height and size of proposed buildings, provisions for reservation or dedication of land for public purposes and location of public utilities and public improvements shall be those set forth in the Entitlements and this Restated Agreement.

2.2 Vested Rights. City agrees that, except as otherwise provided in and as may be amended in accordance with the Exceptions to Vested Rights set forth in Section 2.2.3 below, City is granting, and grants herewith, vested rights to Development for the Term of this Restated Agreement in accordance with the terms and conditions set forth herein. City acknowledges that the Entitlements vested by this Restated Agreement include the land uses and approximate acreages for the Property as shown and described in **Exhibit A-1** and **Exhibit A-2** attached hereto, or as such land uses and approximate acreages may be amended by those Specific Plan Amendments referenced in Section 1.5.3 of this Restated Agreement. Nothing in this Restated Agreement shall impair or affect the rights of Landowner under a vesting tentative map or the City's rights to condition such maps. (Govt. Code Sec. 66498.1, et seq.)

Such uses shall be developed in accordance with the Entitlements, as the Entitlements described in Recital H provide on the Effective Date of this Restated Agreement and/or as any Subsequent Entitlement incorporated therein provides on the date of approval thereof by City.

2.2.1 Vested Provisions of the PFFP. The parties agree that the PFFP is not a vested document in its entirety. They further agree that only those portions of the following Chapters and Appendices in the PFFP specifically referenced below will vest for the term of this Restated Agreement:

- A. The list of PFFP Facilities to be constructed in and/or financed by the Plan Area, as set forth in Appendices B through G and I through O of the PFFP, as may be revised in accordance with the provisions of Section 2.2.3.5 herein and subject to the re-opener provisions set forth in Section 2.2.4.1 herein. The initial list of PFFP Facilities is attached hereto as **Exhibit 2.2.1**;
- B. The development impact fee provisions, as set forth in the Executive Summary, Chapters 5 and 8 and Table 13 of the PFFP, including payment of such fees at building permit or occupancy and establishment of fee reimbursement and credit provisions for advance-funded improvements;
- C. The SPIF Implementation provisions, as set forth in Appendix S of the PFFP, including the SPIF Set-Aside for certain Phase 1 and

Phase 2 sewer and water infrastructure and the SPIF fee reimbursement and fee credit implementation and prioritization; and

- D. The Sewer and Offsite Water CFD and Extended Term CFD provisions, as set forth in Chapters 5 and 6 and Appendix U of the PFFP.

As to the provisions of the SPIF, including the Set-Aside described in 2.2.1(C), the Parties agree that additional details for implementation of the SPIF Set-Aside will be subject to refinement and substantiation as part of and in connection with the City's adoption of the SPIF ordinance consistent with the parameters and purposes identified in the above referenced sections of the PFFP. The City also shall have the authority to adopt the ordinance for the New Plan Area Fees to accomplish the purpose outlined in the PFFP consistent with the parameters and purposes identified in the above referenced sections of the PFFP.

2.2.2 Vested Provisions of the Specific Plan. The parties recognize the need to vest certain portions of the Specific Plan and also recognize that during the term of this Restated Agreement that there may be a need for changes in the plan to keep pace, for example, with new regulatory requirements, new technology, changing trends and a need for flexibility to address changes and needs and goals of the City as expressed by the City Council over time. The parties recognize that the Specific Plan is not vested in its entirety and agree that the following sections of the Specific Plan are vested and will not be altered by New Rules:

- A. Development Standards set forth in Appendix A of the Specific Plan;
- B. Land Use and Zoning set forth in Section 4 of the Specific Plan; and
- C. The street widths and roadway section provisions of Section 7.7.2 of the Specific Plan as depicted in Figures 7.24, 7.25, 7.26 and 7.27 related to Local Streets for a period of ten (10) years from the Effective Date of this Restated Agreement

2.2.3 Exceptions to Vested Rights. The parties specifically agree that no vested rights exist and/or the term of such vesting under this Restated Agreement may be limited and subject to modification and the parties recognize that provisions in the Entitlements related to these issues may differ from the existing code and the Specific Plan and that the terms of this Restated Agreement shall control with respect to the following issues:

2.2.3.1 Affordable Housing. The existing Housing Element and Folsom Municipal Code contain provisions associated with affordable housing and these provisions are vested until January 1, 2020 (i.e., the date that is 12 months before the expiration of the current Housing Element). Until January 1, 2020, the City agrees it shall not amend provisions of the Housing Element associated with affordable housing,

except for such amendments that do not alter land uses, result in additional financial burdens on development in the Plan Area, amend the Land Use Plan, rezone any portion of the Property without the Landowner's written consent or to comply with state law or court order. Nothing herein shall prohibit Landowner from proposing or agreeing to any changes to the Land Use Plan or zoning for the Property. In any subsequent Housing Element the City may adopt a Housing Element in its discretion and will look citywide to meet its State-imposed Regional Housing Needs Allocation (RHNA) and retains all rights to modify the Land Use Plan and rezone any portion of the Property, add, modify or delete programs, policies and goals, excluding however any portion(s) of the Property for which a vesting map has been approved and remains valid. Nothing in this Restated Agreement is intended to limit the Landowner's ability to obtain vested maps as allowed by law or City ordinance.

The City agrees that when examining land to address future RHNA requirements, it will, to the extent feasible in the FPA, maintain rough proportionality of the mix of residential and commercial as exists in the Specific Plan on the Effective Date of this Restated Agreement. For purposes of this section, "rough proportionality" shall mean plus or minus 10%. The City agrees that when it examines the RHNA requirements it will endeavor to maintain the rough proportionality of commercially zoned land to residentially zoned land. Notwithstanding the objective to maintain rough proportionality, the City may consider among other information available at the time it is reviewing its Housing Element, including the number of and type of financially feasible and available sites, criteria used for evaluating financing of affordable housing projects (including but not limited to qualification for tax credits), the extent to which vested maps or other vested rights exist on commercial and residential property, the extent to which other lands have been rezoned to a different zoning designation since the Effective Date of this Restated Agreement, avoiding overconcentration of affordable housing and the policies of the Housing Element and may, in its discretion, rezone lands necessary to meet the City's RHNA obligations.

Notwithstanding anything to the contrary above and in the Specific Plan, Landowner acknowledges that the City has amended the Inclusionary Housing Ordinance (i.e., Folsom Municipal Code Chapter 17.104) by Ordinance No. 1243, to eliminate Second Dwelling Units (also referred to as "granny flats") as an alternative means of meeting the City's inclusionary housing requirements. Landowner acknowledges there is no vested right to use this alternative means for meeting the City's inclusionary housing requirements and that this alternative shall not be available to Landowner from and after the date of Ordinance No. 1243. Other than the elimination of the "granny flat" option, the Parties agree that all other alternatives for meeting the City's inclusionary housing requirements remain vested to the full extent provided for in this Restated Agreement.

2.2.3.2 Area 40 - Community Park West. The term "Community Park West" refers to that portion of the Aerojet/Easton Property designated as the site for Community Park West, as depicted in **Exhibit 2.2.3.2**. At the time of adoption of this Restated Agreement, the land uses have been identified in and approved as part of the

Specific Plan, and the Parties believe such uses are consistent with the uses permitted by state and federal regulatory agencies in that portion of the Aerojet/Easton Property referred to as Area 40 that has Superfund status. The City and Easton Development and Aerojet Rocketdyne ("Aerojet/Easton") have met to address the current provision related to Area 40 in the Tier 1 Development Agreement. The parties have agreed to replace the Tier 1 provision with the provisions contained in this section and to provide for an alternate site if Community Park West has not received regulatory clearance for the park uses called for in the Specific Plan during the timeframe outline in this section. This Agreement grants to Easton and Aerojet, as owners of the Aerojet/Easton Property, and their successors-in-interest, the right to develop portions of the Aerojet/Easton Property, other than properties designated as Community Park West and the Alternate Site (defined below), consistent with the Specific Plan subject to the provisions of this section.

No later than the issuance of the 600th residential building permit within the Aerojet/Easton Property and those parcels designated for residential use within the community park service area depicted in Figure 9.1 in the Specific Plan ("the Service Area"), Aerojet/Easton shall create, record and irrevocably offer to dedicate to City the parcel for the neighborhood park depicted in the Specific Plan as a 10.0 acre park. In addition, Aerojet/Easton shall demonstrate to the City's satisfaction, at the time of the offer of dedication, that infrastructure (e.g., access streets, curb, gutter and sidewalk, water and power services) are available to serve the neighborhood park parcel. The City and Aerojet/Easton have met and agreed upon an alternate site for Community Park West in the event that all regulatory clearances for the uses in Community Park West are not achieved as set forth herein. The alternate site for Community Park West is depicted in **Exhibit 2.2.3.2** ("Alternate Site") which has been agreed to by Aerojet/Easton, the City, and the landowners who are party to a Restated Agreement. Notwithstanding the foregoing sentence, agreement of landowners who are a party to a Restated Agreement shall not be construed as a waiver on the part of such landowners of the right to request mitigation measures as part of the park project approval process to reduce impacts of Community Park West on properties adjacent to or in the vicinity of the Alternate Site. The parties agree that the Alternate Site shall not exceed the size (approximately 47.8 acres) of Community Park West as reflected in the Specific Plan adopted in 2011. Aerojet/Easton shall process parcel maps with its first land use application or submittal of a Specific Plan Amendment in the Service Area separately delineating the Alternate Site and Community Park West. When the parcel map is created for the Alternate Site, Aerojet/Easton shall grant, execute and provide to the City an irrevocable offer of dedication of the Alternate Site for a community park use conditioned as set forth in this section.

Upon issuance of the 1,000th residential building permit within the Service Area, Aerojet/Easton and City shall meet to discuss the progress of regulatory clearance for use of Community Park West, as well as timing and process for use of the Alternate Site should Community Park West not be available upon issuance of the 1200th residential building permit in the Service Area. In the event that Community Park West is not available for park use when the 1,200th residential building permit is issued in the

Service Area or if a final determination (including applicable appeals) is made by the EPA that Community Park West cannot be used for the intended park purposes, whichever occurs first, the City may accept the offer of dedication of the Alternate Site as a permanent replacement for Community Park West. City agrees to accept and process an application from Aerojet/Easton for a Specific Plan Amendment, which application shall include, unless separately submitted in advance, the creation of the parcel maps and the Irrevocable Offer of Dedication referred to above. Any such Specific Plan Amendment by Aerojet/Easton shall be processed by City following the City's typical review and approval process, which shall include CEQA review. Aerojet/Easton may proceed through the entitlement process on all Aerojet/Easton Property in the Plan Area, except Community Park West and the Alternate Site, and for those sites the entitlement process shall not proceed beyond a parcel map and zoning until the use of the Community Park West site has been resolved.

A deed restriction for park use only shall be recorded against the Community Park West and Alternate Site parcels, attaching a copy of this section which shall run with the land, until final approval of either site for a community park. Any entitlements for the Aerojet/Easton Property shall plan for and be consistent with the use of the Alternate Site for community park purposes and to assure access and circulation for the surrounding properties, acknowledging that doing so may necessitate or be facilitated by minor adjustments to the parcel map creating the Alternate Site. Aerojet/Easton shall be responsible for all the costs associated with the processing of any Specific Plan Amendments and environmental documents related to Specific Plan Amendment applications, including use of the Alternate Site for park purposes. Any cost adjustments required to construct park facilities at the Alternate Site shall be included in applicable New Plan Area Fees as set forth in Section 2.2.4(1) herein.

Disclosures shall be required and included as map conditions for the sale of all residential property sold in the Service Area of both Community Park West and the Alternate Site advising potential purchasers of the potential uses of these sites, including but not limited to future residential development or park and recreation use involving lighted playing fields. When the roadways adjacent to Community Park West and the Alternate Site have been constructed and opened for use, signage, to the satisfaction of the City, that is easily read by passing traffic shall be erected announcing residential development or the potential for park facilities on these sites. Unless otherwise approved by the City Council, Community Park West and the Alternate Site shall remain in ownership by Aerojet/Easton until final approval of either site for the community park. Any transfer approved by the City Council shall be subject to conditions it imposed and shall be accompanied by an Assignment and Assumption Agreement outlining the terms contained herein or as otherwise approved by the City Council.

Upon final approval of either site as a community park or when an irrevocable offer of dedication for the approved site is accepted by the City, the restrictions and limitations set forth herein for the site not used as a community park shall be removed.

The Parties acknowledge and agree that the vested rights conveyed by this Restated Agreement shall not prevent City from initiating or approving amendments to the approved Specific Plan, or adopting ordinances to achieve the purposes of this section. The Parties also acknowledge and agree that, the City's interests having been protected by the disclosures and restrictions noted above, Aerojet/Easton shall be permitted to submit and process for approval large and small lot tentative and final maps throughout the Aerojet/Easton Property, except the Alternate Site and Community Park West, subject to City's regular review and approval process; however no entitlements shall be approved if such entitlements or components thereof would impede or limit the use of either site for a community park. The Parties and landowners further acknowledge and agree that limitations set forth herein on the use of the Alternate Site may not be resolved until after the deadline for the revision of the PFFP and adjustment to the SPIF described in Section 2.2.3.6 herein and therefore agree Aerojet/Easton or the City may initiate a revision to the PFFP and SPIF to address this issue up to ninety (90) days after the authorization to proceed with development on the Alternate Site. Upon approval of the Alternate Site for residential purposes, SPIF may be reallocated over the Aerojet/Easton Property for any such property that has not received a building permit.

The PFFP provides for a number of community facilities districts in the Plan Area and unit allocations for SPIF purposes. The parties and landowners agree and the district formation documents shall provide that neither the Alternate Site nor Community Park West will be subject to any community facilities district tax until such time the Alternate Site is used for residential purposes. The district formation documents shall provide that the taxable allocation from the Alternate Site shall be allocated to the remaining Aerojet/Easton Property and upon approval for residential purposes it may be reallocated, annexed to the district or the tax imposed.

Failure of Aerojet/Easton to comply with the terms set forth in this section shall be grounds to cease the application process for any entitlements in the Aerojet/Easton Property, including waiver of any permit streamlining provisions, as well as other remedies contained in this Restated Agreement. Provided, however, the effect of any such non-compliance and enforcement of any such remedies shall be limited to the Aerojet/Easton Property and shall not apply against or affect Development within any other Participating Landowner's property in the Plan Area.

2.2.3.3 Quarry Traffic. Section 7 of the Specific Plan addresses circulation in the Plan Area. Landowner acknowledges that, as provided in Section 2.2.2 above, this Restated Agreement does not vest any rights with respect to changes to the Circulation Chapter to assure compliance with the Quarry Truck Management Plan (TMP) approved by the Sacramento County Board of Supervisors on December 14, 2011 (Resolution No. 2011-0938). The City retains all rights and authority to make changes to the circulation provisions of the Specific Plan based on final implementation of the TMP. With respect to any portion of the Property impacted by the roadway alignments required by the TMP (the "TMP Alignments"), Landowner agrees to offer irrevocably for dedication or grant (at the City's discretion) easements and rights-of-way

required for traffic and circulation under or in connection with the TMP at no cost to the City prior to the approval of the first tentative Small Lot Map for any portion of the Property impacted by the TMP Alignments, or any portion or phase thereof. Landowner may look to entities other than the City of Folsom for compensation associated with the TMP requirements, but any dispute related to compensation shall not delay or impede the ability of the City to obtain necessary easements or right of way. Any necessary adjustments to dedications shall be governed by the provisions of Sections 3.8.3 and 3.8.4 of this Restated Agreement.

Landowner acknowledges and agrees that Development of the Property shall comply with the requirements of the Quarry Traffic Management Plan Funding Mechanism Program adopted by the County of Sacramento on December 14, 2011, as Resolution Number 2011-0938, as well as requirements in the Agreement Between the County of Sacramento, the Sacramento County Water Agency, and the City of Folsom, Relating to Transportation and Water Supply Issues Involving the South of Highway 50 Folsom Plan Area Annexation dated December 21, 2011.

2.2.3.4 Corporation Yard. The parties understand and agree that a new corporation yard equivalent to approximately 30 acres will be located in the vicinity of, but not within, the Plan Area. Such property has been tentatively identified, with a final purchase and sale agreement pending, pertaining to the location of the corporation yard. Landowners will be responsible for one hundred (100%) percent of the cost of land acquisition for such corporation yard as provided in the PFFP and Section 2.2.3.4.1 below. The Plan Area will fund its fair share of capital costs for all improvements and facilities required for the corporation yard. Such financing for capital costs shall be provided in accordance with the terms of the PFFP.

The City and certain landowners have identified a potential site for the corporation yard outside the Plan Area. The location is part of a Williamson Act contract and entitlements must be obtained through the County. Should the proposed use of the identified site as a corporation yard not be approved by the County, the Participating Landowners and the City will meet jointly to identify another suitable alternate site within sixty (60) calendar days following a final determination of disapproval by the County. The City may proceed with an alternate site should the landowners and City not mutually identify an alternate site. Additional land acquisition cost for an alternate site may be included in the PFFP.

2.2.3.4.1 Purchase of Corporation Yard. The Corporation Yard Purchase Price shall include the following amounts: (1) appraised value of the land (\$820,000.00); (2) interest at the rate of 3 percent, compounded annually, and (3) City costs as enumerated in the Purchase Agreement in an amount not to exceed \$36,000.00. The obligation for the Corporation Yard Purchase Price is an obligation of the Participating Landowners within the Folsom South Specific Plan Area, as set forth in the Amended and Restated Development Agreement, Section 2.2.3.4 and to be shared thereby consistent with the cost allocation method therefor under the Public Facilities Financing Plan ("PFFP"). To facilitate the financing of the Corporation Yard Purchase Price, this amount shall be identified as an eligible and authorized facility in the

Infrastructure CFD or CFDs to be formed pursuant to the PFFP, including any extended term CFD.

The City and Aerojet shall enter into promissory note for the Purchase Price, which shall include only the appraised value of the land and any interest accruing thereon, and shall provide that the City will make annual payments to Aerojet from the "Note Payment Sources" (which are comprised of (1) 90% of Corporation Yard permit fees paid to the City, to the extent the City has received such amounts as of the applicable payment due date, and (2) a credit to Easton of 90% of the value of the Corporation Yard permit fees that would be owed by Easton on any building permit pulled by Easton in the Plan Area). The promissory note shall further provide that all outstanding amounts are due and payable to Aerojet on the 7th Anniversary of the closing.

In the event there is a balance owed to Aerojet on the 7th Anniversary of the Closing, any remaining balance shall come from the Participating Landowners, in accordance with their relative fair shares for such obligation, provided each Participating Landowner's fair share shall be offset by the share of any Corporation Yard permit fees previously paid by such Participating Landowner and applied to the Note payments. At the discretion of each Participating Landowner, a Participating Landowner's outstanding share may be paid from any funds available from any bond proceeds or PAYGO revenues ("CFD Revenues" as defined in the PFFP) generated by an Infrastructure CFD that includes the Participating Landowner's property. This obligation of the Participating Landowners shall be joint and several, with right of equitable indemnity as between themselves. If any Participating Landowner fails to pay its share of the outstanding amount due on the Note, such defaulting Participating Landowner shall be deemed to be in breach of this Restated Agreement and the other Participating Landowners shall be obligated to advance the share of such defaulting Participating Landowner in proportion to their relative fair share obligations (with a right to reimbursement thereof, plus interest, from the delinquent Participating Landowner).

For each Participating Landowner who advances its share of such payment or directs CFD Revenues from such Participating Landowner's property to be used to pay all or any portion of its share of the balanced owed on the Note on the 7th Anniversary of the Closing, the City will implement a corresponding fee credit against the Corporation Yard impact fee for each Participating Landowner that contributes to the Corporation Yard Purchase Price through such payment or tax on its property.

The Landowners and the City will evaluate whether an amendment to the PFFP (including Appendix U) is necessary to provide that the Corporation Yard Purchase Price is an eligible and authorized facility as set forth herein, and that the fee credits specified herein shall be incorporated into the Corporation Yard impact fee.

2.2.3.5 **PFFP and SPIF**. The PFFP has been approved by the City Council and is agreed to by Landowner. The PFFP sets forth the finance plan for funding the costs to construct the PFFP Facilities and to maintain and provide the municipal services required to serve the development of the Plan Area consistent with the Entitlements. Landowner agrees to support the adoption and implementation of all financial programs described in the PFFP for the Development of the Property consistent with the terms of the PFFP, including the adoption and implementation of the SPIF described therein and the New Plan Area Fees.

As provided in Section 2.2.1 above, certain provisions of the PFFP are vested; however, as provided herein, the City may otherwise modify the PFFP over time. All impact fees and increases in impact fees, other than inflationary adjustments, shall be adopted and implemented by the City in accordance with the Mitigation Fee Act. Landowner acknowledges that, as set forth in the PFFP, the Existing Fees and the New Plan Area Fees may be increased by the City from time to time based on a cost of construction inflation factor and/or based on changes in the actual or estimated costs of construction of the facilities or improvements to be financed thereby.

As each Development Phase within the Plan Area is processed for approval by the City, the specific, detailed components and timing of the PFFP Facilities required to serve such Development Phase shall be determined by the City, consistent with the PFFP and the Specific Plan EIR and this Restated Agreement. As PFFP Facilities are developed over time, the general description of PFFP Facilities addressed by the PFFP may be updated and/or amended as deemed necessary by the City, provided the overall cost for the Facilities does not increase, except as provided in the re-opener provisions of Section 2.2.4.1. Nothing shall limit the ability of the City to modify the types of facilities within the overall cost structure provided in the PFFP. Updates and/or amendments to the PFFP shall not require an amendment of this Restated Agreement or the Specific Plan.

The parties understand and agree that best efforts have been made to calculate costs of development of the infrastructure and facilities in the Plan Area based on available information and current laws and regulations. Further, the PFFP identifies various methods to pay for the costs articulated and necessary for the Plan Area. The responsibility for payment of the costs in the PFFP shall not be, in any case, the responsibility of the City. To the extent the estimated costs of the PFFP Facilities in the Plan Area are higher than expected, Landowners shall be responsible for the increased costs of such PFFP Facilities allocable to the Plan Area, either through adjustments of the Existing City Fees or New Plan Area Fees or other methods of financing as provided in the PFFP, but not through reductions in services or facilities in the Plan Area.

To the extent the costs to develop the Plan Area are less than expected, the City may, but is not required to examine and assess whether modifications to fees are appropriate. Landowner acknowledges that certain

Landowners believe that the fee burden on commercial is higher than residential and the City may, but is not required to examine the fee burdens on commercial and residential in the future. In no case is the City required to reduce services or facilities should the cost of improvements be less than anticipated.

2.2.3.6 **Adjustment to SPIF After July 1, 2016.** Landowners acknowledge that the costs to fund the Property's share of the PFFP Facilities under the PFFP, including the amount of the SPIF, will be based on the land uses allocable to the Property. The Landowners acknowledge that early changes in the Specific Plan can alter SPIF payments, but there must be a time in which the SPIF would not be adjusted merely due to changes in land uses or facilities. Therefore, in the event of any amendments to the land uses for the Property requested by Landowner and approved by the City on or before July 1, 2016, the City shall be authorized to revise the PFFP and, upon the request of any Participating Landowner to update the SPIF during such period, the City shall use good faith, diligent efforts to thereafter update the PFFP, the list of PFFP Facilities, and the New Plan Area Fees related thereto, including the SPIF, as needed, to revise the allocation of such costs to the Property under the PFFP consistent with the methodology of the PFFP and based on the revised land uses for the Property (and any other such land uses changes within the Plan Area). After July 1, 2016, changes in land uses shall not trigger a revision or an update to the SPIF in the manner described above. Provided, however, on and after the Cut-off Date for Specific Plan Amendments set forth in Section 1.5.3.1 of this Restated Agreement, nothing herein shall limit the City, when a land use change is requested for any portion of the Property, from reviewing and modifying the SPIF as applicable solely to the portion of the Property that is the subject of the proposed Specific Plan amendment or imposing a condition or requirement on and only on such portion of the Property that is the subject of the proposed Specific Plan amendment to: (1) fund and/or construct facilities other than PFFP Facilities, or (2) fund services or amenities other than those described in the PFFP in conjunction with the approval of such amendment to the Specific Plan.

2.2.4 **City Fees and New Plan Area Fees, Including Cost Increases.** As described in the PFFP, the City and Landowners have agreed to a financing plan for development of the Plan Area. Among the financing mechanisms are application of the Existing Fees and adoption of New Plan Area Fees. The Existing Fees and New Plan Area Fees are set forth in **Exhibit 2.2.4** hereto. Subject to the limitations in Section 2.2.4.1 (5000 units or ten (10) years) regarding City revisions to the list of PFFP Facilities and modification to the New Plan Area Fees for City Facilities to provide additional funding for development of the Plan Area, the City agrees not to adopt or to increase any fees or to apply other fees to Landowner except as follows:

1. Any fees described in the PFFP and/or **Exhibit 2.2.4**, including New Plan Area Fees and Existing Fees. Notwithstanding any provision to the contrary, Existing Fees adopted City-wide that are not replaced by New Plan Area Fees may be increased from time to time by resolution of the City Council, provided with respect to any such Existing Fees subject to the Mitigation Fee Act, the increase will be made in accordance with the Act.

2. Any mitigation fees required under the Specific Plan EIR and any Supplemental Environment Review(s)
3. Storm Drainage Funding – Funding for storm drainage maintenance for the Folsom Plan Area is included in a FPA-wide community facilities district, and the drainage master plan has been completed. Landowners are responsible for funding and fees associated with implementation of the Stormwater Drainage Plan. No vesting is applicable to drainage required by state or regional, non-City local laws/regulations.
4. Non-potable Water System – At the time of this Restated Agreement, a non-potable water supply for the Folsom Plan Area has not been identified and the off-site transmission for and storage of any such supply for the Folsom Plan Area have not been included for the funding of the Plan Area. If the City identifies a non-potable water supply source as available for the Plan Area, Landowner acknowledges that Development may become responsible for and will not be vested against any fees adopted by the City (consistent with the Mitigation Fee Act) associated with funding the installation of the additional off-site transmission, on-site storage infrastructure and other necessary infrastructure, for any such non-potable water system. Landowner shall not be responsible for the costs of acquiring the identified non-potable water supply. The requirements in this subsection may be funded in whole or in part by fees or other sources, including rates, grants or other funding.
5. Light Rail Fee - The City may adopt or modify a Light Rail Fee to be applicable to the Folsom Plan Area.
6. Development Processing Fees, including but not limited to fees for project application, plan check, permit, inspection, and related fees in conjunction with any development applications.
7. Adjustments for Costs of Living or Cost of Construction: Existing and New Plan Area fees, including SPIF, may be adjusted by the City at any time based on cost of living or other such inflationary adjustments (including inflationary adjustments based on the Engineering New Record Cost of Construction Index, a Consumer Price Index or other method in accordance with the ordinances adopting the Existing Fees and New Plan Area Fees. Similarly, the City may adjust New Plan Area Fees on the basis of revised cost estimates or experience and the ordinances adopting such fees.
8. Any regulatory or other non-Impact fee adopted Citywide.
9. Any fees or increases in such fees for unforeseen or unaccounted for costs for the PFFP Facilities arising out of a mutual mistake by the parties including inadvertent failure to include all or a portion of the costs or to comply with the requirements imposed by state law or court decisions

associated with the construction and installation of the PFFP Facilities, any of which have the effect of imposing an additional financial burden on the City in connection with the construction and installation of the PFFP Facilities may be added or modified so there is no additional cost to the City in connection therewith.

All fees and adjustments to fees described above shall be adopted by the City by ordinance or fee resolution and any impact fees are to be adopted and implemented by the City in accordance with the terms and provisions of the Mitigation Fee Act.

Notwithstanding any provision to the contrary, Landowner is solely responsible for the payment, as and when due upon the recordation of any Large Lot Maps or Small Lot Maps or upon the issuance of any grading permit, building permit or other such permit for development or occupancy of any unit or building within the Property, of all fees imposed and/or assessed by non-City public agencies, entities, and districts.

2.2.4.1 Re-Opener on New Plan Area Fees for City Facilities. In addition to and separate from any inflationary or cost of construction adjustments to the New Plan Area Fees consistent with this Restated Agreement and the PFFP, after the issuance of building permits for the construction of 5000 residential units or ten (10) years from the Effective Date of this Restated Agreement, whichever comes first, within the Plan Area, the City may revise the list of facilities to be funded by the New Plan Area Fees for City Facilities and modify the New Plan Area Fees for City Facilities in relation thereto, subject to the following conditions: (i) New Plan Area Fees for City Facilities shall not be increased by more than five percent (5%) per year or twenty five percent (25%) every five (5) years as a result of such changes to the list of facilities to be funded by the remaining development within the Plan Area (separate from and in addition to cost of construction adjustments for the prior list of PFFP Facilities); (ii) the inclusion of the additional facilities for financing by the remaining development within the Plan Area must comply with the nexus requirements of the Mitigation Fee Act; (iii) any increase to the New Plan Area Fees for City Facilities associated with the inclusion of the additional facilities shall not be applied to any portions of the Property zoned for non-residential development until five (5) years have passed after the issuance of 5000th building permit for the construction of residential units, or fifteen (15) years from the Effective Date of this Restated Agreement, whichever comes first, and (iv) the adjustments to New Plan Area Fees for City Facilities shall not be applied retroactively to any portion of the Property that has then paid the New Plan Area Fees for City Facilities with respect to development thereof. For purposes of this section, residential units means any dwelling (single, multi-family, mixed use) for full time habitation.

2.2.5 Police Powers and Citywide Ordinances. Nothing in this Restated Agreement limits or is intended to limit the City from exercising its police powers and adopting New Rules when the City Council finds that such New Rules are necessary to promote the public health, safety and welfare, provided such New Rules do not impair the financial provisions of this Restated Agreement, do not impair the vested rights of Landowner under this Restated Agreement, and do not adversely impact the land use designations in the Specific Plan and any Specific Plan

Amendment, the density and intensity of use, the rate and timing of development, the maximum height and size of proposed buildings, and the provisions for reservation or dedication of land for public purposes and location of public utilities and public improvements.

Further, nothing in this Restated Agreement limits or is intended to limit the City from adopting New Rules that are applicable citywide, provided such New Rules do not impair the financial provisions of this Restated Agreement, do not impair the vested rights of Landowner under this Restated Agreement, and do not adversely impact the land use designations in the Specific Plan and any Specific Plan Amendment, the density and intensity of use, the rate and timing of development, the maximum height and size of proposed buildings, and the provisions for reservation or dedication of land for public purposes and location of public utilities and public improvements.

2.2.6 Application of Changes Due to State and Federal Laws. Nothing in this Restated Agreement shall preclude the application to Development of changes in City laws, regulations, plans, policies, or fees mandated by State or Federal law or a court order issued by a court of competent jurisdiction, in order to comply with mandates or requirements due to changes in State or Federal laws or regulations or an order issued by a court of competent jurisdiction. To the extent that such changes in City laws, regulations, plans, policies, or fees mandated by State or Federal law prevent, delay or preclude compliance with one or more provisions of this Restated Agreement, City may modify or suspend such provisions of this Restated Agreement as may be necessary to comply with such State or Federal laws or regulations or court order, and City and Landowner shall take such action as may be required pursuant to this Restated Agreement to comply therewith.

2.2.7 Uniform Codes and Standard Construction Specifications. Nothing herein shall preclude City from applying to the Property standards contained in uniform building, construction, electrical, plumbing, fire or other uniform codes and Title 24 of the California Code of Regulations or City modifications thereto and City's Standard Construction Specifications relating to building standards in effect at the time of approval of the appropriate permits which may include, but not be limited to, building, grading or other construction permits approvals for the Property, as the same may be adopted or amended from time to time by City, provided that the provisions of any such modifications shall:

- A. Apply on a City-wide basis; and
- B. With respect to those portions of any such uniform code that have been adopted by City without amendment, be interpreted and applied in a manner consistent with the general application of such code in the City.

2.2.8 Conflict Between Existing Rules, Entitlements and Restated Agreement. In the event of any conflict or inconsistency between the Existing Rules, the Entitlements, and this Restated Agreement the following applies:

- A. In the event of any conflict or inconsistency between the Existing Rules and this Restated Agreement, the provisions of this Restated Agreement shall prevail and control.
- B. In the event of any conflict or inconsistency between the Entitlements, the Existing Rules and this Restated Agreement, the provisions of this Restated Agreement shall prevail and control.

2.3 Density Transfer. Density transfers shall be permitted as set forth in the Specific Plan in effect as of the Effective Date of this Restated Agreement.

2.4 Subsequent Entitlements. Each Landowner's Vested Rights to proceed with Development is subject to the approval of Subsequent Entitlements which shall be obtained in conjunction with any necessary project-specific approvals and required grading, building and other such permits as required by the Existing Rules.

2.5 Ordinance, Resolution and Officially Adopted Rules.

2.5.1 Conflicting Ordinances or Moratoria. Except as provided in this Restated Agreement, so long as this Restated Agreement remains in full force and effect, no future resolution, City Council adopted rule, ordinance adopted by the City or by initiative (whether initiated by the City Council or by a voter petition, other than a referendum that specifically overturns the City's approval of any of the Entitlements) shall directly or indirectly limit the rate, timing or sequencing and/or density and intensity of use or of the Development in accordance with and as permitted by the Entitlements and this Restated Agreement. Subject to the foregoing, the parties hereto acknowledge the powers reserved to the City's electors in the City Charter.

2.5.2 Authority of City. This Restated Agreement shall not be construed to limit the authority or obligation of City to hold necessary public hearings, or to limit discretion of City or any of its officers or officials with regard to rules, regulations, ordinances, laws and entitlements of use which require the exercise of discretion by City or any of its officers or officials.

2.5.3. Requirements for Subsequent Plans, Guidelines, Funding Mechanisms, Community Facilities Districts and Land Dedications. The following plans, guidelines and funding mechanisms must be completed for the Plan Area by Landowner and approved by the City and land dedications offered to the City prior to approval of the first tentative Small Lot Map for the Property, or any portion thereof, prior to approval of the first final Small Lot Map (or first building permit, if Development may occur without any subdivision) for any portion of the Property, or applicable portion thereof, as follows:

- A. Prior to Approval of First Tentative Small Lot Map:

- (1) Public Right-of-Way and Land Dedication Plan; and
 - (2) Design Guidelines.
- B. Prior to Approval of First Final Small Lot Map in the FPA (or First Building Permit if Development May Occur Without Any Subdivision):
- (1) Open Space Management and Financing Plan;
 - (2) Drainage Facilities Maintenance and Financing Plan;
 - (3) Formation of the Sewer and Off-Site Water CFD as provided in the PFFP to fund a portion of the Plan Area sewer and water infrastructure, provided, however, Landowner may elect to exclude the Property, or any portion thereof, from such CFD, subject to Landowner consenting to a map condition and City and Landowner executing an agreement specifying how the Property, or excluded portion thereof, will pay its share of the sewer and water infrastructure, on a building permit by building permit basis (or other payment methodology mutually agreed to by Landowner and the City) that would otherwise be funded by inclusion thereof in the CFD, consistent with the PFFP;
 - (4) Formation of the Aquatic Center CFD related to the recreational facilities that may include an aquatic center, sports complex and/or community center, provided, however, Landowner may elect to exclude the Property, or any portion thereof, from such CFD, subject to Landowner consenting to a map condition and City and Landowner executing an agreement specifying how the Property, or excluded portion thereof, will pay its share of the recreational facilities, on a building permit by building permit basis, (or other payment methodology mutually agreed to between Landowner and the City), that would otherwise be funded by inclusion thereof in the CFD, consistent with the PFFP;
 - (5) Formation of the Parks, Trails, Landscape Corridors, Medians and Open Space Maintenance CFD (the "Services CFD"), the Storm Drainage Maintenance CFD (unless such drainage maintenance is included in the Services CFD), and the Street Maintenance District/Lighting Maintenance District CFD (unless such street maintenance is included in the Services CFD), as provided in the PFFP;

- (6) Adoption of the New Plan Area Fees, including the New Plan Area Fees for City Facilities, and the SPIF, as provided in the PFFP and listed on **Exhibit 2.2.4** attached hereto;
- (7) Dedication or grant of the rights of way and easements for all Backbone Lands for roadways and utilities within the portion of the Property affected by the Small Lot Map or anywhere within the Property within thirty (30) days of Landowner's receipt of a written request for the dedication thereof from the City, whichever occurs first;
- (8) For each final Small Lot Map, offers of dedication of the Public Parcel(s) described in Section 3.8.5 below located within the portion of the Property affected by the final Small Lot Map, or within sixty (60) days of Landowner's receipt of a written request for dedication thereof from the City, whichever occurs first;
- (9) A site consistent with the requirements of Section 2.2.3.4, as may be amended or otherwise agreed to between the City and the Participating Landowners, shall be identified as acceptable to the City as suitable and feasible for use as the new Corporation Yard with access to sewer, water and all required utility services. The City's determination of feasibility may include the identification of an alternative site, consistent with the foregoing, as a back-up for the primary site, as well as an evaluation of the time, cost and likelihood of obtaining any necessary entitlements or other governmental approvals for use of the land as a corporation yard, with the final determination of feasibility subject to the sole and reasonable discretion of the City. If Landowner proposes final maps in phases, Landowner may apply to the City Manager to permit individual phases to move forward to final map if substantial progress is being made to identify an acceptable site as described above. The City Manager's determination of substantial progress shall be in his/her sole discretion; and
- (10) A site or sites identified as suitable by the City, in consultation with the Folsom Cordova Unified School District, for use as the future high school and middle school in the Folsom Plan Area shall be identified and approved by the City in consultation with the Folsom Cordova Unified School District. If a supplemental fee is required to support the development of such site(s), Landowner agrees to support the establishment of such fee in accordance with the Mitigation Fee Act and to pay such fee, so long as such fee is equitably shared by all similar development within the Plan

Area. If Landowner proposes final maps in phases, Landowner may apply to the City Manager to permit individual phases to move forward to final map if substantial progress is being made to identify an acceptable site as described above. The City Manager's determination of substantial progress shall be in his/her sole discretion.

- C. Prior to First Building Permit within the Property (or portion thereof to be included within an Infrastructure CFD desired to be formed by Landowner):
 - (1) Formation of one or more Infrastructure CFDs, which do not need to include the entire Plan Area or the entire Property, to fund a portion of required Backbone Infrastructure or other public facilities as desired by Landowner, and will also fund the Property's share of the improvements and facilities to be funded through the extended-term of the Infrastructure CFDs (the "Extended Term Infrastructure CFD Facilities") consistent with the PFFP and Section 3.2 of this Restated Agreement, provided, however, Landowner may elect to exclude the Property, or any portion thereof, from such Infrastructure CFDs, subject to Landowner and City executing an agreement specifying how the Property, or excluded portion thereof, will pay its share of the Backbone Infrastructure, other public facilities, or the Extended Term Infrastructure CFD Facilities on a building permit by building permit basis (or other payment methodology mutually agreed to between Landowner and the City) consistent with the PFFP.
- D. Compliance with Submittal Requirements. Specific projects proposed under the tentative Small Lot Map shall comply with all submittal and review requirements in effect at the time of submittal.
- E. No Limitation on Timing for Commencement of Special Tax. The parties agree that, except with respect to the Aquatic Center CFD, and the Sewer and Off-Site Water CFD, and the Extended Term CFD (as defined in the PFFP), which will levy special taxes on the Property only after issuance of building permits thereon unless otherwise agreed to by Landowner, nothing in this Restated Agreement limits the timing for commencement of annual CFD tax payments
- F. Landowner Consent. Landowner has agreed to the financing provisions set forth in this Section 2.5.3 and the PFFP and to perform the obligations hereunder in exchange for the consideration and benefits provided to Landowner by City under

this Restated Agreement. Accordingly, Landowner does hereby irrevocably consent to: 1) the formation of a CFD, the issuance of CFD Bonds, the imposition of taxes against the Property with respect thereto, and the apportionment of the costs and expenses of the proposed Backbone Infrastructure, Facilities, Maintenance and other CFD purposes as set forth in the PFFP, and waives any and all right of protest or objection with respect thereto or 2) the execution of an agreement with the City to pay its share of the improvements that otherwise would be required consistent with the terms set forth in this section.

- G. CFD Districts. CFDs may be formed as stand-alone districts or combined, at the discretion of the City and in consultation with the landowners.

2.5.4 **Satisfaction of LAFCO Conditions.** The Parties acknowledge that Development consistent with the terms and conditions of the Entitlements and this Restated Agreement complies with and satisfies all conditions for development imposed in the annexation process by the LAFCO Commission under LAFCO Resolution No. 1196.

2.5.5 [Intentionally Omitted]

2.5.6 **School Impact Mitigation.** Landowner shall comply with Measure W and Section 16.32.110 of the Folsom Municipal Code and mitigate all impacts on the demand for school facilities associated with Development pursuant to the Entitlements and this Restated Agreement through the payment of school impact fees adopted by the Folsom Cordova Unified School District in accordance with applicable statutory authority and requirements (the "Statutory School Impact Fees"). The Statutory School Impact Fees shall be paid as and when building permits are issued for development within the Property required to pay the Statutory School Impact Fee, except as the timing for such payment may be deferred by agreement between Landowner and the Folsom Cordova Unified School District. The revenues to be generated by the Property's payment of such Statutory School Impact Fees, in combination with the general obligation bonding capacity and state funding available to the Folsom Cordova Unified School District, are anticipated to fully mitigate all impacts on the demand for school facilities associated with Development in compliance with the requirements of the school mitigation provision set forth in Measure W (Folsom Charter Provision Section 7.08D) and of LAFCO Resolution No. 1196, Section 13 (requiring incorporation of feasible school impact mitigation). Nothing in this Restated Agreement is intended to address funding of schools under applicable laws or subsequent amendments to such laws.

2.6 **Application, Development and Project Implementation Fees.** Landowner shall pay application, development processing, inspection and plan checking fees and charges as may be required by City under the regulations existing at the time of submittal.

2.7 **Requirements for Submittal of Plans and Processing of Maps.**

2.7.1 **Phased Maps.** Landowner may develop the Project in Development Phases, and consistent with Government Code section 66456.1, Landowner may file multiple final Small-Lot Maps based upon an approved phased Large-Lot or Small-Lot vested tentative subdivision map. Filing of a final Small-Lot Map on a portion of a vested tentative subdivision map shall not invalidate any portion of the vested tentative subdivision map.

2.7.2 **Compliance with Submittal Requirements.** Specific projects proposed under the tentative Small-Lot Map shall comply with all submittal and review requirements in effect at the time of submittal, including but not limited to the requirements set forth in Section 2.5.3 of the Restated Agreement.”

2.8 **Dedication and Acceptance of Public Improvements.** City acknowledges that the FPA and the Project will be constructed in phases, and that certain portions of the Backbone Infrastructure and Project specific improvements, referenced collectively as the Public Improvements, will be constructed in phases, as different portions of the FPA and the Project develop at different times. Conditions of approval on the Project identify Landowner's obligation for and timing for construction of portions of the Public Improvements, and subject to any conditions placed by the City on the phasing of Public Improvements, City shall accept for irrevocable dedication those portions of improvements contained within the final Small-Lot Map that are complete. By way of example, if City requires construction of only a portion of a road or drainage facility as part of the Conditions of Approval on the Project, the City shall accept that portion of the Public Improvement once a determination of completeness is made to the satisfaction of the City Engineer.

ARTICLE 3

LANDOWNER OBLIGATIONS

3.1 **Development, Connection and Mitigation Fees.** Except as otherwise provided in this Restated Agreement, any and all required payments of development, connection or mitigation fees by Landowner shall be made at the time and in the amount specified by then applicable City ordinances.

3.2 **Infrastructure CFDs.** Except as may otherwise be agreed to by Landowner and the City during the formation of an Infrastructure CFD for the Property as provided in Section 2.5.3, the following specific provisions shall be included within the applicable terms and conditions of an Infrastructure CFD related to the Property. The CFD shall be consistent with any City adopted Finance Policies relating to such financing, the current policy is provided in Resolution No. 9282 and the City's Financial Policies adopted on May 25, 2004 or as hereafter amended. The term of the special tax to be levied by any Infrastructure CFD against the Property shall be sufficient to support multiple bond sales and Pay-Go revenues as described in the PFFP. Available CFD bond proceeds and/or special tax proceeds may also be used to fund reimbursement of previously paid SPIFs but such proceeds may not be used for any other fees, including Impact Fees. In no event shall CFD proceeds be used to pay SPIF obligations arising out of dedication of land, including but not limited to dedications for roads, schools,

parks, and trails. Payment of SPIF obligations, fee reimbursements from the SPIF, and SPIF fee credits converted from outstanding SPIF reimbursements, shall be allowed and available to Landowner for Infrastructure CFD Improvements financed by CFD proceeds generated by and allocable to the Property. When the CFD's are created the City will include provisions that permit the use of excess capacity for eligible facilities as outlined in the CFD formation documents. For purposes of this section, excess capacity is defined as capacity over and above full payment for the primary eligible facilities identified in the CFD formation documents. Where a CFD is used for eligible facilities Landowner shall not be entitled to any fee credits, except for SPIF fee credit or reimbursement from the SPIF program for that portion paid for with CFD funds.

3.2.1 Participation by Landowner. With respect to the formation of any Infrastructure CFDs, nothing in Section 3.2 or Section 2.5.3 shall be construed to require Landowner to form an Infrastructure CFD provided Landowner pays its fair share or enters into an agreement with the City to pay its fair share contribution for Plan Area wide CFD facilities at the time the CFD is formed and when the special tax is levied. Further, if a CFD is formed, nothing precludes the payment by an owner of any parcel(s) within the Property to be included within the Infrastructure CFD of a cash amount equivalent to its proportionate share of costs to be financed for the Infrastructure CFD improvements, or any portion thereof, prior to the issuance of any CFD bonds by such Infrastructure CFD.

3.2.2 Formation of CFD Subject to City Discretion. Nothing in this Restated Agreement shall be construed to require City to form a CFD if City determines, in its reasonable discretion, that formation would not be consistent with adopted City policies and prudent public fiscal practice.

3.3 Alternative Financing Mechanisms. Nothing herein shall be construed to limit Landowner's option to install any improvements through the use of traditional assessment districts or private financing or other financing mechanisms as permitted by law and authorized by the City. Landowner is solely responsible for all costs related to the construction and installation of all infrastructure improvements required for Development of the Property as set forth in the PFFP, and understands and agrees that the City shall not be responsible for any of such costs. To the extent the costs of the infrastructure improvements and public facilities required for Development of the Property exceeds the proceeds from the Infrastructure CFDs or other financing mechanism of the Landowner, Landowner shall be solely responsible for such shortfall without reducing levels of service or facilities identified in the Public Facilities Financing Plan.

3.4 Disclosure to Subsequent Purchasers. This Restated Agreement shall constitute notice to all successors to Landowner hereunder, and to all subsequent purchasers of any lots, parcels and/or residential units within the Property, of all of the matters set forth herein, provided, however, the effect of this notice and disclosure shall automatically terminate and be of no further force or effect upon any termination of this Restated Agreement with respect to any such lots, parcels and/or residential units,

including without limitation, any termination of this Restated Agreement pursuant to the terms of this Restated Agreement.

3.5 **EIR Mitigation Measures**. Notwithstanding any other provision in this Restated Agreement to the contrary, as and when Landowner elects to Develop the Property, or any portion or phase thereof, Landowner shall be bound by, and shall perform, or cause to be performed, all mitigation measures contained in the FPASP EIR/EIS, the Backbone Infrastructure IS/MND and the Addendum to the FPASP EIR/EIS and any additional environmental mitigation measures referenced therein, and any Supplemental Environmental Review(s) related to Development of the Property which are adopted by City and are identified in the Mitigation and Monitoring and Reporting Program as being a responsibility of Landowner for Development of the Property.

3.6 **Mitigation Monitoring and Reporting Program**. Separate from and in addition to the requirements in Section 3.5 of this Restated Agreement, Landowner shall be responsible for all of the costs and expenses associated with the Mitigation Monitoring and Reporting Program under CEQA as part of the FPASP EIR/EIS, the Backbone Infrastructure IS/MND and the Addendum to the FPASP EIR/EIS and any Supplemental Environmental Review(s) that are applicable to this Project related to the Development. In furtherance of this provision, Landowner shall pay all costs required by the City associated with the Mitigation Monitoring and Reporting Program as set forth in the conditions of approval on the Entitlements and the Subsequent Entitlements.

3.7 **Backbone Infrastructure**. Based on the Specific Plan and the PFFP, the Backbone Infrastructure required to support development of the Plan Area consistent with applicable City development standards consists of the improvements that are required to provide access and public utilities to any part of the Plan Area, as more particularly described and listed as the Backbone Infrastructure in **Exhibit 2.2.1** attached hereto. Landowner's obligation to install any of the Backbone Infrastructure, or any elements thereof, in connection with its Development shall be determined by the City in accordance with the development phasing provisions of Section 3.9 below. The parties recognize that the definition of Backbone infrastructure in the PFFP excludes sound walls and landscape corridors and Landowner agrees that such costs are the Landowner's responsibility on a project basis.

The City will use reasonable efforts to seek other funding to assist Landowner with the costs of the Backbone Infrastructure such as supporting the (a) formation of CFDs and adoption of fees described in the PFFP and this Restated Agreement; (b) collection of reimbursements by other benefitted properties under SPIF, and (c) application such as applying for available regional, statewide and federal funding for Backbone Infrastructure.

3.7.1 **White Rock Road Improvements**. As part of Sacramento County's transportation planning for the area that includes the Plan Area, the County approved a plan and certified an EIR for the Southeast Capital Connection that includes road improvements to White Rock Road along the southern boundary of the Plan Area.

In connection therewith, the County prepared a study, a copy of which is attached to the PFFP, that allocates \$15.2 million to the Plan Area as its fair share for the Southeast Capital Connection improvements and intends to include such costs within its pending Sacramento County Development Transportation Fee (the “**SCDTF**”) to finance such road improvements. The Landowners shall pay the SCDTF as the Plan Area’s fair share of funding for improvements to White Rock Road as part of the Southeast Capital Connection. The City agrees that the Plan Area’s obligation to construct any improvements to White Rock Road shall be limited to dedication of easements and rights-of-way required for improvements to White Rock Road and payment of its fair share obligation set forth in the SCDTF adopted or to be adopted by the County. The only road improvements to White Rock Road to be included in the list of Backbone Infrastructure shall be the intersection improvements within the Plan Area required to connect the Plan Area roadway network to White Rock Road, including without limitation, the intersection improvements planned at Oak Avenue, Scott Road (east), Placerville Road and Empire Ranch Road; no other improvements to White Rock Road shall be required to be funded by the Plan Area (except through the payment of the SCDTF) or included within the list of Backbone Infrastructure, including without limitation, any potential grade separations along White Rock Road.

If the Connector alignment changes or the alignment requires right of way from Landowners in the Folsom Plan Area, Landowner(s) will sell the land necessary to facilitate the connector project at no cost to the City, but upon compensation acceptable to Landowner(s) to be paid by other entities, such as the Capital Southeast Connector Joint Powers Authority (the “Connector JPA”). Nothing herein shall limit compensation paid by other entities. No compensation from the City will be required for connections to the Connector project as identified in the Backbone Infrastructure. City will cooperate with the Participating Landowners, including Landowner, to support, as may be necessary, the desired alignment for the Connector as shown in the Specific Plan with the Connector JPA.

3.8 Dedications of Backbone Lands. If and to the extent not previously granted by Landowner pursuant to the Tier 1 Development Agreement, rights of way and easements for all Backbone Lands will be granted to all the Landowners in a format acceptable to the City for purposes of access and construction of public improvements, and to the City in a form acceptable to the City, prior to the recordation of the first final parcel or subdivision Map for the Property, but in no event later than 180 days after the Effective Date for purposes of access and public utilities. Such dedications and/or grants shall be at no expense to the City. As necessary, the easements shall also benefit the City. These rights of way and easements will be recorded at the Sacramento County Recorder’s Office and shall be for the benefit of each Landowner. The Backbone Lands on which Backbone Infrastructure are to be constructed are depicted on **Exhibit 3.8** attached hereto and made a part hereof (the “**Backbone Lands**”). The easement width for Backbone Lands shall be to the width of the road right-of-way plus 25’ or the back of the landscape corridor, whichever is less and include a temporary construction easement of a width adequate to allow the necessary grading to construct the improvement and to facilitate construction access, including increasing the width when required by site conditions. In the case of an easement outside a road right-of-

way, the width shall be consistent with the requirements of the City and include a temporary construction easement. A survey map exhibit of the easements will accompany the descriptions and plats and shall be recorded as a supplemental exhibit(s).

3.8.1 Temporary Construction Easements. The construction obligation of each phase or sub-phase of development of the Plan Area may require construction of certain portions of Backbone Infrastructure on the property of other Specific Plan Landowner(s). This will require access for the purpose of construction on, over and across the Backbone Lands. To assure that all owners of land within the Specific Plan have confidence that they can access, construct, and offer to the City public improvements required of the phase or sub-phase of development, Landowner hereby agrees to provide all other Landowners, without cost, rights of way, easements, and temporary construction and access easements to those Backbone Lands on which Backbone Infrastructure is to be constructed as depicted on **Exhibit 3.8** or as later modified for the Backbone Infrastructure in the Plan Area, provided any such modifications shall not affect the location of the Backbone Infrastructure within the Property without the Landowner's consent. Such temporary construction easements shall include the ability to access open space parcels to construct improvements required by conditions of applicable Clean Water Act Section 404 Permit(s). Subject to indemnification of the other Landowner(s) and the City, when applicable, by the Constructing Owner, such access temporary easement rights shall not be withheld, nor shall the Constructing Owner be required to pay any compensation to any underlying Landowner(s) for such access easement, during the term of this Restated Agreement. Temporary construction easements shall automatically terminate upon formal acceptance of the fully-completed public improvements by City in writing. Nothing shall limit the terms of temporary access easements related to insurance, indemnification, restoring premises to pre-easement condition and non-interference with uses of the burdened property and other reasonably necessary terms relating to such easements.

3.8.2 Manner of Dedication. The easements described in this Section 3.8 may be granted or dedicated, as the case may be, by separate legal instruments, or by reference thereto on the face of a parcel map or subdivision map for the sole purpose of right of way and utility easement dedication, which shall be recorded with the Recorder's Office of the County of Sacramento. City shall use its best efforts, to the greatest extent permitted by law, to impose the obligations described in this Section 3.8 upon every owner of land within the Plan Area.

3.8.3 Adjustments to Dedications. City and Landowners acknowledge that, as Landowner processes large lot and small lot subdivision maps for the Property and as the Connector or other public projects envisioned in the Plan Area progress, or any portion or phase thereof, minor adjustments to the boundaries of the areas dedicated pursuant to the terms of the Restated Agreement may be required based on the final engineering for such maps and Landowner and the City may also propose to relocate certain roadways, utilities or other City facilities. City and Landowner agree to cooperate with any such proposed adjustments or relocations, provided the approval of such adjustments or relocations shall be subject to the City's

sole discretion. Upon such approval, City and Landowner will cooperate to effect such adjustments or relocations, subject to Landowner offering to dedicate to the City any replacement area that may be required by such adjustment or relocation so long as any such replacement area has not then been developed by Landowner.

3.8.4 Release of Excess Offers of Dedication/No Compensation. In addition to adjustments to dedicated property pursuant to Section 3.8.3 above, City may determine, in its sole discretion, that certain property offered for dedication may not be necessary for public purposes associated with the Specific Plan. Because the offers of dedication previously made pursuant to this Restated Agreement have been or are being made early in the planning process to assure the availability of the areas planned for the Backbone Infrastructure, City agrees: 1) that unnecessary easements or IOD's will be abandoned or quitclaimed to the original grantor or its successor-in-interest; and 2) that subsequent quitclaims or releases of areas approved by the City that were previously offered for dedication by Landowner shall not require any compensation to be paid by Landowner or its successor-in-interest for the property released unless Landowner or successors have been paid for the land through the SPIF or other program, notwithstanding any existing City ordinances or policies to the contrary. The timing and conditions for release of excess dedication is solely in the City's reasonable discretion. Landowner's early dedication hereunder, together with its covenant to dedicate any replacement area that may be required by an adjustment or relocation, provides adequate compensation to the City for any such subsequent abandonment by the City of these dedicated areas.

3.8.5 Dedication of Public Parcels. Portions of the Property, if any, described and designated as Public Parcels as shown on **Exhibit B** and further described in Appendices I through M and Appendix O of the PFFP (the "Public Parcels"), shall be offered irrevocably for dedication or granted to the City, at the City's discretion and in a form acceptable to the City, free and clear of any encumbrances (including but not limited to any assessment or special tax previously imposed on the properties), when requested by the City, whichever is sooner. The Public Parcels shall be offered for dedication or granted to the City by Landowner within either: (i) 60 days of the Landowner's receipt of a written request from the City therefore, or (ii) upon recordation of a Final Small Lot Map that includes the Public Parcels, whichever occurs first.

Dedications and/or grants provided herein shall be at no expense to the City. The timing of acceptance of the Public Parcels is subject to the reasonable discretion of the City. The irrevocable offers of dedication or grants may be granted by separate legal instruments, or by reference thereto on the face of a parcel map or subdivision map, which shall be recorded with the Recorder's Office of the County of Sacramento. Dedication of Public Parcels shall be subject to approval by the City of: (i) the physical condition of the planned open space and other public property within the Property and (ii) the formation of a financing mechanism acceptable to City to fund the costs of ownership and maintenance responsibility areas as applicable within the Property. As provided in Section 3.8.3, in the event minor adjustments to the boundaries of a Public Parcel dedicated or conveyed to the City for open space or

public facilities may be required based on the final engineering of the development in the area, City or Landowner may propose to relocate and/or revise the boundaries of the Public Parcel at the Landowner's sole cost and expense, subject to City approval at its reasonable discretion.

3.8.5.1 Maintenance of Open Space/Public Property/Fuel Modification Area. Landowner shall include the Property in a financing mechanism(s) for funding the maintenance of open space and other public property within the Plan Area. Landowner will be required to create a funding mechanism satisfactory to the City to create a fuel modification area of between 30 and 100 feet from the Landowner's property line into any City-owned property or other publicly-owned open space and parkland adjacent to the Property or as provided in the adopted Open Space Management Plan or the City Fire Code. It is the intent of the parties that a funding mechanism will be created by each Development Project or Plan Area wide to pay for the clearing of brush, grasses and other debris along and within adjacent public properties within the Plan Area on an annual basis to reduce fire danger. The fuel modification may be accomplished by a CFD, private homeowners association, other private entity, City resources paid for by the aforementioned funding mechanism or as otherwise agreed to by the parties.

3.9 Phasing of Development. Until December 31, 2015, the City agrees to provide a procedure, at Landowners' expense, for notification to other Participating Landowners when Landowner has submitted an application for development of the Property, or any portion thereof (each, a "Development Phase"). The purpose of the notification process is to permit coordinating of phasing and construction of infrastructure with other property owners. Each Development Phase application shall be consistent with the provisions of FMC Chapter 16.20 and is intended to inform the City, as well as other Participating Landowners, of Landowner's intended phasing of development for its Property, including the intended phasing for any Backbone Infrastructure. To the extent practicable, a Development Phase application shall identify anticipated phases beyond Landowner's next, immediate phase of development, in furtherance of this disclosure objective, with more specific and refined phasing information to be included with information available at the time of submittal of improvement plans.

3.9.1 Phasing of Necessary Backbone Infrastructure Through Map Conditions. Each tentative subdivision map or tentative parcel map approved by the City for the Property, or any portion thereof, shall include a condition that requires, for purposes of determining the necessary set of Backbone Infrastructure to be installed in connection with the final subdivision map(s) related thereto, preparation and staff approval of technical engineering studies identifying the Backbone Infrastructure required to meet the then current City's Standard Design and Construction Specifications for such proposed final map. The technical studies are subject to City approval prior to approval of any related final subdivision map or final parcel map, and shall determine the Backbone Infrastructure required to meet the then current City's Standard Design and Construction Specifications and the City's desire to have the Plan Area built in an efficient, cost effective, orderly and cohesive manner consistent with

and as required by the Entitlements, based on development of the proposed final map and all other approved and reasonably foreseeable maps within the Plan Area. The technical studies, as approved by the City, will provide the basis for determining the Backbone Infrastructure required to satisfy the condition of the tentative subdivision map and to establish the list of Backbone Infrastructure, if any, required to be installed as part of the subdivision improvement agreement for the proposed final subdivision map or parcel map.

The intent of this technical review is to allow the City to confirm that the portion of the Backbone Infrastructure proposed to be constructed by Landowner in connection with its proposed Development Phase will satisfy the then current City's Standard Design and Construction Specifications and further to determine the extent of Backbone Infrastructure that the City will require Landowner to construct and at the same time allow Landowner to build the Backbone Infrastructure required to satisfy such standards to facilitate development and evaluate the amount of and timing of advance funding and oversizing of improvements related thereto. With respect to roadway improvements specifically, where the technical study requires the installation of all roadway Backbone Infrastructure located adjacent to or within the Development Phase to their full planned right-of-way dimensions, the City shall allow development of the Development Phase consistent with the mitigation measures in the Specific Plan EIR (e.g., Mitigation Measure 3A.15-1d). The calculation of the Level of Service thresholds shall be determined consistent with the methodology employed by the City for evaluating such levels of service for purposes of its General Plan and Circulation Element thereof in effect on the Effective Date of this Restated Agreement.

The scope of the technical studies shall be determined by the City and may identify overlapping facilities required for development of other reasonably foreseeable projects and potential development in the Plan Area that may be anticipated and required for the orderly development of the Plan Area, as well as any existing deficiencies in service levels that may exist at the time of preparation of the technical studies. Where disagreement arises between the Landowner and the City as to the extent of Backbone Infrastructure and roadway improvements, the City and Landowner will work cooperatively and in good faith to determine the extent of roadway backbone infrastructure to be constructed by the Landowner considering a reasonable timeframe for future projects in the vicinity, reasonably anticipated needs of the City, its residents and businesses, existing service level deficiencies, financial feasibility, and avoiding impacting areas with phased construction projects.

3.9.2 Phasing of In-Tract Improvements. Landowner shall be allowed to phase development of an approved tentative subdivision map with multiple final Small-Lot Maps as provided and consistent with Folsom Municipal Code Chapter 16.20.

3.10 Park Improvement and Trail Funding and Construction. The timing of park and trail development will be coordinated with public need in the Plan Area, cash flow, and annual City Council budget authorization. The City agrees to use good faith and diligent efforts to complete park construction in a timely manner with respect to Plan Area population and need, as well as other necessary public facilities included in the

PFFP. As recreation trends change and evolve, the City reserves the right to modify, add, and delete park and recreation facilities as it deems appropriate to serve the needs of future Plan Area residents consistent with the re-opener provisions set forth in Section 2.2.4.1.

At the City's sole discretion and subject to a separate agreement between City and Landowner, turn-key park improvements may be constructed by the Landowner and receive Park Fee credits therefore, provided however the parties agree that park fee credits are not permitted for park improvements paid for with CFD proceeds. The park construction agreement will specify the location of the park, specific park improvements to be constructed, the timing for commencement and completion thereof, and the Park Fee credits assigned to Landowner.

The costs of construction of park and trail improvements within the Plan Area shall be funded as part of the New Plan Area Fees for City Facilities to be established by the City pursuant to and consistent with the PFFP.

Consistent with the requirements of the Folsom Municipal Code, parkland proposed for dedication must have a general grade of less than five percent (5%). If a proposed site exceeds 5%, Landowner shall rough grade the site to plus or minus one foot (1') of estimated rough grade as approved by the Parks and Recreation Director. Landowner shall not receive credits or reimbursement for rough grading of proposed park sites where grades exceed 5%, except to the extent that the Park Fee has expressly included funding for rough grading to plus or minus one foot (1'). In connection with Landowner's installation of improved access to the park site, Landowner shall receive credits against the Park Fee for rough grading of each park site associated with overall grading of the mapped portion of the property if the grading plan has received prior approval from the Parks and Recreation Director.

Landowner shall be responsible for installing improved access to each park. Improved access defined in the City of Folsom Standard Street Improvements (typical street pavement width, section and grade, curb, gutter and sidewalk) together with adequately sized utility extensions (water, sewer, storm drain, power, and communication) to edge of right of way on the park site as provided in the project conditions of approval.

3.10.1 Parkland Dedication, Quimby Credit and Parkland Equalization Fee. In lieu of dedicating a park site in connection with the development of the Project, Landowner, as a condition of approval of the Subsequent Entitlements, shall pay a parkland equalization fee as set forth in Section 3.10.1.1.

3.10.1.1 Payment of Parkland Equalization Fee. In lieu of dedication of parkland, Landowner shall be obligated to pay a Parkland Equalization Fee, which fee is included in the SPIF as more particularly described in Section 4.2.2.1 of this Restated Agreement. Landowner shall pay the Parkland Equalization Fee component of the SPIF for all units within a Final Small-Lot Map for which no credits exist along with other fees payable after approval of the Final Small-Lot Map. Payment

of this Parkland Equalization Fee is intended to and does satisfy all requirements for parkland dedication under state and local law, including but not limited to Government Code section 66477 and Folsom Municipal Code section 16.32.040

3.11 Timing of Access Improvements for Fire Stations. Conditions of approval of tentative subdivision or parcel maps within the Property shall identify when improved access (roads and utilities) must be made available to each Fire Station Site, based on building permits issued within the overall Plan Area. Landowner is obligated to contribute to the construction of the Fire Station in the Plan Area through the payment of the adopted New Plan Area fees at the time of issuance of building permits.

3.12 Reimbursement of Pro Rata Share of City Costs for Compliance with Requirements of this Restated Agreement. This Restated Agreement provides various requirements or actions by the City. Landowner agrees to pay its Pro Rata share all of the costs of compliance by City staff or consultants retained by the City in order to comply with the requirements of this Restated Agreement where cost of such compliance is not otherwise provided in a fee program. In the case of actions covered by a fee program, Landowner agrees to pay the then existing rate associated with such action, subject to any credits that may be available to Landowner with respect thereto, including any credits associated with advances of such costs by Landowner. In no event shall these costs be the responsibility of the City.

3.13 Sales Tax Point of Sale in City of Folsom. Landowner and the City share, to the fullest extent feasible, the mutual goal of maximizing sales tax revenue in the City of Folsom and supporting Folsom-based businesses. Landowner agrees that for any Backbone Infrastructure construction project or public facility construction project financed by the New Plan Area Fees that meet the requirements of the Board of Equalization Regulation 1806, Landowner shall include in its bid specifications and construction contracts for such project that the City of Folsom shall be the point of sale for any applicable sales tax and that Contractor shall take such actions as may be required under the Board of Equalization Compliance Policy and Procedures Manual (CPPM) in order to establish the City of Folsom as such point of sale. To further the intent of this provision, Landowners agree to bundle comparable and similar Backbone Infrastructure construction projects and public facility construction projects financed by the New Plan Area Fees (such as similar road or utility projects that are required to serve the Landowner's development) where feasible in order to meet the monetary threshold in CPPM Section 260.020 (\$5 million as of the effective date of this Agreement), as amended from time to time.

Notwithstanding the foregoing, Landowner's bid specifications or construction contracts may include that a Contractor shall be exempt from having to comply with such point of sale provisions if such compliance will cause Contractor to violate any legal or contractual requirement such Contractor may have at the time of its bid or execution of such construction contract.

Landowner also agrees to include provisions in its bid specifications and construction contracts for any Backbone Infrastructure or public facilities construction

project financed by the New Plan Area Fees that, to the fullest extent economically feasible, where the Contractor receives “comparable” bids for materials, considering not only price, but also the quality, service and experience of the suppliers, the Contractor will accept the comparable bid that maximizes the acquisition of construction materials from suppliers in Folsom or where the point of sale for sales tax purposes is Folsom. For any Backbone Infrastructure construction project or public facility construction project financed by the New Plan Area Fees in the FPA, Landowner shall include in its bid specifications and construction contracts that the Contractor demonstrate to the City that it has made a good faith effort to utilize and enter subcontracts with suppliers of goods which have a point of sale in the City of Folsom taking into account all such factors. City acknowledges the potential adverse impacts of a delay in the contracting process and therefore agrees that it will not unreasonably delay its evaluation of the Contractor’s compliance with this provision.

Landowner’s obligations hereunder shall extend only to the requirements to include such provisions in such bid specifications and construction contracts. Contractor’s failure to comply with such contractual provisions shall not be deemed for any reason to constitute a default by Landowner under this Restated Agreement.

ARTICLE 4

CITY OBLIGATIONS

4.1 City Cooperation. City agrees to work in good faith with Landowner as it applies to City for permits that may be required by City and, to the extent applicable, other public, state and federal agencies. In the event state or federal laws or regulations enacted after this Restated Agreement has been executed or action of any governmental jurisdiction other than the City prevents or precludes compliance with one or more provisions of this Restated Agreement, or requires material modification of the Entitlements, Landowner shall notify City in writing of the anticipated duration of any delay caused thereby, and, provided any such delay is not the fault of Landowner, the parties agree Landowner may seek an extension of this Restated Agreement as approved by the City Council as may be reasonably necessary to comply with such new state and federal laws or regulations or the regulations of the other governmental jurisdictions.

4.2 New Plan Area Fees. In addition to Existing City Fees applicable to the Property, the following development impact fees (collectively, the “**New Plan Area Fees**”) will be adopted and imposed by the City to mitigate the impacts of development within the Specific Plan and equitably spread the burden of such mitigation to all benefitted properties within the Specific Plan as contemplated or required by the PFFP and this Restated Agreement:

4.2.1 Specific Plan Reimbursement Fee. Landowner represents to the City that, prior to the hearing before the City Council to approve this Restated Agreement, Landowner shall have paid to the Advancing Owners the fair share of Advanced Planning Costs allocable to the Property. In consideration of such payment

by Landowner, and the payment by other previously non-Participating Landowners of their applicable fair shares of these Advanced Planning Costs, Landowner and City acknowledge that the City is no longer required to adopt or implement any Specific Plan reimbursement fee under this Restated Agreement or under the other Restated Agreements with other Participating Landowners.

4.2.2 Specific Plan Infrastructure Fee. To provide for an equitable funding mechanism for the Backbone Infrastructure to be installed to serve development of the Plan Area, to pay for certain City costs or the City loan and to provide a funding mechanism as described below to pay City for Plan Area wide costs not otherwise covered by a fee or agreement, City and Landowner, together with other Participating Landowners, agree to implement a Specific Plan Infrastructure Fee ("SPIF"). The basic terms and provisions to be incorporated into and used to establish and implement the SPIF are included in the PFFP, as more particularly described in Appendix S of the PFFP, and City agrees to establish the SPIF materially consistent with the terms and provisions of the PFFP and Appendix S, provided nothing herein is intended to limit the City's ability to adopt a SPIF ordinance or New Plan Area fees to accomplish the purposes of the SPIF and the PFFP. As more particularly described in the PFFP and Appendix S, the SPIF will be collected by the City and the proceeds thereof used to fund the cost of dedication of the Backbone Lands and Public Parcels and of the construction of the Backbone Infrastructure, paying certain City costs and repaying the City loan, or as the case may be, equitably reimburse or credit the Specific Plan Landowners who dedicate such Backbone Lands and Public Parcels and construct the Backbone Infrastructure. The SPIF shall further include a component to reimburse the City for staff, consultant and other expenditures required for actions to implement the PFFP on a plan area wide basis where such costs are not otherwise included in reimbursement agreements or other funding mechanisms. (Examples of such work may include but is not limited to ordinances, agreements, fee and other studies and plans, guidelines, and area wide permits). The SPIF shall provide the Specific Plan Landowners who dedicate the Backbone Lands and Public Parcels and/or install the Backbone Infrastructure with reimbursements from the SPIF (that are also convertible to credits against the SPIF) as provided in the PFFP and as will be detailed in the SPIF ordinance.

Landowner acknowledges that the SPIF has been approved by the City Council by ordinance. The eligible SPIF costs for reimbursement shall be submitted to the City by Landowners for City's review and approval. Nothing herein prohibits subsequent modification or repeal of any fee, except that the SPIF, if adopted by the City Council, shall not be repealed during the Term of this Restated Agreement, except by unanimous agreement of the Participating Landowners, which may involve an agreement upon an alternative funding source acceptable to the parties. As described in the PFFP, the SPIF shall thereafter be adjusted from time to time upon request of a Participating Landowner or the City, but not less than annually, based on updates to the dedicated land values and costs of construction (pursuant to an index or other cost of construction adjustment). The timing for payment of the SPIF shall be as provided by the PFFP and the ordinance adopting the SPIF.

Since the SPIF is for the benefit of the Landowner as a member or successor of the Advancing Owners, Landowner, shall protect, defend, indemnify and hold harmless the City and its officers, agents, and employees from any and all claims and/or causes of action, whether at law or in equity, for any loss or damage relating to the SPIF reimbursement, excluding any claims or causes related thereto solely caused by willful misconduct of such indemnitees.

4.2.2.1 SPIF Reimbursement for Park Dedication Limited to Community Park West Dedication; Payment of SPIF Park Land Equalization Fee Component Upon Approval of a Final Map for Each Subdivision After Exhaustion of Landowner's Park Land Credits. In no case shall SPIF reimbursement apply for required dedications of parkland pursuant to the City's Quimby ordinance. In other words, SPIF reimbursement for over-dedication of park land is applicable only for the landowner dedicating the Community Park West ("CPW") site, the only Landowner dedicating over and above the dedication requirements provided in City ordinances. In place of the City's Quimby ordinance and specifically any requirement stated therein for payment of an "in-lieu fee," the SPIF will include a separate component for park land equalization to be paid by all other Landowners (the "Under-dedicating Owners") to compensate the over-dedicating owner of the CPW site. As more particularly provided by the SPIF Ordinance (now existing or to be established by the City Council, as amended from time to time), each Under-Dedicating Owner will have a different Park Land Equalization Fee for its property (based, in part, on the amount of park land being dedicated by such Under-Dedicating Owner and credited against its fair share park land obligation) and will begin paying its share of this fee after exhausting the park land credits associated with its own park land dedications. As provided by the SPIF Ordinance, once such fee becomes payable, the Park Land Equalization Fee will be due for an entire Small-Lot Map as each map exceeds the park land dedication credit. For example in an 800 unit project with four subdivision maps and a 357 unit parkland dedication credit, the Parkland Equalization fee shall be due for each map that exceeds the 357th unit and calculated by the units in that subdivision times the existing fee. Landowner acknowledges that the obligation to pay this fee may be included as a condition of each tentative subdivision map for which the payment will become due (after application of applicable park land dedication credits). Prior to approval of each Final Small-Lot Map within the Property, in accordance with the SPIF Ordinance, Landowner shall confirm in writing with the City either that (i) the park land equalization component of the SPIF is not then payable due to its offsetting park land dedication credits or (ii) the amount of the SPIF fee component for park land equalization then due and payable with respect to such Small-Lot Map. The foregoing provisions of this section shall not apply to Landowner if the Property that is the subject of this Agreement includes the CPW site. The references herein to "CPW site" includes both the site identified in Figure 9.1 in the Specific Plan and the Alternate Park site specified in Section 2.2.3 and as depicted in Exhibit 2.2.3.2 until such time as the location of the Community Park West is determined as set forth in Section 2.2.3.

4.2.2.2 No SPIF Reimbursements or Credits On Default. Landowner shall not be entitled to SPIF reimbursement or credits, nor may any credits be used if Landowner is in default of any of its obligation to the City whether arising out

of this Restated Agreement or other project specific obligations. In the event of a default, the City may pay any SPIF fees received to the next Constructing Owner with the highest priority for SPIF reimbursement until such time as Landowner has cured the default, at which point Landowner then shall regain its priority status for future reimbursement.

4.3 Reimbursements/Credits Personal to Dedicating and Constructing Owner. Any reimbursement due to Landowner as a Constructing Owner (and any fee credits converted from such reimbursements by Landowner) as provided in the Restated Agreement and pursuant to the terms of the PFFP and the adopting ordinances for the SPIF shall be the personal property of Landowner and shall not be affixed to or run with the land. Any such fee reimbursements and converted credits shall be subject to and contingent upon Landowner as a Constructing Owner entering into a fee reimbursement agreement with the City to document Landowner's rights to such reimbursements and provide for the City's administration thereof (a "Fee Reimbursement Agreement"). The Fee Reimbursement Agreement shall provide that the rights of a Constructing Owner shall be protected from the effects of any proposed amendment to Sections 2.2.1, 4.2.2 and 4.3 of this Restated Agreement.

Except as may otherwise be limited by the applicable fee program, Landowner may sell, assign, transfer or hypothecate any such reimbursement or converted credits in a manner consistent with this section and with the adopted SPIF ordinance at any time upon written notice to City, provided the transferring Landowner owes no monetary obligation to the City at the time of such proposed transfer. If Landowner owes City any monetary obligation within the Plan Area at the time of such proposed transfer the City may, in its discretion, either require the monetary obligation to be met before transfer of the credit or apply any reimbursement or converted credit then owned by Landowner against the obligation owed by Landowner.

Credits against the SPIF, converted from reimbursements or transferred as provided in this section and consistent with the PFFP, may only be used in conjunction with Development of the Property (with respect to credits associated with Landowner's dedication of Backbone Lands or Public Parcels) or Development of the Constructing Owner's Property (as described below, with respect to credits associated with Landowner's construction of improvements financed by the SPIF), and may only be used to satisfy SPIF obligations. For purposes hereof, where Landowner is the Constructing Owner, the "Constructing Owner's Property" within which any such converted credits may be applied against the SPIF shall refer to the area within the Specific Plan, including the Property, outlined on **Exhibit 4.3** attached hereto, together with any additional property contiguous thereto, not exceeding five percent (5%) in area, that may hereafter be added to the description thereof by lot line adjustment, subdivision or other such lawful land division and requested by Landowner as the owner of such converted credits to be eligible for application in conjunction with Development thereof; as part of each Fee Reimbursement Agreement, a map of the Constructing Owner's Property shall be attached to and maintained for purposes of administering and tracking the application of any such converted credits.

4.4 Collection and Administration of New Plan Area Fees. When the City adopts the New Plan Area Fees, there will be administrative costs associated with administration of the fee programs and such fees will include a percentage or other component to ensure that the City does not have any unreimbursed expenses related to the administration of such fees. The fee shall be in an amount required to reimburse the City for the actual, direct costs of administration of such fee program. The fees may provide an adjustment for inflation as determined by the City Council. In no case shall the City, in any manner be subject to any liability for failing to collect any fees specified herein other than paying to the Landowner any fees collected and in no case shall any SPIF repayment be an obligation of the City beyond payment of moneys received, less administrative costs. The parties agree that the City has no obligation to pay any fees or make any reimbursement for cost incurred except to the extent that such fees have been collected from the Landowner. The parties agree and acknowledge that the obligations in Article 6 of this Restated Agreement relating to Defense, Indemnification and Hold Harmless are applicable to any challenges, claims or suits associated with the fees referenced herein (provided any such costs to successfully defend such fees shall be included for reimbursement to Landowner and other Participating Landowners as a cost of such fees).

Upon receipt of any proceeds from the SPIF (or from any other development impact fee for facilities with respect to which Landowner has advanced funds and is entitled to reimbursement therefore pursuant to a fee reimbursement agreement with the City), City shall, to the extent permitted by law, pay the applicable share thereof, if any, to Landowner or its assignee, without regard to the status of Landowner's development activities on the Property and consistent with the terms of the applicable fee program ordinances. In the event of a dispute between the Participating Landowners or between the Advancing Owner and the City relating to payment of SPIF fees allowable reimbursement or credits or other matters related to the SPIF program, the City shall examine the facts make a determination on the dispute, which may be reviewed upon request by the City Manager and subject to appeal to the City Council, which decision shall be final and binding, subject only to review by writ of mandate. The process and timing shall be set forth in the SPIF ordinance.

The City will use its good faith efforts to collect the fees in the manner described herein, however is not required to take legal action or other legal remedies. If despite its good faith efforts or if it elects not to pursue recovery of fees owed, then City shall, upon request by Landowner assign its rights to Landowner so that it can pursue collection of the applicable fee from the benefitting, non-paying owner. However, City may continue to collect such fees from other persons seeking governmental approvals and, if it collects such fees, City shall, to the extent reimbursements are owed, pay the applicable shares of such proceeds to Landowner or Landowner's assignee to the extent permitted by law and to the extent such proceeds are actually received by the City.

Nothing in this section or this Restated Agreement obligates the City to take any legal action to collect any SPIF obligation. In the event any such action is taken by the City upon the written request of Landowner or with the written consent of Landowner,

then Landowner shall be responsible for all attorney's fees and expenses associated with the collection efforts of the City, if and to the extent such costs are not otherwise funded by the administration component of the SPIF or through any administrative or legal action taken by the City against the non-paying owner.

The City shall, to the extent legally permissible, condition final approval of an entitlement for any development within the Plan Area on payment of lawfully owed SPIF obligations.

4.5 Applications for Permits and Entitlements. City agrees that it will accept, in good faith, for processing review and action, all applications for development permits or other entitlements for use of the Property in accordance with the Entitlements and this Restated Agreement, and shall exercise its best efforts to act upon such applications consistent with department policy and practice. Accordingly, to the extent that the applications and submittals are in conformity with the Entitlements and this Restated Agreement and adequate funding by Landowner exists therefore, City agrees to diligently and promptly accept, review and take action on all subsequent applications and submittals made to City by Landowner in furtherance of the Project. Similarly, City shall promptly and diligently review and act upon improvement plans, conduct construction inspections and accept completed facilities constructed in accordance with the approved improvement plans therefore, as determined by the City to the City's satisfaction. Nothing in this section is intended to shorten any statutory review periods. City may utilize, consistent with City policy, outside consultants for inspection and plan review purposes at the sole expense of Landowner. Landowner acknowledges that, notwithstanding the ability to hire such outside consultants, City may need to retain adequate staff to supervise the work of the consultants, which may require additional lead time and expense in order for the City to effectively and efficiently use the consultants to assist in this work.

4.5.1 Plan Check. City shall use good faith, diligent efforts to promptly review and process improvements plans submitted by Landowner and return comments as soon as practicable in the ordinary course of business.

4.5.2 Compliance with Government Code Section 66473.7. A subdivision, as defined in Government Code Section 66473.7, shall not be approved unless any tentative map prepared for the subdivision complies with the provisions of said Section 66473.7; this provision is included in this Restated Agreement to comply with Section 65867.5 of the Government Code.

4.6 Water Supply. A Judgment Validating Water Supply Agreement) was entered by Sacramento County Superior Court Judge Raymond Cadei on October 16, 2013 (Sacramento County Superior Court Case No. 34-2013-00138798. Subject to Landowner, as a party to the Water Supply Agreement or successor thereto, complying with its obligations under the Water Supply Agreement, the City shall make the FPA Water Supply (as defined in the Water Supply Agreement) available to Development of the Property, in accordance with the terms of the Water Supply Agreement. Nothing in this Restated Agreement or the Water Supply Agreement shall limit the City's ability to

address water shortages on a citywide basis, including but not limited to cut backs, limitations on water use as provided in the Folsom Municipal Code or by City Council action and other steps to assure an adequate supply exists for all residents and businesses.

4.7 City Acceptance of Conservation Easement(s) on Open Space.

Subject to approval by the City, in the City's reasonable discretion, of (i) the physical condition of the planned open space within the Plan Area, (ii) the form, restriction and limitation on any areas proposed or intended to be open for general public access or use associated with the conservation easement(s) over such open space areas, and (iii) the formation of a financing mechanism acceptable to City to fund the costs of the City's ownership and maintenance responsibility for the open space areas as the grantee under the conservation easement(s), the City shall accept, as grantee, the rights and obligations under the conservation easements for the open space areas within the Specific Plan for wetlands permitting and mitigation purposes pursuant to Section 404 of the Clean Water Act.

Subject to project conditions deemed necessary by the City, including payment of mitigation costs, City may authorize mitigation measures to be implemented on open space or other land to be dedicated for a public use in its discretion provided such does not limit the City's intended and anticipated use of the property, adequate funding is provided and compensation for any mitigation bank is paid. Prior to the use of any open space or other land to be dedicated to a public use for mitigation purposes owner must receive City Council approval.

4.8 City/County SCDTF Agreement/Highway 50 Improvement Fee. As provided by the MMRP, the Plan Area is obligated to fund, among other things, its fair share of the cost to widen Highway 50. Landowner acknowledges that City and the California Department of Transportation entered into a Memorandum of Understanding which provides, among other things, that the fair share contribution by development in the FPA for impacts to Highway 50 and certain related roads and interchanges would be incorporated into a Folsom South development impact fee. Such fair share fee, the "Highway 50 Improvement Fee" was subsequently adopted by the City on September 8, 2015, as part of the Folsom Plan Area Stand Alone Fees. Within one (1) year from the Effective Date of this Restated Agreement, the City shall use good faith, diligent efforts to enter into an agreement with Sacramento County to grant Plan Area landowners, including Landowner, credit against the Sacramento County Development Transportation Fee ("SCDTF") for duplicate funding of any Backbone Infrastructure that is also included for funding in the Highway 50 Improvement Fee, as, if and when the same is adopted by Sacramento County, unless no duplicate funding of any Backbone Infrastructure was included in the Highway 50 Improvement Fee. The parties anticipate that the Highway 50 Improvement Fee satisfies, among other things, the Plan Area's obligation to fund its fair share of the Highway 50 widening.

4.9 Acquisition of Necessary Access and Real Property Interests. In any instance where Landowner is required by this Restated Agreement to construct any public improvement on land not owned by Landowner or other Participating

Landowners, Landowner at its sole cost and expense shall, in a timely fashion to allow it to construct the required improvements, acquire or cause to be acquired the real property interests necessary for the construction of such public improvements.

Landowner acknowledges that Development of the Property will be dependent upon obtaining primary and secondary public roadway and utility access through adjacent property in the Specific Plan commonly referred to as Russell Ranch and that development of Russell Ranch may also be dependent on certain public roadway and utility access being provided within a portion of the Property. Landowner agrees to reasonably cooperate with the owner of the Russell Ranch property to accommodate and facilitate the provision of such mutual public access within their respective properties, consistent with the Specific Plan and on terms acceptable to both parties. Prior to the City scheduling any hearing to consider the submitted Tentative Small-Lot Map for the Property, or prior to submitting any other Tentative Small-Lot Map for the Property, proposing roadway and utility connections through the adjacent property, Landowner shall cause to be delivered from the adjacent property owner to the City signed and notarized Irrevocable Offers of Dedications, in recordable form acceptable to the City, for the rights of way and utilities for such proposed street connections.

In those circumstances where the City owns property in fee on or over which development of the Property requires permanent and temporary construction easements, road rights-of-way and/or sites for public facilities, City shall grant, at Landowner's sole cost and expense, such permanent easement, temporary easements, rights-of-way, or sites as reasonably needed for the timely and efficient development of the Property, subject to conditions acceptable to the City.

This section is not intended by the parties to impose upon the Landowner an enforceable duty to acquire land or construct any public improvements on land not owned by Landowner, except to the extent that the Landowner elects to proceed with the development of the Property.

ARTICLE 5

DEFAULT, REMEDIES, TERMINATION

5.1 General Provisions. Subject to extensions of time by mutual consent in writing, failure or unreasonable delay by either party to perform any term or provisions of this Restated Agreement shall constitute a default. In the event of alleged default or breach of any term or condition of this Restated Agreement, the party alleging such default or breach shall give the other party not less than thirty (30) calendar days' notice in writing specifying the nature of the alleged default and the manner in which said default may be satisfactorily cured. During any such thirty (30) day period, the party charged shall not be considered in default for purposes of termination or institution of legal proceedings.

After notice and expiration of the thirty-day period, the other party to this Restated Agreement at its option may institute legal proceedings pursuant to this Restated Agreement or give notice of intent to terminate this Restated Agreement

pursuant to California Government Code Section 65868 and regulations of City implementing said Government Code Section. Following notice of intent to terminate, the matter shall be scheduled for consideration and review by the City Council within thirty (30) calendar days in the manner set forth in Government Code Sections 65865, 65867 and 65868 and City regulations implementing such Sections.

Following consideration of the evidence presented in said review before the City Council, either party alleging the default by the other party may give written notice of termination of this Restated Agreement to the other party.

Evidence of default may also arise in the course of a regularly scheduled periodic review of this Restated Agreement pursuant to Government Code Section 65865.1. If either party determines that the other party is in default following the completion of the normally scheduled periodic review, said party may give written notice of default of this Restated Agreement as set forth in this section, specifying in said notice the alleged nature of the default, and potential actions to cure said default and shall specify a reasonable period of time in which such default is to be cured. If the alleged default is not cured within thirty (30) calendar days or within such longer period specified in the notice, or if the defaulting party waives its right to cure such alleged default, the other party may terminate this Restated Agreement.

Notwithstanding the above, a default by an individual or entity within the definition of Landowner shall not constitute a default by other individuals or entities within definition of Landowner.

5.2 Annual Review. City shall, at least every twelve (12) months during the Term of this Restated Agreement, review the extent of good faith substantial compliance by Landowner with the terms of this Restated Agreement. Such periodic review shall be limited in scope to compliance with the terms of this Restated Agreement pursuant to Section 65865.1 of the Government Code and the monitoring of mitigation in accordance with Section 21081.6 of the Public Resources Code of the State of California. Notice of such annual review shall include the statement that any review of obligations of Landowner as set forth in this Restated Agreement may result in termination of this Restated Agreement with respect to Landowner's Property. A finding by City of good faith compliance by Landowner with the terms of this Restated Agreement shall be conclusive with respect to the performance of Landowner during the period preceding the review. Each Landowner shall be responsible for the cost reasonably and directly incurred by the City to conduct such annual review of such Landowner's compliance, the payment of which shall be due within thirty (30) calendar days after conclusion of the review and receipt from the City of the bill for such costs.

In the event that a twelve month review is not completed, is not completed in a timely manner or inadvertently a finding of good faith compliance is not made, such shall not constitute a waiver of the City's right to review and make any necessary determinations that would be made if the review had been conducted and shall not be construed that Landowner is otherwise in full compliance.

Upon not less than thirty (30) calendar days written notice by the City, Landowner shall provide such information as may be reasonably requested and deemed to be required by the Planning director in order to ascertain compliance with this Restated Agreement.

Upon written request by the Landowner(s) the City shall deposit in the mail to the requesting Landowner(s) a copy of all staff reports and related exhibits concerning contract performance and, to the extent practical, at least ten (10) calendar days prior to any such periodic review. If the City has not performed an annual review, Landowner(s) may request, in writing, that it be performed

5.2.1 Permitted Delay, Extension of Times of Performance. In addition to specific provisions of this Restated Agreement, performance by either party hereunder shall not be deemed to be in default where delays or default are due to war, insurrection, strikes, walkouts, riots, floods, drought, earthquakes, fires, casualties, acts of God, and terrorist acts, new or supplementary environmental regulation, changes due to state or federal laws as described in Section 2.2.6 hereof, litigation, or similar bases for excused performance. If written notice of such delay is given to City within thirty (30) calendar days of the commencement of such delay, a reasonable extension of time for such cause shall be granted in writing for the period of such delay, or longer as may be mutually agreed upon. Nothing in this section is intended to apply to an extension of the term of this Restated Agreement, which requires City Council approval.

5.2.2 Permitted Extensions by City. In addition to any extensions to the time for performance of any obligation due to a delay under Section 5.2.1 above, the City, in its sole discretion (acting through the City Manager or designee) may extend the time for performance by any Landowner of any obligation hereunder. Any such extension shall not require an amendment to this Restated Agreement, so long as such extension only involves the time for performance thereof and does not change the obligations to be performed by such Landowner as a condition of such extension. Nothing in this section is intended to apply to an extension of the term of this Restated Agreement, which requires City Council approval.

5.3 Legal Action; No Obligation to Develop; Specific Enforcement. In addition to any other rights or remedies, either party may institute legal action to cure, correct or remedy any default, to enforce any covenant or agreement herein, or to enjoin any threatened or attempted violation. Venue for all legal actions shall be in the Superior Court of the County of Sacramento, State of California. Notwithstanding anything in this Restated Agreement to the contrary, the parties acknowledge that the City would not have entered into this Restated Agreement had it been exposed to liability for damages from Landowner, and that therefore each Landowner hereby waives all claims for damages against the City and its officers, agents and employees for breach of this Restated Agreement. The parties further acknowledge that damages are not a remedy under this Restated Agreement and therefore Landowner waives all claims for damages against the City and its officers, agents and employees in the event that this Restated Agreement or any other Entitlement is: (1) not approved by the City Council or (2) is approved by the City Council, but with new changes, amendments,

conditions or deletions to which Landowner is opposed. Either Party may, without any claim for damages of any kind, in addition to any other rights or remedies, institute an action to cure, correct or remedy any default, enforce any covenant or agreement in this Restated Agreement, enjoin or restrain any threatened or attempted violation of this Restated Agreement or enforce by specific performance the obligations and rights of the parties to this Restated Agreement, or to obtain any other remedy. Landowner further acknowledges that under the Development Agreement Statute, land use approvals (including development agreements) must be approved by the City Council and that under law, the City Council's discretion to vote in any particular way may not be constrained by contract, except as permitted in the Development Agreement Statute. Landowner further acknowledges that as an instrument which must be approved by ordinance, a development agreement is subject to referendum; and that under law, the City Council's discretion to avoid a referendum by rescinding its approval of the underlying ordinance may not be constrained by contract, and each Landowner waives all claims for damages against the City and its officers, agents and employees in this regard.

By entering into this Restated Agreement, Landowner shall not be obligated to Develop the Property and Landowner shall not be obligated to install or pay for the costs to install any improvements or facilities except as otherwise provided herein. Nothing in this section shall be construed to excuse Landowner from making lawfully approved CFD tax payments.

5.4 Automatic Termination Upon Completion and Sale of Residential Unit.

This Restated Agreement shall automatically be terminated, without any further action by either party or need to record any additional document, with respect to any single-family residential lot within a parcel designated by the Specific Plan for residential use, upon completion of construction and issuance by the City of a final inspection for a dwelling unit upon such residential lot and conveyance of such improved residential lot by Landowner to a bona-fide good faith purchaser thereof. In connection with its issuance of a final inspection for such improved lot, City shall confirm that: (i) all improvements which are required to serve the lot, as determined by City, have been completed and formally accepted by City in writing; and (ii) all other conditions of approval applicable to said lot have been complied with to the City's satisfaction as evidenced by the City's issuance of a certificate of occupancy or final inspection permitting occupancy of the improved lot. Termination of this Restated Agreement for any such residential lot as provided for in this Section 5.4 shall not in any way be construed to terminate or modify any CFD tax lien or other such lien, assessment, fee or charge affecting such lot at the time of termination.

5.5 Termination Upon Landowner Request. This Restated Agreement may also be terminated, at the election of the then Landowner, with respect to any legally subdivided parcel designated by the Specific Plan for residential or non-residential use (other than parcels designated for public use), when recording a final map for such parcel, or receiving a certificate of occupancy or final inspection, whichever is applicable, for a multi-family residential or non-residential building within such parcel, by giving written notice to City of its election to terminate this Restated Agreement for such parcel, provided that: (i) all improvements which are required to serve the parcel, as determined

by City, have been completed and formally accepted by City in writing; and (ii) all other conditions of approval applicable to said parcel have been complied with to the City's satisfaction as evidenced by the City's issuance of a certificate of occupancy or final inspection permitting occupancy of the improved parcel. Landowner shall cause any written notice of termination approved pursuant to this subsection to be recorded with the Sacramento County Recorder against the applicable parcel at Landowner's expense. Termination of this Restated Agreement for any such parcel as provided for in this section shall not in any way be construed to terminate or modify any CFD tax lien or other such lien, assessment, fee or charge affecting such parcel at the time of termination.

5.6 Effect of Termination. If this Restated Agreement is terminated, in whole or part, following any event of default of any Landowner or for any other reason, such termination shall not affect the validity of this Restated Agreement with respect to any other Landowner's Property or any of the Entitlements, other than this Restated Agreement, for the defaulting Landowner's Property, nor shall such termination affect any building or improvement within the defaulting Landowner's Property which is completed as of the date of termination, provided that such building or improvement has been constructed pursuant to a building permit issued by the City. Furthermore, no termination of this Restated Agreement with respect to a defaulting Landowner's Property shall prevent such Landowner from completing and occupying any building or other improvement authorized pursuant to a valid building permit previously issued by the City that is under construction at the time of termination, provided that any such building or improvement is completed in accordance with said building permit in effect at the time of such termination and receives a certificate of occupancy or certificate of completion from the City. Termination of this Restated Agreement by either shall not in any way be construed to terminate or modify any CFD tax lien or other such lien, assessment, fee or charge affecting such parcel at the time of termination or terminate any outstanding obligations of Landowner owed to the City (whether a one-time obligation or continuing obligations) pursuant to this Restated Agreement or any Entitlements.

5.7 No Protest or Challenge To Fees. Landowner hereby waives any and all rights to challenge or protest the imposition or payment of, and agrees to pay, and not to protest or challenge, or pay under protest, any fees contained or articulated in the PFFP or this Restated Agreement, whether adopted at the time of execution of this Restated Agreement or later adopted, including any inflationary or cost of construction adjustment to such fees. Those fees subject to the Mitigation Fee Act shall be reviewed by the parties in good faith and nothing is intended to limit a Landowner's right as permitted by law to challenge or protest such mitigation fee based solely on any alleged failure to comply with the Mitigation Fee Act, as opposed to the City's right to impose the fee in general.

5.8 Applicable Law. This Restated Agreement shall be construed and enforced in accordance with the laws of the State of California.

ARTICLE 6

HOLD HARMLESS AND COOPERATION

6.1 Hold Harmless. Landowner and its successors-in-interest and assigns, hereby agrees to, and shall protect, defend, indemnify and hold City, its elective and appointive boards, commissions, officers, agents, and employees harmless from any costs, expenses, damages, liability for damages or claims of damage for personal injury, or bodily injury including death, as well as from claims for property damage which may arise from the operations of Landowner, or of Landowner's contractors, subcontractors, agents, or employees under this Restated Agreement, whether such operations be by Landowner, or by any of Landowner's contractors or subcontractors, or by any one or more persons directly or indirectly employed by, or acting as agent for, Landowner or Landowner's contractors or subcontractors, unless such damage or claim arises from the sole negligence or willful misconduct of City. The foregoing indemnity obligation of Landowner shall survive the termination or expiration of this Restated Agreement; however, notwithstanding any provision to the contrary, it shall not apply to any liability for damage or claims for damage with respect to any damage to or use of any public improvements after the completion and acceptance thereof by City.

In addition to the foregoing indemnity obligation, Landowner agrees to and shall protect, defend, indemnify and hold City, its elective and appointive boards, commissions, officers, agents and employees harmless from any and all lawsuits, claims, challenges, damages, expenses, costs, including attorneys' fees that may be awarded by a court, or in any actions at law or in equity arising out of or related to the processing, approval, execution, adoption or implementation of the Project, the Entitlements, the Tier 1 Development Agreement, the Public Facilities Financing Plan, this Restated Agreement, or the environmental documentation and process associated with the same, exclusive of any such actions brought by Landowner, its successors-in-interest or assigns. The City shall retain the right to appear in and defend any such action or lawsuit on its own behalf regardless of any tender under this provision.

6.2 Cooperation and Defense in the Event of Legal Challenge. In the event of any legal action instituted by a third party or other governmental entity or official challenging the validity of any provision of this Restated Agreement, the parties hereby agree to cooperate in defending said action. If any person or entity not a party to this Restated Agreement initiates an action at law or in equity to challenge the validity of any provision of this Restated Agreement or the Entitlements, the parties shall cooperate and appear in defending such action. Landowner shall bear its own costs of defense as a real party in interest in any such action, and Landowner shall pay the City for all reasonable court costs and attorneys' fees expended by City in defense of any such action or other proceeding, provided that City reasonably cooperates with Landowner in the defense of such action. The City, in its sole discretion, and at the Landowner's expense may retain separate counsel and may defend, settle or compromise the action as it deems appropriate and in the best interests of the City. Prior to any settlement or

other resolution of any matter covered by this paragraph, the City agrees that it will first consult with Landowner.

ARTICLE 7

GENERAL

7.1 Enforceability. The City agrees that unless this Restated Agreement is amended or canceled pursuant to the provisions of this Restated Agreement, this Restated Agreement shall be enforceable according to its terms by any party hereto notwithstanding any change hereafter in any applicable General Plan, Specific Plan, zoning ordinance, subdivision ordinance or building regulation adopted by City, or by initiative, which changes, alters or amends the rules, regulations and policies applicable to the rate, timing or sequencing and density and intensity of use or Development of the Property at the time of approval of this Restated Agreement, as provided by Government Code Section 65866.

7.2 City Finding. The City hereby finds and determines that execution of this Restated Agreement is in the best interest of the public health, safety and general welfare and is consistent with the General Plan and Specific Plan.

7.3 Third Party Beneficiaries. This Restated Agreement is made and entered into for the sole protection and benefit of Landowner and City and their successors and assigns. No other person shall have any right of action based upon any provision in this Restated Agreement.

7.4 Project as a Private Undertaking. It is specifically understood and agreed by and between the parties hereto that the subject project is a private development, and that the City has no interest therein except as authorized in the exercise of its governmental functions. No partnership, joint venture or other association of any kind is formed by this Restated Agreement.

7.5 Notices. All notices required by this Restated Agreement, the enabling legislation, or the procedure adopted pursuant to Government Code Section 65865, shall be in writing and delivered in person or sent by certified mail, postage prepaid.

Notice required to be given to the City shall be addressed as follows:

Community Development Director
City of Folsom
50 Natoma Street
Folsom, CA 95630

With a copy to:

City Manager
City of Folsom
50 Natoma Street

Folsom, CA 95630

City Attorney
City of Folsom
50 Natoma Street
Folsom, CA 95630

Notice required to be given to Landowner shall be addressed to the Landowner as follows:

Elliott Homes, Inc.
The Offices at Palladio
340 Palladio Parkway, Suite 521
Folsom, CA 95630-8775
Attn: Harry Elliott

Any party or addressee may change the address stated herein by giving notice in writing to the other parties, and, thereafter, notices shall be addressed and delivered to the new address.

7.6 Severability. If any term, covenant or condition of this Restated Agreement or the application thereof to any person, entity or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Restated Agreement, or the application of such term, covenant or condition to persons, entities or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and each term, covenant or condition of this Restated Agreement shall be valid and be enforced to the fullest extent permitted by law; provided, however, if any provision of this Restated Agreement is determined to be invalid or unenforceable and the effect thereof is to deprive a party hereto of an essential benefit of its bargain hereunder, then such party so deprived shall have the option to terminate this entire Restated Agreement from and after such determination.

7.7 Construction. All parties have been represented by counsel in the preparation of this Restated Agreement and no presumption or rule that ambiguity shall be construed against a drafting party shall apply to interpretation or enforcement of this Restated Agreement. Captions on sections and subsections are provided for convenience only and shall not be deemed to limit, amend or affect the meaning of the provision to which they pertain.

7.8 Other Necessary Acts. Each party shall execute and deliver to the other all such other further instruments and documents as may be reasonably necessary to carry out this Restated Agreement in order to provide and secure to the other party the full and complete enjoyment of its rights and privileges hereunder.

7.9 Estoppel Certificate. Either party may, at any time, and from time to time, deliver written notice to the other party requesting such party to certify in writing that, to the knowledge of the certifying party, (i) this Restated Agreement is in full force

and effect and a binding obligation of the parties, (ii) this Restated Agreement has not been amended or modified either orally or in writing, or if so amended, identifying the amendments, and (iii) the requesting party is not in default in the performance of its obligations under this Restated Agreement, or if in default, to describe therein the nature of such default. The party receiving a request hereunder shall execute and return such certificate within thirty (30) calendar days following the receipt thereof.

7.10 Mortgagee Protection. The parties hereto agree that this Restated Agreement shall not prevent or limit Landowner, in any manner, at Landowner's sole discretion, from encumbering the Property or any portion thereof or any improvement thereon by any mortgage, deed of trust or other security device securing financing with respect to the Property, except as limited by the provisions of this section. City acknowledges that the lenders providing such financing may require certain agreement interpretations and modifications and agrees upon request, from time to time, to meet with Landowner and representatives of such lenders to negotiate in good faith any such request for interpretation or modification. City will not unreasonably withhold its consent to any such requested interpretation or modification provided such interpretation or modification is consistent with the intent and purposes of this Restated Agreement. Any Mortgagee shall be entitled to the following rights and privileges:

(a) Neither entering into this Restated Agreement nor a breach of this Restated Agreement shall defeat, render invalid, diminish or impair the lien of any mortgage on the Property made in good faith and for value, unless otherwise required by law.

(b) The Mortgagee of any mortgage or deed of trust encumbering the Property, or any part thereof, which Mortgagee has submitted a request in writing to City in the manner specified herein for giving notices, may request to receive written notification from City of any default by Landowner in the performance of Landowner's obligations under this Restated Agreement.

(c) If City receives a timely request from a Mortgagee requesting a copy of any notice of default given to Landowner under the terms of this Restated Agreement, City shall provide a copy of that notice to the Mortgagee within ten (10) business days of sending the notice of default to Landowner. The Mortgagee shall have the right, but not the obligation, to cure the default during the remaining cure period allowed to Landowner under this Restated Agreement.

(d) Any Mortgagee who comes into possession of the Property, or any part thereof, by any means, whether pursuant to foreclosure of the mortgage deed of trust, or deed in lieu of such foreclosure or otherwise, shall take the Property, or part thereof, subject to the terms of this Restated Agreement, including payment of any outstanding fees or charges. Should such Mortgagee or successors or assigns of such Mortgagee choose to develop the Property, the development shall be subject to all of the terms and conditions of this Restated Agreement. Nothing in this Restated Agreement shall be deemed or construed to permit or authorize the Mortgagee or successors or assigns of such Mortgagee to devote the Property, or any portion thereof,

to any uses or to construct any improvements thereon other than those uses and improvements provided for or authorized by this Restated Agreement.

7.11 Assignment. From and after recordation of this Restated Agreement against the Property, Landowner, or any individual person or entity, shall have the full right to assign this Restated Agreement, with prior notification to the City, as to the Property, or any portion thereof, in connection with any sale, transfer or conveyance thereof, and upon the express written assignment by a Landowner and assumption by the assignee of such assignment in the form attached hereto as **Exhibit 7.11**, and the conveyance of Landowner's interest in the Property related thereto, Landowner shall be released from any further liability or obligation hereunder related to the portion of the Property so conveyed and the assignee shall be deemed to be the "Landowner," with all rights and obligations related thereto, with respect to such conveyed property. No assignment shall be permitted and any attempt to assign shall be voidable by the City if the assigning Landowner has any outstanding payment or performance obligations to the City under this Restated Agreement or the PFFP as implemented by the City until such delinquency is satisfied or the parties enter into a payment or performance agreement in a form approved by the City Attorney.

7.12 Entire Agreement. This Restated Agreement is executed in two duplicate originals, each of which is deemed to be an original. This Restated Agreement, inclusive of its Recitals and Exhibits, constitutes the entire understanding and agreement of the parties. This Restated Agreement may be signed in identical counterparts and the signature pages and consents, together with appropriate acknowledgments, may be removed from the counterparts and attached to a single counterpart, which shall all be considered a fully-executed original for all persons and for purposes of recordation hereof.

IN WITNESS WHEREOF, the City of Folsom has authorized the execution of this Restated Agreement in duplicate by its Mayor, and attested to by the City Clerk under the authority of Ordinance No. _____ adopted by the City Council on the _____ day of _____, 2016.

CITY:

LANDOWNER:

**CITY OF FOLSOM,
a municipal corporation**

**ELLIOTT HOMES, INC.,
an Arizona corporation**

Stephen E. Miklos, Mayor Date

Harry C. Elliott, III, President Date

APPROVED AS TO CONTENT:

Evert W. Palmer, City Manager Date

APPROVED AS TO FORM:

Steven Wang, City Attorney Date

ATTEST:

Christa Saunders, City Clerk Date

LIST OF EXHIBITS

Exhibit A-1	Legal Description of Property
Exhibit A-2	Map of Property
Exhibit B	Map of Specific Plan Land Use Plan
Exhibit 2.2.1	List of PFFP Facilities
Exhibit 2.2.3.2	Map of Aerojet/Easton Property, Including Map of Community Park West and Alternate Site
Exhibit 2.2.4	Existing and New Plan Area Fees Summary Sheet
Exhibit 2.5.5	[Intentionally Omitted]
Exhibit 3.8	Map of Backbone Lands
Exhibit 4.2.1	[Intentionally Omitted]
Exhibit 4.3	Map of Constructing Owner's Property
Exhibit 7.11	Form of Assignment of Development Agreement

EXHIBIT "A-1"
ELLIOTT HOMES

All that real property situated in the City of Folsom, County of Sacramento, State of California located within Section 9, Township 9 North, Range 8 East, Mount Diablo Meridian and being more particularly described as follows:

Parcel E, as shown on that certain Record of Survey entitled "Plat of Survey of the Jos Woodward Est", filed in Book 7 of Surveys, Map No 39, in the Office of the Recorder of Sacramento County, more particularly described as follows.

Beginning at a point of commencement of Parcel 2 of the land conveyed to the State of California by Deed recorded in Book 5041 at Page 591, Official Records of said County, said point also being on the Southerly line of the land conveyed to the State of California by Deed recorded in Book 1592 at Page 512, Official Records of said County, thence from said point of beginning North 86° 11'00" East along the Southerly line of the land conveyed to the State of California by Deed recorded in Book 1592 at Page 512, Official Records of said County, a distance of 567.51 feet; thence North 85°56'40" East, along the Southerly line of the land conveyed to the State of California by said first mentioned Deed, a distance of 2,028 88 feet to the East line of the West 1/2 of the Southeast 1/4 of said Section 9; thence South 01°09'41" East, along said East line, a distance of 739 99 feet to the Southeast corner of the West 1/2 of the Southeast 1/4 of said Section 9, thence South 88 deg. 54'43" West, along the South line of said Section 9, a distance of 2,190.88 feet to the Northeasterly line of the Southern Pacific Railroad right-of-way (66 feet in width), thence North 35°56'06" West, along said Northeasterly line, a distance of 688 61 feet, thence North 13° 45'59" West 43 89 feet to the point of beginning, as described as "Parcel 4" in that certain Certificate of Compliance - Lot Line Adjustment recorded May 4, 1998 in Book 980504, Page 791, Official Records

Excepting therefrom one-half of all oil, oil rights, minerals, mineral rights, natural gas, natural gas rights and other hydrocarbons, below a depth of 500 feet, without the right of surface entry as reserved in a Deed recorded October 12, 19B4, in Book 841012, Page 983, Official Records

Also Excepting therefrom all that portion of land deeded to the City of Folsom, in Grant Deed recorded August 20, 2003 in Book 20030820, Page 580, Official Records, described as follows:

Beginning at a point on the Southerly right of way line of U.S. Highway 50, said point being distant 43.605m Southerly measured at right angles from the "A 14" line of Engineer's Station "A 14" 92+73.016 of the Department of Public Works Survey on Road 03-Sac-50 (formerly Road 111-Sac-11- A); thence along said Southerly right of way North 86°11 'DO" East 126 922m, thence leaving said right of way South 78'42'43" West 80.266m; thence South 82°52'14" West 39 423m to a point on the Easterly right of way line of the Southern Pacific Railroad, thence along said Easterly right of way North 35°57'00" West 15 002m to the point of beginning.

Containing 37.20 acres of land, more or less.

See Exhibit "A-2", plat to accompany description, attached hereto and made a part hereof.

27138.000
05/11/2016
RMP

The legal description is identical as that certain Grant Deed recorded on October 1, 2009 in Book 20091001 at Page 0761, Official Records of Sacramento County.

This legal description was prepared by me or under my supervision pursuant to Section 8729 (2) of the Professional Land Surveyors Act.



Craig E. Spiess, PLS 7944
License Expiration Date: 12-31-17

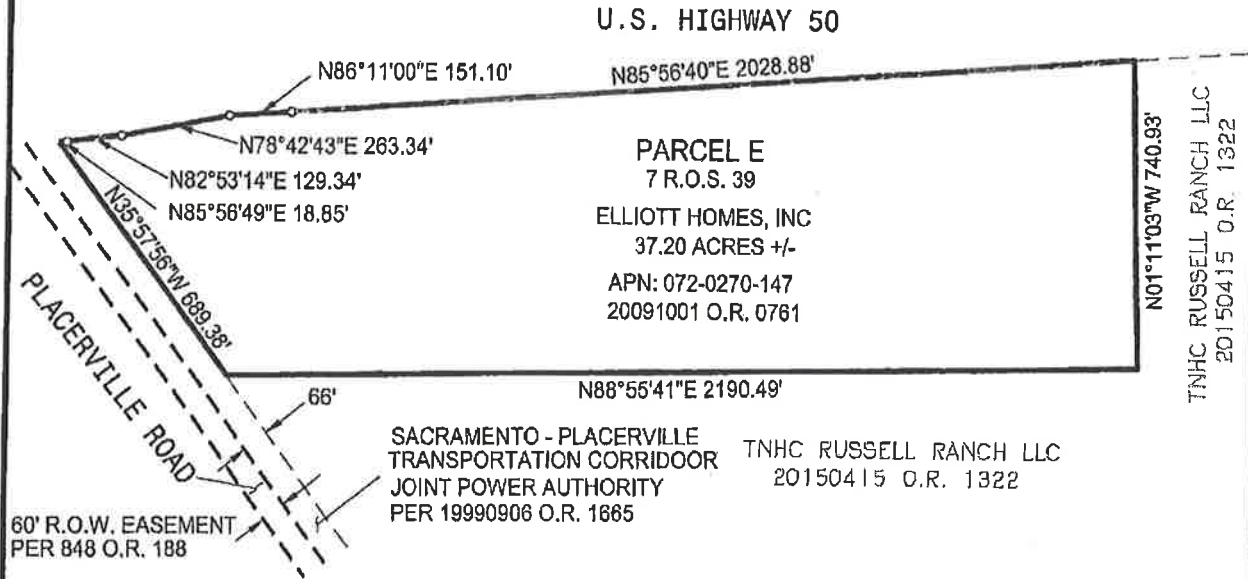
Date: 5/11/14



Description prepared by:
MACKAY & SOMPS CIVIL ENGINEERS, INC
1552 Eureka Road, Suite 100, Roseville, CA 95661
P:\27138\SRVMapping\Desc\Tier 1 DA Amendments\EH-DA.doc

LEGEND

O.R. OFFICIAL RECORDS
 R.O.S. RECORD OF SURVEY



60' R.O.W. EASEMENT
 PER 848 O.R. 188



SHEET 1 OF 1

EXHIBIT A-2
 DEVELOPEMENT AGREEMENT
 ELLIOTT HOMES, INC
 PARCEL E - 7 R.O.S. 39
 PORTION OF SECTION 9, T. 9 N., R. 8 E., M.D.M.
 CITY OF FOLSOM SACRAMENTO COUNTY
 STATE OF CALIFORNIA

MACKAY & SOMPS
 ENGINEERS PLANNERS SURVEYORS
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IF A DISCREPANCY EXISTS BETWEEN THIS EXHIBIT AND THE ASSOCIATED DESCRIPTION, THE DESCRIPTION HOLDS. THIS EXHIBIT IS FOR GRAPHIC PURPOSES ONLY.

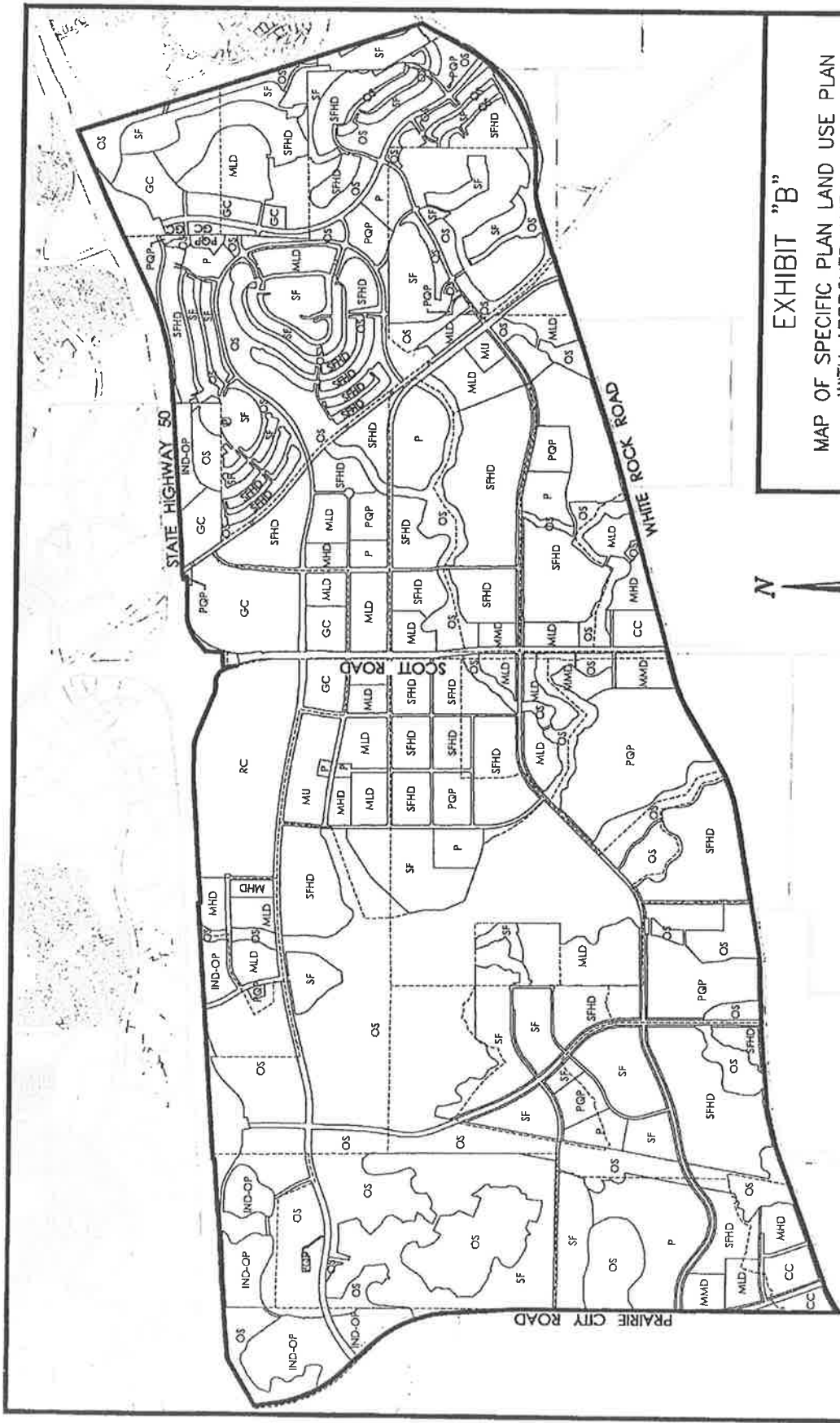


EXHIBIT "B"

MAP OF SPECIFIC PLAN LAND USE PLAN
WITH APPROVED AMENDMENTS

PORTION OF SECTIONS 15 & 16, T.9N., R.8E., M.D.M.
CITY OF FOLSOM
STATE OF CALIFORNIA

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Exhibit 2.2.1

PFFP Facilities to be Constructed in and/or Financed by the FPASP Area

Backbone Infrastructure:

- Roadway Improvements, as described in Appendix B of the PFFP
- On-Site Water System Improvements, as described in Appendix C of the PFFP
- Off-Site Water System Improvements, as described in Appendix D of the PFFP
- Recycled Water System Improvements, as described in Appendix E of the PFFP
- Sanitary Sewer System Improvements, as described in Appendix F of the PFFP
- Storm Drainage System Improvements, as described in Appendix G of the PFFP

Other Public Facilities

- Fire Facilities and Equipment, as described in Appendix I of the PFFP
- Police Facilities and Equipment, as described in Appendix I of the PFFP
- Municipal Services Center, as described in Appendix I of the PFFP
- Branch Library, as described in Appendix I of the PFFP
- Corporation Yard, as described in Appendix J of the PFFP
- Transit System, as described in Appendix K of the PFFP
- Parks, as described in Appendix L of the PFFP
- Trails, as described in Appendix M of the PFFP
- Interchanges, as described in Appendix N of the PFFP
- Aquatic and Community Center, as described in Appendix O of the PFFP
- Solid Waste Facilities, as described in the Executive Summary, Pages ES-18 to ES-19, of the PFFP
- General Capital Facilities, as described in Chapter 4, Page 19, of the PFFP

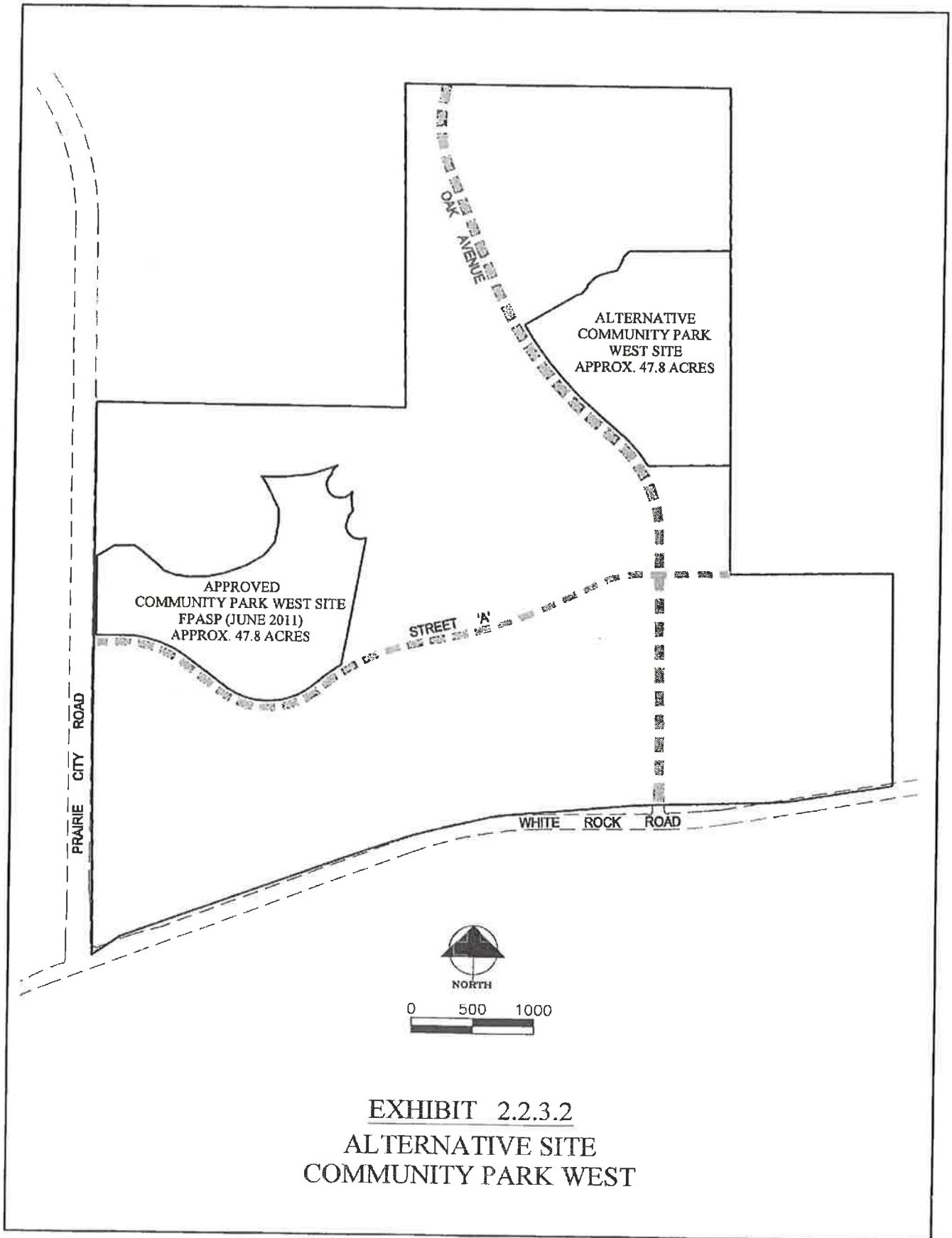
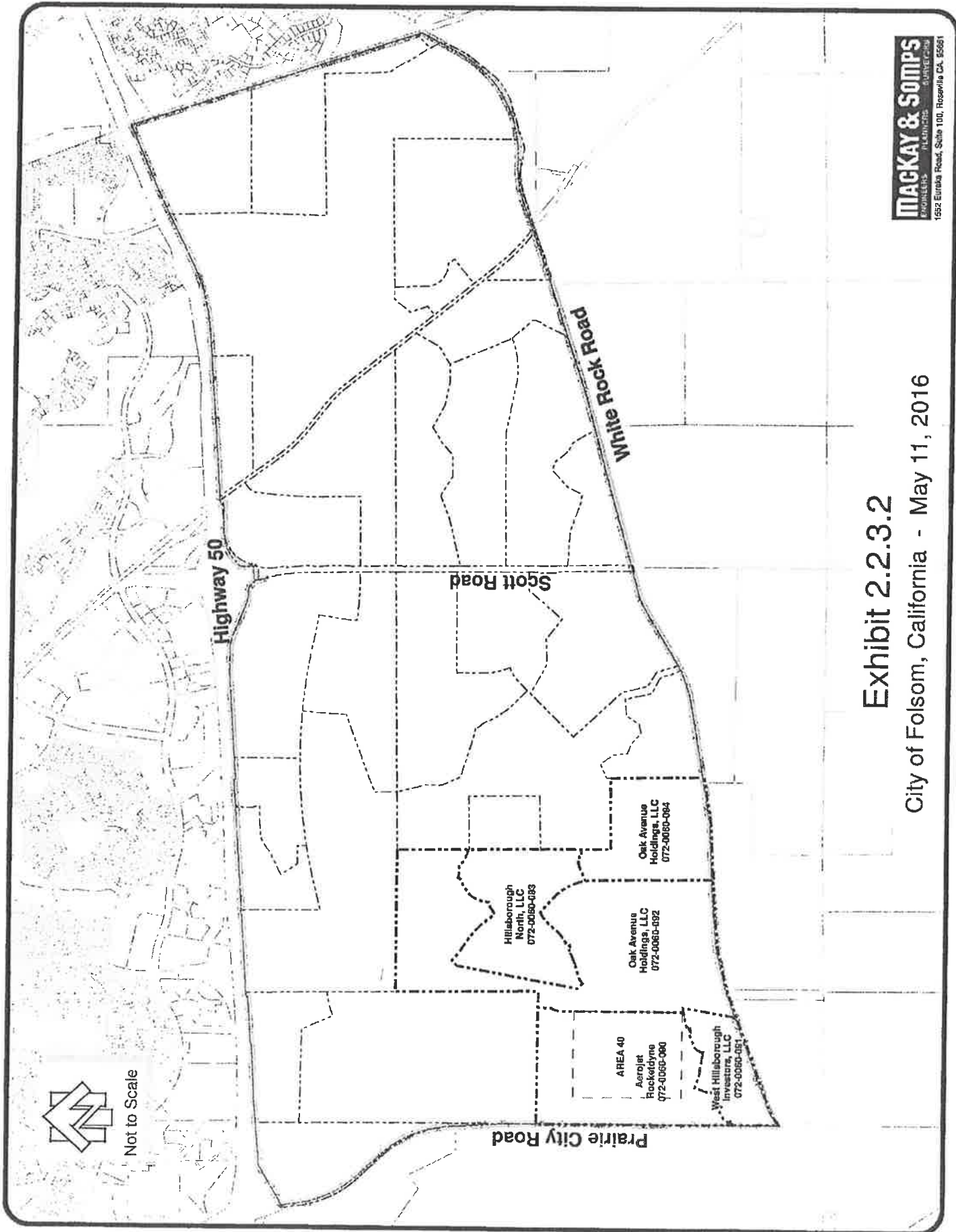


EXHIBIT 2.2.3.2
ALTERNATIVE SITE
COMMUNITY PARK WEST



Not to Scale

Exhibit 2.2.3.2

City of Folsom, California - May 11, 2016

**Exhibit 2.2.4
Existing and New Plan Area Fees**

Existing City Fees

Building Permit Processing Fees [1]
Transportation Management Fee
Solid Waste Capital Improvement Fee
Capital Improvement Fee - Park Equipment
Housing Trust Fund
Water Buy-In and Connection Fee
Water Usage Fee [2]

FPASP Plan Area Fees

New Plan Area Fees for City Facilities (Combined)

General Capital Facilities
Library
Municipal Services Center
Police Facilities
Fire Facilities
Parks
Trails

New Stand-Alone Plan Area Fees

Corporation Yard
Transit
Interchanges/Hwy 50 Improvements

FPASP Specific Plan Infrastructure Fee (SPIF)

On-Site Roadway
Off-Site Roads within Folsom
On-Site Water
Off-Site Water
Recycled Water
Drainage
Sewer
Habitat Mitigation
Administration

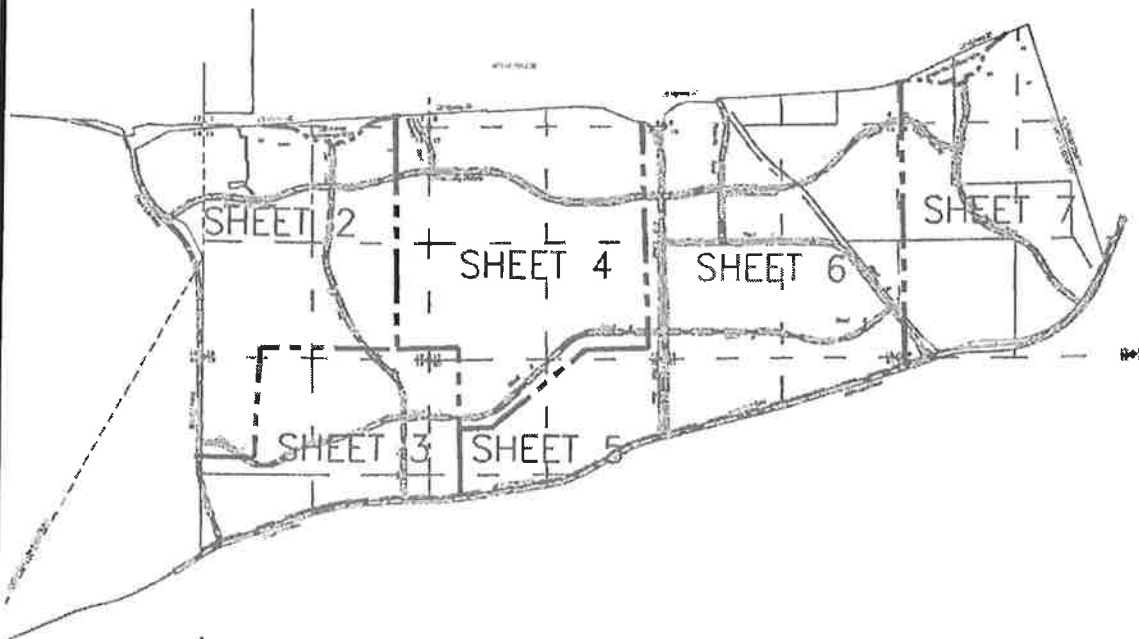
FPASP Planning and Land Fees

Specific Plan Reimbursement
Parkland Dedication (Quimby)

Source: City of Folsom, EPS.

[1] List of Existing City Fees does not include other application, development processing, inspection, and plan check fees that are required to be paid pursuant to Section 2.6 of the Restated Agreement, including, for example, the processing fee for City collection of school district mitigation payments.

[2] Fee for water usage during construction. \$60 per building permit for residential uses fee based on metering during construction for commercial and industrial uses.



SHEET 1 OF 7

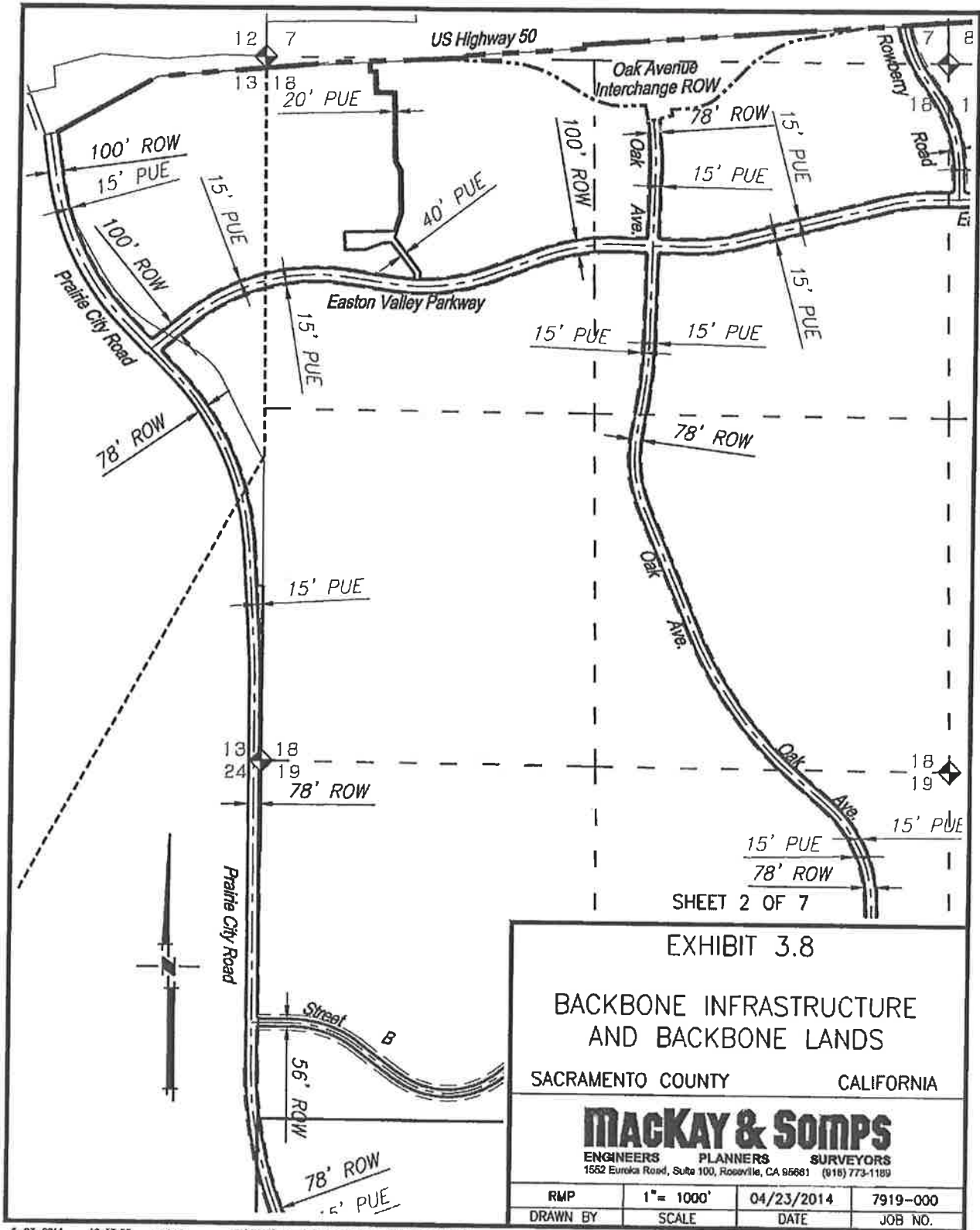
EXHIBIT 3.8
INDEX SHEET
BACKBONE INFRASTRUCTURE
AND BACKBONE LANDS

SACRAMENTO COUNTY CALIFORNIA

MACKAY & SOMPS

ENGINEERS PLANNERS SURVEYORS
1552 Eureka Road, Suite 100, Roseville, CA 95681 (916) 773-1189

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SHEET 2 OF 7

EXHIBIT 3.8

BACKBONE INFRASTRUCTURE
AND BACKBONE LANDS

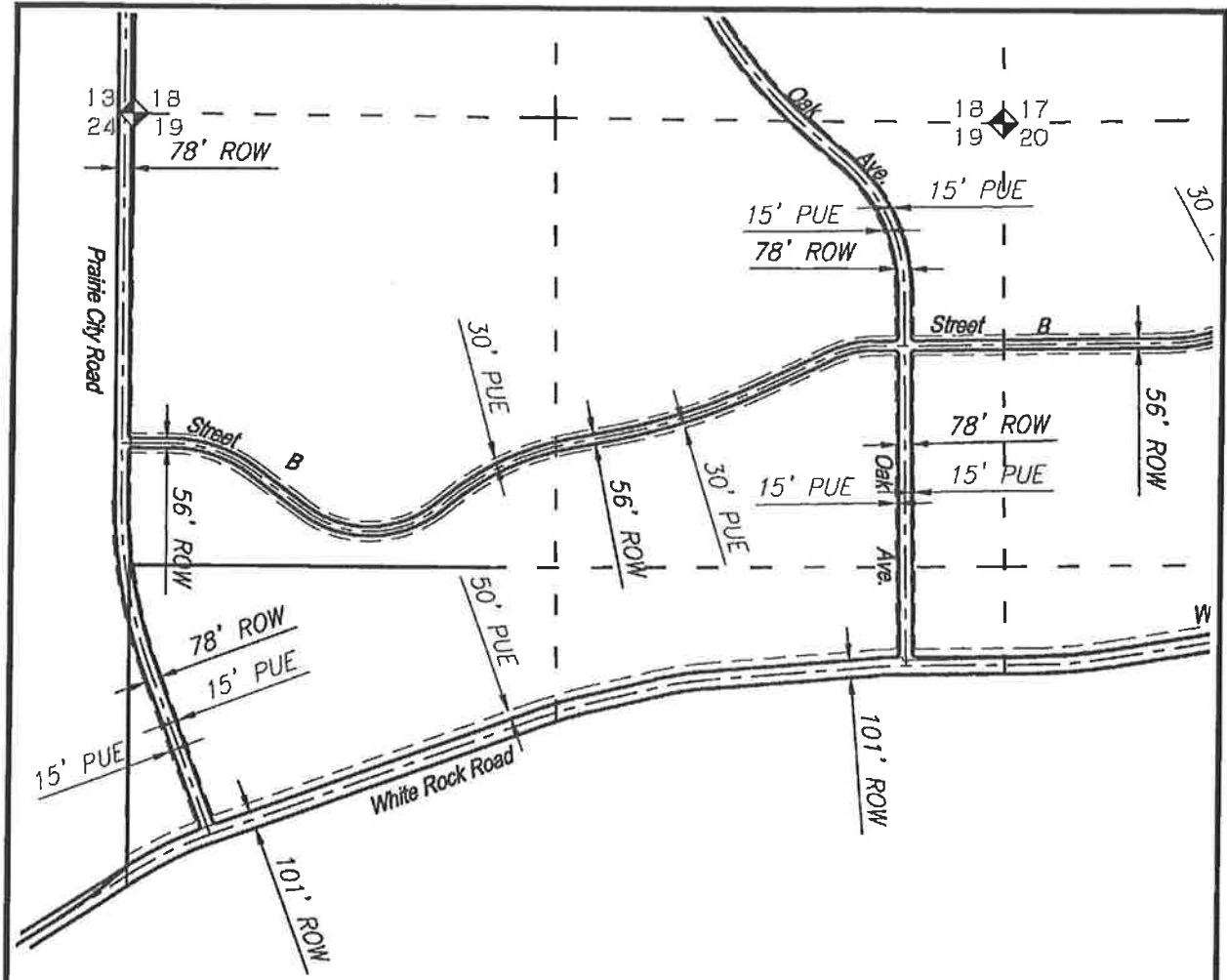
SACRAMENTO COUNTY CALIFORNIA

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EXHIBIT 3.8

BACKBONE INFRASTRUCTURE
AND BACKBONE LANDS

SACRAMENTO COUNTY CALIFORNIA

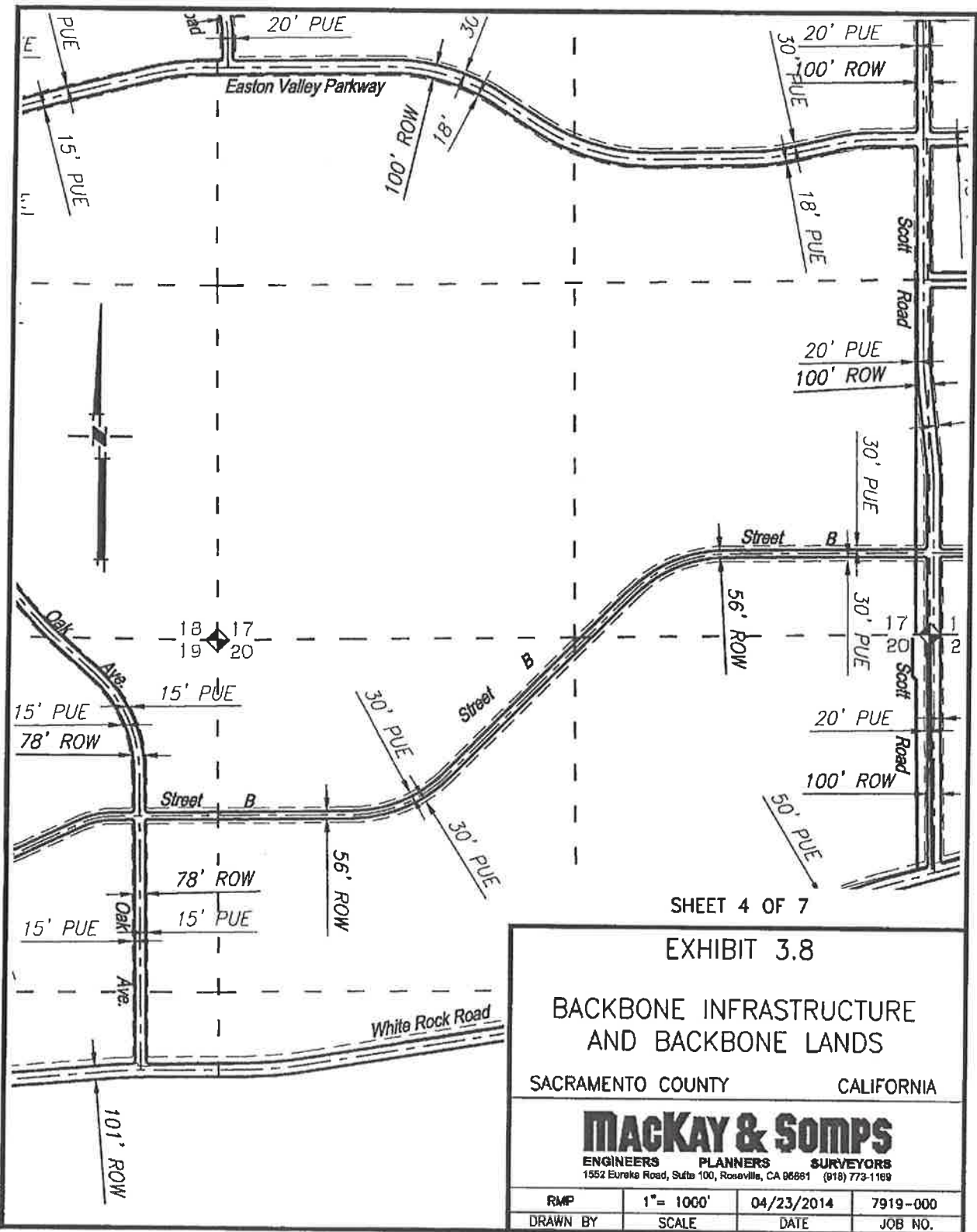
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EXHIBIT 3.8

BACKBONE INFRASTRUCTURE
AND BACKBONE LANDS

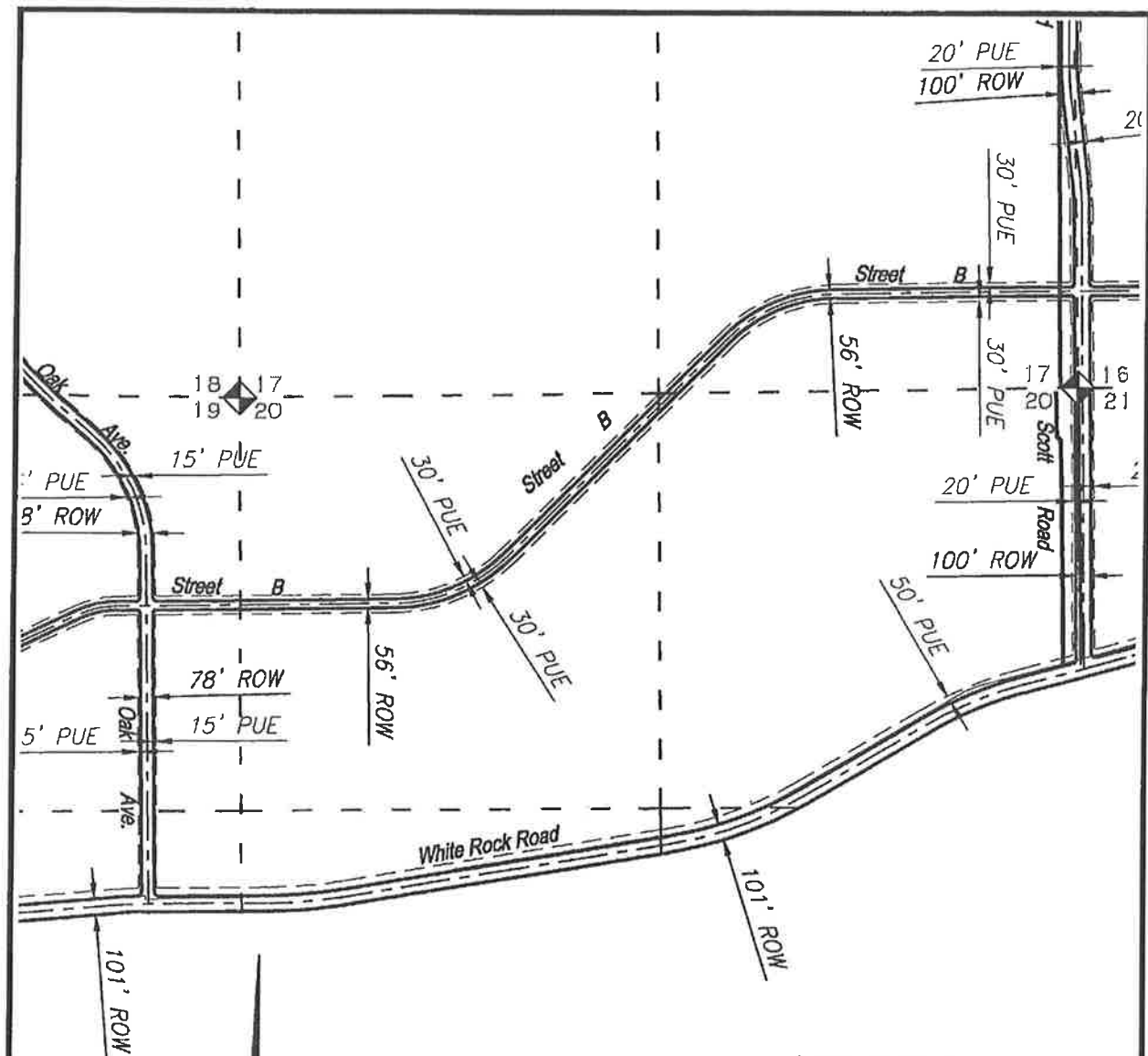
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ENGINEERS PLANNERS SURVEYORS
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SHEET 5 OF 7

EXHIBIT 3.8

BACKBONE INFRASTRUCTURE
AND BACKBONE LANDS

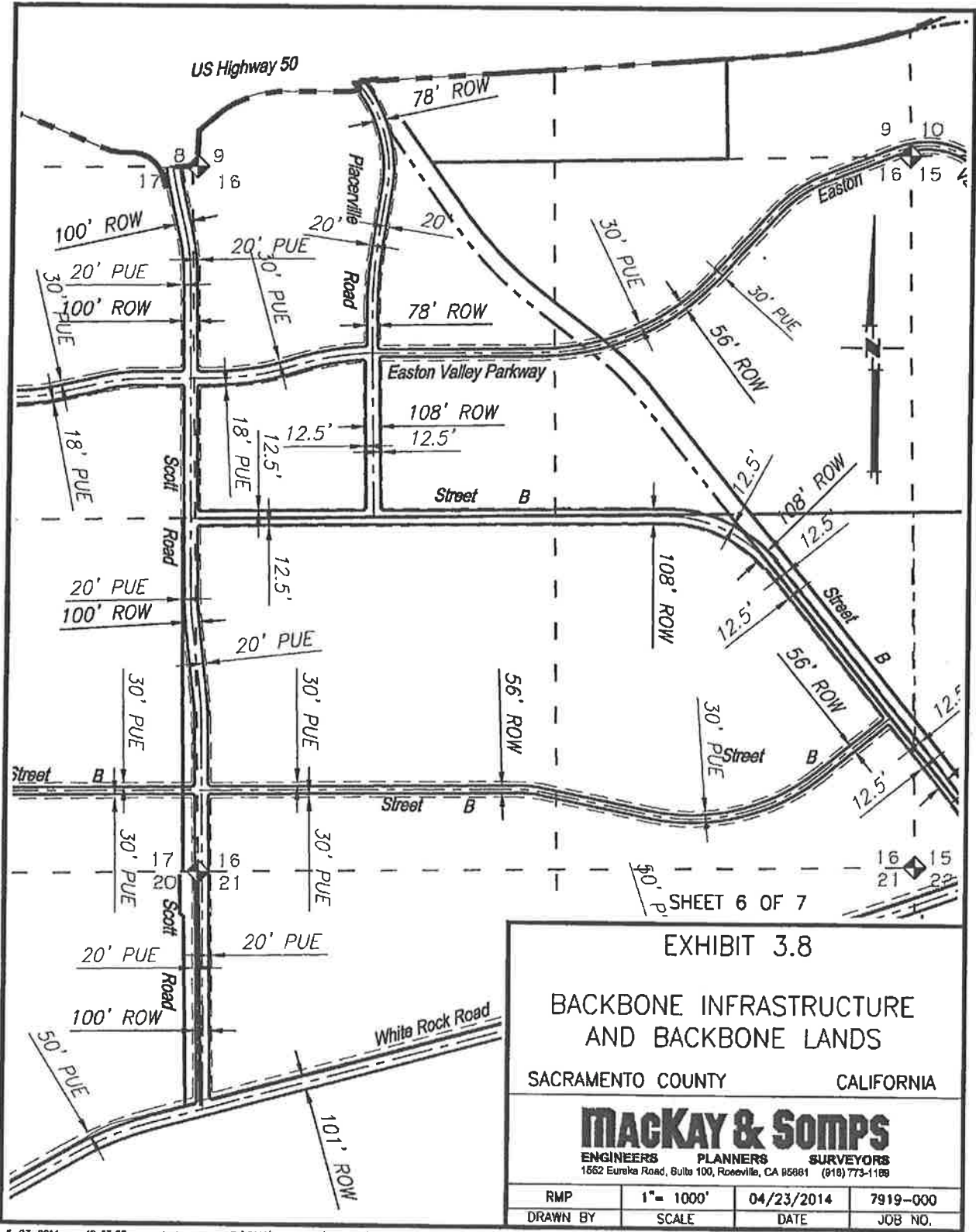
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MACKAY & SOMPS

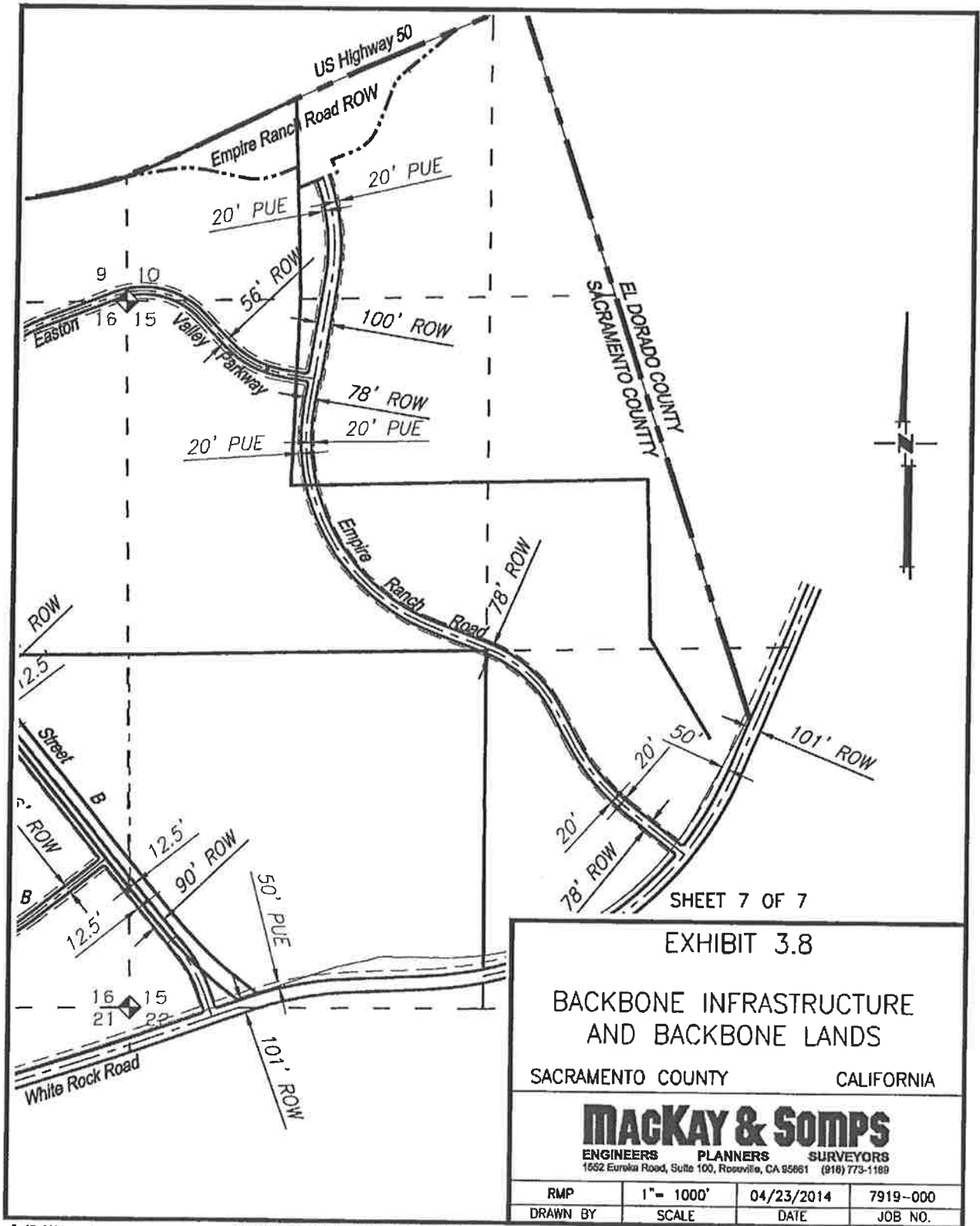
ENGINEERS PLANNERS SURVEYORS
1652 Eureka Road, Suite 100, Roseville, CA 95661 (916) 773-1188

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SHEET 7 OF 7

EXHIBIT 3.8

BACKBONE INFRASTRUCTURE
AND BACKBONE LANDS

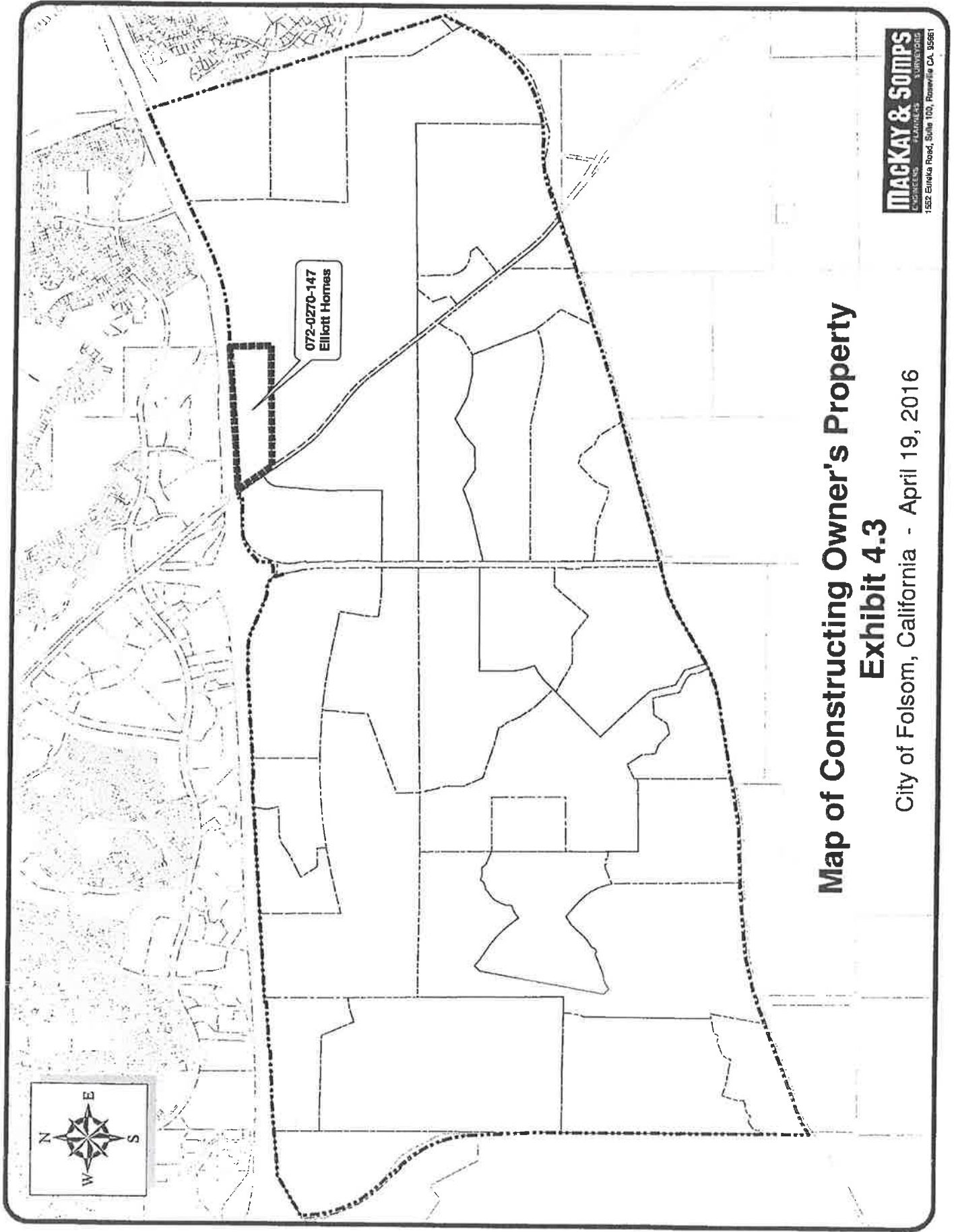
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MACKEY & SOMPS

ENGINEERS PLANNERS SURVEYORS
1662 Eureka Road, Suite 100, Roseville, CA 95661 (916) 773-1189

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072-0270-147
Elliott Homes



Map of Constructing Owner's Property

Exhibit 4.3

City of Folsom, California - April 19, 2016

EXHIBIT 7.11

ASSIGNMENT AND ASSUMPTION AGREEMENT

RECORDING REQUESTED TO:

Attn: _____

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

**ASSIGNMENT AND ASSUMPTION AGREEMENT RELATIVE TO
THE FOLSOM SPECIFIC PLAN AMENDED AND RESTATED TIER 1
DEVELOPMENT AGREEMENT**

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

RECITALS

A. On _____, 2011, the City of Folsom and Landowner entered into that certain agreement entitled "First Amended and Restated Tier 1 Development Agreement By and Between The City of Folsom and [Landowner Name] Relative to Folsom Specific Plan (hereinafter the "Development Agreement"). Pursuant to the Development Agreement, Landowner 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 Sacramento County on _____, 2014 [Instrument No. _____].

B. Landowner 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. Landowner desires to assign and Assignee desires to assume all of Landowner'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, Landowner and Assignee hereby agree as follows:

1. Landowner hereby assigns, effective as of Landowner conveyance of the Assigned Parcel to Assignee, all of the rights, title, interest, burdens and obligations of Landowner under the Development Agreement with respect to the Assigned Parcel. Landowner 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 Landowner.

2. Assignee hereby assumes all of the rights, title, interest, burdens and obligations of Landowner under the Development Agreement with respect to the Assigned Parcel, and agrees to observe and fully perform all of the duties and obligations of Landowner 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 Landowner as the "Landowner" under the Development Agreement with respect to the Assigned Parcel. Assignee acknowledges and agrees that the assumption of Landowner's rights and obligations under the Development Agreement includes, without limitation, the waiver by Assignee under Section 5.3 of the Development Agreement of all claims for damages against the City for breach of the Development Agreement.

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.

3. Notification to the City of Folsom is required by the Development Agreement Transferring Landowner shall provide notice, prior to the transfer to:

City of Folsom
City Manager
50 Natoma Street
Folsom, California 95630

4. The Notice Address described in Article 7 of the Development Agreement for the Landowner with respect to the Assigned Parcel shall be:

Attn: _____

5. No assignment shall be permitted if there are any outstanding payment obligations to the City by the Landowner until such delinquency is satisfied or the parties enter into a payment or performance agreement in a form approved by the City Attorney.

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.

LANDOWNER:

By: _____
Print Name: _____
Title: _____

ASSIGNEE:

By: _____
Print Name: _____
Title: _____

ATTACHMENT NO. 6

**Environmental Checklist and Addendum for the Broadstone
Estates Project**

Broadstone Estates Project

Addendum to the Environmental Impact Report/
Draft Initial Study & Environmental Evaluation

April 2016

Prepared for:

City of Folsom
Community Development Department

50 Natoma Street
Folsom, CA 95630

Prepared by:

HELIX Environmental Planning, Inc.

11 Natoma Street, Suite 155
Folsom, CA 95630

**ADDENDUM TO THE
PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE
FOLSOM PLAN AREA SPECIFIC PLAN (FPASP)**

A. INTRODUCTION

The City of Folsom (City) certified a Program Environmental Impact Report (PEIR) for the Folsom Plan Area Specific Plan (FPASP) on June 14, 2011. Subsequently, Elliott Homes, LLC. (the current project applicant) proposed changes to the project which have been analyzed in an Environmental Evaluation that is included with this Addendum, to determine whether those changes would result in any new or more substantial impacts from those identified in the prior certified 2011 EIR.

This Addendum has been prepared to provide information regarding: (1) the background and purpose of this Addendum to the certified, 2011 EIR; (2) standards for adequacy under the California Environmental Quality Act (CEQA) and State CEQA Guidelines; (3) a description of the format and content of this Addendum; and (4) the current processing requirements for the proposed project.

B. BACKGROUND

In the 2007, the City of Folsom approved the “Sphere of Influence Conceptual Land Use Plan”, allowing for the annexation of 3,134-acres of undeveloped land in Sacramento County known as the Folsom Specific Plan Area (SPA). The SPA is primarily undeveloped land located south of US 50, north of White Rock Rd, east of Prairie City Rd and bordering the Sacramento County/El Dorado County line. The SPA is a comprehensively planned community that creates new development patterns based on the principles of Smart Growth and Transit Oriented Development.

The Broadstone Estates project is within the SPA, on approximately 37.2-acre lot, located directly south of US 50 and east of Placerville Rd. The project was analyzed in the 2011 at the program level. Under the approved project, the Broadstone Estates land use plan includes Single Family Residential (SF-3.6 ac/ 10du), General Commercial (GC-13.ac), Industrial Office Park (IND/OP-10.5 ac), and Open Space (OS-9.8-ac); zoning designations for the Specific Plan are largely the same as the approved General Plan, with the distinction of the additional designation prefix “SP” indicating that area is part of the Specific Plan.

The Broadstone Estates project proposes an amendment to the City of Folsom General Plan and the FPASP to allow for a change to the approved land use plan and zoning. Previously, a specific plan was approved based on commercial, industrial, and open space land uses on the site. There will be no changes to the proposed project’s physical footprint. The proposed project

will entail the construction of residential structures and related infrastructure, as well as the dedication of open space.

C. OVERVIEW OF MODIFICATION TO THE PROJECT

The project proposes a change to the existing land use plan that would increase Single Family Residential (SF-24.6ac/81du) and Open Space (12.6ac) and completely eliminate the previously designated General Commercial and Industrial/Office Park. These changes would be consistent with existing land uses in the approved Russell Ranch Project EIR. The conversion of existing land use designations to Single Family Residential would allow for the land area to be more marketable and compatible with the Russell Ranch development. The overall development area would decrease by 2.8 acres while adding the difference to Open Space. The physical footprint of the project area would not change and remain 37.2 acres.

Residential development was originally planned to occur on the southeast corner of the project site; however, the revised SF location would occur throughout the project in between barriers of open space. The proposed project would offer 71 additional dwelling units in two single-family detached residential products within two neighborhood villages: 60'x105' and 65'x105'.

The proposed project maintains the proposed street connection to Placerville Road, which includes 12' travel lanes and on-street parking. The on-street bike lanes terminate once inside the subdivision and they give way to non-striped bike travel on the local subdivision roads. An additional 12' wide path is included on the north side of a portion of this main entry road which serves as a direct connector to the dedicated Class 1 bike trail provided along the entire northern frontage of the project. Internal project circulation includes residential streets that are intended to functionally and visually link project neighborhoods together and local roads are designed to blend with the approved Russell Ranch Project.

D. BASIS FOR AN EIR ADDENDUM

The State CEQA Guidelines environmental review procedures allow for the updating and use of a previously certified EIR for projects that are different from the previous project or the conditions under which the project was analyzed. § 15164 of the State CEQA Guidelines states the following with respect to an addendum to an EIR:

- a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in § 15162 calling for preparation of a subsequent EIR have occurred.*
- b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in §*

15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

- c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.*
- d) The decision making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.*
- e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to § 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.*

The State CEQA Guidelines identify criteria for determining whether a subsequent EIR would be required for a project with a previously approved EIR. Further detailed analysis and public review are required only if proposed changes to the project would require “major revisions” to the previously approved EIR because of new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts (CEQA Guidelines § 15162).

In accordance with State CEQA Guidelines § 15164, this Addendum has been prepared to document that the proposed project modifications do not require preparation of a subsequent EIR under § 15162. The criteria have been reviewed and compared against the analyses contained in the Initial Study, as follows:

- Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*

The proposed project is substantially similar to the project evaluated in the certified 2011 EIR. Like the approved project, the proposed project involves constructing a residential development and open space on the project site which is substantially similar to the development area analyzed in the 2011 EIR. As supported in the analysis contained in the accompanying Initial Study, there are no substantial changes proposed in the project which would result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

- Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement*

of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

The circumstances under which the proposed project is undertaken are substantially similar to those for the approved project. As supported in the analysis contained in the Initial Study, there are no substantial changes with respect to the circumstances under which the proposed project is undertaken which would result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

- *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:*
 - a) *The project will have one or more significant effects not discussed in the previous EIR;*
 - b) *Significant effects previously examined will be substantially more severe than shown in the previous EIR;*
 - c) *Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*
 - d) *Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

As supported in the analysis contained in the Initial Study, there is no new information of substantial importance which was not known for the 2011 EIR. There would be no new impacts from the proposed modified project.

None of the circumstances listed in State CEQA Guidelines § 15162 requiring the preparation of a subsequent EIR are present, and only minor technical changes or additions are necessary to update the previously certified EIR; therefore, an addendum may be prepared.

E. FORMAT AND CONTENT OF THIS ADDENDUM

The accompanying CEQA Initial Study (IS) and associated traffic study comprise an Addendum to the 2011 Folsom Plan Area Specific Plan EIR. A traffic study was conducted by MRO

Engineers in March 2016 in preparation of the addendum, and is included as an appendix to the IS.

As described above, the IS has been prepared to determine whether the proposed amendments to the approved project analyzed in the certified EIR would require major revisions to the EIR due to any new or more severe significant environmental impacts as compared to those analyzed in the prior certified EIR. The following definitions are used in the IS:

Potentially Significant Impact: Any potentially significant impact as a result of the proposed Broadstone Estates project that was not previously analyzed in the EIR.

Less than Significant with Mitigation Incorporated: Any potential impacts as a result of the proposed changes to the Broadstone Estates project not previously analyzed in the certified EIR, but found to be less than significant with previously prescribed mitigation from the EIR incorporated.

Less than Significant: Any potential impacts as a result of the proposed changes to the Broadstone Estates project not previously analyzed in the certified EIR, but which are found to be less than significant.

No New Impact: The proposed changes to the Broadstone Estates project would not result in an impact, or would result in an impact found to be equal to or less than the impact analyzed in the certified EIR.

F. ADDENDUM PROCESSING

The City of Folsom Planning Department directed and supervised the preparation of this Addendum, which has been reviewed and determined to be complete and accurate by the Planning Department. The City has concluded, based on the accompanying IS, that an Addendum is the appropriate CEQA compliance document for the revised Broadstone Estates project.

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Broadstone Estates
Draft Initial Study
and
Environmental Evaluation

Prepared for:

City of Folsom
Community Development Department
50 Natoma Street
Folsom, CA 95630

Prepared by:

HELIX Environmental Planning, Inc.
11 Natoma Street, Suite 155
Folsom, CA 95630

April 2016

**BROADSTONE ESTATES PROJECT
DRAFT INITIAL STUDY AND ENVIRONMENTAL EVALUATION**

TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
1. Introduction	2
2. Project Background	2
3. Project Description	4
3.1 Project Location.....	4
3.2 Project Setting and Surrounding Land Uses	4
3.3 Proposed Project and Modifications of the Approved Project	5
Environmental Factors Potentially Affected.....	9
4. Determination	9
6. Evaluation of Environmental Impacts	10
6.1 Aesthetics.....	10
6.2 Agriculture and Forestry Resources	12
6.3 Air Quality	14
6.4 Biological Resources	20
6.5 Cultural Resources	23
6.6 Geology and Soils.....	25
6.7 Greenhouse Gases.....	29
6.8 Hazards and Hazardous Materials	31
6.9 Hydrology and Water Quality	36
6.10 Land Use and Planning.....	41
6.11 Mineral Resources	44
6.12 Noise	46
6.13 Population and Housing.....	49
6.14 Public Services.....	51
6.15 Recreation	54
6.16 Transportation and Traffic	55
6.17 Utilities and Service Systems	58
6.18 Mandatory Findings of Significance	61
7. Supporting Information Sources.....	63
8. Initial Study Preparers	66

LIST OF TABLES

<u>No.</u>	<u>Title</u>	<u>Page No.</u>
1	Approved Project and Proposed Modified Project	5
2	Potential Incremental Diesel-Related Cancer Risk.....	18

LIST OF APPENDICES

Appendix A	Figure 1-4
Appendix B	Traffic Impact Analysis

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LIST OF ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
ac	acre(s)
Aerojet	Aerojet-General Corporation
ADT	average daily traffic
AEP	annual exceedance probability
amsl	above mean sea level
BLA	Boundary Line Adjustment
BMPs	best management practices
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CAAQS	California Ambient Air Quality Standards
CDMG	California Division of Mines and Geology
CEQA	California Environmental Quality Act
CHP	California Highway Patrol
DPM	Diesel particulate matter
DTSC	Department of Toxic Substance Control
du/ac	dwelling unit/acre
EID	El Dorado Irrigation District
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EPA	U.S. Environmental Protection Agency
FCUSD	Folsom-Cordova Unified School District
FMMP	Farmland Mapping and Monitoring Program
FPASP	Folsom Plan Area Specific Plan
ft	foot or feet
GC	General Commercial
GHG	greenhouse gas
HCP	Habitat Conservation Plan
HELIX	HELIX Environmental Planning, Inc.
IND	Industrial
LAFCo	Local Agency Formation Commission
OS	Open Space
MHMP	Multi-Hazard Mitigation Plan
NAAQS	National Ambient Air Quality Standards
NCIC	Northern Central Information Center
NHPA	National Historic Preservation Act

NO _x	oxides of nitrogen
NRCS	Natural Resources Conservation Service
NPDES	National Pollutant Discharge Elimination System
PM	Particulate matter
REC	Recognized Environmental Conditions
ROG	reactive organic gas
SACOG	Sacramento Area Council of Governments
SF	Single Family
SMAQMD	Sacramento Metropolitan Air Quality Management District
SMUD	Sacramento Municipal Utilities District
SPA	Specific Plan Area
SRVA	State Recreational Vehicle Area
SRWTP	Sacramento Regional Wastewater Treatment Plant
SSHCP	South Sacramento Habitat Conservation Plan
SVAB	Sacramento Valley Air Basin
SVRR	Sacramento Valley Railroad
SIP	State Implementation Plan
SRCSD	Sacramento Regional County Sanitation District
SSHCP	South Sacramento Habitat Conservation Plan
SWPPP	Storm Water Pollution Prevention Plan
TAC	toxic air contaminant
VMT	Vehicles Miles Traveled
WSA	Water Supply Agreement

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INITIAL STUDY AND ENVIRONMENTAL EVALUATION

Project Title: Broadstone Estates

Entitlements Requested: General Plan Amendment
Specific Plan Amendment (Rezone)
Small Lot Vesting Tentative Map Subdivision Map
Design Guidelines
Development Agreement

Lead Agency Name and Address: City of Folsom
50 Natoma Street
Folsom, CA 95630

Contact Person and Phone Number Scott Johnson, AICP, Planning Manager
Community Development Department
(916) 355-7222

Project Sponsor's Name and Address: Elliott Homes, LLC
340 Palladio Parkway #521
Folsom, CA

General Plan Designation: Single Family (SF), General Commercial (GC), Industrial/
Office Park (IND/OP), and Open Space (OS)

Existing Zoning: Single Family (SP-SF), General Commercial (SP-GC),
Industrial/ Office Park (SP-IND/OP), and Open Space (SP-OS)

1. INTRODUCTION

This Initial Study (IS) addresses the Broadstone Estates Project (proposed modified project) and whether it may result in different or more significant effects on the environment than previously analyzed in the City of Folsom (City) certified Program Environmental Impact Report (EIR) for the Folsom Plan Area Specific Plan (FPASP) and approved the project on June 14, 2011 (State Clearinghouse No. 2008092051; the “2011 EIR”). Subsequently, modifications have been proposed to the approved land use and zoning for the project. The proposed changes to the approved project are referred to as “the proposed modified project.” Consistent with Public Resources Code (PRC) Section 21083.3(a), this IS was prepared to identify changes in the project and effects on the environment that are specific to the proposed modified project that would require major revisions to the previously certified 2011 EIR.

The IS is also intended to assess whether any significant environmental effects of the proposed modified project are susceptible to substantial reduction or avoidance by specific revisions in the project, by the imposition of new conditions, or by other means in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. If such revisions, conditions, or other means are identified, they would be imposed as Mitigation Measures and/or conditions of approval of the project. This IS relies on State CEQA Guidelines §15064 and 15064.4 in its determination of the significance of environmental effects. According to §15064, the finding as to whether a project may have one or more significant effects shall be based on substantial evidence in the record, and that controversy alone, without substantial evidence of a significant effect, does not trigger the need for an EIR.

2. PROJECT BACKGROUND

In the 2007, the City of Folsom approved the “Sphere of Influence (SOI) Conceptual Land Use Plan”, allowing for the annexation of 3,134-acres of undeveloped land in Sacramento County. Following the annexation, the City of Folsom and the U.S. Army Corps of Engineers prepared a joint environmental impact report/environmental impact statement (“EIR/EIS” or “EIR”) for the Folsom South of U.S. Highway 50 Specific Plan Project. The Draft EIR/EIS was released on June 28, 2010. The City certified the Final EIR/EIS on June 14, 2011 (Resolution No. 8860). The FPASP was approved by the City on June 28, 2011 (Resolution No. 8863).

The Specific Plan Area (SPA) is primarily undeveloped land located south of US 50, north of White Rock Rd, east of Prairie City Rd and bordering the Sacramento County/El Dorado County line. The SPA is a comprehensively planned community that creates new development patterns based on the principles of Smart Growth and Transit Oriented Development. Consistent with these principles, the FPASP includes a mix of residential, commercial, employment and public

uses complemented by recreation amenities including a significant system of parks and open space, all within close proximity to one another and interconnected by a network of “Complete Streets”, trails and bikeways consistent with the Sacramento Council of Governments (SACOG) Blueprint Principles and the requirements of Senate Bill (SB) 375.

A central feature of the SPA is the mixed use town and neighborhood centers that form the foundation for walkable neighborhoods, reduced automobile use and higher internal trip capture. The block and street pattern for these neighborhoods will be orthogonal and urban with tree lined streets and wide separated sidewalks to encourage walking. Interconnectivity between land uses will assist in reducing vehicle miles traveled (VMT) and a corresponding reduction in greenhouse gas emissions as required by Assembly Bill (AB) 32.

The FPASP permits the construction of approximately 10,817 or more residential units developed across a broad range of residential types including single family detached homes, duplexes and patio homes as well as a range of multi-family residential housing types including townhomes, apartments, and condominiums and live/work studios. The FPASP also provides a variety of retail and wholesale commercial, light industrial and office based land uses that will provide local jobs and contribute to the city’s jobs/housing balance. In addition to residential and commercial uses, the SPA also provides a substantial number of parks, schools and other important community-serving uses as well as a significant amount of open space.

A vital component of the SPA circulation system is the dedicated transit corridor that runs the entire breadth of the SPA from Prairie City Road at the western SPA boundary to the intersection of White Rock Road and Old Placerville Road at the southern boundary of the SPA. This corridor will “link-up” with the regional transit network envisioned by the Sacramento Regional Transit District and provide future high speed transit travel between the SPA and designations throughout the region and offers another opportunity to reduce vehicle miles traveled.

The FPASP planning principles, objectives and policies set the stage for the orderly and systematic development of the SPA. The development standards and regulations contained in the plan provide the framework for the location, type and area of individual land uses; the allowed densities and building setbacks within each zoning category; and the location and size of streets, water lines, and other infrastructure improvements.

The FPASP includes a balanced approach to urban development by protecting its physical beauty while satisfying the on-going needs of the City and its residents. The FPASP offers a diverse mix of land uses including residential, commercial, and public uses. Approval of the FPASP established new General Plan designations for land use and Specific Plan designations for Zoning. Zoning designations for the Specific Plan are largely the same as the approved General

Plan, with the distinction of the additional designation prefix “SP” indicating that area is part of the Specific Plan.

The Broadstone Estates project owned by Elliott Homes proposes an amendment to the City of Folsom General Plan and the FSASP to allow for a change to the approved land use plan and zoning. Previously, a specific plan was approved based on commercial, industrial, and open space land uses on the site. There will be no changes to the proposed project’s physical footprint. The proposed project will entail the construction of residential structures and related infrastructure, as well as the dedication of open space.

3. PROJECT DESCRIPTION

3.1 PROJECT LOCATION

The proposed project site is located in southern portion of City of Folsom, in Sacramento County, California, south of US highway 50 (US 50) and east of Placerville Rd, approximately 1 mile west of the El Dorado/ Sacramento County line. The proposed project site is located within Sections 09, Township 09 North, and Range 8 East on the United States Geological Survey 7.5-minute “Clarksville” quadrangle. The project site is located on Assessor’s Parcel Number: 072-0270-147. Refer to **Figure 1** and **Figure 2** in Appendix A for the project’s location in the region and vicinity, and **Figure 3** for an aerial map, with the development area and preserve depicted.

3.2 PROJECT SETTING AND SURROUNDING LAND USES

The proposed project is within the Folsom SPA, on approximately 37.2-acre lot, located directly south of US 50 and east of Placerville Rd. The majority of the project is relatively undisturbed and primarily surrounded by rolling hills and annual grasslands. The ground surface of the site varies in elevation from approximately 450 above mean sea level (amsl) in the east to 500 feet amsl in the west. There are no significant water features within the project boundary except for small depressions and drainages; however, Alder Creek flows directly south of the project.

The Folsom SPA creates new development patterns based on the principles of Smart Growth and Transit Oriented Development. The FPASP has designated the space around the project to be General Commercial, Single Family, and Open Space. The project would occur within the “Hillside District” of the SPA, which is primarily suitable for lower density residential development due to the hilly terrain. The majority of the uses in this district are single family and single family high density with some light commercial. Refer to **Figure 3** in Appendix A for an aerial map depicting the environmental setting at the project site.

3.3 PROPOSED PROJECT AND MODIFICATIONS OF THE APPROVED PROJECT

3.3.1 Amendments to the General Plan and Existing Zoning

The approved Broadstone Estates land use plan includes Single-Family Residential (SF-3.6 ac/10du), General Commercial (GC-13.ac), Industrial Office Park (IND/OP-10.5 ac), and Open Space (OS-9.8-ac) and major roadways. The proposed Broadstone Estates land use plan would include Single Family Residential (SF-24.6ac/81du) and Open Space (12.6ac). The proposed amendment to the General Plan would include the conversion of General Commercial and Industrial/ Office Park land uses to Single-Family Residential land use consistent with the approved Russell Ranch Project. The approved Russell Ranch conversion of General Commercial land use to Residential land use, together with the limited physical access to the General Commercial/Industrial/Office Park land uses, render non-residential land uses un-marketable and the land area would be better utilized for single-family residential. Further, existing grades for this area are not conducive for Commercial or Industrial development, and would be much more appropriately suited for Residential.

Existing General Plan land use designations and zoning for the project site reflects the General Plan designations and zoning in the approved 2011 EIR. Under the proposed modified project, the land use and zoning designations would be revised. The existing and proposed land use designations are summarized in Table 1.

Table 1						
Approved Project and Proposed Modified Project Features						
Description	Approved Project (2011 EIR)		Proposed Modified Project		Difference	
	Units	Acres	Units	Acres	Units	Acres
Summary of Project Site						
Development area	--	27.4	--	24.6	--	-2.8
Open Space Preserve	--	9.8	--	12.6	--	+2.8
<i>Total project site</i>	--	37.2	--	37.2	--	0
Summary of Development Area						
Single-family residential	10	3.6	81	24.6	+71	+21
General Commercial	--	13.3	--	0.0	--	-13.3

**Table 1
Approved Project and Proposed Modified Project Features**

Description	Approved Project (2011 EIR)		Proposed Modified Project		Difference	
	Units	Acres	Units	Acres	Units	Acres
Industrial/ Office Park	--	10.5	--	0.0	--	+10.5
Open Space	--	9.8	--	12.6	--	+2.8

Sources: Acreages for the approved project and modified project are from the Broadstone Estates Development Permit

3.3.2 Residential Development

The 2011 EIR analyzed construction of Commercial, Industrial/ Office Park, and Single Family. In addition to a change in land use and zoning, the proposed project would eliminate the Commercial and Industrial/Office Park designation and increase the Single-Family Residential dwelling units (du) from 10du to 81du. Residential development was originally planned to occur within the southeast corner of the project site; however, the revised location would occur throughout the project in between barriers of open space.

The project would offer two single-family detached residential products within two neighborhood villages. Village 1 would include 40du on 12.3 acres (density 3.3 du/ac) and would include both 60'x105' and 65'x105' lot types. Village 2 would include 41du on 11.9 acres (density 3.4 du/ac) and would only include the 65'x105' lots. Refer to **Figure 4** in Appendix A for the site plan of the proposed modified project.

3.3.3 Parking and Circulation

The proposed Broadstone Estates project maintains the proposed street connection to Placerville Rd the west, which includes 12-foot travel lanes and on-street bike lanes. This street connection is essentially Broadstone Estates' "front door" and will provide for direct and convenient access to the area's shopping centers. The on-street bike lanes terminate once inside the subdivision and they give way to non-striped bike travel on the local subdivision roads. However, an additional 12-foot wide Class 1 path is included on the north side of a portion of this main entry road which serves as a direct connector to the dedicated Class 1 bike trail provided along the entire northern frontage of the project.

Internal project circulation includes residential streets that are intended to functionally and visually link project neighborhoods together and lead residents to nearby amenities, such as school, parks and trail heads, without having to travel a collector street. Local roads are designed to seamlessly blend with the approved Russell Ranch project.

3.3.4 Parks and Open Space

Broadstone Estates' open space land areas have been designed to preserve and protect some of the area's hillside resources and promote the area's greatest asset: the views. The project would include refinements to the Open Space and Single Family boundaries to preserve and protect open space (hillside) resources, to maximize view opportunities for the future Single Family home sites, and to seamlessly blend with the approved Russell Ranch project. The FPASP identified 9.8 acres of open space lands within the project boundary and the proposed plan would provide 12.6 acres of open space lands (landscaped grassland, sloping terrain) which exceeds the total as allocated by the FPASP by 2.8 acres.

3.3.5 Grading and Drainage

A preliminary grading plan has been developed that accommodates needs for on-site stormwater detention, incorporates preferred alignments for roadways, and joins with existing conditions at the project boundaries. A stormwater system consisting of surface swales, catch basins, drainage inlets, underground pipes, and detention basins has been developed. These stormwater facilities would be constructed along the natural drainage courses within the SPA to mimic natural drainage patterns. The stormwater system has been designed to collect and convey 100-year (0.01 annual exceedance probability, "AEP") storm events. The proposed drainage and detention facilities would detain flows exiting the site such that 10-year (0.1 AEP) and 100-year (0.01 AEP) flow events are maintained at the predevelopment levels.

The City's Public Works Department provides stormwater services in Folsom. The proposed project would include stormwater infrastructure designed to collect and convey 100-year (0.01 AEP) storm events. The proposed infrastructure includes surface swales, catch basins, drainage inlets, underground pipes, and detention basins.

3.3.6 Water Supply

The SPA's water demand has been determined through an addendum to the EIR and a series of legislation by the City. When the SPA was annexed into the City, Measure W was put forth by the Folsom City Council. This Measure ensures that the SPA south of Highway 50 would:

- Not cause a reduction in the water supply designated to serve existing water users north of Highway 50; and
- Not be paid for by Folsom residents north of Highway 50.

After Measure W was passed, and codified in the Folsom City Charter, an addendum to the FPASP EIR was produced that analyzed the availability of water supplies, even under a multiple-year drought condition. Following the addendum's certification by City Council, a Water Supply Agreement (WSA) was drafted between the City and the landowners in the SPA. This forms the legal basis by which the City will secure water supplies at no cost and no detriment to the residents of Folsom north of Highway 50 and their water supply. The City will be retaining and using water supplies for the SPA that result from its conservation and improvement efforts. Sacramento County Superior Court validated the WSA, and the determination is forever binding on water supply issues within the SPA.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality/Greenhouse Gases |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

4. DETERMINATION

On the basis of the initial evaluation that follows:

- I find that the proposed project WOULD NOT have a significant effect on the environment not previously identified in the certified Environmental Impact Report for the previously approved project, in accordance with Section 15164 of the State CEQA Guidelines. An ADDENDUM TO THE CERTIFIED ENVIRONMENTAL IMPACT REPORT will be prepared.
- I find that the proposed project will result in one or more of the conditions described in Section 15162 of the State CEQA Guidelines. A SUBSEQUENT ENVIRONMENTAL IMPACT REPORT will be prepared.
- I find that the proposed project will result in one or more of the conditions described in Section 15163 of the State CEQA Guidelines, but only minor additions or changes to the certified Environmental Impact Report would be necessary to adequately apply the project in the changed situation. A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT will be prepared.

Signature Date

Printed Name Date

6. EVALUATION OF ENVIRONMENTAL IMPACTS

6.1 AESTHETICS

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project within the SPA is located on undeveloped open space, where the scenery consists of grasslands on rolling hills and narrow valleys. Existing development is limited within the area, and generally, this area is considered to have high levels of vividness, intactness, and unity; and due to its location along US 50, viewer sensitivity from motorists is considered to be high. Section 3A.1 of the FPASP EIR concluded that the project implementation would substantially degrade this scenic vista. Existing views of the rolling hills and open space would change to housing developments, schools, and general commercial endeavors. The viewshed of thousands of acres would be permanently altered and would contain development that would substantially degrade the view and eliminate the area's unique and scenic quality. With implementation of the previously adopted mitigation identified below, the Broadstone Estates project would not have any new significant or substantially more aesthetic or visual resource impacts (Guidelines, § 15162).

Evaluation of Aesthetics

Questions A and B: No New Impact

The FPASP EIR determined that the approved project would have a substantial adverse effect on scenic resources, requiring mitigation to reduce impacts. Further, the approved project would have irrevocable damage to scenic resources with no feasible mitigation. The proposed modified project would be a land use modification and would not introduce additional impacts to scenic resources not previously discussed and would be required to implement **Mitigation Measure 3A.1-1**.

Question C: No New Impact

The FPASP EIR determined that the approved project would substantially degrade the visual character of the SPA through the conversion of rolling hills to developed urban uses, resulting in direct impacts that are significant. The proposed modified project would be a change in land use and still result in similar visual impacts described in the EIR. Additionally, construction would temporarily degrade the existing visual character of the SPA, resulting in a direct impact that would be significant, requiring the implementation of **Mitigation Measures 3A.1-4, 3A.7-4** (refer to Section 3A.7 Geology for more detail), **3B.1-2a**, and **3B.1-2b**. A transmission line running parallel to Old Placerville Road would also contribute to this shift of visual character. The environmental compliance of this transmission line and the relocation of a Sacramento Municipal Utilities District (SMUD) substation have been analyzed in a separate document. The proposed modified project would not introduce any new impacts that were not previously disclosed.

Question D: No New Impact

The FPASP EIR determined that the approved project would require lighting of new development, which would cause new and increased light and glare. As a result, the approved project would introduce a substantial quantity of light into the rural landscape, where overall light and glare affects would create significant and direct impacts. Impacts from the proposed modified project are similar to those described for the approved project, requiring implementation of **Mitigation Measure 3A.1-5, 3B.13a** and **3B.1-3b**. Therefore, the potential impacts would be reduced to less than significant, except for those out of the City's jurisdiction.

6.2 AGRICULTURE AND FORESTRY RESOURCES

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
<p>In determining whether impacts to agriculture resources are significant environmental effects, lead agencies may refer to the California Agriculture Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.</p> <p>Would the project:</p> <p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p> <p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p> <p>c) Conflict with existing zoning for, or cause rezoning of, forest land [as defined in Public Resources Code Section 12220(g)], timberland [as defined by Public Resources Code Section 4526 (g)], or timberland zoned Timberland Production [as defined by Government Code Section 51104 (g)]?</p> <p>d) Result in the loss of forest land or conversion of forest land to non-forest use?</p> <p>e) Involve other changes in the existing environment which, due to their location or</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>

nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Agriculture resources were evaluated under Section 3A.10 Land Use and Agricultural Resources of FPASP EIR. The EIR concluded that there are no feasible mitigation measures for the approved project that would reduce two agriculture impacts to less than significant level; Impacts 3.A10-3: Cancellation of Existing Williamson Act Contracts and 3.10-4: Potential Conflict with Existing Off-Site Williamson Act Contracts remain significant and unavoidable. The Broadstone Estates project would not have any new significant or substantially more severe agricultural or forestry service impacts (Guidelines, § 15162).

Evaluation of Agriculture and Forestry Services

Questions A – E: No New Impact

The Farmland Mapping and Monitoring Program (FMMP) categorizes all land within the SPA as Grazing Land, which is land where existing vegetation is suited to the grazing of livestock. This farmland category is not considered to be Prime Farmland or Farmland of Local or State Importance; therefore, neither the approved project nor the proposed modified project would result in an impact. As discussed in the FPASP EIR, the FPASP would potentially conflict with existing Williamson Act Contracts, where impacts would potentially be significant and unavoidable. The proposed modified project is located within a portion of the SPA where there are no existing Williamson Act Contracts; therefore, there would not be a new conflict or impact. Additionally, the SPA is not within forest land. As described in the FPASP EIR, the approved project would convert agriculture land to a non-agricultural use, resulting in a significant and unavoidable impact, with no feasible mitigation. The proposed modified project would not create new impacts not previously identified in the EIR.

6.3 AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.				
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impacts to Air Quality are discussed in Section 3A.2 of the FPASP EIR. The EIR concluded that long-term operation-related air quality impacts would be significant and unavoidable. Additional impacts related to air quality may be reduced to less than significant with the implementation of the mitigation measures described below. With implementation of the previously adopted mitigation identified below, the Broadstone Estates project would not have any new significant or substantially more severe air quality impacts (Guidelines, §15162).

Evaluation of Air Quality

Questions A-C: No New Impact

The SPA is located in Sacramento County, California, which is under the jurisdiction of the Sacramento Metropolitan Air Quality Management District (SMAQMD). SMAQMD is the primary local agency with respect to air quality for all of Sacramento County. Sacramento County is within the Sacramento Valley Air Basin (SVAB). Air quality is also regulated by the U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB); at a local level, air quality in these two counties is regulated by SMAQMD.

SMAQMD attains and maintains air quality conditions in Sacramento County through a comprehensive program of planning, regulation, enforcement, technical innovation, and promotion of the understanding of air quality issues. The clean-air strategy of SMAQMD includes the preparation of plans for the attainment of ambient air quality standards, adoption and enforcement of rules and regulations concerning sources of air pollution, and issuance of permits for stationary sources of air pollution.

In accordance with SMAQMD (SMAQMD 2009) recommended thresholds for evaluating project-related air quality impacts, implementation of the approved project would be considered significant if:

- for project-related construction activity that would occur in Sacramento County, generate construction-related criteria air pollutant or precursor emissions that exceed the SMAQMD-recommended threshold of 85 lb/day for NOX, or result in or substantially contribute (at a level equal to or greater than 5%) to emissions concentrations (e.g., 50 µg/m³ and 2.5 µg/m³ for PM₁₀, respectively) that exceed the National Ambient Air Quality Standards (NAAQS) or California Ambient Air Quality Standards (CAAQS);
- generate long-term regional criteria air pollutant or precursor emissions that exceed the SMAQMD recommended threshold of 65 lb/day for ROG and NOX, or result in or substantially contribute (at a level equal to or greater than 5%) to emissions concentrations (e.g., 50 µg/m³ and 2.5 µg/m³ for PM₁₀, respectively) that exceed the NAAQS or CAAQS;
- contribute to localized concentrations of air pollutants at nearby receptors that would exceed applicable ambient air quality standards;
- expose sensitive receptors to TAC emissions that exceed an incremental increase of 10 in 1 million for the carcinogenic risk (i.e., the risk of contracting cancer) and/or a non-carcinogenic Hazard Index of 1.0 at the Maximally Exposed Individual (MEI). This threshold of significance applies to projects that would introduce new stationary or area sources of TAC emissions in close proximity to existing or future planned sensitive

receptors. CARB and SMAQMD do not have a threshold of significance for evaluating projects that would locate sensitive receptors near existing sources of TAC emissions such as a freeway, high-volume roadway, or rail yard. For the purposes of this analysis, the City will use applicable screening criteria recommended by CARB and SMAQMD as thresholds of significance to evaluate instances in which each action alternative would locate a sensitive receptor in close proximity to a freeway, high-volume roadway, or a TAC-emitting land use such as a gasoline station or a dry-cleaning operation that uses perchloroethylene. (CARB's and SMAQMD's screening criteria are discussed in greater detail under the analysis methodology and Impact 4.2-4.); and

- expose sensitive receptors to excessive nuisance odors, as defined under SMAQMD Rule 402

The approved project would have construction activities associated with the project that would generate intermittent emissions of NO_x and PM₁₀. Because of the large size of the approved project, the 2011 EIR concluded that construction-generated emissions of NO_x, an ozone precursor, and fugitive PM₁₀ dust would exceed SMAQMD-recommended thresholds and would substantially contribute to emissions concentrations that exceed the NAAQS and CAAQS. Thus, the EIR concluded that project-generated, construction-related emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation, expose sensitive receptors to substantial pollutant concentrations, and/or conflict with air quality planning efforts.

Because mass emissions of NO_x would exceed SMAQMD's recommended threshold of significance and because grading activities are anticipated to be extensive, construction-generated emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation. Also, construction emissions of criteria air pollutants and precursors could expose sensitive receptors to substantial pollutant concentrations, particularly when grading and other ground disturbance activities occurs near land uses that have already been developed (and where people are already living or working) in the SPA. In addition, because the SMAQMD's significance thresholds approximately correlate with reductions from heavy-duty vehicles and reduction requirements for land use project emissions in the State Implementation Plan (SIP), construction-generated emissions could also conflict with air quality planning efforts. This was concluded to be a direct significant impact. Impacts from the proposed modified project are similar to those described for the approved project, requiring implementation of **Mitigation Measures 3A.2-1a, 3A.2-1b, 3A.2-1c, 3A.2-1d, 3A.2-1e, 3A.2-1f, 3A.2-1g, 3A.2-1h, 3A.2-6, 3B.2-1a, 3B.2-1b, 3B.2-1c, 3B.2-3a, and 3B.2-3b.** With mitigation, impacts from NO_x construction emissions may be reduced to less than

significant; however, impacts from PM₁₀ construction emissions would potentially remain significant and unavoidable. The proposed modified project would not create new impacts associated construction emissions.

The approved project will result in the generation of long-term operational (regional) emissions of reactive organic gas (ROG), and NO_x. Operational area- and mobile-source emissions from project implementation would exceed the SMAQMD-recommended threshold of 65 lb/day for ROG and NO_x, and would result in or substantially contribute to emissions concentrations that exceed the NAAQS or CAAQS for ozone. In addition, because of the large increase in emissions associated with project build out and the fact that the approved project is not within an already approved plan (which means that increased emissions would not already be accounted for in applicable air quality plans), project implementation could conflict with air quality planning efforts in the SVAB. Impacts from the proposed modified project are similar to those described for the approved project, requiring implementation of **Mitigation Measure 3A.2-2**. With mitigation, impacts from long-term operational emissions of ROG and NO_x may still be significant and unavoidable. The proposed modified project would not create new impacts associated with operational emissions.

Questions D: No New Impact

Projects of concern for diesel particulate matter (DPM) exposure to proposed sensitive land uses, such as the proposed multi-family residential units, are typically those located near high traffic freeways, urban roads with more than 100,000 vehicles per day, a high heavy truck concentration, rail yards, ports, and/or distribution centers, all of which emit significant quantities of DPM (CARB 2005). The project's northern boundary is approximately 100 feet south of US 50. With 101,000 average daily trips, US 50 experiences more traffic than the CARB criterion of 100,000 vehicles/day for urban roads (Caltrans 2016). Therefore, the project would have the potential to expose sensitive receptors to substantial amounts of TACs (Toxic Air Contaminants). The *SMAQMD Protocol for Evaluating the Location of Sensitive Land Uses Adjacent to Major Roadways* includes a screening process to determine if the nearest sensitive receptor's increase in individual cancer risk is lower than the evaluation criterion of 276 per million. If lower, then no further roadway-related air quality evaluation is recommended under the Protocol.

Table 2 shows the Protocol's screening table for projects located north or south of an east-west roadway. As discussed previously, occupied buildings will be located approximately 100 feet south of US 50. The most recent Caltrans traffic data available lists this segment of US 50 as carrying a peak hour volume of 8,600 vehicles. The Protocol requires an analysis to round values

for the most conservative analysis. Therefore, we find a project locating sensitive receptors 100 feet south of a roadway carrying 12,000 vehicles per hour results in an incremental cancer risk of 143 per million. As this value is less than the evaluation criterion of 276 per million, no further roadway-related air quality evaluation is recommended. This impact would be less than significant.

<p align="center">Table 2 Potential Incremental Diesel-Related Cancer Risk North and South of an East-West Roadway Version 2.4 EMFAC 2007 (Analysis Year 2011)</p>								
Peak Hour Traffic Volumes (vehicle/hr)	Receptor Distance from Edge of Nearest Travel Lane (ft)							
	10	25	50	100	200	300	400	500
Incremental Cancer Risk Per Million People: North (downwind)								
4,000	188	165	137	102	67	51	41	35
8,000	372	331	273	204	134	99	83	67
12,000	550	487	404	299	197	149	121	102
16,000	760	671	557	410	270	204	165	137
20,000	951	840	696	515	337	254	207	172
24,000	1,138	1,008	836	617	404	305	248	207
Incremental Cancer Risk Per Million People: South (upwind)								
4,000	102	86	67	48	32	22	19	16
8,000	207	172	137	99	64	48	38	32
12,000	305	254	200	143	92	70	54	48
16,000	423	353	277	200	127	95	76	64
20,000	531	442	347	248	159	121	95	80
24,000	636	531	417	299	191	143	114	95

Source: SMAQMD 2011

Note: Highlighted cell indicates the potential incremental cancer chances per million people from diesel for the proposed project based on the peak hour traffic and the distance from the edge of the nearest travel lane.

Implementation of the approved project would result in exposure of receptors to short- and long-term emissions of TACs from on-site stationary and mobile sources and from off-site mobile sources. Construction of the approved project would result in short-term emissions of diesel exhaust from onsite heavy-duty equipment. Construction of the approved project would result in the generation of diesel PM emissions from the use of off-road diesel equipment required for site

grading and excavation, paving, and other construction activities. Diesel PM from construction activities could also expose on-site residents and schools to levels that exceed applicable standards as some phases of the development plan are built out while construction of other phases continues. Some residents may be exposed to diesel PM generated by construction activity in all directions (at varying times). Construction activities could expose sensitive receptors to levels of health risk that exceed applicable standards, resulting in direct impacts considered potentially significant. Proposed on-site commercial and industrial land uses within the SPA have not yet been identified and could potentially involve substantial volumes of truck activity occurring in close proximity to nearby sensitive receptors, exposure of nearby on-site receptors to mobile-source TACs associated with commercial and industrial activities is considered a direct and potentially significant impact. Impacts from the proposed modified project are similar to those described for the approved project, requiring implementation of **Mitigation Measures 3A.2-4a and 3A.2-4b**. With mitigation, exposure of sensitive receptors to TACs would remain less than significant. Additionally, as described above, the proposed modified project has an incremental cancer risk value that is less than the evaluation criterion; therefore, no further roadway-related air quality evaluation is recommended. Impacts from the proposed modified project would be less than significant.

The approved project may result in exposure of sensitive receptors to construction-generated emissions of naturally occurring asbestos. Asbestos is a toxic air contaminant. Residents and other receptors located close to construction activity could be exposed to dust from asbestos rock and soils during earth disturbance activities. Impacts from the proposed modified project are similar to those described for the approved project, requiring implementation of **Mitigation Measure 3A.2-5**. With mitigation, exposure of sensitive receptors to constructed generated emissions of naturally occurring asbestos from the proposed project would remain less than significant.

Question E: No New Impact

The approved project may result in the exposure of sensitive receptors to odorous emissions. Temporary, short-term construction and long-term operation of the project could result in the frequent exposure of sensitive receptors to substantial objectionable odor emissions, resulting in a direct, significant impact. Impacts from the proposed modified project are similar to those described for the approved project and would requiring the following mitigation: **Mitigation Measures 3A.2-1a, 3A.2-1f, 3A.2-1h, 3A.2-6 3B.2-1b, 3B.2-1c, 3B.2-3a, and 3B-2-3b**. With mitigation, exposure of sensitive receptors to odorous emissions from the proposed project would remain less than significant.

6.4 BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) 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 U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any applicable policies protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Biological studies conducted in support of the FPASP EIR were evaluated at the program level and are discussed in Section 3A.3. Biological studies for the project area (Carpenter Ranch) included vernal pool branchiopod surveys and special-status species surveys. A delineation of waters of the U.S. was also prepared for the project site. With implementation of the previously adopted mitigation identified below, the Broadstone Estates project would not have any new significant or substantially more severe biological resources impacts (Guidelines, §15162).

Evaluation of Biological Resources

Question A: No New Impact

The 2011 EIR analyzed species identified as sensitive species and habitats that exist within the SPA. The EIR concluded that 13 special-status plant species, four special-status invertebrates, four special status amphibians, one special status reptile, 13 special status birds, and six special status mammals have the potential to occur in the project site. Under the approved project, the development would result in significant impacts for vernal pool fairy shrimp, conservancy fairy shrimp, vernal pool tadpole shrimp, western spadefoot toad, Swainson's hawk and other raptors, and Valley elderberry longhorn beetle. The impact of the development is potentially significant for tricolored blackbird and roosting bat. All other impacts on species are considered less than significant. Consistent with the EIR, the proposed modified project would be required to implement the following mitigation: **Mitigation Measures 3A.3-1a, 3A.3-1b, 3A.3-2a, 3A.3-2b, 3A.3-2c, 3A.3-2d, 3A.3-2e, 3A.3-2f, 3A.3-2g, 3A.3-2h, 3A.3-3, and 3B.3-2.** With implementation, impacts may still be significant and unavoidable. With mitigation, the loss and degradation of habitat for special-status wildlife species resulting from the approved project would still remain significant and unavoidable. The proposed modified project would not create additional impacts to habitat that have not already been discussed in the approved EIR.

There is no new impact anticipated under the proposed modified project. The mitigation measures above remain accurate and applicable to this project. The amount of open space has increased slightly, which may alleviate impacts on the habitat and species in the area.

Questions B and C: No New Impact

The 2011 EIR analyzed sensitive communities and protected wetlands within the SPA. The proposed modified project will increase existing open space from 9.8 acres to 12.6 acres. This helps alleviate the destruction of wetland and riparian habitat, and other sensitive natural communities within the SPA. However, for the portions of the project area impacted by development, impacts are considered significant. Consistent with the EIR, the proposed modified project would be required to implement the following mitigation: **Mitigation**

Measures 3A.3-1a, 3A.3-1b, 3A.3-4a, 3A.3-4b, 3B.3-1a, 3B.3-1b, and 3B-3-1c. With mitigation, impacts to Waters of the US may remain significant and unavoidable; however, impacts to sensitive natural communities may be reduced to less than significant. There is no new impact anticipated under the proposed modified project, where additional open space on the project site may aid in the avoidance of sensitive resources. Vernal pools and other sensitive resources are being avoided as originally conceptualized in the 2011 EIR.

Question D: No New Impact

The 2011 EIR concluded that most of the drainages in the SPA do not provide enough cover to be a valuable animal movement corridor; the adjacent grassland open space and Alder Creek corridor will provide opportunities for movement in perpetuity; and there are no established migratory routes in the SPA for any fish or wildlife species. As a result, no mitigation is required to compensate for impacts. Implementing the proposed modified project would not alter this resulting level of impact. No new impacts not previously disclosed will occur as a result of the proposed modified project.

Question E: No New Impact

The 2011 EIR identified the loss of blue oak woodland or protected trees with a 6-inch or greater DBH, as a significant impact, pursuant to the Folsom Municipal Code. To reduce this impact, **Mitigation Measures 3A.3-5** can be employed. Even with implementation, there may still be a significant and unavoidable impact. The proposed modified project is a development within the SPA; therefore the mitigation measures listed above are applicable. No new impacts that have not previously disclosed will occur as a result of the proposed modified project.

Question F: No New Impact

The 2011 EIR analyzed the pending South Sacramento Habitat Conservation Plan (SSHCP). The proposed SSHCP is adjacent to, but does not include, the SPA. The proposed modified project would not reduce the effectiveness of the proposed SSHCP's conservation strategy, or adversely affect its goals and objectives. There is no new impact due to the proposed modified project, and no mitigation is required.

6.5 CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Cultural studies conducted in support of the 2011 EIR are discussed in Section 3A.5 at the program level, where impacts to cultural resources are the same for individual projects within the SPA. The North Central Information Center (NCIC) records search indicates that the entire SPA has been inventoried previously for cultural resources and that approximately 260 prehistoric and historic-era districts, sites, features, and isolated artifacts have been identified (refer to Appendix E2 of the EIR). The density of identified historic and prehistoric resources suggests that the entire SPA is also sensitive for additional undiscovered prehistoric and historic cultural resources. Thus, the SPA is considered highly sensitive for historic and prehistoric resources and, under Section 106 of the National Historic Preservation Act (NHPA), individual projects may be required to perform additional cultural resource surveys. With implementation of the mitigation identified below, the Broadstone Estates project would not have any new significant or substantially more severe cultural resource impacts (Guidelines, §15162).

Evaluation of Cultural Resources

Questions A and B: No New Impact

The 2011 EIR analyzed previous documents that surveyed the entire SPA, concluding that site-specific studies should be done at the time of development to satisfy NHPA Section 106

requirements prior to Federal agency coordination and permitting. This could be achieved by implementing a Programmatic Agreement whereby applicants are expected to proceed with site evaluations independently of one another. Development of the SPA would result in a significant impact to historical resources and archaeological resources. Consistent with the EIR, the proposed modified project would be required to implement **Mitigation Measures 3A.5-1a, 3A.5-1b, and 3A.5-2** as well as conduct site specific cultural resources studies prior to permitting or development. With mitigation and site specific studies, possible damage to cultural resources from construction related activities may still potentially be significant and unavoidable. However, the proposed project would not introduce additional impacts to cultural resources that have not been previously disclosed.

Question C: No New Impact

The 2011 EIR analyzed previous documents that surveyed the entire SPA, concluding that because of the large number of fossils that have been recovered from other Mehrten and Ione Formations throughout the Central Valley, there is a potential for uncovering additional similar fossil remains during construction-related earthmoving activities. This impact is considered potentially significant and the proposed modified project would be required to implement **Mitigation Measures 3A.5-1a, 3A.5-1b, 3A.5-2, 3A.7-10 and 3B.7-5 (Geology)**. With mitigation and, damage to unique geologic features or paleontological resources may still potentially be significant and unavoidable. However, the proposed project would not introduce additional impacts to cultural resources that have not been previously disclosed.

Question D: No New Impact

The 2011 EIR analyzed previous documents that surveyed the entire SPA, concluding that while no documented prehistoric or historic burial sites occur within the SPA or the vicinity, the density and number of identified resources suggests that there is at least the potential that interred human remains exist within the project footprint. Development of the SPA could result in potentially significant impacts to human remains. As a result, **Mitigation Measure 3A.5-3** would be implemented, reducing the impact on areas within the City's jurisdiction to less than significant. No new impacts that have not previously disclosed would occur under the proposed modified project.

6.6 GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The approved project's potential effects on geology, soils, minerals, and paleontological resources were evaluated in Section 3A.7 of the FPASP EIR. The EIR concluded that the project may result in significant and unavoidable impacts related to strong seismic ground shaking, construction-related erosion, construction in bedrock/rock outcrops and landslides, requiring mitigation to reduce impacts to less than significant. With implementation of the previously adopted mitigation identified below, the Broadstone Estates project would not have any new significant or substantially more severe geology and soils impacts (Guidelines, § 15162).

Evaluation of Geology and Soils

Question A(i): No New Impact

The SPA is located approximately 50 miles from the nearest Alquist-Priolo Earthquake Fault Zone, and the SPA is not underlain by or adjacent to any known faults. Because the damage from surface fault rupture is generally limited to a linear zone a few yards wide, and the nearest fault is approximately 50 miles away, the potential for surface fault rupture to cause damage to proposed structures is negligible and this impact was not evaluated further under the FPASP EIR. The proposed project is located within the SPA and does not require further evaluation or mitigation for the reasons described above.

Question A(ii): No New Impact

The SPA is located in an area of generally low seismic activity; however, structures in the SPA could be subject to seismic ground shaking from an earthquake along active faults in Lake Tahoe. Because structures within the SPA could be subject to ground shaking and the Broadstone Estates project has not prepared a geotechnical report, the potential for damage from strong seismic shaking is considered a direct, potentially significant impact. Consistent with the mitigation described in the EIR, the proposed project would be required to implement **Mitigation Measure 3A.7-1a, 3A.7-1b, 3B.7-1a, and 3B.7-1b**. The proposed modified project would not create additional impacts nor require additional mitigation.

Question A(iii): No New Impact

As discussed in the FPASP EIR, construction activities would not occur in areas subject to liquefaction. Based on a review of information contained in (1) the Preliminary Geotechnical Engineering Reports prepared by Wallace Kuhl & Associates (2004, 2005, 2008) and Youngdahl Consulting Group (2003), (2) published geological maps and literature, and (3) a telephone conference with Wallace Kuhl & Associates (French, pers. comm., 2009), it is unlikely that on- or off-site soils would be subject to liquefaction in the event of an earthquake, for the following reasons:

- the SPA and areas of proposed off-site activities are underlain by small amounts of Pleistocene-age alluvium and primarily by Jurassic-age bedrock formations, which generally are not susceptible to liquefaction;
- the SPA and areas of proposed off-site activities are underlain by a moderately deep groundwater table that is at least 100 feet below the ground surface; and
- the potential sources of seismic activity are a relatively long distance away (approximately 50 miles).

Direct impacts related to potential damage to structures from seismically-induced liquefaction for the approved project are considered less than significant. The proposed modified project is within the SPA and was previously evaluated under the EIR, and for the reasons describe above, would not have a direct impact related to potential damage to structures from seismically-induced liquefaction and would not require mitigation.

Question A(iv), C: No New Impact

As described in the FPASP EIR, development within in the eastern portion of the SPA would occur in steep slopes underlain by bedrock at shallow depths and rock outcrops that could result in geologic hazards during construction. The proposed modified project is located in the eastern portion of the SPA resulting in potential geologic hazards from construction in bedrock/ rock outcroppings that are potentially significant. Consistent with mitigation described in the EIR, the proposed project would be required to implement **Mitigation Measures 3A.7-1a, 3A.7-4, and 3A.7-5**. The proposed modified project would not create additional impacts nor require additional mitigation.

Question B: No New Impact

Implementation of the approved project would involve intensive grading and construction activities for infrastructure and building and road foundations on varied terrain including rolling hills and steep slopes. Construction activities would occur in soils that have moderate wind and water erosion potential. Direct impacts associated with construction-related erosion are potentially significant. Consistent with mitigation described in the EIR, the proposed project would be required to implement **Mitigation Measure 3A.7-3** to reduce erosion related impacts and **Mitigation Measure 3B.7-4** to implement corrosion protection measures. The proposed modified project would not create additional impacts nor require additional mitigation.

Question D: No New Impact

Portions of the SPA are underlain by soils that have a moderate to high potential for expansion when wet and may result in damage to structures. Based on review of the NRCS soil survey data, the proposed modified project contains Auburn-Argonaut-Rock outcrop complex and Argonaut-Auburn complex, which have a low to medium shrink swell potential. Soil expansion, including volume changes during seasonal fluctuations in moisture content, could adversely affect road surfaces, interior slabs-on-grade, landscaping hardscapes, and underground pipelines. Impacts from soil expansion could be significant and would require **Mitigation Measures 3A.7-1a, 3A.7-1b, 3B.7-1a, and 3B.7-1b** as described in the EIR. The proposed modified project would not be substantially different than the approved project, and with the proposed mitigation, impacts from expansive soils would be less than significant. No new impacts would occur.

Question E: No New Impact

The SPA is underlain by soils that are unsuitable for use with conventional septic systems; however, because the proposed modified would use a piped sewer service from Sacramento Regional County Sanitation District, septic systems would not be required and there would be no direct impacts and no mitigation would be required.

6.7 GREENHOUSE GASES

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Climate change and greenhouse gas (GHG) emissions are discussed in Section 3A.4 of the FPASP. The EIR concluded that the approved project’s incremental contributions to greenhouse gas (GHG) emissions from project-related construction and from long-term operation are cumulatively considerable and significant and unavoidable. With implementation of the previously adopted mitigation identified below, the Broadstone Estates project would not have any new significant or substantially more severe GHG impacts (Guidelines, § 15162).

Evaluation of Greenhouse Gas Emissions

Questions A and B: No New Impact

The analysis contained in the EIR found that project-related construction activities associated with development of the approved project would result in increased generation of GHG emissions. These emissions would be temporary and short-term and would decline over time as new regulations are developed that address medium- and heavy-duty on-road vehicles and off-road equipment under the mandate of AB 32. Additionally, operation of the project over the long term would result in increased generation of GHGs, which would contribute considerably to cumulative GHG. Impacts would be significant, and as a result, the approved project as well as the proposed modified project would be required to implement **Mitigation Measures 3A.2-1a, 3A.2-1b, 3A.4-1, 3A.4-2a, 3A.4-2b, 3B.4-1a, and 3B.4-1b.**

SMAQMD adopted a GHG threshold of for the operational phase land development projects in October 2014 of 1,100 metric tons of CO₂ emissions per year. Because the proposed modified project’s development footprint has decreased from approved project, and the open space would

increase, long term operational emissions are anticipated to be substantially lower than for that of the approved project. As a result, the proposed modified project does not conflict with an applicable plan or regulation adopted for the purpose of reducing GHGs. The proposed modified project would not introduce any additional impacts not already discussed in the EIR and would not require additional mitigation.

6.8 HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Hazards and hazardous materials were evaluated in Section 3A.8 of the FPASP EIR at the program level. The EIR identified mitigation for direct impacts at the program level that would be significant, and therefore they are not addressed at the project level. Project specific mitigation is identified below. The Broadstone Estates project would not have any new significant or substantially more hazardous impacts (Guidelines, § 15162).

Historical land uses for the SPA were primarily agricultural, with some mining activities. The southeast portion of the SPA was used by Aerojet-General Corporation (Aerojet) in the 1960s and 70s to separate and burn chemicals associated with aerospace activities. Part of the Aerojet site is located within the SPA and considered to be a superfund site (Area 40) that is currently undergoing remediation. The EIR identified project specific mitigation for projects located near this portion of the SPA; however, the proposed modified project is located outside of this area.

The Proposed modified project area consists of undeveloped land used for agricultural purposes. It is bisected by Old Placerville Road and the Sacramento Valley Railroad Road (SVRR) track. A search of relevant agency databases, including the Cortese List maintained by Department of Toxic Substance Control (DTSC), did not include records associated with this property.

Evaluation of Hazardous Materials

Questions A: No New Impact

Increased residential development within the SPA would result in increased use, storage, and disposal of household hazardous materials as well as an increase in the amount of hazardous materials being transported on major roadways. The project applicant(s), builders, contractors, business owners, and others would be required to use, store, and transport hazardous materials in compliance with local, state, and Federal regulations during project construction and operation. Transportation of hazardous materials on area roadways is regulated by California Highway Patrol (CHP) and Caltrans, and use of these materials is regulated by DTSC, as outlined in Title 22 of the California Code of Regulations (CCR). Facilities that would use hazardous materials on-site after the project is constructed would be required to obtain permits and comply with appropriate regulatory agency standards designed to avoid hazardous waste releases. Because the project is required by law to implement and comply with existing hazardous material regulations, direct impacts related to the creation of significant hazards to the public through routine, transport, use, disposal, and risk of upset are considered less-than-significant. The proposed modified project would not create an additional impact regarding significant hazards to the public and no mitigation is required.

Questions B: No New Impact

Construction workers and future residents within the SPA could be exposed to hazardous materials known to exist. A Phase I Environmental Site Assessment (Versar 2006) was performed for the proposed modified project area to evaluate and identify recognized environmental conditions, which include the presence or likely presence of petroleum products or hazardous substances on the property under conditions that indicate an existing release, a past release, or a material threat of a release into structures on the property, or into the ground, groundwater, or surface water of the property. The project is located near an abandoned railroad; however, according to Geotracker and the Federal Railroad Administration, no accidental releases of petroleum products or other hazardous materials associated with the railroad track have been reported. A search of relevant agency databases, including the Cortese List maintained by DTSC, did not include records associated with this property. Based on this finding, and in combination with personal interviews and site reconnaissance, there were no recognized environmental conditions (REC) with respect to this site, and no further investigation was recommended (Versar 2006). As a result, a Phase II Environmental Site Assessment would not be required. However, the proposed project would be required to implement **Mitigation Measure 3A.9-1** from the EIR, whereby, the applicant would be required to obtain the appropriate regulatory permits and prepare and implement a SWPPP and BMPs. The proposed project will be subject to **Mitigation Measures 3B.8-1a** and **3B.8-1b**, whereby hazardous materials handling will be planned and will uphold applicable regulations and guidelines. It will also be necessary to keep up communication with respect to utilities, to minimize service disruption and exposure to hazards associated with utilities, which can be achieved with **Mitigation Measures 3B.16-3a** and **3B.16-3b**. The proposed project will be required to cooperate with Aerojet, the City, and applicable agencies, by way of **Mitigation Measures 3A.8-3a, 3A.8-3b, and 3A.8-3 c**. The proposed project will also need to implement a Vector Control Plan, **Mitigation Measure 3A.8-7**, to alleviate health hazards from mosquitoes associated with nearby water features. Applying these mitigation measures will reduce impacts to less than significant. No new impacts not previously disclosed will occur. No new mitigation measures are required.

Question C: No New Impact

The nearest school to the proposed project site is Russell Ranch Elementary, located approximately 1 mile northeast of the project site. The proposed modified project has potential risks associated with hazardous materials exposure that would be temporary, and the use of materials during construction would be limited. Following construction, no hazardous materials use or storage would be expected other than small amounts of cleaning and landscaping chemicals. Additionally, a transmission line would exist near the proposed modified project, possibly exposing people to electromagnetic fields. Therefore, the proposed modified project

would be required to implement **Mitigation Measure 3A.8-6** as described in the EIR. With mitigation, exposure to EMFs can be reduced to less than significant. The proposed modified project would not introduce any new impacts and no additional mitigation is required.

Question D: No New Impact

As discussed in the 2011 EIR, a Phase I Environmental Site Assessment was prepared for Carpenter Ranch (East), where the proposed modified project is located. A search of relevant agency databases, including the Cortese List maintained by DTSC, did not include records associated with this property. Based on this finding, and in combination with personal interviews and site reconnaissance, Versar concluded that there were no RECs with respect to this site, and no further investigation was recommended (Versar 2006). The project is located in the eastern portion of the SPA and may require the use of explosive material as part of grading activities that could result in injury to construction workers and the general public. As a result, the proposed modified project may be required to implement **Mitigation Measure 3A.8-5**, if blasting is required for excavation and removal of rock. With mitigation, potential for blast-related injury to construction workers would be less than significant. The proposed modified project would not create any new impact and additional mitigation would not be required.

Questions E and F: No New Impact

The SPA is not located within 2 miles of a public, public-use, or private airport. The nearest airport, Sacramento Mather Airport, is located approximately 7 miles southwest of the SPA. Therefore, impacts related to airport or private airfield safety was not discussed further in the EIS/EIR. The proposed modified project would have no new impacts and no mitigation is required.

Question G: No New Impact

Implementation of the proposed modified project would require permits from the City of Folsom to ensure that the project provides sufficient hydrant locations, street width, circulation, and project access for fire and emergency response units. Implementation of the project would not conflict with any adopted emergency response or evacuation plans. Furthermore, the circulation plans for the Proposed Project and the other four action alternatives would include sufficient ingress and egress routes to ensure public safety in the event to an emergency. Finally, the proposed modified project would be subject to the Sacramento County Multi-Hazard Mitigation Plan (MHMP). Therefore, direct impacts would be less than significant. The proposed modified project would not create additional impacts and no mitigation would be required.

Question H: No New Impact

As discussed in the 2011 EIR, California Public Resources Code Sections 4201-4204 and Government Code 51175-51189 require identification of fire hazard severity zones within the state of California. Fire hazard severity zones are measured qualitatively, based on: vegetation, topography, weather, crown fire potential (a fire's tendency to burn upwards into trees and tall brush), and ember production and movement within the area of question. Fire prevention areas considered to be under state jurisdiction are referred to as "state responsibility areas." In state responsibility areas, the California Department of Forestry and Fire Protection is required to delineate three hazard ranges: moderate, high, and very high "local responsibility areas." These areas are under the jurisdiction of local entities (e.g., cities, counties) that are required to disclose very high fire hazard severity zones. The SPA is located within a state responsibility area designated as a moderate fire hazard severity zone. It is not near an area of high or extremely high fire hazard severity. Therefore, project implementation would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or residences are intermixed with wildlands. Therefore, this issue area is not discussed further in the 2011 EIR/EIS.

6.9 HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Hydrology and water quality analysis in the 2011 EIR was based on information specified in Section 3A.9. It relied on public agency information, as well as technical planning studies generated to support proposed development of the SPA. Impacts associated with drainage, hydrology, and water quality that could result from construction and operational activities related to buildout of the SPA were evaluated based on expected construction practice, the materials used, and the locations and duration of the activities. The effects of the proposed development were compared to environmental baseline conditions (i.e., existing conditions) to determine the duration and magnitude of impacts. Project specific mitigation is identified below. The Broadstone Estates project would not have any new significant or substantially more hydrology impacts (Guidelines, § 15162).

Evaluation of Hydrology and Water Quality

Questions A and C: No New Impact

The 2011 EIR prepared for the approved project concluded that during construction, large areas of land would be disturbed, drainage patterns would be altered, and water quality could be negatively affected by sediment, erosion and pollutants. Therefore, the impacts on the landscape would be significant. An infrastructure backbone and drainage system would be installed throughout the SPA (see “South of 50 Backbone Infrastructure Initial Study”). Appropriate permits and construction practices must be employed. **Mitigation Measures 3A.3-1a, 3A.3-1b, 3A.9-1, 3B.9-1a, and 3B.9-1b** would be implemented. Construction in the approved project area would be subject to National Pollutant Discharge Elimination System (NPDES) permit conditions, including implementation of best management practices which are intended to reduce potential impacts to water quality to the maximum extent practicable, and all applicable water quality standards. The proposed modified project would be subject to implementation of the above mentioned mitigation measure to ensure its impact on hydrology remains less than significant. No new impact would occur.

Question B: No New Impact

As described in the 2011 EIR, development of the SPA would increase impervious surfaces and therefore increase surface runoff generated by the project. Most soils in the area presently have poor capacity for groundwater discharge, with the areas that are most conducive to groundwater recharge being Alder Creek and its tributaries. An infrastructure backbone and drainage system would be installed throughout the SPA (see separate “South of 50 Backbone Infrastructure Initial Study”). Detention/water quality basins will also aid in maximizing infiltration. Since these riparian areas will remain intact, and even be improved upon, and there will be seasonal groundwater recharge from landscape irrigation activities, the impact of the development of the SPA would be less than significant.

The proposed modified project would construct a residential development within the SPA. The proposed modified project would not introduce any new impacts that were not previously disclosed. The proposed modified project would result in less than significant impacts to groundwater supplies and groundwater recharge.

Question D: No New Impact

As described in the 2011 EIR, development of the SPA would increase impervious surfaces and therefore increase surface runoff generated by the project. The SPA will have a conveyance and detention/water quality treatment system in place. An infrastructure backbone and drainage system would be installed throughout the SPA (see South of 50 Backbone Infrastructure Initial Study). Development of the approved project will result in higher amounts of runoff, and therefore amounts of discharge into Alder Creek and its tributaries. Since the 2011 EIR was not a project-level document for all topics, the ability to anticipate where and how runoff would be conveyed through the approved project site was not determined in 2011, and the impact was deemed potentially significant. With **Mitigation Measures 3A.9-2, 3B.9-3a, and 3B.9-3b** implemented, a project will demonstrate that off-site upstream runoff can be appropriately conveyed through the SPA, and that project-related on-site runoff would be appropriately contained in detention/water quality basins or managed otherwise. The impact from the project will remain less than significant with implementation of the mitigation mentioned above. The proposed modified project would construct a residential development within the SPA. The proposed modified project would implement the above mentioned mitigation measure to reduce the impact on discharge into Alder Creek and its tributaries. The proposed modified project would not introduce any new impacts that were not previously disclosed.

Question E: No New Impact

As described in the 2011 EIR, development of the SPA would increase impervious surfaces and therefore increase surface runoff generated by the project. The SPA will have a conveyance and detention/water quality treatment system in place. An infrastructure backbone and drainage system would be installed throughout the SPA (see separate MND). Development of the approved project will result in higher amounts of runoff, and therefore amounts of discharge into Alder Creek and its tributaries. Since the 2011 EIR was not a project-level document for all topics, the ability to anticipate where and how runoff would be conveyed through the approved project site was not determined in 2011, and the impact was deemed potentially significant. With **Mitigation Measures 3A.9-1** and **3A.9-2** implemented, a specific project will demonstrate: effective erosion control and sediment runoff on site, and prevent pollution to sensitive resources; off-site upstream runoff can be appropriately conveyed through the SPA; and that project-related on-site runoff would be appropriately contained in detention/water quality basins or managed otherwise. With the implementation of the identified mitigation measures, projects would be mitigated to a less than significant level. The proposed modified project would construct a development within the SPA and would not introduce any new impacts that were not previously disclosed nor require additional mitigation.

Question F: No New Impact

As described in the 2011 EIR, development of the SPA would increase impervious surfaces and therefore increase surface runoff generated by the project. The SPA will have a conveyance and detention/water quality treatment system in place. An infrastructure backbone and drainage system would be installed throughout the SPA (see “South of 50 Backbone Infrastructure Initial Study”). Development of the approved project will result in higher amounts of runoff, and therefore amounts of discharge into Alder Creek and its tributaries. Since the 2011 EIR is not a project-level document for all topics, the ability to anticipate where and how runoff will be conveyed through the approved project site was not determined in 2011, and the impact was deemed potentially significant. With **Mitigation Measure 3A.9-3** implemented, a project will demonstrate that off-site upstream runoff can be appropriately conveyed through the SPA, and that project-related on-site runoff would be appropriately contained in detention/water quality basins or managed otherwise. Impacts, once mitigated for, will be reduced to less than significant. The proposed modified project would construct a residential development within the SPA. The proposed modified project would implement the previously mentioned mitigation measure to reduce the impact on surface runoff and associated facilities. The proposed modified project would not introduce any new impacts that were not previously disclosed.

Questions G and H: No New Impact

As described in the 2011 EIR, the approved project concluded that the SPA is outside of the 100- and 500-year floodplains, with the exception of areas directly adjacent to Alder Creek flowing through the SPA. All anticipated construction within the approved project will occur outside of the 100-year floodplain. The impact is considered less than significant and no mitigation is necessary.

The proposed modified project is a development within the SPA. It is not being constructed within the 100-year floodplain, and therefore would result in less than significant impacts on water quality and drainage patterns. No new impact would occur.

Question I: No New Impact

As described in the 2011 EIR, there are no levees protecting the approved project. However, Folsom Dam is located approximately 4.5 miles north of the SPA. In the event that Folsom Dam or another structure failed, the SPA would likely be outside of the mapped inundation area. Other emergency procedures, such as a dam failure plan, the flooding ALERT system, and evacuation procedures are integrated into Sacramento County Emergency Operations Plan. Finally, the likelihood of dam inundation, due to dam or dike failure, is extremely low. Because the current conditions of dams upstream of the SPA are unknown, and the area of downstream inundation in the event of a flood are uncertain, the 2011 EIR identified a risk of loss, injury, or death involving flooding as a result of dam failure inundation or levee failure for the approved project, triggering a significant impact. To reduce this impact to less than significant, **Mitigation Measure 3A.9-4** would be implemented before a project's initiation. With mitigation, impacts from a failing dam would be reduced to less than significant. There would be no new impact.

Question J: No New Impact

As described in the 2011 EIR prepared for the approved project, the project site is not located near a lake or other surface water body or an area in which a seiche, tsunami, or mudflow could directly or indirectly affect the site. As a result, there would be no impact for the proposed modified project. There would be no new impact.

6.10 LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

As discussed in the Land Use Section 3A.10-29 of the FPASP EIR and in Chapter 2 and 3 of this IS, specific designation for land use and zoning in the City of Folsom's General Plan and Specific Plan were approved with the adoption of the FPASP EIR in 2011. The SPA was planned in accordance with the Sacramento Area Council of Governments (SACOG), Sacramento County, and Sacramento LAFCo, specifically the Sacramento Region Blueprint (in 2002), Memorandum of Understanding between Sacramento County and the City of Folsom (in 2000), the Sacramento County General Plan, Resolution LAFC 1196 (in 2001) and the City's Measure W (in 2004).

Under the approved plan, the Broadstone Estates land use plan includes Single Family Residential (SF-3.6 ac/ 10du), General Commercial (GC-13.ac), Industrial Office Park (IND/OP-10.5 ac), and Open Space (OS-9.8-ac); zoning designations for the Specific Plan are largely the same as the approved General Plan, with the distinction of the additional designation prefix "SP" indicating that area is part of the Specific Plan. The Broadstone Estates project proposes an amendment to the City's General Plan and Specific Plan to allow for a change to the land use plan and zoning. The proposed land use plan would increase Single Family Residential (SF-24.6ac/81du) and Open Space (12.6ac) and completely eliminate the previously designated General Commercial and Industrial/Office Park. These changes would be consistent with existing land uses in the approved Russell Ranch Project EIR. The conversion of existing land use designations to Single Family Residential would allow for the land area to be more marketable and compatible with the Russell Ranch development.

Evaluation of Land Use and Planning

Question A: No New Impact

The SPA consists of livestock grazing lands, and there is only one existing single-family residence and associated agricultural outbuildings located on the western side of the SPA. Implementation of neither the approved project nor the proposed modified project would physically divide an established community. Construction of the proposed modified project would not result in changes that would require major revisions to the EIR, or new or more significant effects than those previously identified in the EIR.

Question B: No New Impact

As discussed in this IS, the proposed modified project would change existing land use designation and zoning previously approved under the 2011 EIR. As discussed in the Land Use Section 3A.10-29 of the FPASP EIR, specific designation for land use and zoning in the City of Folsom's General Plan and Specific Plan were approved with the adoption of the FPASP EIR in 2011. Changes to existing land use include converting Commercial and Industrial Office Park to Single-Family Residential and Open Space. Single-Family Residential would increase from the 10du on 3.6 acres to 81 du on 24.6 acres; Open Space would increase from 9.8 acres to 12.6; Commercial and Industrial Office Park would be eliminated entirely. The overall development area would decrease by 2.8 acres while adding the difference to Open Space. The physical footprint of the project area would not change and remain 37.2 acres.

Residential development was originally planned to occur with the southeast corner of the project site; however, the revised location would occur throughout the project in between barriers of open space. The proposed project would offer 71 additional dwelling units in two single-family detached residential products within two neighborhood villages: 60'x105' and 65'x105'. Village 1 would include 40du on 12.3 acres (density 3.3 du/ac) and would include both 60'x105' and 65'x105' lot types. Village 2 would include 41du on 11.9 acres (density 3.4 du/ac) and would only include the 65'x105' lots.

The proposed project maintains the proposed street connection to the west, which includes 12' travel lanes and on-street parking. The on-street bike lanes terminate once inside the subdivision and they give way to non-striped bike travel on the local subdivision roads. An additional 12' wide path is included on the north side of a portion of this main entry road which serves as a direct connector to the dedicated Class 1 bike trail provided along the entire northern frontage of the project. Internal project circulation includes residential streets that are intended to

functionally and visually link project neighborhoods together and local roads are designed to blend with the approved Russell Ranch Project.

Although the proposed modified project would require an amendment to the City of Folsom's General Plan and FPASP, the project does not conflict with any land use plan, policy or regulation that were adopted to avoid or mitigate environmental effects. Conformity with the City of Folsom's land use policies and guidelines ensures that the proposed modified project represents a logical pattern of growth with regards to the existing surrounding land uses and the availability of public services and utilities. The project is consistent with the City's Housing Element. The proposed modified project would result in no impacts, and would not result in any new impacts that were not previously disclosed.

Question C: No New Impact

The EIR concluded that the approved project would have no impact on the provision of adopted Habitat Conservation Plans, Natural Conservation Community Plans, or other approved local, regional, or state habitat conservation plans. At the time of preparation of the 2011 EIR, no plans covering the project site had been approved. South Sacramento HCP currently exists to the south and to the west of the SPA; however, this is completely out of the planning area.

No Habitat Conservation Plan or Natural Community Conservation Plan has been approved for the project area since certification of the 2011 EIR; therefore, implementation of the proposed modified project would not conflict with any conservation plans. No impact would result, and no mitigation would be required.

6.11 MINERAL RESOURCES

Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
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X. MINERAL RESOURCES

Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project’s potential effects on mineral resources were evaluated in Section 3A.7 of the FPASP EIR and concluded that potential presence of a valuable mineral resource could occur within the SPA but not within the proposed modified project area. The Broadstone Estates project does not require mitigation and would not have any new significant or substantially more severe mineral resource impacts (Guidelines, § 15162).

Evaluation of Mineral Resources

Questions A, B: No New Impact

As described in the FPASP EIR, the western third of the SPA is located within the Sacramento Fairfield Production-Consumption Region designated by California Division of Mines and Geology (CDMG) and contains dredge tailings that could provide a source of construction aggregate. The proposed modified project is located in the eastern portion of the SPA, where the dredge tailings are not present or present in large enough concentrations that would warrant an economically viable on-site mining operation. Impacts from the proposed modified project would be considered less than significant and no mitigation is required.

The western edge of the SPA is zoned MRZ-3 for kaolin clay and may contain deposits. It is currently unknown whether or not an economically valuable deposit of kaolin clay is present; however, if it were, the deposit would be unavailable for mining following implementation of the FPASP. Because the potential of this valuable mineral resource cannot be ruled out, and because the resource would be lost as a result of implementing the FPASP, impacts are considered

significant. However, the proposed modified project does not lie within the MRZ-3; therefore, no impacts would occur and no mitigation is required.

6.12 NOISE

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in any applicable plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project (including construction)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Noise was evaluated in support of the approved project under Section 3A.11 of the FPASP EIR and concluded that the approved project may increase impacts from noise. In 2016, HELIX performed a site specific noise analysis based on the approved Environmental Noise Assessment performed for the Russell Ranch Environmental Impact Report (EIR) by J.C. Brennan and Associates, Inc. The noise analysis concluded that the proposed project will be located in an area with elevated noise levels and would be required to implement previously approved mitigation to reduce impacts from existing noise sources to less than significant. This may include the construction of a sound wall and/or appropriate siting of residential units in areas that are equal to or less than the City’s acceptable noise standard of 65dBa.

Land uses near the SPA include open space and agricultural uses to the south, residential land uses to the east and north, the Aerojet General Corporation rocket engine manufacturing and test facility to the west, and Prairie City State Recreational Vehicle Area (SRVA) facility to the southwest. Mather Airport is located approximately 9 miles west of the SPA. The existing noise environment in and surrounding the SPA is influenced by surface-transportation noise emanating from vehicular traffic on area roadways. Vehicle traffic noise levels are attributed to US 50, Placerville Rd, Scott Rd, Prairie City Rd, and White Rock Rd.

The ambient noise levels in the SPA are not generally influenced by noise generated by nearby commercial industrial and recreational land uses, including the Aerojet General Corporation facility located adjacent to the eastern boundary of the SPA or the Prairie City SRVA located southwest of the SPA. However, occasional noise from outdoor testing of engines, fans, and other mechanical devices at the Aerojet facility and from vehicles using the Prairie City SRVA may influence noise levels in the SPA.

The predominant existing noise sources in the vicinity of the project site are vehicles on US 50. Other noise sources include traffic on Placerville Road and railroad activity on the Placerville & Sacramento Valley Railroad (P&SVRR) line west of the project. The railroad line does not have regular service and is used for weekend excursion trains and other special events. No commercial or private airports are located within two miles of the project site.

Ambient noise measurements were taken in the vicinity of the project as part of the adjacent Russell Ranch project, and are provided in that project's Environmental Noise Assessment (J.C. Brennan and Associates 2014).

Evaluation of Noise

Questions A: No New Impact

The FPASP EIR concluded that implementation of the approved project would result in temporary, short-term construction activities associated with development of residential, commercial, schools, and park uses, supporting roadways, and other infrastructure improvements. Project-related construction activities could expose existing off-site and future on-site sensitive receptors to temporary noise levels that exceed the applicable noise standards and/or result in a substantial increase in ambient noise levels. The proposed project would be located in close proximity to US 50, where noise levels, if unmitigated, would exceed the City's noise standard of 65 dBA. The proposed project would be required to comply with **Mitigation Measure 3.11-1** to reduce construction-related noise levels and **Mitigation Measures 3.11-4, 3B.11-1a, 3B.11-1b, 3B.11-1c, 3B.11-1d, and 3B.11-1e** to reduce project-generated noise from

traffic on off-site and on-site roadways. With mitigation, the proposed project would reduce noise levels to an acceptable standard.

Questions B: No New Impact

Construction and implementation of the approved project could expose sensitive receptors to ground borne noise and vibration levels that exceed applicable standards that could cause human disturbance or damage structures. Consistent with the EIR and the approved project, the proposed modified project would be required to implement **Mitigation Measure 3A.11-3** and **3B.11-3** to reduce ground borne noise levels and vibrations. No new impact would occur.

Questions C and D: No New Impact

Implementation of the approved project would result in long-term increases in ADT volumes on affected road segments. Increased traffic volumes would result in a substantial (e.g., 3 dB Ldn/CNEL) increase in ambient noise levels on- and off-site at nearby noise-sensitive receptors. As a result, impacts would be significant. Additionally, the approved project would result in increases in on-site stationary noise levels associated with the proposed development. These stationary noise sources could exceed the applicable noise standards (hourly and maximum) and result in a substantial increase in ambient noise levels. The proposed project would prevent exposure of sensitive receptors to increases in noise from project-generated operational traffic on off-site and on-site roadways by implementing **Mitigation Measure 3A.11-4** and **3A.11-5**. This mitigation may require the construction of sound walls and/or the siting of residential units in areas that are equal to or less than the City's acceptable noise standard of 65 dBa. With the implementation of the previously approved mitigation, the proposed modified project would not introduce additional impacts from noise that has not already been discussed in the 2011 EIR.

Question E and F:

Aircraft approaching and departing Mather Airfield have the potential to pass above the SPA. Overflights would not result in interior noise levels that create sleep disturbance. Development on the project site would not expose people within the project area to excessive noise levels; therefore, the proposed modified project would also have no impacts related to excessive noise levels associated with an airport or airstrip.

6.13 POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Population and Housing are discussed in Section 3A.13 of the FPASP EIR, and forecasts that both the population and demand for housing within the City of Folsom and Sacramento will continue to grow. The FPASP would directly increase housing, population and employment within the Folsom Area.

Evaluation of Population and Housing

Question A: No New Impact

Implementation of the SPA would temporarily increase population and subsequent housing demand during the construction, and permanently increase population growth within the area. During the life of the SPA project buildout, the approved project would develop 10,817 dwelling units, generating an estimate of 24,335 new residents. In 2009, the City prepared an update to the General Plan Housing Element, and projects that the City would result in a total population of 97,485 persons; this represents an increase of 32,179 from the 2008 population. Because it cannot be determined whether the approved project would generate population growth that exceeds estimates for Folsom or Sacramento County under their currently adopted General Plans, the project could potentially result in unplanned population growth in the area. Population growth consistent with current population projections by itself is not considered a significant environmental impact. However, development of housing, infrastructure, and facilities and services to serve this growth can have significant environmental impacts through land

conversions, commitment of resources, and other mechanisms. Because population growth is not, itself, considered a significant environmental impact, this direct impact is considered less than significant.

Like the approved project, the proposed modified project would introduce new homes and residents to a currently undeveloped area; however, because the project would contribute a relatively small amount of growth to the City and would address the City's housing needs, impacts would be less than significant. Construction of the proposed modified project would not result in changes that would require major revisions to the EIR, or new or more significant effects than those previously identified in the EIR.

Questions B and C: No New Impact

The 2011 EIR prepared for the approved project concluded that the approved project would not necessitate the construction of replacement housing elsewhere through displacement of people or housing. The project site is undeveloped, so the approved project would not result in displacement of people or houses.

The project site is still undeveloped, and the proposed modified project also would not result in the construction of replacement housing. The proposed modified project would result in no impacts, and would not result in any new impacts that were not previously disclosed.

6.14 PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
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:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The approved project’s potential effects on recreation were evaluated in Section 3A.12 of the 2011 EIR. The EIR concluded that the project would have a less than significant impact on existing facilities and sufficiency of proposed parkland. With implementation of the mitigation identified below, the Broadstone Estates project would not have any new significant or substantially more severe public service impacts (Guidelines, § 15162).

Evaluation of Public Services

Question A: No New Impact

The 2011 EIR concluded that with the onset of construction in the SPA, lane closures, increased truck traffic, and other roadway effects could slow down or stop emergency vehicles. This will increase response times and impede existing services. Therefore the EIR concluded that this would result in a significant impact, requiring **Mitigation Measure 3A.14-1** and **3B.15-1a**. The 2011 EIR also concluded that development in the SPA would increase demand for fire protection facilities, services, and equipment, as well as increased demand for fire flow. These impacts were considered potentially significant when applied to the approved project site. The City requires fire prevention standards to be incorporated into new residential and commercial

development, with the Fire Department's approval. As a result, the impact is potentially significant, requiring **Mitigation Measure 3A.14-2**. Since lack of water flow in the SPA would impede the effectiveness of fire suppression, the increase in demand for fire flow would be considered a significant impact, requiring **Mitigation Measure 3A.14-3**. With mitigation identified in the EIR, the proposed modified project would not generate new impacts not already discussed in the EIR nor require additional mitigation.

Question B: No New Impact

The 2011 EIR concluded that with the onset of construction in the SPA, there would be an increased demand for police protection facilities, services and equipment. Under the proposed project, applicants would fund the construction of sufficient police facilities and personnel to serve the project, through payment of "Capital Improvement New Construction Fee". Because the new fee would provide sufficient funding for new facilities, the impact is considered less than significant and no mitigation is required.

The proposed modified project is a residential development within the SPA, and would be subject to the "Capital Improvement New Construction Fee," contributing to the necessary facilities within the SPA. This would be a less than significant impact. No mitigation is required. No new impact would occur.

Question C: No New Impact

The 2011 EIR concluded that with the onset of construction in the SPA, there would be an increased demand for public elementary, middle, and high school facilities and services. Under the proposed project, applicants would fund the construction of sufficient school facilities and personnel to serve the project, through a state-mandated school impact fee directly to Folsom Cordova Unified School District (FCUSD). Applicants would also be required, under Measure W, to provide for the funding and construction of all necessary school facilities for the Area, so that Folsom residents north of Highway 50 are not required to do so. Because the applicable fees would provide sufficient funding for all new facilities, the impact is considered less than significant and no mitigation is required.

The proposed modified project is a residential development within the SPA, and would be subject to the applicable fees that contribute to school facilities within the SPA. This would be a less than significant impact. No mitigation is required. No new impact would occur.

Question D: No New Impact

Section 3A.12 of 2011 EIR regarding Recreation concluded that because the approved project will create 118.4 acres of community and neighborhood parks, as well as an additional 3.5 acres of local parks, the project meets the City's requirement of 5 acres of parkland per 1,000 residents. Therefore, the impact of development within the SPA on the use of existing parks and sufficiency of proposed parkland is considered less than significant. No mitigation would be required. The proposed modified project would result in less than significant impacts. No mitigation is required. No new impact would occur.

Question E: No New Impact

The 2011 EIR concluded that with implementation of applicable mitigation, significant impacts can be reduced to less than significant levels. Most impacts are less than significant, as the necessary funding to offset the increase in demand of services is accounted for in the FPASP.

The proposed modified project is a residential development within the SPA. With the proposed applicable mitigation, the proposed modified project would result in less than significant impacts. No new impact would occur.

6.15 RECREATION

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The approved project's potential effects on recreation were evaluated in Section 3A.12 of the 2011 EIR. The 2011 EIR concluded that the project would have a less than significant impact on existing facilities and sufficiency of proposed parkland. With implementation of the mitigation identified below, the Broadstone Estates project would not have any new significant or substantially more severe recreation impacts (Guidelines, § 15162).

Evaluation of Recreation

Questions A and B: No New Impact

The 2011 EIR concluded that because the approved project will create 118.4 acres of community and neighborhood parks, as well as an additional 3.5 acres of local parks, the project meets the City's requirement of 5 acres of parkland per 1,000 residents. Therefore, the impact of development within the SPA on the use of existing parks and sufficiency of proposed parkland is considered less than significant. However, **Mitigation Measure 3B.12-1** would be implemented, as an extension of **3A.14-1**, to continue to allow access to recreational features during construction. The proposed modified project would result in less than significant impacts. No new mitigation is required and no new impact would occur.

6.16 TRANSPORTATION AND TRAFFIC

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Traffic and transportation for the approved project was evaluated in Section 3A.15 of the FPASP. An additional traffic analysis (MRO 2016; Appendix B) was prepared for the Broadstone Estates project in March of 2016 to determine whether the traffic impacts of the modified project have been adequately addressed in the FPASP EIR. This determination is primarily based on a comparison of the relative trip generation values for the two land use plans.

The approved land use plan would generate about 10,795 daily trips, with about 80 percent of those associated with general commercial component of the project. In the AM peak hour, the approved land use plan would generate a total of 473 trips, with 371 inbound and 102 outbound. The PM peak hour trip generation is estimated to be 1,075 trips, with 420 inbound and 655 outbound.

The proposed project would eliminate the commercial and industrial/office park land uses and increase the amount of single-family residential units from 10du to 81du. The open space area would be increased, but no trips are associated with that component of the proposed project. The proposed land use plan will generate about 770 trips per day. The AM peak-hour trip generation will be 61 trips (15 inbound and 46 outbound), while the PM peak-hour total will be 81 trips (51 inbound and 30 outbound).

The currently-proposed project is estimated to generate over 10,000 fewer daily trips than the approved version of the project. In the AM peak hour, the proposed land use plan will generate over 400 fewer trips, and in the PM peak hour, it will generate almost 1,000 fewer trips than the approved plan. Thus, in all three key time periods, the currently-proposed land use plan will generate substantially less traffic than the approved Broadstone Estates project. Under daily and PM peak hour conditions, the difference is particularly pronounced. The traffic analysis concluded that all significant traffic impacts that might be associated with the proposed project have already been identified in the analysis of the approved project.

Evaluation of Transportation and Traffic

Questions A and B: No New Impact

The EIR analyzed cumulative traffic impacts for the approved project under a full buildout scenario (by year 2030) and concluded that full implementation of the approved project would result in increases to peak-hour and daily traffic volumes, resulting in unacceptable levels of service. The proposed project is one of several components to the Folsom SPA, and as a result, the project applicant will be required to pay into a fair share program to fund the construction of transportation improvements. The proposed project may be required to participate in one or more fair share funding programs described in the following mitigation: **Mitigation Measures 3A.15-1i, 3A.15-1j, 3A.15-1l, 3A.15-1o, 3A.15-1p, 3A.15-1q, 3A.15-1r, 3A.15-1s, 3A.15-1u, 3A.15-1v, 3A.15-1w, 3A.15-1x, 3A.15-1y, 3A.15-1z, 3A.15-1aa, 3A.15-1dd, 3A.15-1ee, 3A.15-1ff, 3A.15-1gg, 3A.15-1hh, 3A.15-1ii, 3A.15-2a, 3A.15-2b, 3A.15-4b, 3A.15-4d, 3A.15-4i, 3A.15-4l, 3A.15-4m, 3A.15-4n, 3A.15-4o, 3A.15-4p, 3A.15-4r, 3A.15-4s, 3A.15-4t, 3A.15-4u, 3A.15-4v, 3A.15-4w, 3A.15-4x, 3A.15-4y, 3B.15-1a, and 3B.15-1b.** As discussed in the 2016 traffic analysis, the proposed modified project would create an overall reduction in trip generation than

previously analyzed under the approved project and therefore would not create a new impact not previously analyzed nor require additional mitigation not already described in the approved EIR.

Question C: No New Impact

As identified in the 2011 EIR for the approved project, the project site is located approximately 9 miles from the Mather Airport. The project site is not located within an airport land use land area or within two miles of an airport or private strip. Development of the project site would not interfere with or change air traffic patterns. The proposed modified project is located on the project site analyzed in the 2011 EIR, and as a result, there would be no new impact.

Questions D: No New Impact

As described in the 2011 EIR for the approved project, roadways for the project would be required to comply with City standards for roadway design including roadway geometry and intersection design, and would be subject to review by the Community Development Department, Public Works Department, City Engineering Department, and Fire Department. Like the approved project analyzed in the 2011 EIR, the proposed modified project would not result in an increase in hazards due to design features or inadequate emergency access. Impacts would be less than significant, and there would be no new impact.

Questions E: No New Impact

As described in the 2011 EIR, implementation of the approved project could obstruct roadways in the project vicinity during construction, potentially obstructing or slowing emergency vehicles attempting to access the area. As a result, the proposed modified project would be required to implement **Mitigation Measure 3A.14-1**. The proposed project would not introduce new impacts that have not already been discussed in the 2011 EIR and no additional mitigation is required.

Question F: No New Impact

The approved project includes Class I, II, and III bicycle facilities; paths, sidewalks, and pedestrian crossings; and transit facilities such as shuttle services, bus services, and light-rail facilities. The Specific Plan implements General Plan policy 17.13 by incorporating bikeways and lanes. Because the approved specific plan is consistent with the City's General Plan and the proposed project would be consistent with existing policies, the proposed project is expected to have less-than significant impacts on pedestrian, bicycle, and transit facilities. The proposed project would not create a new impact and no mitigation is required.

6.17 UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The SPA is presently not served by any wastewater collection and treatment systems. The majority of the SPA is within Sacramento Regional County Sanitation District (SRCSD), and the portion east of future Empire Ranch Road is within both SRCSD and El Dorado Irrigation District (EID). Infrastructure is proposed to be in place before the development of the SPA (see the South of Highway 50 Backbone MND). Many documents were utilized to review and

analyze the potential impacts on utilities and service systems, detailed in Section 3A.16-11 of the 2011 EIR.

Following the approval of the 2011 EIR, a Water Supply Agreement was drafted between the City and landowners in the SPA. This forms the legal basis by which the City will secure water supplies at no cost and no detriment to the residents of Folsom north of Highway 50 and their water supply. The City will be retaining and using water supplies for the SPA that result from its conservation and improvement efforts. Sacramento County Superior Court validated the WSA, and the determination is forever binding on water supply issues within the SPA.

In April of 2016, a Technical Memorandum was prepared by Mackay & Somsps detailing a comparison of water demands for the Broadstone Estates project per the Approved Specific Plan Area versus the Amendment to the Folsom Specific Plan Area. The memo concluded that the proposed modified project would reduce demand between the approved project to the proposed project of 0.2acre-feet for dry year demand, which is 0.36% decrease. Normal demand remained the same. As a result, the proposed modified project water demands are compliant with the Folsom Specific Plan Area SB 610 Water Supply Assessment prepared by Tully and Young in June of 2010.

Evaluation of Utilities and Service Systems

Questions A, B, E (Wastewater): No New Impact

The 2011 EIR concluded that because the SPA is not currently served by the municipal wastewater collection system, and sufficient on-site wastewater collection and conveyance infrastructure and off-site infrastructure support for the project have not yet been constructed, this is considered a significant impact. Implementation of **Mitigation measure 3A.16-1** would ensure that the appropriate infrastructure is in place or is planned to be in place. Implementing the project would also increase demand for Sacramento Regional Wastewater Treatment Plant (SRWTP) facilities within the SPA. Since there are no assurances that the SRWTP would have adequate capacity for new wastewater flows for projects after the planned out year of 2020 at full approved project buildout, this is a potentially significant impact, requiring **Mitigation Measure 3A.16-3**.

The proposed modified project would convert commercial and industrial development to residential development within the SRCSD portion of the SPA. Because the proposed modified project would result in similar uses and demands as the approved project, potential impacts associated with facility capacity would be comparable to those under the approved project. The proposed modified project would have no impact greater than those previously identified in the

EIR, and construction of the proposed modified project would not result in changes that would require major revisions to the EIR.

Question C: No New Impact

The 2011 EIR concluded that the approved project would require the construction of new stormwater drainage facilities, which could have a significant environmental impact. **Mitigation Measures 3A.9-1, 3A.9-2, 3A.9-4, 3A.3-1a, and 3B.9-3b**, which were discussed previously, will be implemented. The proposed modified project is a residential development within the SPA. The proposed modified project would not introduce new impacts that have not already been discussed in the EIR and would not require additional mitigation.

Questions B and D (Water): No New Impact

The 2011 EIR concluded that since the approved project required water supply, and water conveyance and treatment facilities were not under contract or constructed in advance of approval of the project, a potentially significant impact could result. **Mitigation Measure 3A.18-1** will reduce this impact to less than significant, by requiring proof of surface water supply availability. **Mitigation Measures 3A.18-2a, 3A.18-2b, 3B.16-3a, and 3B.16-3b** will reduce the potentially significant impact by proving that there is adequate on- or off-site water treatment capacity for the project, and that minimal disruption in utilities will occur through coordination with utility providers.

Following the 2011 EIR, the City and the SPA landowners drafted the WSA, securing a water supply to the SPA at no cost and no detriment to the residents north US 50. Further, as discussed in the Mackay & Soms 2016 Technical Memorandum, the proposed modified project would reduce water demands during dry years and would remain the same during normal years. The proposed modified will result in a slight reduction in demand for water and would not introduce new impacts that have not already been discussed in the EIR and would not require additional mitigation.

Questions F and G: No New Impact

The 2011 EIR concluded that since the approved project can use Keifer Landfill for the anticipated increase in the generation of both short-term construction and long-term solid waste, the impact would be less than significant. No mitigation would be necessary. The proposed modified project is a residential development within the SPA. No mitigation would be necessary for the proposed modified projects. No new impacts would occur.

6.18 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
The lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur. Where prior to commencement of the environmental analysis a project proponent agrees to Mitigation Measures or project modifications that would avoid any significant effect on the environment or would mitigate the significant environmental effect, a lead agency need not prepare an EIR solely because without mitigation the environmental effects would have been significant (per Section 15065 of the State CEQA Guidelines):				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present and probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Question A: No New Impact

The preceding analysis indicates that the proposed modified project would not have any new impacts, not previously disclosed the 2011 EIR in regard to the degrading the quality of the environment, substantially reducing the habitat of a fish or wildlife species, causing a fish or wildlife population to drop below self-sustaining levels, threatening to eliminate a plant or animal community, substantially reducing the number or restricting the range of a rare or endangered plant or animal or eliminating important examples of California history or prehistory. The proposed modified project would be required to comply with applicable Mitigation Measures from the 2011 EIR.

Question B: No New Impact

The proposed modified project is a subset of the SPA analyzed in the 2011 EIR. The project site is slated to be developed with residential development. No new or more severe impacts have been identified as a result of the proposed modified project. As a result, the proposed modified project would not result in cumulative impacts other than those identified in the 2011 EIR. The 2011 EIR contains cumulative impacts for each impact topic, and applicable Mitigation Measures to reduce these impacts to less than significant if feasible.

Question C: No New Impact

As outlined in other sections of this IS, the proposed modified project will adhere to Mitigation Measures previously prescribed in the Mitigation Monitoring and Reporting Program adopted for the 2011 EIR for potentially significant impacts discussed previously and within the FPASP EIR. With applicable Mitigation Measures, implementation of the proposed modified project will not result in substantial adverse effects to human beings either directly or indirectly.

7. SUPPORTING INFORMATION SOURCES

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8. INITIAL STUDY PREPARERS

City of Folsom

Scott Johnson, Planning Manager, AICP

HELIX Environmental Planning, Inc.

Robert Edgerton, AICP, Project Manager

Jameson Honeycutt, Environmental Planner

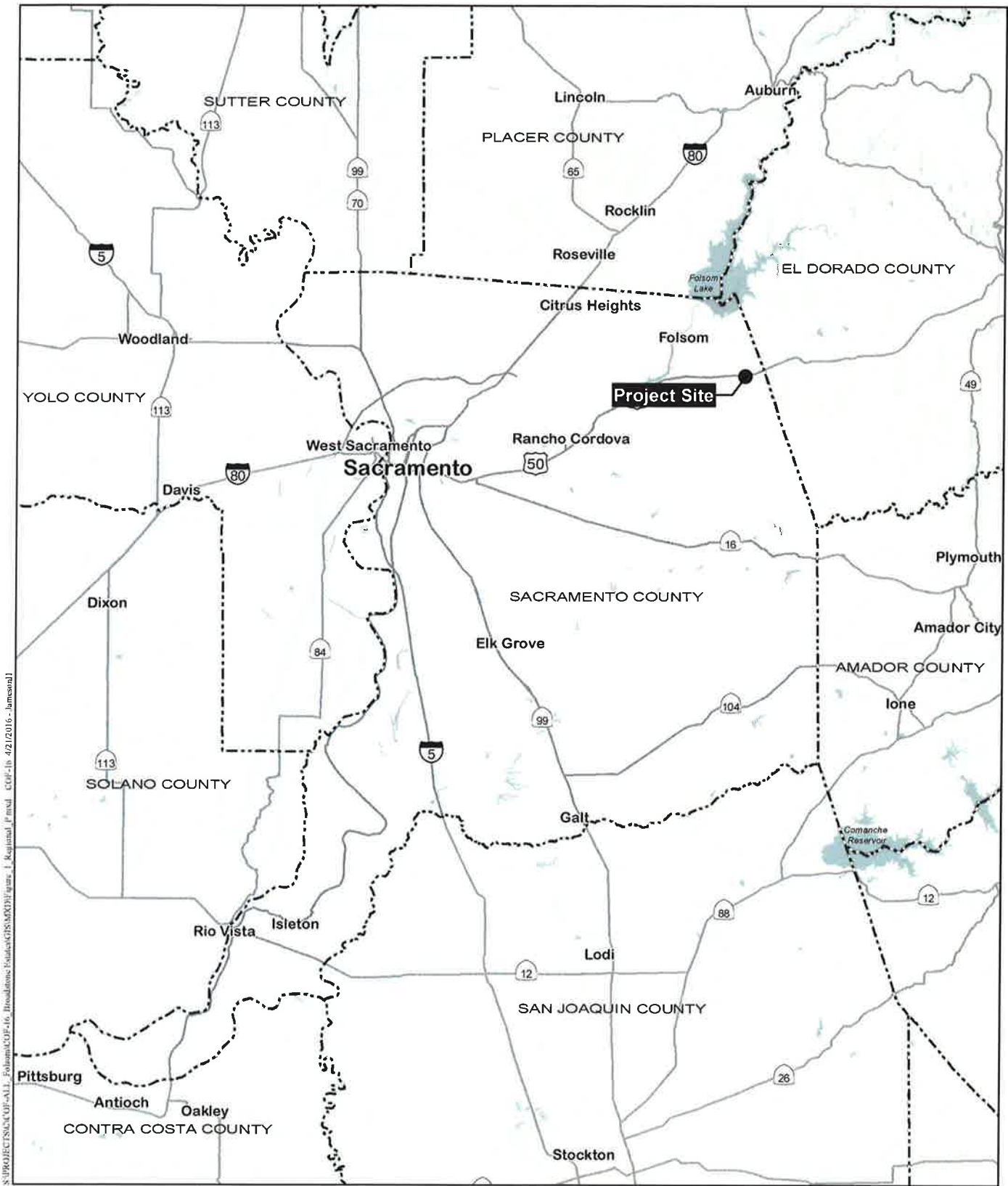
Noosheen Pouya, GIS Specialist/Planner



Appendix A

Figures 1-4





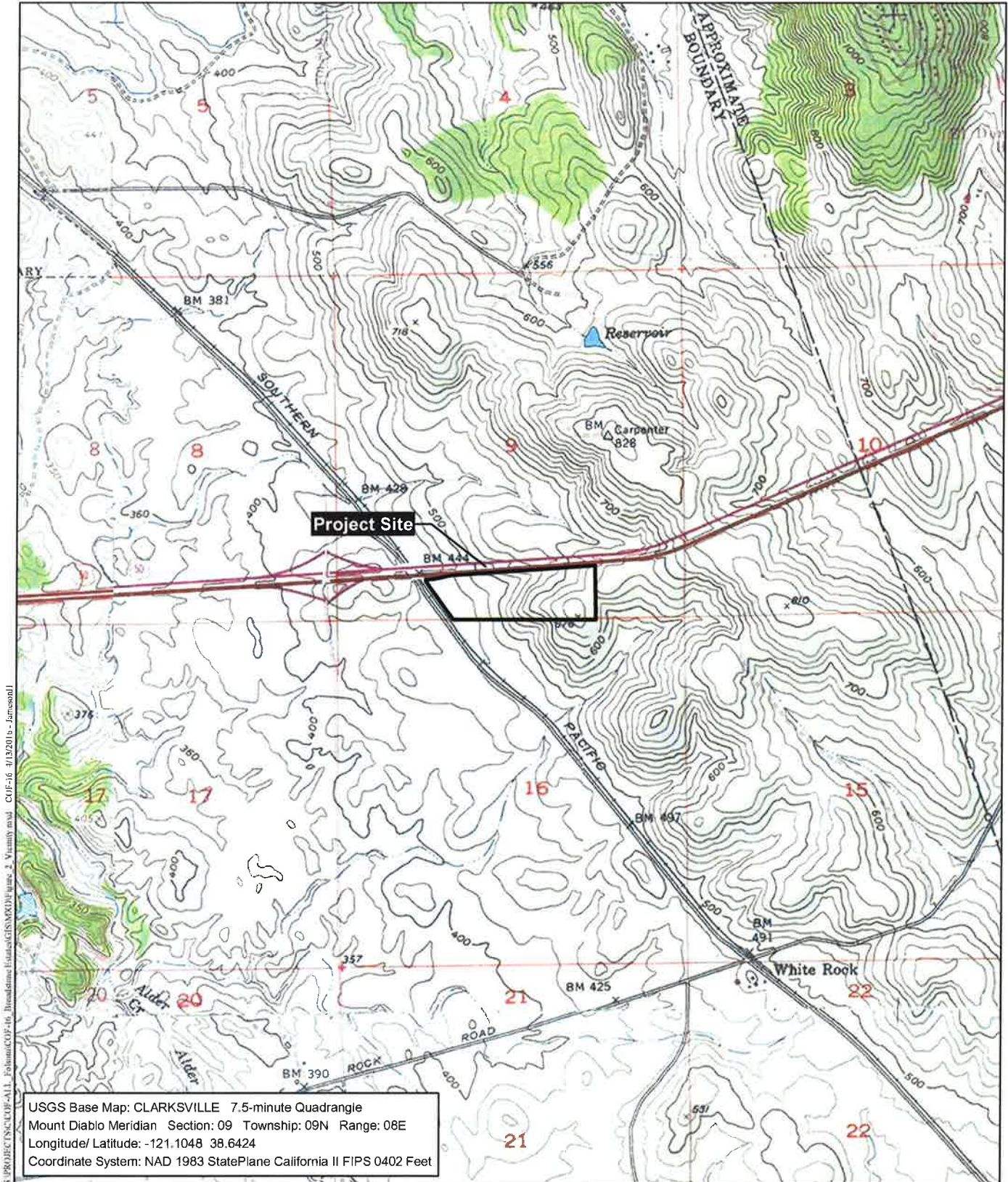
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Regional Location Map

BROADSTONE ESTATES

Figure 1

HELIX
Environmental Planning



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USGS Base Map: CLARKSVILLE 7.5-minute Quadrangle
 Mount Diablo Meridian Section: 09 Township: 09N Range: 08E
 Longitude/ Latitude: -121.1048 38.6424
 Coordinate System: NAD 1983 StatePlane California II FIPS 0402 Feet

Project Vicinity Map

BROADSTONE ESTATES

Figure 2

HELIX
 Environmental Planning

0 2,000 Feet 1 inch = 2,000 feet



Aerial Map

BROADSTONE ESTATES

Figure 3

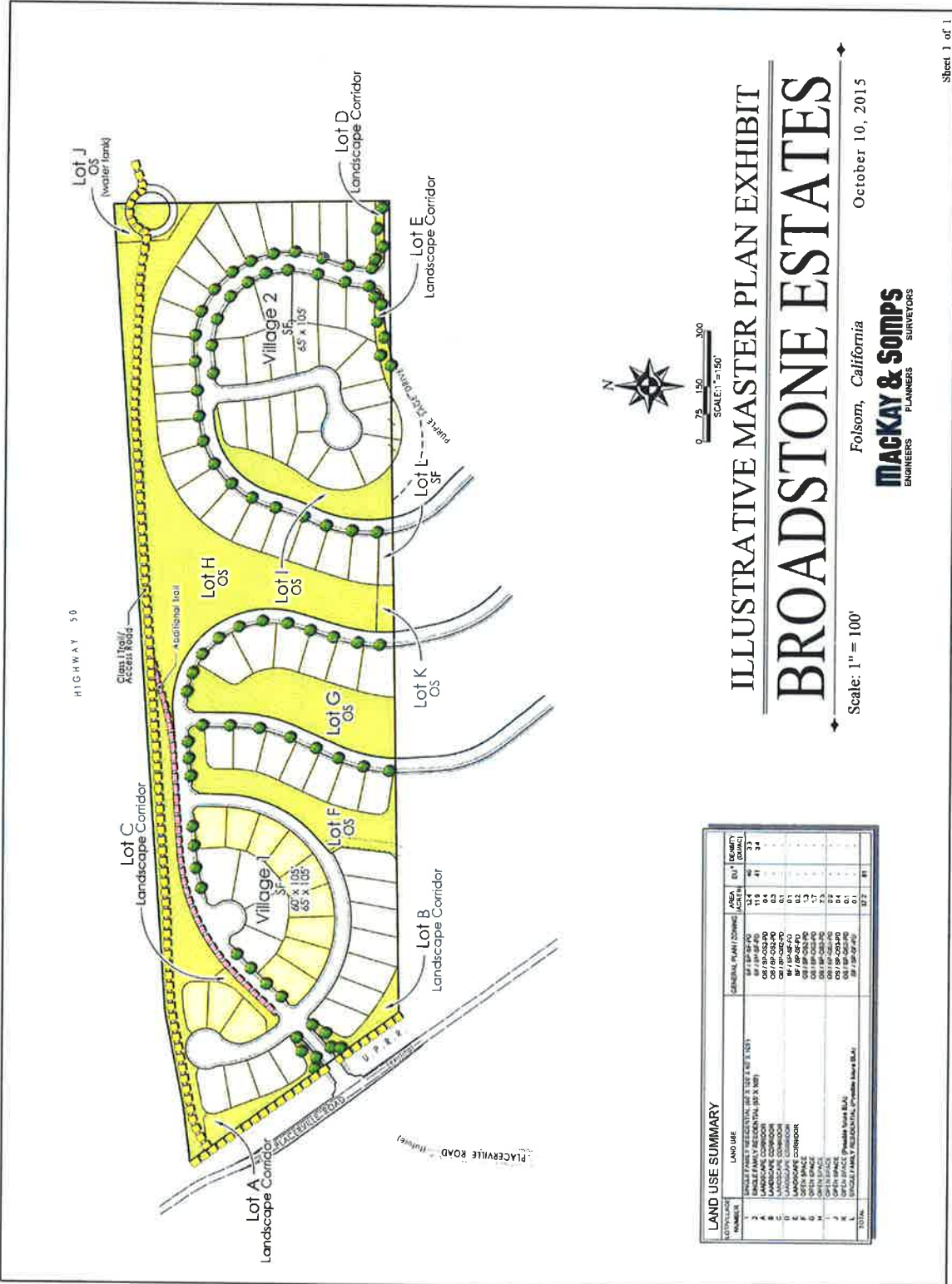
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Source: Mackay & Soms 2016



Site Plan
 BROADSTONE ESTATES
 Figure 4



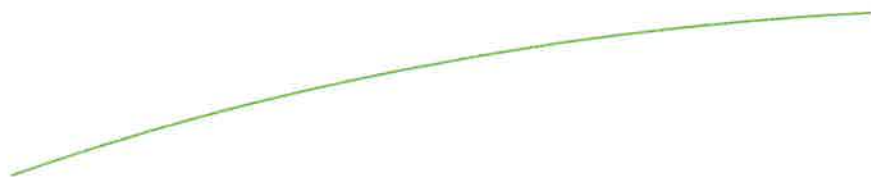
LAND USE SUMMARY

NO.	LAND USE	GENERAL PLANNING ZONING	ACRES	DU*	RECORD NUMBER
1	RESIDENTIAL SINGLE-FAMILY (R1)	OS 1P-020-010	12.4	48	37
2	RESIDENTIAL SINGLE-FAMILY (R1)	OS 1P-020-010	12.4	48	37
3	LANDSCAPE CORRIDOR	OS 1P-020-010	0.4	41	37
4	LANDSCAPE CORRIDOR	OS 1P-020-010	0.3	3	
5	LANDSCAPE CORRIDOR	OS 1P-020-010	0.1	1	
6	OPEN SPACE	OS 1P-020-010	1.3	1	
7	OPEN SPACE	OS 1P-020-010	7.7	1	
8	OPEN SPACE	OS 1P-020-010	0.2	1	
9	OPEN SPACE	OS 1P-020-010	0.1	1	
10	OPEN SPACE	OS 1P-020-010	0.1	1	
TOTAL			37.2	81	



Appendix B

Traffic Impact Analysis (MRO 2016)





660 Auburn Folsom Rd.

Suite 201B

Auburn, California

95603

PHONE (916) 783-3838

FAX (916) 783-5003

March 22, 2016

Mr. Robert Edgerton, AICP
 HELIX Environmental Planning, Inc.
 11 Natoma Street, Suite 155
 Folsom, California 95630

Subject: **Traffic Analysis for Broadstone Estates Project – Folsom, California**

Dear Mr. Edgerton:

MRO Engineers, Inc. is pleased to submit this letter report documenting the results of a traffic analysis for the proposed Broadstone Estates project, which is to be located within the Folsom Plan Area (FPA), immediately south of U.S. Highway 50 and east of Placerville Road.

BACKGROUND

The environmental impacts associated with annexation of the FPA into the City of Folsom were addressed in the *Final EIR/EIS – Folsom South of U.S. Highway 50 Specific Plan Project* (AECOM and RMC Water and Environment, May 2011). That document was certified by the Folsom City Council on June 28, 2011.

Given current market conditions, the owners and developers of the 37.2-acre Broadstone Estates project have proposed various modifications to the approved land use plan. Specifically, the previously-approved general commercial and industrial office park uses would be eliminated and 81 single-family homes would be constructed. Table 1 provides a more specific summary of the proposed changes in the Broadstone Estates land use plan.

Land Use	Approved Plan	Proposed Plan	Difference
Single Family	3.6 Acres (10 DU ¹)	24.6 Acres (81 DU)	+21.0 Acres (+71 DU)
General Commercial	13.3 Acres	0.0 Acres	-13.3 Acres
Industrial Office Park	10.5 Acres	0.0 Acres	-10.5 Acres
Open Space	9.8 Acres	12.6 Acres	+2.8 Acres
TOTAL	37.2 Acres	37.2 Acres	0.0 Acres
Notes: ¹ Dwelling units.			

STUDY OBJECTIVE

The purpose of the analysis presented here is to determine whether the traffic impacts of the modified Broadstone Estates project have been adequately addressed in the environmental documentation prepared with respect to the entire Folsom Plan Area. This determination will be based primarily upon a comparison of the relative trip generation values for the two land use plans. If the proposed land use plan is estimated to generate an equal (or lower) number of trips in the key analysis periods, then its traffic impacts will similarly be equal to or lower than the impacts of the proposed project, which were documented in the Final EIR/EIS for the FPA annexation. If, on the other hand, the proposed land uses generate more traffic than the approved project, additional traffic analyses could be recommended.

In addition, this analysis considers whether projected traffic conditions have changed in the vicinity of the Broadstone Estates project since the Final EIR/EIS was certified. Substantial changes in operating conditions might also indicate a need for updated traffic analyses.

TRIP GENERATION COMPARISON

The volume of traffic associated with the Broadstone Estates project was estimated using information presented in the *Trip Generation Manual* (Institute of Transportation Engineers, Ninth Edition, 2012). Estimates were developed for three time periods: daily, AM peak hour, and PM peak hour.

Approved Broadstone Estates Project

Table 2 summarizes the estimated trip generation associated with the approved Broadstone Estates land use plan. The commercial square footage was estimated using an assumed floor area ratio (FAR) of 0.25, which is considered to be typical for this type of development. In other words, it is assumed that the building square footage will equal 25 percent of the total land area. Applying that factor to the 13.3 acres of commercial land indicates that the commercial development will total approximately 145,000 square feet (SF).

The approved land use plan would generate about 10,795 daily trips, with about 80 percent of those associated with the general commercial component of the project. In the AM peak hour, the approved land use plan would generate a total of 473 trips, with 371 inbound and 102 outbound. The PM peak hour trip generation is estimated to be 1,075 trips, with 420 inbound and 655 outbound.

Table 2
Trip Generation Estimate¹
Approved Broadstone Estates Land Use Plan

Land Use	Size	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
			In	Out	Total	In	Out	Total
Single-Family Residential ²	10 DU ³	95	2	6	8	6	4	10
General Commercial ⁴	13.3 Acres (145,000 SF ^{5,6})	8,650	122	74	196	369	399	768
Industrial Office Park ⁷	10.5 Acres	2,050	247	22	269	45	252	297
TOTAL		10,795	371	102	473	420	655	1,075

Notes:

- ¹ Reference: Institute of Transportation Engineers, *Trip Generation Manual*, Ninth Edition, 2012.
- ² ITE Land Use Code 210 – Single-Family Detached Housing.
- ³ Dwelling unit.
- ⁴ ITE Land Use Code 820 – Shopping Center.
- ⁵ Square feet.
- ⁶ Assuming floor area ratio (FAR) of 0.25 (i.e., building square footage is 25 percent of total land area).
- ⁷ ITE Land Use Code 750 – Office Park.

Proposed Broadstone Estates Project

As described above, the proposed Broadstone Estates land use plan would increase the number of single-family residential units from 10 DU to 81 DU, while eliminating the general commercial and industrial office park uses. The open space area would be increased, but no trips are associated with that component of the proposed project.

Table 3 summarizes the trip generation estimate for the modified Broadstone Estates land use plan. The proposed land use plan will generate about 770 trips per day. The AM peak-hour trip generation will be 61 trips (15 inbound and 46 outbound), while the PM peak-hour total will be 81 trips (51 inbound and 30 outbound).

Land Use	Size	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
			In	Out	Total	In	Out	Total
Single-Family Residential ²	81 DU	770	15	46	61	51	30	81
General Commercial ³	0.0 Acres	0	0	0	0	0	0	0
Industrial Office Park ⁴	0.0 Acres	0	0	0	0	0	0	0
TOTAL		770	15	46	61	51	30	81

Notes:

¹ Reference: Institute of Transportation Engineers, *Trip Generation Manual*, Ninth Edition, 2012.

² ITE Land Use Code 210 – Single-Family Detached Housing.

³ ITE Land Use Code 820 – Shopping Center.

⁴ ITE Land Use Code 750 – Office Park.

Trip Generation Comparison

Based on the trip generation analyses presented above, Table 4 summarizes the comparison of the approved and proposed Broadstone Estates land use plans.

The currently-proposed project is estimated to generate over 10,000 fewer daily trips than the approved version of the project. In the AM peak hour, the proposed land use plan will generate over 400 fewer trips, and in the PM peak hour, it will generate almost 1,000 fewer trips than the approved plan.

Thus, in all three key time periods, the currently-proposed land use plan will generate substantially less traffic than the approved Broadstone Estates project. Under daily and PM peak hour conditions, the difference is particularly pronounced.

This suggests that the traffic impact analysis incorporated into the environmental documentation for the FPA annexation, which addressed the approved Broadstone Estates land use plan discussed above, remains valid with respect to the proposed land use plan. Specifically, all significant traffic impacts that might be associated with the proposed plan have already been identified in the analysis of the approved plan. Further, any necessary mitigation measures will also have been identified.

Land Use Plan	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
		In	Out	Total	In	Out	Total
Approved Project ²	10,795	371	102	473	420	655	1,075
Proposed Project ³	770	15	46	61	51	30	81
DIFFERENCE	10,025	356	56	412	369	625	994

Notes:
¹ Reference: Institute of Transportation Engineers, *Trip Generation Manual*, Ninth Edition, 2012.
² See Table 2.
³ See Table 3.

INTERSECTION LEVEL OF SERVICE COMPARISON

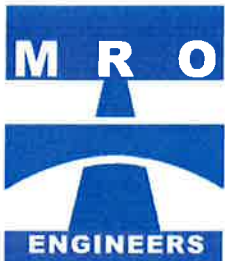
To further ensure that the traffic analysis for the FPA annexation EIR/EIS remains valid for the modified Broadstone Estates project, a comparison of cumulative conditions level of service results for selected key intersections was performed. The intent of this comparison was to confirm that the results of recent traffic analyses are not substantially different from the FPA annexation analysis. If the recent level of service results are somewhat different, it would suggest that the projected study area traffic operations have changed and additional analyses might be required.

The traffic impact analysis incorporated into the *Final EIR/EIS – Folsom South of U.S. Highway 50 Specific Plan Project* was conducted by DKS Associates. With respect to cumulative conditions, it addressed traffic operations in the year 2030 at 26 intersections within the pre-existing Folsom city limits and an additional 30 intersections in the annexation area (including four existing intersections along White Rock Road).

More recently, a detailed traffic analysis was completed for the Russell Ranch project, which is located adjacent to Broadstone Estates within the FPA. That analysis, which was completed by Fehr & Peers, addressed traffic operations at 32 intersections in the year 2035.

Comparison of the study areas for the two analyses revealed eleven intersections that were common to both studies and were located in the immediate vicinity of Broadstone Estates. Those locations are:

- East Bidwell Street/Iron Point Road,
- East Bidwell Street/U.S. Highway 50 Westbound Ramps,
- East Bidwell Street/U.S. Highway 50 Eastbound Ramps,
- White Rock Road/ Scott Road,
- White Rock Road//Placerville Road,
- Iron Point Road/Cavitt Drive,



- Iron Point Road/Serpa Way,
- Empire Ranch Road/Iron Point Road,
- Empire Ranch Road/U.S. Highway 50 Westbound Ramps,
- Empire Ranch Road/U.S. Highway 50 Eastbound Ramps, and
- Empire Ranch Road/White Rock Road.

Table 5 illustrates the comparison of Cumulative Plus Project level of service results for those intersections for the AM and PM peak hours. The Cumulative Plus Project scenario includes buildout of the entire FPA land use plan (including the approved Broadstone Estates land use plan), as well as expected growth throughout the Sacramento region.

Table 5 reveals that relatively little difference in intersection level of service is projected in the two analyses. In the AM peak hour, five of the eleven intersections will have identical levels of service. At another five locations, the more-recent year 2035 projections indicate better LOS than the year 2030 annexation EIR/EIS analysis, based on lower delay values.

At Empire Ranch Road/Iron Point Road, although the delay value is shown to be substantially higher in the year 2035, detailed examination of that location reveals that this finding is primarily related to differences in the LOS calculation assumptions employed in the two analyses. If those assumptions had been more consistent in the two studies, the delay values would be more similar. The only intersection where the Russell Ranch analysis showed a worse level of service is East Bidwell Street/Iron Point Road, where LOS D is projected rather than the previous LOS C.

More variation is seen in the PM peak hour, although the differences are not considered significant. While two locations are projected to have identical levels of service, at five locations the year 2035 LOS is projected to be better than the year 2030 values. Four locations are projected to have slightly worse LOS values, although two of those are projected to continue to operate at acceptable levels of service under City of Folsom policy.

As noted above, the increased delay value at East Bidwell Street/Iron Point Road is related to differences in the LOS calculation assumptions employed in the two analyses. The Final EIR/EIS for the annexation process identified this intersection as having a significant impact and designated a corresponding mitigation measure (No. 3A.15-4d).

In the case of Empire Ranch Road/Iron Point Road, the decline from LOS E to LOS F is primarily due to the fact that the boundary between LOS E and LOS F is an average delay value of 80.0 seconds/vehicle. As such, the year 2030 result is only 0.2 seconds/vehicle from exceeding that threshold and, consequently, operating at LOS F. In any event, the Final EIR/EIS for the annexation process identified this intersection as having a significant impact and designated a mitigation measure (No. 3A.15-4f) to address the projected efficiency.

In general, this comparison indicates that the year 2035 findings resulting from the recently-completed Russell Ranch traffic analysis are not significantly different from the year 2030 results documented in the certified Final EIR/EIS for the FPA annexation process.

Table 5
Level of Service Comparison for Selected Intersections

Intersection	Cumulative Plus Project Conditions							
	FPASP (Year 2030) ¹				Russell Ranch (Year 2035) ²			
	AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
	Delay ³	LOS ⁴	Delay	LOS	Delay	LOS	Delay	LOS
East Bidwell St./Iron Point Rd.	29.7	C	77.0	E	49	D	141	F
East Bidwell St./U.S. Hwy. 50 WB Ramps	28.1	C	22.5	C	10	A	8	A
East Bidwell St./U.S. Hwy. 50 EB Ramps	17.1	B	20.7	C	15	B	11	B
White Rock Rd./Scott Rd.	35.6	D	22.1	C	15	B	17	B
White Rock Rd./Placerville Rd.	11.7	B	9.7	A	15	B	16	B
Iron Point Rd./Cavitt Dr.	12.9	B	21.6	C	10	A	23	C
Iron Point Rd./Serpa Way	24.3	C	43.7	D	15	B	19	B
Empire Ranch Rd./Iron Point Rd.	82.2	F	79.9	E	122	F	89	F
Empire Ranch Rd./U.S. Hwy. 50 WB Ramps	14.7	B	15.8	B	12	B	9	A
Empire Ranch Rd./U.S. Hwy. 50 EB Ramps	15.8	B	19.2	B	7	A	11	B
Empire Ranch Rd./White Rock Rd.	28.9	C	17.7	B	31	C	35	C

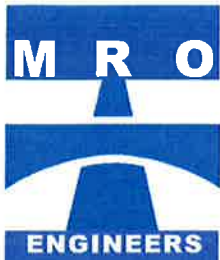
Notes:

¹ Reference: AECOM and RMC Water and Environment, *Final EIR/EIS – Folsom South of U.S. Highway 50 Specific Plan Project*, May 2011.

² Reference: Fehr & Peers, *Russell Ranch Final Transportation Impact Study*, December 2014.

³ Average control delay in seconds per vehicle.

⁴ Level of service.



CONCLUSION

The owners and developers of the Broadstone Estates project have proposed a modified land use plan, which differs from the land use plan addressed in the certified Final EIR/EIS for the Folsom Plan Area, south of U.S. Highway 50. The analysis documented in this report addressed whether the traffic impacts of the modified project have been adequately addressed in the FPA environmental documentation, based primarily upon a comparison of the relative trip generation values for the two land use plans. This analysis also considered whether projected traffic conditions have changed in the vicinity of the Broadstone Estates project since the Final EIR/EIS was certified. Substantial changes in operating conditions might indicate a need for updated traffic analyses.

The analysis determined that, in all three key time periods, the currently-proposed, modified land use plan will generate substantially less traffic than the approved Broadstone Estates project. Under daily and PM peak hour conditions, the difference is particularly pronounced.

Based on a detailed review of the recently-completed traffic study for the adjacent Russell Ranch project, this analysis also determined that projected cumulative traffic operating conditions have not changed substantially since the FPA EIR/EIS was certified.

Therefore, it is reasonable to conclude that the findings presented in the traffic analysis for the FPA annexation process remain valid for the modified version of the Broadstone Estates project, and that no further traffic analysis is necessary for that project.

We appreciate having the opportunity to work with you on this project. Please call if you have any questions or need further information.

Sincerely,

MRO ENGINEERS, INC.

A handwritten signature in blue ink that reads "Neal K. Liddicoat".

Neal K. Liddicoat, P.E.
Traffic Engineering Manager

PLANNING COMMISSION STAFF REPORT

PROJECT TITLE	Carr Trust Property Subdivision
PROPOSAL	Request for approval of General Plan Amendment, Specific Plan Amendment, Vesting Small Lot Tentative Subdivision Map, Design Guidelines, Amendment No. 1 to the First Amended and Restated Tier 1 Development Agreement, and Inclusionary Housing Plan for development of a 28 unit single family residential subdivision
RECOMMENDED ACTION	Approve, based upon findings and subject to conditions of approval.
OWNER/APPLICANT	Gragg Recovery Acquisition, LLC Donna Pasquantonio-Leslie, Representative
LOCATION	The 14.67+/- acre project site is located east of Placerville Road and north of the future Street A. It is also located to the south of the approved Russell Ranch subdivision and to the west and north of the approved White Rock Springs Ranch subdivision.
SITE CHARACTERISTICS	The project site is situated near the base of the Sierra Nevada foothills, immediately adjacent to the Sacramento Valley Railroad. The topography is hillside covered in non-native and naturalized grasslands. Historically, the site has been used for grazing, farming, and mining and is currently vacant.
GENERAL PLAN DESIGNATION	MLD (Multi Family Low Density) OS (Open Space)

ZONING

SP-MLD (Specific Plan-Multifamily
Low Density Residential)
SP-OS (Open Space)

ADJACENT LAND USES / ZONING

North:

Undeveloped property. Property is zoned Single Family Residential and Open Space. (Portion of the approved Russell Ranch Project)

South:

Undeveloped property. Property is zoned Single Family High Density Residential and Open Space (Portion of the White Rock Springs Ranch project).

East:

Undeveloped property zoned Single Family Residential, and Open Space (Portion of the White Rock Springs Ranch project).

West:

Undeveloped property zoned Multifamily Low Density Residential, Mixed Use and Open Space-2 (Portion of the approved Mangini Ranch Project)

PREVIOUS ACTIONS

1. Local Agency Formation Commission approval of Sphere of Influence Amendment in 2001
2. Measure W approved by the Voters in 2004
3. Local Agency Formation Commission approval of Annexation of 3500 acres to Folsom in 2011
4. Approval of Folsom Plan Area Specific Plan in 2011
5. Approval of Tier 1 Development Agreement in 2011

6. Approval of Folsom Plan Area Specific Plan Public Facilities Financing Plan in 2014
7. Approval of First Amended and Restated Tier 1 Development Agreement in 2014

FUTURE ACTIONS

1. Approval of Public Right-of-Way and Land Dedication Plan
2. Approval of Open Space Management and Financing Plan
3. Approval of Drainage Facilities Maintenance and Financing Plan
4. Recordation of Final Subdivision Maps
5. Issuance of Improvement Plans
6. Issuance of Grading and Building Permits

APPLICABLE CITY CODES

- FMC 16.16, Tentative Subdivision Maps
- FMC 17.37, Specific Plan District
- FMC 17.38, Planned Development District
- FMC 17.104, Inclusionary Housing

ENVIRONMENTAL REVIEW

An Environmental Impact Report has been certified for the Folsom Plan Area Specific Plan project in accordance with the California Environmental Quality Act. The State CEQA Guidelines identify criteria for determining whether a subsequent EIR would be required for a project with a previously approved EIR. Further detailed analysis and public review are required only if proposed changes to the project would require “major revisions” to the previously approved EIR because of new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts (CEQA Guidelines § 15162). In accordance with State CEQA Guidelines § 15164, this Addendum has been prepared to document that the proposed project modifications do not require preparation of a subsequent EIR

under § 15162. The detailed analysis documenting the project's consistency with the prior environmental review and thus, its eligibility for these exemptions, is presented in Attachment 11 to this Staff Report.

ATTACHED REFERENCE MATERIAL

1. Composite Folsom Plan Area Map with Project Location
2. General Plan Amendment Exhibit
3. Specific Plan Amendment Exhibit
4. Small Lot Vesting Tentative Subdivision Map dated May 10, 2016
5. Preliminary Grading and Drainage Plan dated May 10, 2016
6. Preliminary Utility Plan dated May 10, 2016
7. Preliminary Offsite Infrastructure Plan dated May 10, 2016
8. Inclusionary Housing Plan
9. Ordinance No. ____ An Uncodified Ordinance of the City of Folsom Approving The First Amended and Restated Tier 1 Development Agreement by and Between the City of Folsom and Gragg Ranch Recovery Acquisition, LLC. Relative to the Folsom South Specific Plan
10. White Rock Springs Design Guidelines
11. Environmental Checklist and Addendum for the Carr Trust Project

PROJECT PLANNER

Sherri Abbas Metzker, AICP, Contract Planner

BACKGROUND

The subject site is located in the Folsom Plan Area and is generally located north of the future Street A and east of Placerville Road. Since the early 20th century, the property has been primarily used for grazing. The proposed project site is part of the approved Folsom Plan Area Specific Plan (FPASP), which is a comprehensively planned community that proposes new development based upon principles of "Smart Growth" and Transit Oriented Development. The FPASP area is generally bounded by Prairie City Road on the west, Highway 50 (US 50) on the north, and White Rock Road on the south and the Sacramento County/El Dorado County boundary on the east. The FPASP includes 10,817 residential units at various densities on a total of 1,525.5 acres; 302 acres designated for commercial and industrial use; 317 acres designated for public/quasi-public uses, elementary, middle, and high schools, and community and neighborhood parks; 1122.8 acres of open-space areas and open-space preserves. The Carr Trust project site is included in the FPASP and was planned for 61 Multifamily Low Density residential units, and approximately 8.6 acres of open space.

APPLICANT'S PROPOSAL

The applicant, Gragg Ranch Recovery Acquisition, LLC, is requesting approval of a General Plan Amendment, a Specific Plan Amendment, a Vesting Small Lot Tentative Subdivision Map, Project Design Guidelines, Inclusionary Housing Plan, and Amendment No. 1 to the First Amended and Restated Tier 1 Development Agreement for the development of a 28-unit single family residential subdivision on 14.67± acres.

The Vesting Small Lot Tentative Subdivision Map proposes to create 28 single family and 8.9 acres of open space, lettered lots. A portion of the open space lots will be used for an underground water tank.

The Carr Trust Project Design Guidelines are proposed to establish design guidelines for the physical development of the proposed single family residential subdivision. The primary purpose of the design guidelines is to articulate the general architectural and design expectations for the proposed residential neighborhood, the landscapes, hardscapes, open spaces, fencing, entry features and site lighting. The goal of the design guidelines is to establish a regulatory framework for the design of individual homes on the residential lots. The final design details of the homes are subject to review and approval by the Planning Commission as part of a future Design Review application. It should be noted that the applicant is proposing to use the Carr Trust Subdivision as a model complex for the homes to be constructed within the White Rock Springs Ranch project. The proposed design guidelines are the same guidelines approved by the Planning Commission for the White Rock Springs Ranch Subdivision.

External vehicular access into the project site will be provided via Street A, which will connect Placerville Road (or Street A as it is referred to in the Folsom Plan Area Specific Plan) and with Empire Ranch Road in the future. The project consists of one cul-de-sac street with an Emergency Vehicular Access (EVA) from the bulb of the cul-de-sac connecting to Placerville Road. Secondary vehicular access will likely be provided via Street A to the east, then C Drive through the White Rock Springs Ranch subdivision and north into the Russell Ranch subdivision, where it will connect with Grand Prairie Drive and ultimately back to Placerville Road.

Proposed on-site improvements include: underground utilities, drainage improvements, retaining walls, on-street parking, curbs/gutters, sidewalks, pathways, fencing, site lighting, and site landscaping. Sewer and water infrastructure will be extended to the project site from the westerly portion of the FPASP area.

GENERAL PLAN AMENDMENT

In 2011, the City of Folsom adopted the Folsom Plan Area Specific Plan (FPASP) which is designed to guide and regulate development in the area south of Highway 50. The zoning designations correspond with the General Plan designation boundary lines. The adopted General Plan and Specific Plan land use designations for the project site are MLD (Multifamily Low Density Residential), and OS (Open Space). The proposed land use designations are SFHD (Single Family High Density Residential, Planned Development District), and OS (Open Space).

The following chart illustrates the numerical differences between the proposed and adopted land use acreages on the project site.

Land Use	Adopted Land Uses		Proposed Land Uses	
	Acres	Units	Acres	Units
Single Family High Density Residential (4-7 du/ac)	0	0	5.7	28
Medium Low Density Residential (7-12 du/ac)	5.5	61	0	0
Open Space	8.6	0	8.9	0
Public Quasi Public	0.4	0	0	0
Roads	0.5	0	0.4	0
TOTAL	15.00	61	15.00	28

The primary difference between the adopted and the proposed land use proposal is the change from multifamily residential to single family residential. On this particular site, it would be difficult to achieve the required minimum density without arranging the buildings in a linear fashion. The super pad created for the single family homes is only about 250 feet deep (from east to west and about 800 feet (from north to south). A typical multifamily building is approximately 75 feet deep and 240 feet long. (A 3 story building of this size yielding 41 dwelling units was previously approved by the city). To reach the allocated 61 units, the developer would need to fit two three-story buildings on the super pad, along with the additional required parking, which would be difficult if not impossible. If the buildings are reduced to two stories, the ability to meet the density and arrange the buildings along with the other requirements on the site is even more difficult.

Neither of the design layouts would result in the desired outcome. Furthermore, the Medium Density Multifamily Residential land use designation was not used by the city to achieve its Regional Housing Needs Allocation in its current Housing Element. Therefore, the Medium Density Multifamily Residential land use may be eliminated from the project site without having to be made up elsewhere in the city.

SPECIFIC PLAN AMENDMENT

In 2011, the City of Folsom adopted the Folsom Plan Area Specific Plan (FPASP) which is designed to guide and regulate the development of the area south of Highway 50. In addition to amending the City’s general plan for land use, the applicant is also proposing to amend the FPASP to change the corresponding land use designations (zones) and amend the regulating text to correspond with applicant’s proposal. The proposed land uses include Single Family High Density Residential and Open Space.

The proposed zoning designations correspond with the proposed General Plan designation boundary lines. The proposed subdivision is consistent with both the proposed General Plan land use designations for the site. In evaluating the request to amend the project site’s land use designations, City staff took into consideration a number of factors including the existing General Plan land use designation, the existing and proposed land use designation, and the surrounding land uses. As referenced previously, the proposed General Plan land use designations for the developable portions of the project site is SFHD (Single Family High Density). Properties with a SFHD General Plan land use designation are permitted to be developed with single-family residential homes at a density of 4 to 7-units per acre. As proposed, the SFHD portion of the Carr Trust Subdivision will be developed at a residential density of 4.9-units per acre, which is consistent with the allowable density for properties with a SFHD General Plan land use designation. The site will also have a Planned Development overlay on the property.

Based on the aforementioned information and analysis, staff is supportive of the proposed Specific Plan Amendment.

LAND USE COMPATIBILITY

The 14.67+-acre project site is surrounded by vacant undeveloped property, and Placerville Road and the Sacramento Valley Railroad to the west.

North	Undeveloped property. Property is zoned Single Family Residential and Open Space.
East	Undeveloped property zoned Single Family Residential, and Open Space.
West	Undeveloped property zoned Multifamily Low Density Residential, Mixed Use and Open Space-2 beyond Placerville Road.
South	Undeveloped property zoned Single Family High Density Residential and Open Space.

It is important to note that the project includes 8.9 acres open space. This open space will contribute to the 30% open space requirement included in Measure W. As described above, the project site is located within a geographic area that will be dominated by single family residential development. Generally, the terrain is more suited for residential development and open space uses, much like those approved for the Russell Ranch and White Rock Springs Ranch projects. Given the residential nature of the project area combined with surrounding open space areas,

staff has determined that the proposed project provides an ideal blend of residential and open space land uses that are compatible with approved land uses in the project vicinity.

VESTING (SMALL LOT) TENTATIVE SUBDIVISION MAP

The applicant is also requesting approval of a Vesting Small Lot Tentative Subdivision Map (VSLTSM). The VSLTSM will further subdivide the project site into 28 single family lots. The minimum lot size is 4500 square feet. However, there are lots throughout the subdivision that are larger than the minimum lot size.

Open Space/Slopes

The grading concept for the residential portion of the proposed Carr Trust subdivision project is fairly flat as the development progresses up the hillside and along the cul-de-sac. The pad grade differential between each single family lot is approximately 0.5 to 1 foot in height. This style of grading is similar to that approved throughout Folsom. However, the proposed grade differential between the proposed subdivision and the pad grades for the White Rock Springs Ranch project (located to the east and above the proposed project) is ± 70 feet. The proposed grading concept for this area is 2:1 slopes with two retaining walls to take up some of the grade. The cul-de-sac is designed to be double loaded (meaning housing on both sides of the street). Therefore, the slope between the proposed project and the adjoining future White Rock Springs Ranch project occurs behind the lots and is not exposed to the street. Staff recommends that these open space slopes be landscaped with a type of landscaping that is resistant to fire and that it is maintained by the Homeowners Association for the subdivision.

Furthermore, it should be noted that the proposed grading design is dependent on the grading for the White Rock Springs Ranch project. Otherwise, the grading at the edge of the subdivision would be different. Staff is supportive of the grading concept with the recommended conditions which include a provision requiring that the White Rock Springs Ranch project be graded at the same time or before construction of the proposed project.

Utilities

As provided for in the development agreement between the City and the Landowners south of Highway 50, each subdivision is required to build the portion of the offsite infrastructure system necessary to support the proposed project. To serve the proposed Carr Trust development, staff recommends that the project be conditioned to build the sewer alignment as shown in the VSLTSM exhibits. The sewer alignment will traverse westerly along Street A through Mangini Ranch, then southerly on Scott Road to the creek tributary, at which point it will turn to the west following the alignment shown on tentative subdivision map attachments. The water line will come from the north, under Highway 50 along Placerville Road. Both of these alignments are compatible with the plans for Russell Ranch and Mangini Ranch.

Parks and Recreation Commission

The Parks and Recreation Commission, at its March 5, 2016, meeting, recommended approval of the proposed Carr Trust subdivision with the following conditions:

1. Condition the Carr Trust development plans to construct (including off-site improvements) and dedicate a Class I bike trail connection from the Carr Trust neighborhood to the Old Placerville Road Class I bike trail.
2. The Carr Trust parkland dedication obligation decreases by 0.20-acres.

Water Supply

Following the approval of the 2011 EIR, a Water Supply Agreement was drafted between the City and landowners in the SPA. This forms the legal basis by which the City will secure water supplies at no cost and no detriment to the residents of Folsom north of Highway 50 and their water supply. The City will be retaining and using water supplies for the SPA that result from its conservation and improvement efforts. Sacramento County Superior Court validated the WSA, and the determination is forever binding on water supply issues within the SPA. Pending the approval of the proposed land use changes for the Carr Trust property, the dry year water demand will decrease from 23 acre feet per year to 12 acre feet per year.

Under current conditions, reflecting a multiple-year drought, all environmental work for south of Highway 50 has appropriately and sufficiently disclosed, analyzed, and discussed information relating to the availability of water supplies to serve this project. The following summary of the City's water supply planning for the FPASP area dry years is provided in the interest of addressing the ongoing and expected continued interest in this issue.

The City is a party to the Water Forum Agreement, which represents a regional commitment by stakeholders in the long term health and sustainability of the American River to cooperate and fulfill two co-equal objectives: (1) to provide a reliable and safe water supply for the region's economic health and planned development to the year 2030; and (2) to preserve the fishery, wildlife, recreational, and aesthetic values of the lower American River. An EIR was prepared in 1999 that examined the effects of implementing the linked actions agreed to by the stakeholders to fulfill those objectives. As relevant to this project, these linked components include: actions to meet water users' needs during dry years while reducing diversion impacts, increased water conservation, and improved groundwater management, among other actions.

The Water Forum Agreement contains provisions by which purveyors (including the City of Folsom) agree to reduce their diversions from the Lower American River by specified levels in defined drier years. When diversions from this source must be reduced, the City meets its customers' water demands through conservation measures applied City-wide and also by entering into agreements with other purveyors that have access to both surface water and groundwater for an equivalent exchange of the amount of reductions needed by the City.

Consistent with its commitments under the Water Forum Agreement and the Water Conservation Act of 2009, the City has undertaken several water conservation and management improvements in recent years, including approval of the Water System Optimization Review (SOR) Project in 2012, which provides for leak detection, repairs to the City's existing water transmission and distribution facilities. The SOR project is being implemented, and the water savings achievable through these repairs will make available a sufficient amount to supply the FPASP area with the 5,600 acre-feet per year that development within the plan area is currently estimated to require. The impacts of implementing these system improvements and applying the water savings to the FPASP area were reviewed in an Addendum to the FPASP EIR and considered and approved by the City Council in December 2012.

The proposed project would be served by the savings in existing City water supplies achieved through the SOR program described above, which may be used for all beneficial uses determined by the City, including developments south of U.S. 50. There is an existing Water Supply and Facilities Financing Plan and Agreement between the City and certain landowners in the FPASP, approved with the Addendum to the FPASP EIR in December 2012, which provides a framework for supplying water required in the Folsom Plan Area.

During multiple-dry years such as the current circumstances, the City has the authority to declare a water shortage condition under Chapter 13.26 of the Folsom Municipal Code, and implement increasingly more stringent stages of conservation, which limit many types of outdoor water use and water service in restaurants. A development agreement adopted in May 2014, to which the White Rock Springs Ranch project proponent is a party, makes clear that this project area and these landowners are subject to the same water use cut-backs and limitations imposed in the rest of the City during such water shortage conditions.

The City's most recent Urban Water Management Plan (2010) considered the effects of implementing these stages of conservation, as required by law, and still concluded that the City would have sufficient supplies to serve existing residents and planned new growth in multiple dry years.

Accordingly, the proposed project's water demand can be accommodated by the City's existing water supplies and dry-year plans, without imposing additional hardship or otherwise further limiting the supplies available to serve the rest of the City's residents.

Phasing and Improvements

The subdivision is expected to be constructed in two small phases. The first phase includes 12 lots and is directly connected to Street A. Phase 2 includes the remaining 16 lots and completes the subdivision. Each phase will be required to stand on its own as it pertains to access and infrastructure supply and construction. Grading is expected and will occur as each phase

develops. Street cross sections within the FPASP were used as the basis for the design of the street cross sections within the proposed project. All proposed street cross sections are shown on the VSLTSM.

The City has inventoried its various types of decorative light poles and has found a decorative light fixture that will compliment and work well for the proposed project. It is expected that the fixture will be used throughout the entire FPASP.

PROJECT DESIGN GUIDELINES

The Carr Trust Design Guidelines spell out the architectural guidelines that the future residences within the subdivision will be evaluated against. These Design Guidelines mirror the adopted White Rock Springs Ranch Design Guidelines with the same seven styles of architecture included in the plan. Each developer will have to submit plans for design review approval by the Planning Commission prior to construction of the homes. The Project Design Guidelines include a complete description of the process that will be followed to obtain said approvals.

In addition to architecture, the Project Design Guidelines also outline the requirements for landscaping. There are various planting schemes called out throughout the project depending on the location within the subdivision. Finally, the Guidelines also address the streetscape and Community Design Guidelines. This portion of the document outlines the provisions for street cross sections and landscaping. The standards included in the FPASP will apply to the project site as there is no Planned Development Permit. Staff has determined that the proposed Project Design Guidelines meet the intent, purposes, and standards set forth in the Specific Plan District (FMC Chapter 17.37).

DEVELOPMENT AGREEMENT MODIFICATIONS

This development is subject to the Amended and Restated Development Agreement (ARDA) recorded July 15, 2014. As required by the ARDA and as a part of the Vesting Tentative Maps approval for the Carr Trust project, Amendment No. 1 to the ARDA is being proposed. The Amendment to the ARDA proposes to add or amend certain provisions relative to this specific project. This Amendment to the ARDA applies only to the Carr Trust project. For ease of review, the numbering in the Amendment tracks that of the ARDA.

The summarized specifics of the changes or amendments to the ARDA are listed below:

1. Recitals, Paragraph J. (Page 4) Purpose of Amendment. Entitlements covered by the Amendment: (1) General Plan Amendment for the Carr Trust property, (2) Approval of the Specific Plan Amendment for the Carr Trust property, (3) Rezone of the Carr Trust property, (4)

Small Lot Vesting Tentative Subdivision Map for the Carr Trust project, (5) Project Design Guidelines, and (6) Inclusionary Housing Plan.

2. Section 1.2.1 History of Carr Property and Carr Trust Parcel. This paragraph describes the adjustments made to the property boundary over the last year or so.
3. Section 1.3 Definitions – Terms such as Boundary Line Adjustment and Carr Property are clearly defined for purposes of this document.
4. Section 1.4.1 – Term – the Amendment term runs concurrently with the ARDA until June 30, 2044, although as referenced below not all entitlements are vested for the term of the agreement.
5. Section 1.5.11 – Consent to amend the PFFP for Additional Reclaimed/Recycled Water System – Landowner affirms consent to amend the PFFP to provide funding for additional reclaimed water systems to serve Zones 4, 5, and 6 east of Placerville Road.
6. Section 2.2 Vesting Rights. Vests the Small Lot map and conditions of approval, the Project Design Guidelines and the Grading Permits for the terms allowed under the Subdivision Map Act so these entitlements track each other, but are not vested for the entire term of the ARDA.
7. Section 2.2.3.1.1. Anticipated Changes to City’s Inclusionary Housing Ordinance. Carr Trust project property owner agrees to eliminate Second Dwelling Units (also referred to as “granny flats”) as an alternative means of meeting the City’s inclusionary housing requirements.
8. Section 2.2.8 Conflict Between Existing Rules, Entitlements, ARDA, Subsequent Entitlements, and the Amendment to the ARDA. This section gives priority status to the subsequent entitlements (the entitlements currently being approved) over previous documents and approvals. It also indicates that the Design Guidelines for the entire Specific Plan have precedent over the Project Design Guidelines and the Specific Plan test for the “public realm” areas.
9. Section 2.5.3 Requirements for Subsequent Plans, Guidelines, Funding Mechanisms, Community Facilities Districts and Land Dedications – This section moves the requirement for approval of the Open Space Management and Financing Plan, as well as, the Drainage Facilities Maintenance and Financing Plan from prior to approval of the first tentative small lot map to prior to approval of the first Final Small Lot Map in the FPA.
10. Section 2.5.3.B.(9) – This section prohibits the finalization of a small lot map until the City has identified an acceptable, suitable and feasible site for a corporation yard.
11. Section 2.5.3.B.(10) – This section prohibits the finalization of a small lot map until the City and the FCUSD have identified an acceptable, suitable and feasible site for a high school/middle school.

12. Section 2.7.1 Phased Maps. Landowner may develop the project in phases and will submit multiple small-lot final maps.

13. Section 2.8 Dedication and Acceptance of Public Improvements. City acknowledges that the project will be constructed in phases, the backbone infrastructure will be constructed in phases and will identify and require dedication of those public improvements necessary to serve each phase.

14. Section 3.10.1 Parkland Dedication, Quimby Credit and Park Equalization Fee. The parkland dedication across the entire FPA is approximately 125 acres. Due to the proximity of the parks in the FPA, some Landowners will dedicate less than their share and one (Easton) will over-dedicate. This provision requires the payment of a Park Equalization Fee.

15. Section 3.10.1.1 Payment of Park Equalization Fee. Landowner is obligated to pay a Park Equalization Fee equal as outlined in the Development Agreement. This payment must be made to the over-dedicating owner with each small-lot final subdivision map.

16. Section 3.11 Timing of Access Improvements for Fire Stations. No Fire Station Site is in the Project, but Landowner must provide for construction of a Fire Station in the FPA through fee payments to the City so that fire service is made available.

17. Section 4.2.2.1 SPIF Reimbursement for Required Park Dedication Limited to Community Park West Dedication: Payment of SOIF Parkland Equalization Fee - This section provides for the landowner in the FPA who over-dedicates land for the Community Park West to receive payment through a reimbursement mechanism (the SPIF) from funds that Carr Trust developers pay for their share of the Community Park West.

18. Section 4.8 City/County SCDTF Agreement/Highway 50 Coalition Fee - Since the ARDA, the City has entered into an Agreement with Sacramento County to provide for each developer in the FPA to pay a fair share contribution for impacts to Highway 50 and not into a Highway 50 Coalition Fee as was previously described in the ARDA. This fee is still due and payable to the City of Folsom.

All other provisions of the Development Agreement for the Carr Trust project mirror the ARDA for the Folsom Plan Area.

INCLUSIONARY HOUSING PLAN

As specified in Chapter 17.104 of the Folsom Municipal Code, the developer of the White Rock Springs Ranch project (Project) is required to submit an Inclusionary Housing Plan pursuant to Folsom Municipal Code Chapter 17.104, Section 17.104.040 (Inclusionary Housing Plan). The Project includes the development of 28 market rate residential units. Pursuant to Folsom Municipal Code Section 17.104.030, the Project shall provide inclusionary housing units equal to ten (10) percent of the total number of units in the project, including very-low income units equal

to three (3) percent of the market rate units within the subdivision and low-income units equal to seven (7) percent of the market rate units. In this particular case, the developer, Gragg Recovery Acquisition, would be required to provide 3 inclusionary housing units within the Carr Trust development. However, the Inclusionary Housing Ordinance also provides for use of alternative means by developers to satisfy their inclusionary housing requirement. Alternative means for satisfying the aforementioned requirement include: providing the units off site; dedicating land for other affordable development projects; acquisition, rehabilitation, and conversion of existing market rate units; conversion of existing market rate units; paying an in-lieu fee, or other methods as approved by the City Council.

Hence, as an alternative means to constructing the 3 affordable housing units on the project site, and as provided for by Folsom Municipal Code Section 17.104.060, the developer proposes an Inclusionary Housing Plan that complies with Chapter 17.104 by payment of an in-lieu fee (Folsom Municipal Code Section 17.104.060(G)). The in-lieu fee shall be calculated by multiplying one percent of the lowest priced for-sale residential unit within the Carr Trust subdivision by the total number of for-sale residential units within the proposed subdivision and shall be payable at the time of building permit issuance on a per-unit basis. An Inclusionary Housing Plan is attached to the Staff Report as Attachment No. 8.

ENVIRONMENTAL REVIEW

An Environmental Impact Report has been certified for the Folsom Plan Area Specific Plan project in accordance with the California Environmental Quality Act (CEQA). The State CEQA Guidelines identify criteria for determining whether a subsequent EIR would be required for a project with a previously approved EIR. Further detailed analysis and public review are required only if proposed changes to the project would require “major revisions” to the previously approved EIR because of new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts (CEQA Guidelines § 15162). In accordance with State CEQA Guidelines § 15164, an Addendum has been prepared to document that the proposed project modifications do not require preparation of a subsequent EIR under § 15162. The detailed analysis documenting the project’s consistency with the prior environmental review and thus, its eligibility for these exemptions, is presented in Attachment No. 11.

RECOMMENDATION/PLANNING COMMISSION ACTION

MOVE TO RECOMMEND THAT THE CITY COUNCIL ADOPT THE ADDENDUM FOR THE CARR TRUST PROJECT CONTAINED IN ATTACHMENT NO. 11;

AND

MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE INCLUSIONARY HOUSING AGREEMENT PLAN FOR THE CARR TRUST SUBDIVISION PROJECT PER ATTACHMENT NO. 8;

AND

MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE PROPOSED AMENDMENT NO. 1 TO THE AMENDED AND RESTATED TIER 1 DEVELOPMENT AGREEMENT FOR THE CARR TRUST SUBDIVISION PROJECT PER ATTACHMENT NO.9;

AND

MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE PROJECT DESIGN GUIDELINES FOR THE CARR TRUST SUBDIVISION PROJECT AS ILLUSTRATED ON ATTACHMENT 10

AND

MOVE TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE VESTING SMALL LOT TENTATIVE SUBDIVISION MAP CREATING TWENTY EIGHT SINGLE-FAMILY RESIDENTIAL LOTS AS ILLUSTRATED ON ATTACHMENTS 2 THROUGH 7 FOR THE CARR TRUST SUBDIVISION PROJECT WITH THE FOLLOWING FINDINGS AND CONDITIONS.

CEQA FINDING:

- A. THE FEASIBLE MITIGATION MEASURES SPECIFIED IN THE FOLSOM PLAN AREA SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT WILL BE IMPLEMENTED FOR THE PROPOSED VESTING SMALL LOT TENTATIVE SUBDIVISION MAP, CONSISTENT WITH CEQA GUIDELINES SECTION 15183(e).
- B. A FINAL ENVIRONMENTAL IMPACT REPORT AND ENVIRONMENTAL IMPACT STATEMENT WAS PREVIOUSLY CERTIFIED FOR THE FOLSOM PLAN AREA SPECIFIC PLAN IN ACCORDANCE WITH CEQA AND NEPA
- C. AN ADDENDUM TO THE FOLSOM PLAN AREA SPECIFIC PLAN FINAL ENVIRONMENTAL IMPACT REPORT AND ENVIRONMENTAL IMPACT STATEMENT HAS BEEN PREPARED FOR THE PROJECT IN ACCORDANCE WITH CEQA.
- D. THE PLANNING COMMISSION HAS CONSIDERED THE ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT BEFORE MAKING A DECISION REGARDING THE PROJECT.

- E. THE ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT REFLECTS THE INDEPENDENT JUDGEMENT AND ANALYSIS OF THE CITY OF FOLSOM.
- F. NONE OF THE CONDITIONS DESCRIBED IN SECTION 15162 OF THE CEQA GUIDELINES CALLING FOR THE PREPARATION OF A SUBSEQUENT ENVIRONMENTAL IMPACT REPORT HAVE OCCURRED.

TENTATIVE SUBDIVISION MAP FINDINGS

- G. THE PROPOSED VESTING SMALL LOT TENTATIVE SUBDIVISION MAP IS CONSISTENT WITH THE CITY'S SUBDIVISION ORDINANCE AND THE SUBDIVISION MAP ACT IN THAT THE PROJECT IS SUBJECT TO CONDITIONS OF APPROVAL THAT WILL ENSURE THAT THE PROJECT IS DEVELOPED IN COMPLIANCE WITH CITY STANDARDS.
- H. THE DESIGN OF THE VESTING SMALL LOT TENTATIVE SUBDIVISION MAP AND THE PROPOSED IMPROVEMENTS WILL NOT CAUSE ENVIRONMENTAL DAMAGE OR INJURE FISH OR WILDLIFE OR THEIR HABITAT.
- I. THE DESIGN OF THE VESTING SMALL LOT TENTATIVE SUBDIVISION MAP AND THE PROPOSED IMPROVEMENTS WILL NOT CAUSE PUBLIC HEALTH OR SAFETY PROBLEMS.
- J. THE DESIGN OF THE VESTING SMALL LOT TENTATIVE SUBDIVISION MAP AND THE TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED TENTATIVE SUBDIVISION MAP

DEVELOPMENT AGREEMENT AMENDMENT FINDINGS

- F. THE PROPOSED AMENDMENT NO. 1 TO THE AMENDED AND RESTATED TIER 1 DEVELOPMENT AGREEMENT IS CONSISTENT WITH THE FOLSOM GENERAL PLAN AND THE FOLSOM PLAN AREA SPECIFIC PLAN, AS AMENDED.
- G. THE PROPOSED AMENDMENT TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT COMPLIES WITH GOVERNMENT CODE SECTION 65867.5(C).

David E. Miller

DAVID E. MILLER, AICP

Public Works and Community Development Director

RESPONSIBLE DEPARTMENT

WHEN REQUIRED

RESPONSIBLE DEPARTMENT	WHEN REQUIRED
CD (P)	Community Development Department
(E)	Planning Division
(B)	Engineering Division
FD	Building Division
EWR	Fire Division
PW	Environmental & Water Resources Department
PR	Public Works Department
PD	Park and Recreation Department
CDFW	Police Department
USFWS	California Department of Fish and Wildlife
USACE	United States Fish and Wildlife Service
SMAQMD	United States Army Corps of Engineers
	Sacramento Metropolitan Air Quality Management District

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
 AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT**

Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
<p>I.</p>	<p>Final Development Plans The owner/applicant shall submit final site development plans to the Community Development Department that shall substantially conform to the exhibits referenced below:</p> <ol style="list-style-type: none"> 1. General Plan Amendment/Specific Plan Amendment Carr Trust dated 5-10-16 2. Specific Plan Amendment Exhibit Carr Trust dated 5-10-16 3. Carr Trust Dwelling Unit Allocation dated 5-10-16 4. Small Lot Vesting Tentative Subdivision Map dated 5-10-16 5. Preliminary Grading and Drainage Plan dated 5-10-16 6. Preliminary Utility Plan dated 5-10-16 7. Preliminary Offsite Infrastructure Plan dated 5-10-16 8. Inclusionary Housing Plan 9. First Amended and Restated Development Agreement (ARDA) 10. Carr Trust Design Guidelines 11. Carr Trust Project Addendum to the Environmental Impact Report/Draft Initial Study & Environmental Evaluation (April 2016) <p>The General Plan Amendment, Folsom Plan Area Specific Plan Amendment, Vesting Small Lot Tentative Subdivision Map, Amendment No. 1 to ARDA, Carr Trust Design Guidelines and Inclusionary Housing Plan are approved for the development of a 28 lot single family residential subdivision (Carr Trust Subdivision). Implementation of the project shall be consistent with the above referenced items and these conditions of approval.</p>	<p>G,I,M,B</p>	<p>CD (P)(E)</p>

<p style="text-align: center;">CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004) EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT, SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP, CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT</p>				
Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department	
2.	<p>Plan Submittal All civil engineering, improvement, and landscape and irrigation plans, shall be submitted to the Community Development Department for review and approval to ensure conformance with this approval and with relevant codes, policies, standards and other requirements of the City of Folsom.</p>	G, I, M,	CD (P)(E)(B)	
3.	<p>Validity This approval of the Vesting Small Lot Tentative Subdivision Map, Design Guidelines, and Inclusionary Housing Plan shall be valid for the term specified in the First Amended and Restated Development Agreement (ARDA), and any amendments thereto, for the project, or for a period of twenty four months, whichever is longer, but in no event for a shorter period than the maximum period of time permitted by the Subdivision Map Act. Pursuant to Section 2.2 of Amendment No. 1 to ARDA, the term of the Project Design Guidelines shall coincide with the term of the maps.</p>	OG	CD (P)	
4.	<p>Improvements in the PFFP The owner/applicant shall be subject to all thresholds, timelines and deadlines for the construction and final completion of various improvements for the entire Folsom Plan Area. The various improvements are outlined and detailed in the Folsom Plan Area Specific Plan Public Facilities Financing Plan (PFFP) dated January 28, 2014 and adopted by City of Folsom Resolution No. 9298. These improvements in the PFFP include, but are not limited to, the backbone infrastructure water (water reservoirs, water transmission mains, booster pump stations, pressure reducing valve stations, etc.), sanitary sewer (lift stations and forced mains) systems, recycled water mains and associated infrastructure, roadway and transportation (future interchanges, major arterial roadways, etc.) improvements, aquatic center (community pool), parks, fire stations, municipal services center, community library, etc. The thresholds and timelines included in the PFFP require facilities to be constructed and completed based on number of building permits issued and in some cases, number of residential units that are occupied. The owner/applicant shall be required to address these thresholds and timelines as the project moves forward through the various developments stages and shall be subject to the various fair share requirements, subject to the provisions of the PFFP, the ARDA and any amendment thereto.</p>	M	PFFP, M,B CDD(E)(P)(B), PW, FD, EWR, PR	

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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 AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT**

Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
5.	<p><i>Indemnity for City</i> The owner/applicant shall protect, defend, indemnify, and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul any approval by the City or any of its agencies, departments, commissions, agents, officers, employees, or legislative body concerning the project, which claim, action or proceeding is brought within the time period provided therefore in Government Code Section 66499.37 or other applicable statutes of limitation. The City will promptly notify the owner/applicant of any such claim, action or proceeding, and will cooperate fully in the defense. If the City should fail to cooperate fully in the defense, the owner/applicant shall not thereafter be responsible to defend, indemnify and hold harmless the City or its agents, officers, and employees, pursuant to this condition. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur:</p> <ul style="list-style-type: none"> • The City bears its own attorney's fees and costs; and • The City defends the claim, action or proceeding in good faith <p>The owner/applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the owner/applicant. The owner/applicant's obligations under this condition shall apply regardless of whether a Final Map is ultimately recorded with respect to this project.</p>	OG	CD (P)(E)(B) PW, PR, FD, PD
6.	<p><i>Vesting Tentative Subdivision Map</i> The vesting tentative subdivision map is expressly conditioned upon compliance with all environmental mitigation measures in the Folsom Plan Area Specific Plan (FEIR/EIS).</p>	OG	CD

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 -SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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 AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT**

Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
7.	<p><i>ARDA and Amendments</i> The owner/applicant shall comply with all provisions of Amendment No. 1 to ARDA and any approved amendments by and between the City and the owner/applicant of the project.</p>	G, I, M, B	CD (E)
8.	<p><i>Mitigation Monitoring</i> The owner/applicant shall be required to participate in a mitigation monitoring and reporting program pursuant to City Council Resolution No. 2634 and Public Resources Code 21081.6. The mitigation monitoring and reporting measures identified in the Folsom Plan Area Specific Plan FEIR/EIS have been incorporated into these conditions of approval in order to mitigate or avoid significant effects on the environment. These mitigation monitoring and reporting measures are identified in the mitigation measure column. Applicant shall fund on a Time and Materials basis all mitigation monitoring (e.g., staff and consultant time).</p>	OG	CD (P)
POLICE/SECURITY REQUIREMENT			
9.	<p>The owner/applicant shall consult with the Police Department in order to incorporate all reasonable crime prevention measures. The following security/safety measures shall be considered: A security guard on-duty at all times at the site or a six-foot security fence shall be constructed around the perimeter of construction areas. Security measures for the safety of all construction equipment and unit appliances. Landscaping shall not cover exterior doors or windows, block line-of-sight at intersections or screen overhead lighting.</p>	G, I, B	PD

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
DEVELOPMENT COSTS AND FEE REQUIREMENTS			
10.	<p><i>Taxes and Fees</i> The owner/applicant shall pay all applicable taxes, fees and charges for the project at the rate and amount required by the Public Facilities Financing Plan and the Amended and Restated Development Agreement.</p>	OG	CD (P)(E)
11.	<p><i>Assessments</i> If applicable, the owner/applicant shall pay off any existing assessments against the property, or file necessary segregation request and pay applicable fees.</p>	M,B	CD (E)
12.	<p><i>FPASP Development Impact Fees</i> The owner/applicant shall be subject to all Folsom Plan Area Specific Plan Area development impact fees in place at the time of approval or subsequently adopted consistent with the Public Facilities Financing Plan (PFFP), Development Agreement and amendments thereto, unless exempt by previous agreement. The owner/applicant shall be subject to all applicable Folsom Plan Area plan-wide development impact fees in effect at such time that a building permit is issued. These fees may include, but are not limited to, the Folsom Plan Area Specific Plan Fee, Specific Plan Infrastructure Fee (SPIF), Solid Waste Fee, Corporation Yard Fee, Transportation Management Fee, Transit Fee, Highway 50 Interchange Fee, General Park Equipment Fee, Housing Trust Fee, etc.</p>	B	CD (P) PW, PK
<p>Any protest to such for all fees, dedications, reservations or other exactions imposed on this project will begin on the date of final approval (_____), or otherwise shall be governed by the terms of Amendment No. 1 to ARDA. The fees shall be calculated at the fee rate set forth in the PFFP and the ARDA.</p>			

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
13.	<p>Legal Counsel The City, at its sole discretion, may utilize the services of outside legal counsel to assist in the implementation of this project, including, but not limited to, drafting, reviewing and/or revising agreements and/or other documentation for the project. If the City utilizes the services of such outside legal counsel, the City shall provide notice to the owner/applicant of the outside counsel selected, the scope of work and hourly rates, and the owner/applicant shall reimburse the City for all outside legal fees and costs incurred and documented by the City for such services. The owner/applicant may be required, at the sole discretion of the City Attorney, to submit a deposit to the City for these services prior to initiation of the services. The owner/applicant shall be responsible for reimbursement to the City for the services regardless of whether a deposit is required.</p>	OG	CD (P)(E)
14.	<p>Consultant Services If the City utilizes the services of consultants to prepare special studies or provide specialized design review or inspection services for the project, the City shall provide notice to the owner/applicant of the outside consultant selected, the scope of work and hourly rates, and the owner/applicant shall fully fund the actual costs incurred and documented in utilizing these services, including administrative costs for City personnel. A deposit for these services shall be provided prior to initiating review of the Grading Plan, Final Map, improvement plans, or beginning inspection, whichever is applicable.</p>	G,I,M,B	CD (P)(E)
GRADING PERMIT REQUIREMENTS			
15.	<p>Phasing Plan The owner/applicant shall prepare a complete and comprehensive phasing plan and shall submit the phasing plan to the City for each proposed phase of development, if any. The phasing plan shall include all required infrastructure for each proposed phase of development. The infrastructure shall include all required on-site and off-site improvements, but not limited to, water system improvements (distribution and transmission mains, booster pump stations, water reservoirs, PRV stations, etc.).</p>	G,I,M,	CDD(E), EWR, PW, FD

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
15. cont.	<p>Recycled water mains and associated infrastructure, sanitary sewer improvements (sewer mains, lift stations, forced mains, etc.) roadway and transportation improvements, storm drainage improvements (detention/water quality basins, outfalls, etc.) and all other necessary improvements required for each phase of development. The phasing plan shall include itemized cost estimates for all required improvements and the phasing plan shall be reviewed and approved by the City prior to approval of grading and/or improvements plans.</p> <p>The City Engineer may condition the phasing to ensure that each phase functions independently and is consistent with the minimum utility and access standards of the City. All maps filed in phases will be required to have two points of access for vehicle access and/or general traffic purposes for each phase and all off-site utilities deemed necessary as determined by the City Engineer.</p> <p>Improvement plans for all phases that include half sections of streets shall include the entire half of street A along the entire project frontage and a minimum of 15 feet of pavement over the centerline from the project entrance westerly through to the Street A and Placerville Road intersection, to allow two-way traffic. The final design shall be subject to approval of the Community Development Department and Fire Department.</p> <p>The City will not dictate the order of the phasing provided that the first phase meets the following requirements;</p> <ol style="list-style-type: none"> 1. All off site utilities (i.e. water, sanitary sewer, recycled water, storm drainage, roadway improvements, etc.) necessary to serve the project shall be constructed. 	G, I, M	CDD, EWR, PW

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
15 cont.		2. All of the required Street A frontage improvements along the project's entire frontage, including the intersection improvements at Street A and Placerville Road. 3. Grading for the Carr Trust subdivision shall occur concurrently with or subsequent to the grading of the adjoining project to the east to Large Lot Parcel 9 (White Rock Springs Ranch).		
16.		<i>Off-site improvements / Rights of Entry</i> For any improvements constructed on private property that are not under the ownership or control of the owner/applicant, all rights-of-entry, and if necessary, and a permanent easement shall be obtained and provided to the City. All rights of entry, construction easements, either permanent or temporary and other easements shall be obtained as set forth in Amendment No. 1 to ARDA, which shall be fully executed by all affected parties and shall be recorded with the Sacramento County Recorder, where applicable, prior to approval of grading and/or improvement plans. The record information and the recorded boundaries of all work on adjoining properties shall be included on all grading and/or improvement plans prior to plan approval.	G,I	CD (E)
17	3A 7-1a	<i>Geotechnical Report</i> Prior to the approval of any grading plan or issuance of any grading permit, the owner/applicant shall have a geotechnical report prepared by an appropriately licensed engineer that includes an analysis of site preparation, soil bearing capacity, appropriate sources and types of fill, potential need for soil amendments, road, pavement and parking areas, structural foundations, including retaining all designs, grading practices, soil corrosion of concrete and steel, erosion /winterizations, seismic ground shaking, liquefaction and expansive/unstable soils.	G	CD (E)

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18. 3A 7-1a	<p>Geotechnical Recommendations The owner/applicant shall submit to the Community Development Department, for review and approval, a grading plan for the project which includes all geotechnical recommendations specified in the geotechnical report. The owner/applicant shall be responsible to ensure that all geotechnical recommendations are properly incorporated and utilized in the design.</p>	G	CD (E)
19. 3A 7-1b	<p>Geotechnical Monitoring Program The owner/applicant shall contract with a geotechnical engineer who shall develop a program to monitor the sites during construction to ensure compliance with the recommendations presented in the geotechnical report(s) and conditions for performing such monitoring. The geotechnical monitoring program shall include a description of the improvements areas where geotechnical monitoring shall be required. The completed program shall be submitted to the City prior to approval of any grading and/or improvement plan.</p>	G	CD (P) CD (E) (B)
20. 3B.7-1a	<p>Prepare Geotechnical Report(s) for the Off-site Water Facilities and Implement Required Measures. The owner/applicant shall provide a comprehensive facility design for all proposed Off-site Water Facility improvements and shall comply with the site-specific design recommendations as provided by a licensed geotechnical or civil engineer. The final geotechnical and/or civil engineering report shall address and make recommendations on the following:</p> <ul style="list-style-type: none"> ▶ site preparation; ▶ soil bearing capacity; ▶ appropriate sources and types of fill; ▶ potential need for soil amendments; ▶ road, pavement, and parking areas; ▶ structural foundations, including retaining-wall design; ▶ grading practices; 		

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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
20. cont.	<ul style="list-style-type: none"> ▶ soil corrosion of concrete and steel; ▶ erosion/winterization; ▶ seismic ground shaking; ▶ liquefaction; and ▶ expansive/unstable soils. <p>In addition to the recommendations for the conditions listed above, the geotechnical investigation shall include subsurface testing of soil and groundwater conditions, and shall determine appropriate foundation designs that are consistent with the version of the California Building Code that is applicable at the time building and grading permits are applied for. All recommendations contained in the final geotechnical engineering report shall be implemented by the owner/applicant.</p>	G, I	CD (E)(EWR)
21.	<p><i>Prepare a Seismic Refraction Survey and Obtain Appropriate Permits for all On-Site and Off-site Elements East of Old Placerville Road.</i></p> <p>Before the start of all construction activities east of Old Placerville Road, owner/applicant shall retain a licensed geotechnical engineer to perform a seismic refraction survey. Project-related excavation activities shall be carried out as recommend by the geotechnical engineer. Excavation may include the use of heavy-duty equipment such as large bulldozers or large excavators, and may include blasting. Appropriate permits for blasting operations shall be obtained from the relevant City or county jurisdiction prior to the start of any blasting activities.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries shall be coordinated by owner/ applicant with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties).</p>	G	CD (E)

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22. 3A.8-2	<p><i>Complete Investigations Related to the Extent to Which Soil and/or Groundwater May Have Been Contaminated in Areas Not Covered by the Phase I and II Environmental Site Assessments and Implement Required Measures.</i></p> <p>The owner/applicant(s) shall conduct Phase I Environmental Site Assessments (where a Phase I has not been conducted), and if necessary, Phase II Environmental Site Assessments, and/or other appropriate testing for all areas of the SPA and include, as necessary, analysis of soil and/or groundwater samples for the potential contamination sites that have not yet been covered by previous investigations before construction activities begin in those areas. Recommendations in the Phase I and II Environmental Site Assessments to address any contamination that is found shall be implemented before initiating ground-disturbing activities in these areas.</p> <p>The owner/applicant(s) shall implement the following measures before ground-disturbing activities to reduce health hazards associated with potential exposure to hazardous substances:</p> <ul style="list-style-type: none"> ▶ Prepare a plan that identifies any necessary remediation activities appropriate for proposed on- and off-site uses, including excavation and removal of on-site contaminated soils, redistribution of clean fill material in the SPA, and closure of any abandoned mine shafts. The plan shall include measures that ensure the safe transport, use, and disposal of contaminated soil and building debris removed from the site. In the event that contaminated groundwater is encountered during site excavation activities, the contractor shall report the contamination to the appropriate regulatory agencies, dewater the excavated area, and treat the contaminated groundwater to remove contaminants before discharge into the sanitary sewer system. The owner/applicant shall be required to comply with the plan and applicable Federal, state, and local laws. The plan shall outline measures for specific handling and reporting procedures for hazardous materials and disposal of hazardous materials removed from the site at an appropriate off-site disposal facility. 	G	CD (E) (P)

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22. cont.	<ul style="list-style-type: none"> ▶ Notify the appropriate Federal, state, and local agencies if evidence of previously undiscovered soil or groundwater contamination (e.g., stained soil, odorous groundwater) is encountered during construction activities. Any contaminated areas shall be remediated in accordance with recommendations made by the Sacramento County Environmental Management Department, Central Valley RWQCB, DTSC, and/or other appropriate Federal, state, or local regulatory agencies. ▶ Obtain an assessment conducted by PG&E and SMUD pertaining to the contents of any existing pole-mounted transformers located in the SPA. The assessment shall determine whether existing on-site electrical transformers contain PCBs and whether there are any records of spills from such equipment. If equipment containing PCB is identified, the maintenance and/or disposal of the transformer shall be subject to the regulations of the Toxic Substances Control Act under the authority of the Sacramento County Environmental Health Department. Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the owner/applicant of each applicable project phase with the affected oversight agency(ies) (i.e., Sacramento County). 		
23.	<p><i>Mine Shaft Remediation</i></p> <p>The owner/applicant shall locate and remediate all antiquated mine shafts, drifts, open cuts, tunnels, and water conveyance or impoundment structures existing on the project site, with specific recommendations for the sealing, filling, or removal of each that meet all applicable health, safety and engineering standards. Recommendations shall be prepared by an appropriately licensed engineer or geologist. All remedial plans shall be reviewed and approved by the City prior to approval of grading plans.</p>	G	CD (E)

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24. 3A 1-4	<p>Material Storage Areas The owner/applicant shall locate staging and material storage areas as far away from sensitive biological resources and sensitive land uses (e.g., residential areas, schools, parks) as feasible. Staging and material storage areas shall be screened from adjacent occupied land uses in earlier development phases to the maximum extent practicable. Screens may include, but are not limited to, the use of visual barriers such as berms or fences. Staging and material storage areas shall be shown on all grading and/or improvement plans prior to plan approval by the City.</p>	G	CD (P) CD (E) (B)
25.	<p>Retaining Walls All retaining walls constructed on the open space lots or in any area visible to the public shall be constructed of rockery or split face masonry block.</p>	G	CD (P) (E)
26. 3A 14-1 3B 12-1	<p>Traffic and Parking Management Plan Prior to the approval of the grading plan and/or construction, the owner/applicant shall prepare a construction traffic and parking management plan to the satisfaction of the City Traffic Engineer and subject to review by any affected agencies, if necessary. The plan shall ensure that acceptable operating conditions on local roadways and freeway facilities are maintained. Measures typically used in traffic control plans include advertising of planned lane closures, warning signage, a flagperson to direct traffic flows when needed, and methods to ensure continued access by emergency vehicles. During project construction, access to existing land uses shall be maintained at all times, with detours used as necessary during road closures. At a minimum, the plan shall include the following:</p> <ul style="list-style-type: none"> • Description of trucks including number and size of trucks per day (i.e., 85 trucks per day), expected arrival/departure times, and truck circulation patterns. 	G	CD (E), PW

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26.cont.	<ul style="list-style-type: none"> • Description of staging area including location, maximum number of trucks simultaneously permitted in staging area, use of traffic control personnel, and specific signage. • Description of street closures and/or bicycle and pedestrian facility closures including duration, advance warning and posted signage, safe and efficient access routes for existing businesses and emergency vehicles, and use of manual traffic control. • Description of driveway access plan including provisions for safe vehicular, pedestrian, and bicycle travel, minimum distance from any open trench, special signage, and private vehicle accesses. • Description of how trail access is maintained throughout the construction period through the use of detours. Proper signage shall be included in multiple locations, where necessary, to provide advance notice to hikers and equestrian riders of upcoming construction activities. 		
27.	<p>Prepare Traffic Control Plan.</p> <p>Prior to grading and/or construction, a Traffic Control Plan for roadways and intersections affected by construction shall be prepared. The traffic control plan shall be reviewed and approved by the city prior to grading and/or construction. The Traffic Control Plan shall designate haul routes and comply with requirements in the encroachment permits issued by the City of Rancho Cordova, Sacramento County, and Caltrans and any other local agencies, including but not limited to the City, if applicable. The Traffic Control Plan to be prepared by the project construction contractor(s) shall, at minimum, include the following measures:</p> <ul style="list-style-type: none"> ▲ Maintaining the maximum amount of travel lane capacity during non-construction periods, possible, and advanced notice to drivers through the provision of construction signage. ▲ Maintaining alternate one-way traffic flow past the lay down area and site access when feasible. 	G	CD (E)

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27. cont.	<ul style="list-style-type: none"> ▶ Heavy trucks and other construction transport vehicles shall avoid the busiest commute hours (7 a.m. to 8 a.m. and 5 p.m. to 6 p.m. on weekdays). ▶ A minimum 72-hour advance notice of access restrictions for residents, businesses, and local emergency response agencies. This shall include the identification of alternative routes and detours to enable for the avoidance of the immediate construction zone. ▶ A phone number and community contact for inquiries about the schedule of the construction throughout the construction period. This information will be posted in a local newspaper, via the City's web site, or at City Hall and will be updated on a monthly basis by the owner/applicant. 		
28.	<p>Assess Pre-Off-site Roadway Conditions. Prior to construction, the owner/applicant shall be responsible for assessing current road conditions for off-site improvement haul routes including the local access roads and develop post construction road restoration requirements. As part of the encroachment permitting process, an agreement shall be entered into with applicable jurisdictions prior to construction that details post construction road restoration requirements. Staff with Sacramento County or Folsom shall review the post construction restoration standards for each of the affected roadways. The owner/applicant shall perform roadway repairs or rehabilitation as necessary such that post construction requirements are met.</p>	G	CD (E)
29. 3A.2-4a 3A.2-4b	<p>Develop and Implement a Plan to Reduce Exposure of Sensitive Receptors to Construction-Generated Toxic Air Contaminant Emissions. The owner/applicant(s) shall develop a plan to reduce the exposure of sensitive receptors to TACs generated by project construction activity. Each plan shall be developed by the owner/applicant(s) in consultation with SMAQMD. The plan shall be submitted to the City for review and approval before the approval of any grading plans.</p>	G	CD (E) SMAQMD

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29 cont.		<p>The plan may include such measures as scheduling activities when the residences are the least likely to be occupied, requiring equipment to be shut off when not in use, and prohibiting heavy trucks from idling for more than 3 minutes. Applicable measures shall be included in all project plans and specifications for all project phases.</p> <p>Signs shall be posted at all truck loading areas which indicate that diesel-powered trucks must be shut off when not in use for longer than 3 minutes on the premises in order to reduce idling emissions.</p> <p>The implementation and enforcement of all measures identified in each plan shall be funded by the owner/applicant for the respective phase of development.</p>	G	CD (E) SMAQMD
30.	3B.2-3b	<p><i>Conduct Project-Level Diesel Particulate Matter (DPM) Screening and Implement Measures to Reduce Annual DPM to Acceptable Concentrations.</i></p> <p>Screening-level DPM assessments shall be conducted for diesel-powered pump operations proposed within 200 feet of residences or other sensitive receptors. These analyses should include exact distances between the receptors and operations, and include the actual DPM emissions for the engines proposed. If the analysis shows an annual average DPM concentration from project operations at residences within 200 feet of the DPM source to be greater than 0.024 µg/m3, the engine location shall be moved to a location where the annual average DPM concentration from project emissions at the residences is less than 0.024 µg/m3. The acceptable concentration of 0.024 µg/m3 was determined using the current OEHHA cancer potency factor and methodology for diesel exhaust (OEHHA 2003). If diesel exhaust concentrations at the affected receptor would be below 0.024 µg/m3, then the cancer health risk would be less than 9.9 cancers in a million population.</p>	G	CD (E)(P)

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31.	<p data-bbox="451 583 487 1081"><i>Implement Greenhouse Gas Reduction Measures during Construction.</i></p> <p data-bbox="487 583 568 1081">Prior to approval of a grading permit, the owner/applicant(s) shall be required to conform to the following measures:</p> <ol data-bbox="568 583 836 1081" style="list-style-type: none"> 1) Construction vehicles and equipment will be properly maintained at all times in accordance with manufacturer’s specifications, including proper tuning and timing of engines. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction and demolition activities and subject to inspection by the Sacramento Metropolitan Air Quality Management District (SMAQMD). 2) Operators will turn off all construction vehicles and equipment and all delivery vehicles when not in use, and not allow idling for more than 3 minutes or for such other more restrictive time as may be required in law or regulation. 3) On-site construction vehicles and equipment will use Air Resources Board (ARB)-certified biodiesel fuel if available (a minimum of B20, or 20 percent of biodiesel) except for those with warranties that would be voided if B20 biodiesel fuel were used. Prior to issuance of grading or demolition permits, the contractor shall provide documentation to the City that verifies whether any equipment is exempt; that a biodiesel supply has been secured; and that the construction contractor is aware that the use of biodiesel is required. 4) A Solid Waste Diversion and Recycling Plan (or such other documentation to the satisfaction of the City) shall be in place that demonstrates the diversion from landfills and recycling of all nonhazardous, salvageable and re-useable wood, metal, plastic and paper products during construction and demolition activities. The Plan or other documentation shall include the name of the waste hauler, their assumed destination for all waste and recycled materials, and the procedures that will be followed to ensure implementation of this measure. 	G	CDD(E), (P)

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32.	3A 4-1	<p><i>Implement Additional Measures to Control Construction-Generated Greenhouse Gas Emissions</i></p> <p>Prior to approval of a grading plan and/or grading permit, the owner/applicant(s) shall obtain the most current list of greenhouse gas reduction measures that are recommended by Sacramento Metropolitan Air Quality Management District (SMAQMD) and stipulate how those measures shall be implemented. The owner/ applicant(s) may submit to the City and SMAQMD a report that substantiates why specific measures are considered infeasible for construction of that particular development phase and/or at that point in time. The report, including the substantiation for not implementing particular greenhouse gas reduction measures, shall be approved by the City, in consultation with SMAQMD prior to approval of a grading permit. In addition to SMAQMD-recommended measures, construction activity shall comply with all applicable rules and regulations established by SMAQMD and California Air Resources Board.</p>	G	<p>CD (E)(P)</p> <p>SMAQMD</p> <p>CARB</p>
33.	<p>3A.2-1g</p> <p>3A.2-1b</p>	<p><i>Pay Off-site Mitigation Fee to SMAQMD to Off-Set NOX Emissions Generated by Construction of Off-site Elements.</i></p> <p>The project could result in construction-generated NOX emissions that exceed the SMAQMD threshold of significance, even after implementation of the SMAQMD Enhanced Exhaust Control Practices (listed in Mitigation Measure 3A.2-1a). Therefore, the owner/applicant shall pay SMAQMD an off-site mitigation fee for implementation of each off-site element in for the purpose of reducing NOX emissions to a less-than-significant level (i.e., less than 85 lb/day).</p> <p>The specific fee amounts shall be calculated when the daily construction emissions can be more accurately determined. Calculation of fees associated with each off-site element shall be conducted by the owner/applicant in consultation with SMAQMD staff before the approval of respective grading plans. The calculation of daily NOX emissions shall be based on the cost rate established by SMAQMD at the time the</p>	G	<p>CD (E)(P)</p> <p>SMAQMD</p>

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33. cont.		<p>calculation and payment are made. Because the fee is based on the mass quantity of emissions that exceed SMAQMD's daily threshold of significance of 85 lb/day, total fees for construction of the off-site improvements would vary according to the timing and potential overlap of construction schedules for off-site elements.</p>		
34.	3B.2-1a	<p><i>Develop and Implement a Construction NOX Reduction Plan.</i></p> <p>Consistent with SMAQMD requirements, the owner/applicant shall provide a plan for demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20% NOX reduction.</p> <p>Prior to grading and/or construction, the owner/applicant's contractor shall submit to the SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction. The inventory shall include the horsepower rating, engine production year, and projected hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted quarterly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the owner/applicant shall provide SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.</p>	G,I	SMAQMD

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35. 3A.4-2b	<p><i>Participate in and Implement an Urban and Community Forestry Program and/or Off-Site Tree Program to Off-Set Loss of On-Site Trees.</i></p> <p>The owner/applicant(s) shall participate in and provide necessary funding for an urban and community forestry program (such as the UrbanWood program managed by the Urban Forest Ecosystems Institute [Urban Forest Ecosystems Institute 2009]).</p> <p>For all harvestable trees that are subject to removal, including for off site improvements, the owner/applicant shall ensure that wood with an equivalent carbon sequestration value to that of all harvestable removed trees is harvested for an end-use that would retain its carbon sequestration (e.g., furniture building, cabinet making).</p> <p>For all non-harvestable trees that are subject to removal, the owner/applicant shall develop and fund an off-site tree program that includes a level of tree planting that, at a minimum, increases carbon sequestration by an amount equivalent to what would have been sequestered by the blue oak woodland during its lifetime. This program shall be funded by the owner/applicant of each development phase and reviewed for comment by an independent Certified Arborist unaffiliated with the owner/applicant and shall be coordinated with the requirements of Mitigation Measure 3.3-5, as stated in Section 3A.3, "Biological Resources – Land (FPASP Final EIR 2011).” Final approval of the program shall be provided by the City. Components of the program may include, but not be limited to, providing urban tree canopy in the City of Folsom, or reforestation in suitable areas outside the City. Reforestation in natural habitat areas outside the City of Folsom would simultaneously mitigate the loss of oak woodland habitat while planting trees within the urban forest canopy would not. The California Urban Forestry Greenhouse Gas Reporting Protocol shall be used to assess this mitigation program (CCAR 2008). All unused vegetation and tree material shall be mulched for use in landscaping on the project site, shipped to the nearest composting facility, or shipped to a landfill that is equipped with a methane collection system, or combusted in a biomass power plant. Tree and vegetative material should not be burned on- or off-site unless used as fuel in a biomass power plant.</p>	G	CD (E)(P)

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
 AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT**

	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
36.	3B.2-1b	<p><i>Conduct Visible Emissions Testing and if Non-Compliance, Repair Equipment Immediately.</i></p> <p>The owner/applicant shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40% opacity for more than three minutes in any one hour. Any equipment found to exceed 40% opacity (or Ringelmann 2.0) shall be repaired immediately, and the City and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least monthly, and a quarterly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey.</p>	G,I	CD (E)(P) SMAQMD
37	3A 2-2	<p><i>FPASP Air Quality Mitigation Plan</i></p> <p>The owner/applicant shall implement all applicable measures in the Sacramento Metropolitan Air Quality Management District approved Folsom Plan Area Specific Plan Air Quality Mitigation Plan.</p>	G, I, B	Sacramento Metropolitan Air Quality Management District CD (E) (P)

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
38.	3B.4-1b	<p><i>Prepare and Implement Backbone Water Infrastructure Climate Action Plan.</i></p> <p>Prior to payment of connection fees and operation of the Backbone Water Infrastructure the owner/applicant shall prepare an Off-site Backbone Water Infrastructure Climate Action Plan and Greenhouse Reduction Strategy (Plan) for review and approval by the City. The City shall submit a copy of the plan to the SMAQMD for review and recommendation. At a minimum, the Plan shall include:</p> <ul style="list-style-type: none"> ▶ Designation of Person Responsible for Implementation. The Plan shall designate the name and contact information of the person(s) responsible for ensuring continuous and on-going implementation of the Plan. ▶ GHG Inventory and Reduction Target. The City shall prepare a complete GHG Inventory for the Backbone Water Infrastructure components within one year following occupancy and a GHG reduction target based on State guidance. ▶ Off-site Water Facilities Design Features. The Backbone Water Infrastructure shall include design features to reduce operational GHG emissions, as well as an estimate of the reduction in GHG emissions that is expected to result from each facility. Initial measures that may be considered include, but are not limited to: <ul style="list-style-type: none"> • design all conditioned occupancies with "cool roofs" using products certified by the Cool Roof Rating Council, and other exposed roof surfaces coated with "cool paints"; • design all conditioned occupancies to take advantage of shade through the planting of deciduous canopy-type trees and/or prevailing winds to reduce energy use; • make maximum use of EnergyStar-qualified energy efficient appliances, heating and cooling systems, office equipment and lighting products; 	G, I, B	EWR CD (E) (P) (B)

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38 cont		<ul style="list-style-type: none"> • install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy that has been generated by renewable sources to meet a portion of the electricity needs of the Offsite Water Facilities; and • in an effort to reduce GHG emissions from transportation sources, the bid specifications for the Backbone Water Infrastructure should require that bidders demonstrate that they have given preference to local sources of building materials or offer evidence to support why such local sources have not been used. 		
39	3A2-5	<p><i>Naturally Occurring Asbestos</i></p> <p>Prior to the commencement of any site-disturbing activities, the owner/applicant shall demonstrate to the satisfaction of the Sacramento Metropolitan Air Quality Management District that Naturally Occurring Asbestos does not exist on site. To demonstrate the owner/applicant shall obtain the services of a California Certified Geologist to conduct a thorough site investigation of the development area per the protocol outlined in the California Geological Survey Special Report 124 to determine whether and where Naturally Occurring Asbestos is present in the soil and rock on the project site and/or areas that would be disturbed by the project. The site investigation shall include the collection of three soil and rock samples per acre to be analyzed via the California Air Resources Board 435 Method, or other acceptable method agreed upon by Sacramento Metropolitan Air Quality Management District and the City. If the investigation determines that Naturally Occurring Asbestos is not present on the project site, then the owner/applicant shall submit a Geologic Exemption to Sacramento Metropolitan Air Quality Management District as allowed under Title 17, Section 93105, Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining (Asbestos ATCM). The owner/applicant shall submit proof of compliance with the above to the Community Development Department for review and approval prior to the commencement of any site-disturbing activities.</p>	G	<p>Sacramento Metropolitan Air Quality Management District</p> <p>CD (E) (P)</p>

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39 cont.		<p>If the site investigation determines that Naturally Occurring Asbestos is present on the project site, or alternatively if the owner/applicant elects to assume presence of trace Naturally Occurring Asbestos, then, prior to commencement of any ground disturbance activity, the owner/applicant shall submit to the Sacramento Metropolitan Air Quality Management District for review and approval an Asbestos Dust Mitigation Plan, including, but not limited to, control measures required by the Asbestos ATCM, such as vehicle speed limitations, application of water prior to and during ground disturbance, keeping storage piles wet or covered, and track-out prevention and removal.</p> <p>The owner/applicant shall submit proof of compliance with the above to the Community Development Department for review and approval prior to the commencement of any site-disturbing activities. Upon approval of the Asbestos Dust Control Plan by the Sacramento Metropolitan Air Quality Management District, the owner/applicant shall ensure that construction contractors implement the terms of the plan throughout the construction period. If Naturally Occurring Asbestos is determined to be located on the surface of the project site, all surface soil containing Naturally Occurring Asbestos shall be replaced with clean soil or capped with another material (e.g., cinder or rubber), subject to review and approval by the City Engineer.</p>		

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
40.	3A-2-1h 3A-2-1c	<p><i>Analyze and Disclose Projected PM10 Emission Concentrations at Nearby Sensitive Receptors Resulting from Construction of Off-site Elements.</i></p> <p>Prior to construction of any improvements located in Sacramento County that would involve site grading or earth disturbance activity that would exceed 15 acres in one day, the responsible agency or its selected consultant shall conduct detailed dispersion modeling of construction-generated PM10 emissions pursuant to Sacramento Metropolitan Air Quality Management District guidance that is in place at the time the analysis is performed.</p> <p>Sacramento Metropolitan Air Quality Management District emphasizes that PM10 emission concentrations at nearby sensitive receptors be disclosed in project-level CEQA analysis. Each project-level analysis shall incorporate detailed parameters of the construction equipment and activities, including the year during which construction would be performed, as well as the proximity of potentially affected receptors, including receptors proposed by the project that exist at the time the construction activity would occur. If the modeling analysis determines that construction activity would result in an exceedance or substantial contribution to the CAAQS and NAAQS at a nearby receptor, then the owner/applicant shall require their respective contractors to implement additional measures for controlling construction-generated PM10 exhaust emission and fugitive PM10 dust emissions in accordance with Sacramento Metropolitan Air Quality Management District guidance, requirements, and/or rules that apply at the time the project-level analysis is performed. It is likely that these measures would be the same or similar to those listed as Enhanced Fugitive PM Dust Control Practices for Soil Disturbance Areas and Unpaved Roads and Enhanced Exhaust Control Practices.</p>	G	<p>Sacramento Metropolitan Air Quality Management District</p> <p>Caltrans</p> <p>CD (E) (P)</p>

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41. 3A 2-1a 3A 2-1d 3A 2-1f 3B.2-1c	<p><i>Basic Construction Emission Control Practices</i></p> <p>The owner/applicant shall implement Sacramento Metropolitan Air Quality Management District’s list of Basic Construction Emission Control Practices, Enhanced Fugitive Particulate Matter Dust Control Practices (listed below), and Enhanced Exhaust Control Practices or whatever mitigation measures are recommended by Sacramento Metropolitan Air Quality Management District at the time individual portions of the site undergo construction. In addition to Sacramento Metropolitan Air Quality Management District –recommended measures, construction operations shall comply with all applicable Sacramento Metropolitan Air Quality Management District rules and regulations.</p> <p>The following shall be noted on Grading Plans and building construction plans:</p> <p><u><i>Basic Construction Emission Control Practices</i></u></p> <ul style="list-style-type: none"> • Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads. The owner/applicant shall not be permitted to use potable water from the City of Folsom water system for grading and/or construction while the City is in a stage 3 (water warning), stage 4 (water crisis), or stage 5 (water emergency) conservation stage as determined by the City and in conformance with Chapter 13.26 Water Conservation of the Folsom Municipal Code (FMC). The City may prohibit the use of potable water for grading and/or construction purposes on the project in its sole discretion regardless of the Water Conservation Stage. ▶ pave, water, use gravel, cover, or spray a dust-control agent on all haul roads; ▶ Prohibit no open burning of vegetation during project construction; ▶ Chip or deliver vegetative material to waste-to-energy facilities; ▶ reestablish vegetation as soon as possible after construction and maintain vegetation 		

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41 cont	<p>3A 2-1a</p> <p>3A 2-1d</p> <p>3A 2-1f</p> <p>3B.2-1c</p>	<ul style="list-style-type: none"> • Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways shall be covered. • Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited. • Limit vehicle speeds on unpaved roads to 15 miles per hour (mph). • All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building foundations shall be laid as soon as possible after grading unless seeding or soil binders are used. • Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes (as required by the state airborne toxics control measure [Title 13, Section 2485 of the California Code of Regulations]). Provide clear signage that posts this requirement for workers at the entrances to the site. • Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment shall be checked by a certified mechanic and determine to be running in proper condition before it is operated. <p><u>Enhanced Fugitive Particulate Matter Dust Control Practices – Soil Disturbance Areas</u></p> <ul style="list-style-type: none"> • Water exposed soil with adequate frequency for continued moist soil. However, do not overwater to the extent that sediment flows off the site. • Suspend excavation, grading, and/or demolition activity when wind speeds exceed 20 mph. • Install wind breaks (e.g., plant trees, solid fencing) on windward side(s) of construction areas. • Plant vegetative ground cover (fast-germinating native grass seed) in disturbed areas as soon as possible. Water appropriately until vegetation is established. 	G, I, B	Sacramento Metropolitan Air Quality Management District CD (E) (P)

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41 cont.	3A 2-1a 3A 2-1d 3A 2-1f	<p><u>Enhanced Fugitive Particulate Matter Dust Control Practices – Unpaved Roads</u></p> <ul style="list-style-type: none"> • Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site. • Treat site accesses to a distance of 100 feet from the paved road with a 6 to 12-inch layer of wood chips, mulch, or gravel to reduce generation of road dust and road dust carryout onto public roads. • Post a publicly visible sign with the telephone number and person to contact at the construction site regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of Sacramento Metropolitan Air Quality Management District and the City contact person shall also be posted to ensure compliance. <p><u>Enhanced Exhaust Control Practices</u></p> <p>The owner/applicant shall provide a plan, for approval by the City of Folsom Community Development Department and Sacramento Metropolitan Air Quality Management District, demonstrating that the heavy-duty (50 horsepower [hp] or more) offroad vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project wide fleet-average 20% NOX reduction and 45% particulate reduction compared to the most current California Air Resources Board (ARB) fleet average that exists at the time of construction. Acceptable options for reducing emissions may include use of late-model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.</p> <p>The owner/applicant shall submit to the City of Folsom Community Development Department and Sacramento Metropolitan Air Quality Management District a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 hp, that would be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine</p>	G, I, B	Sacramento Metropolitan Air Quality Management District CD (E) (P)

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41 cont. 3A 2-1a 3A 2-1d 3A 2-1f	<p>production year, and projected hours of use for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of heavy-duty off-road equipment, the project representative shall provide Sacramento Metropolitan Air Quality Management District with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.</p> <p>Sacramento Metropolitan Air Quality Management District's Construction Mitigation Calculator can be used to identify an equipment fleet that achieves this reduction (Sacramento Metropolitan Air Quality Management District 2007a). The project shall ensure that emissions from all off-road diesel powered equipment used on the SPA do not exceed 40% opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and the City and Sacramento Metropolitan Air Quality Management District shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. Sacramento Metropolitan Air Quality Management District staff and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this mitigation measure shall supersede other Sacramento Metropolitan Air Quality Management District or state rules or regulations.</p> <p>If at the time of grading and/or construction, Sacramento Metropolitan Air Quality Management District has adopted a regulation or new guidance applicable to construction emissions, compliance with the regulation or new guidance may completely or partially replace this mitigation if it is equal to or more effective than the mitigation contained herein, and if Sacramento Metropolitan Air Quality Management District so permits. Such a determination shall be supported by a project-level analysis and be approved by Sacramento Metropolitan Air Quality Management District.</p>	G, I, B	Sacramento Metropolitan Air Quality Management District CD (E) (P)

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42.	3B.2-3a	Locate Pump Stations Away from Sensitive Receptors. New pumping stations including back-up diesel generators shall be located more than 200 feet away from sensitive receptors. Electrically-powered pumps shall be used to power new pumps, to the extent practicable.	I	CD (E)
43.	3B.11-1a	Limit Construction Hours. Construction activities shall be limited to daylight hours between 7 a.m. and 7 p.m. Monday through Friday, and 9 a.m. and 5 p.m. on Saturday. No construction shall be allowed on Sundays or holidays. These hours may be expanded to include Saturday and Sunday between 8 a.m. and 6 p.m. provided there are no sensitive receptors within 1500 feet, subject to the sole discretion of the city.	I	CD (E), PW
44.	3B.11-1b	Minimize Noise from Construction Equipment and Staging. Construction equipment noise shall be minimized during project construction by muffling and shielding intakes and exhaust on construction equipment (per the manufacturer's specifications) and by shrouding or shielding impact tools, where used. The City's construction specifications shall also require that the contractor select staging areas as far as feasibly possible from sensitive receptors.	G,I	CD (E), PW
45.	3B.11-1c	Maximize the Use of Noise Barriers. Construction contractors shall locate fixed construction equipment (such as compressors and generators) and construction staging areas as far as possible from nearby residences. If feasible, noise barriers shall be used at the construction site and staging area. Temporary walls, stockpiles of excavated materials, or moveable sound barrier curtains would be appropriate in instances where construction noise would exceed 90 dBA and occur within less than 50 feet from a sensitive receptor. The final selection of noise barriers will be subject to the City's approval and shall provide a minimum 10 dBA reduction in construction noise levels.	G,I	CD (E)(P)
46.	3B.11-1d	Prohibit Non-Essential Noise Sources During Construction. No amplified sources (e.g., stereo "boom boxes") shall be used in the vicinity of residences during project construction.	G,I,B	CD (E)(P)

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47. 3B.11-1c	<p>Monitor Construction Noise and Provide a Mechanism for Filing Noise Complaints. The owner/applicant shall provide an on-site complaint and enforcement manager that shall track and respond to noise complaints during grading and construction. The City shall also provide a mechanism for residents, businesses, and agencies to register complaints with the City if construction noise levels are overly intrusive or construction occurs outside the required hours.</p>	G,I	CD (E)(P)
48. 3A.11-3	<p>Implement Measures to Prevent Exposure of Sensitive Receptors to Groundborne Noise or Vibration from Project Generated Construction Activities.</p> <p>Any blasting permit issued for the project shall include the following conditions:</p> <ul style="list-style-type: none"> ▶ To the extent feasible, blasting activities shall not be conducted within 275 feet of existing or future sensitive receptors. ▶ To the extent feasible, bulldozing activities shall not be conducted within 50 feet of existing or future sensitive receptors. ▶ All blasting shall be performed by a blast contractor and blasting personnel licensed to operate in the State of California. ▶ A blasting plan, including estimates of vibration levels at the residence closest to the blast, shall be submitted to the enforcement agency for review and approval prior to the commencement of the first blast. ▶ Each blast shall be monitored and documented for groundbourne noise and vibration levels at the nearest sensitive land use and associated recorded submitted to the enforcement agency. 	G,I	CD (E)(P)

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49. 3B.11-3	<p>Implement Operational Noise Minimization Measures.</p> <p>The following conditions shall be included in the design of the water and sewer pump station(s) to ensure that operational noise levels at the property line do not exceed the City standards:</p> <ul style="list-style-type: none"> ▶ Shielding and other specified measures as deemed appropriate and effective by the design engineer shall be incorporated into the design in order to comply with performance standards. ▶ Pumps located underground shall be shielded to not affect nearby sensitive receptors. ▶ Project equipment shall be outfitted and maintained with noise-reduction devices such as equipment closures, fan silencers, mufflers, acoustical louvers, noise barriers, and acoustical panels to minimize operational noise. ▶ Particularly noisy equipment shall be located as far away as feasibly possible from nearby sensitive receptors. ▶ The orientation of acoustical exits shall always be facing away from nearby sensitive receptors. ▶ Buildings and landscaping shall be incorporated, where possible, to absorb or redirect noise away from nearby sensitive receptors. 	I	EWR CD (P)

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50.	<p><i>3A 11-1</i></p> <p><i>3B 1-3a</i></p> <p><i>Implement Noise-Reducing Construction Practices, Prepare and Implement a Noise Control Plan, and Monitor and Record Construction Noise near Sensitive Receptors.</i></p> <p>The owner/applicant shall prepare and implement a construction noise management plan. This plan shall identify specific measures to ensure compliance with the noise control measures specified below. The noise control plan shall be submitted to the City of Folsom before any noise-generating construction activity begins and shall be noted on Grading Plans and building construction plans. Grading and construction shall not commence until the construction noise management plan is approved by the City of Folsom.</p> <ul style="list-style-type: none"> Noise-generating construction operations shall be limited to the hours between 7 a.m. and 7 p.m. Monday through Friday, and between 8 a.m. and 5 p.m. on Saturdays. No construction is allowed on Sundays. These hours may be expanded to include Saturday and Sunday between 8 a.m. and 6 p.m. provided there are no sensitive receptors within 1500 feet, subject to the sole discretion of the city. All construction equipment and equipment staging areas (including rock crushing operations) shall be located as far as possible from nearby noise-sensitive land uses. All construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation. All motorized construction equipment shall be shut down when not in use to prevent idling. Individual operations and techniques shall be replaced with quieter procedures (e.g., using welding instead of riveting, mixing concrete off-site instead of on-site). 	G, I, B	CD (P) CD (E) (B)

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 AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT**

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50. cont.	<ul style="list-style-type: none"> • Noise-reducing enclosures shall be used around stationary noise-generating equipment (e.g., compressors and generators) as planned phases are built out and future noise sensitive receptors are located within close proximity to future construction activities. • Written notification of construction activities shall be provided to all noise-sensitive receptors located within 850 feet of construction activities. Notification shall include anticipated dates and hours during which construction activities are anticipated to occur and contact information, including a daytime telephone number, for the project representative to be contacted in the event that noise levels are deemed excessive. Recommendations to assist noise-sensitive land uses in reducing interior noise levels (e.g., closing windows and doors) shall also be included in the notification. 		
	<ul style="list-style-type: none"> • To the extent feasible, acoustic barriers (e.g., lead curtains, sound barriers) shall be constructed to reduce construction-generated noise levels at affected noise-sensitive land uses. The barriers shall be designed to obstruct the line of sight between the noise-sensitive land use and on-site construction equipment. When installed properly, acoustic barriers can reduce construction noise levels by approximately 8–10 dB (EPA 1971). 		
	<ul style="list-style-type: none"> • When future noise sensitive uses are within close proximity to prolonged construction noise, noise-attenuating buffers such as structures, truck trailers, or soil piles shall be located between noise sources and future residences to shield sensitive receptors from construction noise. 		

<p style="text-align: center;">CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004) EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT, SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP, CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT</p>				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
51.	3B.16-3a	<p>Minimize Utility Conflicts by Implementing an Underground Services Alert. Underground utilities and service connections shall be identified prior to commencing any excavation work through the implementation of an Underground Services Alert (USA). The exact utility locations will be determined by hand-excavated test pits dug at locations determined and approved by the construction manager (also referred to as “pot-holing”). Temporary disruption of service may be required to allow for construction. No service on such lines would be disrupted until prior approval is received from the construction manager and the service provider.</p>	G	CD (E)(P) Underground Services Alert
52.	3A-7.3	<p>Prepare and Implement the Appropriate Grading and Erosion Control Plan. Prior to approval of grading plans or issuance of a grading permit, the owner/applicant shall retain a California Registered Civil Engineer to prepare a grading and erosion and sedimentation control plan. The plan shall be consistent with the City’s Grading Ordinance, the state’s NPDES permit, the FPASP preliminary grading plans and shall include the site-specific grading associated with development for all project phases.</p> <p>The plans referenced above shall include the location, implementation schedule, and maintenance schedule of all erosion and sediment control measures, a description of measures designed to control dust and stabilize the construction-site road and entrance, and a description of the location and methods of storage and disposal of construction materials. Erosion and sediment control measures could include the use of temporary detention basins, berms, swales, wattles, and silt fencing, and covering or watering of stockpiled soils to reduce wind erosion. Stabilization on steep slopes could include construction of retaining walls and reseeded with vegetation after construction. Stabilization of construction entrances to minimize trackout (control dust) is commonly achieved by installing filter fabric and crushed rock to a depth of approximately 1 foot.</p> <p>The owner/applicant(s) shall ensure that the construction contractor is responsible for securing a source for transportation and deposition of excavated materials.</p>	G	CD (E)

CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT

	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
53.	3A 7-3	<p><i>Erosion Control Plan</i> Prior to the commencement of grading and/or construction activities, the owner/applicant shall submit an erosion control plan to the City for review and approval. The plan shall identify protective measures to be taken during excavation, temporary stockpiling, any reuse or disposal, and revegetation. These measures shall conform to geotechnical reports, the City of Folsom requirements and the County of Sacramento <u><i>Erosion and Sedimentation Control Standards and Specifications</i></u>-current edition and as directed by the Community Development Department.</p>	G	CD (E)

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
54.	3A 9-1 3B 9-1a	<p><i>Acquire Appropriate Regulatory Permits and Prepare and Implement Stormwater Pollution Prevention Plan (SWPPP) and Best Management Practices (BMPs).</i></p> <p>The owner/applicant(s) of all projects disturbing one or more acres (including phased construction of smaller areas which are part of a larger project) shall obtain coverage under the State Water Resources Control Board's National Pollution Discharge Elimination System stormwater permit for general construction activity (Order 2009-0009-DWQ), including preparation and submittal of a project-specific Storm Water Pollution Prevention Permit at the time the Notice of Intent is filed. The Storm Water Pollution Prevention Permit and other appropriate plans shall identify and specify:</p> <ul style="list-style-type: none"> • the use of an effective combination of robust erosion and sediment control BMPs and construction techniques accepted by the local jurisdictions for use in the project area at the time of construction, that shall reduce the potential for runoff and the release, mobilization, and exposure of pollutants, including legacy sources of mercury from project-related construction sites. These may include but would not be limited to temporary erosion control and soil stabilization measures, sedimentation ponds, inlet protection, perforated riser pipes, check dams, and silt fences • the implementation of approved local plans, non-stormwater management controls, permanent post-construction BMPs, and inspection and maintenance responsibilities; • the pollutants that are likely to be used during construction that could be present in stormwater drainage and nonstormwater discharges, including fuels, lubricants, and other types of materials used for equipment operation; • spill prevention and contingency measures, including measures to prevent or clean up spills of hazardous waste and of hazardous materials used for equipment operation, and emergency procedures for responding to spills; 	G	CD (E)

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
 AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT**

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54. cont.	<ul style="list-style-type: none"> • personnel training requirements and procedures that shall be used to ensure that workers are aware of permit requirements and proper installation methods for BMPs specified in the Storm Water Pollution Prevention Permit; and • the appropriate personnel responsible for supervisory duties related to implementation of the Storm Water Pollution Prevention Permit. <p>Where applicable, Best Management Practices identified in the Storm Water Pollution Prevention Permit shall be in place throughout all site work and construction/demolition activities and shall be used in all subsequent site development activities. Best Management Practices may include, but are not limited to, such measures as those listed below:</p> <ul style="list-style-type: none"> • Implementing temporary erosion and sediment control measures in disturbed areas to minimize discharge of sediment into nearby drainage conveyances, in compliance with state and local standards in effect at the time of construction. These measures may include silt fences, staked straw bales or wattles, sediment/silt basins and traps, geofabric, sandbag dikes, and temporary vegetation. • Establishing permanent vegetative cover to reduce erosion in areas disturbed by construction by slowing runoff velocities, trapping sediment, and enhancing filtration and transpiration. • Using drainage swales, ditches, and earth dikes to control erosion and runoff by conveying surface runoff down sloping land, intercepting and diverting runoff to a watercourse or channel, preventing sheet flow over sloped surfaces, preventing runoff accumulation at the base of a grade, and avoiding flood damage along roadways and facility infrastructure. <p>A copy of the approved Storm Water Pollution Prevention Permit shall be maintained and available at all times on the construction site.</p>	G	CD (E)

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
 AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT**

Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
55. 3A-9.2 3B.9-3b 3B 4-1a 3A 9-3	<p><i>Prepare and Submit Final Drainage Plans and Implement Requirements Contained in Those Plans.</i></p> <p>Prior to approval of grading and/or improvement plans, the owner/applicant(s) shall submit final drainage plans to the City for review and approval. The plans shall demonstrate that off-site upstream runoff will be appropriately conveyed through the Folsom Plan Area, and that project-related on-site runoff will be appropriately conveyed and contained in detention basins or managed through other improvements (e.g., source controls, biotechnical stream stabilization) to reduce flooding and hydromodification impacts and provide water quality treatment.</p> <p>The plans shall include, but not be limited to, the following items:</p> <ul style="list-style-type: none"> • an accurate calculation of pre-project and post-project runoff scenarios, obtained using appropriate engineering methods, that accurately evaluates potential changes to runoff, including increased surface runoff; • runoff calculations for the 10-year and 100-year (0.01 AEP) storm events (and other, smaller storm events as required) shall be performed and the trunk drainage pipeline sizes confirmed based on alignments and detention facility locations finalized in the design phase; • a description of the proposed maintenance program for the on-site drainage system; • project-specific standards for installing drainage systems; • New stormwater facilities shall be placed along the natural drainage courses within the SPA to the extent practicable so as to mimic the natural drainage patterns. The reduction in runoff as a result of the LID configurations shall be quantified based on the runoff reduction credit system methodology described in “Stormwater Quality Design Manual for the Sacramento and South Placer Regions, Chapter 5 and Appendix D4” (SSQP 2007b) and proposed detention basins and other water quality BMPs shall be sized to handle these runoff volumes. 	G, I	CD (E)

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
 AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT**

Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
55 cont. 3A-9.2	<ul style="list-style-type: none"> • City flood control design requirements and measures designed to comply with them; Implementation of stormwater management BMPs that avoid increases in the erosive force of flows beyond a specific range of conditions needed to limit hydromodification and maintain current stream geomorphology. These Best Management Practices will be designed and constructed in accordance with the forthcoming Stormwater Quality Partnership Hydromodification Management Plan (to be adopted by the Regional Water Quality Control Board) and may include, but are not limited to, the following: <ul style="list-style-type: none"> i. Use of Low Impact Development (LID) techniques to limit increases in stormwater runoff at the point of origination (these may include, but are not limited to: surface swales; replacement of conventional impervious surfaces with pervious surfaces [e.g., porous pavement]; impervious surfaces disconnection; and trees planted to intercept stormwater); detention basins to minimize flow changes and changes to flow duration characteristics; ii. Bioengineered stream stabilization to minimize bank erosion, utilizing vegetative and rock stabilization, and inset floodplain restoration features that provide for enhancement of riparian habitat and maintenance of natural hydrologic and channel to floodplain interactions; iii. Minimize slope differences between any stormwater or detention facility iv. outfall channel with the existing receiving channel gradient to reduce flow velocity; and Minimize to the extent possible detention basin, bridge embankment, and other encroachments into the channel and floodplain corridor, and utilize open bottom box culverts to allow sediment passage on smaller drainage courses. 	G	CD (E), PW

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
 AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT**

	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
55 cont		<p>v. Energy dissipaters, vegetated rip-rap, soil protection, and/or other appropriate BMPs shall be included within all storm-drain outlets to slow runoff velocities and prevent erosion at discharge locations. A long-term maintenance plan shall be implemented for all drainage discharge control devices.</p>		
		<p>The final drainage plan shall demonstrate to the satisfaction of the City of Folsom Community Development and Public Works Departments that 100-year (0.01 AEP) flood flows would be appropriately channeled and contained, such that the risk to people or damage to structures within or down gradient of the Folsom Plan Area would not occur, and that hydromodification would not be increased from pre-development levels such that existing stream geomorphology would be changed (the range of conditions should be calculated for each receiving water if feasible, or a conservative estimate should be used, e.g., an Ep of 1 ±10% or other as approved by the Sacramento Stormwater Quality Partnership and/or City of Folsom).</p>		

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT**

Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
56. 3A 9-3	<p><i>Develop and Implement a BMP and Water Quality Maintenance Plan.</i></p> <p>A detailed BMP and water quality maintenance plan shall be prepared by a qualified engineer retained by the owner/applicant(s) for the project. The plan shall finalize the water quality improvements and further detail the structural and nonstructural BMPs proposed for the project. The plan shall include the elements described below.</p> <ul style="list-style-type: none"> • A quantitative hydrologic and water quality analysis of proposed conditions incorporating the proposed drainage design features. • Predevelopment and post development calculations demonstrating that the proposed water quality BMPs meet or exceed requirements established by the City of Folsom and including details regarding the size, geometry, and functional timing of storage and release pursuant to the latest edition of the “Stormwater Quality Design Manual for Sacramento and South Placer Regions” (the City’s MS4NPDES permit, page 46) and El Dorado County’s NPDES SWMP (County of El Dorado 2004). • Source control programs to control water quality pollutants on the SPA, which may include but are not limited to recycling, street sweeping, storm drain cleaning, household hazardous waste collection, waste minimization, prevention of spills and illegal dumping, and effective management of public trash collection areas. • A pond management component for the proposed basins that shall include management and maintenance requirements for the design features and BMPs, and responsible parties for maintenance and funding. • LID control measures shall be integrated into the BMP and water quality maintenance plan. These may include, but are not limited to: <ol style="list-style-type: none"> 1. surface swales; 2. replacement of conventional impervious surfaces with pervious surfaces (e.g., porous pavement); 3. impervious surfaces disconnection; and 4. trees planted to intercept stormwater. 	G	CD (E)

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
57. 3A 8.7	<p><i>Prepare and Implement a Vector Control Plan in Consultation with the Sacramento-Yolo Mosquito and Vector Control District.</i></p> <p>To ensure that the operation and design of the stormwater system, including multiple planned detention basins, is consistent with the recommendations of the Sacramento-Yolo Mosquito and Vector Control District regarding mosquito control, the owner/applicant shall prepare and implement a Vector Control Plan. This plan shall be prepared in coordination with the Sacramento-Yolo Mosquito and Vector Control District and shall be submitted to the City for approval prior to approval of grading plans and/or issuance of the grading permit for the proposed detention basins under the City's jurisdiction.</p> <p>The plan shall incorporate specific measures deemed sufficient by the City to minimize public health risks from mosquitoes, and as contained within the Sacramento-Yolo Mosquito and Vector Control District BMP Manual (Sacramento-Yolo Mosquito and Vector Control District 2008). The plan shall include, but is not limited to, the following components:</p> <ul style="list-style-type: none"> • Description of the project. • Description of detention basins and all water features and facilities that would control on-site water levels. • Goals of the plan. • Description of the water management elements and features that would be implemented, including: <ul style="list-style-type: none"> i. BMPs that would be implemented on-site; ii. public education and awareness; iii. sanitary methods used (e.g., disposal of garbage); iv. mosquito control methods used (e.g., fluctuating water levels, biological agents, pesticides, larvacides, circulating water); and v. stormwater management. 	G	CD (E) Sacto. County

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
 AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT**

Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
57 cont.	<ul style="list-style-type: none"> • Long-term maintenance of the detention basins and all related facilities (e.g., specific ongoing enforceable conditions or maintenance by a homeowner's association). <p>To reduce the potential for mosquitoes to reproduce in the detention basins, the owner/applicant(s) shall coordinate with the Sacramento-Yolo Mosquito and Vector Control District to identify and implement BMPs based on their potential effectiveness for the site conditions. Potential BMPs could include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • build shoreline perimeters as steep and uniform as practicable to discourage dense plant growth; • perform routine maintenance to reduce emergent plant densities to facilitate the ability of mosquito predators (i.e., fish) to move throughout vegetated area; • design distribution piping and containment basins with adequate slopes to drain fully and prevent standing water. The design slope should take into consideration buildup of sediment between maintenance periods. Compaction during grading may also be needed to avoid slumping and settling; • coordinate cleaning of catch basins, drop inlets, or storm drains with mosquito treatment operations; • enforce the prompt removal of silt screens installed during construction when no longer needed to protect water quality; • if the sump, vault, or basin is sealed against mosquitoes, with the exception of the inlet and outlet, submerge the inlet and outlet completely to reduce the available surface area of water for mosquito egg-laying (female mosquitoes can fly through pipes); and • design structures with the appropriate pumping, piping, valves, or other necessary equipment to allow for easy dewatering of the unit if necessary (Sacramento Yolo Mosquito and Vector Control District 2008). 	G	CD (E)

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT**

Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
57 cont.	<ul style="list-style-type: none"> i. Surface swales; ii. Replacement of conventional impervious surfaces with pervious surfaces (e.g., porous pavement); iii. Impervious surfaces disconnection; and iv. Trees planted to intercept stormwater. 		CD (E)
58.	<p><i>Properly Dispose of Hydrostatic Test Water and Construction Dewatering in Accordance with the Central Valley Regional Water Quality Control Board</i></p> <p>All hydrostatic test water and construction dewatering shall be discharged to an approved land disposal area or drainage facility in accordance with Central Valley RWCQB requirements. The owner/applicant shall provide the Central Valley RWQCB with the location, type of discharge, and methods of treatment and monitoring for all hydrostatic test water discharges. Emphasis shall be placed on those discharges that would occur directly to surface water bodies.</p>	G	CD (E) CVRWQCB
59.	<p><i>State and Federal Permits</i></p> <p>The owner/applicant shall obtain all required State and Federal permits and provide evidence that said permits have been obtained, or that the permit is not required, subject to staff review prior to approval of any grading or improvement plan.</p>	G, I	CD (P) CD (E)

CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004) EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT, SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP, CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
60.	3A 3-1a 3A 3-1b 3B 3-1a	<p><i>Clean Water Act Sections 401 and 404 Permits</i></p> <p>Prior to the approval of grading and improvement plans and before any groundbreaking activity associated with each distinct project phase, the owner/applicant shall secure all necessary permits obtained under Sections 401 and 404 of the Clean Water Act or the State's Porter-Cologne Act and implement all permit conditions for the proposed project. All permits, regulatory approvals, and permit conditions for effects on wetland habitats shall be secured and conditions implemented before implementation of any grading activities within 250 feet of Waters of the U.S. or wetland habitats, including Waters of the State, that potentially support federally-listed species, or within 100 feet of any other Waters of the U.S. or wetland habitats, including Waters of the State. The owner/applicant shall adhere to all conditions outlined in the permits. The owner/applicant shall commit to replace, restore, or enhance on a "no net loss" basis (in accordance with United States Army Corps Of Engineers and the Central Valley Regional Water Quality Control Board) the acreage of all wetlands and other Waters of the U.S. that would be removed, lost, and/or degraded with implementation of the project. Wetland habitat shall be restored, enhanced, and/or replaced at an acreage and location and by methods agreeable to United States Army Corps Of Engineers, the Central Valley Regional Water Quality Control Board, and the City, as appropriate, depending on agency jurisdiction, and as determined during the Section 401 and Section 404 permitting processes. The boundaries of the 404 permit, including required buffers shall be shown on the grading plans.</p> <p>All mitigation requirements to satisfy the requirements of the City and the Central Valley Regional Water Quality Control Board, for impacts on the non-jurisdictional wetlands beyond the jurisdiction of United States Army Corps Of Engineers, shall be determined and implemented before grading plans are approved.</p> <p>All wetland mitigation compliance reports submitted to the Army Corps of Engineers shall also be copied concurrently to the City.</p>	G, I	CD(P) CD (E) United States Army Corps. Of Engineers Central Valley Regional Water Quality Control Board

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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
61.	<p><i>Water Quality Certification</i> A water quality certification pursuant to Section 401 of the Clean Water Act is required before issuance of the record of decision and before issuance of the Section 404 permit. Before construction in any areas containing wetland features, the owner/applicant shall obtain water quality certification for the project. Any measures required as part of the issuance of water quality certification shall be implemented pursuant to the permit conditions.</p>	G	CD (E)
62.	<p><i>Master Streambed Alteration Agreement</i> The owner/applicant shall amend, if necessary, and implement the original Section 1602 Master Streambed Alteration Agreement received from California Department of Fish and Wildlife for all construction activities that would occur in the bed and bank of California Department of Fish and Wildlife jurisdictional features within the project site. As outlined in the Master Streambed Alteration Agreement, the owner/applicant shall submit a Sub-notification Form (SNF) to California Department of Fish and Wildlife 60 days prior to grading and/or the commencement of construction to notify California Department of Fish and Wildlife of the project.</p> <p>Any conditions of issuance of the Master Streambed Alteration Agreement shall be implemented as part of those project construction activities that would adversely affect the bed and bank within on-site drainage channels subject to California Department of Fish and Wildlife jurisdiction. The agreement shall be executed by the owner/applicant and California Department of Fish and Wildlife before the approval of any grading or improvement plans or any construction activities in any project phase that could potentially affect the bed and bank of on-site drainage channels under California Department of Fish and Wildlife jurisdiction.</p>	G	CD(P) CD (E) California Department of Fish and Wildlife

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63.	3B.3-1b	<p><i>Maximum Use of Trenchless Technology for Conveyance Pipeline Design.</i></p> <p>The water conveyance pipeline shall be designed and routed to avoid waters of the U.S. and State, including wetlands and vernal pools, to the maximum extent practical. Where avoidance is not practical, the use of trenchless technologies (micro-tunneling or jack-and-bore) shall be maximized, where feasible.</p> <p>All trenchless construction crossings will include the preparation of a Frac-Out (or inadvertent return of drilling lubricants) Contingency Plan for tunneling activities that use drilling lubricants (e.g., construction of pipelines using jack-and-bore methods). The purpose of the plan will be to minimize the potential for a frac-out associated with tunneling activities, provide for the timely detection of frac-outs, and ensure an organized, timely, and “minimum-impact” response in the event of a frac-out and release of drilling lubricant (i.e., bentonite). Preparation and implementation of a Frac-Out Contingency Plan will be reflected in contract documents.</p>	G,I	CD (E), EWR
64.	3B.3-1c	<p><i>Restore All Waters Impacted by Trenching and Temporary Construction Staging</i></p> <p>For all crossings of waters of the U.S. or State in which the use of trenchless technologies are not feasible, the City shall ensure that all waters impacted by trenching activities are restored to pre-project conditions. In addition, within 30 days following project construction, the owner/applicant shall ensure that all temporary construction staging areas within waters of the U.S. or State are restored to pre-project conditions. At minimum, the City shall ensure that the following measures are implemented during construction:</p> <ul style="list-style-type: none"> ▶ Conduct trenching and construction activities across drainages during low-flow (e.g., <1 to 2 cfs) or dry periods as feasible; ▶ If working in active channels, install cofferdam upstream and downstream of stream crossing to separate construction area from flowing waterway; 	G,I	CD (E), EWR

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
 AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT**

Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
64.cont.	<ul style="list-style-type: none"> ▶ Place sediment curtains upstream and downstream of the construction zone to prevent sediment disturbed during trenching activities from being transported and deposited outside of the construction zone; ▶ Locate spoil sites such that they do not drain directly into the drainages or seasonal wetlands; ▶ Store equipment and materials away from the drainages and wetland areas. No debris will be deposited within 250 feet of the drainages and wetland areas; ▶ Prepare and implement a revegetation plan to restore vegetation in all temporarily disturbed wetlands and other waters using native species seed mixes and container plant material that are appropriate for existing hydrological conditions. <p>Prior to the approval of grading and improvement plans and before any groundbreaking activity associated with grading and construction requiring fill of wetlands or other waters of the U.S. or waters of the state, the owner/applicant shall submit a wetland mitigation and monitoring plan (MMP) for the restoration of these waters within the selected water alignment to the US Army Corps of Engineers (USACE) and Central Valley Regional Water Quality Control Board (RWQCB) for review and approval of those portions of the plan over which they have jurisdiction. The Mitigation and Monitoring Plan (MMP) would have to be approved prior to issuance of a Section 404 permit. Once the final MMP is approved and implemented, mitigation monitoring shall continue for a minimum of 5 years from completion of restoration activities, or human intervention (including re-contouring and grading), or until the performance standards identified in the approved MMP have been met, whichever is longer. At minimum, the MMP shall provide the following information:</p> <ul style="list-style-type: none"> ▶ A description and drawings showing the existing contours (elevation) and existing vegetation of the waters of the U.S. and State that would be impacted through trenching activities. This information shall include site photographs taken at each impacted water. ▶ Methods used to ensure that trenching within waters of the U.S. and State do not adversely alter existing hydrology, including the draining of the waters (e.g., use of cut-off walls). 	G	CD (E)

<p style="text-align: center;">CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004) EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT, SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP, CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT</p>			
Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
64 cont.	<ul style="list-style-type: none"> ▶ The methods used to restore the site to the original contour and condition, as well as a plan for the revegetation of the site following installation of the improvements. ▶ Proposed schedule for restoration activities 		
65.	<p>100 Year Flood Plain Boundary</p> <p>The owner/applicant shall be required to include the existing 100-year floodplain boundary (flood hazard area) on all grading and/or improvements plans prior to approval of the grading and/or improvement plans by the City. For any portion of the proposed project that lies within the designated flood hazard area, no development shall be approved until appropriate measures are taken to remove the area from the flood zone. These measures include the following:</p> <ul style="list-style-type: none"> • The lowest finished floor elevation of all proposed structures shall be a minimum of two (2) feet above the 100-year floodplain elevation in accordance with the City Floodplain Ordinance. The owner/applicant shall provide for review and approval by the City, information delineating the 100-year floodplain elevation under the worst case of either the interim or the ultimate condition for the upstream watershed. The existing and proposed 100-year floodplain shall be shown on the grading and/or improvement plans. • An elevation certification shall be required prior to issuance of any building permit demonstrating compliance with the above requirement. • A completed application for a Conditional Letter of Map Revision (CLOMR) shall be submitted to the City for submission to the Federal Emergency Management Agency (FEMA). Prior to approval of the improvement plans by the City, the owner/applicant shall submit the approved CLOMR to the City. • Within four (4) months following completion of grading operations, a completed application for a Letter of Map Revision (LOMR) shall be submitted by the owner/applicant to the City for submission to FEMA. The City shall have received the completed LOMR from FEMA prior to issuance of a certificate of occupancy on any structure. 	G, I	CD (E), PW

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
65. cont		<ul style="list-style-type: none"> Prior to issuance of a grading permit or a building permit, the owner/applicant shall deposit with the City sufficient funds to complete the CLOMR/LOMR process as determined by the City. Said funds may be drawn upon by the City to complete the CLOMR/LOMR process in the event the owner/applicant fails to do so in accordance with the time constraints established above. Any funds remaining after completion of the CLOMR/LOMR process will be refunded to the owner/applicant. 		
66.	3A 3-2a	<p>Swainson's Hawk A qualified biologist shall be retained by the owner/applicant to conduct preconstruction surveys and to identify active Swainson's Hawk nests on and within 0.5-mile of the project area. The surveys shall be conducted before the approval of grading and/or improvement plans (as applicable) and no less than 14 days and no more than 30 days before the beginning of grading and construction. To the extent feasible, guidelines provided in <i>Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in the Central Valley (Swainson's Hawk Technical Advisory Committee 2000)</i> shall be followed for surveys for Swainson's hawk. If no nests are found, no further mitigation is required.</p> <p>If active nests are found, impacts on nesting Swainson's Hawks shall be avoided by establishing appropriate buffers around the nests. No project activity shall commence within the buffer area until the young have fledged, the nest is no longer active, or until a qualified biologist has determined in coordination with California Department of Fish and Wildlife that reducing the buffer would not result in nest abandonment. California Department of Fish and Wildlife guidelines recommend implementation of 0.25- or 0.5-mile-wide buffers, but the size of the buffer may be adjusted if a qualified biologist and the City, in consultation with California Department of Fish and Wildlife, determine that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist during and after construction activities will be required if the activity has potential to adversely affect the nest.</p>	G	CD(P) CD (E) California Department of Fish and Wildlife

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
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67. 3A 3-2b	<p><i>Swainson's Hawk Habitat</i></p> <p>Prior to the approval of grading and improvement plans, or before any ground-disturbing activities, whichever occurs first, the owner/applicant shall secure suitable Swainson's Hawk foraging habitat to ensure appropriate mitigation of habitat value for Swainson's Hawk foraging habitat that is permanently lost as a result of the project, as determined by the City after consultation with California Department of Fish and Wildlife and a qualified biologist.</p> <p>The habitat value or shall be based on Swainson's Hawk nesting distribution and an assessment of habitat quality, availability, and use within the project area. The mitigation ratio shall be consistent with the 1994 DFG Swainson's Hawk Guidelines included in the Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (Buteo swainsoni) in the Central Valley of California. If such mitigation shall be accomplished through purchase of credits at an approved mitigation bank, the transfer of fee title, or perpetual conservation easement, the ratio for habitat value shall be 0.5:1. If non-bank mitigation is proposed, the mitigation land shall be located within the known foraging area and within Sacramento County and the habitat value shall be 1:1. The City, after consultation with California Department of Fish and Wildlife, will determine the appropriateness of the mitigation land.</p> <p>The owner/applicant shall transfer said Swainson's Hawk mitigation land, through either conservation easement or fee title, to a third-party, nonprofit conservation organization (Conservation Operator), with the City and California Department of Fish and Wildlife named as third-party beneficiaries. The Conservation Operator shall be a qualified conservation easement land manager that manages land as its primary function. Additionally, the Conservation Operator shall be a tax-exempt nonprofit conservation organization that meets the criteria of Civil Code Section 815.3(a) and shall be selected or approved by the City, after consultation with California Department of Fish and Wildlife. After consultation with California Department of Fish and Wildlife and the Conservation Operator, the City shall approve the content and form</p>	G	CD (P) California Department of Fish and Wildlife

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 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
67. cont.	<p>of the conservation easement. The City, California Department of Fish and Wildlife, and the Conservation Operator shall each have the power to enforce the terms of the conservation easement. The Conservation Operator shall monitor the easement in perpetuity to assure compliance with the terms of the easement.</p> <p>After consultation with the City, The owner/applicant, California Department of Fish and Wildlife, and the Conservation Operator, shall establish an endowment or some other financial mechanism that is sufficient to fund in perpetuity the operation, maintenance, management, and enforcement of the conservation easement. If an endowment is used, either the endowment funds shall be submitted to the City for impacts on lands within the City's jurisdiction to an appropriate third-party nonprofit conservation agency, or they shall be submitted directly to the third-party nonprofit conservation agency in exchange for an agreement to manage and maintain the lands in perpetuity. The Conservation Operator shall not sell, lease, or transfer any interest of any conservation easement or mitigation land it acquires without prior written approval of the City and California Department of Fish and Wildlife.</p> <p>If the Conservation Operator ceases to exist, the duty to hold, administer, manage, maintain, and enforce the interest shall be transferred to another entity acceptable to the City and California Department of Fish and Wildlife. The City Planning Department shall ensure that mitigation habitat established for impacts on habitat within the City's planning area is properly established and is functioning as habitat by conducting regular monitoring of the mitigation site(s) for the first ten years after establishment of the easement.</p>	G	CD(P) CD (E) California Department of Fish and Wildlife

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 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
68.	3A 3-2a	<p><i>Burrowing Owl</i> A qualified biologist shall be retained by the owner/applicant to conduct a preconstruction survey to identify active Burrowing Owl burrows within the project area. The surveys shall be conducted no less than 14 days and no more than 30 days before the beginning of grading and construction activities for each phase of development. The preconstruction survey shall follow the protocols outlined in the Staff Report on Burrowing Owl Mitigation (CDFG 2012).</p> <p>If active burrows are found, a mitigation plan shall be submitted to the City for review and approval before any ground-disturbing activities. The City shall consult with California Department of Fish and Wildlife. The mitigation plan may consist of installation of one-way doors on all burrows to allow owls to exit, but not reenter, and construction of artificial burrows within the project vicinity, as needed; however, burrowing owl exclusions may only be used if a qualified biologist verifies that the burrow does not contain eggs or dependent young. If active burrows contain eggs and/or young, no construction shall occur within 50 feet of the burrow until young have fledged. Once it is confirmed that there are no owls inside burrows, these burrows may be collapsed.</p>	G	CD(P) CD (E) California Department of Fish and Wildlife

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 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
69. 3B.3-2	<p><i>Conduct Preconstruction Survey for Western Spadefoot Toad and Northwestern Pond Turtle and if Found, Implement Avoidance and Compensation Measures.</i></p> <p>Prior to construction, a qualified biologist retained by the City shall conduct protocol-level surveys for the western spadefoot toad and northwestern pond turtle to determine if these species are currently using water features crossed by the selected alignment. If either of these species is detected, then the City shall consult with the DFG (and USFWS if appropriate) to develop additional minimization measures prior to project construction (if necessary). These additional measures may include timing restrictions for groundwater dewatering activities, construction monitoring, and long-term monitoring.</p> <p>If temporary fencing is used, it shall take the form of silt fencing and temporary plastic construction fencing placed no closer than 25 feet from the edge of the protected habitat. Protective fencing around vernal pools identified as potential habitat for special-status species shall be constructed in a way that allows western spadefoot toad to access these wetlands.</p> <p>Impacted western spadefoot toad habitat shall be mitigated and compensated in accordance with USFWS and DFG requirements.</p>	G	CDD

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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
70. 3A.3-2d	<p><i>Avoid and Minimize Impacts to Special-Status Bat Roosts.</i></p> <p>The owner/applicant of all project phases containing potential bat roosting habitat shall retain a qualified biologist to conduct surveys for roosting bats. Surveys shall be conducted in the fall to determine if the mine shaft is used as a hibernaculum and in spring and/or summer to determine if it is used as a maternity or day roost. Surveys shall consist of evening emergence surveys to note the presence or absence of bats and could consist of visual surveys at the time of emergence. If evidence of bat use is observed, the number and species of bats using the roost shall be determined. Bat detectors may be used to supplement survey efforts. If no bat roosts are found, then no further study shall be required.</p> <p>If roosts of pallid bat or Townsend's big-eared bats are determined to be present and must be removed, the bats shall be excluded from the roosting site before the mine shaft is removed. A mitigation program addressing compensation, exclusion methods, and roost removal procedures shall be developed in consultation with DFG before implementation. Exclusion methods may include use of one-way doors at roost entrances (bats may leave but not reenter), or sealing roost entrances when the site can be confirmed to contain no bats. Exclusion efforts may be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young). The loss of each roost (if any) will be replaced in consultation with DFG and may include construction and installation of bat boxes suitable to the bat species and colony size excluded from the original roosting site. Roost replacement will be implemented before bats are excluded from the original roost sites. Once the replacement roosts are constructed and it is confirmed that bats are not present in the original roost site, the mine shaft may be removed.</p>	G	CDD

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
71.	3A.3-2e:	<p><i>Obtain an Incidental Take Permit under Section 10(a) of Endangered Species Act (ESA); Develop and Implement a Habitat Conservation Plan to Compensate for the Loss of Vernal Pool Habitat.</i></p> <p>The owner/applicant(s) for all project phases shall obtain an incidental take permit under Section 10(a) of ESA. No project construction shall proceed in areas supporting potential habitat for Federally listed vernal pool invertebrates, or within adequate buffer areas (250 feet or lesser distance deemed sufficiently protective by a qualified biologist with approval from USFWS), until a Biological Opinion (BO) has been issued by United States Fish and Wildlife Service and the owner/applicant(s) have abided by conditions in the BO (including all conservation and minimization measures).</p> <p>Conservation and minimization measures are likely to include preparation of supporting documentation describing methods to protect existing vernal pools during and after project construction. Under the No Federal Action Alternative, interagency consultation under Section 7 of ESA would not occur; therefore, the owner/applicant(s) would be required to develop a habitat conservation plan to mitigate impacts on Federally listed vernal pool invertebrates. The owner/applicant(s) shall complete and implement, or participate in, a habitat conservation plan that shall compensate for the loss of acreage, function, and value of affected vernal pool habitat. The habitat conservation plan shall be consistent with the goals of the Recovery Plan for Vernal Pool Ecosystems of California and Southern Oregon (USFWS 2005) and must be approved by USFWS.</p> <p>The owner/applicant(s) for all project phases shall ensure that there is sufficient upland habitat within the target areas for creation and restoration of vernal pools and vernal pool complexes to provide ecosystem health. The land used to satisfy this mitigation measure shall be protected through a fee title or conservation easement acceptable to the City and USFWS.</p>	G	CDD

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 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
71 .cont.		<p>The owner/applicant(s) for all project phases shall identify the extent of indirectly affected vernal pool and seasonal wetland habitat, either by identifying all such habitat within 250 feet of project construction activities or by providing an alternative technical evaluation in support of a lesser indirect impact distance. If a lesser distance is pursued, this distance shall be approved by USFWS. The owner/applicant(s) shall preserve 2 wetted acres of vernal pool habitat for each wetted acre of any indirectly affected vernal pool habitat. This mitigation shall occur before the approval of any grading or improvement plans for any project phase that would allow work within 250 feet of such habitat, and before any ground-disturbing activity within 250 feet of the habitat. The owner/applicant(s) will not be required to complete this mitigation measure for direct or indirect impacts that have already been mitigated to the satisfaction of USFWS through another BO or mitigation plan.</p> <p>A standard set of BMPs shall be applied to construction occurring in areas within 250 feet of off-site vernal pool habitat, or within any lesser distance deemed adequate by a qualified biologist (with approval from USFWS) to constitute a sufficient buffer from such habitat. Refer to Section 3A.9, "Hydrology and Water Quality - Land" for the details of BMPs to be implemented.</p>		

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 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
72.	<p><i>Nesting Raptors</i> To mitigate impacts on nesting raptors, a qualified biologist shall be retained by the owner/applicant to conduct a preconstruction survey to identify active nests on and within 0.5 miles of the project area. The surveys shall be conducted no less than 14 days and no more than 30 days before the beginning of construction activities for each phase of development</p> <p>If active nests are found, impacts on nesting raptors shall be avoided by establishing appropriate buffers around the nests. No project activity shall commence within the buffer area until the young have fledged, the nest is no longer active, or until a qualified biologist has determined in coordination with California Department of Fish and Wildlife that reducing the buffer would not result in nest abandonment. The buffer may be adjusted if a qualified biologist and the City, in consultation with California Department of Fish and Wildlife, determine that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist during and after construction activities will be required if the activity has potential to adversely affect the nest.</p>	G.	CD(P) CD (E) California Department of Fish and Wildlife

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	Mitigation Measure	Condition/Mitigation Measure	When Required Responsible Department
73.	3A.3-2g	<p><i>Secure Take Authorization for Federally Listed Vernal Pool Invertebrates and Implement All Permit Conditions.</i></p> <p>No project construction shall proceed in areas supporting potential habitat for Federally listed vernal pool invertebrates, or within adequate buffer areas (250 feet or lesser distance deemed sufficiently protective by a qualified biologist with approval from USFWS), until a biological opinion (BO) or Not Likely to Adversely Affect (NLAA) letter has been issued by USFWS and the owner/applicant(s) for any particular discretionary development entitlements affecting such areas have abided by conditions in the BO (including conservation and minimization measures) intended to be completed before on-site construction. Conservation and minimization measures shall include preparation of supporting documentation describing methods to protect existing vernal pools during and after project construction, a detailed monitoring plan, and reporting requirements.</p> <p>A Mitigation and Monitoring Plan (MMP) shall be developed that describes the details of how loss of vernal pool and other wetland habitats shall be offset, including details on creation of habitat, account for the temporal loss of habitat, contain performance standards to ensure success, and outline remedial actions if performance standards are not met.</p> <p>The project owner/applicant(s) potentially affecting any vernal pool habitat shall complete and implement a habitat MMP that will result in no net loss of acreage, function, and value of affected vernal pool habitat. The final habitat MMP shall be consistent with guidance provided in Programmatic Formal Endangered Species Act Consultation on Issuance of 404 Permits for Projects with Relatively Small Effects on Listed Vernal Pool Crustaceans within the Jurisdiction of the Sacramento Field Office, California (USFWS 1996) or shall provide an alternative approach that is acceptable to the City, USACE, and USFWS and accomplishes no net loss of habitat acreage, function, and value.</p>	G CDD

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
73.cont	3A.3-2g	<p>A standard set of BMPs shall be applied to construction occurring in areas within 250 feet of off-site vernal pool habitat, or within any lesser distance deemed adequate by a qualified biologist (with approval from USFWS) to constitute a sufficient buffer from such habitat. Refer to Section 3A.9, "Hydrology and Water Quality - Land" for the details of BMPs to be implemented. Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries shall be developed by the owner/applicant(s) of each applicable project phase in consultation with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, or Caltrans).</p> <p>The owner/applicant(s) "potentially affecting vernal pool habitat" shall ensure that there is sufficient upland habitat within the target areas for creation and restoration of vernal pools and vernal pool complexes to provide ecosystem health. This standard shall be accomplished by requiring the owner/applicant(s) for any discretionary development application affecting vernal pool or seasonal wetland habitat to identify the extent of indirectly affected vernal pool and seasonal wetland habitat, either by identifying all such habitat within 250 feet of project construction activities or by providing an alternative technical evaluation. If a lesser distance is pursued, this distance shall be approved by USFWS. The owner/applicant(s) shall preserve acreage of vernal pool habitat for each wetted acre of any indirectly affected vernal pool habitat at a ratio approved by USFWS at the conclusion of the Section 7 consultation. This mitigation shall occur before the approval of any grading or improvement plans for any project phase that would allow work within 250 feet of such habitat or lesser distance deemed sufficiently protective by a qualified biologist with approval from USFWS, and before any ground-disturbing activity within 250 feet of the habitat or lesser distance deemed sufficiently protective by a qualified biologist with approval from USFWS. The owner/applicant(s) will not be required to complete this mitigation measure for direct or indirect impacts that have already been mitigated to the satisfaction of USFWS through another BO or mitigation plan (i.e., if impacts on specific habitat acreage are mitigated by one project phase or element, the owner/applicant(s) will not be required to mitigate for it again in another phase of the project).</p>		

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 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
74.	3A.3-2f	<p><i>Obtain an Incidental Take Permit under Section 10(a) of ESA; Develop and Implement a Habitat Conservation Plan to Compensate for the Loss of VELB Habitat.</i></p> <p>As long as valley elderberry longhorn beetle remains a species protected under ESA, the owner/applicant(s) of all project phases containing elderberry shrubs shall obtain an incidental take permit under Section 10(a) of ESA for valley elderberry longhorn beetle. No project construction shall proceed in areas potentially containing valley elderberry longhorn beetle until a BO has been issued by USFWS, and the owner/applicant(s) for all project phases have abided by all pertinent conditions in the take permit relating to the proposed construction, including all conservation and minimization measures. Conservation and minimization measures are likely to include preparation of supporting documentation that describes methods for relocation of existing shrubs and maintaining existing shrubs and other vegetation in a conservation area. Under the No Federal Action Alternative, interagency consultation under Section 7 of ESA would not occur; therefore, the owner/applicant(s) would be required to develop a habitat conservation plan to mitigate impacts on valley elderberry longhorn beetle. The owner/applicant(s) shall complete and implement a habitat conservation plan that will compensate for the loss of valley elderberry longhorn beetle. Relocation of existing elderberry shrubs and planting of new elderberry seedlings shall be implemented on a no-net-loss basis. Detailed information on monitoring success of relocated and planted shrubs and measures to compensate (should success criteria not be met) would also likely be required in the BO. Ratios for mitigation of valley elderberry longhorn beetle habitat will ultimately be determined through the ESA Section 10(a) consultation process with USFWS, but shall be a minimum of “no net loss.”</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries (i.e., U.S. 50 interchange improvements) shall be coordinated by the owner/applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., Caltrans).</p>	G	CDD

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
75. 3A.3-2c	<p><i>Avoid and Minimize Impacts to Tricolored Blackbird Nesting Colonies.</i></p> <p>To avoid and minimize impacts to tricolored blackbird, the owner/applicant of all project phases shall conduct a preconstruction survey for any project activity that would occur during the tricolored blackbird's nesting season (March 1–August 31). The preconstruction survey shall be conducted by a qualified biologist before any activity occurring within 500 feet of suitable nesting habitat, including freshwater marsh and areas of riparian scrub vegetation. The survey shall be conducted within 14 days before project activity begins.</p> <p>If no tricolored blackbird colony is present, no further mitigation is required. If a colony is found, the qualified biologist shall establish a buffer around the nesting colony. No project activity shall commence within the buffer area until a qualified biologist confirms that the colony is no longer active. The size of the buffer shall be determined in consultation with DFG. Buffer size is anticipated to range from 100 to 500 feet, depending on the nature of the project activity, the extent of existing disturbance in the area, and other relevant circumstances.</p>	G	CD(P) CD (E) California Department of Fish and Wildlife

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
 AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT**

Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
76. 3A.3-2h	<p><i>Obtain Incidental Take Permit for Impacts on Valley Elderberry Longhorn Beetle and Implement All Permit Conditions.</i></p> <p>The owner/applicant shall have a qualified biologist identify any elderberry shrubs within 100 feet of the project footprint and conduct a survey for valley elderberry longhorn beetle exit holes in stems greater than 1 inch in diameter. If no project activity, including grading or use of herbicides, would occur within 100 feet of an elderberry shrub, then no further mitigation shall be required for valley elderberry longhorn beetle in those areas.</p> <p>If project activities would occur within 100 feet of any elderberry shrubs, consultation with USFWS under Section 7 will be required. No project construction shall proceed in areas potentially containing valley elderberry longhorn beetle until a BO has been issued by USFWS, and the owner/applicant(s) of all project phases have abided by all pertinent conditions in the BO relating to the proposed construction, including conservation and minimization measures, intended to be completed before on-site construction. Conservation and minimization measures are likely to include preparation of supporting documentation that describes methods for relocation of existing shrubs and maintaining existing shrubs and other vegetation in a conservation area.</p> <p>Relocation of existing elderberry shrubs and planting of new elderberry seedlings shall be implemented consistent with the mitigation ratios described in the Conservation Guidelines for the Valley Elderberry Longhorn Beetle (USFWS 1999). The 1999 conservation guidelines mitigation ratios are based on whether the affected shrub is located in riparian or non riparian habitat, the size of stems affected, and the presence of beetle exit holes. Compensatory mitigation for elderberry shrubs that would be removed from their current locations would be developed in consultation with USFWS during the Section 7 consultation process. Compensatory mitigation may include planting replacement elderberry seedlings</p>	G	CDD

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
76.cont	3A.3-2h	<p>or cuttings and associated native plants within the open space areas of the SPA, planting replacement elderberry seedlings or cuttings and associated native plants at a suitable off-site location, purchasing credits at an approved mitigation bank, or a combination thereof. Relocated and replacement shrubs and associated native plantings shall be placed in conservation areas providing a minimum of 1,800 square feet per transplanted shrub. These conservation areas shall be preserved in perpetuity as habitat for valley elderberry longhorn beetle. The number of elderberry shrubs that would be affected by implementing the project is expected to be low because there are currently a total of less than 10 shrubs known to be present on the SPA. Ratios for mitigation of valley elderberry longhorn beetle habitat will ultimately be determined through the ESA Section 7 consultation process with USFWS, but shall be a minimum of "no net loss." USFWS uses stem count data, presence or absence of exit holes, and whether the affected elderberry shrubs are located in riparian habitat to determine the number of elderberry seedlings or cuttings and associated riparian vegetation that would need to be planted as compensatory mitigation for affected elderberry longhorn beetle habitat. The final VELB mitigation plan, including transplanting procedures, long-term protection, management of the mitigation areas, and monitoring procedures shall be consistent with the Conservation Guidelines for the Valley Elderberry Longhorn Beetle (USFWS 1999).</p> <p>The population of valley elderberry longhorn beetles, the general condition of the conservation area, and the condition of the elderberry and associated native plantings in the conservation area must be monitored over a period of either ten consecutive years or for seven years over a 15-year period. A minimum survival rate of at least 60% of the elderberry plants and 60% of the associated native plants must be maintained throughout the monitoring period. Within one year of discovering that survival has dropped below 60%, the owner/applicant(s) shall replace failed plantings to bring survival above this level. Detailed information on monitoring success of relocated and planted shrubs and measures to compensate (should success criteria not be met) would be required in the BO.</p>		

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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
77.	<p><i>Other Nesting Special-Status and Migratory Birds</i> The owner/applicant shall retain a qualified biologist to conduct a preconstruction survey for any project activity that would occur in suitable nesting habitat during the avian nesting season (approximately March 1–August 31). The preconstruction survey shall be conducted within 14 days before any activity occurring within 100 feet of suitable nesting habitat. Suitable habitat includes annual grassland, valley needlegrass grassland, freshwater seep, vernal pool, seasonal wetland, and intermittent drainage habitat within the project site.</p> <p>If no active special-status or other migratory bird nests are present, no further mitigation is required. If an active nest is found, the qualified biologist shall establish a buffer around the nest. No project activity shall commence within the buffer area until a qualified biologist confirms that the nest is no longer active. The size of the buffer shall be determined in consultation with California Department of Fish and Wildlife. Buffer size is anticipated to range from 50 to 100 feet, depending on the nature of the project activity, the extent of existing disturbance in the area, and other relevant circumstances.</p>	G	CD(P) CD (E) California Department of Fish and Wildlife

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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
78. 3A.3-3	<p><i>Conduct Special-Status Plant Surveys; Implement Avoidance and Mitigation Measures or Compensatory Mitigation.</i></p> <p>To mitigate for the potential loss or degradation of special-status plant species and habitat, the owner/ applicant shall adhere to the requirements described below.</p> <ul style="list-style-type: none"> ▶ The owner/applicant shall retain a qualified botanist to conduct protocol level preconstruction special-status plant surveys for all potentially occurring species located on the project site, including the proposed off-site elements. Preconstruction special-status plant surveys shall not be required for those portions of the SPA that have already been surveyed according to DFG and USFWS guidelines. If no special-status plants are found during focused surveys, the botanist shall document the findings in a letter report to USFWS, DFG, the City of Folsom, Caltrans (for interchange improvements to U.S. 50), El Dorado County (for roadway connections in El Dorado County), and Sacramento County (for the off-site detention basin) and no further mitigation shall be required. ▶ If special-status plant populations are found, the owner/applicant(s) of affected developments shall consult with DFG and USFWS, as appropriate depending on species status, to determine the appropriate mitigation measures for direct and indirect impacts on any special-status plant population that could occur as a result of project implementation. Mitigation measures may include preserving and enhancing existing populations, creation of off-site populations on project mitigation sites through seed collection or transplantation, and/or restoring or creating suitable habitat in sufficient quantities to achieve no net loss of occupied habitat or individuals. ▶ If potential impacts on special-status plant species are likely, a mitigation and monitoring plan shall be developed before the approval of grading plans or any ground-breaking activity within 250 feet of a special-status plant population. The mitigation plan shall be submitted to Caltrans (for interchange improvements to U.S. 50), El Dorado County (for impacts in roadway connections in El Dorado County), Sacramento County (for impacts in the off-site detention basin footprint), or the City of Folsom (for on-site impacts and all other off-site elements), for review and approval. It shall be 	G	CDD

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
78.cont		<p>submitted concurrently to DFG or USFWS, as appropriate depending on species status, for review and comment. The plan shall require maintaining viable plant populations on-site and shall identify avoidance measures for any existing population(s) to be retained and compensatory measures for any populations directly affected. Possible avoidance measures include fencing populations before construction and exclusion of project activities from the fenced-off areas, and construction monitoring by a qualified botanist to keep construction crews away from the population. The mitigation plan shall also include monitoring and reporting requirements for populations to be preserved on site or protected or enhanced off site.</p> <ul style="list-style-type: none"> ▶ If relocation efforts are part of the mitigation plan, the plan shall include details on the methods to be used, including collection, storage, propagation, receptor site preparation, installation, long-term protection and management, monitoring and reporting requirements, and remedial action responsibilities should the initial effort fail to meet long-term monitoring requirements. ▶ If off-site mitigation includes dedication of conservation easements, purchase of mitigation credits or other off-site conservation measures, the details of these measures shall be included in the mitigation plan, including information on responsible parties for long-term management, conservation easement holders, long-term management requirements, and other details, as appropriate to target the preservation on long term viable populations. Mitigation for the off-site elements outside of the City of Folsom's jurisdictional boundaries must be coordinated by the owner/applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., Caltrans, El Dorado and/or Sacramento Counties). 		

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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
79. 3A3-4b	<p><i>Valley Needlegrass</i></p> <p>The owner/applicant(s) shall retain a qualified botanist to conduct preconstruction surveys to determine if valley needlegrass grassland is present on the property. This could be done concurrently with any special-status plant surveys conducted on site as special-status plant surveys are floristic in nature, i.e. require that all species encountered be identified, and require preparation of a plant community map. If valley needlegrass grassland is not found on the property, the botanist shall document the findings in a letter report to the City of Folsom, and no further mitigation shall be required. Valley needlegrass grassland was not found in any of the off-site project elements.</p> <p>If valley needlegrass grassland is found on the project site, the location and extent of the community shall be mapped and the acreage of this community type, if any, that would be removed by project implementation shall be calculated. The owner/applicant(s) for any particular discretionary development application affecting valley needlegrass grassland shall consult with California Department of Fish and Wildlife and the City of Folsom to determine appropriate mitigation for removal of valley needlegrass grassland resulting from project implementation.</p> <p>Mitigation measures shall include one or more of the following components sufficient to achieve no net loss of valley needlegrass grassland acreage: establishment of valley needlegrass grassland within project's open space areas currently characterized by annual grassland, establishment of valley needlegrass grassland off-site, or preservation and enhancement of existing valley needlegrass grassland either on or off the property. The applicant(s) shall compensate for any loss of valley needlegrass grassland resulting from project implementation at a minimum 1:1 replacement ratio.</p>	G	CD(P) CD (E) California Department of Fish and Wildlife

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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
80.	<p>Animal Barrier To discourage the migration of undesirable small animals (including snakes) into adjacent developed properties during the development of the project, the owner/applicant shall install a barrier along all areas adjacent to developed residential properties and parks to the satisfaction of the Community Development Department and consistent with a qualified biologist's recommendations. In general, the barrier may consist of wire-mesh fabric with openings not exceeding ½-inch width. The height of the barrier shall be at least 18 inches (above the ground surface), and may be buried into the ground at least twelve inches. The barrier shall be supported with metal stakes at no more than 10-foot spacing. The barrier shall be installed by the owner/applicant, as approved by the Community Development Department and a qualified biologist, prior to any construction disturbance on the site, including clearing and grading operations.</p>	G	CD (E) (P)
81. 3 A 5-1a 3A 5-2 3A 5-3	<p>Conduct Construction Worker Awareness Training, Conduct On-Site Monitoring if Required, Stop Work if Cultural Resources are Discovered, Assess the Significance of the Find, and Perform Treatment or Avoidance as Required. The owner/applicant(s) shall retain a qualified archaeologist to prepare and disseminate a contractor awareness training program for all construction supervisors. The sensitivity training program will provide information about notification procedures when potential archaeological material is discovered, procedures for coordination between construction personnel and information about other treatment or issues that may arise if cultural resources (including human remains) are discovered during project construction. The training shall be carried out each time a new contractor will begin work in the project area, and a minimum of once at the start of each construction season by that contractor, the qualified archeologist shall submit the completed training attendance roster and a copy of the training materials to the City and the USACE within 48 hours of delivery of the training program.</p>	G	CD CD (E) USACE

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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
82. 3A 5-3	<p><i>Suspend Ground-Disturbing Activities if Human Remains are Encountered and Comply with California Health and Safety Code Procedures.</i></p> <p>In the event that human remains are discovered, construction activities within 150 feet of the discovery shall be halted or diverted and the requirements for managing unanticipated discoveries in Mitigation Measure 4.4-2(a) shall be implemented. In addition, the provisions of Section 7050.5 of the California Health and Safety Code, Section 5097.98 of the California Public Resources Code, and Assembly Bill 2641 shall be implemented. When human remains are discovered, state law requires that the discovery be reported to the County Coroner (Section 7050.5 of the Health and Safety Code) and that reasonable protection measures be taken during construction to protect the discovery from disturbance (AB 2641).</p> <p>If the Coroner determines the remains are Native American, the Coroner shall notify the Native American Heritage Commission (NAHC), which then designates a Native American Most Likely Descendant for the project (Section 5097.98 of the Public Resources Code). The designated Native American Most Likely Descendant then has 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains (AB 2641).</p> <p>If the owner/applicant does not agree with the recommendations of the Native American Most Likely Descendant, the NAHC can mediate (Section 5097.94 of the Public Resources Code). If no agreement is reached, the owner/applicant shall rebury the remains where they will not be further disturbed (Section 5097.98 of the Public Resources Code). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a deed restriction with the county in which the property is located (AB 2641).</p>	OG	<p>Sacramento County Coroner</p> <p>Native American Heritage Commission</p> <p>CD (P) CD (E)</p>

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
83.	3A 7-10	<p><i>Conduct Construction Worker Awareness Training, Stop Work if Paleontological Resources are Discovered, Assess the Significance of the Find, and Prepare and Implement a Recovery Plan as Required.</i></p> <p>Before the start of any earthmoving activities, the owner/applicant shall retain a qualified professional to train all construction personnel involved with earthmoving activities, including the site superintendent, regarding the possibility of encountering fossils, the appearance and types of fossils likely to be seen during construction, and proper notification procedures should fossils be encountered. The training shall be included in the archaeological contractor awareness training program.</p> <p>If paleontological resources are discovered during earthmoving activities, the construction crew shall immediately cease work in the vicinity of the find and notify the City of Folsom's Community Development Department. The owner/applicant shall retain a qualified paleontologist to evaluate the resource and prepare a recovery plan in accordance with Society of Vertebrate Paleontology guidelines (1996). The recovery plan may include, but is not limited to, a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the lead agency to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered.</p>	G	CD (E) (P),
84.	3A 5-1a	<p><i>Geoarcheological Monitoring</i></p> <p>In the event that any grading will occur within areas determined to require geoarcheological monitoring, the owner/applicant shall retain a qualified professional geoarcheologist who has a graduate degree in the specialized discipline, possesses a demonstrated ability to carry research to completion, and has at least 24 months of professional experience and/or specialized training in geoarcheology. The geoarcheologist shall monitor the ground disturbing activities in the affected areas down to 1.5 meters below the surface. The monitoring geoarcheologist shall submit proof of monitoring in the form of daily field monitoring logs to the City and the US Army Corps of Engineers within 48 hours of completion of monitoring activities.</p>	G	CD (E) (P)

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
85	3B.8-1a	<p><i>Transport, Store, and Handle Construction-Related Hazardous Materials in Compliance with Relevant Regulations and Guidelines.</i></p> <p>The owner/applicant shall ensure, through the enforcement of contractual obligations, that all contractors transport, store, and handle construction-related hazardous materials in a manner consistent with relevant regulations and guidelines, including those recommended and enforced by Caltrans, Central Valley RWQCB, local fire departments, and the County environmental health department.</p> <p>Recommendations shall include as appropriate transporting and storing materials in appropriate and approved containers, maintaining required clearances, and handling materials using applicable Federal, state and/or local regulatory agency protocols. In addition, all precautions required by the Central Valley RWQCB-issued NPDES construction activity stormwater permits shall be taken to ensure that no hazardous materials enter any nearby waterways.</p> <p>In the event of a spill, the owner/applicant shall ensure, through the enforcement of contractual obligations, that all contractors immediately control the source of any leak and immediately contain any spill utilizing appropriate spill containment and countermeasures. If required by the local fire departments, the local environmental health department, or any other regulatory agency, contaminated media shall be collected and disposed of at an off-site facility approved to accept such media.</p> <p>The storage, handling, and use of the construction-related hazardous materials shall be in accordance with applicable Federal, state, and local laws. Construction-related hazardous materials and hazardous wastes (e.g., fuels and waste oils) shall be stored away from stream channels and steep banks to prevent these materials from entering surface waters in the event of an accidental release. These materials shall be kept at sufficient distance (at least 500 feet) from nearby residences or other sensitive land uses. This includes materials stored for expected use, materials in equipment and vehicles, and waste materials.</p>	G,I,B	CD (E), FD

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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
86.	<p><i>Landslide/Slope Failure</i> The owner/applicant shall retain an appropriately licensed engineer during the grading activities to identify existing landslides and potential slope failure hazards. The said engineer shall be notified a minimum of two days prior to any site clearing or grading to facilitate meetings with the grading contractor in the field.</p>	G	CD (E) PW
87.	<p><i>Submit Proof of Adequate On- and Off-Site Wastewater Conveyance Facilities and Implement On- and Off-Site Infrastructure Service Systems or Ensure That Adequate Financing Is Secured.</i> Before the approval of the final map and issuance of building permits for all project phases, the owner/applicant of all project phases shall submit proof to the City of Folsom that an adequate wastewater conveyance system either has been constructed or is ensured through payment of the City's facilities augmentation fee as described under the Folsom Municipal Code Title 3, Chapter 3.40, "Facilities Augmentation Fee – Folsom South Area Facilities Plan," or other sureties to the City's satisfaction. Both on-site wastewater conveyance infrastructure and off-site force main sufficient to provide adequate service to the project shall be in place for the amount of development identified in the tentative map before approval of the final map and issuance of building permits for all project phases, or their financing shall be ensured to the satisfaction of the City.</p>	M,B	CD (E) PW
88.	<p><i>Minimize Utility Conflicts by Implementing an Underground Services Alert.</i> Underground utilities and service connections shall be identified prior to commencing any excavation work through the implementation of an Underground Services Alert (USA). The exact utility locations will be determined by hand-excavated test pits dug at locations determined and approved by the owner/applicant (also referred to as "pot-holing"). Temporary disruption of service may be required to allow for construction. No service on such lines would be disrupted until prior approval is received from the owner/applicant and the service provider.</p>	G	CD (E) PW

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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
89.	<p>3B.16-3b</p> <p><i>Coordinate with Utility Providers and Implement Appropriate Installation Methods to Minimize Potential Utility Service Disruptions.</i></p> <p>Prior to installation, the owner/applicant shall consult with SCWA, SRCSD, CSD-1, Regional SAN, SMUD and PG&E to determine proper installation methods and final design criteria to minimize the potential for disruptions to existing and planned utilities.</p>	I	CD (E), EWR
IMPROVEMENT PLAN REQUIREMENTS			
90.	<p><i>Improvement Plans</i></p> <p>The improvement plans for the required public and private subdivision improvements necessary to serve any and all phases of development shall be reviewed and approved by the Community Development Department prior to approval of a Final Map.</p>	I, M	CD(E)
91.	<p>3A.9-4:</p> <p><i>Inspect and Evaluate Existing Dams Within and Upstream of the Project Site and Make Improvements if Necessary.</i></p> <p>Prior to submittal to the City of tentative maps or improvement plans the owner/applicants shall conduct studies to determine the extent of inundation in the case of dam failure. If the studies determine potential exposure of people or structures to a significant risk of flooding as a result of the failure of a dam, the owner/applicants shall implement of any feasible recommendations provided in that study, potentially through drainage improvements, subject to the approval of the City.</p>	I, M	CD(E)(P)
92.	<p><i>Standard Construction Specifications and Details</i></p> <p>Public and private improvements, including roadways, curbs, gutters, sidewalks, bicycle lanes and trails, streetlights, underground infrastructure and all other improvements shall be provided in accordance with the latest edition of the City of Folsom <u>Standard Construction Specifications and Details</u> and the <u>Design and Procedures Manual and Improvement Standards</u>.</p>	I	CD (P) CD (E)

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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
93.	<p><i>Water and Sewer Infrastructure</i></p> <p>All publicly owned water and sewer infrastructure shall be placed within the street right of way. In the event that a public water or sewer main needs to be placed in an area other than the public right of way, such as through an open space corridor, landscaped area, etc., the following criteria must be met;</p> <ol style="list-style-type: none"> 1) the owner/applicant shall provide public sewer and water main easements 2) an access road shall be designed and constructed to allow for the operations, maintenance and replacement of the public water or sewer line along the entire water and/or sewer line alignment. 3) in no case shall a public water or public sewer line be placed on private residential property. 4) the domestic water and irrigation system shall be separately metered per City of Folsom <u><i>Standard Construction Specifications and Details</i></u>. 	I	CD (E)
94.	<p><i>SPTC-JPA Approval</i></p> <p>The owner/applicant shall cooperate with the City to obtain written approval from both the Sacramento Placererville Transportation Corridor-Joint Powers Authority (SPTC-JPA) and the Public Utilities Commission (PUC) for any proposed crossing(s) of work within the existing JPA corridor which parallels Old Placererville Road. The owner/applicant shall provide written approval from both the SPTC-JPA and as required by the PUC to the City prior to approval of grading and/or improvement plans. The owner applicant shall provide all encroachment permits from the SPTC-JPA and PUC as necessary.</p>	I	CD (E)

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
95.	3A 1-5	<p><i>Lighting Plan</i></p> <p>The owner/applicant of all project phases shall submit a lighting plan for the project to the Community Development Department. The lighting plan shall be consistent with the Design Guidelines:</p> <ul style="list-style-type: none"> • shield or screen lighting fixtures to direct the light downward and prevent light spill on adjacent properties; • place and shield or screen flood and area lighting needed for construction activities, nighttime sporting activities, and/or security so as not to disturb adjacent residential areas and passing motorists; • for public lighting in residential neighborhoods, prohibit the use of light fixtures that are of unusually high intensity or that blink or flash; • use appropriate building materials (such as low-glare glass, low-glare building glaze or finish, neutral, earthtoned colored paint and roofing materials), shielded or screened lighting, and appropriate signage in the office/commercial areas to prevent light and glare from adversely affecting motorists on nearby roadways; and • design exterior on-site lighting as an integral part of the building and landscaping design in the Specific Plan Area. Lighting fixtures shall be architecturally consistent with the overall site design. Lights used on signage should be directed to light only the sign face with no off site glare. 	I	CD (P)
96.	3B. 1-2a.	<p><i>Above Ground Utility Site Design Review Application</i></p> <p>The owner/applicant shall submit a Site Design Review Application for all above ground utility installations (water tanks, booster pumps stations, etc.) to the Community Development Department to ensure these facilities are adequately screened. These above ground utility installations shall be designed to be adequately screened and/or blended into the hillside through use of berming, landscaping or through the use of walls or fences to the satisfaction of the Community Development Department.</p>	G, I	CD (P) (E) EWR

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
97.	3B.1-2b	<p>Prepare Landscaping Plan.</p> <p>The City shall develop a landscaping plan for each structural facility site that uses a combination of native vegetation, earthen features (e.g., boulders), and, if appropriate, topographical separations (e.g., berms) to maximize site appearance and shield the new facilities from nearby sensitive receptors to the extent feasible. In addition to complying with local standards, the landscaping plan shall require the following at each site:</p> <ul style="list-style-type: none"> ▶ Vegetation shall be arranged in a hierarchy of plant groupings to enhance the visual and scenic qualities of the site(s). To the extent practical, the design will minimize the need for supplemental irrigation. ▶ New or replacement vegetation shall be compatible with surrounding vegetation and shall be adaptable to the site with regard to rainfall, soil type, exposure, growth rate, erosion control, and energy conservation purposes. ▶ Plant materials chosen shall be species which do not present any safety hazards, which allow native flora to reestablish in the area, and which require minimal maintenance, including watering, pest control, and clean-up of litter from fruit and droppings. 		
98.		<p>Utility Coordination</p> <p>The owner/applicant shall coordinate the planning, development and completion of this project with the various utility agencies (i.e., SMUD, PG&E, etc.). The owner/applicant shall provide the City with written confirmation of public utility service prior to approval of all final maps.</p>	I	CD (P) CD (E)

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
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 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
99.	3B.7-4	<p>Implement Corrosion Protection Measures. The owner/applicant shall be required to provide that all underground metallic fittings, appurtenances and piping in the City's water systems include a cathodic protection system to protect these facilities from corrosion. The cathodic protection system shall be prepared by a licensed geotechnical or civil engineer and the system shall be reviewed and approved by the City prior to approval of improvement plans.</p>	I	CDD(E), EWR
100.	3B.7-1b	<p>Incorporate Pipeline Failure Contingency Measures Into Final Pipeline Design. The owner/applicant shall be required to provide isolation valves or similar devices to be incorporated into all pipeline facilities to prevent substantial losses of surface water in the event of a pipeline failure. The pipeline failure contingency measures shall be incorporated into the final pipeline design and this design shall be prepared by a licensed geotechnical or civil engineer. The specifications for the isolation valves shall conform to the California Building Code (CBC) and American Water Works Association Standards. The final pipeline design shall be reviewed and approved by the City prior to approval of improvement plans.</p>	I	CDD(E), EWR
101.		<p>Replacing Hazardous Facilities The owner/applicant shall be responsible for replacing any and all damaged or hazardous public sidewalk, curb and gutter, and/or bicycle trail facilities along the site frontage and/or boundaries, including pre-existing conditions and construction damage, to the satisfaction of the Community Development Department.</p>	I, OG	CD

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
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 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
102.		<p>Emergency Vehicle Access The owner/applicant shall provide an asphalt concrete (AC) emergency vehicular access road (minimum 20 feet wide) which extends from the terminus of Court 1 to Placerville Road. The emergency vehicular access road shall be placed entirely on Lot B unless the owner/applicant provides the city with an easement allowing the construction and continued operation of the EVA across the adjoining property to the north.</p> <p>The AC access road shall be designed to meet City standards for utility vehicle loads including, but not limited to, fire apparatus, vactor trucks and other maintenance vehicles. The AC access road from Court 1 to Placerville Road shall be required to be placed over the entirety of any utility line easement and the road shall also be designed to be a bike trail with appropriate signage and bollards to limit vehicular access.</p>	I	CD (E), FD, EWR
103.	3B.7-1b	<p>Incorporate Pipeline Failure Contingency Measures Into Final Pipeline Design.</p> <p>Isolation valves or similar devices shall be incorporated into all pipeline facilities to prevent substantial losses of surface water in the event of pipeline rupture, as recommended by a licensed geotechnical or civil engineer. The specifications of the isolation valves shall conform to the California Building Code and American Water Works Association (AWWA) standards.</p>	I	EWR, CD (E)

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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
104.	<p>Placerville Road/Street A Intersection Prior to the issuance of the first building permit, the owner/applicant shall have completed all intersection improvements at the Placerville Road/Street A intersection and it shall be operational, to the satisfaction of the City. These improvements are to be applied to the existing Placerville Road alignment and geometry;</p> <p>Southbound on Placerville Road, the lane configuration shall include the addition of a southbound left turn lane consisting of 200 feet transitional length plus 140 feet storage length, excluding appropriate tapers, to accommodate anticipated vehicle queuing and deceleration for the southbound left turn lane onto eastbound Street A. The resulting southbound lane configuration will be two lanes, one left turn lane, one through lane.</p> <p>Northbound on Placerville Road the lane configuration shall include the addition of a northbound right turn lane consisting of 180 feet transition length. The resulting northbound lane configuration will be one lane, a shared right turn and through lane.</p>	B	CD (E), PW
105.	<p>Future Utility Lines All future utility lines lower than 69 KV that are to be built within the project, shall be placed underground within and along the perimeter of the project at the developer's cost. The owner/applicant shall dedicate to SMUD all necessary underground easements for the electrical facilities that will be necessary to service development of the project.</p>	I	CD(E), EWR

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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
106.	<p>Off-site Trunk Sewer Main The owner/applicant shall design and construct the off-site trunk sewer main as shown in Preliminary Offsite Infrastructure Plan attached to the vesting tentative subdivision map. Owner/applicant may propose an alternative alignment for routing the sewer backbone infrastructure in conformance with the Wastewater Master Plan Update subject to the sole discretion of the City. The off-site sewer trunk mains, the sewer maintenance roads, sanitary sewer lift station(s), and sewer forced mains extended across US Highway 50 to the existing Sacramento Regional County Sanitation District (SRCSD) lift station shall be completed and accepted by the City for operation and maintenance prior to issuance of the first building permit in the project.</p> <p>The owner/applicant shall be responsible for constructing any and all odor control facilities, providing high-velocity hydraulic cleaning and vacuum cleaning of select sewer mains and providing temporary supplemental flows into select sewer mains as determined by the City until such time the peak average flows are met in the Folsom Plan Area backbone sewer system in accordance with the Wastewater Master Plan Update.</p>	I	CD(E), PW, EWR
107.	<p>Water Reservoirs, Water Booster Pump Stations, Pressure Reducing Valve Stations, and Sewer Lift Stations The owner/applicant shall design all water reservoirs, water booster pump stations, pressure reducing valve stations, and sewer lift stations, and shall coordinate the design with the Community Development Department and their construction shall be managed by the Environmental and Water Resources Department.</p>	I	CD (E), E&WR
108.	<p>Water Meter Fixed Network System The owner owner/applicant shall pay for, furnish and install all infrastructure associated with the water meter fixed network system.</p>	I	CD (E), E&WR
109.	<p>Class II Bike Lanes All Class II bike lanes shall be striped and painted green. No parking shall be permitted within the Class II bike lanes.</p>	I	CD (E) (P)

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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
110.	<p>Parks and Recreation The following measures shall be implemented to the satisfaction of the Parks and Recreation Department:</p> <ol style="list-style-type: none"> 1. The owner/applicant of the Carr Trust subdivision shall construct (including off-site improvements) and dedicate a Class I bike trail connection from the terminus of Court 1 in the Carr Trust neighborhood to the Old Placerville Road Class I bike trail. 2. The Carr Trust parkland dedication obligation shall decrease by 0.20-acres. 	I	CD, PR
111	<p>Master Plan Updates The City has approved the Folsom Plan Area Storm Drainage Master Plan, the Folsom Plan Area Water System Master Plan and the Folsom Plan Area Wastewater Master Plan Update. The owner/applicant shall submit complete updates to each of these approved master plans for the proposed changes to each master plan as a result of the proposed project. The updates to each master plan for the proposed project shall be reviewed and approved by the City prior to approval of grading and/or improvement plans.</p> <p>The plans shall be accompanied by engineering studies supporting the sizing, location, and timing of the proposed facilities. Improvements shall be constructed in phases as the project develops in accordance with the approved master plans, including any necessary off-site improvements to support development of a particular phase or phases, subject to prior approval by the City. Off-site improvements may include roadways to provide secondary access, water transmission lines or distribution facilities</p>		

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
111 cont.		<p>to provide a looped water system, sewer trunk mains and lift stations, water quality facilities, non-potable water pipelines and infrastructure, and drainage facilities including on or off-site detention. No changes in infrastructure from that shown on the approved master plan shall be permitted unless and until the applicable master plan has been revised and approved by the City. Final lot configurations may need to be modified to accommodate the improvements identified in these studies to the satisfaction of the City.</p> <p>The owner/applicant shall provide sanitary sewer, water and storm drainage improvements with corresponding easements, as necessary, in accordance with these studies and the latest edition of the City of Folsom <u>Standard Construction Specifications and Details</u>, and the <u>Design and Procedures Manual and Improvement Standards</u>.</p> <p>The storm drainage design shall provide for no net increase in run-off under post-development conditions.</p>	G,I	CDD(E), EWR, PW

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PNI6-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
112. 3A 3-1a	<p><i>Design Stormwater Drainage Plans and Erosion and Sediment Control Plans to Avoid and Minimize Erosion and Runoff to All Wetlands and Other Waters That Are to Remain on the SPA and Use Low Impact Development Features.</i></p> <p>To minimize indirect effects on water quality and wetland hydrology, the owner/applicant shall include stormwater drainage plans and erosion and sediment control plans in their grading and/or improvement plans and shall submit these plans to the City for review and approval. Prior to approval of grading and/or improvement plans, the owner/applicant for any particular discretionary development application shall obtain a NPDES Construction General Permit and Grading Permit, comply with the City's Grading Ordinance and City drainage and stormwater quality standards, and commit to implementing all measures in their drainage plans and erosion and sediment control plans to avoid and minimize erosion and runoff into Alder Creek and all wetlands and other waters that would remain on-site.</p> <p>The owner/applicant shall implement stormwater quality treatment controls consistent with the Stormwater Quality Design Manual for Sacramento and South Placer Regions in effect at the time the application is submitted. Appropriate runoff controls such as berms, storm gates, off-stream detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation and the potential discharge of pollutants. Development plans shall incorporate Low Impact Development (LID) features, such as pervious strips, permeable pavements, bioretention ponds, vegetated swales, disconnected rain gutter downspouts, and rain gardens, where appropriate. Use of LID features is recommended by the EPA to minimize impacts on water quality, hydrology, and stream geomorphology and is specified as a method for protecting water quality in the proposed specific plan. In addition, free spanning bridge systems shall be used for all roadway crossings over wetlands and other waters that are retained in the on-site open space. These bridge systems would maintain the natural and restored channels of creeks, including the associated wetlands, and would be designed with sufficient span width and depth to provide for wildlife movement along the creek corridors even during high-flow or flood events, as specified in the 404 permit. The owner/applicant shall be responsible for all necessary off-site improvements needed to support the Carr Trust Subdivision drainage system.</p>	G, I	<p>CD (E), PW PW (Sacto. Co. or El Dorado Co.)</p> <p>CALTRANS</p> <p>USACE</p> <p>CVRWQCB</p>

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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
113.	<p>Best Management Practices The storm drain improvement plans shall provide for “Best Management Practices” that meet the requirements of the water quality standards of the City’s National Pollutant Discharge Elimination System Permit issued by the State Regional Water Quality Control Board.</p> <p>In addition to compliance with City ordinances, the owner/applicant shall prepare a Stormwater Pollution Prevention Plan (SWPPP), and implement Best Management Practices (BMPs) that comply with the General Construction Stormwater Permit from the Central Valley RWQCB, to reduce water quality effects during construction. Detailed information about the SWPPP and BMPs are provided in Chapter 4 1.9, “Hydrology and Water Quality.”</p> <p>Each proposed project development shall result in no net change to peak flows into Alder Creek and associated tributaries, or to Buffalo Creek, Carson Creek, and Coyote Creek. The owner/applicant shall establish a baseline of conditions for drainage on-site. The baseline-flow conditions shall be established for 2-, 5-, and 100-year storm events. These baseline conditions shall be used to develop monitoring standards for the stormwater system on the Specific Plan Area. The baseline conditions, monitoring standards, and a monitoring program shall be submitted to USACE and the City for their approval. Water quality and detention basins shall be designed and constructed to ensure that the performance standards, which are described in Chapter 3A.9, “Hydrology and Water Quality,” are met and shall be designed as off-stream detention basins.</p> <p>Discharge sites into Alder Creek and associated tributaries, as well as tributaries to Carson Creek, Coyote Creek, and Buffalo Creek, shall be monitored to ensure that pre-project conditions are being met. Corrective measures shall be implemented as necessary. The mitigation measures will be satisfied when the monitoring standards are met for 5 consecutive years without undertaking corrective measures to meet the performance standard.</p>	G, I	CD (E)

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
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 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
114.	<p>Litter Control During Construction, the owner/applicant shall be responsible for litter control and sweeping of all paved surfaces in accordance with City standards. All on-site storm drains shall be cleaned immediately before the commencement of the rainy season (October 15).</p>	OG	CD (E)
FIRE DEPT REQUIREMENTS			
115.	<p>Incorporate Fire Flow Requirements into Project Designs. The owner/applicant shall incorporate into their project designs fire flow requirements based on the California Fire Code, Folsom Fire Code and shall verify to the City of Folsom Fire Department that adequate water flow is available, prior to approval of improvement plans and issuance of occupancy permits or final inspections for all project phases.</p>	I, B	CD (E) Fire
116.	<p>Prepare fuel modification plan (FMP). The owner/applicant shall submit a Fuel Modification Plan to the City for review and preliminary approval from the Fire Code Official prior to any Final and/or Parcel Map. Final approval of the plan by the Fire Code Official shall occur prior to the issuance of a permit for any new construction. A Fuel Modification Plan shall consist of a set of scaled plans showing fuel modification zones indicated with applicable assessment notes, a detailed landscape plan and an irrigation plan. A fuel modification plan submitted for approval shall be prepared by one of the following: a California state licensed landscape architect, or state licensed landscape contractor, or a landscape designed, or an individual with expertise acceptable to the Fire Code Official.</p> <p>The owner/applicant agree to be responsible for the long-term maintenance of the Fuel Modification Plan. Notification of fuel modification requirements are to be made upon sale to new property owners. Proposed changes to the approved Fuel Modification Plan shall be submitted to the Fire Code Official for approval prior to implementation.</p>	M,B	CD (P) FD

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
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117.	<p>All-Weather Access and Fire Hydrants</p> <p>The owner/applicant shall provide all-weather access and fire hydrants before combustible materials are allowed on any project site or other approved alternative method as approved by the Fire Code Official/Fire Chief. All-weather emergency access roads and fire hydrants (tested and flushed) shall be provided before combustible material or vertical construction is allowed on any project site or other approved alternative method as approved by the Fire Code Official/Fire Chief. (All-weather access is defined as six inches of compacted aggregate base from May 1 to September 30 and two inch asphalt concrete over six inch aggregate base from October to April 30).</p> <p>The building shall have illuminated addresses visible from the street or drive fronting the property. Size and location of address identification shall be reviewed and approved by the Fire Marshal.</p> <ul style="list-style-type: none"> • The minimum fire flow for residential dwellings is 1,000 gpm at 20 psi for houses 3,600 sq. ft. and less, 1,750 gpm for dwellings greater than 3,600 sq. ft. in area, and 2,000 gpm for dwellings greater than 4,800 sq. ft. up to 6,200 sq. ft. in area. Please determine the maximum size homes that will be built in this subdivision. A water model analysis that proves the minimum fire flow will be required before any permits are issued. • All public streets shall meet City of Folsom Street Standards unless an alternative is specifically included within this approval. • The maximum length of any dead end street shall not exceed 500 feet in accordance with the Folsom Fire Code. Several streets indicated on the plans are dead ends greater than 500 feet. In such cases, a second emergency access will be required. • All-weather emergency access roads and fire hydrants (tested and flushed) shall be provided before combustible material storage or vertical construction is allowed. All-weather access is defined as 6” of compacted AB from May 1 to September 30 and 2” AC over 6” AB from October 1 to April 30. 	I	CD (E) Fire

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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
117 cont.		<ul style="list-style-type: none"> The first Fire Station planned for the Folsom Ranch Plan Area shall be completed and operational at the time that the threshold of 1,500 occupied homes within the Folsom Ranch Plan Area is met. 		
118.	3A 14-2	<p><i>Incorporate California Fire Code; City of Folsom Fire Code Requirements; and EDHFD Requirements, if Necessary, into Project Design and Submit Project Design to the City of Folsom Fire Department for Review and Approval.</i></p> <p>To reduce impacts related to the provision of new fire services, the owner/applicant shall do the following, as described below: Incorporate into project designs fire flow requirements based on the California Fire Code, Folsom Fire Code (City of Folsom Municipal Code Title 8, Chapter 8.36), and other applicable requirements based on the City of Folsom Fire Department fire prevention standards. Improvement plans showing the incorporation of automatic sprinkler systems, the availability of adequate fire flow, and the locations of hydrants shall be submitted to the City of Folsom Fire Department for review and approval. In addition, approved plans showing access design shall be provided to the City of Folsom Fire Department as described by Zoning Code Section 17.57.080 (“Vehicular Access Requirements”). These plans shall describe access-road length, dimensions, and finished surfaces for firefighting equipment. The installation of security gates across a fire apparatus access road shall be approved by the City of Folsom Fire Department. The design and operation of gates and barricades shall be in accordance with the Sacramento County Emergency Access Gates and Barriers Standard, as required by the City of Folsom Fire Code.</p>	I, B, O	FD PW CD (E)

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 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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119.	<p><i>Submit a Fire Systems New Buildings, Additions, and Alterations Document Submittal List to the City of Folsom Community Development Building Division</i></p> <p>The Fire Dept. shall review and approve any improvement plans or building permits for accessibility of emergency fire equipment, fire hydrant flow location, and other construction features. The City shall not authorize the occupancy of any structures until the owner/applicant have obtained a Certificate of Occupancy from the City of Folsom Community Development Department verifying that all fire prevention items have been addressed on-site to the satisfaction of the City of Folsom Fire Department.</p>	I, B	CD (B) Fire
120.	<p><i>Reclaimed Water Pipe</i></p> <p>The owner/applicant shall install a reclaimed water “purple” pipe conveyance and irrigation system for all proposed landscaping for the project including, but not limited to, landscape corridors along roadways, median islands within roadways, future park sites, school sites, open space parcels either publicly maintained or privately maintained by the owner/applicant, etc. in accordance the Folsom Plan Area Specific Plan Environmental Impact Report. The reclaimed water pipe conveyance and irrigation systems shall be designed and maintained by the owner/applicant to accommodate the future conversion of these irrigation systems from potable water to non-potable water at such time the non-potable water systems is constructed and installed in accordance with the 2014 FPA Recycled Water Analysis 2.0. The owner/applicant shall include the reclaimed water pipe conveyance and irrigation systems on all future landscape plans within the project to the satisfaction of the City.</p>	I	CD (E) (P) EWR, PK

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
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 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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121.	<p>Landscaping Plans Final landscape plans and specifications shall be prepared by a registered landscape architect and approved by the City staff prior to the approval of improvement plans. Said plans shall include all on-site landscape specifications and details, and shall comply with all State and local rules, regulations, Governor's declarations and restrictions pertaining to water conservation and outdoor landscaping.</p> <p>Landscaping shall meet shade requirements as outlined in the <u>Folsom Municipal Code Chapter 17.57</u> where applicable. The landscape plans shall comply and implement water efficient requirements as adopted by the State of California (Assembly Bill 1881) (State Model Water Efficient Landscape Ordinance) until such time the City of Folsom adopts its own Water Efficient Landscape Ordinance at which time the owner/applicant shall comply with any new ordinance. Shade and ornamental trees shall be maintained according to the most current American National Standards for Tree Care Operations (ANSI A-300) by qualified tree care professionals. Tree topping for height reduction, view protection, light clearance or any other purpose shall not be allowed. Specialty-style pruning, such as pollarding, shall be specified within the approved landscape plans and shall be implemented during a 5-year establishment and training period. Landscaping installed in open spaces located between tiers of lots shall be chosen for resistance to fire and limited fuel production.</p> <p>Furthermore, the owner/applicant shall comply with city-wide landscape rules or regulations on water usage. Owner/applicant shall comply with any state or local rules and regulations relating to landscape water usage and landscaping requirements necessitated to mitigate for drought conditions on all landscaping in the Carr Trust Project.</p>	I, OG	CD(P), PW

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PNI16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
 AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT**

Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
122.	<p><i>Street A Right of Way Landscaping</i> All landscaping along the Street A right of way shall be installed with the first phase.</p>	I, OG	CD(P), PW
MAP REQUIREMENTS			
123.	<p><i>Subdivision Improvement Agreement</i> Prior to the approval of any Final Map, the owner/applicant shall enter into a subdivision improvement agreement with the City, identifying all required improvements, if any, to be constructed with each proposed phase of development. The owner/applicant shall provide security acceptable to the City, guaranteeing construction of the improvements.</p>	M	CD(E)
124.	<p><i>The Final Inclusionary Housing Plan</i> The Final Inclusionary Housing Plan and Final Inclusionary Housing Agreement as approved by the City Council shall be executed prior to recordation of the first Final Map for the Carr Trust Subdivision.</p>	M	CD (P)(E)
125.	<p><i>Homeowner's Association</i> The owner/applicant shall form a Homeowners Association for the ownership and maintenance of all landscaped open spaces and common areas on hillsides, etc. (Lots B, C, and D). In addition, CC&R's shall be prepared by the owner/applicant and shall be subject to review and approval by the Community Development Department for compliance with this approval and with the Folsom Municipal Code and adopted policies, prior to the recordation of the Final Map.</p>	M	CD (P)(E)

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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126. 3A 2-6	<p>Conditions, Covenants, and Restrictions (CC&Rs) The owner/applicant shall disclose to the homebuyers in the Covenants, Conditions, and Restrictions (CC&Rs) and in the Department of Real Estate Public Report</p> <ol style="list-style-type: none"> 1) The soil in the subdivision may contain naturally occurring asbestos. 2) The collecting, digging, or removal of any stone, artifact, or other prehistoric or historic object located in public or open space areas, and the disturbance of any archaeological site or historic property, is prohibited. 3) The project site is located within close proximity to the Mather Airport flight path and that overflight noise may be present at various times. 4) That all properties located within one mile of an on- or off-site area zoned or used for agricultural use (including livestock grazing) shall be accompanied by written disclosure from the transferor, in a form approved by the City of Folsom, advising any transferee of the potential adverse odor impacts from surrounding agricultural operations which disclosure shall direct the transferee to contact the County of Sacramento concerning any such property within the County zoned for agricultural uses within one mile of the subject property being transferred. 	M	CD (P) PK

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
127.	<p>Financing Districts The owner/applicant shall form a Landscape and Lighting Assessment District, a Community Services District, and/ or a Home Owners Association, which shall be responsible for maintenance of all common areas, maintenance of all on-site landscaping, maintenance of storm drainage facilities, maintenance of storm water detention/detention basins and associated channels, maintenance of water quality ponds, and maintenance of any other site facilities in the subdivision throughout the life of the project to the satisfaction of the Community Development Department. Vegetation or plant spacing shall not be less than that depicted on the final landscape plan, unless tree removal is approved by the Community Development Department because the spacing between trees will be too close on center as they mature.</p>	M	CD (P) CD (E)
128.	<p>Public Utility Easements The owner/applicant shall dedicate public utility easements for underground facilities on properties adjacent to the streets. A minimum of twelve and one-half-foot (12.5') wide Public Utility Easements for underground facilities (i.e., SMUD, Pacific Gas and Electric, cable television, telephone) shall be dedicated adjacent to all private and public street rights-of-way. The owner/applicant shall dedicate additional width to accommodate extraordinary facilities as determined by the City. The width of the public utility easements adjacent to public and private right of way may be reduced with prior approval from public utility companies.</p>	M	CD (E)
129.	<p>Final Map Phasing Should multiple Final Maps be filed by the owner/applicant, the phasing of maps shall be to the satisfaction of the Community Development Department.</p>	M	CD (E)
130.	<p>Final Map Redesign/Lot A Lot A shall not be created unless and until it has public access to the satisfaction of the Community Development Department.</p>	M	CD (E)

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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131.	<p>Backbone Infrastructure</p> <p>As provided for in the ARDA and the Amendment No. 1 thereto, the owner/applicant shall provide fully executed grant deeds, legal descriptions, and plats for all necessary Backbone Infrastructure to serve the project, including but not limited to lands, public rights of way, public utility easements, public water main easements, public sewer easements, irrevocable offers of dedication and temporary construction easements. All required easements as listed necessary for the Backbone Infrastructure shall be reviewed and approved by the City and recorded with the Sacramento County Recorder pursuant to the timing requirements set forth in Section 3.8 of the ARDA.</p>	M	CD (E)
132.	<p>New Permanent Benchmarks</p> <p>The owner/applicant shall provide and establish new permanent benchmarks on the (NAVD 88) datum in various locations within the subdivision or at any other locations in the vicinity of the off-site Backbone Infrastructure as directed by the City Engineer. The type and specifications for the permanent benchmarks shall be provided by the City. The new benchmarks shall be placed by the owner/applicant within 6 months from the date of approval of the vesting tentative subdivision map.</p>	M	CD (E)
133.	<p>Maintenance Plan Final Approval</p> <p>No final map will be accepted by the City for processing and review until such time that the Open Space Management and Financing Plan, the Drainage Facilities Maintenance and Financing Plan and the Parks, Trails, Landscape Corridors, Medians and Open Space Maintenance Community Facilities District is formed and approved by the City Council.</p>	M	CD (E)

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
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134.	<p><i>Community Facilities Districts and Financing Plans</i></p> <p>Prior to approval of the first small lot final map and in accordance with Amendment No. 1 of the ARDA and any further amendments thereto, the owner/applicant is required to complete the following:</p> <ul style="list-style-type: none"> • Formation and approval by the City Council of the Sewer and Water CFD, • Formation and approval by the City Council of the Aquatic Center CFD, • Formation and approval by the City Council of the Parks, Trails, Landscape Corridors, Medians and Open Space Maintenance CFD, • Formation and approval by the City Council of the Storm Drainage Maintenance CFD (unless such drainage maintenance is included in the Services CFD) , • Formation and approval by the City Council of the Street Maintenance District/Lighting Maintenance District CFD (unless such street maintenance is included in the Services CFD) • Formation and approval by the City Council of the Open Space Management and Financing Plan. • Formation and approval by the City Council of the Drainage Facilities Maintenance and Financing Plan 	M	CD (E)
135.	<p><i>Water Supply Availability</i></p> <p>The owner/applicant shall submit proof of compliance with Government Code Section 66473.7 (SB 221) by demonstrating the availability of a reliable and sufficient water supply from a public water system for the amount of development that would be authorized by the final subdivision map. Such a demonstration shall consist of information showing that both existing sources are available or needed supplies and improvements will be in place prior to occupancy. The written proof of compliance shall be provided to the City and approved by the City prior to approval of any final map.</p>	M	CD (E) Utilities

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
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136.	3A 18-2a	Submit Proof of Adequate Off-Site Water Conveyance Facilities and Implement Off-Site Infrastructure Service System or Ensure That Adequate Financing Is Secured. The owner/applicant shall submit proof to the City of Folsom that an adequate off-site water conveyance system either has been constructed or is ensured to the City's satisfaction. The off-site water conveyance infrastructure sufficient to provide adequate service to the project shall be in place for the amount of development identified in the tentative map before approval of a final subdivision map and issuance of building permits for all project phases, or their financing shall be ensured to the satisfaction of the City. A building permit shall not be issued for any building within the project until the water conveyance infrastructure sufficient to serve such building has been constructed and is in place to the satisfaction of the City.	M, B, O	CD (E) (B), PW
137.	3A 16-3	Demonstrate Adequate SRWTP Wastewater Treatment Capacity. The owner/applicant shall demonstrate adequate capacity at the Sacramento Regional Water Treatment Plant for new wastewater flows generated by the project. This shall involve preparing a tentative map-level study and paying connection and capacity fees as identified by Sacramento Regional County Sanitation District. Approval of the final map and issuance of building permits for all project phases shall not be granted until the City verifies adequate Sacramento Regional Water Treatment Plant capacity is available for the amount of development identified in the tentative map. The written approval from the Sacramento Regional County Sanitation District shall be provided to the City.	M, B	CD (E) (B), PW
138.	3A 16-1	Submit Proof of Adequate On- and Off-Site Wastewater Conveyance Facilities and Implement On- and Off-Site Infrastructure Service Systems or Ensure That Adequate Financing Is Secured. The owner/applicant shall submit proof to the City of Folsom that an adequate wastewater conveyance system either has been constructed or is ensured through payment or other sureties to the City's satisfaction. Both on-site wastewater conveyance infrastructure and off-site force main sufficient to provide adequate service to the project shall be in place for the amount of development identified in the tentative map before approval of the final map and issuance of building permits for all project phases, or their financing shall be ensured to the satisfaction of the City.	M, B	CD (E) (B) PW

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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139.	<p>Centralized Mail Delivery Units All Final Maps shall show easements or other mapped provisions for the placement of centralized mail delivery units. The owner/applicant shall provide a concrete base for the placement of any centralized mail delivery unit. Specifications and location of such base shall be determined pursuant to the applicable requirements of the U. S. Postal Service and the City of Folsom Community Development Department, with due consideration for street light location, traffic safety, security, and consumer convenience.</p>	M	CD (E)
140.	<p>Street Names One of the street names identified below shall be used for the small lot final map: Grassland Lane, Sycamore Creek Crossing, Bobcat Lane, Salmon Run Lane, Gold Rush Lane, Sierra Parkway, Mustang Drive, Rainbow Trout Road, Jackrabbit Drive, Rangeland Drive, Sagebrush Lane, Gold Rush Circle, Tributary Way, Loggerhead Lane, Wrangler Road, Covered Wagon Drive, Big Pasture Road, Greenhorn Street, Acacia Drive, Redbud Avenue, Black Walnut Road, Crape Myrtle Court, White Pine Drive, Sycamore Lane, Spicebush Drive, Wild Rose Lane, Juniper Way, Lantana Drive, Rockrose Drive, Silver Linden Drive, Old Tavern Road, Alder Creek Way, Lumber Mill Lane, Cellar Door Lane, Valley Railroad Circle (not Loop), Loggers Lane and Rock Spring Ranch Road.</p>	M	CD (E)

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
<p>141.</p> <p><u>3A.4-2a</u></p>	<p><i>Implement Additional Measures to Reduce Operational GHG Emissions.</i></p> <p>Energy Efficiency</p> <ul style="list-style-type: none"> ▶ Include clean alternative energy features to promote energy self-sufficiency (e.g., photovoltaic cells, solar thermal electricity systems, small wind turbines). ▶ Design buildings to meet CEC Tier II requirements (e.g., exceeding the requirements of the Title 24 [as of 2007] by 35%). ▶ Site buildings to take advantage of shade and prevailing winds and design landscaping and sun screens to reduce energy use. ▶ Install efficient lighting in all buildings (including residential). Also install lighting control systems, where practical. Use day/light as an integral part of lighting systems in all buildings. ▶ Install light-colored “cool” pavements, and strategically located shade trees along all bicycle and pedestrian routes. <p>Water Conservation and Efficiency</p> <ul style="list-style-type: none"> ▶ With the exception of ornamental shade trees, use water-efficient landscapes with native, drought-resistant species in all public area and commercial landscaping. Use water-efficient turf in parks and other turf-dependent spaces. ▶ Install the infrastructure to use reclaimed water for landscape irrigation and/or washing cars. ▶ Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls. ▶ Design buildings and lots to be water-efficient. Only install water-efficient fixtures and appliances. 	<p>B</p>	<p>CD (P)(B)</p>

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
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141. Cont.	3A.4-2a	<ul style="list-style-type: none"> ▶ Restrict watering methods (e.g., prohibit systems that apply water to nonvegetated surfaces) and control runoff. Prohibit businesses from using pressure washers for cleaning driveways, parking lots, sidewalks, and street surfaces. These restrictions should be included in the Covenants, Conditions, and Restrictions of the community. ▶ Provide education about water conservation and available programs and incentives. ▶ To reduce stormwater runoff, which typically bogs down wastewater treatment systems and increases their energy consumption, construct driveways to single-family detached residences and parking lots and driveways of multifamily residential uses with pervious surfaces. Possible designs include Hollywood drives (two concrete strips with vegetation or aggregate in between) and/or the use of porous concrete, porous asphalt, turf blocks, or pervious pavers. <p>Transportation and Motor Vehicles</p> <ul style="list-style-type: none"> ▶ Promote ride-sharing programs and employment centers (e.g., by designating a certain percentage of parking spaces for ride-sharing vehicles, designating adequate passenger loading and unloading zones and waiting areas for ride-share vehicles, and providing a Web site or message board for coordinating ride-sharing). ▶ Provide the necessary facilities and infrastructure in all land use types to encourage the use of low- or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling stations). 	B	
142.		<p>Recorded Final Map Prior to the issuance of building permits, the owner/applicant shall provide a digital copy of the recorded Final Map (in AutoCAD format) to the Community Development Department.</p>	B	CD (E)
143.		<p>Recorded Final Map Prior to issuance of building permits, the owner/applicant shall provide the Folsom-Cordova Unified School District with a copy of the recorded Final Map.</p>	B	CD (P) FCUSD

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
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144.	3A.11-5	<p>Implement Measures to Reduce Noise from Project-Generated Stationary Sources.</p> <p>The owner/applicant shall implement the following measures to reduce the effect of noise levels generated by on-site stationary noise sources that would be located within 600 feet of any noise-sensitive receptor:</p> <ul style="list-style-type: none"> ▶ Routine testing and preventive maintenance of emergency electrical generators shall be conducted during the less sensitive daytime hours (i.e., 7:00 a.m. to 6:00 p.m.). <p>All electrical generators shall be equipped with noise control (e.g., muffler) devices in accordance with manufacturers' specifications.</p> <ul style="list-style-type: none"> ▶ External mechanical equipment associated with buildings shall incorporate features designed to reduce noise emissions below the stationary noise source criteria. These features may include, but are not limited to, locating generators within equipment rooms or enclosures that incorporate noise-reduction features, such as acoustical louvers, and exhaust and intake silencers. Equipment enclosures shall be oriented so that major openings (i.e., intake louvers, exhaust) are directed away from nearby noise-sensitive receptors. 	B	CD (P)(B)
145.		<p>Design Review Approval</p> <p>Prior to issuance of a building permit for any residential units within the subdivision, the owner/applicant shall obtain Design Review approval from the Planning Commission for all residences to be built within the subdivision. If the architecture is not consistent with the White Rock Springs Ranch Design Guidelines, the owner applicant may modify the plans or apply for a modification to the Design Guidelines to be approved by the Planning Commission.</p>	B	CD (P)
146.	3A.7-5	<p>Divert Seasonal Water Flows Away from Building Foundations.</p> <p>The owner/applicant of each project phase shall either install subdrains (which typically consist of perforated pipe and gravel, surrounded by nonwoven geotextile fabric), or take such other actions as recommended by the geotechnical or civil engineer for the project that would serve to divert seasonal flows caused by surface infiltration, water seepage, and perched water during the winter months away from building foundations.</p>	B	CD (B)(P)

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 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
<p>147</p> <p>3A 15-4b,d</p> <p><i>East Bidwell/Iron Point</i></p> <p>Prior to issuance of a building permit, the owner/applicant shall pay a fair share fee to the City of Folsom towards the modification to the westbound approach to the East Bidwell Street/Iron Point Road intersection to include three left-turn lanes, two through lanes, and one right-turn lane.</p>	<p align="center">TRAFFIC, ACCESS, CIRCULATION, AND PARKING REQUIREMENTS</p> <p>It should be noted that many of the Transportation, Traffic, and Circulation mitigation measures identified below will be satisfied through the payment of fees. Below is a brief summary of the fee types and their purpose. The acronyms for each fee type noted below are further noted in the Implementation Schedule column of each applicable mitigation measure to clarify how each mitigation measure is anticipated to be satisfied.</p> <p>Public Facilities Financing Plan (PFFP):</p> <p>In January of 2014, the City of Folsom adopted the PFFP for the Folsom Plan Area which detailed all the infrastructure components to address full build out of the Plan Area. The PFFP includes various techniques including development fees to fund the necessary infrastructure. The City is currently in the process of preparing and adopting implementing ordinances and a nexus study required by State law to impose the associated development fees.</p> <p>Included in the PFFP are a number roadway projects including the Highway Interchanges that the White Rock Springs Ranch project will have cumulative impacts on within the Folsom Plan Area. The PFFP was designed to satisfy the “fair share” financing of all the Plan Area’s backbone roadway system. Participating in this fee program will satisfy numerous roadway mitigation measures as shown in the MMRP table.</p> <p>Sacramento County Transportation Development Fee (SCTDF) contribution:</p> <p>The City is establishing a “fair share” fee to mitigate roadway impacts outside the project boundaries and within unincorporated Sacramento County. This fee will be included in the City Facilities portion of the Public Facilities Financing Plan program and will be collected at the time of building permit issuance. The basis for the calculation of the fee is a report entitled, “Fair Share Cost Allocation Sacramento County & City of Folsom” dated January 2, 2014.</p> <p>Cal Trans/ City Memorandum of Understanding (Cal Trans MOU):</p> <p>The City of Folsom and Cal Trans entered into an MOU on December 17, 2014 to establish a fee mechanism to address the “fair share” impacts to Highway 50. The MOU identifies all the highway improvements for which there are mitigation measures and potential construction projects to address them. The City will establish a fee in the City Facilities portion of the Public Facilities Financing Plan and it will be collected at the time of building permit issuance.</p>	<p align="center">B</p>	<p align="center">CD (E), PW</p>

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
148.	3A 15-1s	<i>US 50 from Sunrise Boulevard to East Bidwell Street/Scott Road</i> Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 between Sunrise Boulevard to East Bidwell Street/Scott Road (Freeway Segment 4). To ensure that Eastbound U.S. 50 operates at an acceptable LOS between Folsom Boulevard and Prairie City Road an auxiliary lane shall be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by the owner/applicant, to reduce the impacts to Eastbound U.S. 50 between Sunrise Boulevard to East Bidwell Street/Scott Road (Freeway Segment 4).	B (Caltrans MOU)	CD (E), PW
149.	3A 15-1u	<i>Westbound U.S. 50 between Prairie City Road and Folsom Boulevard</i> To ensure that Westbound U.S. 50 operates at an acceptable LOS between Prairie City Road and Folsom Boulevard, an auxiliary lane shall be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by the owner/applicant, to reduce the impacts to Westbound U.S. 50 between Prairie City Road and Folsom Boulevard.	B (Caltrans MOU)	CD (E), PW
150.	3A 15-1x	<i>U.S. 50 Eastbound/Prairie City Road Diverge</i> To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Prairie City Road off-ramp diverge, an auxiliary lane from the Folsom Boulevard merge shall be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements to reduce the impacts to the U.S. 50 Eastbound/Prairie City Road diverge.	B (Caltrans MOU)	CD (E), PW

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
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151. 3A 15-1y	<p>U.S. 50 Eastbound/Prairie City Road Direct Merge To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Prairie City Road on-ramp direct merge, an auxiliary lane to the East Bidwell Street – Scott Road diverge shall be constructed. This auxiliary lane improvement included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements to reduce the impacts to the U.S. 50 Eastbound/Prairie City Road direct merge.</p>	B (Caltrans MOU)	CD (E), PW
152. 3A 15-1z	<p>U.S. 50 Eastbound/Prairie City Road Flyover On-Ramp to Oak Avenue Parkway Off-Ramp Weave To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Prairie City Road flyover on-ramp to Oak Avenue Parkway off-ramp weave, an improvement acceptable to Caltrans shall be implemented to eliminate the unacceptable weaving conditions. Such an improvement may involve a “braided ramp”. The owner/applicant shall pay its proportionate share of funding of improvements to reduce the impacts to the U.S. 50 Eastbound / Prairie City Road flyover on-ramp to Oak Avenue Parkway off-ramp weave.</p>	B (PFFP)	CD (E), PW
153. 3A 15-1aa	<p>U.S. 50 Eastbound/Oak Avenue Parkway Loop Merge To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Oak Avenue Parkway loop merge, an auxiliary lane to the East Bidwell Street – Scott Road diverge shall be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements to reduce the impacts to the U.S. 50 Eastbound/ Oak Avenue Parkway loop merge (Freeway Merge 9).</p>	B (Caltrans MOU)	CD (E), PW
154. 3A 15-1dd	<p>U.S. 50 Westbound/Empire Ranch Road Loop Ramp Merge To ensure that Westbound U.S. 50 operates at an acceptable LOS, the northbound Empire Ranch Road loop on-ramp should start the westbound auxiliary lane that ends at the East Bidwell Street – Scott Road off ramp. The slip on-ramp from southbound Empire Ranch Road would merge into this extended auxiliary lane. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements to reduce the impacts to the U.S. 50 Westbound/Empire Ranch Road loop ramp merge.</p>	B (Caltrans MOU)	CD (E), PW

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
155.	3A 15-1ee	<p>U.S. 50 Westbound/Oak Avenue Parkway Loop Ramp Merge To ensure that Westbound U.S. 50 operates at an acceptable LOS, the northbound Oak Avenue Parkway loop on-ramp should start the westbound auxiliary lane that ends at the Prairie City Road off-ramp. The slip on-ramp from southbound Oak Avenue Parkway would merge into this extended auxiliary lane. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements to reduce the impacts to the U.S. 50 Westbound/Oak Avenue Parkway loop ramp merge.</p>	B (Caltrans MOU)	CD (E), PW
156.	3A 15-1ff, 1gg	<p>U.S. 50 Westbound/Prairie City Road Loop Ramp Merge To ensure that Westbound U.S. 50 operates at an acceptable LOS at the Prairie City Road loop ramp merge, an auxiliary lane to the Folsom Boulevard off ramp diverge shall be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements to reduce the impacts to the U.S. 50 Westbound/Prairie City Road Loop Ramp Merge.</p>	B (Caltrans MOU)	CD (E), PW
157.	3A 15-4t	<p>Eastbound US 50 between Prairie City Road and Oak Avenue Parkway To ensure that Eastbound US 50 operates at an acceptable LOS between Prairie City Road and Oak Avenue Parkway, the northbound Prairie City Road slip on-ramp should merge with the eastbound auxiliary lane that extends to and drops at the Oak Avenue Parkway off ramp and the southbound Prairie City Road flyover on-ramp should be braided over the Oak Avenue Parkway off ramp and start an extended full auxiliary lane to the East Bidwell Street – Scott Road off ramp. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by owner/applicant, to reduce the impacts to Eastbound U.S. 50 between Prairie City Road and Oak Avenue Parkway.</p>	B (pay PFFP/ Interchange fee)	CD (E), PW

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT**

	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
158.	3A 15-4u	<p>U.S. 50 Eastbound / Prairie City Road Slip Ramp Merge. To ensure that Eastbound US 50 operates at an acceptable LOS, the northbound Prairie City Road slip on-ramp should start the eastbound auxiliary lane that extends to and drops at the Oak Avenue Parkway off ramp (see mitigation measure 3A.15-4u, w and x), and the southbound Prairie City Road flyover on-ramp should be braided over the Oak Avenue Parkway off ramp and start an extended full auxiliary lane to the East Bidwell Street – Scott Road off ramp. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by owner/applicant, to reduce the impacts to the U.S. 50 Eastbound / Prairie City Road slip ramp merge.</p>	B (pay PFFFP fee)	CD (E), PW
159.	3A 15-4v	<p>U.S. 50 Eastbound / Prairie City Road Flyover On-ramp to Oak Avenue Parkway Off Ramp Weave To ensure that Eastbound US 50 operates at an acceptable LOS, the northbound Prairie City Road slip on-ramp should start the eastbound auxiliary lane that extends to and drops at the Oak Avenue Parkway off ramp (see mitigation measure 3A.15-4u, v and x), and the southbound Prairie City Road flyover on-ramp should be braided over the Oak Avenue Parkway off ramp and start an extended full auxiliary lane to the East Bidwell Street – Scott Road off ramp. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by the owner/applicant, to reduce the impacts to the U.S. 50 Eastbound / Prairie City Road Flyover On-ramp to Oak Avenue Parkway Off Ramp Weave.</p>	B (pay PFFFP fee)	CD (E), PW

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
160.	3A 15-4w	U.S. 50 Eastbound / Oak Avenue Parkway Loop Ramp Merge To ensure that Eastbound US 50 operates at an acceptable LOS, the southbound Oak Avenue Parkway loop on-ramp should merge with the eastbound auxiliary lane that starts at the southbound Prairie City Road braided flyover on-ramp and ends at the East Bidwell Street – Scott Road off ramp (see mitigation measure 3A.15-4u, v and w). Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by the owner/applicant, to reduce the impacts to U.S. 50 Eastbound / Oak Avenue Parkway Loop Ramp Merge.	B (pay PFFP fee)	CD (E), PW
161.	3A 15-4x	U.S. 50 Westbound / Empire Ranch Road Loop Ramp Merge To ensure that Westbound US 50 operates at an acceptable LOS, the northbound Empire Ranch Road loop on-ramp should start the westbound auxiliary lane that ends at the East Bidwell Street – Scott Road off ramp. The slip on-ramp from southbound Empire Ranch Road slip ramp would merge into this extended auxiliary lane. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by owner/applicant, to reduce the impacts to the U.S. 50 Westbound / Empire Ranch Road loop ramp merge.	B (pay PFFP fee)	CD (E), PW
162.	3A 15-4y	U.S. 50 Westbound / Prairie City Road Loop Ramp Merge. To ensure that Westbound US 50 operates at an acceptable LOS, the northbound Prairie City Road loop on-ramp should start the westbound auxiliary lane that continues beyond the Folsom Boulevard off ramp. The slip on-ramp from southbound Prairie City Road slip ramp would merge into this extended auxiliary lane. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by owner/applicant, to reduce the impacts to the U.S. 50 Westbound / Prairie City Road Loop Ramp Merge.	B (pay PFFP fee)	CD (E), PW

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
163.	3A.15-2a	<p>Provide Options for Alternative Transportation Modes. The owner/applicant for any particular discretionary development application shall participate in capital improvements and operating funds for transit service to increase the percent of travel by transit. The project's fair-share participation and the associated timing of the improvements and service shall be identified in the project conditions of approval and/or the project's development agreement. Improvements and service shall be coordinated, as necessary, with Folsom Stage Lines and Sacramento RT.</p>	B (pay PFFP fee and Transit fee)	CD (E), PW
164.	3A.15-lj	<p>Hazel Avenue between Madison Avenue and Curragh Downs Drive To ensure that Hazel Avenue operates at an acceptable LOS between Curragh Downs Drive and Gold Country Boulevard, Hazel Avenue must be widened to six lanes. This improvement is part of the County adopted Hazel Avenue widening project. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts.</p>		

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
165.	3A.15-1i	<p><i>Grant Line Road/White Rock Road Intersection and to White Rock Road widening between the Rancho Cordova City limit to Prairie City Road</i></p> <p>Improvements shall be made to ensure that the Grant Line Road/White Rock Road intersection operates at an acceptable LOS. The currently County proposed White Rock Road widening project will widen and realign White Rock Road from the Rancho Cordova City limit to the El Dorado County line (this analysis assumes that the Proposed Project and build alternatives will widen White Rock Road to five lanes from Prairie City Road to the El Dorado County Line). This widening includes improvements to the Grant Line Road intersection and realigning White Rock Road to be the through movement. The improvements include two eastbound through lanes, one eastbound right turn lane, two northbound left turn lanes, two northbound right turn lanes, two westbound left turn lanes and two westbound through lanes. This improvement also includes the signalization of the White Rock Road and Grant Line Road intersection. With implementation of this improvement, the intersection would operate at an acceptable LOS A. The owner/applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Grant Line Road/White Rock Road intersection</p>	B (pay SCTDF)	CD (E), PW

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
166. 3A.15-1o	<p><i>Eastbound U.S. 50 as an alternative to improvements at the Folsom Boulevard/U.S. 50 Eastbound Ramps Intersection</i></p> <p>The owner/applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Folsom Boulevard/U.S. 50 Eastbound Ramps intersection (Caltrans Intersection 4). To ensure that the Folsom Boulevard/U.S. 50 eastbound ramps intersection operates at an acceptable LOS, auxiliary lanes should be added to eastbound U.S. 50 from Hazel Avenue to east of Folsom Boulevard. This was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project.</p>	B (Caltrans MOU)	CD (E), PW
167. 3A.15-1p	<p><i>Grant Line Road/ State Route 16 Intersection</i></p> <p>To ensure that the Grant Line Road/State Route 16 intersection operates at an acceptable LOS, the northbound and southbound approaches shall be reconfigured to consist of one left-turn lane and one shared through/right-turn lane. Protected left-turn signal phasing shall be provided on the northbound and southbound approaches. Improvements to the Grant Line Road/State Route 16 intersection are contained within the County Development Fee Program, and are scheduled for Measure A funding. Improvements to this intersection shall be implemented by Caltrans, Sacramento County, and the City of Rancho Cordova. The owner/applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Grant Line Road/State Route 16 intersection.</p>	B (Caltrans MOU/) SCTDF	CD (E), PW

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
168.	3A.15-1q	<i>Eastbound U.S. 50 between Zinfandel Drive and Sunrise Boulevard</i> To ensure that Eastbound U.S. 50 operates at an acceptable LOS between Zinfandel Drive and Sunrise Boulevard, a bus/carpool (HOV) lane shall be constructed. This improvement is currently planned as part of the Sacramento 50 Bus-Carpool Lane and Community Enhancements Project. The owner/applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Eastbound U.S. 50 between Zinfandel Drive and Sunrise Boulevard	B (Caltrans MOU)	CD (E), PW
169.	3A.15-1r	<i>Eastbound U.S. 50 between Hazel Avenue and Folsom Boulevard</i> To ensure that Eastbound U.S. 50 operates at an acceptable LOS between Hazel Avenue and Folsom Boulevard, an auxiliary lane shall be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Eastbound U.S. 50 between Hazel Avenue and Folsom Boulevard	B (Caltrans MOU)	CD (E), PW
170.	3A.15-1v	<i>Westbound U.S. 50 between Hazel Avenue and Sunrise Boulevard</i> To ensure that Westbound U.S. 50 operates at an acceptable LOS between Hazel Avenue and Sunrise Boulevard, an auxiliary lane shall be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project, and included in the proposed Rancho Cordova Parkway interchange project. Improvements to this freeway segment shall be implemented by Caltrans. The owner/applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Westbound U.S. 50 between Hazel Avenue and Sunrise Boulevard	B (Caltrans MOU)	CD (E), PW

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
171. 3A.15-1w	<p>U.S. 50 Eastbound/Folsom Boulevard Ramp Merge To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Folsom Boulevard merge, an auxiliary lane from the Folsom Boulevard merge to the Prairie City Road diverge shall be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the U.S. 50 Eastbound/Folsom Boulevard Ramp Merge</p>	B (Caltrans MOU)	CD (E), PW
172.	<p>U.S. 50 Eastbound/Folsom Boulevard To ensure that Westbound U.S. 50 operates at an acceptable LOS at the Folsom Boulevard Diverge, an auxiliary lane from the Prairie City Road loop ramp merge shall be constructed. Improvements to this freeway segment shall be implemented by Caltrans. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by the owner/applicant, to reduce the impacts to the U.S. 50 Eastbound / Folsom Boulevard diverge</p>	B (Caltrans MOU)	CD (E), PW
173.	<p>U.S. 50 Westbound/Hazel Avenue Direct Ramp Merge To ensure that Westbound U.S. 50 operates at an acceptable LOS at the Hazel Avenue direct ramp merge, an auxiliary lane to the Sunrise Boulevard off ramp diverge shall be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The owner/applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the U.S. 50 Westbound/Hazel Avenue direct ramp merge.</p>	B (Caltrans MOU)	CD (E), PW

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
174.	3A.15-2b	Participate in the City's Transportation System Management Fee Program The owner/applicant for any particular discretionary development application shall pay an appropriate amount into the City's existing Transportation System Management Fee Program to reduce the number of single-occupant automobile travel on area roadways and intersections.	B	CD (E), PW
175.	3A.15-3	Pay Full Cost of Identified Improvements that Are Not Funded by the City's Fee Program. In accordance with Measure W, the owner/applicant for any particular discretionary development application shall provide fair-share contributions to the City's transportation impact fee program to fully fund improvements only required because of the Specific Plan.	B (Caltrans MOU, PFFP fee, SCTDF)	CD (E), PW
176.	3A.15-1j	Hazel Avenue between Madison Avenue and Curragh Downs Drive To ensure that Hazel Avenue operates at an acceptable LOS between Curragh Downs Drive and Gold Country Boulevard, Hazel Avenue must be widened to six lanes. This improvement is part of the County adopted Hazel Avenue widening project.	B Pay SCTDF	CD (E), PW
177.	3A.15-1i:	White Rock Road/Windfield Way Intersection To ensure that the White Rock Road/Windfield Way intersection operates at an acceptable LOS, the intersection must be signalized and separate northbound left and right turn lanes must be striped. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the White Rock Road/Windfield Way intersection.	B Pay SCTDF	PW

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
178.	3A.15-4i	<p><i>Grant Line Road/White Rock Road Intersection</i></p> <p>To ensure that the Grant Line Road/White Rock Road intersection operates at an acceptable LOS E or better this intersection should be replaced by some type of grade separated intersection or interchange.</p> <p>Improvements to this intersection are identified in the Sacramento County's Proposed General Plan. Implementation of these improvements would assist in reducing traffic impacts on this intersection by providing acceptable operation. Intersection improvements must be implemented by Sacramento County. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Grant Line Road/White Rock Road intersection.</p>	B Pay SCTDF	PW
179.	3A.15-4i	<p><i>Hazel Avenue between Curragh Downs Drive and U.S. 50 Westbound Ramps</i></p> <p>The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements on Hazel Avenue, based on a program established by that agency to reduce the impacts to Hazel Avenue between Curragh Downs Drive and U.S. 50 Westbound Ramps.</p>	B Pay SCTDF	Sacramento County City of Rancho Cordova

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
180. 3A.15-4m	<p><i>White Rock Road between Grant Line Road and Prairie City Road</i></p> <p>To improve operation on White Rock Road between Grant Line Road and Prairie City Road, this roadway segment shall be widened to six lanes. This improvement is included in the 2035 MTP but is not included in the Sacramento County General Plan. Improvements to this roadway segment must be implemented by Sacramento County.</p> <p>The identified improvement would more than offset the impacts specifically related to the Folsom South of U.S. 50 project on this roadway segment. However, because of other development in the region that would substantially increase traffic levels, this roadway segment would continue to operate at an unacceptable LOS F even with the capacity improvements identified to mitigate Folsom Plan Area impacts.</p> <p>The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to White Rock Road between Grant Line Road and Prairie City Road.</p>	B Pay SCTDF	Sacramento County
181. 3A.15-4n	<p><i>White Rock Road between Empire Ranch Road and Carson Crossing Road</i></p> <p>To improve operation on White Rock Road between Empire Ranch Road and Carson Crossing Road, this roadway segment shall be widened to six lanes. Improvements to this roadway segment shall be implemented by Sacramento County.</p> <p>The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to White Rock Road between Empire Ranch Road and Carson Crossing Road.</p>	B Pay SCTDF	Sacramento County

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
182. 3A.15-4o	<p><i>White Rock Road/Carson Crossing Road Intersection</i></p> <p>To ensure that the White Rock Road/Carson Crossing Road intersection operates at an acceptable LOS, the eastbound right turn lane shall be converted into a separate free right turn lane, or double right. Improvements to this intersection must be implemented by El Dorado County. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the White Rock Road/Carson Crossing Road Intersection</p>	B Pay SCTDF	CD (E), PW
183. 3A.15-4p	<p><i>Hazel Avenue/U.S. 50 Westbound Ramps Intersection</i></p> <p>To ensure that the Hazel Avenue/U.S. 50 westbound ramps intersection operates at an acceptable LOS, the westbound approach shall be reconfigured to consist of one dedicated left turn lane, one shared left- through lane and three dedicated right-turn lanes. Improvements to this intersection shall be implemented by Caltrans and Sacramento County. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Hazel Avenue/U.S. 50 Westbound Ramps Intersection.</p>	B Pay SCTDF	CD (E), PW

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
184.	3A.15-4r	<p><i>Eastbound US 50 between Rancho Cordova Parkway and Hazel Avenue</i></p> <p>To ensure that Eastbound US 50 operates at an acceptable LOS between Rancho Cordova Parkway and Hazel Avenue, an additional eastbound lane could be constructed. This improvement is not consistent with the Concept Facility in Caltrans State Route 50 Corridor System Management Plan; therefore, it is not likely to be implemented by Caltrans by 2030.</p> <p>Construction of the Capitol South East Connector, including widening White Rock Road and Grant Line Road to six lanes with limited access, could divert some traffic off of U.S. 50 and partially mitigate the project's impact. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Eastbound U.S. 50 between Rancho Cordova Parkway and Hazel Avenue.</p>	B Pay SCTDF	CD (E), PW

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
185. 3A.15-4s	<p>Eastbound US 50 between Folsom Boulevard and Prairie City Road</p> <p>To ensure that Eastbound US 50 operates at an acceptable LOS between Folsom Boulevard and Prairie City Road, the eastbound auxiliary lane should be converted to a mixed flow lane that extends to and drops at the Oak Avenue Parkway off ramp (see mitigation measure 3A.15-4t). Improvements to this freeway segment must be implemented by Caltrans. This improvement is not consistent with the Concept Facility in Caltrans State Route 50 Corridor System Management Plan; therefore, it is not likely to be implemented by Caltrans by 2030.</p> <p>Construction of the Capitol South East Connector, including widening White Rock Road and Grant Line Road to six lanes with limited access, could divert some traffic off of U.S. 50 and partially mitigate the project's impact.</p> <p>The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to Eastbound U.S. 50 between Folsom Boulevard and Prairie City Road</p>	B Pay SCTDF	CD (E), PW
186.	<p>Credit Reimbursement Agreement</p> <p>Prior to the recordation of the first final map, the owner/applicant and City shall enter into a credit and reimbursement agreement for constructed improvements that are included in the Folsom Plan Area's Public Facilities Financing Plan.</p>	M	CD (E)
187. Noise	<p>Mechanical Ventilation</p> <p>Prior to the issuance of Building Permits, the owner/applicant shall show on the plans that mechanical ventilation shall be installed in all residential uses to allow residents to keep doors and windows closed, as desired, for acoustical isolation. The building plans shall be subject to review and approval by the City Community Development Department.</p>	B	CD (B) (P)

ARCHITECTURE/SITE DESIGN REQUIREMENTS

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
188.	<p>Landscaping Plan Owner/applicant shall submit a landscape plan for all areas (by phase or subdivision) of the project where owner/applicant proposes to install landscaping on residential lots. The landscape plan shall take into account the then existing state or local rules and regulations related to landscape water usage and water wise landscape principles. The landscape plans shall be submitted and approved by the Community Development Director prior to the issuance of a building permit in the phase or subdivision.</p> <p>Owner/applicant shall comply with any state or local rules and regulations relating to landscape water usage and landscaping requirements necessitated to mitigate for drought conditions.</p>	B	CD (P) (E)

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
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 AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT**

Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
189.	<p><i>City Corporation Yard</i></p> <p>The location tentatively identified for acquisition by the City for the City's new Corporation Yard in Section 2.2.3.4 of the First Amended and Restated Tier I Development Agreement (ARDA) between the City and the project developer may not be feasible for use as a Corporation Yard due to challenges in obtaining County entitlements and utility services. Subject to the application of this condition to other Participating Landowners (as defined in the ARDA) as provided herein, the following condition is added with respect to resolution of the location of the corporation yard:</p> <p>Prior to approval of the First Final Small Lot Map in the FPA (or first building permit if development may occur without any subdivision), a site consistent with the requirements of Section 2.2.3.4 of the ARDA, as may be amended or as otherwise agreed to between the City and the Participating Landowners, shall be identified as acceptable to the City as suitable and feasible for use as the new Corporation Yard, with access to sewer, water and all required utility services. The City's determination of feasibility may include the identification of an alternative site consistent with the foregoing, as a back-up for the primary site, as well as an evaluation of the time, cost and likelihood of obtaining any necessary entitlements or other governmental approvals for use of the land as a corporation yard, with the final determination of feasibility subject to the sole and reasonable discretion of the City Council.</p> <p>The City intends to impose this condition equitably throughout the Plan Area as and to each and every Participating Landowner who seeks any future specific plan amendment, tentative subdivision map or ARDA amendment in connection with its proposed development. If the City fails to impose such a condition, when required, with at least substantially similar terms, although precise language may differ (whether through a tentative subdivision map condition of approval, amendment to the specific plan or to a development agreement, or other agreement between the City and a Participating Landowner), this condition of approval shall be null and void as to Owner/Applicant's Project, and shall not be used as a reason to prevent approval of any final small lot map for Owner/Applicant's Project. If the City approves any other final</p>		

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
 AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT**

Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
189 cont.	<p>small lot map for a project within the Plan Area and the Corporation Yard site has not been approved as provided for herein, Owner/Applicant may seek relief from the terms of this condition by appeal to the City Manager, with the right to review by the City Council.</p> <p>If and when the City amends the ARDA for any other Folsom Plan owner to include the language described below, in addition to the above and subject to the paragraph below, Applicant agrees to a future modification of Section 2.5.3B of the Amended and Restated Development Agreement (ARDA) as follows: Prior to Approval of First Final Small Lot Map in the FPA (or first building permit if development may occur without any subdivision) or as otherwise specified below:</p> <p>....(9) A site consistent with the requirements of Section 2.2.3.4, as may be amended or as otherwise agreed to between the City and the Participating Landowners, shall be identified as acceptable to the City as suitable and feasible for use as the new Corporation Yard with access to sewer, water and all required utility services. The City's determination of feasibility may include the identification of an alternative site, consistent with the forgoing, as a back-up for the primary site, as well as an evaluation of the time, cost and likelihood of obtaining any necessary entitlements or other governmental approvals for use of the land as a corporation yard, with the final determination of feasibility subject to the sole and reasonable discretion of the City.</p> <p>If Owner/Applicant proposes final maps in phases, Owner/Applicant may apply to the City Manager to permit individual phases to move forward to final map if substantial progress is being made to identify an acceptable site as described above. The City Manager's determination of substantial progress shall be in his/her sole discretion. The City will be proposing the amendment to Section 2.5.3B as described above as to other Folsom Plan Area landowners seeking future specific plan amendment, tentative subdivision map or ARDA amendments. If and when the City modifies the ARDA for</p>	M	CDD (E)(P)

<p style="text-align: center;">CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004) EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT, SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP, CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT</p>				
	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
189 cont.		any other Folsom Plan Area landowner to add this section, then Applicant will agree to a modification of its then existing ARDA or amendment thereto. If the City does not amend the ARDA with respect to any other landowner to include the provision set forth above prior to City Council's consideration of a final map, then this requirement shall be null and void as to Owner/Applicant's project.	M	CDD (E)(P)
190.		<p>School Sites</p> <p>The locations of the elementary school sites and the combined middle school/high school were initially established during the City's processing and approval of the Folsom Specific Plan, at which time all Plan Area participants were engaged in the review of land planning and land uses. In 2015, the Folsom Cordova Unified School District raised concerns that the planned location of the future combined middle school/high school site may not be preferred.</p> <p>Prior to approval of First Final Small Lot Map in the FPA (or first building permit if development may occur without any subdivision), the site(s) for the future high school and middle school in the Folsom Plan Area will be identified and approved by the City, in consultation with the Folsom Cordova Unified School District.</p> <p>The City intends to impose this condition equitably throughout the Plan Area as and to each and every Participating Landowner who seeks any future specific plan amendment, tentative subdivision map or ARDA amendment in connection with its proposed development. If the City fails to impose such a condition, when required, with at least substantially similar terms, although precise language may differ (whether through a tentative subdivision map condition of approval, amendment to the specific</p>	M	CDD (E)(P)

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
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 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
 AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT**

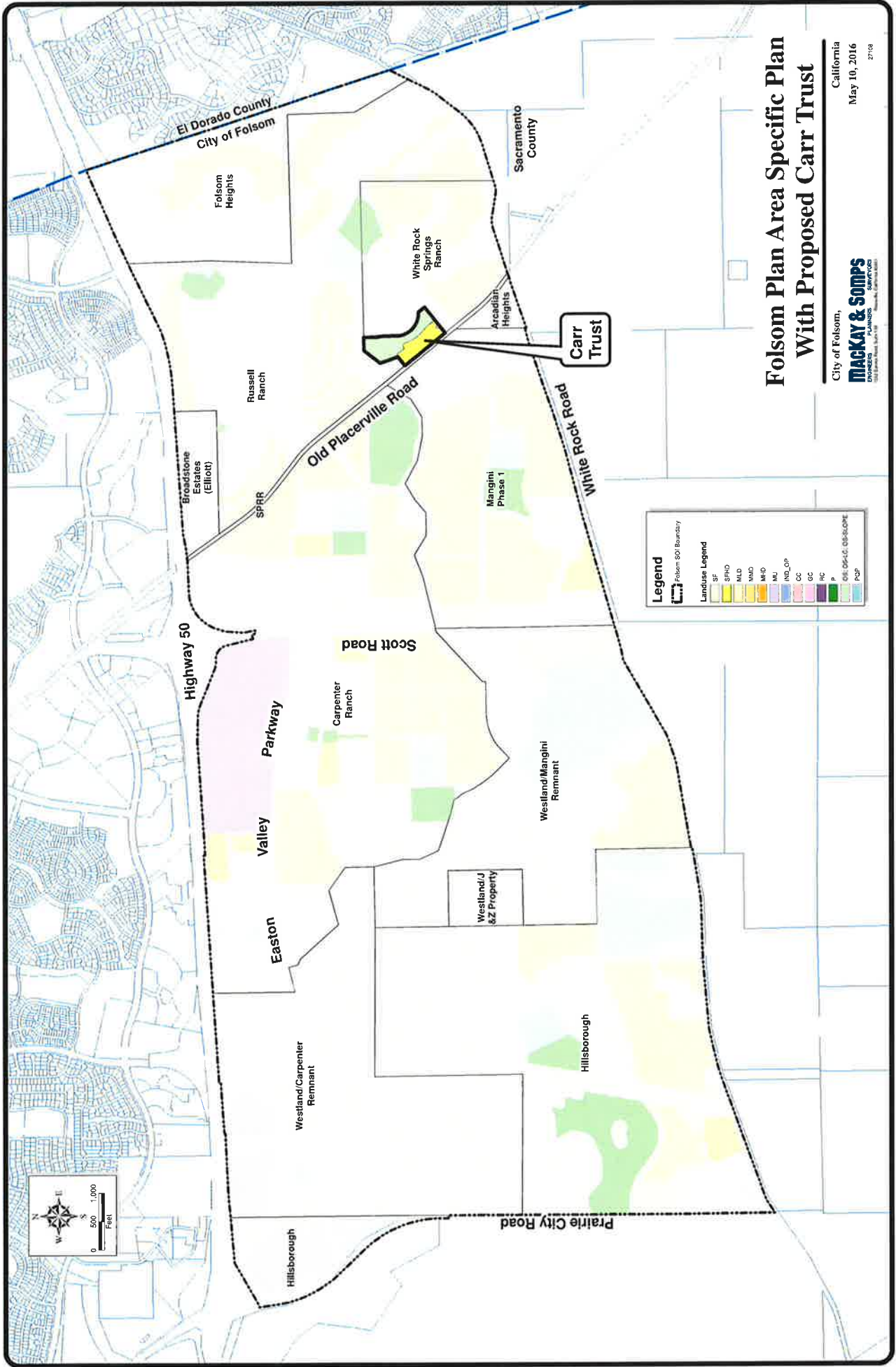
Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
190. cont.	<p>plan or to a development agreement, or other agreement between the City and a Participating Landowner), this condition of approval shall be null and void as to Owner/Applicant's Project, and shall not be used as a reason to prevent approval of any final small lot map for Owner/Applicant's Project. If the City approves any other final small lot map for a project within the Plan Area and the high school and middle school site(s) has not been approved as provided for herein, Owner/Applicant may seek relief from the terms of this condition by appeal to the City Manager, with the right to review by the City Council.</p> <p>If Owner/Applicant proposes final maps in phases, Owner/Applicant may apply to the City Manager to permit individual phases to move forward to final map if substantial progress is being made to identify an acceptable site(s) as described above. The City Manager's determination of substantial progress shall be in his/her sole discretion. If and when the City amends the Amended and Restated Development Agreement ("ARDA") for any other Folsom Plan owner to include the language described below, in addition to the above and subject to the paragraph below, Applicant agrees to a future modification of Section 2.5.3B of the ARDA as follows:</p> <p>Section 2.5.3B Prior to Approval of First Final Small Lot Map in the FPA (or First Building Permit if Development May Occur Without Any Subdivision) or as otherwise specified below:</p> <p>....(10) A site or sites identified as suitable by the City, in consultation with the Folsom Cordova Unified School District, for use as the future high school and middle school in the Folsom Plan Area shall be identified and approved by the City in consultation with the Folsom Cordova Unified School District. If a supplemental fee is required to support the development of such identified site(s), the applicant agrees to support the establishment of such fee in accordance with the Mitigation Fee Act and to pay such fee, so long as such fee is equitably shared by all similar development within the Plan Area.</p>		

**CONDITIONS OF APPROVAL FOR THE CARR TRUST SUBDIVISION PROJECT (PN16-004)
 EAST OF PLACERVILLE ROAD, NORTH OF FUTURE STREET A, GENERAL PLAN AMENDMENT,
 SPECIFIC PLAN AMENDMENT, VESTING SMALL LOT TENTATIVE SUBDIVISION MAP,
 CARR TRUST DESIGN GUIDELINES, AMENDMENT 1 TO THE AMENDED
 AND RESTATED DEVELOPMENT AGREEMENT, INCLUSIONARY HOUSING AGREEMENT**

	Mitigation Measure	Condition/Mitigation Measure	When Required	Responsible Department
190 cont.		<p>The City will be proposing the amendment to Section 2.5.3B as described above as to other Folsom Plan Area landowners seeking future specific plan amendment, tentative subdivision map or ARDA amendments. If and when the City modifies the ARDA for any other Folsom Plan Area landowner to add this section, then Applicant will agree to a modification of its then existing ARDA or amendment thereto. If the City does not amend the ARDA with respect to any other landowner to include the provision set forth above prior to City Council's consideration of a final map, then this requirement shall be null and void as to Owner/Applicant's project.</p>	M	CDD (E)(P)

A TTACHMENT NO. 1

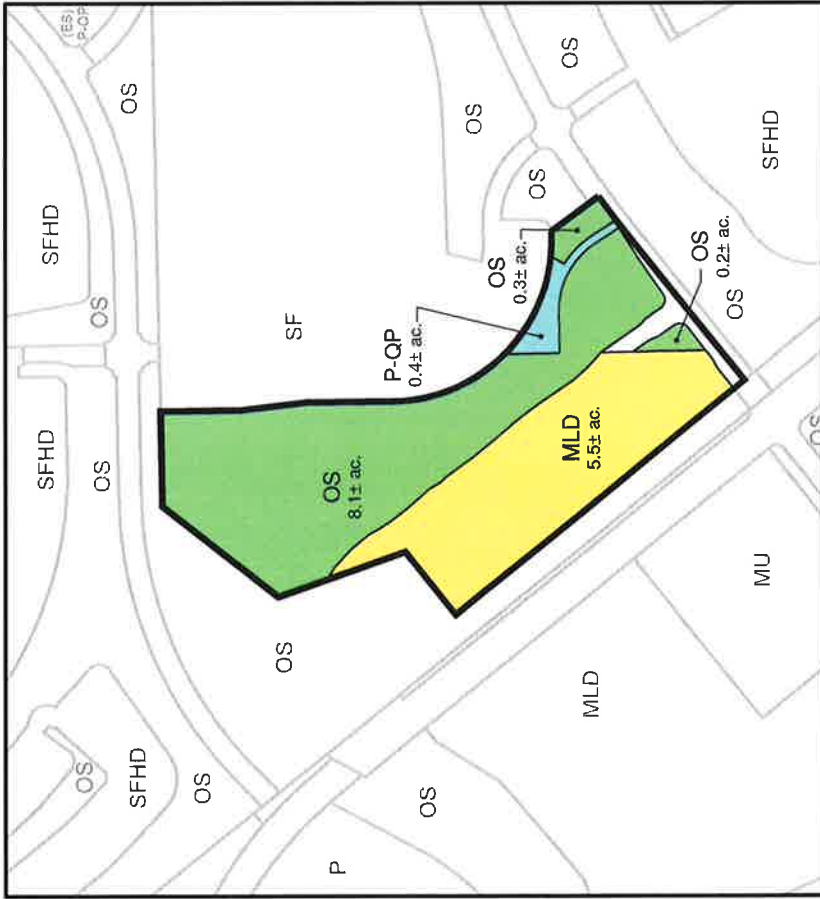
Composite Folsom Plan Area Map with Project Location



Folsom Plan Area Specific Plan With Proposed Carr Trust

City of Folsom, California
MACKAY & SOMPS
 1000 Folsom Blvd., Suite 100, Folsom, CA 95630
 (916) 992-1100
 May 10, 2016
 27108

ATTACHMENT NO. 2
General Plan Amendment Exhibit



Existing



Proposed

LAND USE SUMMARY			
Land Use	Existing Acres	Proposed Acres	Delta
SFHD	0.0±	5.7±	5.7
MLD	5.5±	0.0±	(5.5)
P-OP	0.4±	0.0±	(0.4)
Roadways	8.6±	8.9±	0.3
TOTAL	15.0±	15.0±	0



GENERAL PLAN AMENDMENT

CARR TRUST

Folsom, California

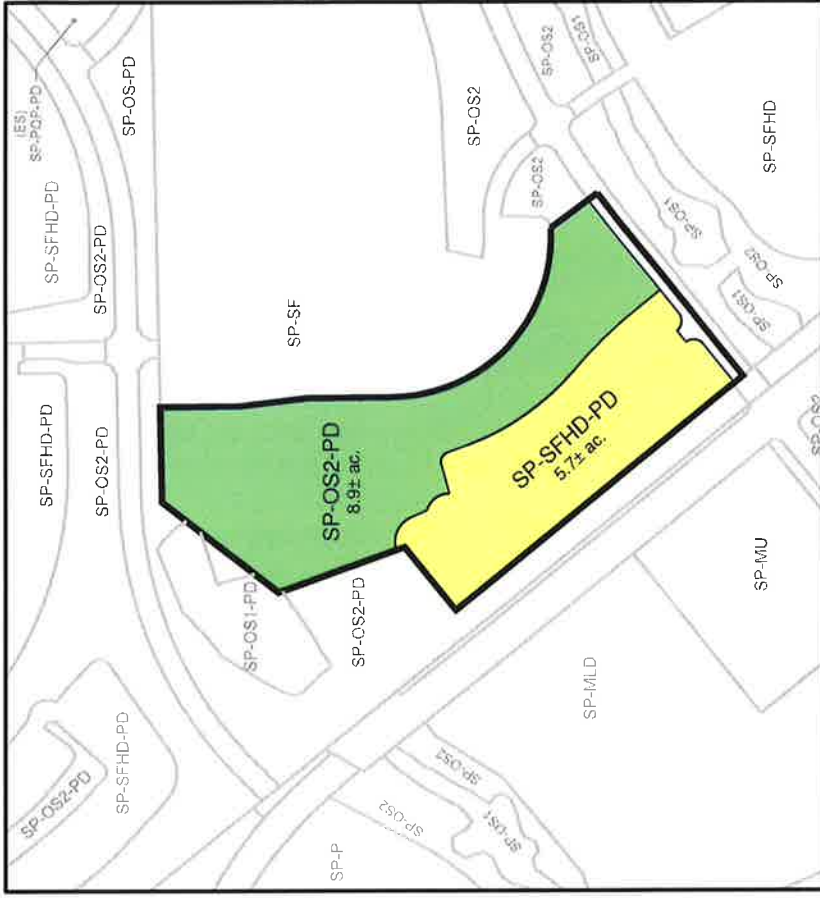
December 30, 2015
 Revised: March 28, 2016
 May 10, 2016



ATTACHMENT NO. 3
Specific Plan Amendment Exhibit



Existing



Proposed

LAND USE SUMMARY			
Zoning District	Existing Acres	Proposed Acres	Delta
SP-SFH-PD	0.0±	5.7±	5.7
SP-MLD	5.5±	0.0±	(5.5)
SP-PQP	0.4±	0.0±	(0.4)
SP-OS2 / SP-OS2-PD	8.6±	8.9±	0.3
Roadways	0.5±	0.4±	(0.1)
TOTAL	15.0±	15.0±	0



SPECIFIC PLAN AMENDMENT

CARR TRUST

Folsom, California

December 30, 2015
 Revised: March 28, 2016
 May 10, 2016



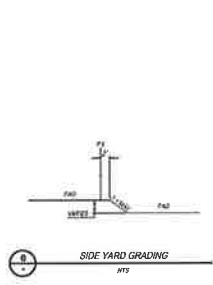
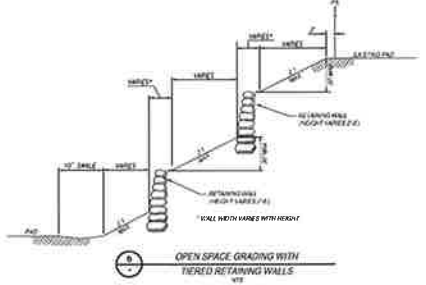
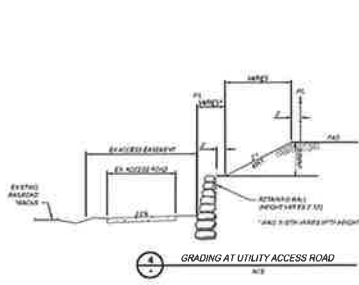
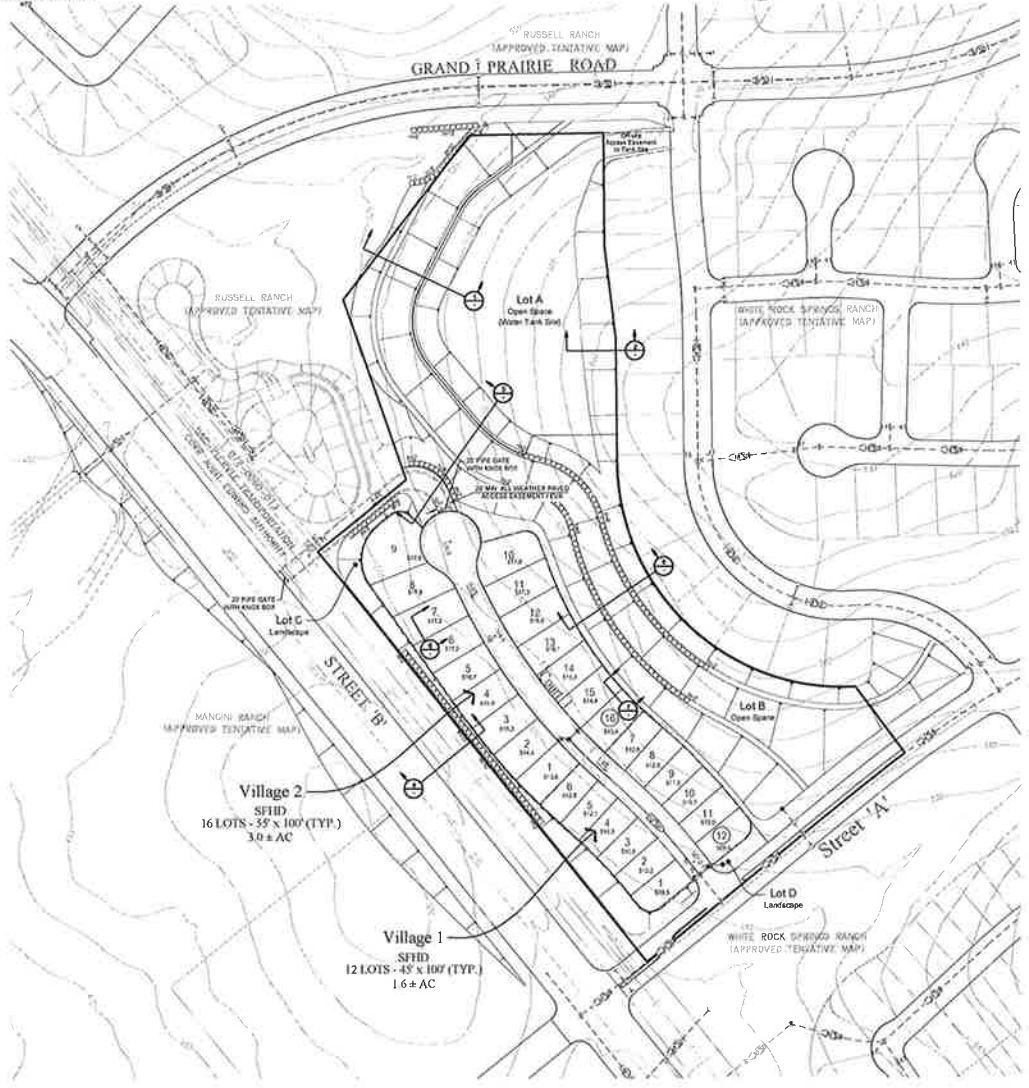
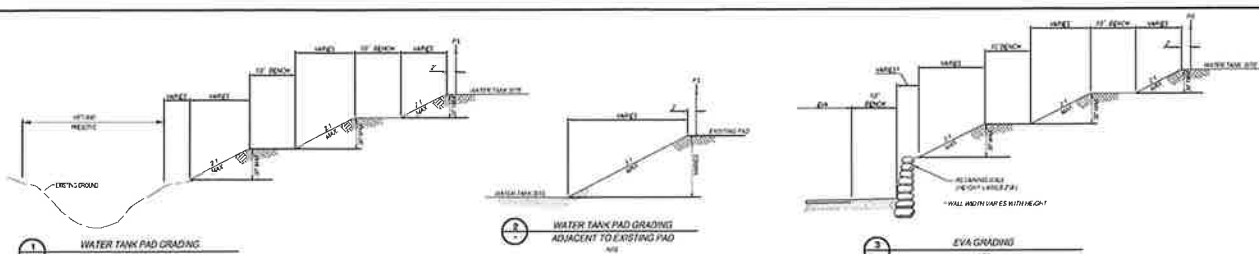
ATTACHMENT NO. 4

Small Lot Vesting Tentative Subdivision Map

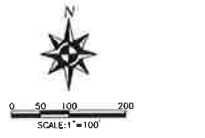
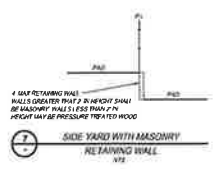
dated May 16, 2016

ATTACHMENT NO. 5

Preliminary Grading and Drainage Plan dated May 10, 2016



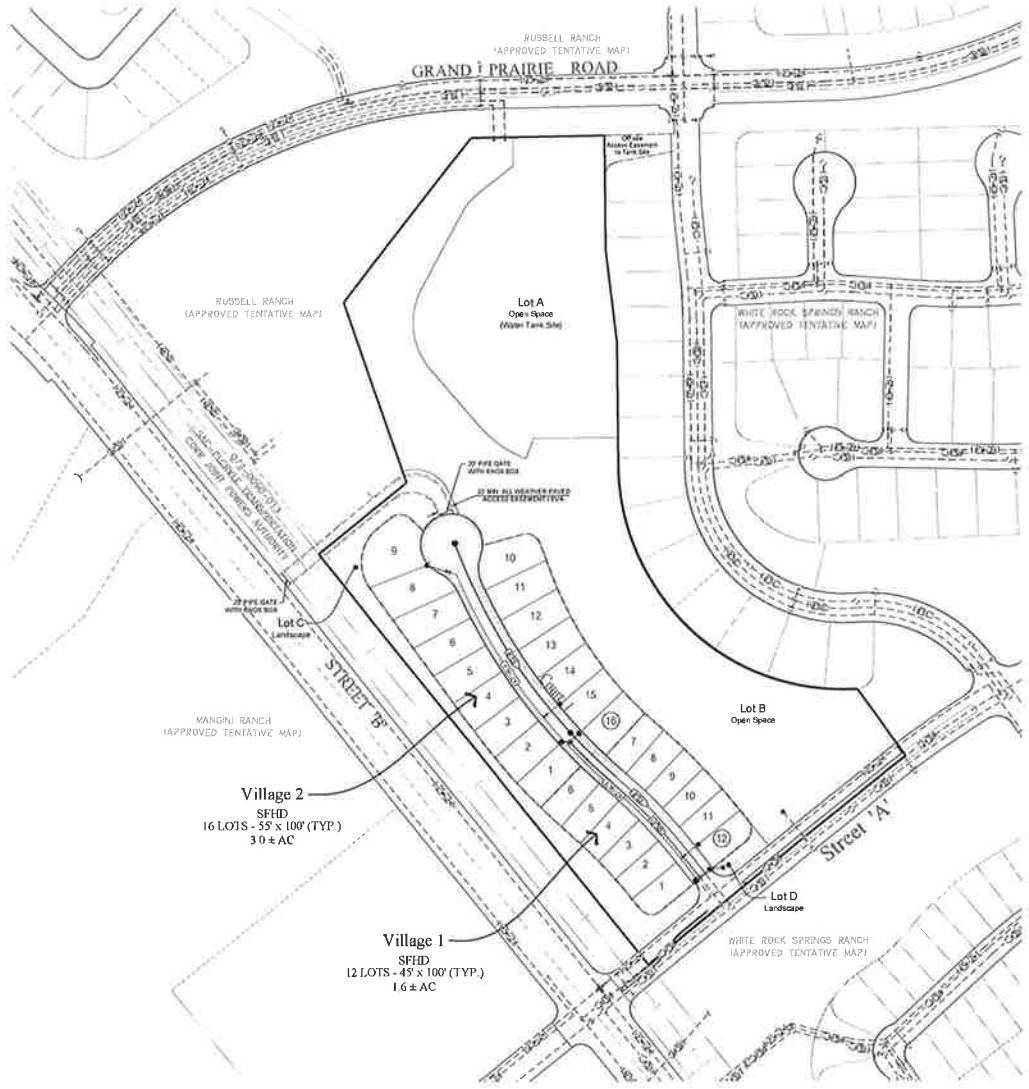
PROPOSED	DESCRIPTION	EXISTING
—	SLOPE	—
0.4%	PAD ELEVATION	0.4%
102.03	STREET GRADE	102.3
102.03	CENTER LINE ELEVATION	102.3
—	RETAINING WALL WITH HEIGHT	—
—	MASONRY WALL	—
—	STONE DRAIN LINE (SIZE INDICATED)	—
—	STONE DRAIN MANHOLE	—
—	DROP INLET	—
—	INLET/OUTLET	—
—	DITCH FLOW LINE & DIRECTION	—



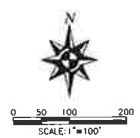
PRELIMINARY
GRADING AND DRAINAGE PLAN
CARR TRUST

ATTACHMENT NO. 6

Preliminary Utility Plan dated May 10, 2016



PROPOSED	DESCRIPTION	EXISTING
	SEWER LINE (SIZE INDICATED)	
	SEWER MANHOLE	
	SEWER FLUSHING BRANCH	
	STORM DRAIN LINE (SIZE INDICATED)	
	STORM DRAIN MANHOLE	
	DROP INLET	
	INLET/OUTLET	
	WATER LINE (SIZE & ZONE INDICATED)	
	BLOW OFF VALVE	
	GATE VALVE	
	BUTTERFLY VALVE	
	FIRE HYDRANT ASSEMBLY	



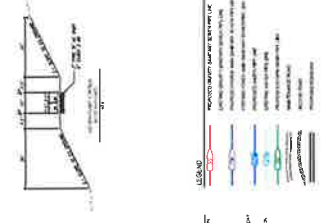
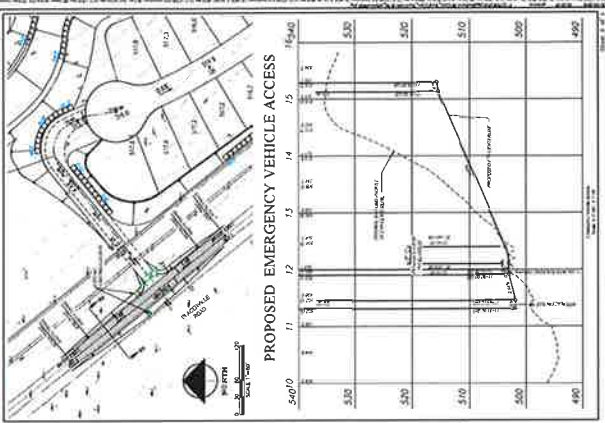
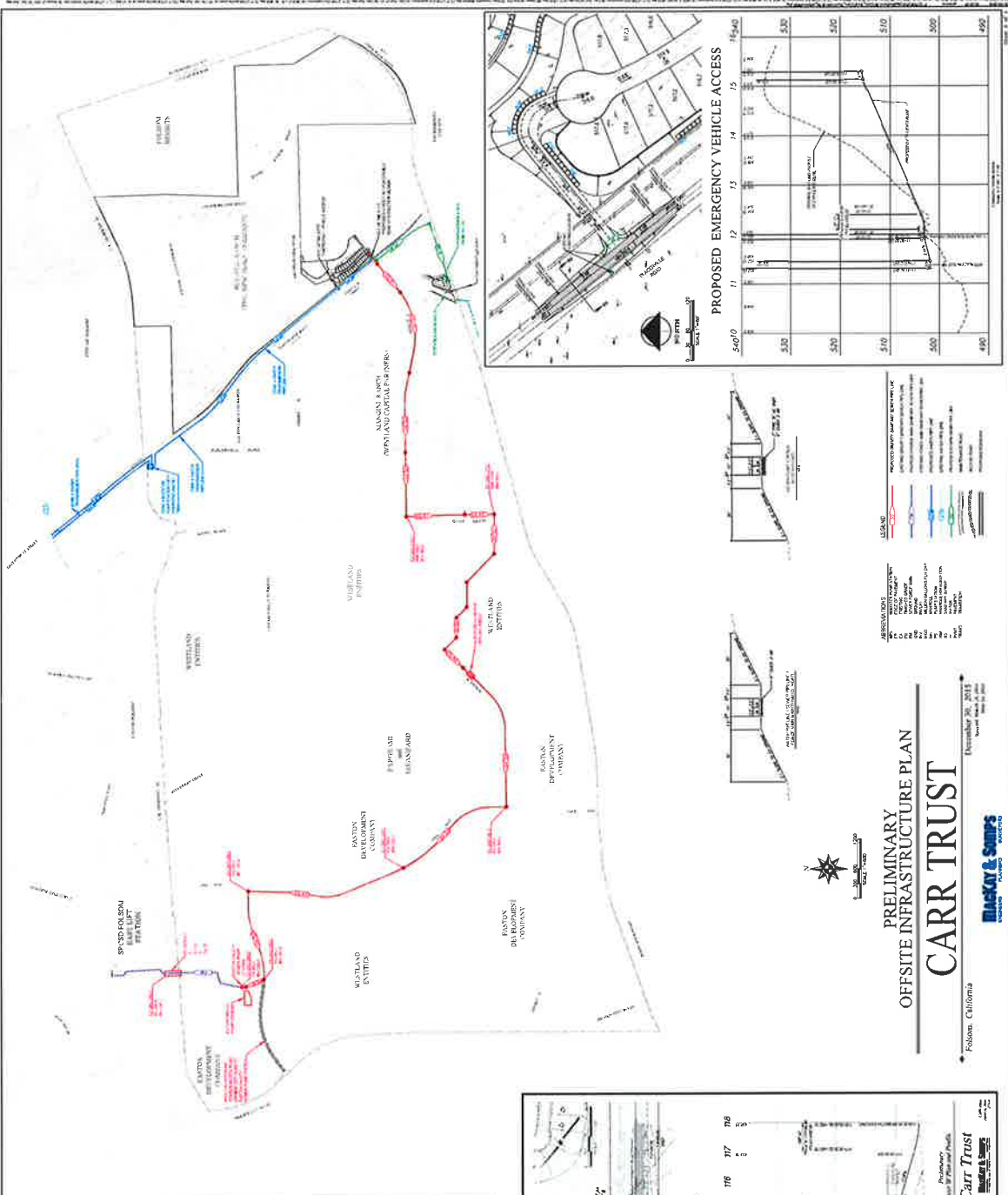
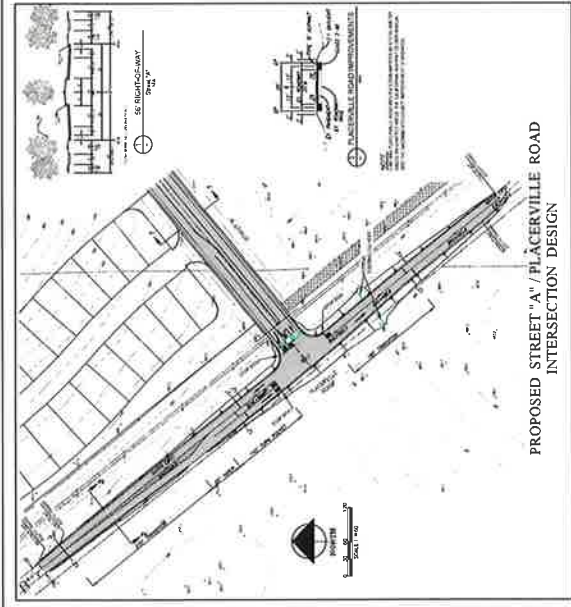
PRELIMINARY UTILITY PLAN
CARR TRUST

Scale: 1" = 100'
 Folsom, California
Mackay & Samps
 December 30, 2015
 Revised March 28, 2016
 May 10, 2016

(1) Mackay & Samps, Inc. is not responsible for the accuracy of the information provided in this plan. The user of this plan is responsible for verifying the accuracy of the information provided in this plan. The user of this plan is also responsible for obtaining all necessary permits and approvals from the appropriate authorities. Mackay & Samps, Inc. is not responsible for any errors or omissions in this plan.

ATTACHMENT NO. 7

Preliminary Offsite Infrastructure Plan dated May 10, 2016

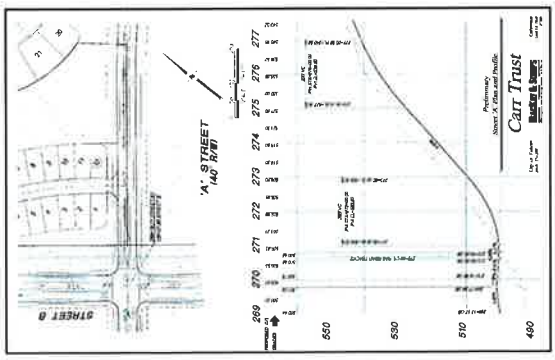
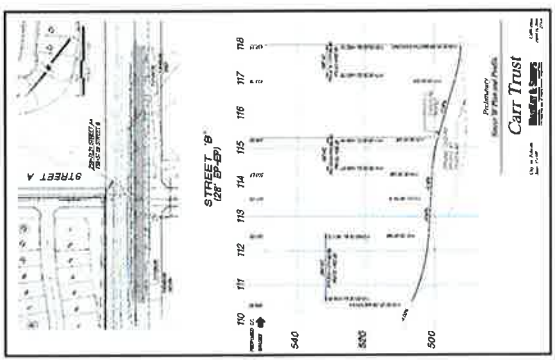


- LEGEND**
- PROPOSED EMERGENCY VEHICLE ACCESS
 - PROPOSED FIRE HYDRANT LOCATIONS
 - PROPOSED FIRE HYDRANT CONNECTIONS
 - PROPOSED WATER MAINS
 - PROPOSED SANITARY MAINS
 - PROPOSED GAS MAINS
 - PROPOSED CABLE MAINS
 - PROPOSED TELEPHONE MAINS
 - PROPOSED FIBER OPTIC MAINS
 - PROPOSED POWER MAINS
 - PROPOSED SEWER MAINS
 - PROPOSED RAINWATER MAINS
 - PROPOSED STORMWATER MAINS
 - PROPOSED TRASH MAINS
 - PROPOSED LANDSCAPE
 - PROPOSED UTILITIES
 - PROPOSED EXISTING UTILITIES
 - PROPOSED EXISTING INFRASTRUCTURE
 - PROPOSED EXISTING BUILDINGS
 - PROPOSED EXISTING ROADS
 - PROPOSED EXISTING FENCES
 - PROPOSED EXISTING TREES
 - PROPOSED EXISTING LANDSCAPE
 - PROPOSED EXISTING UTILITIES
 - PROPOSED EXISTING INFRASTRUCTURE
 - PROPOSED EXISTING BUILDINGS
 - PROPOSED EXISTING ROADS
 - PROPOSED EXISTING FENCES
 - PROPOSED EXISTING TREES



PRELIMINARY OFFSITE INFRASTRUCTURE PLAN
CARR TRUST

Folsom, California
December 30, 2013
Issued in Blue



ATTACHMENT NO. 8
Inclusionary Housing Plan

January 4th, 2016

Scott A. Johnson, AICP
Planning Manager
City of Folsom
Community Development Department
50 Natoma Street
Folsom, CA 95630

Dear Mr. Johnson:

RE: Carr Trust Inclusionary Housing Plan

This letter is to formally notify the City of Folsom that Gragg Ranch Recovery Acquisition, LLC ("the Applicant") intends to pay an affordable housing in-lieu fee in accordance to FMC Section 17.104.060(G) for compliance with the Inclusionary Housing Plan requirement on it's Carr Trust development application permit. The applicant intends to pay the in-lieu fee on a per-unit basis as building permits are issued.

Please contact me if you have any further questions.

Sincerely,

Owner of Carr Trust site,
Gragg Ranch Recovery Acquisition, LLC

By Raintree Investment Corporation, Agent

By: 
Matthew Villalobos

Title: Director Date: 1/4/16

ATTACHMENT NO. 9

Ordinance No. ____ An Uncodified Ordinance of the City of Folsom Approving The First Amended and Restated Tier 1 Development Agreement by and Between the City of Folsom and Gragg Ranch Recovery Acquisition, LLC. Relative to the Folsom South Specific Plan

ORDINANCE NO.

**AN UNCODIFIED ORDINANCE OF THE CITY OF FOLSOM APPROVING
FIRST AMENDED AND RESTATED TIER 1 DEVELOPMENT AGREEMENT
BETWEEN THE CITY OF FOLSOM AND
GRAGG RANCH RECOVERY ACQUISITION LLC
RELATIVE TO THE FOLSOM SOUTH SPECIFIC PLAN
AND THE CARR TRUST PROJECT**

WHEREAS, a Final Environmental Impact Report/Environmental Impact Statement (FEIR/EIS) for the Folsom Plan Area Specific Plan (FPASP) was certified by the City Council on June 14, 2011, and the FPASP was adopted by the City Council on June 28, 2011; and

WHEREAS, pursuant to the authority in Sections 65864 through 65869.5 of the Government Code, the City Council, following a duly notified public hearing on June 28, 2011, approved the Tier 1 Development Agreement Relative to the Folsom South Specific Plan (Tier 1 DA) for the development of the Folsom Plan Area by adopting Ordinance No. 1149 on July 12, 2011; and

WHEREAS, the proposed Carr Trust Project consists of a General Plan Amendment, Specific Plan Amendment and a Small-Lot Vesting Tentative Subdivision Map for future development within the Folsom Plan Area; and

WHEREAS, the City and the owner of the Carr Trust Project desire to amend the Tier 1 DA in order to provide greater certainty and clarity to matters that are common, necessary and essential for the development of the Carr Trust Project; and

WHEREAS, the Planning Commission, at its regular meeting on May ___, 2016, considered the First Amended and Restated Tier 1 Development Agreement by and Between the City of Folsom and Gragg Ranch Recovery Acquisition LLC at a duly noticed public hearing as prescribed by law, and recommended that the City Council approve said amendment to development agreement; and

WHEREAS, all notices have been given at the time and in the manner required by State Law and the Folsom Municipal Code.

NOW, THEREFORE, the City Council of the City of Folsom hereby does ordain as follows:

SECTION 1. FINDINGS

A. The above recitals are true and correct and incorporated herein by reference.

B. The First Amended and Restated Tier 1 Development Agreement is consistent with the objectives, policies, general land uses and programs specified in the City's General Plan and the Folsom Plan Area Specific Plan.

C. The First Amended and Restated Tier 1 Development Agreement is in conformity with public convenience, general welfare, and good land use practices.

D. The First Amended and Restated Tier 1 Development Agreement will not be detrimental to the health, safety, and general welfare of persons residing in the immediate area, nor be detrimental or injurious to property or persons in the general neighborhood or to the general welfare of the residents of the City as a whole.

E. The First Amended and Restated Tier 1 Development Agreement will not adversely affect the orderly development of property or the preservation of property values.

F. The Amendment No. 1 has been prepared in accordance with, and is consistent with, Government Code Sections 65864 through 65869.5, and City Council Resolution No. 2370.

G. All notices have been given at the time and in the manner required by State Law and the Folsom Municipal Code.

H. A Final Environmental Impact Report/Environmental Impact Statement was previously certified for the Folsom Plan Area Specific Plan in accordance with CEQA and NEPA. An Addendum to the FPASP EIR/EIS was prepared for the proposed Carr Trust Project, which includes the proposed First Amended and Restated Tier 1 Development Agreement, and concludes that the proposed Project will not result in substantial changes to the FPASP.

SECTION 2. APPROVAL OF AMENDMENT TO DEVELOPMENT AGREEMENT

The Mayor is hereby authorized and directed to execute the First Amended and Restated Tier 1 Development Agreement Between the City of Folsom and Gragg Ranch Recovery Acquisition LLC on behalf of the City after the effective date of this Ordinance.

SECTION 3. SEVERABILITY

If any section, subsection, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 4. EFFECTIVE DATE

This ordinance shall become effective thirty (30) days from and after its passage and adoption, provided it is published in full or in summary within twenty (20) days after its adoption in a newspaper of general circulation in the City.

This ordinance was introduced and the title thereof read at the regular meeting of the City Council on _____, 2016 and the second reading occurred at the regular meeting of the City Council on _____, 2016.

On a motion by Council Member _____, seconded by Council Member _____, the foregoing ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this ____ day of ____ 2016 by the following vote, to wit:

AYES: Council Member(s):

NOES: Council Member(s):

ABSENT: Council Member(s):

ABSTAIN: Council Member(s):

Stephen E. Miklos, Mayor

ATTEST:

Christa Saunders, CITY CLERK

Effective:

FOR THE BENEFIT OF THE CITY OF FOLSOM
PURSUANT TO GOVERNMENT CODE §6103

RECORDING REQUESTED BY CITY CLERK

WHEN RECORDED MAIL TO:

City Clerk
City of Folsom
50 Natoma Street
Folsom, CA 95630

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

FIRST AMENDED AND RESTATED TIER 1 DEVELOPMENT AGREEMENT
BY AND BETWEEN THE CITY OF FOLSOM AND
GRAGG RANCH RECOVERY ACQUISITION LLC
RELATIVE TO THE FOLSOM SOUTH SPECIFIC PLAN
AND THE CARR TRUST PROJECT

**FIRST AMENDED AND RESTATED TIER 1 DEVELOPMENT AGREEMENT
RELATIVE TO THE FOLSOM SOUTH SPECIFIC PLAN
AND THE CARR TRUST PROJECT**

TABLE OF CONTENTS

RECITALS.....	1
ARTICLE 1 – GENERAL PROVISIONS.....	5
1.1 Incorporation of Recitals.....	5
1.2 Property Description and Binding Covenants.....	5
1.2.1 History of Original Carr Trust Property and Carr Trust Project.....	5
1.3 Definitions.....	6
1.4 Term.....	12
1.4.1 Commencement; Extension; Expiration	12
1.4.2 Tolling and Extension During Judicial Challenge or Moratoria	12
1.5 Amendment of Restated Agreement	13
1.5.1 Required Provisions in Subsequent Tier 2 Development Agreements and Amendments to Incorporate Subsequent Entitlements.....	13
1.5.1.1 Consent to Amend PFFP for Additional Reclaimed/Recycled Water System in Backbone Infrastructure.....	14
1.5.2 No Amendment Required for Minor Administrative Modifications	15
1.5.3 Amendments to Restated Agreement after Approval of Subsequent Entitlements.....	15
1.5.3.1 Specific Plan Amendment Cut-Off Date	16
1.5.4 Recordation Upon Amendment or Termination.....	16
1.6 Consistency with Other Amendments to Restated Agreements for the Plan Area.....	16
1.7 Application of Restated Agreement Terms to Portion of the Carr Trust Project.....	17
ARTICLE 2 – DEVELOPMENT OF THE PROPERTY	17
2.1 Permitted Uses	17
2.2 Vested Rights	17
2.2.1 Vested Provisions of the PFFP.....	19
2.2.2 Vested Provisions of the Specific Plan.....	19
2.2.3 Exceptions to Vested Rights.....	20
2.2.3.1 Affordable Housing.....	20
2.2.3.1.1 Amendments to Inclusionary Housing Ordinance.....	21
2.2.3.2 Area 40 – Community Park West.....	21
2.2.3.3 Quarry Traffic.....	24
2.2.3.4 Corporation Yard.....	25
2.2.3.4.1 Purchase of Corporation Yard.....	25
2.2.3.5 PFFP and SPIF.....	26
2.2.3.6 Adjustment to SPIF After July 1, 2016.....	27

2.2.4 City Fees and New Plan Area Fees, Including Cost Increases.....	28
2.2.4.1 Re-Opener on New Plan Area Fees for City Facilities.....	29
2.2.5 Police Powers and Citywide Ordinances.....	30
2.2.6 Application of Changes Due to State and Federal Laws.....	31
2.2.7 Uniform Codes and Standard Construction Specifications.....	31
2.2.8 Conflict Between Existing Rules, Entitlements, Restated Agreement, Subsequent Entitlements, and Amendment to Restated Agreement	31
2.3 Density Transfer	31
2.4 Subsequent Entitlements.....	32
2.5 Ordinance, Resolution and Officially Adopted Rules.....	32
2.5.1 Conflicting Ordinances or Moratoria	32
2.5.2 Authority of City.....	32
2.5.3 Requirements for Subsequent Plans, Guidelines, Funding Mechanisms, Community Facilities Districts and Land Dedications.....	32
2.5.4 Satisfaction of LAFCO Conditions.....	36
2.5.5 Mather Noise Easements.....	36
2.5.6 School Impact Mitigation.....	36
2.6 Application, Development and Project Implementation Fees.....	37
2.7 Requirements for Submittal of Plans and Processing of Maps.....	37
2.7.1 Phased Maps.....	37
2.7.2 Compliance with Submittal Requirements.....	37
2.8 Dedication and Acceptance of Public Improvements.....	37
ARTICLE 3 – LANDOWNER OBLIGATIONS.....37	
3.1 Development, Connection and Mitigation Fees.....	37
3.2 Project Infrastructure CFD.....	38
3.2.1 Participation by Landowner.....	38
3.2.2 Formation of CFD Subject to City Discretion.....	38
3.3 Alternative Financing Mechanisms.....	38
3.4 Disclosure to Subsequent Purchasers.....	38
3.5 EIR Mitigation Measures.....	38
3.6 Mitigation Monitoring and Reporting Program.....	39
3.7 Backbone Infrastructure.....	39

3.7.1 White Rock Road Improvements.....	39
3.8 Dedication of Backbone Lands.....	40
3.8.1 Temporary Construction Easements.....	40
3.8.2 Manner of Dedication.....	41
3.8.3 Adjustments to Dedications.....	41
3.8.4 Release of Excess Offers of Dedication/No Compensation.....	41
3.8.5 Dedication of Public Parcels.....	42
3.8.5.1 Maintenance of Open Space/Public Property/Fuel Modification Area.....	42
3.9 Phasing of Development.....	43
3.9.1 Phasing of Necessary Backbone Infrastructure.....	43
3.9.2 Phasing of In-Tract Improvements.....	44
3.10 Park Improvement and Trail Funding and Construction.....	44
3.10.1 Parkland Dedication, Quimby Credit and Park Equalization Fee.....	45
3.10.1.1 Payment of Parkland Equalization Fee.....	45
3.11 Timing of Access Improvements for Fire Stations	45
3.12 Reimbursement of Pro Rata Share of City Costs for Compliance with Requirements of This Restated Agreement	46
3.13 Sales Tax Point of Sale in City of Folsom	46

ARTICLE 4 – CITY OBLIGATIONS..... 47

4.1 City Cooperation.....	47
4.2 New Plan Area Fees.....	47
4.2.1 Specific Plan Reimbursement Fee	47
4.2.1.1 No SPRF Reimbursements or Credits on Default.....	48
4.2.2 Specific Plan Infrastructure Fee	48
4.2.2.1 SPIF Reimbursement for Required Park Dedication Limited to Community Park West Dedication; Payment of SPIF Park Land Equalization Fee Component Upon Approval of a Final Map for Each Subdivision after Exhaustion of Landowner’s Park Land Credits	49
4.2.2.2 No SPIF Reimbursements or Credits on Default	50
4.3 Reimbursements/Credits Personal to Dedicating and Constructing Owner.....	50
4.4 Collection and Administration of New Plan Area Fees	51
4.5 Applications for Permits and Entitlements.....	52
4.5.1 Plan Check	53
4.5.2 Compliance with Government Code Section 66473.7	53
4.6 Water Supply.....	53
4.7 City Acceptance of Conservation Easement(s) on Open Space	53
4.8 City/County SCDTF Agreement/Highway 50 Coalition Fee.....	54
4.9 Assistance with Acquisition of Necessary Real Property Interests.....	54

ARTICLE 5 – DEFAULT, REMEDIES, TERMINATION..... 55

5.1 General Provisions	55
------------------------------	----

5.2 Annual Review	56
5.2.1 Permitted Delay, Extension of Times of Performance	57
5.2.2 Permitted Extensions by City	57
5.3 Legal Action; No Obligation to Develop; Specific Enforcement.....	57
5.4 Automatic Termination upon Completion and Sale of Residential Unit.....	58
5.5 Termination upon Landowner Request.....	58
5.6 Effect of Termination	59
5.7 No Protest or Challenge to Fees.....	59
5.8 Applicable Law.....	59
ARTICLE 6 – HOLD HARMLESS AND COOPERATION.....	59
6.1 Hold Harmless.....	59
6.2 Cooperation and Defense in the Event of a Legal Challenge.....	60
ARTICLE 7 – GENERAL.....	60
7.1 Enforceability.....	60
7.2 City Finding	61
7.3 Third Party Beneficiaries.....	61
7.4 Project as a Private Undertaking.....	61
7.5 Notices	62
7.6 Severability.....	62
7.7 Construction	62
7.8 Other Necessary Acts.....	62
7.9 Estoppel Certificate.....	63
7.10 Mortgage Protection	63
7.11 Assignment.....	64
7.12 Entire Agreement	64
SIGNATURES	64
LIST OF EXHIBITS.....	66

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**FIRST AMENDED AND RESTATED TIER 1 DEVELOPMENT AGREEMENT
RELATIVE TO THE FOLSOM SOUTH SPECIFIC PLAN
AND THE CARR TRUST PROJECT**

This First Amended and Restated Tier 1 Development Agreement (the "Restated Agreement") is entered into this ____ day of _____, 2016, by and between the City of Folsom ("City") and Gragg Ranch Recovery Acquisition LLC, a Delaware limited liability company ("Landowner") pursuant to the authority of Sections 65864 through 65869.5 of the Government Code of California. All capitalized terms used herein and not otherwise defined herein shall mean and refer to those terms as defined in Section 1.3 of the Tier 1 Development Agreement between the parties hereto.

RECITALS

A. Tier 1 Development Agreement. The City and Landowner's predecessors-in-interest Michele M. Carr, Trustee of the Michele M. Carr 2012 Trust and Melissa A. Barron, previously entered into that certain Tier 1 Development Agreement By and Between the City of Folsom and Michele M. Carr and Melissa A. Barron, Et. Al., Relative to the Folsom South Specific Plan, dated August 2, 2011 and recorded on August 3, 2011, in the Official Records of the County Recorder of Sacramento County in Book 20110803, Page 0422 (the "Agreement"). Section 1.5 of the Agreement allows the Agreement to be amended from time to time by mutual written consent of the parties.

B. Purpose of Restated Agreement. The City and Landowner desire to provide greater certainty and clarity to matters that are common, necessary and essential for the development of the Property in the Plan Area, including but not limited to dedication of open space and land for public facilities, environmental mitigation and monitoring, as well as the contribution and reimbursement of the facilities' costs and services by and amongst Landowner and its successors-in-interest. Additionally, Landowner desires to proceed with Development consistent with the Entitlements and the Subsequent Entitlements that are included within the scope of this Restated Agreement as those terms are described herein. As contemplated and required by the Tier 1 Development Agreement, prior to any Development being approved for or occurring within the Property (including any approval of tentative residential small-lot subdivision maps or grading or construction of any improvements within or serving the Property), Landowner must obtain approval from the City of a Tier 2 Development Agreement (as defined herein). This Restated Agreement is intended to replace the Tier 1 Development Agreement for the Property, implement the requirements of the Entitlements, the Subsequent Entitlements and the Specific Plan EIR as applied to Development of the Property, satisfy the condition for a Tier 2 Development Agreement prior to Development of the Property, and establish a process for evaluating the inclusion of future Specific Plan Amendments within the scope of this Restated Agreement in the event such amendments are approved by the City Council.

C. Effect of Restated Agreement. The Tier 1 Development Agreement requires the agreement and approval of a Tier 2 Development Agreement in conjunction with subsequent project-specific approvals, and prior to physical development of the Property. This Restated Agreement shall be deemed to implement and satisfy this requirement. Accordingly, upon the recordation of this Restated Agreement in the Official Records of Sacramento County, the Tier 1 Development Agreement, as applied to the Property, shall be deemed amended and replaced in its entirety by this Restated Agreement. The replacement of the Tier 1 Development Agreement by this Restated Agreement as to the Property shall not affect or impair the continuing validity of the Tier 1 Development Agreement and encumbrance thereof on other properties within the Plan Area that do not have an approved, executed and recorded Tier 2 Development Agreement or this Restated Agreement.

D. Property. The subject of this Restated Agreement is the development of the Property described on **Exhibit A-1** and depicted on **Exhibit A-2** to this Restated Agreement and the Plan Area. Landowner owns the Property and represents that all persons holding legal or equitable interests in the Property shall be bound by this Restated Agreement. The Property is a portion of a parcel consisting of 14.667 acres, previously known as the "Original Carr Trust Property," and the history of the acquisition of the Property and the creation of the current Property boundaries through two Boundary Line Adjustments are described in Section 1.2.1 of this Restated Agreement.

E. Specific Plan and Public Facilities Financing Plan. The City Council adopted the Specific Plan which Plan is applicable to the Property pursuant to Resolution No. 8863 on June 28, 2011. The City Council also approved the Public Facilities Financing Plan ("PFFP") pursuant to Resolution No. 9298 on January 28, 2014 related to the planned development of the Specific Plan, consistent with the requirements of the Tier 1 Development Agreement.

F. Previously Approved Restated Agreements. The City, by uncodified ordinances identified as City of Folsom Ordinance Nos. 1195 – 1207, inclusive, and Ordinance No. 1211, previously approved Restated Agreements with other Participating Landowners in or around June and July 2014 (the "Previously Approved Restated Agreements"). This Property was not the subject of any such Previously Approved Restated Agreements. It is the intent of the City and the Landowner that this Restated Agreement shall comply with all terms set forth in the Previously Approved Restated Agreements as applicable to the Plan Area, including but not limited to the requirement that certain provisions of the Specific Plan and PFFP may not be modified or amended by the Subsequent Entitlements, and nothing in this Restated Agreement is intended to modify those terms set forth in Section 1.5.1 of the Previously Approved Restated Agreements. The City and Landowner further intend to memorialize in this Restated Agreement those amendments approved by all Participating Landowners that have been adopted or otherwise agreed to after the approval of such Previously Approved Restated Agreements.

G. Environmental Review. The City certified an Environmental Impact Report/Environmental Impact Statement for the FPASP by City Council Resolution No. 8860 on June 14, 2011 (State Clearinghouse No. 2008092051) ("FPASP EIR/EIS"). For approval of the Subsequent Entitlements, the City has considered and adopted an Addendum to the EIR pursuant to Resolution No. [] which concludes that the Carr Trust Project would result in no new or more significant environmental impacts than were previously disclosed, analyzed and mitigated in the City's FPASP EIR/EIS and the City's subsequent environmental reviews for projects within the Specific Plan area. The City Council has further determined that the adoption of this Restated Agreement involves no new impacts not considered in the Specific Plan EIR/EIS and, therefore, no further environmental analysis related to this Restated Agreement is required.

H. Backbone Infrastructure. Pursuant to the Specific Plan, Landowner has certain shared obligations for the construction of Backbone Infrastructure necessary to serve the Project and the Plan Area. In connection with the approval of the design of the Backbone Infrastructure, the City Council reviewed and approved a South of Highway 50 Backbone Infrastructure Project Initial Study/Mitigated Negative Declaration by Resolution No. 9505 on February 25, 2015. The Backbone Infrastructure IS/MND contains certain mitigation measures that are applicable to the Project, and which have been specifically incorporated by reference in the approval of the Subsequent Entitlements.

I. Other Environmental Review. In addition to the environmental analysis contained in the Specific Plan EIR/EIS, the City previously certified an Addendum to the Specific Plan EIR/EIS for Purposes of Analyzing an Alternative Water Supply for the Project ("Addendum to the FPASP EIR/EIS"), which was certified by the City Council on December 11, 2012, by Resolution No. 9096. The Addendum to the Specific Plan EIR/EIS also contains certain mitigation measures that are applicable to the Project and have been specifically incorporated by reference in the approval of the Subsequent Entitlements.

J. Entitlements and Subsequent Entitlements. The Tier 1 Development Agreement identifies certain initial Entitlements, and also provides that the Specific Plan contemplated that Landowners would submit applications for Subsequent Entitlements that would amend and/or modify provisions of the Specific Plan on certain terms applicable only to a particular Project within the boundaries of the Specific Plan. Landowner has filed with the City an application entitled "Carr Trust Property Development Application" for (1) General Plan Amendment, (2) Specific Plan Amendment (including rezone and Planned Development Overlay), (3) Small Lot Vesting Tentative Subdivision Map, and (4) Development Agreement Amendment (collectively the "Subsequent Entitlements"). Following consideration and certification of the aforementioned Specific Plan EIR/EIS, any Supplemental Environmental Review(s), and CEQA related findings, the City Council has adopted applicable statement(s) of overriding considerations and has approved the following Entitlements and Subsequent Entitlements that are currently applicable to the Property, which Entitlements and Subsequent Entitlements are the subject of this Restated Agreement:

1. The General Plan and the General Plan Amendment for the Carr Trust Project;
2. The Specific Plan and the Specific Plan Amendment for the Carr Trust Project (which includes rezone and Planned Development overlay);
3. The Public Facilities Financing Plan for the FPASP;
4. Small-Lot Vesting Tentative Subdivision Map for the Carr Trust Project;
5. This Restated Agreement;
6. The Design Guidelines for the Plan Area (approved on May 12, 2015 by Resolution No. 9567) and the Project Design Guidelines for the Carr Trust Project; and
7. Inclusionary Housing Plan for the Carr Trust Project.

K. Hearings. On _____, 2016, the City Planning Commission, designated as the planning agency for purposes of development agreement review pursuant to Government Code Section 65867, in a duly noticed and conducted public hearing, considered this Restated Agreement and recommended that the City Council approve this Restated Agreement.

L. Mitigation Measures. Mitigation measures were recommended in the Specific Plan EIR/EIS, the Backbone Infrastructure IS/MND, and the Addendum to the Specific Plan EIR/EIS related to the City's approval of the Specific Plan, the Agreement, this Restated Agreement, the Entitlements and the Subsequent Entitlements, and have been incorporated in the Specific Plan, the Entitlements and the Subsequent Entitlements and in the terms and conditions of this Restated Agreement, as reflected by the findings adopted by the City Council concurrently with this Restated Agreement.

M. General and Specific Plans. Development of the Property in accordance with the Entitlements, the Subsequent Entitlements and this Restated Agreement will provide orderly growth and development of the area in accordance with the policies set forth in the General Plan and the Specific Plan.

N. Substantial Costs to Landowner. Landowner has incurred and will incur substantial costs in order to implement the Specific Plan and to assure Development in accordance with the Entitlements and the Subsequent Entitlements and the terms of this Restated Agreement.

O. Need for Services and Facilities. Development of the Property will result in a need for urban services and facilities, which services and facilities will be provided by City and other public agencies to such Development subject to the performance of Landowner's obligations hereunder, including but not limited to Landowner's obligation to fund such facilities and services.

P. Contribution to Costs of Facilities and Services. Landowner agrees as provided in the Restated Agreement, the PFFP and the funding mechanisms adopted to implement the requirements contained therein, as well as the requirements set forth in the Subsequent Entitlements, to provide for the costs of such public facilities, services and infrastructure, including but not limited to the Backbone Infrastructure required for the Development of the Property and/or required by the Entitlements or Subsequent Entitlements, and to mitigate impacts on the City of the Development. City agrees to provide municipal services subject to Landowner's payment of such costs and compliance with the terms and conditions in this Restated Agreement. Landowner, through the development of its Property in accordance with the Entitlements and the Subsequent Entitlements and this Restated Agreement, will contribute as part of the Specific Plan towards providing a mix of housing and commercial uses meeting a range of needs for the City, dedication of land for, and funding of, public facilities, open space, parkland and related park amenities, and other services and amenities that will be of benefit to the future residents of the City.

NOW, THEREFORE, the parties hereto, in consideration of the mutual covenants, promises, and agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and agreed, the parties hereto do hereby agree as follows:

ARTICLE 1

GENERAL PROVISIONS

1.1 Incorporation of Recitals. The Recitals above are true and correct and constitute enforceable provisions of this Restated Agreement.

1.2 Property Description and Binding Covenants. Upon recordation of this Restated Agreement pursuant to Section 1.4.1 below, the provisions of this Restated Agreement shall constitute covenants which shall run with the Property and the benefits and burdens hereof shall bind and inure to all successors-in-interest to and assigns of the parties hereto. Accordingly, all references herein to "Landowner" shall include each and every subsequent purchaser or transferee of the Property, or any portion thereof, from Landowner, whether or not such purchaser or transferee executes an assumption of this Restated Agreement with respect thereto.

1.2.1 History of Original Carr Trust Property and Carr Trust Project. On or about April 14, 2015, for good and valuable consideration, Landowner acquired approximately 14.667 acres of land included within the FPA. This 14.667 acre parcel was previously a portion of a larger 21.415 acre parcel identified as Assessor's Parcel

No. 072-0060-012 (referred to herein as the "Original Carr Trust Property," and depicted on **Exhibit C** to this Restated Agreement). The Original Carr Trust Property was divided into two parcels, pursuant to a boundary line adjustment approved by the City, with 14.667 acres transferred to Landowner, and the remaining 6.8 acres transferred to The New Home Company (Russell Ranch). This boundary line adjustment also is depicted on **Exhibit C** to this Restated Agreement. Landowner thereafter submitted a second application for a boundary line adjustment to the City, and City has approved a boundary line adjustment to modify slightly the boundaries between the Carr Trust Project and an adjacent project, known as the White Rock Springs Ranch Project, which was recorded on February 9, 2016 in the Official Records of the County Recorder of Sacramento, in Book 20160209, Page 0873. **Exhibit C** to this Restated Agreement depicts the Carr Trust Project and the White Rock Springs Ranch Project boundary line adjustments. The boundary line adjustment between The New Home Company (Russell Ranch) and the boundary line adjustment between the Carr Trust Project and the White Rock Springs Ranch Project are collectively the "Boundary Line Adjustments." Pursuant to Recital F of this Restated Agreement, the provisions of the Previously Approved Restated Agreements and this Restated Agreement are intended to apply to the Carr Trust Project, defined herein as the "Property," as depicted and described on **Exhibits A-1** and **A-2** to this Restated Agreement.

1.3 Definitions.

"Adopting Ordinance" means Ordinance No. _____, dated _____, 2016, approving this Restated Agreement.

"Advancing Owners" means the landowners within the Plan Area described in Section 4.2.1 and listed as Advancing Owners in **Exhibit 4.2.1** of this Restated Agreement.

"Aerojet/Easton Property" means the real property located within the Specific Plan owned by Aerojet Rocketdyne, Inc. and Easton Development Company, LLC, as of the Effective Date, as more particularly shown on **Exhibit 2.2.3.2** attached hereto and made a part hereof.

"Agreement" means the Tier I Development Agreement dated August 2, 2011.

"Area 40" means that portion of the Aerojet/Easton Property adjacent to Prairie City Road in the Specific Plan area as delineated by the EPA in the Superfund cleanup effort as depicted on **Exhibit 2.2.3.2**.

"Backbone Infrastructure" means the infrastructure described on **Exhibit 2.2.1**, attached hereto and made part hereof.

"Backbone Infrastructure IS/MND" means the Initial Study/Mitigated Negative Declaration for the South of Highway 50 Backbone Infrastructure Project, approved by the City Council by Resolution No. 9505 on February 24, 2015.

“Backbone Lands” means the land areas within the Specific Plan as shown on **Exhibit 3.8**.

“Boundary Line Adjustments” means the approved Boundary Line Adjustments that resulted in the configuration of the White Rock Springs Ranch Project and the Carr Trust Project as depicted on **Exhibit C** to this Restated Agreement.

“Original Carr Trust Property” means the land depicted on **Exhibit C** to this Restated Agreement (Description of Area 8 on Exhibit A-2 attached to the Tier 1 Development Agreement).

“Carr Trust Project” is the Property that is the subject of this Restated Agreement, and is that portion of the Original Carr Trust Property depicted on **Exhibit C to this Restated Agreement** and separately described and depicted on **Exhibits A-1 and A-2** to this Restated Agreement.

“CEQA” means the California Environmental Quality Act, Public Resources Code Section 21000 et seq., and all regulations and guidelines promulgated thereunder.

“City” means the City of Folsom, a municipal corporation.

“City Council” means the City Council of the City.

“City Zoning Ordinance” means the provisions of the City Municipal Code, Title 17 et seq.

“CFD” means a Community Facilities District established pursuant to the CFD Act.

“CFD Act” means the Mello-Roos Community Facilities Act of 1982 (Government Code Section 53311 et seq.), and the City of Folsom Community Financing Law (Folsom Municipal Code Chapter 3.110) as amended from time to time.

“Community Development Department” means the Community Development Department of the City.

“Community Development Director” means the Community Development Director of the City.

“Constructing Owner” means either Landowner or any other Participating Landowner who elects to construct any PFFP Facilities.

“Constructing Owner’s Property” means the property within which any fee credits associated with the Constructing Owner’s construction of any PFFP Facilities may be applied, as more particularly described in Section 4.3 below.

“Day(s)” means business day(s), except as expressly stated herein.

“Design Guidelines” means the Community Design Guidelines for the Plan Area approved by the City Council by Resolution No. 9567, on May 12, 2015, and thereafter to be applied to the “Public Realm” areas of the Plan Area as that term is defined in the Community Design Guidelines.

“Develop” or “Development” means any development, construction and use of the Property pursuant to a lawfully issued permit by the City of Folsom in furtherance of the Specific Plan, the Entitlements and the Subsequent Entitlements, including without limitation, the processing and approval of any tentative or final Small-Lot Maps.

“Development Agreement Statute” means Government Code Section 65864, et seq.

“Development Phase” or “Phase” means a Development Phase as described in Section 3.9 and subsections to Section 3.9 of this Restated Agreement.

“Effective Date” means the date which is thirty (30) calendar days after the date of the Adopting Ordinance approving this Restated Agreement.

“Entitlements” means the entitlements described in items 1 through 9, inclusive, of Recital J above, and those Specific Plan Amendments referenced in Section 1.5.3 of this Restated Agreement.

“Existing Fees” means the development impact and mitigation fees existing in the City as of the Effective Date of the Restated Agreement set forth in Exhibit 2.2.4 attached hereto.

“Existing Rules”, unless otherwise expressly provided in this Restated Agreement, the Entitlements or the Subsequent Entitlements, means City’s ordinances, and resolutions in force and effect on the Effective Date of the Restated Agreement.

“FPA” means the Folsom Plan Area annexed by the City of Folsom on or about January 18, 2012.

“General Plan” means the Folsom General Plan, as amended by Resolution No. 9565, and with those additional amendments to the FPASP approved as of the Effective Date of this Restated Agreement.

“Infrastructure CFD” means a CFD formed to finance (i) the acquisition and/or construction of any Backbone Infrastructure or other public facilities or improvements serving development of the Plan Area and/or (ii) the payment of the SPIF.

“Infrastructure CFD Improvements” means the public facilities or improvements authorized for acquisition or construction by the applicable Infrastructure CFD.

“Landowner” means Gragg Ranch Recovery Acquisition LLC, a Delaware Limited Liability Company, and its heirs, successors and assigns.

“Land Use Plan” means the Specific Plan Land Use Plan for the Property, as set forth on Figure 4.1 of the Specific Plan, adopted by the City Council pursuant to Resolution No. 8863 and made a part hereof, along with those Specific Plan Amendments approved as part of the Subsequent Entitlements for other projects within the Plan Area as of the Effective Date (as depicted on **Exhibit B-1** to this Restated Agreement) and those Specific Plan Amendments approved for the Project (as depicted on **Exhibit B-2** to this Restated Agreement).

“Mitigation Fee Act” means the Mitigation Fee Act, as defined and implemented pursuant to Section 66000 et seq. of the California Government Code, or any successor statute thereto.

“Mitigation Monitoring and Reporting Program” means the mitigation monitoring and reporting program approved by the City in connection with its approval of the Specific Plan EIR pursuant to Resolution Number 8860, as may be revised from time to time in connection with the City’s approval of any Supplemental Environmental Review(s) applicable to Development of the Property.

“Mortgagee” means any lender or other entity that obtains a mortgage or deed of trust against the Property.

“New Rules” means any new or modified resolution, rule, and/or ordinance adopted by the City or by initiative (whether initiated by the City Council or by a voter petition, which initiative changes, alters or amends the rules, regulations and policies applicable to the rate, timing or sequencing and density and intensity of use or Development of the Property) after the Effective Date which is not part of the Existing Rules. “New Rules” does not include a referendum that specifically overturns the City’s approval of any of the Entitlements or the Subsequent Entitlements.

“New Plan Area Fees” means the new development impact and mitigation fees, including the SPRF, SPIF and New Plan Area Fees for City Facilities, to be adopted and imposed in connection with the Development of the Plan Area consistent with the terms of the PFFP and this Restated Agreement, as specifically listed and identified in **Exhibit 2.2.4** attached hereto under the Fee categories entitled “New FPASP Plan Area Fees for City Facilities,” “New FPASP Plan Area Fee for Specific Plan Infrastructure (SPIF),” and “New FPASP Planning and Land Fees.”

“New Plan Area Fees for City Facilities” means the new development impact fees to be adopted and imposed in connection with the Development of the Plan Area to finance certain City facilities consistent with the terms of the PFFP and this Restated Agreement, as listed and identified in **Exhibit 2.2.4** under the Fee category entitled “New FPASP Plan Area Fees for City Facilities.”

“Participating Landowners” means Landowner and any and all other landowners of other properties within the Plan Area who have then obtained approval

and have executed and recorded, and are not in breach, of a Tier 2 Development Agreement or this Restated Agreement for such other properties.

“Permit Streamlining Act” means the provisions of Government Code Section 65920 et seq.

“PFFP” (“Public Facilities Financing Plan”) means the Public Facilities Financing Plan prepared by Economic and Planning Systems and the Folsom Office of Management and Budget approved by the City on January 28, 2014 by Resolution No. 9298.

“PFFP Facilities” means the public improvements and facilities serving the Plan Area that are to be financed, in whole or in part, by the Plan Area pursuant to the terms and provisions of the PFFP.

“Plan Area” means the entire Specific Plan area shown on Exhibit B hereto.

“Planning Commission” means the Planning Commission of the City.

“Previously Approved Restated Agreements” means those Amended and Restated Agreements approved by the City Council by uncodified Ordinance Nos. 1195-1207, inclusive, and Ordinance No. 1211 on or about June and July 2014.

“Project” means Development consistent with the Entitlements and Subsequent Entitlements, including this Restated Agreement.

“Project Area” means the land included within the description of the “Property.”

“Project Design Guidelines” means the design guidelines for the Carr Trust Project approved by the City as part of the Carr Trust Project.

“Property” means those certain parcel(s) of land described in the Land Use Plan for the Carr Trust Project, Exhibit A-1 and shown on Exhibit A-2 attached hereto and made a part hereof within the Plan Area.

“Public Improvements” means the Backbone Infrastructure and also Project specific infrastructure improvements that are required under the Subsequent Entitlements.

“Public Parcels” means the parcels within the Plan Area planned for open space and public uses described and shown on Exhibit D hereto, including those parcels within the Project Area.

“Restated Agreement” means this First Amended and Restated Tier 1 Development Agreement.

“Small-Lot Map” means a subdivision map processed and approved pursuant to the Subdivision Map Act that, upon recordation thereof, will create either individual lots or parcels upon which building permits may be issued for the construction of commercial buildings or single-family residential units within a parcel planned for commercial or single-family use, or for construction and sale of individual condominium units within a parcel planned for commercial or multifamily residential use, consistent with the underlying zoning in the Subsequent Entitlements.

“Specific Plan” means the Folsom Specific Plan adopted by the City Council by Resolution No. 8863 on June 28, 2011.

“Specific Plan Amendment” means an amendment to the Specific Plan approved by the City Council.

“Specific Plan EIR” means the Final EIR for the Specific Plan certified as adequate and complete by the City Council by Resolution No. 8860 on June 14, 2011 (State Clearinghouse No. 2008092051).

“SPIF” means the Specific Plan Infrastructure Fee that has been adopted and imposed in connection with the Development of the Plan Area consistent with the terms of the PFFP and Section 4.2.2 of this Restated Agreement by Ordinance No. 1235.

“SPRF” means the Specific Plan Reimbursement Fee to be adopted and imposed in connection with the Development of property within the Plan Area consistent with the terms of the PFFP and Section 4.2.1 of this Restated Agreement.

“Standard Design and Construction Specifications” means the standard specifications approved by the City Council and published and maintained by the City, as amended from time to time.

“Subdivision Map Act” means the provisions of Government Code Section 66410 et seq.

“Subsequent Entitlements” shall include those land use approvals listed in Recital J of this Restated Agreement for the Project, which are required in order for Development to occur on the Property.

“Supplemental Environmental Review(s)” means any supplemental or additional environmental review and analysis approved or certified by the City, in addition to the review and analysis certified by the City Council in the Specific Plan EIR, associated with and/or required by the City’s review and approval of the Entitlements or the Subsequent Entitlements, including without limitation, any addenda, amendments, or mitigated negative declarations that may be approved or certified by the City in connection with any and all amendments to the Specific Plan.

“Term” means the term of this Restated Agreement as defined in Section 1.4.1 hereof.

“Tier 1 Development Agreement” means the Tier 1 Development Agreement described in Recital A.

“Tier 2 Development Agreement” means a development agreement required by the Tier 1 Development Agreement.

“Vested Rights” means the rights to Develop the Property consistent with the terms and provisions of this Restated Agreement.

“Vested Tentative Subdivision Small-Lot Maps” shall mean and refer to the maps for the Project approved by Resolution No. as part of the Subsequent Entitlements.

“Water Supply Agreement” means that certain Water Supply and Facilities Financing Plan and Agreement Between the City of Folsom and Certain Landowners in the Folsom Plan Area, entered into by and between the City and Folsom Real Estate South, LLC, et al., dated December 11, 2012, and recorded in the Official Records of Sacramento County, Book 20130124, Page 1382, on January 24, 2013, as amended.

1.4 Term.

1.4.1 Commencement; Extension; Expiration. The Term shall commence upon the Effective Date. This Restated Agreement shall be recorded against the Property within ten (10) calendar days after City enters into this Restated Agreement, as required by California Government Code Section 65868.5. The Term of this Restated Agreement shall extend from the Effective Date through June 30, 2044, unless said Term is earlier terminated, modified or extended by circumstances set forth in this Restated Agreement or by mutual consent of the parties hereto. Nothing herein prevents the City from exercising its sole and complete discretion in determining whether this Restated Agreement shall be extended at the end of the Term, and whether any of the terms contained herein should be amended as part of the extension.

Following the expiration of the Term, or if terminated earlier in accordance with the terms of this Restated Agreement, this Restated Agreement shall be deemed terminated and of no further force and effect, except for the implementing ordinances for the SPRF and the SPIF, which shall survive unless and until amended or revoked by the City Council, and the indemnification obligations in this Restated Agreement, which shall survive termination of this Restated Agreement.

1.4.2 Tolling and Extension During Judicial Challenge or Moratoria. In the event that this Restated Agreement is subjected to a judicial challenge by a third party other than Landowner, and Landowner gives written notice to City that it is electing not to proceed with the Project until such litigation is resolved, the Term of this Restated Agreement and timing for obligations imposed pursuant to this Restated Agreement shall, upon written request of Landowner, be extended and tolled during such litigation until the entry of a final order or judgment upholding this Restated Agreement, or the litigation is dismissed by stipulation of the parties. Similarly, if Landowner is unable to undertake Development due to the imposition by the City or other public agency of a development

moratoria for imminent health or safety reasons unrelated to the performance of Landowner's obligations hereunder, then the Term of this Restated Agreement and timing for obligations imposed pursuant to this Restated Agreement shall, upon written request of Landowner, be extended and tolled for the period of time that such moratoria prevents development of the Property. In no event shall any extension of the term of this Restated Agreement under this section exceed twenty four (24) months from the date of filing of any judicial challenge without further action and approval of the City Council.

Notwithstanding any extension or tolling of the Term of this Restated Agreement as provided above in this Section 1.4.2, the City may, at Landowner's sole cost and expense, process any preliminary plans submitted by a Landowner, including, without limitation, any applications for tentative parcel map or tentative subdivision map approval, during such tolling period, provided, however, that Landowner waives the time limits set forth in the Subdivision Map Act or Permit Streamlining Act for any action by City during the tolling period to approve such tentative parcel map or tentative subdivision map or other development permit approval. In the event of a moratorium or judicial challenge as provided in this section City shall not be obligated to hold any hearings, public meetings or to approve such tentative map or development permit during the moratorium, but may proceed with processing of preliminary plans at Landowner's expense.

1.5 Amendment of Restated Agreement. When the City Council finds it in the best interests of the City to do so, this Restated Agreement may be amended from time to time by mutual written consent of City and Landowner with respect to the Property in accordance with the provisions of the Development Agreement Statute and City ordinances. Except as provided in Section 1.5.1, if the proposed amendment affects less than the entirety of the property, then such amendment need only be approved by the owner(s) in fee of the portion(s) of the Property that is subject to or affected by such amendment.

1.5.1 Required Provisions in Subsequent Tier 2 Development Agreements and Amendments to Incorporate Subsequent Entitlements. In light of the necessity for full and ongoing funding of the FPA as provided in this Restated Agreement and the Entitlements, including the PFFP, the Parties agree that the terms and provisions of this Restated Agreement identified in this section must be included in any other Tier 2 Development Agreement or subsequent Amended and Restated Development Agreement for other properties within the Plan Area. The Parties further agree that the terms and provisions enumerated herein may not be modified or amended as to any property within the Plan Area without the written consent of all of the then existing Participating Landowners. In addition, unless otherwise agreed to in writing by a Constructing Owner, the rights of a Constructing Owner who is no longer a Participating Landowner to any outstanding fee reimbursements and/or fee credits under a Fee Reimbursement Agreement with the City (as defined in Section 4.3 below) shall be protected from the effects of any proposed amendment to Sections 2.2.1, 4.2.1, 4.2.2 and 4.3 of this Restated Agreement through the Constructing Owner's contractual rights related thereto under such Fee Reimbursement Agreement. The following terms and provisions fall within the scope of this section:

- A. Portions of the PFFP, SPRF and SPIF; Credits and Reimbursements (Sections 2.2.1, 4.2.1, 4.2.2 and 4.3): The provisions of the PFFP as set forth in Section 2.2.1 (subject to the re-opener provisions of Section 2.2.4.1), the Specific Plan Reimbursement Fee as set forth in Section 4.2.1, the Specific Plan Infrastructure Fee as set forth in Section 4.2.2, and the Fee Credit and Reimbursement rights as set forth in Section 4.3;
- B. Portions of the Financing Programs outlined in the PFFP (Sections 2.2.3.5, 2.5.3 and 3.2): Landowner's and City's commitments under Recital L, Section 2.2.3.5 related to adoption and implementation of the PFFP and the SPIF, Section 2.5.3 to support the formation and implementation of all finance programs and CFDs described therein, including the Aquatic Center CFD for purposes of financing as outlined in the PFFP, and Section 3.2 related to the formation and implementation of any infrastructure CFDs;
- C. New Plan Area Fees (Section 2.2.4 and 2.2.4.1): Landowner's commitment in this Restated Agreement to support and pay the New Plan Area Fees, and all other fees adopted by the City consistent with this Restated Agreement, as and when required by the PFFP and the adopting ordinances;
- D. Design Guidelines (Recital H): The Design Guidelines for the Plan Area upon approval by the City;
- E. Dedications of Backbone and Lands Public Parcels (Sections 3.8 - 3.8.5.1): Landowner's commitment to dedicate and/or grant the Backbone Lands and Public Parcels required for development of the Plan Area at no cost to the City; and
- F. Phasing of Backbone Infrastructure (Sections 3.9 – 3.9.2): Subject to the City's discretion, as described in this Restated Agreement, to determine the phasing and timing for construction of necessary Backbone Infrastructure as maps are processed, Landowner's commitment to maintain the underlying requirement to construct the portion of the Backbone Infrastructure as determined for each Development Phase pursuant to Section 3.9 of this Restated Agreement.

Nothing stated herein is intended to modify the exceptions to vested rights set forth in Section 2.2.3, the re-opener provisions of Section 2.2.4.1, the provisions allowing for cost of living adjustments in Section 2.2.4(7), or the rights of the City under Sections 2.2.5, 2.2.6 and 2.2.7 to enact new laws or regulations as provided for in those sections.

1.5.1.1 Consent to Amend PFFP for Additional Reclaimed/Recycled Water System in Backbone Infrastructure. Landowner has previously consented to and now reaffirms its consent to the City amending the PFFP in

connection with an update to the Recycled Water Analysis Appendix to the Folsom Plan Area Water System Master Plan in order to provide funding for additional reclaimed/recycled water system backbone pipeline improvements to serve Zones 4, 5 and 6 of the FPASP east of Placerville Road, including but not limited to conveyance system and related backbone pipeline. An exhibit depicting said additional reclaimed/recycled water system backbone pipeline improvements prepared as part of the Water System Master Plan update and the PFFP amendment will be incorporated into the Restated Agreement as **Exhibit 1.5.1.1**. All provisions in this Restated Agreement relating to the PFFP shall include the amendment provided for herein and the provisions of Section 2.2.4(4) of the Restated Agreement regarding the potential responsibility for Landowner's Development to provide funding for additional off-site transmission, on-site storage and other necessary infrastructure shall apply with respect hereto.

1.5.2 No Amendment Required for Minor Administrative Modifications.

The parties acknowledge that under the Specific Plan, the Community Development Director of the City 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 Community Development Department of any Minor Administrative Modifications (as defined in the Specific Plan on the Effective Date of this Restated Agreement) to the Entitlements or Subsequent Entitlements that are consistent with this Restated Agreement shall not constitute nor require an amendment to this Restated Agreement to be effective. Notwithstanding the procedure for minor amendments, nothing in the Entitlements, the Subsequent Entitlements or this Restated Agreement would preclude the Community Development Director or the City Manager from bringing such amendments to the Planning Commission and/or City Council for action if he/she believes it is in the best interests of the City to do so.

1.5.3 Amendments to Restated Agreement after Approval of Subsequent Entitlements. Under the Previously Approved Restated Agreements, the City agreed that a Participating Landowner may file an application for a Specific Plan Amendment and Subsequent Entitlements associated with the Specific Plan Amendment after the approval, execution and recordation of the Previously Approved Restated Agreements. As part of such applications, the Participating Landowner must also obtain an Amendment to the Previously Approved Restated Agreement to allow for the application of the terms of the Previously Approved Restated Agreement to the Specific Plan Amendment and the Subsequent Entitlements it seeks. Such amendments shall be referenced as Amendment No.[] to the Landowner's Restated Agreement, and shall be considered and processed by the City in accordance with the terms of Government Code Section 65864 through 65869.5, inclusive, and any and all applicable provisions of the Folsom Municipal Code and the City Charter and City Council Resolution No. 2370. The City Council retains sole and absolute discretion to evaluate the Specific Plan Amendment and related Subsequent Entitlements, including imposing conditions of development and to conduct any and all necessary Supplemental Environmental Review prior to consideration of the approval of the Specific Plan Amendment and the Subsequent Entitlements. If the City, in its sole and absolute discretion, approves the

Specific Plan Amendment and the Subsequent Entitlements and provided that Landowner also reaffirms its agreement to abide by the provisions of this Restated Agreement and any modifications to the Restated Agreement and the Specific Plan or conditions imposed on the project, then the Specific Plan Amendment and Subsequent Entitlements shall be included within the definition of Entitlements as that term is used throughout this Restated Agreement. This Restated Agreement is intended to, and shall be considered as the amendment contemplated by Section 1.5.3 of the Previously Approved Restated Agreements as applied to the Carr Trust Project.

1.5.3.1 Specific Plan Amendment Cut-Off Date. The terms set forth in the Previously Approved Restated Agreements shall apply to Specific Plan Amendments approved by the City Council prior to that date that is two (2) years from the date of publication in the Federal Register of the Record of Decision for the Section 404 Permit issued by the United States Army Corps of Engineers relative to Backbone Infrastructure, or July 1, 2016, whichever is later (the "Specific Plan Amendment Cut-off Date"). For Specific Plan Amendments approved by the City Council on or after the Specific Plan Amendment Cut-off Date, the City retains the right to modify a previously Approved Restated Agreement as applied to the lands covered by the proposed Specific Plan Amendment, to impose additional conditions or requirements of the Project that are not project specific or "nexus" based, including imposing additional costs, conditions or requirements to: (1) fund and/or construct facilities other than PFFP Facilities, and (2) fund services or amenities other than those described in the PFFP, in conjunction with the approval of an amendment to the Specific Plan or to accelerate the funding of projects in the PFFP. Nothing in this section is intended to prevent development of the Property for the uses and to the density or intensity of development or the rate and timing of development as set forth in this Restated Agreement, the Entitlements and the Subsequent Entitlements, or permit modifications of other existing rights or application of New Rules, except as expressly permitted in this Restated Agreement including, as provided in Government Code Section 65865.2. Landowner retains its right to object to the cost of additional conditions or requirements, but expressly waives any argument that the imposition of such conditions or requirements violate the terms of this Restated Agreement and agrees to comply with such conditions or requirements, including any cost associated therewith, should such be imposed by the City as part of an amendment to this Restated Agreement following consideration of Landowner's objection. Regardless of the date of approval of a Specific Plan Amendment, nothing stated herein is intended to modify, alter or limit in any way the City's right to impose new conditions or terms which derive from environmental review and are required to mitigate environmental impacts, or are otherwise directly project related or "nexus" based. The Subsequent Entitlements for the Carr Trust Project have been approved by the City Council prior to the Specific Plan Amendment Cut-Off Date referenced in Section 1.5.3.1 of the Previously Approved Restated Agreements and, therefore, as set forth in that section, the terms of the Previously Approved Restated Agreements shall apply to the Subsequent Entitlements for the Carr Trust Project.

1.5.4 Recordation Upon Amendment or Termination. Except in the event that this Restated Agreement is automatically terminated due to the expiration of

the Term, the City shall cause any amendment hereto, including any extension of the Term, and any other termination hereof to be recorded, with the County Recorder within ten (10) calendar days after City executes such amendment or termination. Any amendment or termination of this Restated Agreement to be recorded that affects less than all the Property shall describe the portion thereof that is the subject of such amendment or termination.

1.6 Consistency with Other Amendments to Restated Agreements for the Plan Area. By entering into Tier 1 Development Agreements and Restated Agreements on like terms with other owners of property within the Plan Area, the City intended, and now reaffirms its intention, to apply comparable rules to all property within the Plan Area for vesting of entitlements and exceptions thereto, term of agreement, requirements imposed on development of the property, obligations of landowners, and obligations imposed by City upon itself. In light of the intention to maintain equality in terms and provisions among landowners, City agrees to consider, upon request of the Landowner, and approve or deny in its sole and absolute discretion, a subsequent amendment to this Restated Agreement to provide like terms that may be included in an amendment to Restated Agreement for another owner within the Plan Area.

1.7 Application of Restated Agreement Terms to Carr Trust Project. The terms of this Restated Agreement are intended to apply to the Carr Trust Project (**Exhibits A- 1 and A-2**), which is the Property that is the subject of this Restated Agreement.

ARTICLE 2

DEVELOPMENT OF THE PROPERTY

2.1 Permitted Uses. The permitted uses of the Property, the density and intensity of use, the maximum height and size of proposed buildings, provisions for reservation or dedication of land for public purposes and location of public utilities and public improvements shall be those set forth in the Entitlements, the Subsequent Entitlements and this Restated Agreement.

2.2 Vested Rights. City agrees that, except as otherwise provided in and as may be amended in accordance with the Exceptions to Vested Rights set forth in Section 2.2.3 below, City is granting, and grants herewith, vested rights to Development for the Term of this Restated Agreement in accordance with the terms and conditions set forth herein. City acknowledges that the Entitlements and Subsequent Entitlements identified in Recital J are vested by this Restated Agreement and include the land uses, zoning and approximate acreages for the Property as shown and described in **Exhibit A-1** and **Exhibit A-2** attached hereto, or as such land uses and approximate acreages may be amended by those Specific Plan Amendments referenced in Section 1.5.3 of this Restated Agreement. Nothing in this Restated Agreement shall impair or affect the rights of Landowner under a vesting tentative map or the City's rights to condition such maps. (Govt. Code Sec. 66498.1, et seq.)

Such uses shall be developed in accordance with the Entitlements and Subsequent Entitlements, each as described in Recital J and as provided for on the Effective Date of this Restated Agreement and/or as any Subsequent Entitlement incorporated therein provides on the date of approval thereof by City.

Certain vesting periods are set forth in the ARDA and as set forth in more detail in each section of this Amendment to Restated Agreement, each of those provisions related to vesting are incorporated by reference in this Amendment to Restated Agreement related to the Entitlements and Subsequent Entitlements. The parties agree that although the Vesting Tentative Subdivision Small-Lots Maps, the Project Design Guidelines, and accompanying Conditions of Approval for each of these entitlements are listed as Subsequent Entitlements, in addition to any vested rights that established under common law, the following shall be the applicable Vested Rights for those entitlements:

- A. Vesting Tentative Subdivision Small-Lots Maps and accompanying Conditions of Approval – Vested Rights (including the approved Minor Administrative Modifications) shall be as established by the California Subdivision Map Act, Government Code 66410 *et. seq.*, including but not limited to Government Code Sections 66452.6 and 66498.5(b) and (c). For purposes of Government Code section 66452.6(a) (1), the phrase “construct, improve or finance” shall include, but not be limited to, the payment of impact fees identified in the PFFP, later adopted SPIF fees or this Amendment to Restated Agreement that are for the express purpose of construction of off-site improvements that otherwise qualify for extension of a map under that statute. The extension of any Vested Tentative Subdivision Small-Lot Map shall apply to all Vested Tentative Subdivision Small-Lot Maps for the Project.
- B. The Design Guidelines and Project Design Guidelines shall be vested concurrently with the vesting time periods for maps in Section A above and similarly shall expire or be extended upon the same terms as apply to the Vesting Tentative Subdivision Small Lot Maps as set forth herein and as further provided for in Government Code Section 65863.9. This also includes the Development Standards as vested under Section 2.2.2(A) below.
- C. Grading Permits - All grading and improvement plans approved as part of the Vesting Tentative Small-Lot Maps shall be vested concurrently with the vesting time periods for maps in Section A above and similarly shall expire upon map expiration or be extended upon the same terms as apply to the Vesting Tentative Subdivision Small-Lot Maps as set forth herein and as further provided for in Government Code Section 65863.9.
- D. Vesting periods and accordingly the Vested Rights under this Amendment to Restated Agreement for the Small-Lot Maps, the Project Design Guidelines, the accompanying Conditions of Approval, and Grading Permits shall be extended as provided for by Folsom City Council ordinance or resolution, and also as may be provided for in the California Subdivision Map Act based. Any extensions

granted in accordance with this Section shall be contingent upon compliance with any requirement set forth in the applicable ordinance or legislation extending the time period for such Vested Rights.

- E. The provisions of Section 1.4.2 of the Restated Agreement related to Tolling and Extension During Judicial Challenge or Moratoria shall apply to the Vested Rights established for each of the Subsequent Entitlements described in paragraphs A-C, inclusive.
- F. The street widths and roadway sections as depicted in the vested tentative maps approved as part of the Carr Trust Project Subsequent Entitlements for a period of ten (10) years from the Effective Date of this Restated Agreement.

2.2.1 Vested Provisions of the PFFP. The parties agree that the PFFP is not a vested document in its entirety. They further agree that only those portions of the following Chapters and Appendices in the PFFP specifically referenced below will vest for the term of this Restated Agreement:

- A. The list of PFFP Facilities to be constructed in and/or financed by the Plan Area, as set forth in Appendices B through G and I through O of the PFFP, as may be revised in accordance with the provisions of Section 2.2.3.5 herein and subject to the re-opener provisions set forth in Section 2.2.4.1 herein. The initial list of PFFP Facilities is attached hereto as **Exhibit 2.2.1**;
- B. The development impact fee provisions, as set forth in the Executive Summary, Chapters 5 and 8 and Table 13 of the PFFP, including payment of such fees at building permit or occupancy and establishment of fee reimbursement and credit provisions for advance-funded improvements;
- C. The SPIF Implementation provisions, as set forth in Appendix S of the PFFP, including the SPIF Set-Aside for certain Phase 1 and Phase 2 sewer and water infrastructure and the SPIF fee reimbursement and fee credit implementation and prioritization;
- D. The Sewer and Offsite Water CFD and Extended Term CFD provisions, as set forth in Chapters 5 and 6 and Appendix U of the PFFP; and
- E. The City Loan for Water/Sewer Financing provisions, as set forth in Chapters 5 and 6 and Appendix U of the PFFP, including City loan repayment from Sewer and Offsite Water CFD revenues and establishment of SPIF Set-Aside with applicable credits for eligible improvements.

As to the provisions of the SPIF, including the Set-Aside described in 2.2.1(C), the Parties agree that additional details for implementation of the SPIF Set-

Aside will be subject to refinement and substantiation as part of and in connection with the City's adoption of the SPIF ordinance consistent with the parameters and purposes identified in the above referenced sections of the PFFP. The City also shall have the authority to adopt the ordinance for the New Plan Area Fees to accomplish the purpose outlined in the PFFP consistent with the parameters and purposes identified in the above referenced sections of the PFFP.

2.2.2 Vested Provisions of the Specific Plan. The parties recognize the need to vest certain portions of the Specific Plan and also recognize that during the term of this Restated Agreement that there may be a need for changes in the plan to keep pace, for example, with new regulatory requirements, new technology, changing trends and a need for flexibility to address changes and needs and goals of the City as expressed by the City Council over time. The parties recognize that the Specific Plan is not vested in its entirety and agree that the following sections of the Specific Plan are vested and will not be altered by New Rules:

- A. Development Standards set forth in Appendix A of the Specific Plan;
- B. Land Use and Zoning set forth in Section 4 of the Specific Plan; and
- C. The street widths and roadway section provisions of Section 7.7.2 of the Specific Plan as depicted in Figures 7.24, 7.25, 7.26 and 7.27 related to Local Streets for a period of ten (10) years from the Effective Date of this Restated Agreement.

2.2.3 Exceptions to Vested Rights. The parties specifically agree that no vested rights exist and/or the term of such vesting under this Restated Agreement may be limited and subject to modification and the parties recognize that provisions in the Entitlements and Subsequent Entitlements related to these issues may differ from the existing code and the Specific Plan and that the terms of this Restated Agreement shall control with respect to the following issues:

2.2.3.1 Affordable Housing. Except as set forth in Section 2.2.3.1.1, the existing Housing Element and Folsom Municipal Code contain provisions associated with affordable housing and these provisions are vested until January 1, 2020 (i.e., the date that is 12 months before the expiration of the current Housing Element). Until January 1, 2020, the City agrees it shall not amend provisions of the Housing Element associated with affordable housing, except for such amendments that do not alter land uses, result in additional financial burdens on development in the Plan Area, amend the Land Use Plan, rezone any portion of the Property without the Landowner's written consent or to comply with state law or court order. Nothing herein shall prohibit Landowner from proposing or agreeing to any changes to the Land Use Plan or zoning for the Property. In any subsequent Housing Element the City may adopt a Housing Element in its discretion and will look citywide to meet its State-imposed Regional Housing Needs Allocation (RHNA) and retains all rights to modify the Land Use Plan and rezone any portion of the Property, add, modify or delete programs,

policies and goals, excluding however any portion(s) of the Property for which a vesting map has been approved and remains valid. Nothing in this Restated Agreement is intended to limit the Landowner's ability to obtain vested maps as allowed by law or City ordinance.

The City agrees that when examining land to address future RHNA requirements, it will, to the extent feasible in the FPA, maintain rough proportionality of the mix of residential and commercial as exists in the Specific Plan on the Effective Date of this Restated Agreement. For purposes of this section, "rough proportionality" shall mean plus or minus 10%. The City agrees that when it examines the RHNA requirements it will endeavor to maintain the rough proportionality of commercially zoned land to residentially zoned land. Notwithstanding the objective to maintain rough proportionality, the City may consider among other information available at the time it is reviewing its Housing Element, including the number of and type of financially feasible and available sites, criteria used for evaluating financing of affordable housing projects (including but not limited to qualification for tax credits), the extent to which vested maps or other vested rights exist on commercial and residential property, the extent to which other lands have been rezoned to a different zoning designation since the Effective Date of this Restated Agreement, avoiding overconcentration of affordable housing and the policies of the Housing Element and may, in its discretion, rezone lands necessary to meet the City's RHNA obligations.

2.2.3.1.1 Amendments to Inclusionary Housing Ordinance. The City has amended the Inclusionary Housing Ordinance (i.e., Folsom Municipal Code Chapter 17.104) by Ordinance No. 1243, to eliminate Second Dwelling Units (also referred to as "granny flats") as an alternative means of meeting the City's inclusionary housing requirements, as more specifically provided for in Folsom Municipal Code section 17.104.060(E). Landowner acknowledges that there is no vested right to use this alternative means for meeting the City's inclusionary housing requirements and that this alternative shall not be available to Landowner from and after the effective date of Ordinance No. 1243. Other than the elimination of the "granny flat" option, the Parties agree that all other alternatives for meeting the City's inclusionary housing requirements remain vested to the full extent provided for in this Restated Agreement.

2.2.3.2 Area 40 - Community Park West. The term "Community Park West" refers to that portion of the Aerojet/Easton Property designated as the site for Community Park West, as depicted in **Exhibit 2.2.3.2**. At the time of adoption of this Restated Agreement, the land uses have been identified in and approved as part of the Specific Plan, and the Parties believe such uses are consistent with the uses permitted by state and federal regulatory agencies in that portion of the Aerojet/Easton Property referred to as Area 40 that has Superfund status. The City and Easton Development and Aerojet Rocketdyne ("Aerojet/Easton") have met to address the current provision related to Area 40 in the Tier 1 Development Agreement. The parties have agreed to replace the Tier 1 provision with the provisions contained in this section and to provide for an alternate site if Community Park West has not received regulatory clearance for

the park uses called for in the Specific Plan during the timeframe outlined in this section. This Agreement grants to Easton and Aerojet, as owners of the Aerojet/Easton Property, and their successors-in-interest, the right to develop portions of the Aerojet/Easton Property, other than properties designated as Community Park West and the Alternate Site (defined below), consistent with the Specific Plan subject to the provisions of this section.

No later than the issuance of the 600th residential building permit within the Aerojet/Easton Property and those parcels designated for residential use within the community park service area depicted in Figure 9.1 in the Specific Plan ("the Service Area"), Aerojet/Easton shall create, record and irrevocably offer to dedicate to City the parcel for the neighborhood park depicted in the Specific Plan as a 10.0 acre park. In addition, Aerojet/Easton shall demonstrate to the City's satisfaction, at the time of the offer of dedication, that infrastructure (e.g., access streets, curb, gutter and sidewalk, water and power services) are available to serve the neighborhood park parcel. The City and Aerojet/Easton have met and agreed upon an alternate site for Community Park West in the event that all regulatory clearances for the uses in Community Park West are not achieved as set forth herein. The alternate site for Community Park West is depicted in **Exhibit 2.2.3.2** ("Alternate Site") which has been agreed to by Aerojet/Easton, the City, and the landowners who are party to a Restated Agreement. Notwithstanding the foregoing sentence, agreement of landowners who are a party to a Restated Agreement or a Previously Approved Restated Agreement shall not be construed as a waiver on the part of such landowners of the right to request mitigation measures as part of the park project approval process to reduce impacts of Community Park West on properties adjacent to or in the vicinity of the Alternate Site. The parties agree that the Alternate Site shall not exceed the size (approximately 47.8 acres) of Community Park West as reflected in the Specific Plan adopted in 2011. Aerojet/Easton shall process parcel maps with its first land use application or submittal of a Specific Plan Amendment in the Service Area separately delineating the Alternate Site and Community Park West. When the parcel map is created for the Alternate Site, Aerojet/Easton shall grant, execute and provide to the City an irrevocable offer of dedication of the Alternate Site for a community park use conditioned as set forth in this section.

Upon issuance of the 1,000th residential building permit within the Service Area, Aerojet/Easton and City shall meet to discuss the progress of regulatory clearance for use of Community Park West, as well as timing and process for use of the Alternate Site should Community Park West not be available upon issuance of the 1200th residential building permit in the Service Area. In the event that Community Park West is not available for park use when the 1,200th residential building permit is issued in the Service Area or if a final determination (including applicable appeals) is made by the EPA that Community Park West cannot be used for the intended park purposes, whichever occurs first, the City may accept the offer of dedication of the Alternate Site as a permanent replacement for Community Park West. City agrees to accept and process an application from Aerojet/Easton for a Specific Plan Amendment, which application shall include, unless separately submitted in advance, the creation of the

parcel maps and the Irrevocable Offer of Dedication referred to above. Any such Specific Plan Amendment by Aerojet/Easton shall be processed by City following the City's typical review and approval process, which shall include CEQA review. Aerojet/Easton may proceed through the entitlement process on all Aerojet/Easton Property in the Plan Area, except Community Park West and the Alternate Site, and for those sites the entitlement process shall not proceed beyond a parcel map and zoning until the use of the Community Park West site has been resolved.

A deed restriction for park use only shall be recorded against the Community Park West and Alternate Site parcels, attaching a copy of this section which shall run with the land, until final approval of either site for a community park. Any entitlements for the Aerojet/Easton Property shall plan for and be consistent with the use of the Alternate Site for community park purposes and to assure access and circulation for the surrounding properties, acknowledging that doing so may necessitate or be facilitated by minor adjustments to the parcel map creating the Alternate Site. Aerojet/Easton shall be responsible for all the costs associated with the processing of any Specific Plan Amendments and environmental documents related to Specific Plan Amendment applications, including use of the Alternate Site for park purposes. Any cost adjustments required to construct park facilities at the Alternate Site shall be included in applicable New Plan Area Fees as set forth in Section 2.2.4(1) herein.

Disclosures shall be required and included as map conditions for the sale of all residential property sold in the Service Area of both Community Park West and the Alternate Site advising potential purchasers of the potential uses of these sites, including but not limited to future residential development or park and recreation use involving lighted playing fields. When the roadways adjacent to Community Park West and the Alternate Site have been constructed and opened for use, signage, to the satisfaction of the City, that is easily read by passing traffic shall be erected announcing residential development or the potential for park facilities on these sites. Unless otherwise approved by the City Council, Community Park West and the Alternate Site shall remain in ownership by Aerojet/Easton until final approval of either site for the community park. Any transfer approved by the City Council shall be subject to conditions it imposed and shall be accompanied by an Assignment and Assumption Agreement outlining the terms contained herein or as otherwise approved by the City Council.

Upon final approval of either site as a community park or when an irrevocable offer of dedication for the approved site is accepted by the City, the restrictions and limitations set forth herein for the site not used as a community park shall be removed.

The Parties acknowledge and agree that the vested rights conveyed by this Restated Agreement shall not prevent City from initiating or approving amendments to the approved Specific Plan, or adopting ordinances to achieve the purposes of this section. The Parties also acknowledge and agree that, the City's interests having been protected by the disclosures and restrictions noted above, Aerojet/Easton shall be permitted to submit and process for approval large and small lot tentative and final

maps throughout the Aerojet/Easton Property, except the Alternate Site and Community Park West, subject to City's regular review and approval process; however no entitlements shall be approved if such entitlements or components thereof would impede or limit the use of either site for a community park. The Parties and landowners further acknowledge and agree that limitations set forth herein on the use of the Alternate Site may not be resolved until after the deadline for the revision of the PFFP and adjustment to the SPIF described in Section 2.2.3.6 herein and therefore agree Aerojet/Easton or the City may initiate a revision to the PFFP and SPIF to address this issue up to ninety (90) days after the authorization to proceed with development on the Alternate Site. Upon approval of the Alternate Site for residential purposes, SPIF may be reallocated over the Aerojet/Easton Property for any such property that has not received a building permit.

The PFFP provides for a number of community facilities districts in the Plan Area and unit allocations for SPIF purposes. The parties and landowners agree and the district formation documents shall provide that neither the Alternate Site nor Community Park West will be subject to any community facilities district tax until such time the Alternate Site is used for residential purposes. The district formation documents shall provide that the taxable allocation from the Alternate Site shall be allocated to the remaining Aerojet/Easton Property and upon approval for residential purposes it may be reallocated, annexed to the district or the tax imposed.

Failure of Aerojet/Easton to comply with the terms set forth in this section shall be grounds to cease the application process for any entitlements in the Aerojet/Easton Property, including waiver of any permit streamlining provisions, as well as other remedies contained in this Restated Agreement. Provided, however, the effect of any such non-compliance and enforcement of any such remedies shall be limited to the Aerojet/Easton Property and shall not apply against or affect Development within any other Participating Landowner's property in the Plan Area.

2.2.3.3 Quarry Traffic. Section 7 of the Specific Plan addresses circulation in the Plan Area. Landowner acknowledges that, as provided in Section 2.2.2 above, this Restated Agreement does not vest any rights with respect to changes to the Circulation Chapter to assure compliance with the Quarry Truck Management Plan (TMP) approved by the Sacramento County Board of Supervisors on December 14, 2011 (Resolution No. 2011-0938). The City retains all rights and authority to make changes to the circulation provisions of the Specific Plan based on final implementation of the TMP. With respect to any portion of the Property impacted by the roadway alignments required by the TMP (the "TMP Alignments"), Landowner agrees to offer irrevocably for dedication or grant (at the City's discretion) easements and rights-of-way required for traffic and circulation under or in connection with the TMP at no cost to the City prior to the approval of the first tentative Small Lot Map for any portion of the Property impacted by the TMP Alignments, or any portion or phase thereof. Landowner may look to entities other than the City of Folsom for compensation associated with the TMP requirements, but any dispute related to compensation shall not delay or impede the ability of the City to obtain necessary easements or right of way. Any necessary

adjustments to dedications shall be governed by the provisions of Sections 3.8.3 and 3.8.4 of this Restated Agreement.

Landowner acknowledges and agrees that Development of the Property shall comply with the requirements of the Quarry Traffic Management Plan Funding Mechanism Program adopted by the County of Sacramento on December 14, 2011, as Resolution Number 2011-0938, as well as requirements in the Agreement Between the County of Sacramento, the Sacramento County Water Agency, and the City of Folsom, Relating to Transportation and Water Supply Issues Involving the South of Highway 50 Folsom Plan Area Annexation dated December 21, 2011.

2.2.3.4 Corporation Yard. The parties understand and agree that a new corporation yard equivalent to approximately 30 acres will be located in the vicinity of, but not within, the Plan Area. Such property has been tentatively identified, with a final purchase and sale agreement pending, pertaining to the location of the corporation yard. In addition to the provisions stated herein, requirements related to the timing of the identification of the corporation yard site are specified in Section 2.5.3B(9) of this Restated Agreement. Landowners will be responsible for one hundred (100%) percent of the cost of land acquisition for such corporation yard as provided in the PFFP and Section 2.2.3.4.1 below. The Plan Area will fund its fair share of capital costs for all improvements and facilities required for the corporation yard. Such financing for capital costs shall be provided in accordance with the terms of the PFFP.

The City and certain landowners have identified a potential site for the corporation yard outside the Plan Area. The location is part of a Williamson Act contract and entitlements must be obtained through the County. Should the proposed use of the identified site as a corporation yard not be approved by the County, the Participating Landowners and the City will meet jointly to identify another suitable alternate site within sixty (60) calendar days following a final determination of disapproval by the County. The City may proceed with an alternate site should the landowners and City not mutually identify an alternate site. Additional land acquisition cost for an alternate site may be included in the PFFP.

2.2.3.4.1 Purchase of Corporation Yard. The Corporation Yard Purchase Price shall include the following amounts: (1) appraised value of the land (\$820,000.00); (2) interest at the rate of 3 percent, compounded annually, and (3) City costs as enumerated in the Purchase Agreement in an amount not to exceed \$36,000.00. The obligation for the Corporation Yard Purchase Price is an obligation of the Participating Landowners within the Folsom South Specific Plan Area, as set forth in the Amended and Restated Development Agreement, Section 2.2.3.4 and to be shared thereby consistent with the cost allocation method therefor under the PFFP. To facilitate the financing of the Corporation Yard Purchase Price, this amount shall be identified as an eligible and authorized facility in the Infrastructure CFD or CFDs to be formed pursuant to the PFFP, including any extended term CFD.

The City and Aerojet shall enter into promissory note for the Purchase Price, which shall include only the appraised value of the land and any

interest accruing thereon, and shall provide that the City will make annual payments to Aerojet from the "Note Payment Sources" (which are comprised of (1) 90% of Corporation Yard permit fees paid to the City, to the extent the City has received such amounts as of the applicable payment due date, and (2) a credit to Easton of 90% of the value of the Corporation Yard permit fees that would be owed by Easton on any building permit pulled by Easton in the Plan Area). The promissory note shall further provide that all outstanding amounts are due and payable to Aerojet on the 7th Anniversary of the closing.

In the event there is a balance owed to Aerojet on the 7th Anniversary of the Closing, any remaining balance shall come from the Participating Landowners, in accordance with their relative fair shares for such obligation, provided each Participating Landowner's fair share shall be offset by the share of any Corporation Yard permit fees previously paid by such Participating Landowner and applied to the Note payments. At the discretion of each Participating Landowner, a Participating Landowner's outstanding share may be paid from any funds available from any bond proceeds or PAYGO revenues ("CFD Revenues" as defined in the PFFP) generated by an Infrastructure CFD that includes the Participating Landowner's property. This obligation of the Participating Landowners shall be joint and several, with right of equitable indemnity as between themselves. If any Participating Landowner fails to pay its share of the outstanding amount due on the Note, such defaulting Participating Landowner shall be deemed to be in breach of this Restated Agreement and the other Participating Landowners shall be obligated to advance the share of such defaulting Participating Landowner in proportion to their relative fair share obligations (with a right to reimbursement thereof, plus interest, from the delinquent Participating Landowner).

For each Participating Landowner who advances its share of such payment or directs CFD Revenues from such Participating Landowner's property to be used to pay all or any portion of its share of the balanced owed on the Note on the 7th Anniversary of the Closing, the City will implement a corresponding fee credit against the Corporation Yard impact fee for each Participating Landowner that contributes to the Corporation Yard Purchase Price through such payment or tax on its property.

The Landowners and the City will evaluate whether an amendment to the PFFP (including Appendix U) is necessary to provide that the Corporation Yard Purchase Price is an eligible and authorized facility as set forth herein, and that the fee credits specified herein shall be incorporated into the Corporation Yard impact fee.

2.2.3.5 PFFP and SPIF. The PFFP has been approved by the City Council and is agreed to by Landowner. The PFFP sets forth the finance plan for funding the costs to construct the PFFP Facilities and to maintain and provide the municipal services required to serve the development of the Plan Area consistent with the Entitlements. Landowner agrees to support the adoption and implementation of all financial programs described in the PFFP for the Development of the Property

consistent with the terms of the PFFP, including the adoption and implementation of the SPIF described therein and the New Plan Area Fees.

As provided in Section 2.2.1 above, certain provisions of the PFFP are vested; however, as provided herein, the City may otherwise modify the PFFP over time. All impact fees and increases in impact fees, other than inflationary adjustments, shall be adopted and implemented by the City in accordance with the Mitigation Fee Act. Landowner acknowledges that, as set forth in the PFFP, the Existing Fees and the New Plan Area Fees may be increased by the City from time to time based on a cost of construction inflation factor and/or based on changes in the actual or estimated costs of construction of the facilities or improvements to be financed thereby.

As each Development Phase within the Plan Area is processed for approval by the City, the specific, detailed components and timing of the PFFP Facilities required to serve such Development Phase shall be determined by the City, consistent with the PFFP and the Specific Plan EIR and this Restated Agreement. As PFFP Facilities are developed over time, the general description of PFFP Facilities addressed by the PFFP may be updated and/or amended as deemed necessary by the City, provided the overall cost for the Facilities does not increase, except as provided in the re-opener provisions of Section 2.2.4.1. Nothing shall limit the ability of the City to modify the types of facilities within the overall cost structure provided in the PFFP. Updates and/or amendments to the PFFP shall not require an amendment of this Restated Agreement or the Specific Plan.

The parties understand and agree that best efforts have been made to calculate costs of development of the infrastructure and facilities in the Plan Area based on available information and current laws and regulations. Further, the PFFP identifies various methods to pay for the costs articulated and necessary for the Plan Area. The responsibility for payment of the costs in the PFFP shall not be, in any case, the responsibility of the City. To the extent the estimated costs of the PFFP Facilities in the Plan Area are higher than expected, Landowners shall be responsible for the increased costs of such PFFP Facilities allocable to the Plan Area, either through adjustments of the Existing City Fees or New Plan Area Fees or other methods of financing as provided in the PFFP, but not through reductions in services or facilities in the Plan Area.

To the extent the costs to develop the Plan Area are less than expected, the City may, but is not required to examine and assess whether modifications to fees are appropriate. Landowner acknowledges that certain Landowners believe that the fee burden on commercial is higher than residential and the City may, but is not required to examine the fee burdens on commercial and residential in the future. In no case is the City required to reduce services or facilities should the cost of improvements be less than anticipated.

2.2.3.6 Adjustment to SPIF After July 1, 2016. Landowners acknowledge that the costs to fund the Property's share of the PFFP Facilities under the PFFP, including the amount of the SPIF, will be based on the land uses allocable to the

Property. The Landowners acknowledge that early changes in the Specific Plan can alter SPIF payments, but there must be a time in which the SPIF would not be adjusted merely due to changes in land uses or facilities. Therefore, in the event of any amendments to the land uses for the Property requested by Landowner and approved by the City on or before July 1, 2016, the City shall be authorized to revise the PFFP and, upon the request of any Participating Landowner to update the SPIF during such period, the City shall use good faith, diligent efforts to thereafter update the PFFP, the list of PFFP Facilities, and the New Plan Area Fees related thereto, including the SPIF, as needed, to revise the allocation of such costs to the Property under the PFFP consistent with the methodology of the PFFP and based on the revised land uses for the Property (and any other such land uses changes within the Plan Area). After July 1, 2016, changes in land uses shall not trigger a revision or an update to the SPIF in the manner described above. Provided, however, on and after the Cut-off Date for Specific Plan Amendments set forth in Section 1.5.3.1 of this Restated Agreement, nothing herein shall limit the City, when a land use change is requested for any portion of the Property, from reviewing and modifying the SPIF as applicable solely to the portion of the Property that is the subject of the proposed Specific Plan amendment or imposing a condition or requirement on and only on such portion of the Property that is the subject of the proposed Specific Plan amendment to: (1) fund and/or construct facilities other than PFFP Facilities, or (2) fund services or amenities other than those described in the PFFP in conjunction with the approval of such amendment to the Specific Plan.

2.2.4 City Fees and New Plan Area Fees, Including Cost Increases.

As described in the PFFP, the City and Landowners have agreed to a financing plan for development of the Plan Area. Among the financing mechanisms are application of the Existing Fees and adoption of New Plan Area Fees. The Existing Fees and New Plan Area Fees are set forth in **Exhibit 2.2.4** hereto. Subject to the limitations in Section 2.2.4.1 (5000 units or ten (10) years) regarding City revisions to the list of PFFP Facilities and modification to the New Plan Area Fees for City Facilities to provide additional funding for development of the Plan Area, the City agrees not to adopt or to increase any fees or to apply other fees to Landowner except as follows:

1. Any fees described in the PFFP and/or **Exhibit 2.2.4**, including New Plan Area Fees and Existing Fees. Notwithstanding any provision to the contrary, Existing Fees adopted City-wide that are not replaced by New Plan Area Fees may be increased from time to time by resolution of the City Council, provided with respect to any such Existing Fees subject to the Mitigation Fee Act, the increase will be made in accordance with the Act.
2. Any mitigation fees required under the Specific Plan EIR and any Supplemental Environment Review(s)
3. Storm Drainage Funding – At the time of the adoption of the Previously Approved Restated Agreements, the complete Storm Drainage plan and costs for the Folsom Plan Area had not been determined. Funding for storm drainage maintenance has now been included in a Plan-wide

community facilities district and the drainage master plan has been completed. Landowners are responsible for funding and fees associated with implementation of the Stormwater Drainage Plan (to be determined at the time of submittal and approval of subdivision improvement plans). No vesting is applicable to drainage required by state or regional, non-City local laws/regulations.

4. Non-potable Water System – At the time of this Restated Agreement, a non-potable water supply for the Folsom Plan Area has not been identified and the off-site transmission for and storage of any such supply for the Folsom Plan Area have not been included for the funding of the Plan Area. If the City identifies a non-potable water supply source as available for the Plan Area, Landowner acknowledges that Development may become responsible for and will not be vested against any fees adopted by the City (consistent with the Mitigation Fee Act) associated with funding the installation of the additional off-site transmission, on-site storage infrastructure and other necessary infrastructure, for any such non-potable water system. Landowner shall not be responsible for the costs of acquiring the identified non-potable water supply. The requirements in this subsection may be funded in whole or in part by fees or other sources, including rates, grants or other funding.
5. Light Rail Fee - The City may adopt or modify a Light Rail Fee to be applicable to the Folsom Plan Area.
6. Development Processing Fees, including but not limited to fees for project application, plan check, permit, inspection, and related fees in conjunction with any development applications.
7. Adjustments for Costs of Living or Cost of Construction: Existing and New Plan Area fees, including SPIF, may be adjusted by the City at any time based on cost of living or other such inflationary adjustments (including inflationary adjustments based on the Engineering New Record Cost of Construction Index, a Consumer Price Index or other method in accordance with the ordinances adopting the Existing Fees and New Plan Area Fees. Similarly, the City may adjust New Plan Area Fees on the basis of revised cost estimates or experience and the ordinances adopting such fees.
8. Any regulatory or other non-Impact fee adopted Citywide.
9. Any fees or increases in such fees for unforeseen or unaccounted for costs for the PFFP Facilities arising out of a mutual mistake by the parties including inadvertent failure to include all or a portion of the costs or to comply with the requirements imposed by state law or court decisions associated with the construction and installation of the PFFP Facilities, any of which have the effect of imposing an additional financial burden on the City in connection with the construction and installation of the PFFP

Facilities may be added or modified so there is no additional cost to the City in connection therewith.

All fees and adjustments to fees described above shall be adopted by the City by ordinance or fee resolution and any impact fees are to be adopted and implemented by the City in accordance with the terms and provisions of the Mitigation Fee Act.

Notwithstanding any provision to the contrary, Landowner is solely responsible for the payment, as and when due upon the recordation of any Small Lot Maps or upon the issuance of any grading permit, building permit or other such permit for development or occupancy of any unit or building within the Property, of all fees imposed and/or assessed by non-City public agencies, entities, and districts.

2.2.4.1 Re-Opener on New Plan Area Fees for City Facilities. In addition to and separate from any inflationary or cost of construction adjustments to the New Plan Area Fees consistent with this Restated Agreement and the PFFP, after the issuance of building permits for the construction of 5000 residential units or ten (10) years from the Effective Date of this Restated Agreement, whichever comes first, within the Plan Area, the City may revise the list of facilities to be funded by the New Plan Area Fees for City Facilities and modify the New Plan Area Fees for City Facilities in relation thereto, subject to the following conditions: (i) New Plan Area Fees for City Facilities shall not be increased by more than five percent (5%) per year or twenty five percent (25%) every five (5) years as a result of such changes to the list of facilities to be funded by the remaining development within the Plan Area (separate from and in addition to cost of construction adjustments for the prior list of PFFP Facilities); (ii) the inclusion of the additional facilities for financing by the remaining development within the Plan Area must comply with the nexus requirements of the Mitigation Fee Act; (iii) any increase to the New Plan Area Fees for City Facilities associated with the inclusion of the additional facilities shall not be applied to any portions of the Property zoned for non-residential development until five (5) years have passed after the issuance of 5000th building permit for the construction of residential units, or fifteen (15) years from the Effective Date of this Restated Agreement, whichever comes first, and (iv) the adjustments to New Plan Area Fees for City Facilities shall not be applied retroactively to any portion of the Property that has then paid the New Plan Area Fees for City Facilities with respect to development thereof. For purposes of this section, residential units means any dwelling (single, multi-family, mixed use) for full time habitation.

2.2.5 Police Powers and Citywide Ordinances. Nothing in this Restated Agreement limits or is intended to limit the City from exercising its police powers and adopting New Rules when the City Council finds that such New Rules are necessary to promote the public health, safety and welfare, provided such New Rules do not impair the financial provisions of this Restated Agreement, do not impair the vested rights of Landowner under this Restated Agreement, and do not adversely impact the land use designations in the Specific Plan and any Specific Plan Amendment, the density and intensity of use, the rate and timing of development, the maximum height and size of proposed buildings, and the provisions for reservation or

dedication of land for public purposes and location of public utilities and public improvements.

Further, nothing in this Restated Agreement limits or is intended to limit the City from adopting New Rules that are applicable citywide, provided such New Rules do not impair the financial provisions of this Restated Agreement, do not impair the vested rights of Landowner under this Restated Agreement, and do not adversely impact the land use designations in the Specific Plan and any Specific Plan Amendment, the density and intensity of use, the rate and timing of development, the maximum height and size of proposed buildings, and the provisions for reservation or dedication of land for public purposes and location of public utilities and public improvements.

2.2.6 Application of Changes Due to State and Federal Laws. Nothing in this Restated Agreement shall preclude the application to Development of changes in City laws, regulations, plans, policies, or fees mandated by State or Federal law or a court order issued by a court of competent jurisdiction, in order to comply with mandates or requirements due to changes in State or Federal laws or regulations or an order issued by a court of competent jurisdiction. To the extent that such changes in City laws, regulations, plans, policies, or fees mandated by State or Federal law prevent, delay or preclude compliance with one or more provisions of this Restated Agreement, City may modify or suspend such provisions of this Restated Agreement as may be necessary to comply with such State or Federal laws or regulations or court order, and City and Landowner shall take such action as may be required pursuant to this Restated Agreement to comply therewith.

2.2.7 Uniform Codes and Standard Construction Specifications. Nothing herein shall preclude City from applying to the Property standards contained in uniform building, construction, electrical, plumbing, fire or other uniform codes and Title 24 of the California Code of Regulations or City modifications thereto and City's Standard Construction Specifications relating to building standards in effect at the time of approval of the appropriate permits which may include, but not be limited to, building, grading or other construction permits approvals for the Property, as the same may be adopted or amended from time to time by City, provided that the provisions of any such modifications shall:

- A. Apply on a City-wide basis; and
- B. With respect to those portions of any such uniform code that have been adopted by City without amendment, be interpreted and applied in a manner consistent with the general application of such code in the City.

2.2.8 Conflict Between Existing Rules, Entitlements, Subsequent Entitlements and Restated Agreement. In the event of any conflict or inconsistency between the Existing Rules, the Entitlements, and this Restated Agreement the following applies:

- A. In the event of any conflict or inconsistency between the Existing Rules and this Restated Agreement, the provisions of this Restated Agreement shall prevail and control.
- B. In the event of any conflict or inconsistency between the Entitlements, the Existing Rules and this Restated Agreement, the provisions of this Restated Agreement shall prevail and control.
- C. In the event of any conflict or inconsistency between the Subsequent Entitlements, the Existing Rules and this Restated Agreement, the provisions of this Restated Agreement shall prevail and control.
- D. In the event of any conflict or inconsistency between the Subsequent Entitlements and the Entitlements, the Subsequent Entitlements shall prevail and control.
- E. With respect to design guidelines, in the event of any conflict or inconsistency between the Specific Plan, the Design Guidelines and the Project Design Guidelines, the Design Guidelines shall control as to the "Public Realm" (as that phrase is defined in the Design Guidelines) and the Project Design Guidelines shall otherwise prevail and control.

2.3 Density Transfer. Density transfers shall be permitted as set forth in the Specific Plan in effect as of the Effective Date of this Restated Agreement.

2.4 Subsequent Entitlements. Each Landowner's Vested Rights to proceed with Development is subject to the approval of Subsequent Entitlements which shall be obtained in conjunction with any necessary project-specific approvals and required grading, building and other such permits as required by the Existing Rules. City acknowledges that Landowner has obtained approval of the Subsequent Entitlements, which include those necessary project-level approvals, and subject to obtaining the other required grading, building and such other permits as required by the Existing Rules, Landowner has a Vested Right to proceed with Development as provided for herein.

2.5 Ordinance, Resolution and Officially Adopted Rules.

2.5.1 Conflicting Ordinances or Moratoria. Except as provided in this Restated Agreement, so long as this Restated Agreement remains in full force and effect, no future resolution, City Council adopted rule, ordinance adopted by the City or by initiative (whether initiated by the City Council or by a voter petition, other than a referendum that specifically overturns the City's approval of any of the Entitlements or Subsequent Entitlements) shall directly or indirectly limit the rate, timing or sequencing and/or density and intensity of use or of the Development in accordance with and as permitted by the Entitlements, the Subsequent Entitlements, and this Restated

Agreement. Subject to the foregoing, the parties hereto acknowledge the powers reserved to the City's electors in the City Charter.

2.5.2 Authority of City. This Restated Agreement shall not be construed to limit the authority or obligation of City to hold necessary public hearings, or to limit discretion of City or any of its officers or officials with regard to rules, regulations, ordinances, laws and entitlements of use which require the exercise of discretion by City or any of its officers or officials.

2.5.3 Requirements for Subsequent Plans, Guidelines, Funding Mechanisms, Community Facilities Districts and Land Dedications. The following plans, guidelines and funding mechanisms must be completed for the Plan Area by Landowner and approved by the City and land dedications offered to the City prior to approval of the first tentative Small Lot Map for the Property, or any portion thereof, prior to approval of the first final Small Lot Map (or first building permit, if Development may occur without any subdivision) for any portion of the Property, or applicable portion thereof, as follows:

- A. Prior to Approval of First Tentative Small Lot Map:
 - (1) Public Right-of-Way and Land Dedication Plan; and
 - (2) Design Guidelines.

- B. Prior to Approval of First Final Small Lot Map in the FPA (or First Building Permit if Development May Occur Without Any Subdivision) or as otherwise specified below:
 - (1) Open Space Management and Finance Plan;
 - (2) Drainage Facilities Maintenance and Financing Plan;
 - (3) Formation of the Sewer and Off-Site Water CFD as provided in the PFFP to fund a portion of the Plan Area sewer and water infrastructure, provided, however, Landowner may elect to exclude the Property, or any portion thereof, from such CFD, subject to Landowner consenting to a map condition and City and Landowner executing an agreement specifying how the Property, or excluded portion thereof, will pay its share of the sewer and water infrastructure, on a building permit by building permit basis (or other payment methodology mutually agreed to by Landowner and the City) that would otherwise be funded by inclusion thereof in the CFD, consistent with the PFFP;
 - (4) Formation of the Aquatic Center CFD related to the recreational facilities that may include an aquatic center, sports complex and/or community center, provided,

however, Landowner may elect to exclude the Property, or any portion thereof, from such CFD, subject to Landowner consenting to a map condition and City and Landowner executing an agreement specifying how the Property, or excluded portion thereof, will pay its share of the recreational facilities, on a building permit by building permit basis, (or other payment methodology mutually agreed to between Landowner and the City), that would otherwise be funded by inclusion thereof in the CFD, consistent with the PFFP;

- (5) Formation of the Parks, Trails, Landscape Corridors, Medians and Open Space Maintenance CFD (the "Services CFD"), the Storm Drainage Maintenance CFD (unless such drainage maintenance is included in the Services CFD), and the Street Maintenance District/Lighting Maintenance District CFD (unless such street maintenance is included in the Services CFD), as provided in the PFFP;
- (6) Adoption of the New Plan Area Fees, including the New Plan Area Fees for City Facilities, the SPIF, and the SPRF, as provided in the PFFP and listed on Exhibit 2.2.4 attached hereto;
- (7) Dedication or grant of the rights of way and easements for all Backbone Lands for roadways and utilities within the portion of the Property affected by the Small Lot Map or anywhere within the Property within thirty (30) days of Landowner's receipt of a written request for the dedication thereof from the City, whichever occurs first; and
- (8) For each final Small Lot Map, offers of dedication of the Public Parcel(s) described in Section 3.8.5 below located within the portion of the Property affected by the final Small Lot Map, or within sixty (60) days of Landowner's receipt of a written request for dedication thereof from the City, whichever occurs first.
- (9) A site consistent with the requirements of Section 2.2.3.4, as may be amended or as otherwise agreed to between the City and the Participating Landowners, shall be identified as acceptable to the City as suitable and feasible for use as the new Corporation Yard with access to sewer, water and all required utility services. The City's determination of feasibility may include the identification of an alternative site, consistent with the forgoing, as a back-up for the primary site, as well as an evaluation of the time, cost and likelihood of obtaining any necessary entitlements or other governmental approvals for use of the land as a corporation

yard, with the final determination of feasibility subject to the sole and reasonable discretion of the City Council. If Landowner proposes final maps in phases, Landowner may apply to the City Manager to permit individual phases to move forward to final map if substantial progress is being made to identify an acceptable site as described above. The City Manager's determination of substantial progress shall be in his/her sole discretion.

- (10) A site or sites identified as suitable by the City, in consultation with the Folsom Cordova Unified School District, for use as the future high school and middle school in the Folsom Plan Area shall be identified and approved by the City in consultation with the Folsom Cordova Unified School District. If a supplemental fee is required to support the development of such identified site(s), the Landowner agrees to support the establishment of such fee in accordance with the Mitigation Fee Act and to pay such fee, so long as such fee is equitably shared by all similar development within the Plan Area. If Landowner proposes final maps in phases, Landowner may apply to the City Manager to permit individual phases to move forward to final map if substantial progress is being made to identify an acceptable site as described above. The City Manager's determination of substantial progress shall be in his/her sole discretion.

C. Prior to First Building Permit within the Property (or portion thereof to be included within an Infrastructure CFD desired to be formed by Landowner):

- (1) Formation of one or more Infrastructure CFDs, which do not need to include the entire Plan Area or the entire Property, to fund a portion of required Backbone Infrastructure or other public facilities as desired by Landowner, and will also fund the Property's share of the improvements and facilities to be funded through the extended-term of the Infrastructure CFDs (the "Extended Term Infrastructure CFD Facilities") consistent with the PFFP and Section 3.2 of this Restated Agreement, provided, however, Landowner may elect to exclude the Property, or any portion thereof, from such Infrastructure CFDs, subject to Landowner and City executing an agreement specifying how the Property, or excluded portion thereof, will pay its share of the Backbone Infrastructure, other public facilities, or the Extended Term Infrastructure CFD Facilities on a building permit by building permit basis (or other payment methodology mutually agreed

to between Landowner and the City) consistent with the PFFP.

- D. Compliance with Submittal Requirements. Specific projects proposed under the tentative Small Lot Map shall comply with all submittal and review requirements in effect at the time of submittal.
- E. No Limitation on Timing for Commencement of Special Tax. The parties agree that, except with respect to the Aquatic Center CFD, and the Sewer and Off-Site Water CFD, and the Extended Term CFD (as defined in the PFFP), which will levy special taxes on the Property only after issuance of building permits thereon unless otherwise agreed to by Landowner, nothing in this Restated Agreement limits the timing for commencement of annual CFD tax payments
- F. Landowner Consent. Landowner has agreed to the financing provisions set forth in this Section 2.5.3 and the PFFP and to perform the obligations hereunder in exchange for the consideration and benefits provided to Landowner by City under this Restated Agreement. Accordingly, Landowner does hereby irrevocably consent to: 1) the formation of a CFD, the issuance of CFD Bonds, the imposition of taxes against the Property with respect thereto, and the apportionment of the costs and expenses of the proposed Backbone Infrastructure, Facilities, Maintenance and other CFD purposes as set forth in the PFFP, and waives any and all right of protest or objection with respect thereto or 2) the execution of an agreement with the City to pay its share of the improvements that otherwise would be required consistent with the terms set forth in this section.
- G. CFD Districts. CFDs may be formed as stand-alone districts or combined, at the discretion of the City and in consultation with the landowners.

2.5.4 Satisfaction of LAFCO Conditions. The Parties acknowledge that Development consistent with the terms and conditions of the Entitlements, the Subsequent Entitlements, and this Restated Agreement complies with and satisfies all conditions for development imposed in the annexation process by the LAFCO Commission under LAFCO Resolution No. 1196.

2.5.5 Mather Noise Easements. Landowner shall has executed and recorded a noise easement over the Property, attached hereto as **Exhibit 2.5.5**, relating to noise caused by aircraft arriving or departing from Mather Airport.

2.5.6 School Impact Mitigation. Landowner shall comply with Measure W and Section 16.32.110 of the Folsom Municipal Code and mitigate all impacts on the

demand for school facilities associated with Development pursuant to the Entitlements, the Subsequent Entitlements and this Restated Agreement through the payment of school impact fees adopted by the Folsom Cordova Unified School District in accordance with applicable statutory authority and requirements (the "Statutory School Impact Fees"). The Statutory School Impact Fees shall be paid as and when building permits are issued for development within the Property required to pay the Statutory School Impact Fee, except as the timing for such payment may be deferred by agreement between Landowner and the Folsom Cordova Unified School District. The revenues to be generated by the Property's payment of such Statutory School Impact Fees, in combination with the general obligation bonding capacity and state funding available to the Folsom Cordova Unified School District, are anticipated to fully mitigate all impacts on the demand for school facilities associated with Development in compliance with the requirements of the school mitigation provision set forth in Measure W (Folsom Charter Provision Section 7.08D) and of LAFCO Resolution No. 1196, Section 13 (requiring incorporation of feasible school impact mitigation). Nothing in this Restated Agreement is intended to address funding of schools under applicable laws or subsequent amendments to such laws.

2.6 Application, Development and Project Implementation Fees.

Landowner shall pay application, development processing, inspection and plan checking fees and charges as may be required by City under the regulations existing at the time of submittal.

2.7 Requirements for Submittal of Plans and Processing of Maps.

2.7.1 Phased Maps. Landowner may develop the Project in Development Phases, and consistent with Government Code section 66456.1, Landowner may file multiple Small-lot final maps based upon an approved phased Small-lot vested tentative subdivision map. Filing of a Small-lot final map on a portion of the vested tentative subdivision map shall not invalidate any portion of the vested tentative subdivision map.

2.7.2 Compliance with Submittal Requirements. Specific projects proposed under the tentative Small-Lot Map shall comply with all submittal and review requirements in effect at the time of submittal, including but not limited to the requirements set forth in Section 2.5.3 of the Restated Agreement.

2.8 Dedication and Acceptance of Public Improvements. City

acknowledges that the Folsom Plan Area and the Project will be constructed in phases, and that certain portions of the Backbone Infrastructure and Project specific improvements, referenced collectively as the Public Improvements, will be constructed in phases, as different portions of the Plan Area and the Project develop at different times. Conditions of approval on the Project identify Landowner's obligation for and timing for construction of portions of the Public Improvements, and subject to any conditions placed by the City on the phasing of Public Improvements, City shall accept for irrevocable dedication those portions of improvements contained within the Final Small-Lot Map that are complete. By way of example, if City requires construction of

only a portion of a road or drainage facility as part of the Conditions of Approval on the Project, the City shall accept that portion of the Public Improvement once a determination of completeness is made to the satisfaction of the City Engineer.

ARTICLE 3

LANDOWNER OBLIGATIONS

3.1 Development, Connection and Mitigation Fees. Except as otherwise provided in this Restated Agreement, any and all required payments of development, connection or mitigation fees by Landowner shall be made at the time and in the amount specified by then applicable City ordinances.

3.2 Infrastructure CFDs. Except as may otherwise be agreed to by Landowner and the City during the formation of an Infrastructure CFD for the Property as provided in Section 2.5.3, the following specific provisions shall be included within the applicable terms and conditions of an Infrastructure CFD related to the Property. The CFD shall be consistent with any City adopted Finance Policies relating to such financing, the current policy is provided in Resolution No. 9282 and the City's Financial Policies adopted on May 25, 2004 or as hereafter amended. The term of the special tax to be levied by any Infrastructure CFD against the Property shall be sufficient to support multiple bond sales and Pay-Go revenues as described in the PFFP. Available CFD bond proceeds and/or special tax proceeds may also be used to fund reimbursement of previously paid SPIFs but such proceeds may not be used for any other fees, including Impact Fees. In no event shall CFD proceeds be used to pay SPIF obligations arising out of dedication of land, including but not limited to dedications for roads, schools, parks, and trails. Payment of SPIF obligations, fee reimbursements from the SPIF, and SPIF fee credits converted from outstanding SPIF reimbursements, shall be allowed and available to Landowner for Infrastructure CFD Improvements financed by CFD proceeds generated by and allocable to the Property. When the CFD's are created the City will include provisions that permit the use of excess capacity for eligible facilities as outlined in the CFD formation documents. For purposes of this section, excess capacity is defined as capacity over and above full payment for the primary eligible facilities identified in the CFD formation documents. Where a CFD is used for eligible facilities Landowner shall not be entitled to any fee credits, except for SPIF fee credit or reimbursement from the SPIF program for that portion paid for with CFD funds.

3.2.1 Participation by Landowner. With respect to the formation of any Infrastructure CFDs, nothing in Section 3.2 or Section 2.5.3 shall be construed to require Landowner to form an Infrastructure CFD provided Landowner pays its fair share or enters into an agreement with the City to pay its fair share contribution for Plan Area wide CFD facilities at the time the CFD is formed and when the special tax is levied. Further, if a CFD is formed, nothing precludes the payment by an owner of any parcel(s) within the Property to be included within the Infrastructure CFD of a cash amount equivalent to its proportionate share of costs to be financed for the Infrastructure CFD improvements, or any portion thereof, prior to the issuance of any CFD bonds by such Infrastructure CFD.

3.2.2 Formation of CFD Subject to City Discretion. Nothing in this Restated Agreement shall be construed to require City to form a CFD if City determines, in its reasonable discretion, that formation would not be consistent with adopted City policies and prudent public fiscal practice.

3.3 Alternative Financing Mechanisms. Nothing herein shall be construed to limit Landowner's option to install any improvements through the use of traditional assessment districts or private financing or other financing mechanisms as permitted by law and authorized by the City. Landowner is solely responsible for all costs related to the construction and installation of all infrastructure improvements required for Development of the Property as set forth in the PFFP, and understands and agrees that the City shall not be responsible for any of such costs. To the extent the costs of the infrastructure improvements and public facilities required for Development of the Property exceeds the proceeds from the Infrastructure CFDs or other financing mechanism of the Landowner, Landowner shall be solely responsible for such shortfall without reducing levels of service or facilities identified in the Public Facilities Financing Plan.

3.4 Disclosure to Subsequent Purchasers. This Restated Agreement shall constitute notice to all successors to Landowner hereunder, and to all subsequent purchasers of any lots, parcels and/or residential units within the Property, of all of the matters set forth herein, provided, however, the effect of this notice and disclosure shall automatically terminate and be of no further force or effect upon any termination of this Restated Agreement with respect to any such lots, parcels and/or residential units, including without limitation, any termination of this Restated Agreement pursuant to the terms of this Restated Agreement.

3.5 EIR Mitigation Measures. Notwithstanding any other provision in this Restated Agreement to the contrary, as and when Landowner elects to Develop the Property, or any portion or phase thereof, Landowner shall be bound by, and shall perform, or cause to be performed, all mitigation measures contained in the Specific Plan EIR/EIS, the Backbone Infrastructure IS/MND, the Addendum to the FPASP EIR/EIS and any additional environmental mitigation measures referenced therein, and any Supplemental Environmental Review(s) related to Development of the Property which are adopted by City and are identified in the Mitigation and Monitoring and Reporting Program as being a responsibility of Landowner for Development of the Property.

3.6 Mitigation Monitoring and Reporting Program. Separate from and in addition to the requirements in Section 3.5 of this Restated Agreement, Landowner shall be responsible for all of the costs and expenses associated with the Mitigation Monitoring and Reporting Program under the California Environmental Quality Act as part of the Specific Plan EIR/EIS, the Backbone Infrastructure IS/MND, the Addendum to the FPASP EIR/EIS and any Supplemental Environmental Review(s) that are identified as applicable to this Project related to the Development. In furtherance of this provision, Landowner shall pay all costs required by the City associated with the

Mitigation Monitoring and Reporting Program as set forth in the conditions of approval on the Entitlements and the Subsequent Entitlements.

3.7 Backbone Infrastructure. Based on the Specific Plan and the PFFP, the Backbone Infrastructure required to support development of the Plan Area consistent with applicable City development standards consists of the improvements that are required to provide access and public utilities to any part of the Plan Area, as more particularly described and listed as the Backbone Infrastructure in **Exhibit 2.2.1** attached hereto. Landowner's obligation to install any of the Backbone Infrastructure, or any elements thereof, in connection with its Development shall be determined by the City in accordance with the development phasing provisions of Section 3.9 below. The parties recognize that the definition of Backbone infrastructure in the PFFP excludes sound walls and landscape corridors and Landowner agrees that such costs are the Landowner's responsibility on a project basis.

The City will use reasonable efforts to seek other funding to assist Landowner with the costs of the Backbone Infrastructure such as supporting the (a) formation of CFDs and adoption of fees described in the PFFP and this Restated Agreement; (b) collection of reimbursements by other benefitted properties under SPIF, and (c) application such as applying for available regional, statewide and federal funding for Backbone Infrastructure.

3.7.1 White Rock Road Improvements. As part of Sacramento County's transportation planning for the area that includes the Plan Area, the County approved a plan and certified an EIR for the Southeast Capital Connection that includes road improvements to White Rock Road along the southern boundary of the Plan Area. In connection therewith, the County prepared a study, a copy of which is attached to the PFFP, that allocates \$15.2 million to the Plan Area as its fair share for the Southeast Capital Connection improvements and intends to include such costs within its pending Sacramento County Development Transportation Fee (the "**SCDTF**") to finance such road improvements. The Landowners shall pay the SCDTF as the Plan Area's fair share of funding for improvements to White Rock Road as part of the Southeast Capital Connection. The City agrees that the Plan Area's obligation to construct any improvements to White Rock Road shall be limited to dedication of easements and rights-of-way required for improvements to White Rock Road and payment of its fair share obligation set forth in the SCDTF adopted or to be adopted by the County. The only road improvements to White Rock Road to be included in the list of Backbone Infrastructure shall be the intersection improvements within the Plan Area required to connect the Plan Area roadway network to White Rock Road, including without limitation, the intersection improvements planned at Oak Avenue, Scott Road (east), Placerville Road and Empire Ranch Road; no other improvements to White Rock Road shall be required to be funded by the Plan Area (except through the payment of the SCDTF) or included within the list of Backbone Infrastructure, including without limitation, any potential grade separations along White Rock Road.

If the Connector alignment changes or the alignment requires right of way from Landowners in the Folsom Plan Area, Landowner(s) will sell the land necessary to

facilitate the connector project at no cost to the City, but upon compensation acceptable to Landowner(s) to be paid by other entities, such as the Capital Southeast Connector Joint Powers Authority (the "Connector JPA"). Nothing herein shall limit compensation paid by other entities. No compensation from the City will be required for connections to the Connector project as identified in the Backbone Infrastructure. City will cooperate with the Participating Landowners, including Landowner, to support, as may be necessary, the desired alignment for the Connector as shown in the Specific Plan with the Connector JPA.

3.8 Dedications of Backbone Lands. If and to the extent not previously granted by Landowner pursuant to the Tier 1 Development Agreement, rights of way and easements for all Backbone Lands will be granted to all the Landowners in a format acceptable to the City for purposes of access and construction of public improvements, and to the City in a form acceptable to the City, prior to the recordation of the first final parcel or subdivision Map for the Property, but in no event later than 180 days after the Effective Date for purposes of access and public utilities. Such dedications and/or grants shall be at no expense to the City. As necessary, the easements shall also benefit the City. These rights of way and easements will be recorded at the Sacramento County Recorder's Office and shall be for the benefit of each Landowner. The Backbone Lands on which Backbone Infrastructure are to be constructed are depicted on **Exhibit 3.8** attached hereto and made a part hereof (the "**Backbone Lands**"). The easement width for Backbone Lands shall be to the width of the road right-of-way plus 25' or the back of the landscape corridor, whichever is less and include a temporary construction easement of a width adequate to allow the necessary grading to construct the improvement and to facilitate construction access, including increasing the width when required by site conditions. In the case of an easement outside a road right-of-way, the width shall be consistent with the requirements of the City and include a temporary construction easement. A survey map exhibit of the easements will accompany the descriptions and plats and shall be recorded as a supplemental exhibit(s).

3.8.1 Temporary Construction Easements. The construction obligation of each phase or sub-phase of development of the Plan Area may require construction of certain portions of Backbone Infrastructure on the property of other Specific Plan Landowner(s). This will require access for the purpose of construction on, over and across the Backbone Lands. To assure that all owners of land within the Specific Plan have confidence that they can access, construct, and offer to the City public improvements required of the phase or sub-phase of development, Landowner hereby agrees to provide all other Landowners, without cost, rights of way, easements, and temporary construction and access easements to those Backbone Lands on which Backbone Infrastructure is to be constructed as depicted on **Exhibit 3.8** or as later modified for the Backbone Infrastructure in the Plan Area, provided any such modifications shall not affect the location of the Backbone Infrastructure within the Property without the Landowner's consent. Such temporary construction easements shall include the ability to access open space parcels to construct improvements required by conditions of applicable Clean Water Act Section 404 Permit(s). Subject to indemnification of the other Landowner(s) and the City, when applicable, by the

Constructing Owner, such access temporary easement rights shall not be withheld, nor shall the Constructing Owner be required to pay any compensation to any underlying Landowner(s) for such access easement, during the term of this Restated Agreement. Temporary construction easements shall automatically terminate upon formal acceptance of the fully-completed public improvements by City in writing. Nothing shall limit the terms of temporary access easements related to insurance, indemnification, restoring premises to pre-easement condition and non-interference with uses of the burdened property and other reasonably necessary terms relating to such easements.

3.8.2 Manner of Dedication. The easements described in this Section 3.8 may be granted or dedicated, as the case may be, by separate legal instruments, or by reference thereto on the face of a parcel map or subdivision map for the sole purpose of right of way and utility easement dedication, which shall be recorded with the Recorder's Office of the County of Sacramento. City shall use its best efforts, to the greatest extent permitted by law, to impose the obligations described in this Section 3.8 upon every owner of land within the Plan Area.

3.8.3 Adjustments to Dedications. City and Landowners acknowledge that, as Landowner processes large lot and small lot subdivision maps for the Property and as the Connector or other public projects envisioned in the Plan Area progress, or any portion or phase thereof, minor adjustments to the boundaries of the areas dedicated pursuant to the terms of the Restated Agreement may be required based on the final engineering for such maps and Landowner and the City may also propose to relocate certain roadways, utilities or other City facilities. City and Landowner agree to cooperate with any such proposed adjustments or relocations, provided the approval of such adjustments or relocations shall be subject to the City's sole discretion. Upon such approval, City and Landowner will cooperate to effect such adjustments or relocations, subject to Landowner offering to dedicate to the City any replacement area that may be required by such adjustment or relocation so long as any such replacement area has not then been developed by Landowner.

3.8.4 Release of Excess Offers of Dedication/No Compensation. In addition to adjustments to dedicated property pursuant to Section 3.8.3 above, City may determine, in its sole discretion, that certain property offered for dedication may not be necessary for public purposes associated with the Specific Plan. Because the offers of dedication previously made pursuant to this Restated Agreement have been or are being made early in the planning process to assure the availability of the areas planned for the Backbone Infrastructure, City agrees: 1) that unnecessary easements or IOD's will be abandoned or quitclaimed to the original grantor or its successor-in-interest; and 2) that subsequent quitclaims or releases of areas approved by the City that were previously offered for dedication by Landowner shall not require any compensation to be paid by Landowner or its successor-in-interest for the property released unless Landowner or successors have been paid for the land through the SPIF or other program, notwithstanding any existing City ordinances or policies to the contrary. The timing and conditions for release of excess dedication is solely in the City's reasonable discretion. Landowner's early dedication hereunder, together with its covenant to dedicate any replacement area that may be required by an adjustment or

relocation, provides adequate compensation to the City for any such subsequent abandonment by the City of these dedicated areas.

3.8.5 Dedication of Public Parcels. Portions of the Property, if any, described and designated as Public Parcels as shown on **Exhibit D** and further described in Appendices I through M and Appendix O of the PFFP (the "Public Parcels"), shall be offered irrevocably for dedication or granted to the City, at the City's discretion and in a form acceptable to the City, free and clear of any encumbrances (including but not limited to any assessment or special tax previously imposed on the properties), when requested by the City, whichever is sooner. The Public Parcels shall be offered for dedication or granted to the City by Landowner within either: (i) 60 days of the Landowner's receipt of a written request from the City therefore, or (ii) upon recordation of a Final Small Lot Map that includes the Public Parcels, whichever occurs first.

Dedications and/or grants provided herein shall be at no expense to the City. The timing of acceptance of the Public Parcels is subject to the reasonable discretion of the City. The irrevocable offers of dedication or grants may be granted by separate legal instruments, or by reference thereto on the face of a parcel map or subdivision map, which shall be recorded with the Recorder's Office of the County of Sacramento. Dedication of Public Parcels shall be subject to approval by the City of: (i) the physical condition of the planned open space and other public property within the Property and (ii) the formation of a financing mechanism acceptable to City to fund the costs of ownership and maintenance responsibility areas as applicable within the Property. As provided in Section 3.8.3, in the event minor adjustments to the boundaries of a Public Parcel dedicated or conveyed to the City for open space or public facilities may be required based on the final engineering of the development in the area, City or Landowner may propose to relocate and/or revise the boundaries of the Public Parcel at the Landowner's sole cost and expense, subject to City approval at its reasonable discretion.

3.8.5.1 Maintenance of Open Space/Public Property/Fuel Modification Area. Landowner shall include the Property in a financing mechanism(s) for funding the maintenance of open space and other public property within the Plan Area. Landowner will be required to create a funding mechanism satisfactory to the City to create a fuel modification area of between 30 and 100 feet from the Landowner's property line into any City-owned property or other publicly-owned open space and parkland adjacent to the Property or as provided in the adopted Open Space Management Plan or the City Fire Code. It is the intent of the parties that a funding mechanism will be created by each Development Project or Plan Area wide to pay for the clearing of brush, grasses and other debris along and within adjacent public properties within the Plan Area on an annual basis to reduce fire danger. The fuel modification may be accomplished by a CFD, private homeowners association, other private entity, City resources paid for by the aforementioned funding mechanism or as otherwise agreed to by the parties.

3.9 Phasing of Development. Until December 31, 2015, the City agrees to provide a procedure, at Landowners' expense, for notification to other Participating Landowners when Landowner has submitted an application for development of the Property, or any portion thereof (each, a "Development Phase"). The purpose of the notification process is to permit coordinating of phasing and construction of infrastructure with other property owners. Each Development Phase application shall be consistent with the provisions of FMC Chapter 16.20 and is intended to inform the City, as well as other Participating Landowners, of Landowner's intended phasing of development for its Property, including the intended phasing for any Backbone Infrastructure. To the extent practicable, a Development Phase application shall identify anticipated phases beyond Landowner's next, immediate phase of development, in furtherance of this disclosure objective, with more specific and refined phasing information to be included with information available at the time of submittal of improvement plans.

3.9.1 Phasing of Necessary Backbone Infrastructure Through Map Conditions. Each tentative subdivision map or tentative parcel map approved by the City for the Property, or any portion thereof, shall include a condition that requires, for purposes of determining the necessary set of Backbone Infrastructure to be installed in connection with the final subdivision map(s) related thereto, preparation and staff approval of technical engineering studies identifying the Backbone Infrastructure required to meet the then current City's Standard Design and Construction Specifications for such proposed final map. The technical studies are subject to City approval prior to approval of any related final subdivision map or final parcel map, and shall determine the Backbone Infrastructure required to meet the then current City's Standard Design and Construction Specifications and the City's desire to have the Plan Area built in an efficient, cost effective, orderly and cohesive manner consistent with and as required by the Entitlements and Subsequent Entitlements, based on development of the proposed final map and all other approved and reasonably foreseeable maps within the Plan Area. The technical studies, as approved by the City, will provide the basis for determining the Backbone Infrastructure required to satisfy the condition of the tentative subdivision map and to establish the list of Backbone Infrastructure, if any, required to be installed as part of the subdivision improvement agreement for the proposed final subdivision map or parcel map.

The intent of this technical review is to allow the City to confirm that the portion of the Backbone Infrastructure proposed to be constructed by Landowner in connection with its proposed Development Phase will satisfy the then current City's Standard Design and Construction Specifications and further to determine the extent of Backbone Infrastructure that the City will require Landowner to construct and at the same time allow Landowner to build the Backbone Infrastructure required to satisfy such standards to facilitate development and evaluate the amount of and timing of advance funding and oversizing of improvements related thereto. With respect to roadway improvements specifically, where the technical study requires the installation of all roadway Backbone Infrastructure located adjacent to or within the Development Phase to their full planned right-of-way dimensions, the City shall allow development of the Development Phase consistent with the mitigation measures in the Specific Plan

EIR (e.g., Mitigation Measure 3A.15-1d). The calculation of the Level of Service thresholds shall be determined consistent with the methodology employed by the City for evaluating such levels of service for purposes of its General Plan and Circulation Element thereof in effect on the Effective Date of this Restated Agreement.

The scope of the technical studies shall be determined by the City and may identify overlapping facilities required for development of other reasonably foreseeable projects and potential development in the Plan Area that may be anticipated and required for the orderly development of the Plan Area, as well as any existing deficiencies in service levels that may exist at the time of preparation of the technical studies. Where disagreement arises between the Landowner and the City as to the extent of Backbone Infrastructure and roadway improvements, the City and Landowner will work cooperatively and in good faith to determine the extent of roadway backbone infrastructure to be constructed by the Landowner considering a reasonable timeframe for future projects in the vicinity, reasonably anticipated needs of the City, its residents and businesses, existing service level deficiencies, financial feasibility, and avoiding impacting areas with phased construction projects.

3.9.2 Phasing of In-Tract Improvements. Landowner shall be allowed to phase development of an approved tentative subdivision map with multiple final Small-Lot Maps as provided and consistent with Folsom Municipal Code Chapter 16.20.

3.10 Park Improvement and Trail Funding and Construction. The timing of park and trail development will be coordinated with public need in the Plan Area, cash flow, and annual City Council budget authorization. The City agrees to use good faith and diligent efforts to complete park construction in a timely manner with respect to Plan Area population and need, as well as other necessary public facilities included in the PFFP. As recreation trends change and evolve, the City reserves the right to modify, add, and delete park and recreation facilities as it deems appropriate to serve the needs of future Plan Area residents consistent with the re-opener provisions set forth in Section 2.2.4.1.

At the City's sole discretion and subject to a separate agreement between City and Landowner, turn-key park improvements may be constructed by the Landowner and receive Park Fee credits therefore, provided however the parties agree that park fee credits are not permitted for park improvements paid for with CFD proceeds. The park construction agreement will specify the location of the park, specific park improvements to be constructed, the timing for commencement and completion thereof, and the Park Fee credits assigned to Landowner.

The costs of construction of park and trail improvements within the Plan Area shall be funded as part of the New Plan Area Fees for City Facilities to be established by the City pursuant to and consistent with the PFFP.

Consistent with the requirements of the Folsom Municipal Code, parkland proposed for dedication must have a general grade of less than five percent (5%). If a proposed site exceeds 5%, Landowner shall rough grade the site to plus or minus one foot (1') of estimated rough grade as approved by the Parks and Recreation Director.

Landowner shall not receive credits or reimbursement for rough grading of proposed park sites where grades exceed 5%, except to the extent that the Park Fee has expressly included funding for rough grading to plus or minus one foot (1'). In connection with Landowner's installation of improved access to the park site, Landowner shall receive credits against the Park Fee for rough grading of each park site associated with overall grading of the mapped portion of the property if the grading plan has received prior approval from the Parks and Recreation Director.

Landowner shall be responsible for installing improved access to each park. Improved access defined in the City of Folsom Standard Street Improvements (typical street pavement width, section and grade, curb, gutter and sidewalk) together with adequately sized utility extensions (water, sewer, storm drain, power, and communication) to edge of right of way on the park site as provided in the project conditions of approval.

3.10.1 Parkland Dedication, Quimby Credit and Parkland Equalization Fee. In lieu of dedicating a park site in connection with the development of the Project, Landowner, as a condition of approval of the Subsequent Entitlements, shall pay a parkland equalization fee as set forth in Section 3.10.1.1.

3.10.1.1 Payment of Parkland Equalization Fee. In lieu of dedication of parkland, Landowner shall be obligated to pay a Parkland Equalization Fee, which fee shall be included in the SPIF as more particularly described in Section 4.2.2.1 of this Restated Agreement. Landowner shall pay the Parkland Equalization Fee component of the SPIF for all units within a Final Small-Lot Map for which no credits exist along with other fees payable after approval of the Final Small-Lot Map. Payment of this Parkland Equalization Fee is intended to and does satisfy all requirements for parkland dedication under state and local law, including but not limited to Government Code section 66477 and Folsom Municipal Code section 16.32.040.

3.11 Timing of Access Improvements for Fire Stations. Although the Project does not contain a location for a fire station site, Landowner acknowledges that, to the extent applicable, conditions of approval of tentative subdivision or parcel maps within the Property shall identify when improved access (roads and utilities) must be made available to each Fire Station Site, based on building permits issued within the overall Plan Area. Landowner is further obligated to contribute to the construction of the Fire Station in the Plan Area through the payment of New Plan Area fees at the time of issuance of building permits.

3.12 Reimbursement of Pro Rata Share of City Costs for Compliance with Requirements of this Restated Agreement. This Restated Agreement provides various requirements or actions by the City. Landowner agrees to pay its Pro Rata share all of the costs of compliance by City staff or consultants retained by the City in order to comply with the requirements of this Restated Agreement where cost of such compliance is not otherwise provided in a fee program. In the case of actions covered by a fee program, Landowner agrees to pay the then existing rate associated with such action, subject to any credits that may be available to Landowner with respect thereto,

including any credits associated with advances of such costs by Landowner. In no event shall these costs be the responsibility of the City.

3.13 Sales Tax Point of Sale in City of Folsom. Landowner and the City share, to the fullest extent feasible, the mutual goal of maximizing sales tax revenue in the City of Folsom and supporting Folsom-based businesses. Landowner agrees that for any Backbone Infrastructure construction project or public facility construction project financed by the New Plan Area Fees that meet the requirements of the Board of Equalization Regulation 1806, Landowner shall include in its bid specifications and construction contracts for such project that the City of Folsom shall be the point of sale for any applicable sales tax and that Contractor shall take such actions as may be required under the Board of Equalization Compliance Policy and Procedures Manual (CPPM) in order to establish the City of Folsom as such point of sale. To further the intent of this provision, Landowners agree to bundle comparable and similar Backbone Infrastructure construction projects and public facility construction projects financed by the New Plan Area Fees (such as similar road or utility projects that are required to serve the Landowner's development) where feasible in order to meet the monetary threshold in CPPM Section 260.020 (\$5 million as of the effective date of this Agreement), as amended from time to time.

Notwithstanding the foregoing, Landowner's bid specifications or construction contracts may include that a Contractor shall be exempt from having to comply with such point of sale provisions if such compliance will cause Contractor to violate any legal or contractual requirement such Contractor may have at the time of its bid or execution of such construction contract.

Landowner also agrees to include provisions in its bid specifications and construction contracts for any Backbone Infrastructure or public facilities construction project financed by the New Plan Area Fees that, to the fullest extent economically feasible, where the Contractor receives "comparable" bids for materials, considering not only price, but also the quality, service and experience of the suppliers, the Contractor will accept the comparable bid that maximizes the acquisition of construction materials from suppliers in Folsom or where the point of sale for sales tax purposes is Folsom. For any Backbone Infrastructure construction project or public facility construction project financed by the New Plan Area Fees in the FPA, Landowner shall include in its bid specifications and construction contracts that the Contractor demonstrate to the City that it has made a good faith effort to utilize and enter subcontracts with suppliers of goods which have a point of sale in the City of Folsom taking into account all such factors. City acknowledges the potential adverse impacts of a delay in the contracting process and therefore agrees that it will not unreasonably delay its evaluation of the Contractor's compliance with this provision.

Landowner's obligations hereunder shall extend only to the requirements to include such provisions in such bid specifications and construction contracts. Contractor's failure to comply with such contractual provisions shall not be deemed for any reason to constitute a default by Landowner under this Restated Agreement.

ARTICLE 4

CITY OBLIGATIONS

4.1 City Cooperation. City agrees to work in good faith with Landowner as it applies to City for permits that may be required by City and, to the extent applicable, other public, state and federal agencies. In the event state or federal laws or regulations enacted after this Restated Agreement has been executed or action of any governmental jurisdiction other than the City prevents or precludes compliance with one or more provisions of this Restated Agreement, or requires material modification of the Entitlements or Subsequent Entitlements, Landowner shall notify City in writing of the anticipated duration of any delay caused thereby, and, provided any such delay is not the fault of Landowner, the parties agree Landowner may seek an extension of this Restated Agreement as approved by the City Council as may be reasonably necessary to comply with such new state and federal laws or regulations or the regulations of the other governmental jurisdictions.

4.2 New Plan Area Fees. In addition to Existing City Fees applicable to the Property, the following development impact fees (collectively, the “**New Plan Area Fees**”) will be adopted and imposed by the City to mitigate the impacts of development within the Specific Plan and equitably spread the burden of such mitigation to all benefitted properties within the Specific Plan as contemplated or required by the PFFP and this Restated Agreement:

4.2.1 Specific Plan Reimbursement Fee. Certain landowners within the Plan Area thereto (the “Advancing Owners”) have paid the costs for the preparation of the City feasibility studies, other technical studies, the Specific Plan, including design guidelines, development standards, financing plan(s), and infrastructure plans, and the EIR and other environmental studies. Such preparation has benefited other non-participating owners of property within the Plan Area (the “Reimbursing Owners”). A list of the Advancing Owners and Reimbursing Owners, and the properties within the Specific Plan owned or controlled thereby, is attached hereto as **Exhibit 4.2.1**. To provide the Advancing Owners with reimbursement for the planning and environmental costs described above, the parties agree that the City shall require the Reimbursing Owners to pay to City a specific plan fee, on terms and conditions acceptable to City (the “Specific Plan Reimbursement Fee” or “SPRF”). The SPRF shall be proposed to the City Council pursuant to the provisions of Government Code Section 65456. Adoption of the SPRF and the amount of its fees shall be at the discretion of the City Council, and nothing herein prohibits subsequent modification or repeal of any fee, except that the SPRF, if adopted by the City Council, shall not be repealed during the Term of this Restated Agreement and shall not be modified in a manner to significantly alter the ability of a Landowner to be reimbursed for advances. Subject to the foregoing, City shall make a good faith, diligent effort to establish the SPRF within one (1) year of submittal of all of the eligible costs for reimbursement by the Advancing Owners for City’s review, which shall be submitted within six (6) months of the approval of the later of the Effective Date.

The costs eligible for reimbursement shall be submitted to the City by the Advancing Owners for City's review and approval. Except as may otherwise be provided by the ordinance adopting the SPRF, the SPRF shall become payable by a Reimbursing Owner after such Reimbursing Owner applies for any land use entitlements for Development of the Reimbursing Owner's property within the Plan Area, or any portion thereof, and shall be due within ten (10) days after written notice from the City that such application for entitlements is complete or deemed complete by the City pursuant to California Government Code Section 65943. In the event of a dispute between the Advancing Owners and any Reimbursing Owner or pertaining to submittals by Advancing Owners to the City related to repayment of SPRF costs, amount of allowable reimbursement or other matters related to the SPRF program, the City shall examine the facts and shall make a determination on the dispute, which may be reviewed upon request by the City Manager and subject to appeal to the City Council, which decision shall be final and binding, subject only to review by writ of mandate.

Since the SPRF is for the benefit of the Landowner as a member or successor of the Advancing Owners, the Participating Landowners, including Landowner and Advancing Landowners, shall protect, defend, indemnify and hold harmless the City and its officers, agents, and employees from any and all claims and/or causes of action, whether at law or in equity, for any loss or damage relating to the SPRF reimbursement, excluding any claims or causes related thereto solely caused by willful misconduct of such indemnitees. In no case shall the repayment of SPRF be an obligation or a liability of the City, beyond payment of moneys received.

4.2.1.1 No SPRF Reimbursements or Credits On Default. No Landowner shall be entitled to SPRF reimbursement or credits, nor may any credits be used if Landowner is in default of any of its obligation to the City whether arising out of this Restated Agreement or other project specific obligations.

4.2.2 Specific Plan Infrastructure Fee. To provide for an equitable funding mechanism for the Backbone Infrastructure to be installed to serve development of the Plan Area, to pay for certain City costs or the City loan and to provide a funding mechanism as described below to pay City for Plan Area wide costs not otherwise covered by a fee or agreement, City and Landowner, together with other Participating Landowners, agree to implement a Specific Plan Infrastructure Fee ("SPIF"). The basic terms and provisions to be incorporated into and used to establish and implement the SPIF are included in the PFFP, as more particularly described in Appendix S of the PFFP, and City agrees to establish the SPIF materially consistent with the terms and provisions of the PFFP and Appendix S, provided nothing herein is intended to limit the City's ability to adopt a SPIF ordinance or New Plan Area fees to accomplish the purposes of the SPIF and the PFFP. As more particularly described in the PFFP and Appendix S, the SPIF will be collected by the City and the proceeds thereof used to fund the cost of dedication of the Backbone Lands and Public Parcels and of the construction of the Backbone Infrastructure, paying certain City costs and repaying the City loan, or as the case may be, equitably reimburse or credit the Specific Plan Landowners who dedicate such Backbone Lands and Public Parcels and construct the

Backbone Infrastructure. The SPIF shall further include a component to reimburse the City for staff, consultant and other expenditures required for actions to implement the PFFP on a plan area wide basis where such costs are not otherwise included in reimbursement agreements or other funding mechanisms. (Examples of such work may include but is not limited to ordinances, agreements, fee and other studies and plans, guidelines, and area wide permits). The SPIF shall provide the Specific Plan Landowners who dedicate the Backbone Lands and Public Parcels and/or install the Backbone Infrastructure with reimbursements from the SPIF (that are also convertible to credits against the SPIF) as provided in the PFFP and as will be detailed in the SPIF ordinance.

Adoption of the SPIF shall be by ordinance approved by the City Council. The eligible SPIF costs for reimbursement shall be submitted to the City by Landowners for City's review and approval. Nothing herein prohibits subsequent modification or repeal of any fee, except that the SPIF, if adopted by the City Council, shall not be repealed during the Term of this Restated Agreement, except by unanimous agreement of the Participating Landowners, which may involve an agreement upon an alternative funding source acceptable to the parties. City shall make a good faith, diligent effort to establish the SPIF within one (1) year of the Effective Date. As described in the PFFP, the SPIF shall thereafter be adjusted from time to time upon request of a Participating Landowner or the City, but not less than annually, based on updates to the dedicated land values and costs of construction (pursuant to an index or other cost of construction adjustment). The timing for payment of the SPIF shall be as provided by the PFFP and the ordinance adopting the SPIF.

Since the SPIF is for the benefit of the Landowner as a member or successor of the Advancing Owners, Landowner, shall protect, defend, indemnify and hold harmless the City and its officers, agents, and employees from any and all claims and/or causes of action, whether at law or in equity, for any loss or damage relating to the SPIF reimbursement, excluding any claims or causes related thereto solely caused by willful misconduct of such indemnitees.

4.2.2.1 SPIF Reimbursement for Required Park Dedication Limited to Community Park West Dedication; Payment of SPIF Parkland Equalization Fee Component Upon Approval of a Final Map for Each Subdivision After Exhaustion of Landowner's Parkland Credits. In no case shall SPIF reimbursement apply for required dedications of parkland pursuant to the City's Quimby ordinance. In other words, SPIF reimbursement for over-dedication of park land is applicable only for the Landowner dedicating the Community Park West ("CPW") site, the only Landowner dedicating over and above the dedication requirements provided in City ordinances. In place of the City's Quimby ordinance and specifically any requirement stated therein for payment of an "in-lieu fee," the SPIF will include a separate component for parkland equalization to be paid by all other Landowners (the "Under-dedicating Owners") to compensate the over-dedicating owner of the CPW site. As more particularly provided by the SPIF Ordinance (now existing or to be established by the City Council, as amended from time to time), each Under-Dedicating Owner will have a different Parkland Equalization Fee for its property (based, in part, on the

amount of parkland being dedicated by such Under-Dedicating Owner and credited against its fair share parkland obligation) and will begin paying its share of this fee after exhausting the parkland credits associated with its own parkland dedications. As provided by the SPIF Ordinance, once such fee becomes payable, the Parkland Equalization Fee will be due for an entire Small-Lot Map as each map exceeds the parkland dedication credit. For example in an 800 unit project with four subdivision maps and a 357 unit parkland dedication credit, the Parkland Equalization Fee shall be due for each map that exceeds the 357th unit and calculated by the units in that subdivision times the existing fee. Landowner acknowledges that the obligation to pay this fee may be included as a condition of each tentative subdivision map for which the payment will become due (after application of applicable parkland dedication credits). Prior to approval of each Final Small-Lot Map within the Property, in accordance with the SPIF Ordinance, Landowner shall confirm in writing with the City either that (i) the parkland equalization component of the SPIF is not then payable due to its offsetting parkland dedication credits or (ii) the amount of the SPIF fee component for parkland equalization then due and payable with respect to such Small-Lot Map. The foregoing provisions of this section shall not apply to Landowner if the Property that is the subject of this Agreement includes the CPW site. The references herein to "CPW site" includes both the site identified in Figure 9.1 in the Specific Plan and the Alternate Park site specified in Section 2.2.3 and as depicted in **Exhibit 2.2.3.2** until such time as the location of the Community Park West is determined as set forth in Section 2.2.3.

4.2.2.2 No SPIF Reimbursements or Credits On Default.

Landowner shall not be entitled to SPIF reimbursement or credits, nor may any credits be used if Landowner is in default of any of its obligation to the City whether arising out of this Restated Agreement or other project specific obligations. In the event of a default, the City may pay any SPIF fees received to the next Constructing Owner with the highest priority for SPIF reimbursement until such time as Landowner has cured the default, at which point Landowner then shall regain its priority status for future reimbursement.

4.3 Reimbursements/Credits Personal to Dedicating and Constructing Owner. Any reimbursement due to Landowner as a Constructing Owner (and any fee credits converted from such reimbursements by Landowner) as provided in the Restated Agreement and pursuant to the terms of the PFFP and the adopting ordinances for the SPIF shall be the personal property of Landowner and shall not be affixed to or run with the land. Any such fee reimbursements and converted credits shall be subject to and contingent upon Landowner as a Constructing Owner entering into a fee reimbursement agreement with the City to document Landowner's rights to such reimbursements and provide for the City's administration thereof (a "Fee Reimbursement Agreement"). The Fee Reimbursement Agreement shall provide that the rights of a Constructing Owner shall be protected from the effects of any proposed amendment to Sections 2.2.1, 4.2.1, 4.2.2 and 4.3 of this Restated Agreement.

Except as may otherwise be limited by the applicable fee program, Landowner may sell, assign, transfer or hypothecate any such reimbursement or converted credits

in a manner consistent with this section and with the adopted SPIF ordinance at any time upon written notice to City, provided the transferring Landowner owes no monetary obligation to the City at the time of such proposed transfer. If Landowner owes City any monetary obligation within the Plan Area at the time of such proposed transfer the City may, in its discretion, either require the monetary obligation to be met before transfer of the credit or apply any reimbursement or converted credit then owned by Landowner against the obligation owed by Landowner.

Credits against the SPIF, converted from reimbursements or transferred as provided in this section and consistent with the PFFP, may only be used in conjunction with Development of the Property (with respect to credits associated with Landowner's dedication of Backbone Lands or Public Parcels) or Development of the Constructing Owner's Property (as described below, with respect to credits associated with Landowner's construction of improvements financed by the SPIF), and may only be used to satisfy SPIF obligations. For purposes hereof, where Landowner is the Constructing Owner, the "Constructing Owner's Property" within which any such converted credits may be applied against the SPIF shall refer to the area within the Specific Plan, including the Property, outlined on **Exhibit 4.3** attached hereto, together with any additional property contiguous thereto, not exceeding five percent (5%) in area, that may hereafter be added to the description thereof by lot line adjustment, subdivision or other such lawful land division and requested by Landowner as the owner of such converted credits to be eligible for application in conjunction with Development thereof; as part of each Fee Reimbursement Agreement, a map of the Constructing Owner's Property shall be attached to and maintained for purposes of administering and tracking the application of any such converted credits.

4.4 Collection and Administration of New Plan Area Fees. When the City adopts the New Plan Area Fees, there will be administrative costs associated with administration of the fee programs and such fees will include a percentage or other component to ensure that the City does not have any unreimbursed expenses related to the administration of such fees. The fee shall be in an amount required to reimburse the City for the actual, direct costs of administration of such fee program. The fees may provide an adjustment for inflation as determined by the City Council. In no case shall the City, in any manner be subject to any liability for failing to collect any fees specified herein other than paying to the Landowner any fees collected and in no case shall any SPIF repayment be an obligation of the City beyond payment of moneys received, less administrative costs. The parties agree that the City has no obligation to pay any fees or make any reimbursement for cost incurred except to the extent that such fees have been collected from the Landowner. The parties agree and acknowledge that the obligations in Article 6 of this Restated Agreement relating to Defense, Indemnification and Hold Harmless are applicable to any challenges, claims or suits associated with the fees referenced herein (provided any such costs to successfully defend such fees shall be included for reimbursement to Landowner and other Participating Landowners as a cost of such fees).

Upon receipt of any proceeds from the SPRF or SPIF (or from any other development impact fee for facilities with respect to which Landowner has advanced

funds and is entitled to reimbursement therefore pursuant to a fee reimbursement agreement with the City), City shall, to the extent permitted by law, pay the applicable share thereof, if any, to Landowner or its assignee, without regard to the status of Landowner's development activities on the Property and consistent with the terms of the applicable fee program ordinances. In the event of a dispute between the Participating Landowners or between the Advancing Owner and the City relating to payment of SPIF fees allowable reimbursement or credits or other matters related to the SPIF program, the City shall examine the facts make a determination on the dispute, which may be reviewed upon request by the City Manager and subject to appeal to the City Council, which decision shall be final and binding, subject only to review by writ of mandate. The process and timing shall be set forth in the SPIF ordinance.

The City will use its good faith efforts to collect the fees in the manner described herein, however is not required to take legal action or other legal remedies. If despite its good faith efforts or if it elects not to pursue recovery of fees owed, then City shall, upon request by Landowner assign its rights to Landowner so that it can pursue collection of the applicable fee from the benefitting, non-paying owner. However, City may continue to collect such fees from other persons seeking governmental approvals and, if it collects such fees, City shall, to the extent reimbursements are owed, pay the applicable shares of such proceeds to Landowner or Landowner's assignee to the extent permitted by law and to the extent such proceeds are actually received by the City.

Nothing in this section or this Restated Agreement obligates the City to take any legal action to collect any SPIF or SPRF obligation. In the event any such action is taken by the City upon the written request of Landowner or with the written consent of Landowner, then Landowner shall be responsible for all attorney's fees and expenses associated with the collection efforts of the City, if and to the extent such costs are not otherwise funded by the administration component of the SPIF or through any administrative or legal action taken by the City against the non-paying owner.

The City shall, to the extent legally permissible, condition final approval of an entitlement for any development within the Plan Area on payment of lawfully owed SPIF or SPRF obligations.

4.5 Applications for Permits and Entitlements. City agrees that it will accept, in good faith, for processing review and action, all applications for development permits or other entitlements for use of the Property in accordance with the Entitlements, Subsequent Entitlements and this Restated Agreement, and shall exercise its best efforts to act upon such applications consistent with department policy and practice. Accordingly, to the extent that the applications and submittals are in conformity with the Entitlements, Subsequent Entitlements and this Restated Agreement and adequate funding by Landowner exists therefore, City agrees to diligently and promptly accept, review and take action on all subsequent applications and submittals made to City by Landowner in furtherance of the Project. Similarly, City shall promptly and diligently review and act upon improvement plans, conduct construction inspections and accept completed facilities constructed in accordance with

the approved improvement plans therefore, as determined by the City to the City's satisfaction. Nothing in this section is intended to shorten any statutory review periods. City may utilize, consistent with City policy, outside consultants for inspection and plan review purposes at the sole expense of Landowner. Landowner acknowledges that, notwithstanding the ability to hire such outside consultants, City may need to retain adequate staff to supervise the work of the consultants, which may require additional lead time and expense in order for the City to effectively and efficiently use the consultants to assist in this work.

4.5.1 Plan Check. City shall use good faith, diligent efforts to promptly review and process improvements plans submitted by Landowner and return comments as soon as practicable in the ordinary course of business.

4.5.2 Compliance with Government Code Section 66473.7. A subdivision, as defined in Government Code Section 66473.7, shall not be approved unless any tentative map prepared for the subdivision complies with the provisions of said Section 66473.7; this provision is included in this Restated Agreement to comply with Section 65867.5 of the Government Code.

4.6 Water Supply. A Judgment Validating Water Supply Agreement) was entered by Sacramento County Superior Court Judge Raymond Cadei on October 16, 2013 (Sacramento County Superior Court Case No. 34-2013-00138798. Subject to Landowner, as a party to the Water Supply Agreement or successor thereto, complying with its obligations under the Water Supply Agreement, the City shall make the FPA Water Supply (as defined in the Water Supply Agreement) available to Development of the Property, in accordance with the terms of the Water Supply Agreement. Nothing in this Restated Agreement or the Water Supply Agreement shall limit the City's ability to address water shortages on a citywide basis, including but not limited to cut backs, limitations on water use as provided in the Folsom Municipal Code or by City Council action and other steps to assure an adequate supply exists for all residents and businesses.

4.7 City Acceptance of Conservation Easement(s) on Open Space. Subject to approval by the City, in the City's reasonable discretion, of (i) the physical condition of the planned open space within the Plan Area, (ii) the form, restriction and limitation on any areas proposed or intended to be open for general public access or use associated with the conservation easement(s) over such open space areas, and (iii) the formation of a financing mechanism acceptable to City to fund the costs of the City's ownership and maintenance responsibility for the open space areas as the grantee under the conservation easement(s), the City shall accept, as grantee, the rights and obligations under the conservation easements for the open space areas within the Specific Plan for wetlands permitting and mitigation purposes pursuant to Section 404 of the Clean Water Act.

Subject to project conditions deemed necessary by the City, including payment of mitigation costs, City may authorize mitigation measures to be implemented on open space or other land to be dedicated for a public use in its discretion provided such does

not limit the City's intended and anticipated use of the property, adequate funding is provided and compensation for any mitigation bank is paid. Prior to the use of any open space or other land to be dedicated to a public use for mitigation purposes owner must receive City Council approval.

4.8 City/County SCDTF Agreement/Highway 50 Coalition Fee. As provided by the MMRP, the Plan Area is obligated to fund, among other things, its fair share of the cost to widen Highway 50. Within one (1) year from the Effective Date of the Previously Approved Restated Agreements, the City was required to use good faith, diligent efforts to enter into an agreement with Sacramento County to grant Plan Area landowners, including Landowner, credit against the Sacramento County Development Transportation Fee ("SCDTF") for duplicate funding of any Backbone Infrastructure that is also included for funding in the proposed Highway 50 Coalition Fee, as, if and when the same is adopted by Sacramento County, unless no duplicate funding of any Backbone Infrastructure was included in the Highway 50 Coalition Fee. City and Landowner further agreed to use good faith efforts to cause adoption and implementation of said Highway 50 Coalition Fee in the amount and as described in that certain report entitled "Fair Share Cost Allocation – Sacramento County and City of Folsom," prepared by DKS, dated November 9, 2012. The parties anticipated that the Coalition Fee would satisfy, among other things, the Plan Area's obligation to fund its fair share of the Highway 50 widening. If such Highway 50 Coalition fee is not adopted within one (1) year of the Effective Date of the Previously Approved Restated Agreements, the City shall use good faith, diligent efforts to enter into an alternative agreement with the California Department of Transportation or appropriate agencies to create an alternative financing mechanism acceptable to the Participating Landowners whereby the Plan Area's obligation to fund its fair share of the Highway 50 widening can be satisfied.

City and Landowner acknowledge that since the execution of the Previously Approved Restated Agreements, City and the California Department of Transportation have entered into a Memorandum of Understanding which provides, among other things, that the fair share contribution by development in the FPA for impacts to Highway 50 and certain related roads and interchanges has been incorporated into a Folsom South development impact fee, and not into a "Highway 50 Coalition Fee" as was previously described above the Previously Approved Restated Agreement. With the exception of the terminology used to describe the fee, all other provisions of this Section 4.8 continue to apply.

4.9 Assistance with Acquisition of Necessary Real Property Interests. In any instance where Landowner is required by this Restated Agreement to construct any public improvement on land not owned by Landowner or other Participating Landowners, Landowner at its sole cost and expense shall, in a timely fashion to allow it to construct the required improvements, acquire or cause to be acquired the real property interests necessary for the construction of such public improvements.

Subject to City's concurrence, in the event Landowner is unable after exercising all reasonable efforts, including but not limited to the rights under Sections 1001 and

1002 of the California Civil Code, to acquire the real property interests necessary for the construction of such public improvements as to property within the City of Folsom, Landowner shall request the City to assist in the acquisition of the necessary real property interests. Landowner shall provide adequate security for all costs the City may reasonably incur (including the costs of eminent domain proceedings, legal fees and costs, and the value of the real property). Upon receipt of the security in a form acceptable to the City Attorney, City shall commence negotiations to purchase the necessary real property interests to allow Landowner to construct the public improvements as required by this Restated Agreement and, if necessary, in accordance with the procedures established and to the extent allowed by law, may use its power of eminent domain to acquire such required real property interests. Any such acquisition by City shall be subject to the City's discretion, which is expressly reserved by City, to make all necessary findings to acquire such interest, including a finding of public necessity.

In those circumstances where the City owns property in fee on or over which development of the Property requires permanent and temporary construction easements, road rights-of-way and/or sites for public facilities, City shall grant, at Landowner's sole cost and expense, such permanent easement, temporary easements, rights-of-way, or sites as reasonably needed for the timely and efficient development of the Property, subject to conditions acceptable to the City.

This section is not intended by the parties to impose upon the Landowner an enforceable duty to acquire land or construct any public improvements on land not owned by Landowner, except to the extent that the Landowner elects to proceed with the development of the Property.

ARTICLE 5

DEFAULT, REMEDIES, TERMINATION

5.1 General Provisions. Subject to extensions of time by mutual consent in writing, failure or unreasonable delay by either party to perform any term or provisions of this Restated Agreement shall constitute a default. In the event of alleged default or breach of any term or condition of this Restated Agreement, the party alleging such default or breach shall give the other party not less than thirty (30) calendar days' notice in writing specifying the nature of the alleged default and the manner in which said default may be satisfactorily cured. During any such thirty (30) day period, the party charged shall not be considered in default for purposes of termination or institution of legal proceedings.

After notice and expiration of the thirty-day period, the other party to this Restated Agreement at its option may institute legal proceedings pursuant to this Restated Agreement or give notice of intent to terminate this Restated Agreement pursuant to California Government Code Section 65868 and regulations of City implementing said Government Code Section. Following notice of intent to terminate, the matter shall be scheduled for consideration and review by the City Council within

thirty (30) calendar days in the manner set forth in Government Code Sections 65865, 65867 and 65868 and City regulations implementing such Sections.

Following consideration of the evidence presented in said review before the City Council, either party alleging the default by the other party may give written notice of termination of this Restated Agreement to the other party.

Evidence of default may also arise in the course of a regularly scheduled periodic review of this Restated Agreement pursuant to Government Code Section 65865.1. If either party determines that the other party is in default following the completion of the normally scheduled periodic review, said party may give written notice of default of this Restated Agreement as set forth in this section, specifying in said notice the alleged nature of the default, and potential actions to cure said default and shall specify a reasonable period of time in which such default is to be cured. If the alleged default is not cured within thirty (30) calendar days or within such longer period specified in the notice, or if the defaulting party waives its right to cure such alleged default, the other party may terminate this Restated Agreement.

Notwithstanding the above, a default by an individual or entity within the definition of Landowner shall not constitute a default by other individuals or entities within definition of Landowner.

5.2 Annual Review. City shall, at least every twelve (12) months during the Term of this Restated Agreement, review the extent of good faith substantial compliance by Landowner with the terms of this Restated Agreement. Such periodic review shall be limited in scope to compliance with the terms of this Restated Agreement pursuant to Section 65865.1 of the Government Code and the monitoring of mitigation in accordance with Section 21081.6 of the Public Resources Code of the State of California. Notice of such annual review shall include the statement that any review of obligations of Landowner as set forth in this Restated Agreement may result in termination of this Restated Agreement with respect to Landowner's Property. A finding by City of good faith compliance by Landowner with the terms of this Restated Agreement shall be conclusive with respect to the performance of Landowner during the period preceding the review. Each Landowner shall be responsible for the cost reasonably and directly incurred by the City to conduct such annual review of such Landowner's compliance, the payment of which shall be due within thirty (30) calendar days after conclusion of the review and receipt from the City of the bill for such costs.

In the event that a twelve month review is not completed, is not completed in a timely manner or inadvertently a finding of good faith compliance is not made, such shall not constitute a waiver of the City's right to review and make any necessary determinations that would be made if the review had been conducted and shall not be construed that Landowner is otherwise in full compliance.

Upon not less than thirty (30) calendar days written notice by the City, Landowner shall provide such information as may be reasonably requested and deemed to be required by the Planning director in order to ascertain compliance with this Restated Agreement.

Upon written request by the Landowner(s) the City shall deposit in the mail to the requesting Landowner(s) a copy of all staff reports and related exhibits concerning contract performance and, to the extent practical, at least ten (10) calendar days prior to any such periodic review. If the City has not performed an annual review, Landowner(s) may request, in writing, that it be performed

5.2.1 Permitted Delay, Extension of Times of Performance. In addition to specific provisions of this Restated Agreement, performance by either party hereunder shall not be deemed to be in default where delays or default are due to war, insurrection, strikes, walkouts, riots, floods, drought, earthquakes, fires, casualties, acts of God, and terrorist acts, new or supplementary environmental regulation, changes due to state or federal laws as described in Section 2.2.6 hereof, litigation, or similar bases for excused performance. If written notice of such delay is given to City within thirty (30) calendar days of the commencement of such delay, a reasonable extension of time for such cause shall be granted in writing for the period of such delay, or longer as may be mutually agreed upon. Nothing in this section is intended to apply to an extension of the term of this Restated Agreement, which requires City Council approval.

5.2.2 Permitted Extensions by City. In addition to any extensions to the time for performance of any obligation due to a delay under Section 5.2.1 above, the City, in its sole discretion (acting through the City Manager or designee) may extend the time for performance by any Landowner of any obligation hereunder. Any such extension shall not require an amendment to this Restated Agreement, so long as such extension only involves the time for performance thereof and does not change the obligations to be performed by such Landowner as a condition of such extension. Nothing in this section is intended to apply to an extension of the term of this Restated Agreement, which requires City Council approval.

5.3 Legal Action; No Obligation to Develop; Specific Enforcement. In addition to any other rights or remedies, either party may institute legal action to cure, correct or remedy any default, to enforce any covenant or agreement herein, or to enjoin any threatened or attempted violation. Venue for all legal actions shall be in the Superior Court of the County of Sacramento, State of California. Notwithstanding anything in this Restated Agreement to the contrary, the parties acknowledge that the City would not have entered into this Restated Agreement had it been exposed to liability for damages from Landowner, and that therefore each Landowner hereby waives all claims for damages against the City and its officers, agents and employees for breach of this Restated Agreement. The parties further acknowledge that damages are not a remedy under this Restated Agreement and therefore Landowner waives all claims for damages against the City and its officers, agents and employees in the event that this Restated Agreement or any other Entitlement or Subsequent Entitlement is: (1) not approved by the City Council or (2) is approved by the City Council, but with new changes, amendments, conditions or deletions to which Landowner is opposed. Either Party may, without any claim for damages of any kind, in addition to any other rights or remedies, institute an action to cure, correct or remedy any default, enforce any covenant or agreement in this Restated Agreement, enjoin or restrain any threatened or attempted violation of this Restated Agreement or enforce by specific performance the

obligations and rights of the parties to this Restated Agreement, or to obtain any other remedy. Landowner further acknowledges that under the Development Agreement Statute, land use approvals (including development agreements) must be approved by the City Council and that under law, the City Council's discretion to vote in any particular way may not be constrained by contract, except as permitted in the Development Agreement Statute. Landowner further acknowledges that as an instrument which must be approved by ordinance, a development agreement is subject to referendum; and that under law, the City Council's discretion to avoid a referendum by rescinding its approval of the underlying ordinance may not be constrained by contract, and each Landowner waives all claims for damages against the City and its officers, agents and employees in this regard.

By entering into this Restated Agreement, Landowner shall not be obligated to Develop the Property and Landowner shall not be obligated to install or pay for the costs to install any improvements or facilities except as otherwise provided herein. Nothing in this section shall be construed to excuse Landowner from making lawfully approved CFD tax payments.

5.4 Automatic Termination Upon Completion and Sale of Residential Unit.

This Restated Agreement shall automatically be terminated, without any further action by either party or need to record any additional document, with respect to any single-family residential lot within a parcel designated by the Specific Plan for residential use, upon completion of construction and issuance by the City of a final inspection for a dwelling unit upon such residential lot and conveyance of such improved residential lot by Landowner to a bona-fide good faith purchaser thereof. In connection with its issuance of a final inspection for such improved lot, City shall confirm that: (i) all improvements which are required to serve the lot, as determined by City, have been completed and formally accepted by City in writing; and (ii) all other conditions of approval applicable to said lot have been complied with to the City's satisfaction as evidenced by the City's issuance of a certificate of occupancy or final inspection permitting occupancy of the improved lot. Termination of this Restated Agreement for any such residential lot as provided for in this Section 5.4 shall not in any way be construed to terminate or modify any CFD tax lien or other such lien, assessment, fee or charge affecting such lot at the time of termination.

5.5 Termination Upon Landowner Request. This Restated Agreement may also be terminated, at the election of the then Landowner, with respect to any legally subdivided parcel designated by the Specific Plan for residential or non-residential use (other than parcels designated for public use), when recording a final map for such parcel, or receiving a certificate of occupancy or final inspection, whichever is applicable, for a multi-family residential or non-residential building within such parcel, by giving written notice to City of its election to terminate this Restated Agreement for such parcel, provided that: (i) all improvements which are required to serve the parcel, as determined by City, have been completed and formally accepted by City in writing; and (ii) all other conditions of approval applicable to said parcel have been complied with to the City's satisfaction as evidenced by the City's issuance of a certificate of occupancy or final inspection permitting occupancy of the improved parcel. Landowner shall cause any written notice of termination approved pursuant to this subsection to be recorded with the

Sacramento County Recorder against the applicable parcel at Landowner's expense. Termination of this Restated Agreement for any such parcel as provided for in this section shall not in any way be construed to terminate or modify any CFD tax lien or other such lien, assessment, fee or charge affecting such parcel at the time of termination.

5.6 Effect of Termination. If this Restated Agreement is terminated, in whole or part, following any event of default of any Landowner or for any other reason, such termination shall not affect the validity of this Restated Agreement with respect to any other Landowner's Property or any of the Entitlements or Subsequent Entitlements, other than this Restated Agreement, for the defaulting Landowner's Property, nor shall such termination affect any building or improvement within the defaulting Landowner's Property which is completed as of the date of termination, provided that such building or improvement has been constructed pursuant to a building permit issued by the City. Furthermore, no termination of this Restated Agreement with respect to a defaulting Landowner's Property shall prevent such Landowner from completing and occupying any building or other improvement authorized pursuant to a valid building permit previously issued by the City that is under construction at the time of termination, provided that any such building or improvement is completed in accordance with said building permit in effect at the time of such termination and receives a certificate of occupancy or certificate of completion from the City. Termination of this Restated Agreement by either shall not in any way be construed to terminate or modify any CFD tax lien or other such lien, assessment, fee or charge affecting such parcel at the time of termination or terminate any outstanding obligations of Landowner owed to the City (whether a one-time obligation or continuing obligations) pursuant to this Restated Agreement or any Entitlements or Subsequent Entitlements.

5.7 No Protest or Challenge To Fees. Landowner hereby waives any and all rights to challenge or protest the imposition or payment of, and agrees to pay, and not to protest or challenge, or pay under protest, any fees contained or articulated in the PFFP or this Restated Agreement, whether adopted at the time of execution of this Restated Agreement or later adopted, including any inflationary or cost of construction adjustment to such fees. Those fees subject to the Mitigation Fee Act shall be reviewed by the parties in good faith and nothing is intended to limit a Landowner's right as permitted by law to challenge or protest such mitigation fee based solely on any alleged failure to comply with the Mitigation Fee Act, as opposed to the City's right to impose the fee in general.

5.8 Applicable Law. This Restated Agreement shall be construed and enforced in accordance with the laws of the State of California.

ARTICLE 6

HOLD HARMLESS AND COOPERATION

6.1 Hold Harmless. Landowner and its successors-in-interest and assigns, hereby agrees to, and shall protect, defend, indemnify and hold City, its elective and appointive boards, commissions, officers, agents, and employees harmless from any

costs, expenses, damages, liability for damages or claims of damage for personal injury, or bodily injury including death, as well as from claims for property damage which may arise from the operations of Landowner, or of Landowner's contractors, subcontractors, agents, or employees under this Restated Agreement, whether such operations be by Landowner, or by any of Landowner's contractors or subcontractors, or by any one or more persons directly or indirectly employed by, or acting as agent for, Landowner or Landowner's contractors or subcontractors, unless such damage or claim arises from the sole negligence or willful misconduct of City. The foregoing indemnity obligation of Landowner shall survive the termination or expiration of this Restated Agreement; however, notwithstanding any provision to the contrary, it shall not apply to any liability for damage or claims for damage with respect to any damage to or use of any public improvements after the completion and acceptance thereof by City.

In addition to the foregoing indemnity obligation, Landowner agrees to and shall protect, defend, indemnify and hold City, its elective and appointive boards, commissions, officers, agents and employees harmless from any and all lawsuits, claims, challenges, damages, expenses, costs, including attorneys' fees that may be awarded by a court, or in any actions at law or in equity arising out of or related to the processing, approval, execution, adoption or implementation of the Project, the Entitlements, the Subsequent Entitlements, the Tier 1 Development Agreement, the Public Facilities Financing Plan, this Restated Agreement, or the environmental documentation and process associated with the same, exclusive of any such actions brought by Landowner, its successors-in-interest or assigns. The City shall retain the right to appear in and defend any such action or lawsuit on its own behalf regardless of any tender under this provision.

6.2 Cooperation and Defense in the Event of Legal Challenge. In the event of any legal action instituted by a third party or other governmental entity or official challenging the validity of any provision of this Restated Agreement, the parties hereby agree to cooperate in defending said action. If any person or entity not a party to this Restated Agreement initiates an action at law or in equity to challenge the validity of any provision of this Restated Agreement, the Entitlements or the Subsequent Entitlements, the parties shall cooperate and appear in defending such action. Landowner shall bear its own costs of defense as a real party in interest in any such action, and Landowner shall pay the City for all reasonable court costs and attorneys' fees expended by City in defense of any such action or other proceeding, provided that City reasonably cooperates with Landowner in the defense of such action. The City, in its sole discretion, and at the Landowner's expense may retain separate counsel and may defend, settle or compromise the action as it deems appropriate and in the best interests of the City. Prior to any settlement or other resolution of any matter covered by this paragraph, the City agrees that it will first consult with Landowner.

ARTICLE 7

GENERAL

7.1 Enforceability. The City agrees that unless this Restated Agreement is amended or canceled pursuant to the provisions of this Restated Agreement, this Restated Agreement shall be enforceable according to its terms by any party hereto notwithstanding any change hereafter in any applicable General Plan, Specific Plan, zoning ordinance, subdivision ordinance or building regulation adopted by City, or by initiative, which changes, alters or amends the rules, regulations and policies applicable to the rate, timing or sequencing and density and intensity of use or Development of the Property at the time of approval of this Restated Agreement, as provided by Government Code Section 65866.

7.2 City Finding. The City hereby finds and determines that execution of this Restated Agreement is in the best interest of the public health, safety and general welfare and is consistent with the General Plan and Specific Plan.

7.3 Third Party Beneficiaries. This Restated Agreement is made and entered into for the sole protection and benefit of Landowner and City and their successors and assigns. No other person shall have any right of action based upon any provision in this Restated Agreement.

7.4 Project as a Private Undertaking. It is specifically understood and agreed by and between the parties hereto that the subject project is a private development, and that the City has no interest therein except as authorized in the exercise of its governmental functions. No partnership, joint venture or other association of any kind is formed by this Restated Agreement.

7.5 Notices. All notices required by this Restated Agreement, the enabling legislation, or the procedure adopted pursuant to Government Code Section 65865, shall be in writing and delivered in person or sent by certified mail, postage prepaid.

Notice required to be given to the City shall be addressed as follows:

Community Development Director
City of Folsom
50 Natoma Street
Folsom, CA 95630

With a copy to:

City Manager
City of Folsom
50 Natoma Street
Folsom, CA 95630

City Attorney

City of Folsom
50 Natoma Street
Folsom, CA 95630

Notice required to be given to Landowner shall be addressed to the Landowner as follows:

Gragg Ranch Recovery Acquisition LLC
1251 Avenue of the Americas, 50th Floor
New York, NY 10020
Attn: Jon Shumaker

With a copy to:

Gragg Ranch Recovery Acquisition LLC
c/o RainTree Investment Corp.
7 Mt. Lassen Drive, Suite A-120
San Rafael, CA 94403
Attn: Michael McDonnell

And a copy to:

Gragg Ranch Recovery Acquisition, LLC
c/o RainTree Investment Corporation
Exclusive Agent – Paulson & Company
5796 Armada Drive, Suite 375
Carlsbad, CA 92008
Attn: Matt Villalobos

Any party or addressee may change the address stated herein by giving notice in writing to the other parties, and, thereafter, notices shall be addressed and delivered to the new address.

7.6 Severability. If any term, covenant or condition of this Restated Agreement or the application thereof to any person, entity or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Restated Agreement, or the application of such term, covenant or condition to persons, entities or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and each term, covenant or condition of this Restated Agreement shall be valid and be enforced to the fullest extent permitted by law; provided, however, if any provision of this Restated Agreement is determined to be invalid or unenforceable and the effect thereof is to deprive a party hereto of an essential benefit of its bargain hereunder, then such party so deprived shall have the option to terminate this entire Restated Agreement from and after such determination.

7.7 Construction. All parties have been represented by counsel in the preparation of this Restated Agreement and no presumption or rule that ambiguity shall be construed against a drafting party shall apply to interpretation or enforcement of this Restated Agreement. Captions on sections and subsections are provided for

convenience only and shall not be deemed to limit, amend or affect the meaning of the provision to which they pertain.

7.8 Other Necessary Acts. Each party shall execute and deliver to the other all such other further instruments and documents as may be reasonably necessary to carry out this Restated Agreement in order to provide and secure to the other party the full and complete enjoyment of its rights and privileges hereunder.

7.9 Estoppel Certificate. Either party may, at any time, and from time to time, deliver written notice to the other party requesting such party to certify in writing that, to the knowledge of the certifying party, (i) this Restated Agreement is in full force and effect and a binding obligation of the parties, (ii) this Restated Agreement has not been amended or modified either orally or in writing, or if so amended, identifying the amendments, and (iii) the requesting party is not in default in the performance of its obligations under this Restated Agreement, or if in default, to describe therein the nature of such default. The party receiving a request hereunder shall execute and return such certificate within thirty (30) calendar days following the receipt thereof.

7.10 Mortgagee Protection. The parties hereto agree that this Restated Agreement shall not prevent or limit Landowner, in any manner, at Landowner's sole discretion, from encumbering the Property or any portion thereof or any improvement thereon by any mortgage, deed of trust or other security device securing financing with respect to the Property, except as limited by the provisions of this section. City acknowledges that the lenders providing such financing may require certain agreement interpretations and modifications and agrees upon request, from time to time, to meet with Landowner and representatives of such lenders to negotiate in good faith any such request for interpretation or modification. City will not unreasonably withhold its consent to any such requested interpretation or modification provided such interpretation or modification is consistent with the intent and purposes of this Restated Agreement. Any Mortgagee shall be entitled to the following rights and privileges:

(a) Neither entering into this Restated Agreement nor a breach of this Restated Agreement shall defeat, render invalid, diminish or impair the lien of any mortgage on the Property made in good faith and for value, unless otherwise required by law.

(b) The Mortgagee of any mortgage or deed of trust encumbering the Property, or any part thereof, which Mortgagee has submitted a request in writing to City in the manner specified herein for giving notices, may request to receive written notification from City of any default by Landowner in the performance of Landowner's obligations under this Restated Agreement.

(c) If City receives a timely request from a Mortgagee requesting a copy of any notice of default given to Landowner under the terms of this Restated Agreement, City shall provide a copy of that notice to the Mortgagee within ten (10) business days of sending the notice of default to Landowner. The Mortgagee shall have the right, but not the obligation, to cure the default during the remaining cure period allowed to Landowner under this Restated Agreement.

(d) Any Mortgagee who comes into possession of the Property, or any part thereof, by any means, whether pursuant to foreclosure of the mortgage deed of trust, or deed in lieu of such foreclosure or otherwise, shall take the Property, or part thereof, subject to the terms of this Restated Agreement, including payment of any outstanding fees or charges. Should such Mortgagee or successors or assigns of such Mortgagee choose to develop the Property, the development shall be subject to all of the terms and conditions of this Restated Agreement. Nothing in this Restated Agreement shall be deemed or construed to permit or authorize the Mortgagee or successors or assigns of such Mortgagee to devote the Property, or any portion thereof, to any uses or to construct any improvements thereon other than those uses and improvements provided for or authorized by this Restated Agreement.

7.11 Assignment. From and after recordation of this Restated Agreement against the Property, Landowner, or any individual person or entity, shall have the full right to assign this Restated Agreement, with prior notification to the City, as to the Property, or any portion thereof, in connection with any sale, transfer or conveyance thereof, and upon the express written assignment by a Landowner and assumption by the assignee of such assignment in the form attached hereto as **Exhibit 7.11**, and the conveyance of Landowner's interest in the Property related thereto, Landowner shall be released from any further liability or obligation hereunder related to the portion of the Property so conveyed and the assignee shall be deemed to be the "Landowner," with all rights and obligations related thereto, with respect to such conveyed property. No assignment shall be permitted and any attempt to assign shall be voidable by the City if the assigning Landowner has any outstanding payment or performance obligations to the City under this Restated Agreement or the PFFP as implemented by the City until such delinquency is satisfied or the parties enter into a payment or performance agreement in a form approved by the City Attorney.

7.12 Entire Agreement. This Restated Agreement is executed in two duplicate originals, each of which is deemed to be an original. This Restated Agreement, inclusive of its Recitals and Exhibits, constitutes the entire understanding and agreement of the parties. This Restated Agreement may be signed in identical counterparts and the signature pages and consents, together with appropriate acknowledgments, may be removed from the counterparts and attached to a single counterpart, which shall all be considered a fully-executed original for all persons and for purposes of recordation hereof.

IN WITNESS WHEREOF, the City of Folsom has authorized the execution of this Restated Agreement in duplicate by its Mayor, and attested to by the City Clerk under the authority of Ordinance No. _____ adopted by the City Council on the _____ day of _____, 2014.

**CITY OF FOLSOM,
a municipal corporation**

Steven Miklos, Mayor Date

APPROVED AS TO CONTENT:

Evert W. Palmer, City Manager Date

APPROVED AS TO FORM:

Steven Wang, City Attorney Date

ATTEST:

Christa Saunders, City Clerk Date

IN WITNESS WHEREOF, the parties below have caused this First Amended and Restated Tier 1 Development Agreement By and Between the City of Folsom and Gragg Ranch Recovery Acquisition LLC Relative to the Folsom South Specific Plan and the Carr Trust Project to be duly executed:

LANDOWNER: Gragg Ranch Recovery Acquisition LLC,
a Delaware Limited Liability Company

APNs:

By: _____
Name: _____
Title: _____

THIS FIRST AMENDED AND RESTATED DEVELOPMENT TIER 1 DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF FOLSOM AND GRAGG RANCH RECOVERY ACQUISITION LLC RELATED TO THE FOLSOM SOUTH SPECIFIC PLAN AND THE CARR TRUST PROJECT MUST BE DULY NOTARIZED.

LIST OF EXHIBITS

Exhibit A-1	Legal Description of Property (Carr Trust Project)
Exhibit A-2	Map of Property (Carr Trust Project)
Exhibit B-1	Map of Specific Plan Land Use Plan (with approved amendments)
Exhibit B-2	Map of Carr Trust Project Land Use Plan (with approved Specific Plan amendments)
Exhibit C	Map of Original Carr Trust Property and Subsequent Boundary Line Adjustments
Exhibit D	Public and Private Open Space Parcels
Exhibit 1.5.1.1	Water Zone Boundaries and Non-Potable Water Pipeline
Exhibit 2.2.1	List of PFFP Facilities
Exhibit 2.2.3.2	Map of Aerojet/Easton Property, Including Map of Community Park West and Alternate Site
Exhibit 2.2.4	Existing and New Plan Area Fees Summary Sheet
Exhibit 2.5.5	Mather Avigation Easement
Exhibit 3.8	Map of Backbone Lands
Exhibit 4.2.1	List of Advancing Owners and Reimbursing Owners for Advance Planning Costs
Exhibit 4.3	Map of Constructing Owner's Property (Carr Trust Project)
Exhibit 7.11	Form of Assignment of Development Agreement

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EXHIBIT "A-1"

**DESCRIPTION OF
GRAGG RANCH RECOVERY ACQUISITION, LLC
RESULTANT PARCEL 2A**

Parcel 2A:

All that portion of real property situated in the City of Folsom, County of Sacramento, State of California located within Sections 15 and 16, Township 9 North, Range 8 East, Mount Diablo Meridian, as described in those certain Grant Deeds recorded on January 13, 2014 in Book 20140113, at Page 0078 and on April 15, 2015 in Book 20150415, at Page 1321 and Book 20150415, at Page 1325, Official Records of Sacramento County, being more particularly described as follows:

Commencing at a 5/8" rebar with 2" aluminum cap stamped "LS 4533" marking the east one-quarter corner said Section 16 as shown on that certain Parcel Map filed for record on October 11, 2012 in Book 218 of Parcel Maps, at Page 18, Sacramento County Records; thence coincident with the north line of the southeast one-quarter of said Section 16, South 88°57'33" West a distance of 130.00 feet to the True Point of Beginning; thence from said **TRUE POINT OF BEGINNING** leaving said north line of the southeast one-quarter of Section 16 for the following 7 arcs, courses and distances:

1. South 00°37'07" East a distance of 200.08 feet;
2. South 06°46'47" East a distance of 162.94 feet;
3. South 00°37'08" East a distance of 216.93 feet to a point of curvature;
4. 642.32 feet along the arc of a tangent 397.50 foot radius curve to the left through a central angle of 92°35'04";
5. South 36°26'11" East a distance of 145.47 feet to a point of curvature;
6. from a radial line which bears North 36°26'11" West, 84.03 feet along the arc of a non-tangent 2000.00 foot radius curve to the left through a central angle of 02°24'26"; and
7. South 51°09'23" West a distance of 498.28 feet to the intersection with the easterly right-of-way line of the Sacramento-Placerville Transportation Corridor Joint Powers Authority as described in that certain Quitclaim Deed recorded on September 6, 1996 in Book 19960906, at Page 1665, Official Records of Sacramento County;

thence coincident with said easterly right-of-way line of the Sacramento-Placerville Transportation Corridor Joint Powers Authority, North 38°50'56" West a distance of 923.00 feet to the most southerly corner of Area 2, being the Lands of TNHC Russell Ranch LLC, as described in that certain Grant Deed recorded April 15, 2015 in Book 20150415, at Page 1322, Official Records of Sacramento County; thence leaving said easterly right-of-way line of the Sacramento-Placerville Transportation Corridor Joint Powers Authority, coincident with the east line of said Area 2 for the following 3 courses and distances:

1. North 51°09'23" East a distance of 200.00 feet;
2. North 19°26'13" West a distance of 335.00 feet; and

27108.000
12/10/2015
RMP

3. North $37^{\circ}57'32''$ East a distance of 365.00 feet to the north line of the southeast one-quarter of said Section 16;

thence coincident with said north line of the southeast one-quarter of Section 16, North $88^{\circ}57'33''$ East a distance of 235.00 feet to the True Point of Beginning.

Containing 14.967 acres of land, more or less.

The Basis of Bearing for this description is the north line of the southeast one-quarter of Section 16, T.9 N., R. 8 E., M.D.M. as shown on that certain Parcel Map filed for record on October 11, 2012 in Book 218 of Parcel Maps at Page 0018, Sacramento County Records.

See Exhibit "C-1" plat to accompany descriptions, attached hereto and made a part hereof.

This legal description was prepared by me or under my supervision pursuant to Section 8729 (2) of the Professional Land Surveyors Act.

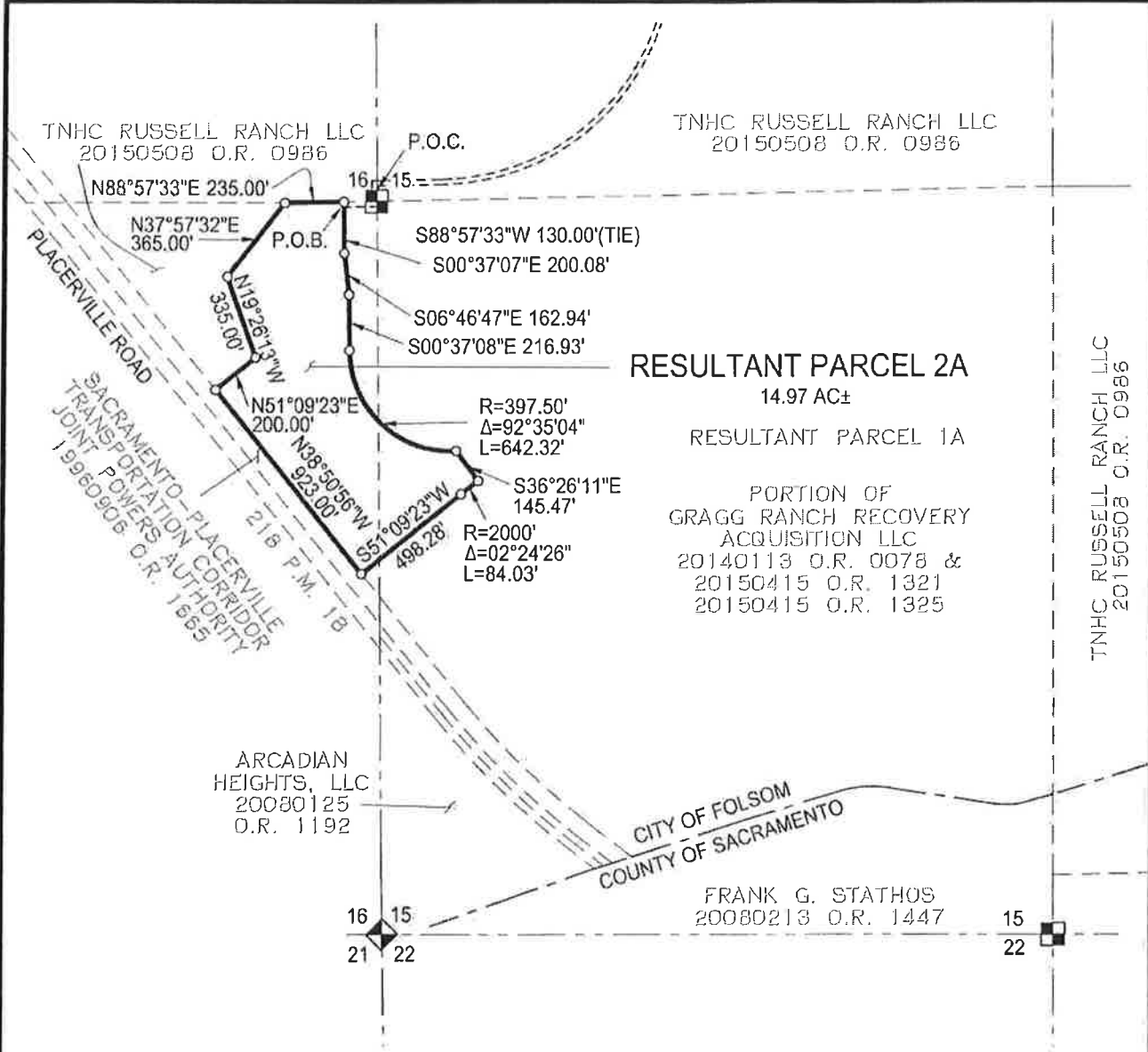


Craig E. Spiess, PLS 7944
License Expiration Date: 12-31-17

Date: 12/10/15



Description prepared by:
MACKAY & SOMPS CIVIL ENGINEERS, INC.
1552 Eureka Road, Suite 100, Roseville, CA 95661
P:\27108\SRV\Maping\Desc\BLA\GR-BLA-RESULTANT PARCEL 2A-COC.docx



TNHC RUSSELL RANCH LLC
20150508 O.R. 0986

TNHC RUSSELL RANCH LLC
20150508 O.R. 0986

RESULTANT PARCEL 2A
14.97 AC±
RESULTANT PARCEL 1A

PORTION OF
GRAGG RANCH RECOVERY
ACQUISITION LLC
20140113 O.R. 0078 &
20150415 O.R. 1321
20150415 O.R. 1325

ARCADIAN
HEIGHTS, LLC
20080125
O.R. 1192

FRANK G. STATHOS
20080213 O.R. 1447

LEGEND

- O.R. OFFICIAL RECORDS
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- ADJACENT LOT LINE
- CL WHITE ROCK ROAD
- EXISTING LOT LINE
- SECTION LINE
- ◆ SECTION CORNER
- SECTION 1/4 CORNER
- DIMENSION POINT
- NOTHING FOUND, NOTHING SET



EXHIBIT "A-2"
MAP OF PROPERTY

PORTION OF SECTIONS 15 & 16, T.9N., R.8E., M.D.M.
CITY OF FOLSOM STATE OF CALIFORNIA

MACKAY & SOMPS
ENGINEERS PLANNERS SURVEYORS
1552 Eureka Road, Suite 100, Roseville, CA 95661 (916) 773-1169

GSM	1" = 600'	04/27/2016	27108.000
DRAWN BY	SCALE	DATE	JOB NO.

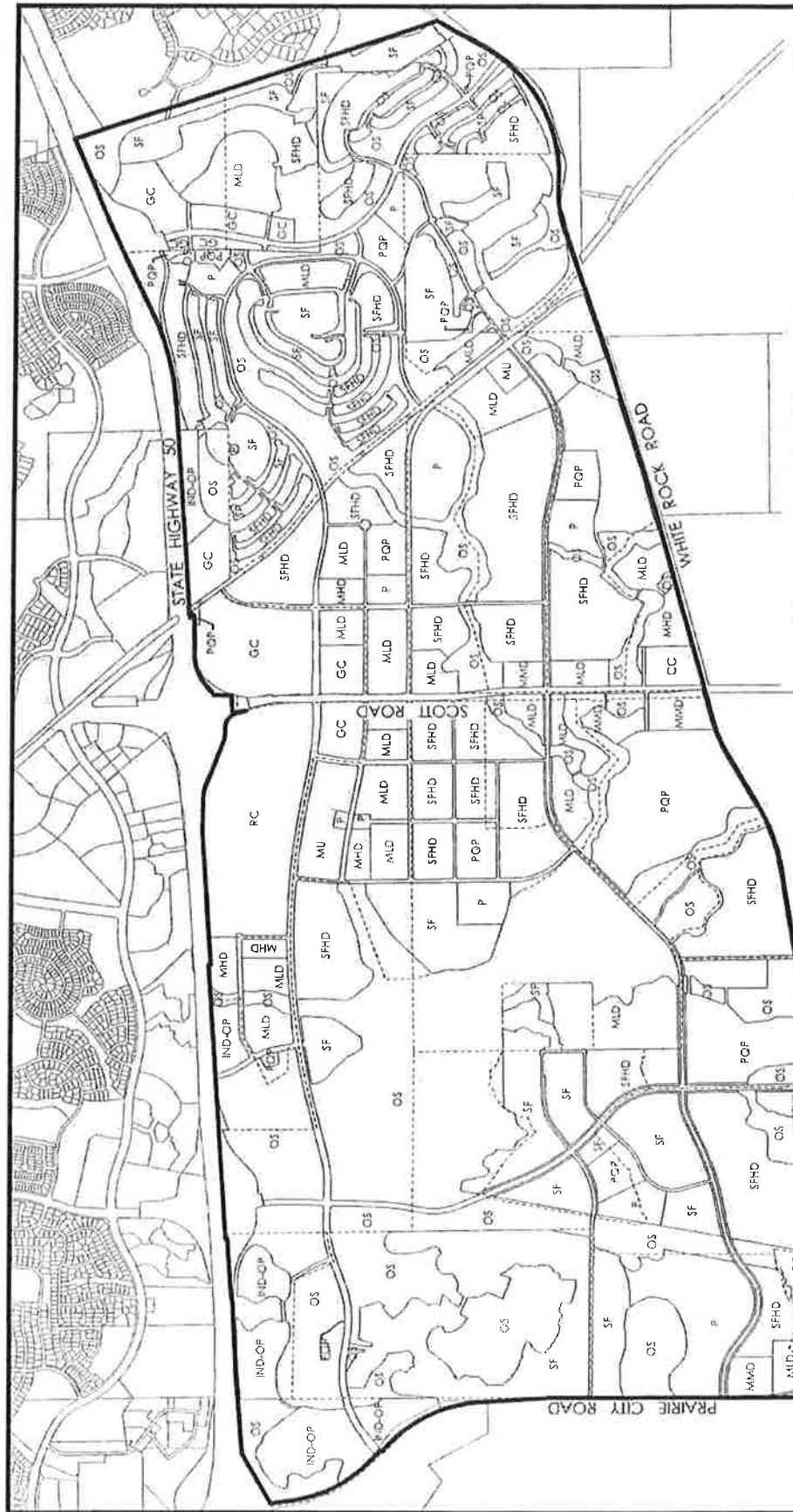


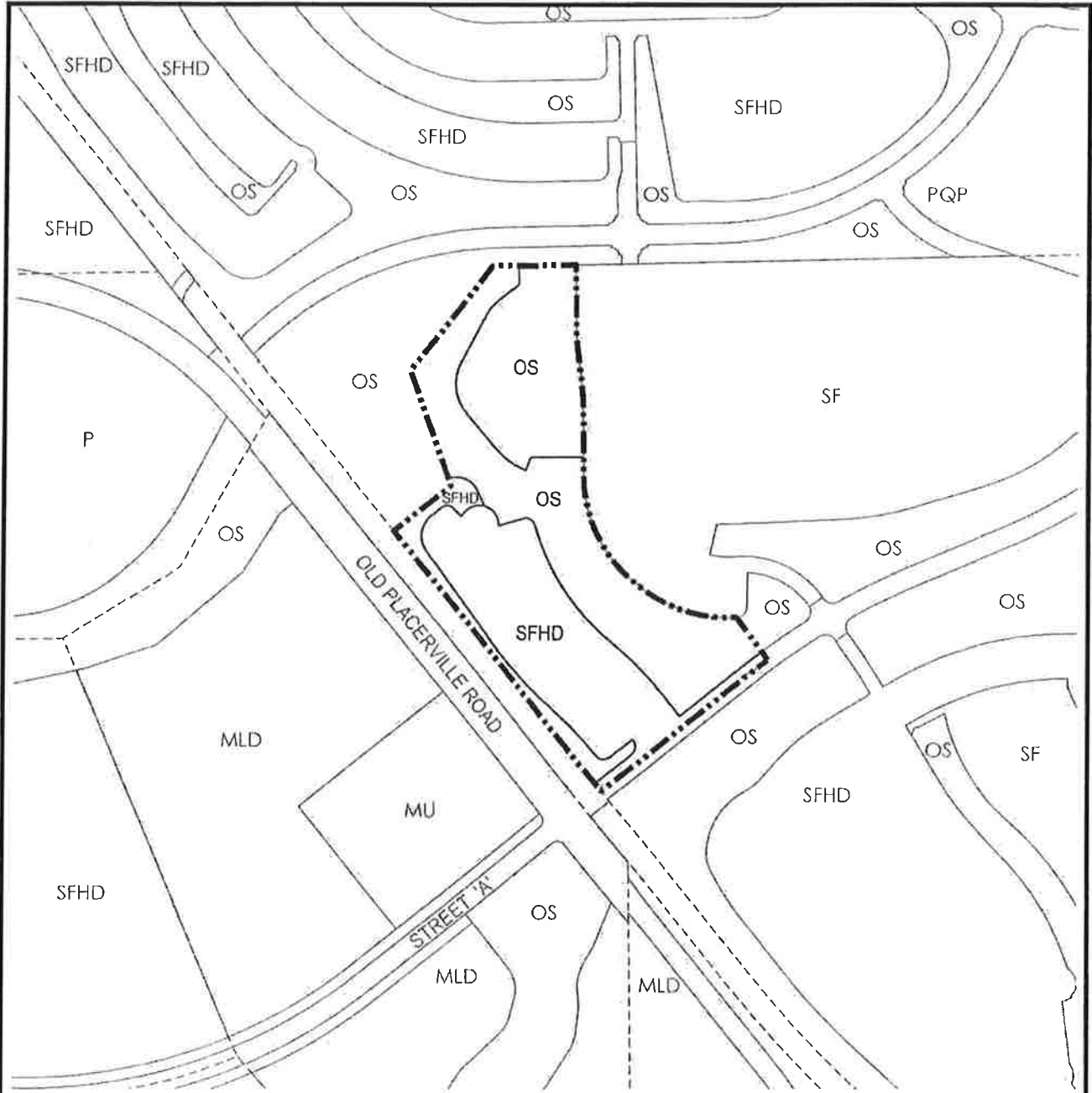
EXHIBIT "B-1"

MAP OF SPECIFIC PLAN LAND USE PLAN
WITH APPROVED AMENDMENTS

PORTION OF SECTIONS 15 & 16, T.9N., R.8E., M.D.M.
CITY OF FOLSOM
STATE OF CALIFORNIA

GSM	N.T.S.	04/27/2016
DRAWN BY	SCALE	DATE
		27108.000
		JOB NO.

MACKAY & SOMPS
ENGINEERS
PLANNERS
SURVEYORS
1552 Eureka Road, Suite 100, Roseville, CA 95661 (916) 773-1189



LEGEND

- PROJECT PROPERTY LINE
- - - - -** ADJACENT LOT LINE
- ADJACENT LAND USE LINE



EXHIBIT "B-2"

MAP OF CARR TRUST LAND USE PLAN
WITH APPROVED SPECIFIC PLAN AMENDMENTS

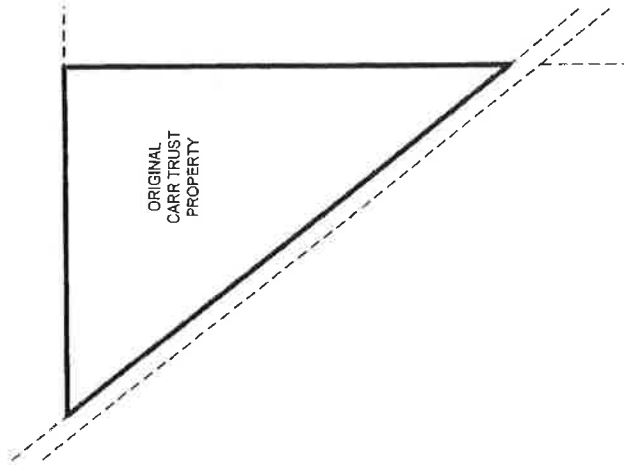
PORTION OF SECTIONS 15 & 16, T.9N., R.8E., M.D.M.
CITY OF FOLSOM STATE OF CALIFORNIA

MACKAY & SOMPS

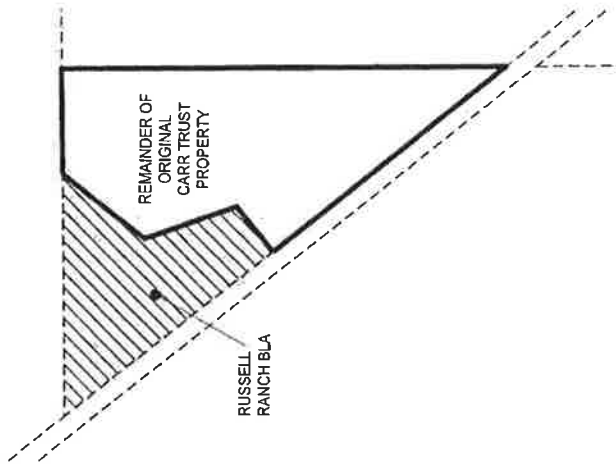
ENGINEERS PLANNERS SURVEYORS
1552 Eureka Road, Suite 100, Roseville, CA 95661 (916) 773-1189

GSM	1" = 400'	04/27/2016	27108.000
DRAWN BY	SCALE	DATE	JOB NO.

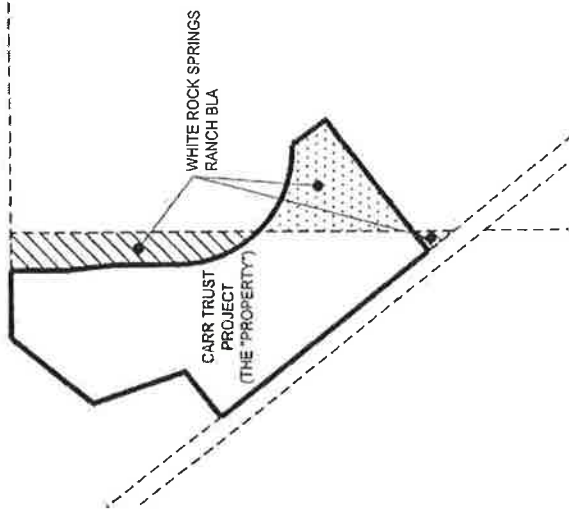
ORIGINAL CARR TRUST PROPERTY



AFTER BLA WITH RUSSELL RANCH



AFTER BLA WITH WHITE ROCK SPRINGS RANCH



LEGEND

PROPERTY LINE

ADJACENT LOT LINE

BLA LANDS (REMOVED)

BLA LANDS (ADDED)

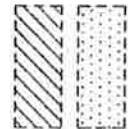


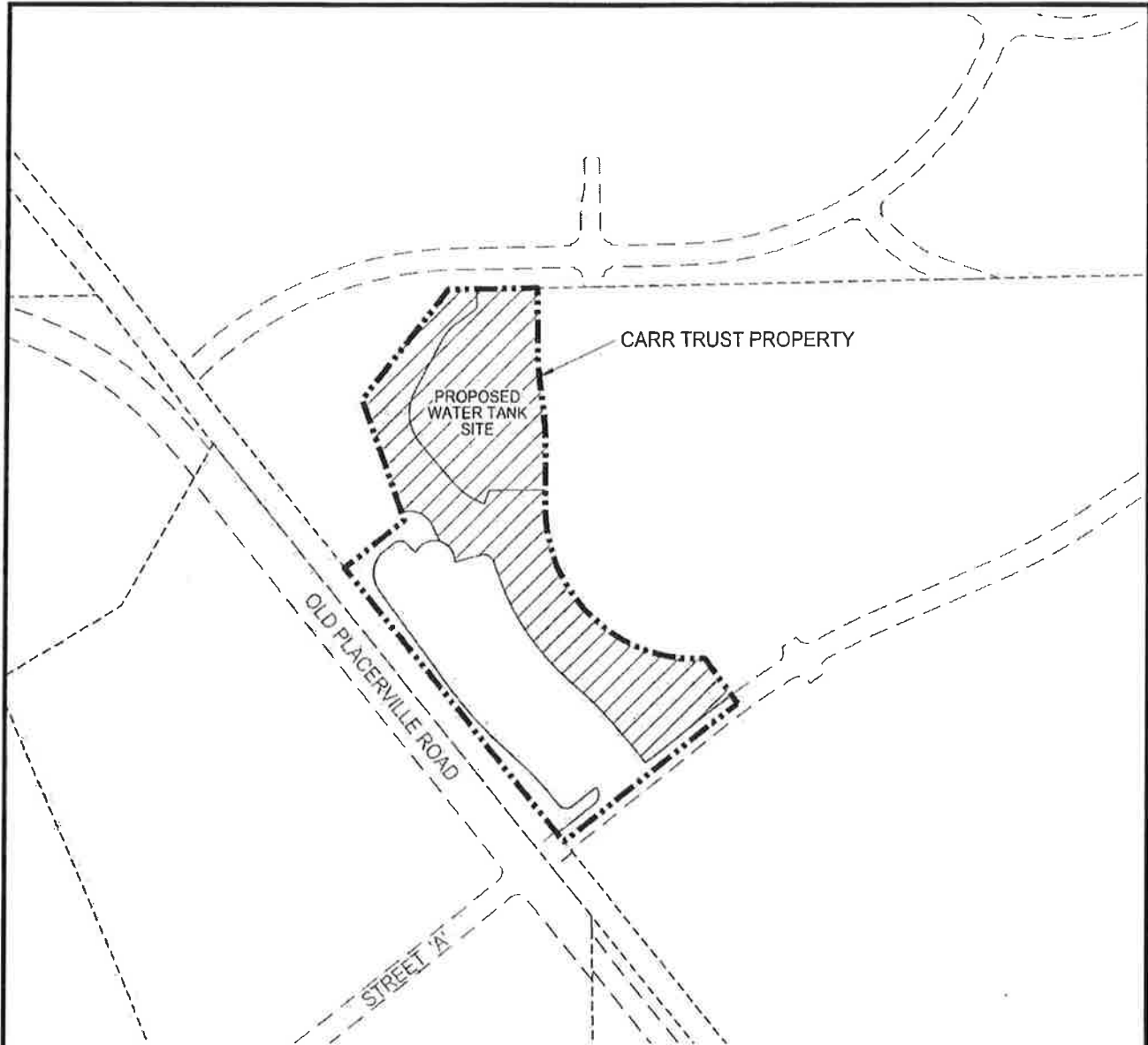
EXHIBIT "C"

MAP OF CARR TRUST PROJECT

PORTION OF SECTIONS 15 & 16, T.9N., R.8E., M.D.M.
CITY OF FOLSOM
STATE OF CALIFORNIA

MACKAY & SOMPS
ENGINEERS PLANNERS SURVEYORS
1552 Eureka Road, Suite 100, Roseville, CA 95661 (916) 779-1189

GSM	1" = 600'	04/27/2016	27108.000
DRAWN BY	SCALE	DATE	JOB NO.



LEGEND




-  PROJECT PROPERTY LINE
-  ADJACENT LOT LINE
-  PUBLIC & PRIVATE OPEN SPACE

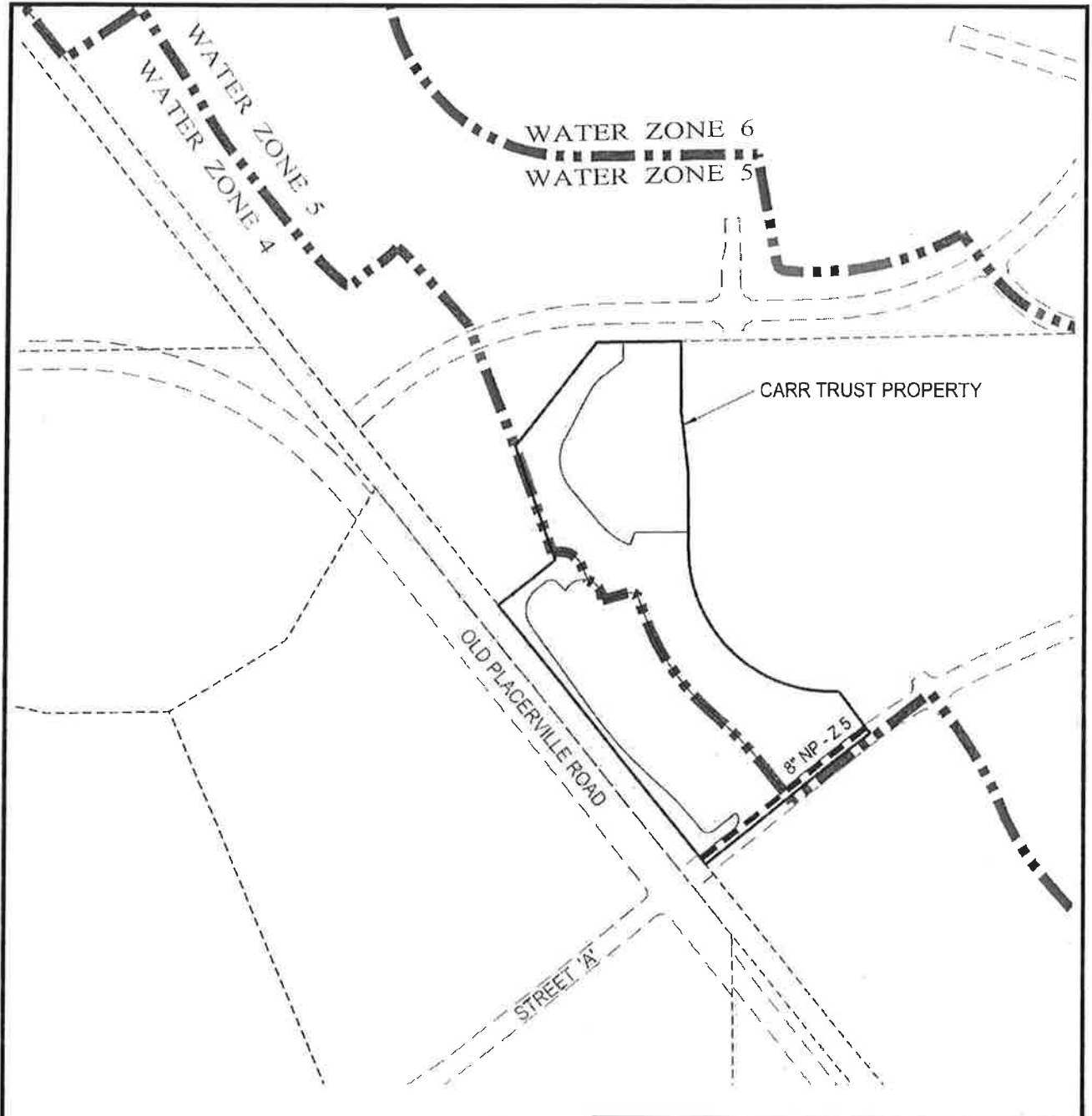


EXHIBIT "D"
 PUBLIC PARCELS AND
 PUBLIC AND PRIVATE OPEN SPACE

PORTION OF SECTIONS 15 & 16, T.9N., R.8E., M.D.M.
 CITY OF FOLSOM STATE OF CALIFORNIA

MACKAY & SOMPS
 ENGINEERS PLANNERS SURVEYORS
 1552 Eureka Road, Suite 100, Roseville, CA 95661 (916) 773-1189

GSM	1" = 400'	04/27/2016	27108.000
DRAWN BY	SCALE	DATE	JOB NO.



LEGEND

- PROJECT PROPERTY LINE
- - - ADJACENT LOT LINE
- · — · — WATER ZONE BOUNDARY
- - - - NON POTABLE WATER PIPELINE (with size and zone)



EXHIBIT "1.5.1.1"
 WATER ZONES BOUNDARIES
 AND NON POTABLE WATER PIPELINE

PORTION OF SECTIONS 15 & 16, T.9N., R.8E., M.D.M.
 CITY OF FOLSOM STATE OF CALIFORNIA

MACKAY & SOMPS
 ENGINEERS PLANNERS SURVEYORS
 1552 Eureka Road, Suite 100, Roseville, CA 95661 (916) 773-1189

GSM	1" = 400'	04/27/2016	27108.000
DRAWN BY	SCALE	DATE	JOB NO.

Exhibit 2.2.1

PFFP Facilities to be Constructed in and/or Financed by the FPASP Area

Backbone Infrastructure:

- Roadway Improvements, as described in Appendix B of the PFFP
- On-Site Water System Improvements, as described in Appendix C of the PFFP
- Off-Site Water System Improvements, as described in Appendix D of the PFFP
- Recycled Water System Improvements, as described in Appendix E of the PFFP
- Sanitary Sewer System Improvements, as described in Appendix F of the PFFP
- Storm Drainage System Improvements, as described in Appendix G of the PFFP
- Habitat Mitigation, as described in the Executive Summary, Page ES-9, and in Appendix H of the PFFP
- Interchanges, as described in Appendix N of the PFFP

Other Public Facilities

- Fire Facilities and Equipment, as described in Appendix I of the PFFP
- Police Facilities and Equipment, as described in Appendix I of the PFFP
- Municipal Services Center, as described in Appendix I of the PFFP
- Branch Library, as described in Appendix I of the PFFP
- Corporation Yard, as described in Appendix J of the PFFP
- Transit System, as described in Appendix K of the PFFP
- Parks, as described in Appendix L of the PFFP
- Trails, as described in Appendix M of the PFFP
- Aquatic and Community Center, as described in Appendix O of the PFFP
- Solid Waste Facilities, as described in the Executive Summary, Pages ES-18 to ES-19, of the PFFP
- General Capital Facilities, as described in Chapter 4, Page 19, of the PFFP



Not to Scale

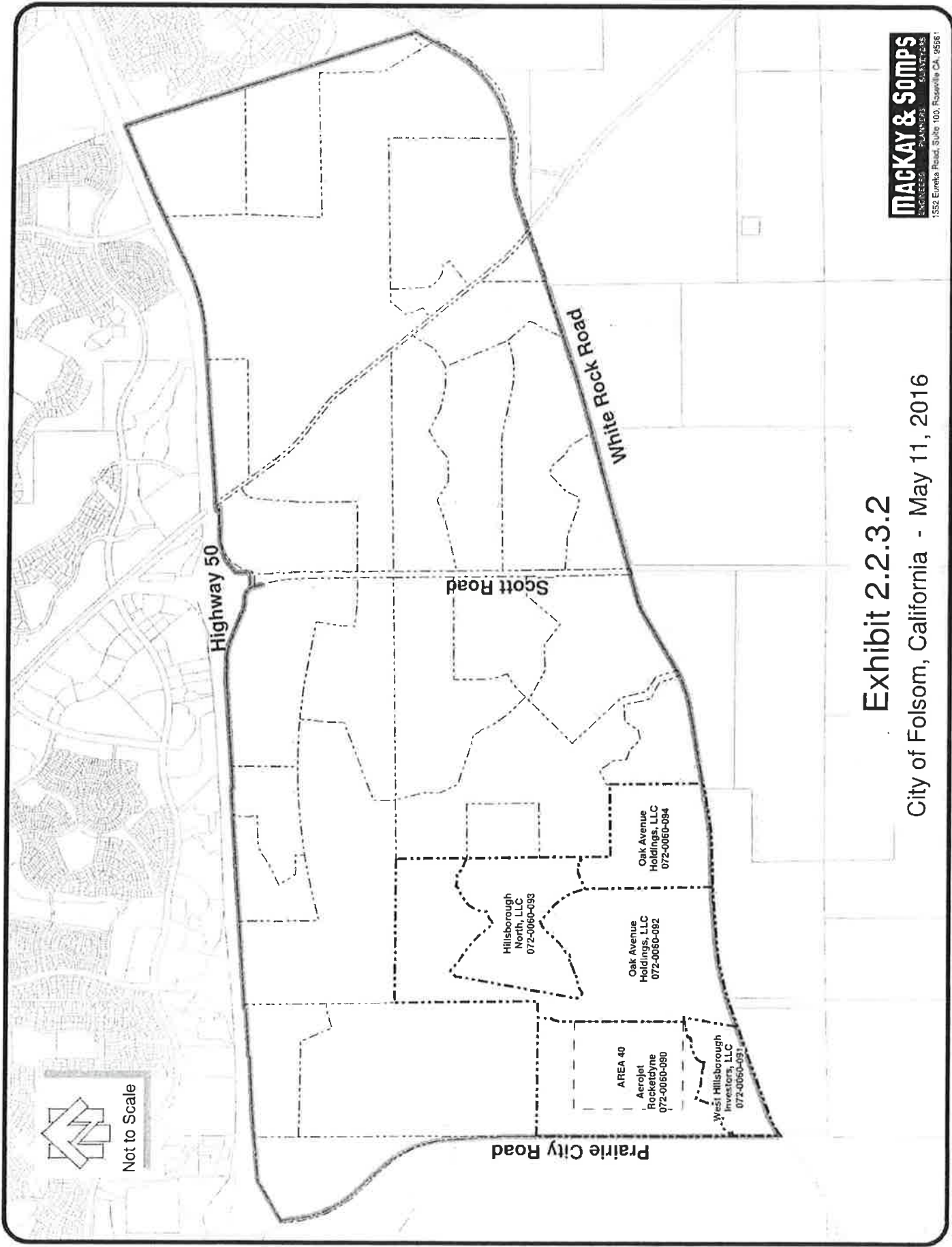


Exhibit 2.2.3.2

City of Folsom, California - May 11, 2016

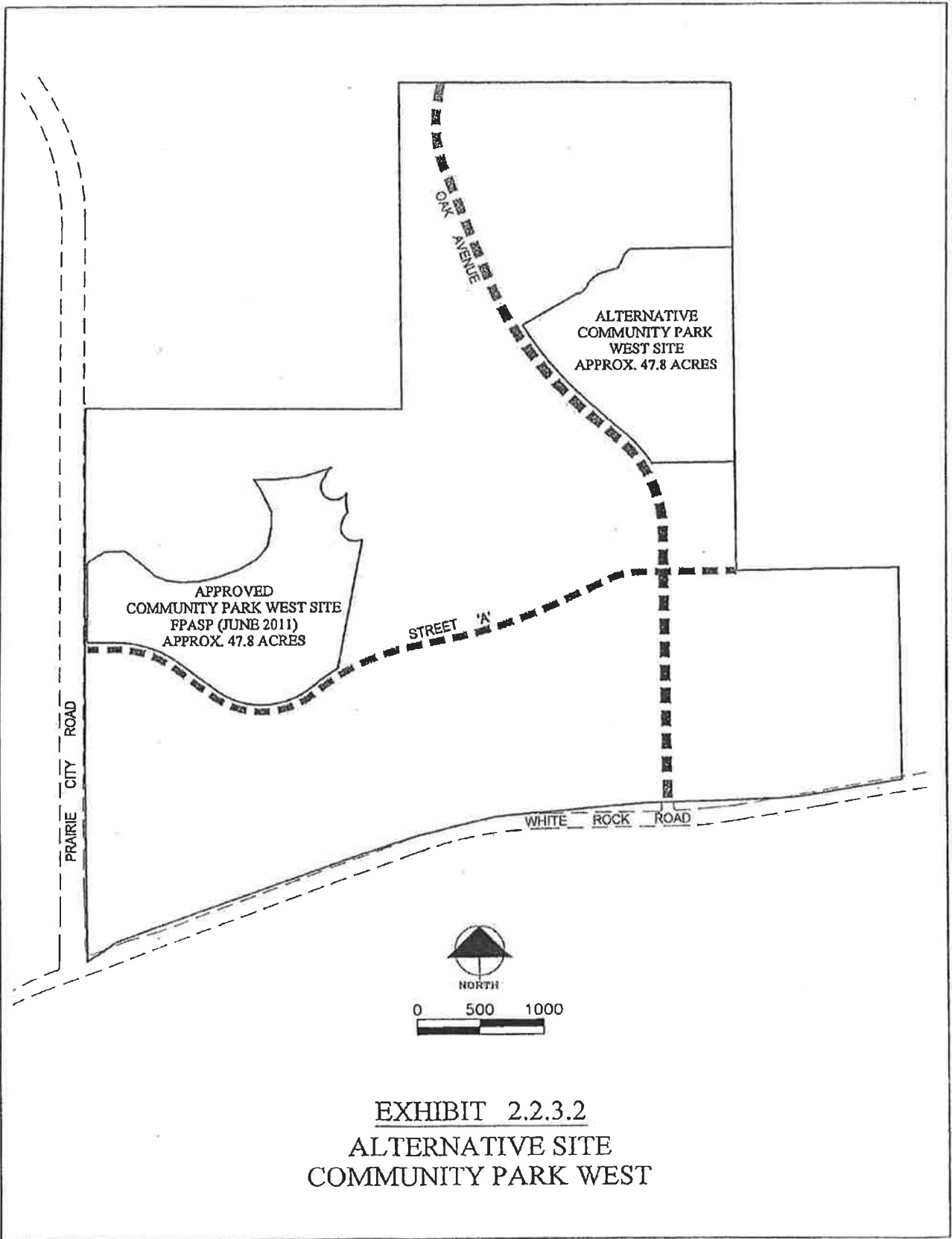


EXHIBIT 2.2.3.2
ALTERNATIVE SITE
COMMUNITY PARK WEST

Exhibit 2.2.4
Existing and New Plan Area Fees

Existing City Fees [1]

- Transportation Management Fee
- Solid Waste Capital Improvement Fee
- Capital Improvement Fee – Park Equipment
- Housing Trust Fund
- Water Buy-in and Connection Fee
- Water Usage Fee [2]

FPASP Plan Area Fees

New Plan Area Fees for City Facilities (Combined)

- General Capital Facilities
- Library
- Municipal Services Center
- Police Facilities
- Fire Facilities
- Parks
- Trails

New Stand-Alone Plan Area Fees

- Corporation Yard
- Transit
- Interchanges/HWY 50 Improvements

FPASP Specific Plan Infrastructure Fee (SPIF)

- On-Site Roadway
- Off-Site Roads within Folsom
- On-Site Water
- Off-Site Water
- Recycled Water
- Drainage
- Sewer
- Habitat Mitigation
- Administration

FPASP Planning and Land Fees

- Specific Plan Reimbursement
- Parkland Dedication (Quimby)

[1] This list of Existing City Fees is intended to reflect all City development impact or mitigation fees existing on the Effective Date of the Restated Agreement which are not being replaced by new FPASP Plan Area Fees; however, to the extent such fees are inadvertently omitted from this list, those fees existing at the time of the Effective Date of this Restated Agreement and not replaced by the new FPASP Plan Area Fees shall apply. This list does not address, and is not intended to limit, the City's existing or future permit application, development processing, inspection and plan check and other such related fees imposed by the City in conjunction with development applications.

[2] Fee for volumetric water usage during construction.

EXHIBIT 2.5.5
MATHER AVIGATION EASEMENT



Sacramento County Recorder
 David Villanueva, Clerk/Recorder
 BOOK **20140826** PAGE **1509**

FOR THE BENEFIT OF THE CITY OF FOLSOM
 PURSUANT TO GOVERNMENT CODE §6103

Tuesday, AUG 26, 2014 2:33:54 PM
 Ttl Pd \$0.00 Rpt # 0008327808

LAS/17/1-11

RECORDING REQUESTED BY CITY CLERK

WHEN RECORDED MAIL TO:

CITY CLERK
 CITY OF FOLSOM
 50 NATOMA STREET
 FOLSOM, CALIFORNIA 95630

Exempt from:
 Recording Fees, pursuant to Govt Code Section 27383;
 and
 Documentary Transfer Tax, pursuant to
 Revenue & Taxation Code Section 11922

GRANT OF AVIGATION EASEMENT

The Grant of Avigation Easement (herein collectively referred to as "Avigation Easement"), is made on July 10, 2014, by and between Michele M. Carr, Trustee of the Michele M. Carr 2012 Trust dated February 9, 2012, and Melissa A. Barron, an individual (herein collectively referred to as "Grantor"), the County of Sacramento, a Political Subdivision of the State of California, acting by and through its Board of Supervisors and the City of Folsom, a municipal corporation, acting by and through its City Council (herein collectively referred to as "Grantees") with reference to the following facts:

A. Grantor owns real property in the City of Folsom, Sacramento County, California ("Grantor's Property"). The legal description for Grantor's Property is attached as Exhibit "A". Grantor's Property includes the air space above it.

B. The County of Sacramento owns and operates Sacramento Mather Airport in Sacramento County, California (the "Airport").

C. The Airport is a General Aviation airport for the region and also has various other aviation and related activity. Grantor and Grantees recognize and understand that the Airport will grow and traffic will increase over time.

D. Grantor has requested and received certain land use approvals including a Specific Plan (the "Folsom Specific Plan") and that certain Tier 1 Development Agreement recorded against Grantor's Property on August 3, 2011, in the Official Records of Sacramento County, in Book 20110803, Page 0422 (the "Tier 1 Development Agreement"). The land use approval requires Grantor to record an Avigation Easement on its property prior to or concurrently with the execution of a Tier 2 Development Agreement (as described in the Tier 1 Development Agreement) to address rights and obligations for future development of Grantor's Property. This Avigation Easement is a negotiated term of Grantor's Tier 1 Development Agreement between the City of Folsom and all landowners in the Folsom Specific Plan.



E. Grantor has requested and in consideration for the land use approval, Grantor has agreed to grant the County of Sacramento and the City of Folsom the Avigation Easement described below.

NOW, THEREFORE, the parties agree as follows:

Section 1. Grant of Avigation Easement

A. For valuable consideration, Grantor grants to the County of Sacramento and the City of Folsom a perpetual, nonexclusive, assignable Avigation Easement in and over Grantor's Property for noise and other negative impacts resulting from aircraft flying to and from, and other operations at the Airport ("Airport Operations") and a right-of-way for the free and unrestricted passage of aircraft of any and all kinds now or hereafter known in, through, across and about the airspace beginning at an altitude of one thousand (1000) feet above the top of the highest obstacle on Grantor's Property (hereinafter "Permitted Airspace"). This Avigation Easement specifically permits the imposition of light, smoke, air currents, electronic or other emissions, vibrations, discomfort, inconvenience, and interference with use and enjoyment resulting from Airport Operations producing noise. This Avigation Easement is fully effective as of the date set forth above.

B. Such Avigation Easement and right-of-way includes, but is not limited to:

1. The Avigation Easement and right-of-way is for the use and benefit of the public and includes the continuing right to fly, or cause or permit the flight by any and all persons, of aircraft, of any and all kinds now or hereafter known, in, through, across or about any portion of the Permitted Airspace; and

2. The right to cause or create, permit or allow to be caused or created within all space above the existing surface of said Grantor's Property and any and all airspace laterally adjacent to said Grantor's Property, such noise, vibration, current and other effects of air, illumination and fuel consumption as may be inherent in, or may arise or occur from Airport Operations, or during the operation of aircraft of any and all kinds, now or hereafter known or used, for navigation of or flight in air within the Permitted Airspace; and

3. Nothing in this easement is intended to or shall it be interpreted to alter noise standards and methods of measurements or permit noise or vibration in excess of the standards utilized by the Federal Aviation Administration.

4. A continuing right to clear, and keep clear the Permitted Airspace and extending upwards thereafter (as necessary for air transportation or air operation purposes) of any portions of building, structures, or improvements of any and all kinds, and of trees or other objects, including the right to remove or demolish those portions of such buildings, structures, improvements, trees or other things which extend into or above said Permitted Airspace and the right to cut to those portions of any trees which extend into or above the Permitted Airspace; and

5. The right to mark and light, or cause or require to be marked or lighted, as obstructions to air navigation, any and all buildings, structures or other improvements, and trees or other objects, which extend into or above the Permitted Airspace; and

6. The right to ingress to, passage within, and egress from the hereinabove described Grantor's Property for the purposes described in subparagraphs "4" and "5" above.

C. Grantor, on behalf of itself, its successors and assigns, hereby covenants with the County of Sacramento and the City of Folsom and for the direct benefit of the real property constituting Sacramento Mather Airport as follows:

1. That Grantor, its successors and assigns will not construct, install, permit or allow any building, structure, improvement, tree, or other object on the Grantor's Property described herein, to extend into or above the Permitted Airspace, or to obstruct or interfere with the use of the Avigation Easement and right-of-way herein granted.

2. Nothing in the Avigation Easement is intended to nor shall it affect Grantor's land use rights or require any additional land use review beyond that ordinarily required in the land use entitlement process.

D. The Avigation Easement and right-of-way granted herein shall be deemed both appurtenant to and for the direct benefit of that real property which constitutes the Sacramento Mather Airport, and shall further be deemed in gross, being conveyed to the Grantees for the benefit of the Grantees and any and all members of the general public who may use said Avigation Easement or right-of-way or derive benefit from the taking off from, landing upon or operating such aircraft in or about the said Sacramento Mather Airport, or in otherwise flying through said Permitted Airspace.

E. This Avigation Easement shall not operate to deprive the Grantor, its successors or assigns, of any rights, which it may from time to time have against any air carrier or private operator for negligent or unlawful operation of aircraft or any other rights, claims or causes of action that are not inconsistent with the Avigation Easement granted herein.

F. These covenants and agreement run with the land and are binding upon the heirs, administrators, executors, successors and assigns of the Grantor, and for the purpose of this instrument, the Grantor's Property as described in Exhibit "A" is the servient tenement and said Sacramento Mather Airport is the dominant tenement.

Section 2. Release

Grantor releases the City of Folsom, the County of Sacramento and Airport operators and aircraft operators using the Airport from any claims, losses, liabilities or expenses (collectively, "Losses") arising from the impositions permitted by this Avigation Easement, as well as from noise and other negative impacts resulting from Airport Operations prior to the date of this

Avigation Easement. This Release covers all past, present and future Losses, whether known or unknown. This Release includes damages for physical or emotional injuries, nuisance or any taking of Grantor's Property. Grantor specifically waives application of California Civil Code, Section 1542, which provides as follows:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor."

Grantor shall not sue for damages in connection with Losses released by this Avigation Easement, nor seek to enjoin the impositions permitted by this Avigation Easement. The County of Sacramento will not have to set aside buffer lands, re-route air traffic, erect sound or other barriers, establish curfews, relocate Airport Operations or take other measures to eliminate or lessen the impositions permitted by this Avigation Easement. Flights paths may be altered or modified from time to time by the Federal Aviation Administration or the County of Sacramento to fly over Grantor's Property.

Section 3. Continuous Benefits and Burdens

This Avigation Easement burdens the Grantor's Property for the benefit of the Airport. It runs with the land under California Civil Code Section 1468. The benefits and burdens created by this instrument apply to and bind the parties' successors, heirs and assigns.

Grantor agrees that in any marketing material regarding transfers, in whole or in part, of the Grantor's Property, this Avigation Easement and the terms thereof shall be disclosed. In addition, Grantor agrees that it will inform all interested parties including, but not limited to, those holding liens or encumbrances on all or a portion of the Property, about this Avigation Easement and shall provide a copy of this Avigation Easement if they so request.

Section 4. Recordation

The County of Sacramento shall record this document in the Official Records of Sacramento County.

GRANTOR:

Date: 7/10/14

Michele M. Carr
MICHELE M. CARR, Trustee of the
Michele M. Carr 2012 Trust dated
February 9, 2012

Date: _____

MELISSA A. BARRON, an individual

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Section 4. Recordation

The County of Sacramento shall record this document in the Official Records of Sacramento County.

GRANTOR:

Date: _____

MICHELE M. CARR, Trustee of the
Michele M. Carr 2012 Trust dated
February 9, 2012

Date: July 10, 2014

Melissa A. Barron

MELISSA A. BARRON, an individual

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

State of California }
County of Santa Clara } A

On JULY 10, 2014, before me, AVTAR S. NAT, Notary Public,
Personally appeared MICHELE M. CARR

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same
in ~~his~~/her/~~their~~ authorized capacity(~~ies~~), and that by ~~his~~/her/~~their~~ signature(~~s~~) on the instrument
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of State of California that the forgoing
paragraph is true and correct.



WITNESS my hand and official seal.

SIGNATURE Avtar Nat

PLACE NOTARY SEAL ABOVE

Though the information below is not required by law, it may prove valuable to persons relying on the document
and could prevent fraudulent removal and reattachment of this form to another document.

Description of attached document

Title or type of document: Easement Grant of Avigation

Document Date: - Number of Pages: 08

Signer(s) Other than Named Above: None

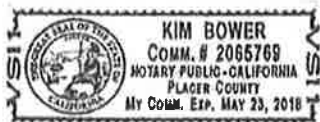
CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

State of California Placer
County of ~~Sacramento~~ Placer

On July 10, 2014, before me, Kim Bower, Notary Public,
Personally appeared Melissa A. Barron

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/(her)/their authorized capacity(ies), and that by his/(her)/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of State of California that the forgoing paragraph is true and correct.



WITNESS my hand and official seal.

SIGNATURE Kim Bower

PLACE NOTARY SEAL ABOVE

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of attached document

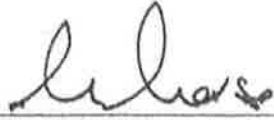
Title or type of document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other than Named Above: None

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the within deed, the provisions of which are incorporated by this reference as though fully set forth in this Certification, to the County of Sacramento, a political subdivision of the State of California, is hereby accepted by the undersigned officer pursuant to authority conferred by Resolution No. 2011-0011 of the Board of Supervisors of said County adopted on January 11, 2011, and the Grantee consents to recordation thereof by its duly authorized officer.



Director of General Services

7/31/14

Date

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF California

COUNTY OF Sacramento

On July 31, 2014 before me, Sonja Bartley, notary public,

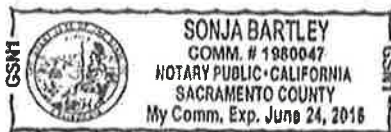
personally appeared Michael Manning Morse

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/het/their authorized capacity(ies), and that by his/het/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Sonja Bartley
Signature of Notary



-----OPTIONAL SECTION-----

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- INDIVIDUAL
- CORPORATE OFFICER(S)

Title(s)

- PARTNER(S) LIMITED
- GENERAL

ATTORNEY-IN-FACT

TRUSTEE(S)

GUARDIAN/CONSERVATOR

OTHER:

SIGNER IS REPRESENTING:
Name of Person(s) or entity(ies)

OPTIONAL SECTION

DATA REQUESTED HERE IS NOT REQUIRED BY LAW.

TITLE OR TYPE OF DOCUMENT: Grant of Avigation Easement
 NUMBER OF PAGES _____ DATE _____
 SIGNER(S) OTHER THAN NAMED ABOVE _____

**CITY OF FOLSOM
CERTIFICATE OF ACCEPTANCE**

This is to certify that the interest in the real property conveyed by the within Deed, the provisions of which are incorporated by this reference as though fully set forth in this Certification, to the City of Folsom, a political subdivision of the State of California, is hereby accepted by the undersigned officer pursuant to authority conferred by Resolution No. 2435 of the City Council of said City adopted on July 18, 1988, and the Grantee consents to recordation thereof by its duly authorized officer.

Signature & Date: _____

Evert W. Palmer
Evert W. Palmer
City of Folsom
City Manager

8/20/2014

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

State of California }
County of Sacramento }

On August 20, 2014, before me, C.L. GLASS, Notary
Public, personally appeared Evert W. Palmer

who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is~~are~~ subscribed to the within instrument and acknowledged to me that he~~/she/they~~ executed the same in his~~/her/their~~ authorized capacity~~(ies)~~, and that by his~~/her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of State of California that the forgoing paragraph is true and correct.



WITNESS my hand and official seal.

SIGNATURE _____

C.L. Glass

PLACE NOTARY SEAL ABOVE

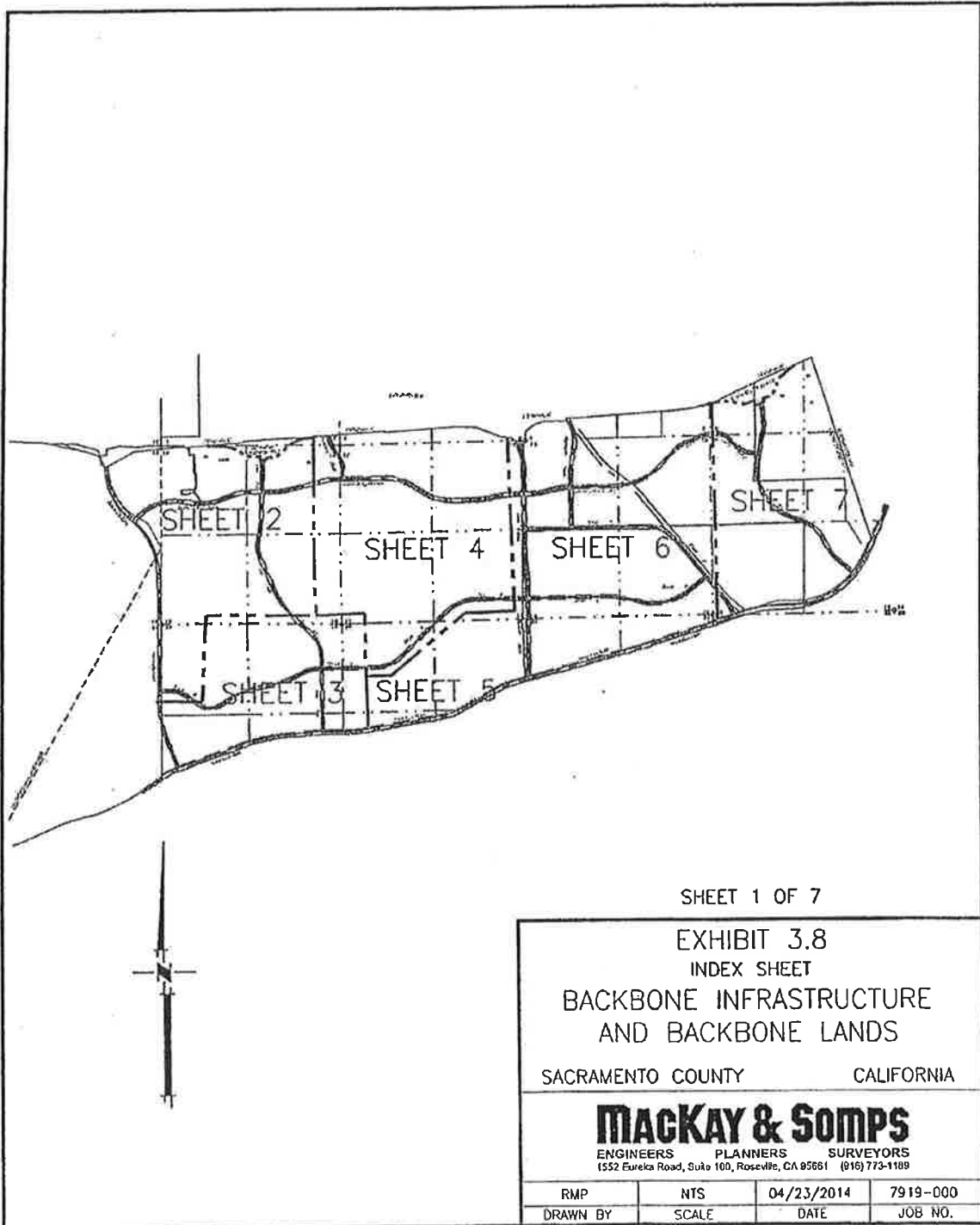
EXHIBIT "A"

LEGAL DESCRIPTION

All that real property situated in the City of Folsom, County of Sacramento, State of California, being more particularly described as follows:

All that portion of the Southeast one-quarter of Section 16, Township 9 North, Range 8 East, M.D.B.&M., lying northeasterly of the right of way of the Sacramento and Placerville Railroad.

APN: 072-0060-012



SHEET 1 OF 7

EXHIBIT 3.8
INDEX SHEET
BACKBONE INFRASTRUCTURE
AND BACKBONE LANDS

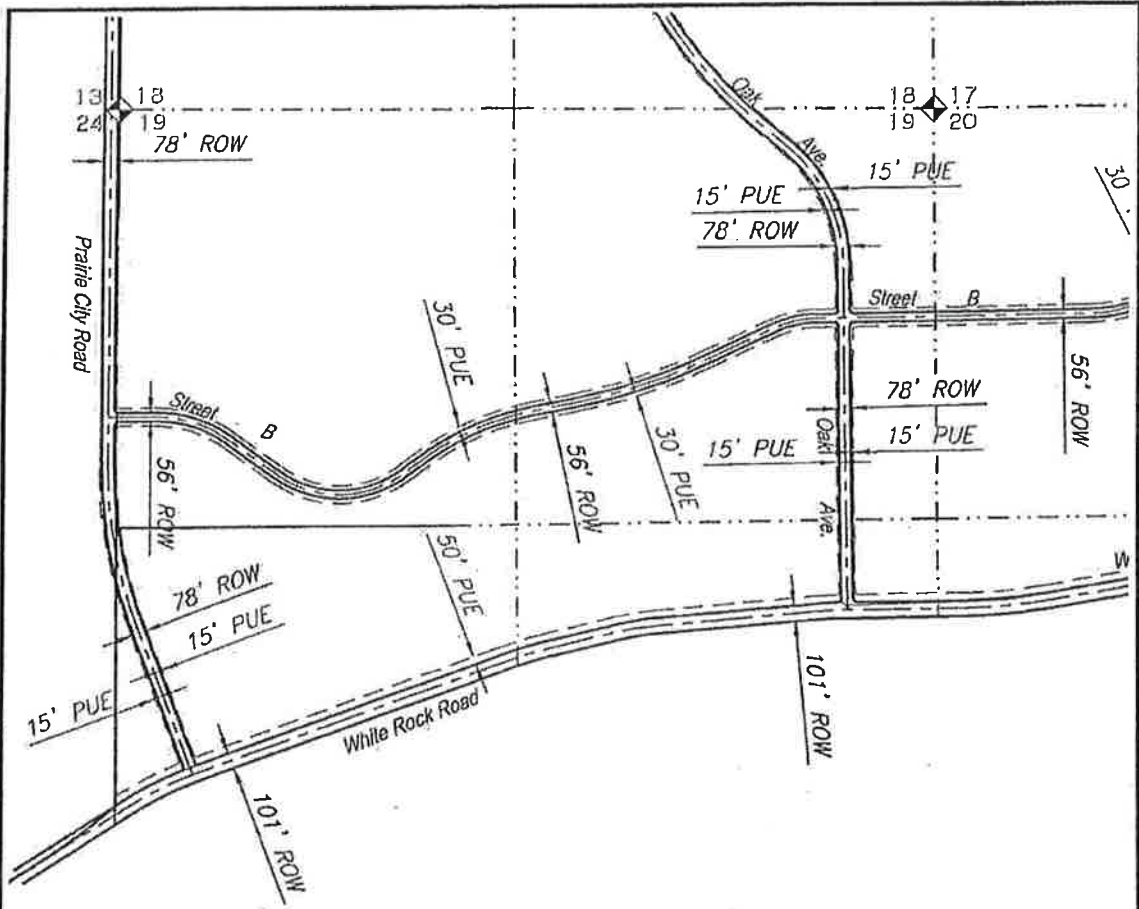
SACRAMENTO COUNTY CALIFORNIA

MACKAY & SOMPS

ENGINEERS PLANNERS SURVEYORS
1552 Eureka Road, Suite 100, Roseville, CA 95661 (916) 773-1189

RMP	NTS	04/23/2014	7919-000
DRAWN BY	SCALE	DATE	JOB NO.

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SHEET 3 OF 7

EXHIBIT 3.8

BACKBONE INFRASTRUCTURE
AND BACKBONE LANDS

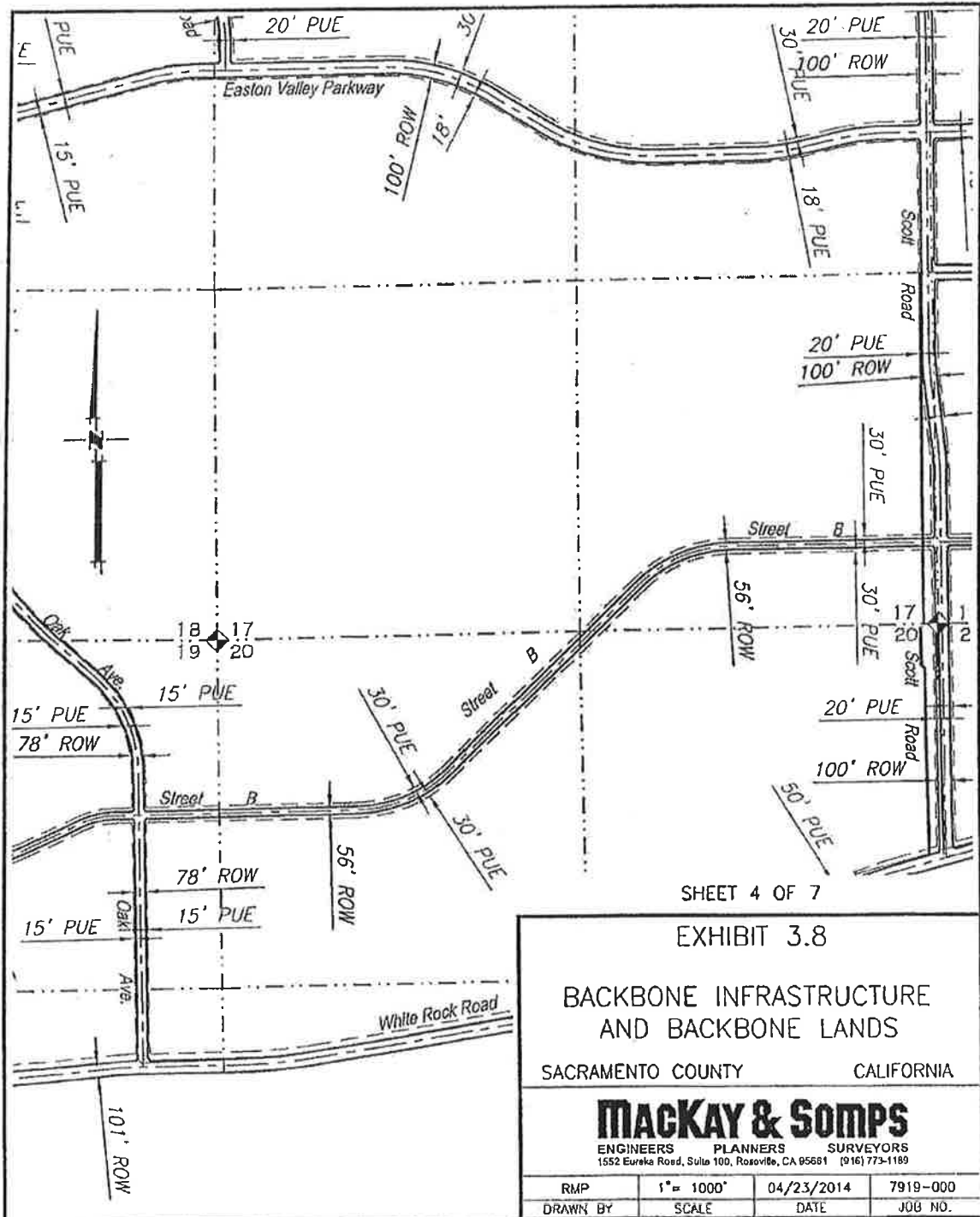
SACRAMENTO COUNTY CALIFORNIA

MACKAY & SOMPS

ENGINEERS PLANNERS SURVEYORS
1552 Eureka Road, Suite 100, Roseville, CA 95661 (916) 773-1169

RMP	1" = 1000'	04/23/2014	7919-000
DRAWN BY	SCALE	DATE	JOB NO.

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[1] P:\7919\planning\exhibits\Cad files\7919-Base.dwg



SHEET 4 OF 7

EXHIBIT 3.8

BACKBONE INFRASTRUCTURE
AND BACKBONE LANDS

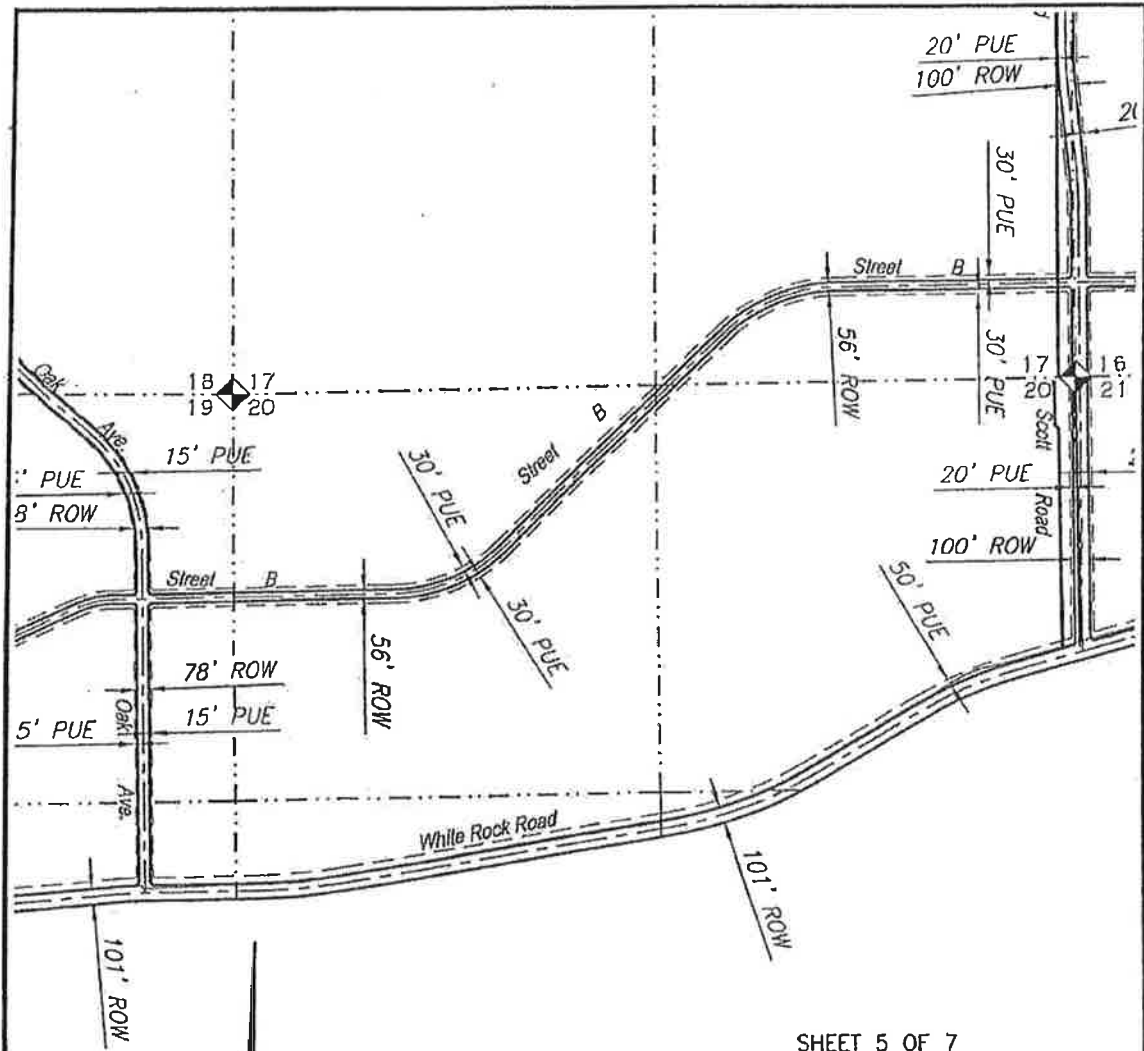
SACRAMENTO COUNTY CALIFORNIA

MACKEY & SOMPS

ENGINEERS PLANNERS SURVEYORS
1552 Eureka Road, Suite 100, Roseville, CA 95661 (916) 773-1189

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SHEET 5 OF 7

EXHIBIT 3.8

BACKBONE INFRASTRUCTURE
AND BACKBONE LANDS

SACRAMENTO COUNTY CALIFORNIA

MACKAY & SOMPS

ENGINEERS PLANNERS SURVEYORS
1552 Eureka Road, Suite 100, Roseville, CA 95661 (916) 712-1180

RMP	1" = 1000'	04/23/2014	7919-000
DRAWN BY	SCALE	DATE	JOB NO.

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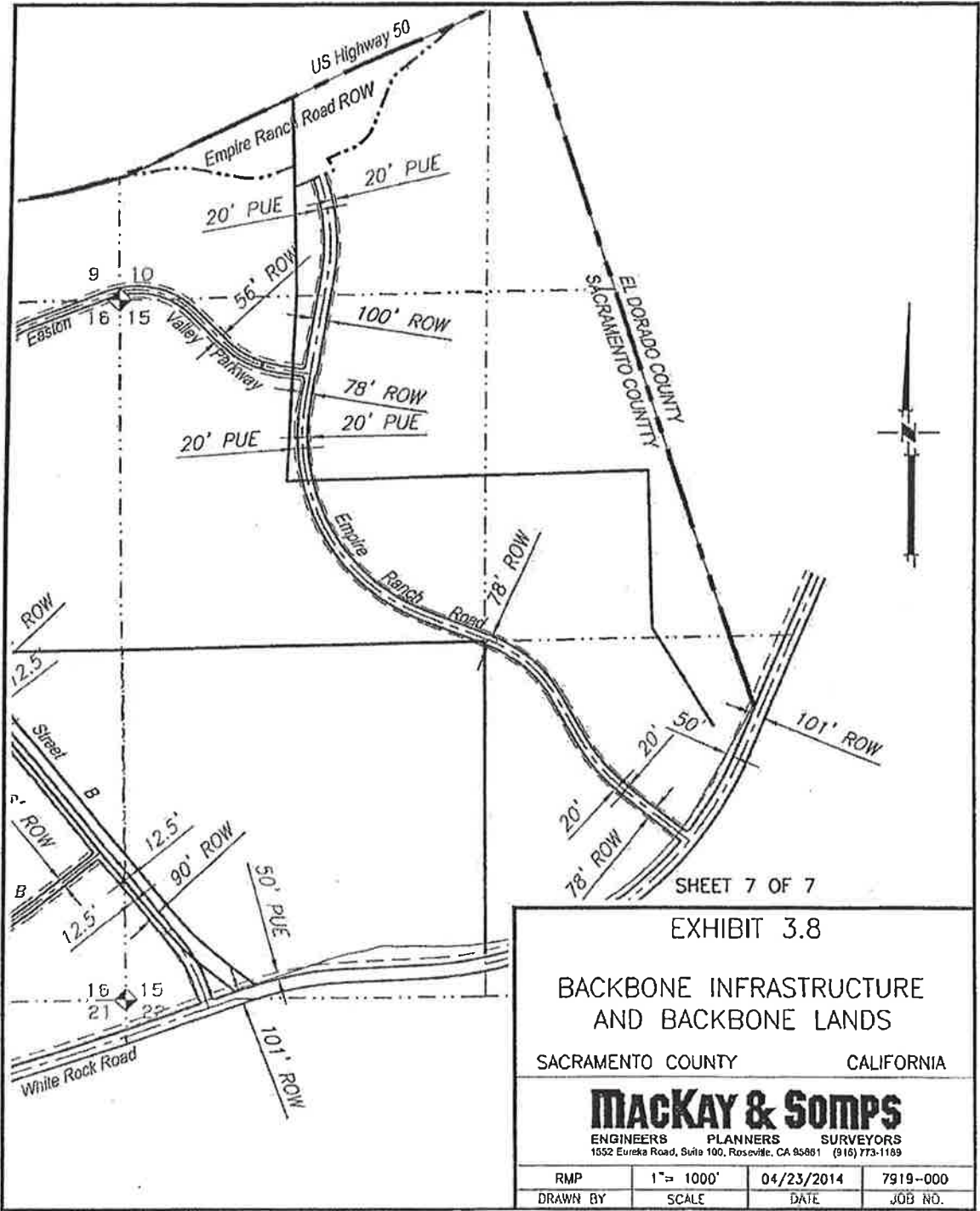


EXHIBIT 3.8

**BACKBONE INFRASTRUCTURE
AND BACKBONE LANDS**

SACRAMENTO COUNTY CALIFORNIA

MACKAY & SOMPS
ENGINEERS PLANNERS SURVEYORS
1552 Eureka Road, Suite 100, Roseville, CA 95661 (916) 773-1189

RMP	1" = 1000'	04/23/2014	7919-000
DRAWN BY	SCALE	DATE	JOB NO.

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Exhibit 4.2.1

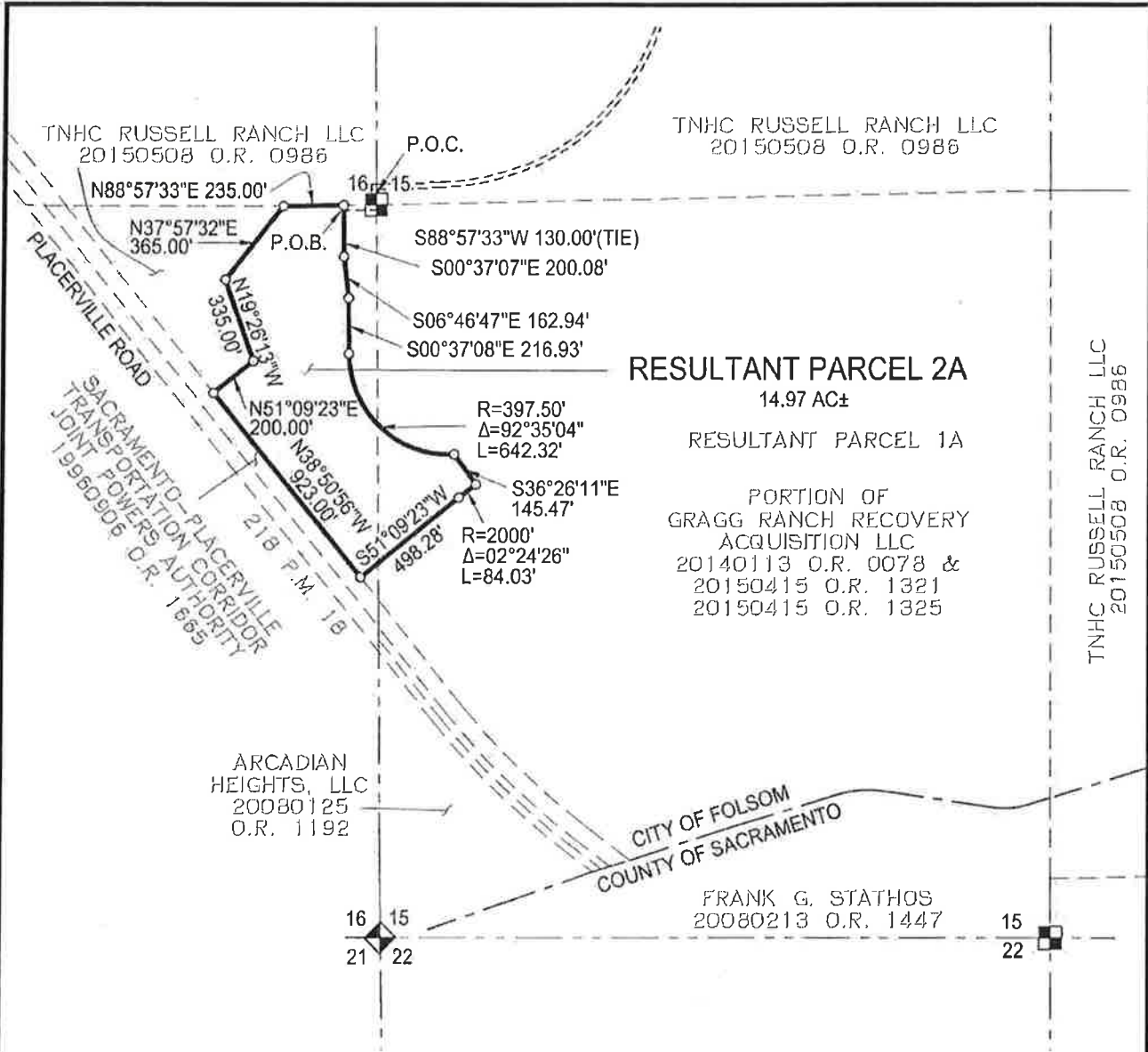
List of Advancing Owners and Reimbursing Owners for Advance Planning Cost

Advancing Owners:

Folsom Real Estate South, LLC APN(s): 072-0060-076, -077, -079, -080, -081, -082 & -084
White Rock Land Investors, LLC APN(s): 072-0060-085
Mangini North Holdings, LLC APN(s): 072-0060-083
West Scott Road, LLC APN(s): 072-0060-078
TNHC Russell Ranch, LLC APN(s): 072-0070-032 & 072-0270-138
Eagle Office Properties, LLC APN(s): 072-3190-002 & -006
Eagle Commercial Properties, LLC APN(s): 072-3190-001 & -008
Carpenter East, LLC APN(s): 072-3190-009
Easton Valley Holdings, LLC APN(s): 072-3190-003, -004 & -005
West Prairie Estates APN(s): 072-3190-007
Aerojet Rocketdyne, Inc. APN(s): 072-0060-073, -074 & -075
Easton Development Company, LLC APN(s): 072-0231-048
Gragg Ranch Recovery Acquisition LLC APN(s): 072-0070-006
Arcadian Heights, LLC APN(s): 072-0070-021 (ptn)
Folsom Heights, LLC APN(s): 072-0270-001, -028 & 072-0070-023
Michelle M. Carr, Trustee of the Michelle M. Carr 2012 Trust Melissa A. Barron APN(s): 072-0060-012
Zarghami & Javanifard APN(s): 072-0060-007

Reimbursing Owners:

Elliott Homes APN(s): 072-0270-030



RESULTANT PARCEL 2A
14.97 AC±

RESULTANT PARCEL 1A

PORTION OF
GRAGG RANCH RECOVERY
ACQUISITION LLC
20140113 O.R. 0078 &
20150415 O.R. 1321
20150415 O.R. 1325

LEGEND

- O.R. OFFICIAL RECORDS
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- - - - - ADJACENT LOT LINE
- - - - - CL WHITE ROCK ROAD
- — — — — EXISTING LOT LINE
- - - - - SECTION LINE
- ◆ SECTION CORNER
- SECTION 1/4 CORNER
- DIMENSION POINT
NOTHING FOUND, NOTHING SET



EXHIBIT "4.3"
MAP OF CONSTRUCTING
OWNERS PROPERTY

PORTION OF SECTIONS 15 & 16, T.9N., R.8E., M.D.M.
CITY OF FOLSOM STATE OF CALIFORNIA

Mackay & Somps
ENGINEERS PLANNERS SURVEYORS
1552 Eureka Road, Suite 100, Roseville, CA 95661 (916) 773-1189

GSM	1" = 600'	04/27/2016	27108.000
DRAWN BY	SCALE	DATE	JOB NO.

EXHIBIT 7.11

ASSIGNMENT AND ASSUMPTION AGREEMENT

RECORDING REQUESTED TO:

Attn: _____

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

**ASSIGNMENT AND ASSUMPTION AGREEMENT RELATIVE TO
THE FOLSOM SPECIFIC PLAN AMENDED AND RESTATED TIER 1
DEVELOPMENT AGREEMENT**

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

RECITALS

A. On _____, 2011, the City of Folsom and Landowner entered into that certain agreement entitled "First Amended and Restated Tier 1 Development Agreement By and Between The City of Folsom and [Landowner Name] Relative to Folsom Specific Plan (hereinafter the "Development Agreement"). Pursuant to the Development Agreement, Landowner 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 Sacramento County on _____, 2014 [Instrument No. _____].

B. Landowner 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. Landowner desires to assign and Assignee desires to assume all of Landowner'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, Landowner and Assignee hereby agree as follows:

1. Landowner hereby assigns, effective as of Landowner conveyance of the Assigned Parcel to Assignee, all of the rights, title, interest, burdens and obligations of Landowner under the Development Agreement with respect to the Assigned Parcel. Landowner 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 Landowner.

2. Assignee hereby assumes all of the rights, title, interest, burdens and obligations of Landowner under the Development Agreement with respect to the Assigned Parcel, and agrees to observe and fully perform all of the duties and obligations of Landowner 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 Landowner as the "Landowner" under the Development Agreement with respect to the Assigned Parcel. Assignee acknowledges and agrees that the assumption of Landowner's rights and obligations under the Development Agreement includes, without limitation, the waiver by Assignee under Section 5.3 of the Development Agreement of all claims for damages against the City for breach of the Development Agreement.

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.

3. Notification to the City of Folsom is required by the Development Agreement Transferring Landowner shall provide notice, prior to the transfer to:

City of Folsom
City Manager
50 Natoma Street
Folsom, California 95630

4. The Notice Address described in Article 7 of the Development Agreement for the Landowner with respect to the Assigned Parcel shall be:

Attn: _____

5. No assignment shall be permitted if there are any outstanding payment obligations to the City by the Landowner until such delinquency is satisfied or the parties enter into a payment or performance agreement in a form approved by the City Attorney.

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.

LANDOWNER:

By: _____

Print Name: _____

Title: _____

ASSIGNEE:

By: _____

Print Name: _____

Title: _____

ATTACHMENT NO. 10

White Rock Springs Design Guidelines

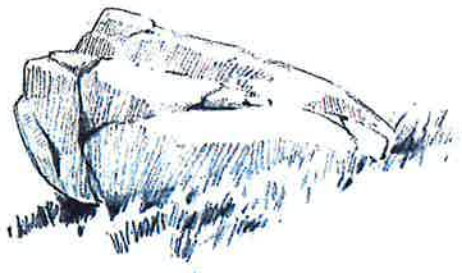
CARR TRUST

AT WHITE ROCK SPRINGS RANCH

DESIGN GUIDELINES



FOLSOM • CALIFORNIA



PREPARED FOR:

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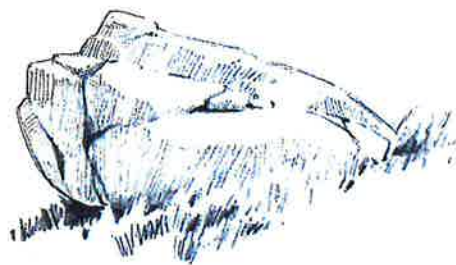
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TABLE OF CONTENTS



Image Property of Mrs. M. J. Wilkinson, Sacramento, CA



1. VISION + INTRODUCTION

2. ARCHITECTURAL DESIGN GUIDELINES

- Guiding Principles
- General Architectural Guidelines
- Residential Architectural Styles
- Street of Dreams

3. LANDSCAPE DESIGN GUIDELINES

- Guiding Landscape Design Principles
- Community Design Theme/ Landscape Character
- Community Identity Plan/Monumentation
- Streetscape Plans/Sections
- Lighting and Street Furniture Guidelines
- Wall and Fence Guidelines
- Landscape Master Community Plant Matrix

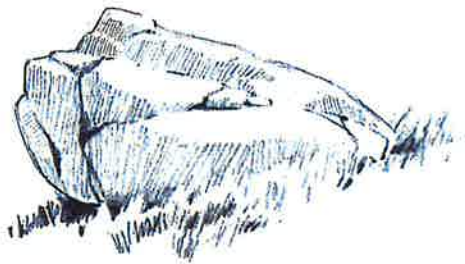
4. DESIGN REVIEW PROCESS



VISION AND INTRODUCTION



Image from Greenlee and Associates



PURPOSE AND OBJECTIVE

The Design Guidelines for the Carr Trust Development within White Rock Springs Ranch is a complementary document to the Folsom Plan Area Specific Plan and the Folsom Plan Area Specific Plan Community Guidelines. The Residential Design Guidelines articulate expectations regarding the character of the built environment and are intended to promote design excellence in new residential construction. It is intended as an implementation tool for the residential development of the Carr Trust Development within White Rock Springs Ranch, and provides the design framework for architecture, streetscene, and landscape to convey a community identity. These guidelines establish the pattern and intensity of development for the Carr Trust Development to ensure a high-quality and aesthetically cohesive environment. While these guidelines establish the quality of architectural and landscape development for the master plan, they are not intended to prevent alternative designs and/or concepts that are compatible with the overall project theme.

As a regulatory tool, this guideline document will assist applicants in creating single-family residential neighborhoods that reflect the City's rich history, reinforce the sense of community, and utilize sustainable best practices. This document also provides the framework for design review approval of the Carr Trust Development residential projects.

Projects must comply with the design principles as stated in the Guidelines. However, the design solutions, schematic drawings and programming included within this document are intended to illustrate the design intent and are not examples expected to be copied or imitated. There may be other design solutions


not shown in the Guidelines that will also result in a successful project. The Guidelines do not mandate specific architectural styles, nor do they encourage direct imitation of the past.

This document is intended to be used by builders and developers when designing their Master Plot Plans. Any project that is submitted to the The Carr Trust Development Design Review Committee, and the City, must be reviewed for consistency with these design guidelines. The Carr Trust Development Design Review Committee and the City will review all designs, plans, and construction to ensure compliance with this document and City standards. (Refer to Section Four.) The project must then obtain Planning Commission approval under a design review approval process.

Guiding Principles

The following guiding principles will guide the design of the Carr Trust Development to ensure quality development:

- Create a community that encourages interaction and evokes a "pride of place", where people want to live.
- Encourage linkages and connectivity through land use adjacencies, trails, and open space.
- Create a walkable neighborhood.
- Encourage physical, social, and economic diversity.
-  Integrate environmentally responsible practices.

Green Building / Sustainable Design principles are identified with a leaf symbol. 

These Design Guidelines are interpretational and are, therefore, conceptual in nature. Any changes or deviations from these Design Guidelines can be discussed and negotiated with City staff. As a living document, the Guidelines can, over time, accommodate changes in lifestyles, consumer preferences, economic conditions, community desires, and the marketplace.

The architectural and landscape guidelines complement each other. Together they combine to form a distinctive master plan neighborhood offering a high quality, sustainable environment, and a sense of identity.



Figure 1.1. - Plan Area Location

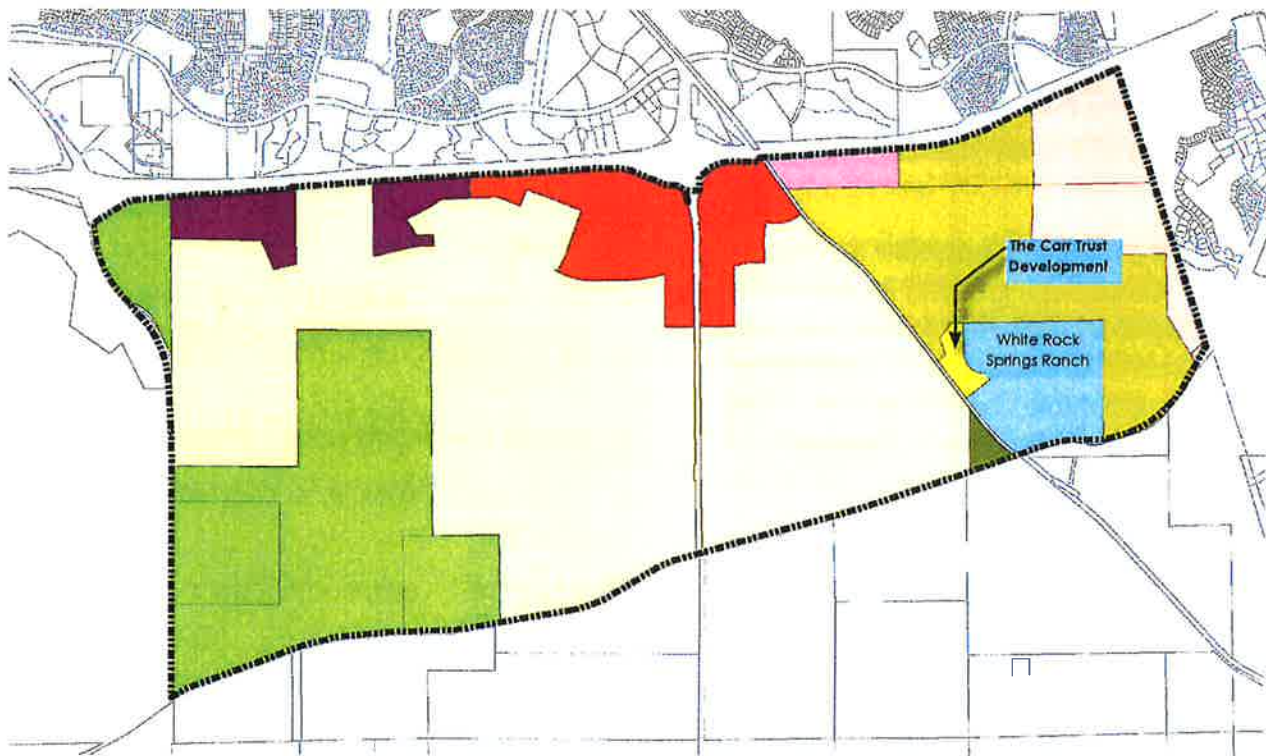


Figure 1.2. - The Carr Trust Development Location

Context

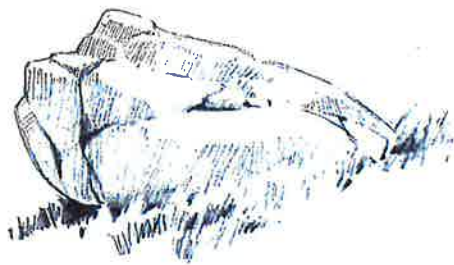
In 2011, the City of Folsom adopted The Folsom Plan Area Specific Plan (FPASP) to guide development of approximately 3,500 acres of property south of U.S. Highway 50 (Plan Area) that was later annexed to the City of Folsom in early 2012 (refer to Figure 1.1 – Plan Area Location).

The Carr Trust Development within White Rock Springs Ranch is located within the premier Hillside District of the Folsom Plan Area Specific Plan referred to as Folsom Ranch and consists of gently rolling hills covered with grasslands. Historically, this land has been used for cattle grazing purposes. This hilly topography is where the lower foothills of the Sierra Nevada mountain range join the Sacramento Valley floor.

The Carr Trust Development within White Rock Springs Ranch has sweeping views to Downtown Sacramento, Historic Folsom, and El Dorado Hills. The Carr Trust Development within White Rock Springs Ranch has a rich history dating back as a Pony Express stop and a rest stop for travelers on the long journey west.



When completed, The Carr Trust Development within White Rock Springs Ranch will provide 28 home sites with 2 lot sizes and preserve passive open space. The open space will be preserved to be enjoyed by all future residents.



2

ARCHITECTURAL DESIGN GUIDELINES



Image from Greenlee and Associates

ARCHITECTURAL GUIDING PRINCIPLES

The following residential guiding principles will guide the architecture to ensure quality development:

- Provide a varied and interesting streetscene.
- Focus of the home is the front elevation, not the garage.
- Provide a variety of garage placements.
- Provide detail on rear elevations where visible from the public streets.
- Choose appropriate massing and roof forms to define the architectural styles.
- Ensure that plans and styles provide a degree of individuality.
- Use architectural elements and details to reinforce individual architectural styles.

GENERAL ARCHITECTURAL STYLES



GENERAL ARCHITECTURAL GUIDELINES

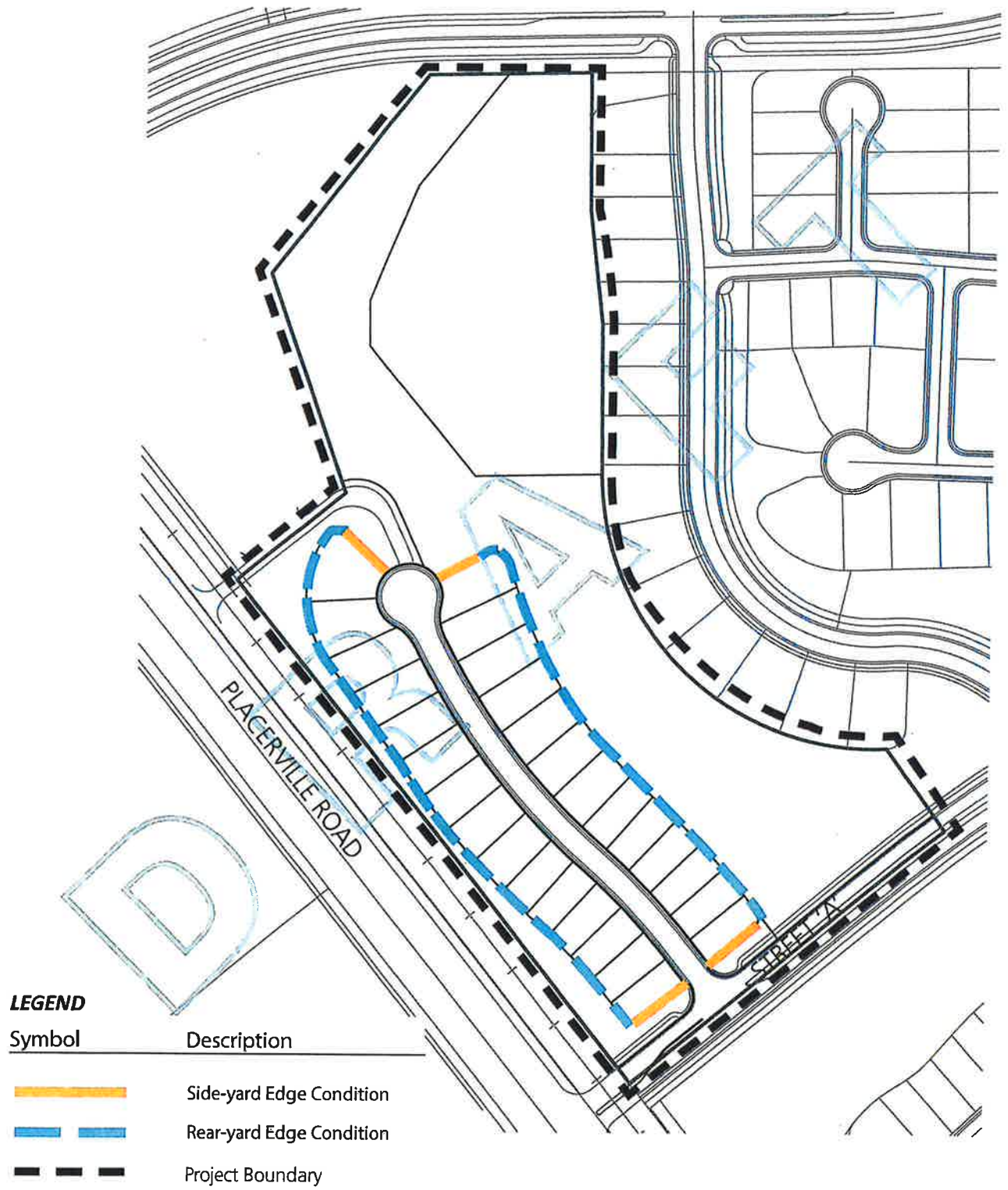
Edge Conditions

Edge conditions are situations where home sites are visible from public ways, major arterials, community perimeter edges, and open space. Side and rear elevations visible from the public realm, such as open spaces and major roadways, shall incorporate the same enhanced details used on the front elevation. Homes sites that are highly visible warrant special attention to any visible building faces to present an authentic and cohesive appearance. The continuation of style-specific architectural elements from the front facade around to the side and rear elevations creates an authentic architectural statement. Blank, unadorned building faces are never permitted. The front elevation should be highly detailed; the rear elevation should exhibit the same style-specific architectural elements; typical side elevations may exhibit fewer style-specific architectural elements, while corner lots will feature the same consistent level of detail on both the side and rear elevations.

Silhouettes and massing of homes along edges require design sensitivity. A row of homes with a single front or rear facing gable is prohibited. The following should be considered and incorporated in the design of the side and rear elevations along edge conditions:

- A balance of hip and gable roof forms;
- Single-story elements;
- Offset massing or wall planes (on individual plans or between plans);
- Roof plane breaks (on individual plans or between plans);
- Use of multiple building materials;
- Varied window shapes and sizes;
- Detail elements on the front elevation shall be applied to the side and rear elevations along edge conditions.

MAP OF EDGE CONDITIONS



Roof Forms

Rows of homes seen along major community roadways are perceived by their contrast against the skyline or background. The dominant impact is the shape of the building and roofline. To minimize the visual impact of repetitious flat planes, similar building silhouettes and similar ridge heights, discernibly different roof plans for each home plan shall be designed. Individual roof plans may be simple but, between different plans, should exhibit variety by using front to rear, side-to-side, gables, hipped roofs, and/or the introduction of single story elements. The following roof design guidelines should also be considered:

- Provide a mix of gable and hip roofs along the streetscene.
- Design roofs for maximum solar exposure for the potential installation of solar features.
- Consider deep overhangs where appropriate to the style to provide additional shade and interior cooling.
- Offset roof planes, eave heights, and ridge lines.

Corner Buildings

Buildings located on corners often times function as neighborhood entries and highlight the architecture for the overall community of Carr Trust Development within White Rock Springs Ranch. Buildings located on corners shall include one of the following:

- Front and side facade articulation using materials that wrap around the corner-side of the building;
- Awning on corner side;
- Home entry on corner side; garage side plotting of homes is prohibited on corners; architecturally enhanced corner treatment is encouraged;
- Corner facing garage;
- A pop-out side hip, gable, or shed form roof;
- An added single-story element, such as a wrap-around porch or balcony;
- Recessed second- (up to 35' max.); or
- Balcony on corner side.

ROOF FORMS AND CORNER BUILDING EXAMPLES



Front Elevations

Front elevations shall be detailed to achieve a variety along the street scene. Each front elevation shall incorporate a Feature Window treatment (see Feature Window requirements on page 2-9). In addition, each front elevation shall incorporate one or more of the following techniques:

- Provide enhanced style-appropriate details on the front elevation.
- Offset the second story from the first level for a portion of the second story.
- Vary the wall plane by providing projections of elements such as bay windows, porches, and similar architectural features.
- Create recessed alcoves and/or bump-out portions of the building.
- Incorporate second-story balconies.
- Create interesting entries that integrate features such as porches, courtyards, large recessed entry alcoves, or projecting covered entries with columns.
- Use a minimum of two building materials or colors on the front elevation.

FRONT ELEVATION EXAMPLES





Feature Windows

All front and visible edge elevations shall incorporate one Feature Window treatment that articulates the elevation. Feature Window options include:

- A window of unique size or shape;
- Picture window;
- A bay window projecting a minimum of 24 inches, or a 12 inch pop-out surround;
- A window with a substantial surround matching or contrasting the primary color of the home;
- A window recessed a minimum of 2 inches;
- Decorative iron window grilles;
- Decorative window shelves or sill treatments;
- Grouped or ganged windows with complete trim surrounds or unifying head and/or sill trim:
- A Juliet balcony with architectural style appropriate materials;
- Window shutters; or
- Trellis protruding a minimum of 12 inches from the wall plane of the window.

Windows

Windows on south-facing exposures should be designed, to the greatest extent possible, to maximize light and heat entering the home in the winter, and to minimize light and heat entering in the summer. 

West-facing windows should be shaded where feasible to avoid prolonged sun exposure/overheating of the homes. 

Shading alternatives for west-facing shall be complementary to and appropriate for the architectural style of the home. Shading alternatives may include:

- Trellises as described above;
- Applied shed roof elements over windows;
- Cloth, metal, or wood awnings as appropriate to the building's architectural style

FEATURE WINDOW EXAMPLES



Example of a Juliet Balcony



Example of Decorative Sills and Shutters



Example of a Feature Window

Garage Door Treatments

Appropriate treatment of garage doors will further enhance the building elevation and decrease the utilitarian appearance of the garage door. Various garage door patterns, windows, and/or color schemes should be applied as appropriate to individual architectural styles, where feasible.

- Garage doors shall be consistent with the architecture of the building to reduce the overall visual mass of the garage.
- Garage doors shall be recessed 8 inches from the wall plane.
- All garage doors shall be automatic section roll-up doors.
- Where appropriate, single garage doors are encouraged.
- Carriage-style garage doors of upgraded design are encouraged.

Street Facing Garages

All street facing garages should vary the garage door appearance along the streetscene. Below are options for the door variety:

- Vary the garage door pattern, windows, and/or color as appropriate to individual architectural styles.
- Use an attached overhead trellis installed beneath the garage roof fascia and/or above garage door header trim.
- Span the driveway with a gated element or overhead trellis.
- Provide a porte cochere.
- Street facing garages on corner lots at neighborhood entries shall be located on the side of the house furthest away from the corner.

GARAGE DOOR TREATMENT EXAMPLES



Porte Cochere with Garage at Rear of House



Example of Separated Three Car Garage



Example of Separated Three Car Garage

Building Forms

Building form, detail, and placement greatly influences how a structure is perceived based on how light strikes and frames the building. The effect of sunlight is a strong design consideration, as shadow and shade can lend a sense of substance and depth to a building. The following elements and considerations can be used to facilitate the dynamic of light and depth perception of the building.

Architectural Projections

Projections can create shadow and provide strong visual focal points. This can be used to emphasize design features such as entries, major windows, or outdoor spaces. Projections are encouraged on residential building forms. Projections may include, but are not limited to:

- Awnings (wood, metal, cloth)
- Balconies
- Shutters
- Eave overhangs
- Projecting second- or third-story elements
- Window/door surrounds
- Tower elements
- Trellis elements
- Recessed windows
- Porch elements
- Bay windows or dormers
- Shed roof elements

Offset Massing Forms

Front and street-facing elevations may have offset masses or wall planes (vertically or horizontally) to help break up the overall mass of a building.

- Offset forms are effective in creating a transition:
 - Vertically between stories, or
 - Horizontally between spaces, such as recessed entries.
- Offset massing features are appropriate for changes in materials and colors.
- Offsets should be incorporated as a functional element or detail enhancement.
- Over-complicated streetscenes and elevations should be avoided.
- Streetscenes should provide a mix of simple massing elevation with offset massing elements to compose an aesthetic and understandable streetscape.

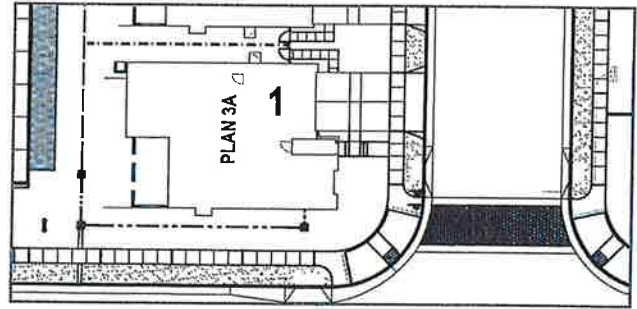


Floor Plan Plotting

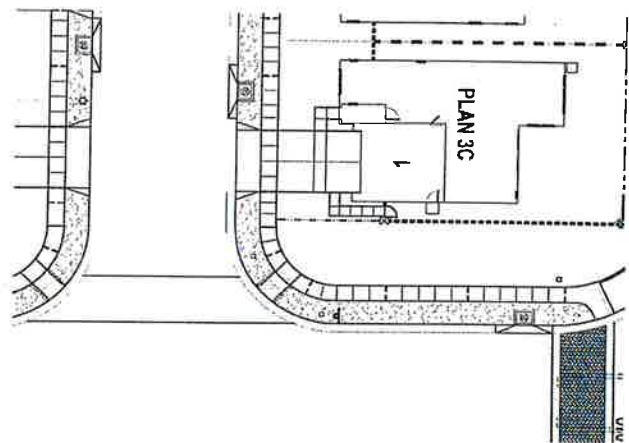
In each single-family detached neighborhood with a **minimum** of up to 50 homes, provide:

- Three floor plans.
- Two elevations for each floor plan using a minimum of **two** architectural styles. If only two styles are selected, elevations shall be significantly different in appearance.
- A minimum of three different color schemes for each floor plan.

In each single-family detached neighborhood, street facing garages on corner lots at neighborhood entries shall be located on the side of the house furthest away from entry corner, per the examples shown to the right.



Examples of **preferred** Corner Lot Street Facing Garage Placement



Examples of **undesirable** Corner Lot Street Facing Garage Placement

Style Plotting

To ensure that architectural variety occurs, similar elevations cannot be plotted adjacent to or immediately across the street from one another. Two of the same floor plan/elevations shall not be plotted next to each other or directly across the street from one another. This avoids repetition and helps to convey the idea that a neighborhood has been built over time. (Refer to Section Four for Design Review process.) The following describes the minimum criteria for style plotting:

- For a home on a selected lot, the same floor plan and elevation is not permitted on the lot most directly across from it and the one lot on either side of it.
- Identical floor plans may be plotted on lots across the street from each other provided a different elevation style is selected for each floor plan.

Color Criteria

To ensure variety of color schemes, like color schemes cannot be plotted adjacent to or immediately across the street from on another. Color and material sample boards shall be submitted for review along with the Master Plot Plan. (Refer to Section Four.)

A color scheme for a home on a selected lot may not be repeated (even if on a different floor plan) on the three lots most directly across from it and on the single lot to each side of it.



Example of a Variety of Architectural Styles

Lower Height Elements

Lower height elements are important to streetscene variety, especially for larger buildings or masses, as they articulate massing to avoid monotonous single planes. These elements also provide a transition from the higher story vertical planes to the horizontal planes of sidewalk and street, and help to transition between public and private spaces. Lower height elements are encouraged to establish pedestrian scale and add variety to the streetscene. Lower height elements may include any one of the following, but are not limited to:

- Porches
- Entry features
- Interior living spaces
- Courtyards
- Bay windows
- Trellises



Balconies

Balconies break up large wall planes, offset floors, create visual interest to the facade, provide outdoor living opportunities, and adds human scale to a building. Scaled second story balconies can have as much impact on stepped massing and building articulation as a front porch or lower height elements. Balcony elements:

- May be covered or open, recessed into or projecting from the building mass.
- Shall be an integral element of, and in scale with, the building mass, where appropriate.
- Are discouraged from being plotted side-by-side at the same massing level (i.e. mirrored second-story balconies).



Roof Considerations

Composition and balance of roof forms are as definitive of a streetscape as the street trees, active architecture, or architectural character.

- Rooflines and pitches, ridgelines and ridge heights should create a balanced form to the architecture and elevation.
- Direction of ridgelines and/or ridge heights should vary along a streetscene.
- Roof overhangs (eaves and rakes) may be used as projections to define design vocabulary and create light and shade patterns.
- Hip, gable, shed, and conical roof forms may be used separately or together on the same roof or streetscene composition.
- Roof form and pitch shall be appropriate to the massing and design vocabulary of the home.

Outdoor Living Spaces


Outdoor living spaces, including porches, balconies, and courtyards, activate the streetscene and promote interaction among neighbors. Outdoor living spaces can also create indoor/outdoor environments opening up the home to enhance indoor environmental quality. Wherever possible, outdoor living space is encouraged.



Materials

The selection and use of materials has an important impact on the character of each neighborhood and the community as a whole. Wood is a natural material reflective of many architectural styles; however, maintenance concerns, a design for long-term architectural quality and new high-quality manufactured alternative wood materials make the use of real wood elements less desirable. Where "wood" is referred to in these guidelines, it can also be interpreted as simulated wood trim with style-appropriate wood texture. Additionally, some styles can be appropriately expressed without the wood elements, in which case stucco-wrapped, high-density foam trim (with style-appropriate stucco finish) is acceptable. Precast elements can also be satisfied by high-density foam or other similar materials in a style-appropriate finish.

- Brick, wood, and stone cladding shall appear as structural materials, not as applied veneers.
- Material changes should occur at logical break points.
- Columns, tower elements, and pilasters should be wrapped in its entirety.
- Materials and colors should be varied to add texture and depth to the overall character of the neighborhood.
- The use of flashy or non-traditional materials or colors that will not integrate with the overall character of the community is prohibited.
- Material breaks at garage corners shall have a return dimension equal to or greater than the width of the materials on the garage plane elevation.

- Use durable roofing and siding materials to reduce the need for replacement.
-  Use local, recycled and/or rapidly renewable materials to conserve resources and reduce energy consumption associated with the manufacturing and transport of the materials. (Refer to Section Four for Design Review process.)

Exterior Structures

Exterior structures, including but not limited to, porches, patio covers, and trellises shall reflect the character, color, and materials of the building to which they are related.

- Columns and posts should project a substantial and durable image.
- Stairs should be compatible in type and material to the deck and landing.
- Railings shall be appropriately scaled, consistent with the design vernacular of the building, and constructed of durable materials.
- Exposed gutters and downspouts shall be colored to complement or match the fascia material or surface to which they are attached.

Accessory Structures


Accessory structures should conform to the design standards, setbacks, and height requirements of the Folsom Municipal Code. If visible to the public realm from the front, side or rear lot line, the accessory structure shall include the same detail-style elements used in the primary structure's architecture.




Lighting

Appropriate lighting is essential in creating a welcoming evening atmosphere for the community of The Carr Trust Development within White Rock Springs Ranch. As a forward-thinking community, The Carr Trust Development within White Rock Springs Ranch will institute dark sky recommendations to mitigate light pollution, cut energy waste, and protect wildlife. All lighting shall be aesthetically pleasing and non-obtrusive, and meet the dark sky recommendations.

- All exterior lighting shall be limited to the minimum necessary for public safety.
- All exterior lighting shall be shielded to conceal the light source, lamp, or bulb. Fixtures with frosted or heavy seeded glass are permitted.
- Each residence shall have an exterior porch light at its entry that complements the architectural style of the building.

 Where feasible, lighting should be on a photocell or timer.

 Low voltage lighting shall be used whenever possible.

Address Numbers

To ensure public safety and ease of identifying residences by the Fire and Police Departments, address numbers shall be lighted or reflective and easily visible from the street.

RESIDENTIAL ARCHITECTURAL STYLES

The Carr Trust Development within White Rock Springs Ranch is envisioned as a sustainable, contemporary community where architectural massing, roof forms, detailing, walls, and landscape collaborate to reflect historic, regional, and climate-appropriate styles.

The design criteria established in this section encourages a minimum quality design and a level of style through the use of appropriate elements. Although the details are important elements that convey the style, the massing and roof forms are essential to establishing a recognizable style. The appropriate scale and proportion of architectural elements and the proper choice of details are all factors in achieving the architectural style.

The following styles can be used for The Carr Trust Development within White Rock Springs Ranch:

- Spanish Colonial
- Monterey
- Western Farmhouse
- Craftsman
- California Ranch
- California Wine Country
- California Prairie

Additional architectural styles compatible with the intent of these guidelines and the neighborhood vision will be reviewed and approved by the Architectural Review Committee on a case by case basis.

The following pages provide images and individual "style elements" that best illustrate and describe the key elements of each style. They are not all mandatory elements, nor are they a comprehensive list of possibilities. Photographs of historic and current interpretations of each style are provided to inspire and assist the designer in achieving strong, recognizable architectural style elevations. The degree of detailing and/or finish expressed in these guidelines should be relative to the size and type of building upon which they are applied.

These images are for concept and inspiration only and should not be exactly replicated.

SPANISH COLONIAL

This style evolved in California and the southwest as an adaptation of Mission Revival infused with additional elements and details from Latin America. The style attained widespread popularity after its use in the Panama-California Exposition of 1915.

Key features of this style were adapted to the California lifestyle. Plans were informally organized around a courtyard with the front elevation very simply articulated and detailed. The charm of this style lies in the directness, adaptability, and contrasts of materials and textures.

Spanish Colonial Style Elements:

- Plan form is typically rectangular or "L"-shaped.
- Roofs are typically of shallower pitch with "S" or barrel tiles and typical overhangs.
- Roof forms are typically comprised of a main front-to-back gable with front-facing gables.
- Wall materials are typically stucco.
- Decorative "wood" beams or trim or typical.
- Segmented or full-arch elements are typical in conjunction with windows, entry, or the porch.
- Round or half-round tile profiles are typical at front-facing gable ends.
- Arcades are sometimes utilized.
- Windows may be recessed, have projecting head or sill trim, or be flanked by plank-style shutters.
- Decorative wrought-iron accents, grille work, post or balcony railing may be used.

SPANISH COLONIAL EXAMPLES



MONTEREY

The Monterey style is a combination of the original Spanish Colonial adobe construction methods with the basic two-story New England colonial house. Prior to this innovation in Monterey, all Spanish colonial houses were of single story construction.

First built in Monterey by Thomas Larkin in 1835, this style introduced two story residential construction and shingle roofs to California. This Monterey style and its single story counterpart eventually had a major influence on the development of modern architecture in the 1930's.

The style was popularized by the used of simple building forms. Roofs featured gables or hips with broad overhangs, often with exposed rafter tails. Shutters, balconies, verandas, and porches are integral to the Monterey character. Traditionally, the first and second stories had distinctly different cladding material; respectively siding above with stucco and brick veneer base below.

The introduction of siding and manufactured materials to the home building scene allowed for the evolution of the Monterey home from strictly Spanish Adobe construction to a hybrid of local form and contemporary materials. Siding, steeper pitched flat tile roofing, and the cantilevered balcony elements on the Monterey house define this native California style.

Monterey Style Elements:

- Plan form is typically a simple two-story box.
- Roofs are typically shallow to moderately pitched with flat concrete tile or equal; "S" tile or barrel tile are also appropriate.
- Roof forms are typically a front-to-back gable with typical overhangs.
- Wall materials are typically comprised of stucco, brick, or siding.
- Materials may contrast between first and second floors.
- A prominent second-story cantilevered balcony is typically the main feature of the elevation; two-story balconies with simple posts are also appropriate.
- Simple Colonial corbels and beams typically detail roof overhangs and cantilevers.
- Balcony or porch is typically detailed by simple columns without cap or base trim.
- Front entry is typically traditionally pedimented by a surround, porch, or portico.
- Windows are typically accented with window head or sill trim of colonial-style and louvered shutters.

MONTEREY EXAMPLES



WESTERN FARMHOUSE

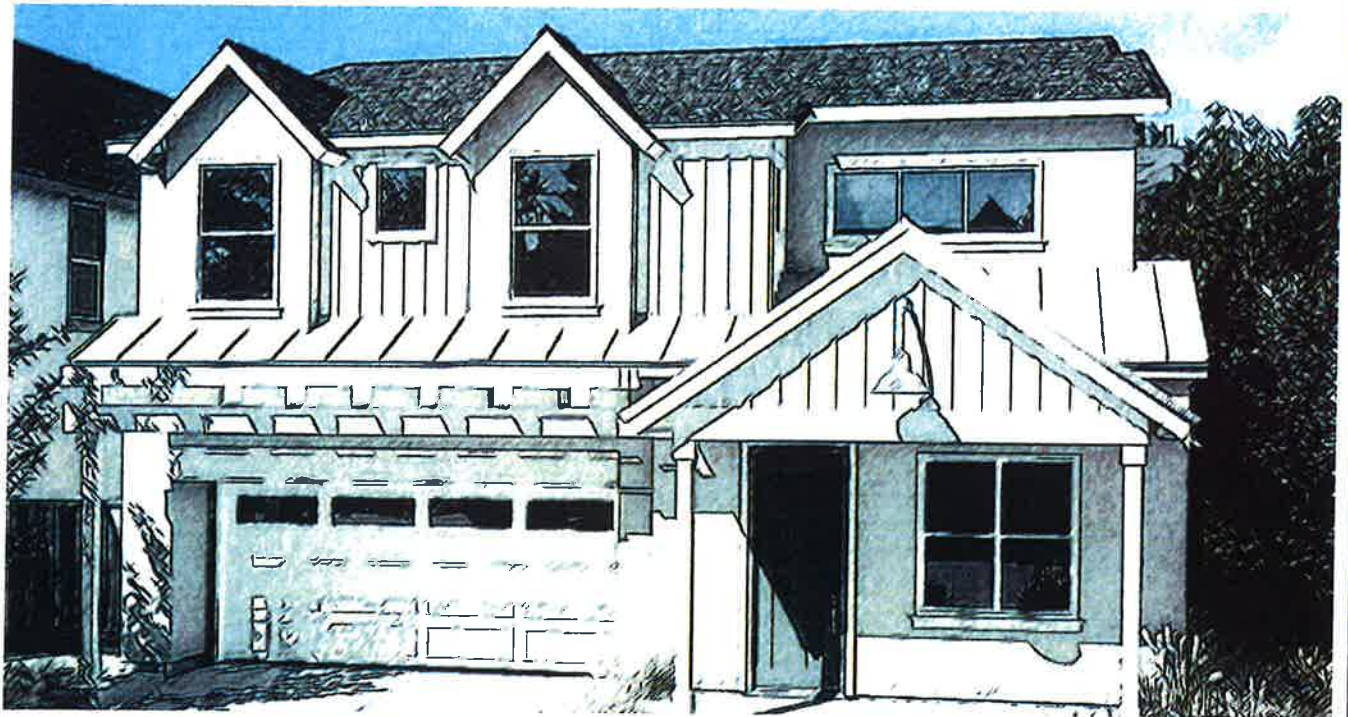
The Farmhouse represents a practical and picturesque country house. Its beginnings are traced to both Colonial styles from New England and the Midwest. As the American frontier moved westward, the American Farmhouse style evolved according to the availability of materials and technological advancements, such as balloon framing.

Predominant features of the style are large wrapping front porches with a variety of wood columns and railings. Two story massing, dormers, and symmetrical elevations occur most often on the New England Farmhouse variations. The asymmetrical, casual cottage look, with a more decorated appearance, is typical of the Western American Farmhouse. Roof ornamentation is a characteristic detail consisting of cupolas, weather vanes, and dovecotes.

Western Farmhouse Style Elements:

- Plan form is typically simple.
- Roofs are typically of steeper pitch with flat concrete tiles or equal.
- Roof forms are typically a gable roof with front-facing gables and typical overhangs.
- Roof accents sometimes include standing-seam metal or shed forms at porches.
- Wall materials may include stucco, horizontal siding, and brick.
- A front porch typically shelters the main entry with simple posts.
- Windows are typically trimmed in simple colonial-style; built-up head and sill trim is typical.
- Shaped porch columns typically have knee braces.

WESTERN FARMHOUSE EXAMPLES



CRAFTSMAN

Influenced by the English Arts and Crafts movement of the late 19th century and stylized by California architects like Bernard Maybeck in Berkeley and the Greene brothers in Pasadena, the style focused on exterior elements with tasteful and artful attention. Originating in California, Craftsman architecture relied on the simple house tradition, combining hip and gable roof forms with wide, livable porches, and broad overhanging eaves. The style was quickly spread across the state and across the country by pattern books, mail-order catalogs, and popular magazines.

Extensive built-in elements define this style, treating details such as windows and porches as if they were furniture. The horizontal nature is emphasized by exposed rafter tails and knee braces below broad overhanging eaves constructed in rustic-textured building materials. The overall effect was the creation of a natural, warm, and livable home of artful and expressive character. Substantial, tapered porch columns with stone piers lend a Greene character, while simpler double posts on square brick piers and larger knee braces indicate a direct Craftsman reference to the style of California architect Bernard Maybeck.

Craftsman Style Elements:

- Plan form is typically a simple box.
- Roofs are typically of shallower pitch with flat concrete tiles or equal and exaggerated eaves.
- Roof forms are typically a side-to-side gable with cross gables.
- Roof pitch ranges from 3:12 to 5:12 typically with flat concrete tiles or equal.
- Wall materials may include stucco, horizontal or shingle siding, and stone.
- Siding accents at gable ends are typical.
- A front porch typically shelters the main entry.
- Exposed rafter tails are common under eaves.
- Porch column options are typical of the Craftsman style:
 - Battered tapered columns of stone, brick, or stucco
 - Battered columns resting on brick or stone piers (either or both elements are tapered)
 - Simpler porch supports of double square post resting on piers (brick, stone, or stucco); piers may be square or tapered.
- Windows are typically fully trimmed.
- Window accents commonly include dormers or ganged windows with continuous head or sill trim.

CRAFTSMAN EXAMPLES



CALIFORNIA RANCH

A building form rather than an architectural style, the Ranch is primarily a one-story rambling home with strong horizontal lines and connections between indoor and outdoor spaces. The "U"- or "L"-shaped open floor plan focused on windows, doors, and living activities on the porch or courtyard. The horizontal plan form is what defines the Ranch.

The applied materials, style, and character applied to the Ranch have been mixed, interpreted, adapted, and modernized based on function, location, era, and popularity.

This single-story family oriented home became the American dream with the development of tract homes in the post-World War II era. Simple and affordable to build, the elevation of the Ranch was done in a variety of styles. Spanish styling with rusticated exposed wood beams, rafter tails under broad front porches, and elegantly simple recessed windows were just as appropriate on the Ranch as the clean lines of siding and floor to ceiling divided-light windows under broad overhanging laminate roofs.

Details and elements of the elevation of a Ranch should be chosen as a set identifying a cohesive style. Brick and stucco combinations with overly simple sill trim under wide windows with no other detailing suggests a Prairie feel, while all stucco, recessed windows, and exposed rusticated wood calls to mind a Hacienda ranch.

California Ranch Style Elements:

- Plan form is typically one-story with strong horizontal design.
- Roofs are typically shallow pitched with "S" tile, barrel tile, or flat concrete tile.
- Roof forms are typically gable or hip with exaggerated overhangs.
- Wall materials are commonly comprised of stucco, siding, or brick.
- A porch, terrace, or courtyard is typically the prominent feature of the elevation.
- Exposed rafter tails are typical.
- Porch is commonly detailed by simple posts or beams with simple cap or base trim.
- Front entry is typically traditionally pedimented by a surround, porch, or portico.
- Windows are typically broad and accented with window head and sill trim, shutters, or are recessed.
- A strong indoor/outdoor relationship joined by sliding or French doors, or bay windows is common.

CALIFORNIA RANCH EXAMPLES



CALIFORNIA WINE COUNTRY

California Wine Country architecture is typically a simple structure that takes advantage of 360 degree views while staying true to the nature of the land. This rustic and sophisticated style is appreciative of the surrounding topography and softens the lines between indoor and outdoor living. The California Wine Country style is diverse and borrows details from Tuscan and European architecture and reworks them into something that is particularly California. This casual and sophisticated style incorporates the agricultural vernacular into the structure and creates a form that is luxurious yet approachable.

California Wine Country Style Elements:

- Simple rectangular form may be layered to create casual massing; often asymmetrical.
- Low-pitched gabled primary roofs (3:12 to 5:12) are common.
- Shed porches are typical.
- Roofs are typically barrel tile or "S"-tile.
- Exposed rafter tails enhance an elevation.
- Stucco can be the primary wall material, but overgrouted stone or brick is also common.
- Windows with head and sill trim or full surrounds are typical.
- Rustic column posts and wood railings are typical.
- A massive chimney (battered or tapered) clad in stucco, stone, or brick is common.
- Wood trellises, shutters, and/or applied sheds over windows are typical details.

CALIFORNIA WINE COUNTRY EXAMPLES



CALIFORNIA PRAIRIE

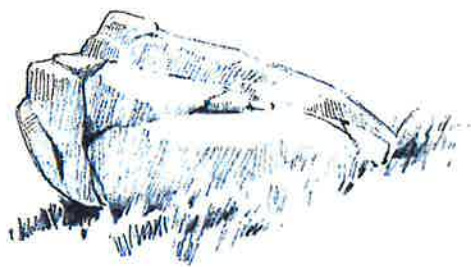
The Prairie style, generated by the Chicago Prairie School movement, is organic in nature and integrated with the land, and uses natural materials and abstracted natural forms. Its strong horizontal lines, low-pitched roof with large overhanging eaves, and windows assembled in horizontal bands are indicative of this style. The Prairie style is also known for incorporating open floor plans within the home. The California Prairie style will add a strong horizontal aspect within the Carr Trust Development within White Rock Springs Ranch.

California Prairie Style Elements:

- Form is one or two-story with strong horizontal massing.
- Secondary masses are perpendicular to the primary forms.
- Roofs are long horizontal low-pitched hip roofs with large overhanging eaves that emphasize the horizontal planes.
- Roof overhangs are 36" minimum.
- Roof pitch ranges from 3.5:12 to 4:12 typically with flat concrete tiles or equal.
- Stucco walls with ledge stone or masonry is typical.
- Extensive use of ledge stone or brick to emphasize the horizontal planes is indicative of the Prairie style.
- Square or rectangular windows with wood trim may be grouped to emphasize the geometry of the building form.
- Ribbons of windows arranged in horizontal bands is common.
- Massive chimney forms wrapped in stone or brick is an enhanced detail of this style.
- Terraces covered by the primary roof form with large rectilinear stone piers for roof support is typical.

CALIFORNIA PRAIRIE EXAMPLES





3

LANDSCAPE DESIGN GUIDELINES







Image from Greenlee and Associates



GUIDING LANDSCAPE DESIGN PRINCIPLES

Sustainable Landscape Design

Through thoughtful, sensitive design, The Carr Trust Development within White Rock Springs Ranch can be developed to conserve valuable resources and create a noteworthy community within the City of Folsom. Sustainable landscape design links natural and built systems to achieve balanced environmental, social, and economic outcomes and improves quality of life, and the long-term health of communities and the environment. Sustainable landscape balances the needs of people and the environment to benefit both. Landscape Architects are encouraged to research alternative possibilities and incorporate them into any Model Home Complex and community common area landscape design. The following is a list of various 'sustainable' features and practices to be used and/or considered for the Carr Trust Development within White Rock Springs Ranch at the improvement plan phase/level.

-  Incorporate a water management system utilizing up-to-date best management practices that allows groundwater to recharge.
-  Encourage the use of low toxic wood preservatives (no CCA), or naturally rot-resistant wood for landscaping.
-  Choose low water, drought tolerant, and/or native plants that match the micro climate, and soil conditions. (Refer to Plant Matrix herein)
-  Select plants that are "non-invasive" according to the current California Invasive Plant Inventory, published by the California Invasive Plant Council.



-  Design landscape and plant spacing to allow for plants to reach mature size. Using appropriate sizes and the thoughtful placing of plants prevents overgrowth and future thinning, reducing the amount of material sent to the landfill.
-  Locate plants to ensure proper drainage and to reduce potential damage to buildings.
-  Reuse soils from the site, if appropriate, as horticultural soils.
-  Maintain and/or improve soil health through responsible management including nurturing soil with organic matter, reducing synthetic fertilizer use, and restoration to sustain protected and future ecosystems.
-  Use integrated pest management to control or eliminate pesticide and toxic chemical use.
-  Create and/or maintain wildlife habitat.
-  Increase tree cover to provide shade in developed areas to reduce energy demand, mitigate solar heat gain into buildings, and to reduce the amount of heat absorbed by paved areas.
-  Plant deciduous trees on the south side of buildings to allow for increased solar heat gain in winter months (thereby reducing energy needed for heating interiors) and shading in summer months (thereby reducing energy needed for cooling interiors).
-  Minimize the use of large turf areas (except within parks) as permitted by AB1881 Water Use Analysis. Turf in parkway and residential front yards is prohibited.
-  Utilize weather and climate-smart irrigation controllers.
-  Design irrigation zones to suit plant requirements and incorporate high-efficiency nozzles.
-  Use sustainable materials in landscape construction and site furnishing selections including, but not limited to, recycled materials, environmentally preferable/responsible products, materials that can be recycled, certified "green" products, and locally available or locally manufactured products.
-  Use nitrogen-fixing plants to reduce fertilizer use.
-  Create natural looking designs to reduce maintenance required.
-  Water conservation (xeriscape, rain gardens, grouping plants with similar requirements).
-  Control water runoff, clean runoff, and recharge groundwater aquifers (bioswales, rain gardens, green roofs).




Example of Drip Irrigation Before Mulch

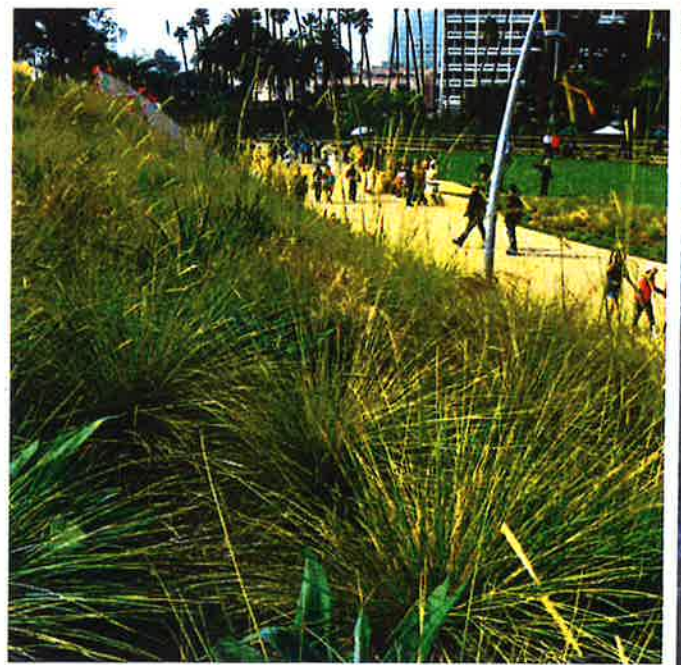
COMMUNITY DESIGN THEME/ LANDSCAPE CHARACTER

Landscaping plays an important role in establishing the visual identity and character of the Carr Trust Development within the White Rock Springs Ranch Community. Consistency in theme and the application of major community-level design elements enhances the community identity. These elements, such as enhanced entry with iconic monumentation, upgraded hardscape and supportive landscape, arterial street parkways, thoughtful specifications of walls, fences and pilasters, adjacent community interface with improved edge conditions, and site-specific plant and hardscape materials similar to the White Rock formation will be maintained throughout the Carr Trust Development within White Rock Springs Ranch to communicate and reinforce its identity.

The Carr Trust Development within White Rock Springs Ranch embraces a sustainable/ "no turf" waterwise theme, thereby prohibiting turf parkways and turf within residential front yards. Careful thought has been given to integrate the structural and aesthetic elements of a balanced, cohesive landscape community. The sustainable waterwise theme is appropriate to the community's locale, and embraces the challenges California faces during times of drought. This theming will tie the community together with the use of native grass or groundcover parkways while enabling neighborhoods and mixed-use areas to further develop their individual character through their own unique elements.

Several identifying design and landscape elements will be incorporated throughout the community and will generally include:

-  Native Grass or low water groundcover parkways



- Turf-free zones within residential front yards
- Grasses/ Heritage Trees/ CA friendly/ Low water use plant material.
- Natural landscaped areas blended with manicured landscaping.
- Varied hardscape paving materials, including stone, concrete, wood, decomposed granite, and concrete pavers.
- The only areas where turf will be permitted is within residential rear yards.

The Carr Trust Development within White Rock Springs Ranch is a single family detached home planned community that is inspired by the unique character of the City of Folsom and enhances its distinct identity. Like California itself, the design intent and architecture is an eclectic and colorful mix of various influences from across the United States. This community offers its residents an environment in which pedestrian connectivity, recreational activity, and social interaction are fostered. The residential neighborhoods of The Carr Trust Development within White Rock Springs Ranch focus on these aspects by providing generous landscape setbacks, residences oriented to the street, and widened pathways/trails.



Example of Open Space Concept

Thematic elements are major project improvements that occur at the community or neighborhood level, and assist in establishing the overall design theme for the White Rock Ranch community. These major thematic elements will be reinforced within the following:

- Monumentation/ Signage
- Streetscape Landscape
- Enhanced Masonry Vertical Elements
- Enhanced Hardscape
- Enhanced Community Edge Conditions
- Open Space
- Lighting/ Street Furniture Family
- Walls and Fences
- Landscaping/ Plant Palette

These thematic elements will commonly occur throughout the community and will unite The Carr Trust Development within White Rock Springs Ranch under a common design vocabulary. General design guidelines and design criteria for the community theme elements are contained in the sections that follow.

COMMUNITY IDENTITY PLAN
MONUMENTATION

Appropriate community and residential neighborhood thematic identification is important in establishing this new community and maintaining the overall Carr Trust Development within White Rock Springs Ranch theme, as well as providing a system for identifying community development and giving directional information to residents and visitors. A general conceptual Community Identity Signage/Monumentation Key Program is provided herein page 3-6.

Entry monument signage, through decorative typefaces and symbolic graphics, will inform the visitor that they are entering a planned community. Project and neighborhood signage will direct visitors who have entered the Carr Trust Development within White Rock Springs Ranch towards the distinct community components and amenities. Monument signage will be consistent with the character of the project, but flexible enough to respond to individual project contexts. Logos, type styles, color schemes, and architectural features should be consistent throughout the area being identified. Monument signs may vary in size and detail in a manner that reflects their relative importance within the signage hierarchy, but will incorporate all the materials proposed within the major community monumentation.

Materials:




- Natural Stone
- Precast Colored Concrete Cap
- Poured-in-place Colored Concrete
- Container Pot with complementary plants
- Brass plate for logo/project name or dense foam letters painted with brass-colored paint to emulate brass
- Specimen Trees with complementary plant material selections



Monumentation Materials	
Stone Veneer:	Realstone Systems Silver Alabaster Shadowstone (Premium)
Precast/ Poured-in-place Concrete Cap:	Davis Color- Yosemite Brown #641- 3 lbs
Tall Wing Wall and Pottery Base:	Davis Color- Mesa Buff #5117- 2 lbs
Low Wing Wall:	Davis Color- Yosemite Brown #641- 3 lbs

Community Identity Signage/ Monumentation Key Map

LEGEND

Symbol	Description
	Primary Project Entry Monumentation
	Primary Neighborhood Entry Monumentation
	Project Boundary



Primary Project Entry Monumentation

The Primary Project Entry Monumentation will be the landmark of the new community and establish a unifying community identity while providing a strong statement of community and commitment to sustainability.



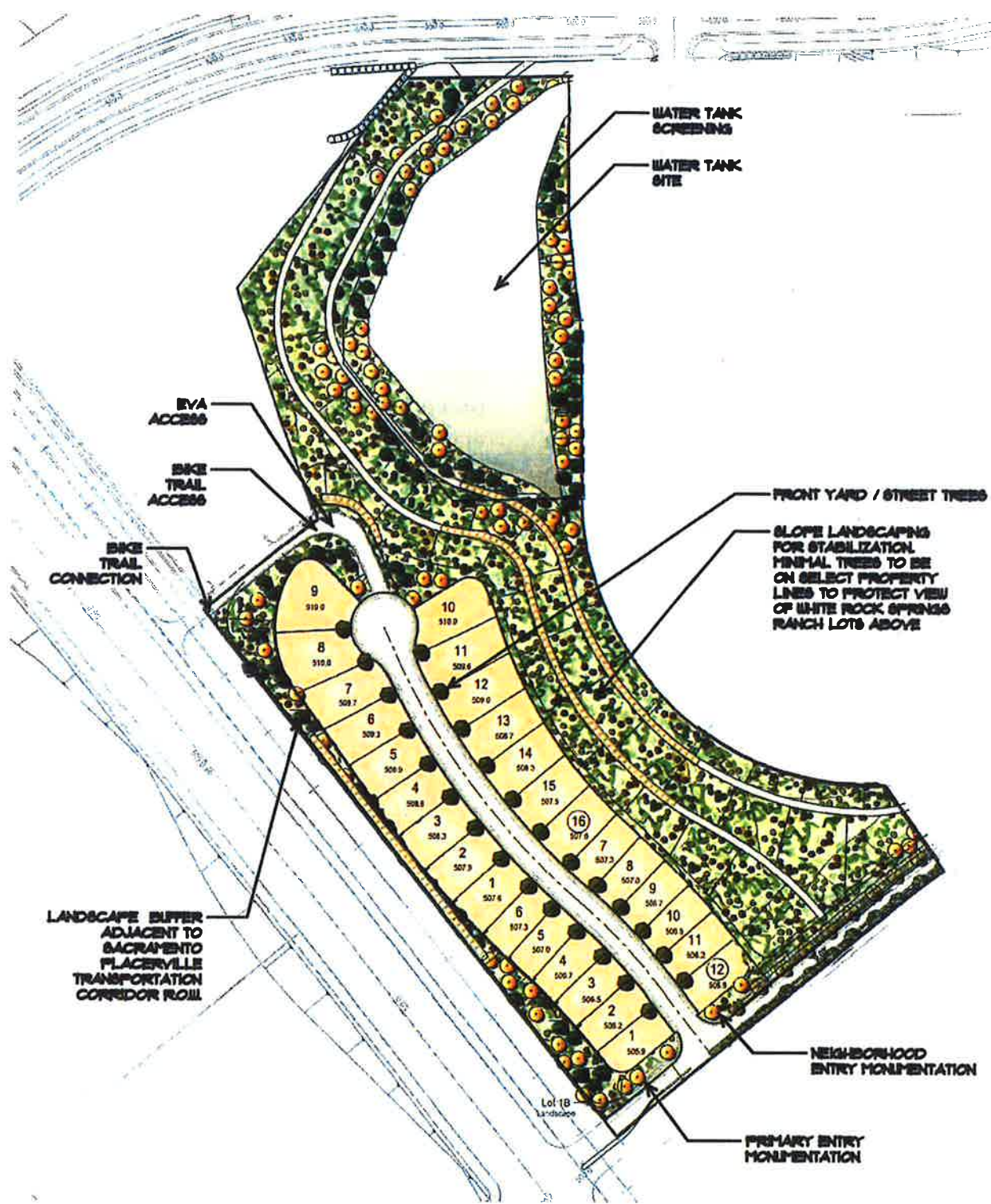
Primary Neighborhood Entry Monumentation

Primary Neighborhood Entry Monumentation will be used to identify the residential neighborhood entry point within The Carr Trust Development within White Rock Springs Ranch community. The neighborhood entry signage monument incorporates design elements of stone, precast concrete capping, large focal trees with supporting vertical accent trees entry statement, groundcover/shrub planting, annual color, and enhanced paving.



PLAN VIEW





CONCEPTUAL OVERALL ILLUSTRATIVE LANDSCAPE PLAN

STREETSCAPE PLANS/SECTIONS

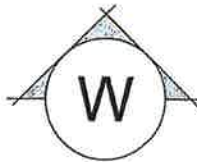
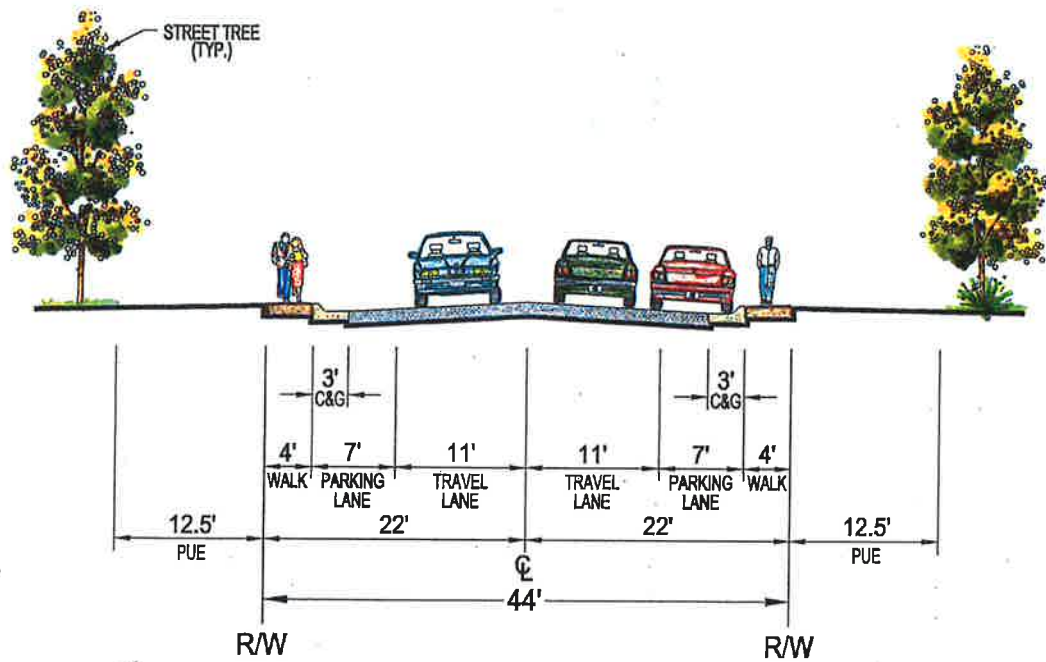
Two streetscape applications are proposed within The Carr Trust Development within White Rock Springs Ranch development, as shown within this section. As illustrated in the following exhibits, a hierarchy of streetscapes within the Carr Development within White Rock Springs Ranch community is provided and distinctive landscape treatments are planned for each roadway. Landscape and hardscape treatments include elements such as landscaped medians, sidewalks, enhanced paving at pedestrian crossings and primary entries, and parkway trees to enhance roadways. The main road will feature such landscape elements as signage, street furniture, and a predominant plant palette consisting of canopy trees on corner treatments and parkways, center medians



where space allows, and vertical trees as backdrops within landscape lots. The use of enhanced paving is strongly encouraged. Streetscapes are provided as follows:



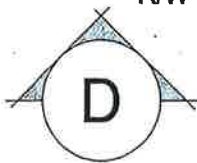
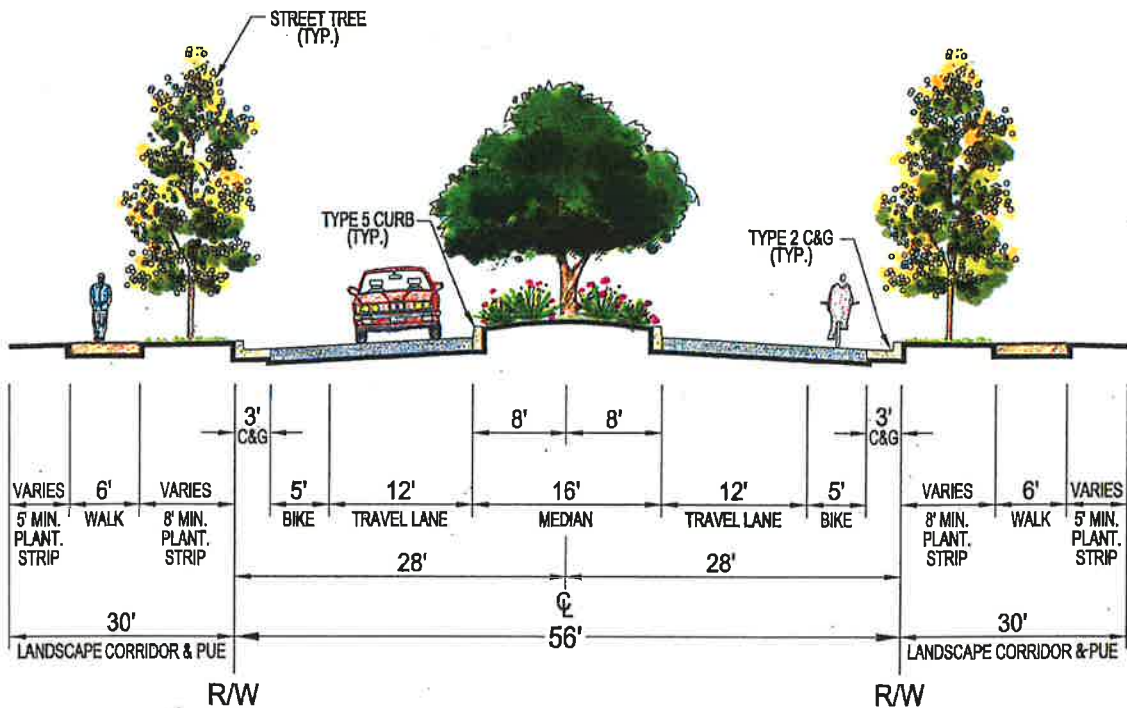
Street Section Keymap



44' RIGHT-OF-WAY

Local Street - Attached Sidewalk

N.T.S.



56' RIGHT-OF-WAY

Local Collector Street

N.T.S.

LID MEASURES

Various Low Impact Design (LID) strategies can be incorporated into the design of each of the individual developments within the Plan Area, if desired. However, the hydromodification and water quality facilities proposed in the Storm Drain Master Plan are adequate in accommodate site development without the need to utilize site-based LID strategies.

Using small, economical landscape features, LID techniques work as a system to slow, filter, evaporate, and infiltrate surface runoff at the source. LID design calculations for a reduction in the required water quality and hydromodification volumes have not been incorporated for the Folsom Plan Area Storm Drainage Master Plan, but may be included in future drainage studies prepared for small lot tentative map approvals within the Plan Area.

LID strategies to address water quality fall under the two broad categories of **Practices** and **Site Design**. The most common concepts are summarized below:



Practices:

Basic LID strategy for handling runoff is to (1) reduce the volume of runoff and (2) decentralize flows. Common methods include:

- **Bio-retention cells** typically consist of grass buffers, sand beds, a ponding area for excess runoff storage, organic layers, planting soil, and vegetation.
- **Vegetated swales** function as alternatives to curb and gutter systems, usually along residential streets or highways. They use grasses or other vegetation to reduce runoff velocity and allow filtration, while high volume flows are channeled away safely to a larger water quality management facility.
- **Filter strips** can be designed as landscape features within parking lots or other areas, to collect flow from large impervious surfaces. They may direct water into vegetated areas or special sand filters that capture pollutants and gradually discharge water over a period of time.
- **Disconnected impervious areas** direct water flows collected from structures, driveways, or street sections, into separate localized detention cells instead of combining it in drain pipes with other runoff.
- **Cistern collection systems** can be designed to store rainwater for dry-period irrigation, rather than channeling it to streams. Smaller tanks that collect residential roof drainage are often called "rain barrels" and may be installed by individual homeowners. Some collection systems are designed to be installed directly under permeable paving areas, allowing maximum water storage capacity while eliminating the need for gravel beds.

Site Design:

- **Decreasing Impervious Surfaces** can be a simple strategy to address water quality and avoid problems from storm water runoff and water table depletion, by reducing surfaces that prevent natural filtration. Methods may include reducing roadway surfaces, permeable pavement surfacing, and vegetative roof systems.
- **Planning site layout and grading to natural land contours** can minimize grading costs and retain a greater percentage of the land's natural hydrology. Contours which function as filtration basins can be retained or enhanced for water quality and quantity, and incorporated into the landscaping design.
- **Natural Resource Preservation and Xeriscapes** can be used to minimize the need for irrigation systems and enhance property values.
- **Clustering Homes** on slightly smaller lot areas can allow more preserved open space to be used for recreation, visual aesthetics, and wildlife habitat.

Specific LID strategies that could be used to fulfill the current and future requirements for storm water quality treatment and hydromodification may include the following potential LID measures:

Site Design Measures:

- Protect slopes, channels and other areas particularly susceptible to erosion and sediment loss.
- Maximize the protection of natural drainage features and vegetation.
- Minimize impervious areas and break up or disconnect the flow of runoff over impervious surfaces.

- Provide low maintenance landscaping that encourages retention and planting of native vegetation and minimizes the use of lawns, fertilizers, and pesticides.
- Provide vegetated open-channel conveyance systems discharge into and through stable vegetated areas.
- Install LID storm water planters.
- Separate sidewalks from street curb and gutters.
- Install drought tolerant and storm water appropriate planting.

Source Control Measures

- Storm Drain Stenciling and Signage
- Outdoor Material Storage Area Design
- Outdoor Trash Storage Area Design
- Loading/Unloading Area Design
- Vehicle and Equipment Wash Area

Treatment Control Measures

- Bio-Swales
- Grass Swales
- Wet Pond
- Stormwater Planter
- Pervious Pavements
- Grass Filter Strips

The Storm Drainage Master Plan suggests a pragmatic approach be utilized in the selection of technically appropriate and aesthetically pleasing LID measures in accordance with the good engineering and planning practices. Specific LID measures should be selected on the basis of being both practical and cost effective.

LIGHTING AND STREET FURNITURE GUIDELINES

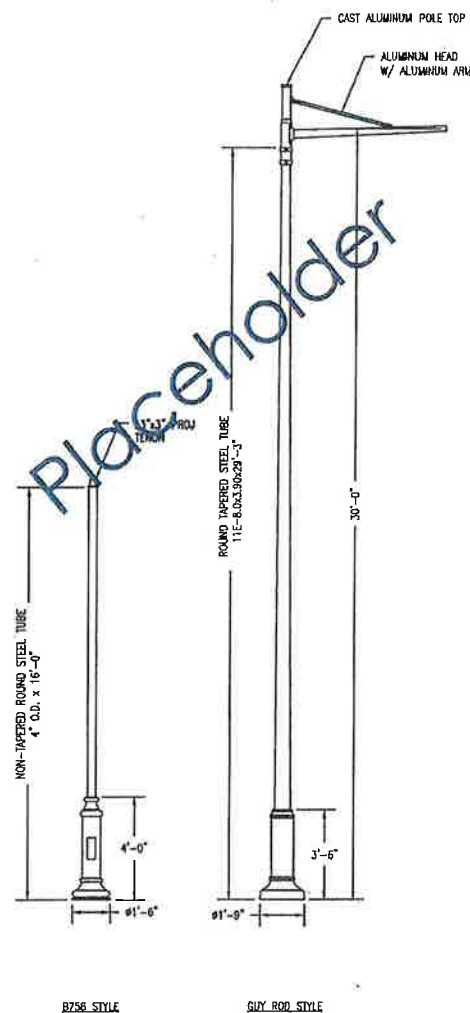
The site furnishings and lighting will be used to enhance, unify and reinforce the character of the overall site design. The site furnishings and lighting shall be made of natural materials/elements that can be tied to the color and texture of the proposed monuments, walls/fences and architecture.

Light pole standards/fixtures must comply with the approved specification for the Folsom Plan Area. Draft options are pending final approval from the City.

Lighting shall incorporate the following written guidelines and design imagery.

- All exterior light fixtures and fixture placement shall comply to the standards specified in the City's design documents. Use of LED technology where possible and feasible is recommended.
- Streets and intersections should be well lighted in accordance with the City standard illumination levels. Low-level lighting for pedestrian safety should be installed where appropriate. Intersections should have increased light levels for definition and to mitigate automobile/pedestrian conflicts.
- Accent lights should be installed at all primary entry monuments, and neighborhood monuments.
- Street lights and bollard lights shall conform to the overall project theme and city standards.
- All exterior lighting for identification and landscaping should be subdued and indirect to prevent spill over onto adjacent lots and streets.

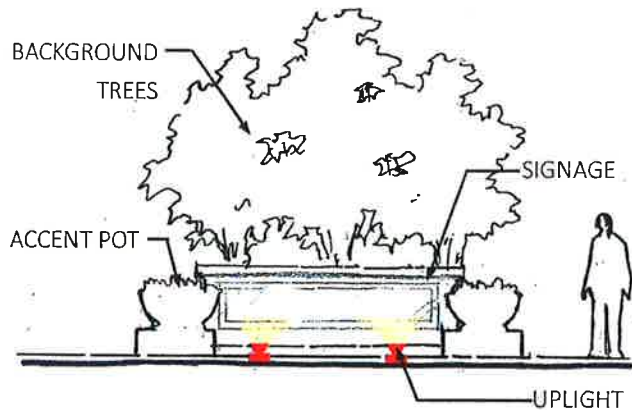
- The type and location of building lighting should preclude direct glare onto adjacent property, streets and skyward by the use and application of shields
- Pedestrian scale fixtures are encouraged over "high mast" poles.
- Consistent lighting fixtures shall be used throughout The Carr Trust Development within White Rock Springs Ranch to enhance community character.
- Light rays shall be confined on-site through orientation, the use of shading/directional controls, and/or landscape treatment.



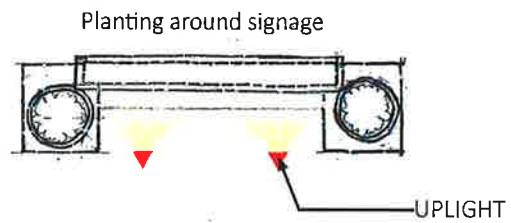
Lighting within development areas adjacent to Open Space Districts shall comply with the following "dark sky" lighting regulations:

- Flood lamp shielding and/or City-approved "dark sky" light fixtures/bulbs shall be used in developed areas to reduce the amount of stray lighting into natural resource areas.
- Direct lighting rays shall be confined to the respective residential, commercial, or common area lots upon which the exterior lights are to be installed so that adjacent Open Space Districts are protected from any significant light spillage, intrusion, and glare.
- No skyward casting lighting shall be allowed in development areas adjacent to Open Space Districts.

NEIGHBORHOOD SIGNAGE LIGHTING

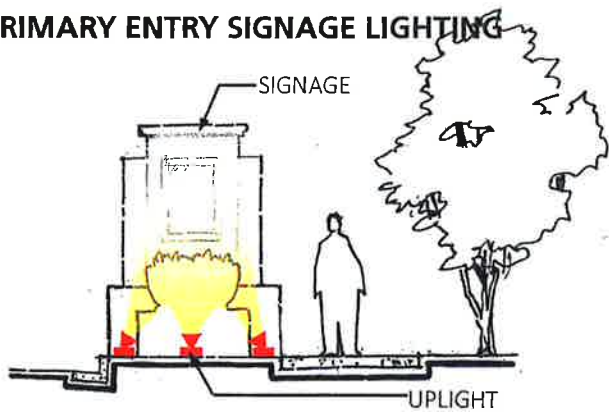


ELEVATION

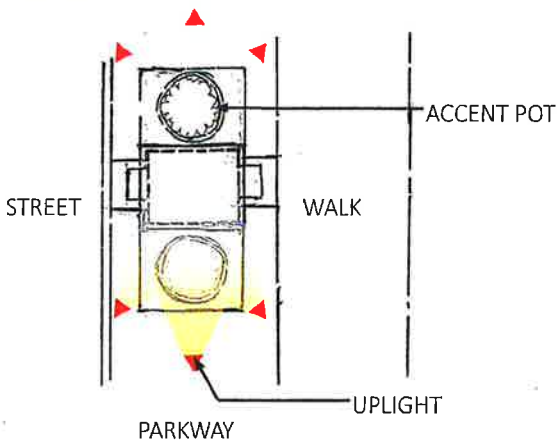


PLAN VIEW

PRIMARY ENTRY SIGNAGE LIGHTING

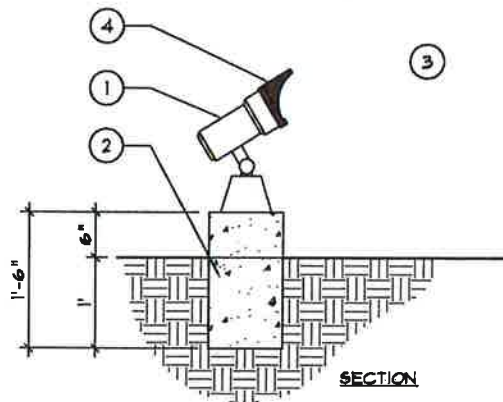


ELEVATION



PLAN VIEW

FLOOD LIGHT INSTALLATION DETAIL



- ① UPLIGHT SOUTH COAST LIGHTING
MODEL: SCL-FLL-220-SP/FL-JES
COLOR: BRONZE
FINISH: UV RESISTANT POWDER COAT
TYPE: LED
- ② CONCRETE FOOTING
- ③ SIGNAGE
- ④ LIGHT SHIELD

Note: All drawings are conceptual in nature and are references to represent the design intent. Final specifications for installation shall be done by others.

COMMUNITY MAILBOXES

Community Mailboxes, depending on current USPS requirements, will likely be cluster box units (CBU). The locations of CBU mailboxes within the community shall be coordinated with USPS for review and approval of proposed locations. It is highly encouraged to locate the CBU Mailboxes next to a street light, where possible, for additional safety and security.



Example of CBU Mailbox

WALL AND FENCE GUIDELINES

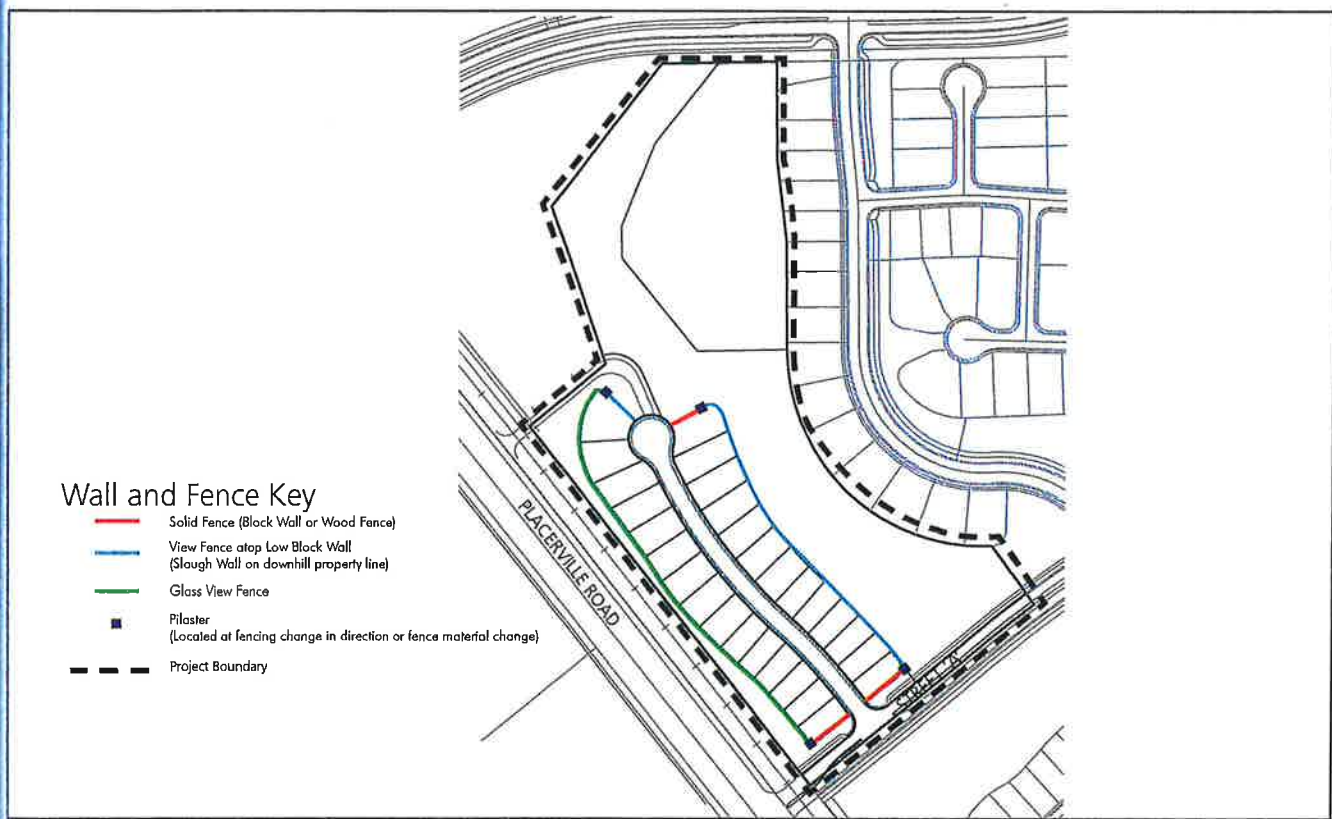
Maintaining quality and character of all aspects of the public realm is a key placemaking principle. The wall and fence design criteria is intended to provide variety and privacy for each lot while providing continuity and unity within the community.

Walls and fencing will be used throughout the community to complement the overall design theme, establish community identity, provide protection from roadway and other noise, and allow privacy and security in residential areas. The use of walls and fences can also serve to accentuate neighborhood features in addition to screening streets and adjacent uses.

The following types of walls (solid and opaque) and fences (open and largely transparent) have been selected for possible use within different areas of the project site. All wall and fence

heights are measured from the highest grade elevation on either side of the wall or fence. An overall community wall program is provided to help unify and reinforce community character.

- Decorative walls and/or screen walls shall be integrated with the architecture of community building, as well as the overall landscape design.
- All community walls and fences shall be consistent in design.
- For most products, the community wall will be a solid fence, either split face block with brick cap, or wood fence.
- Pilasters will occur at changes in wall direction or change in materials visible to the public realm.
- Where solid walls are applicable, those



visible to the public realm or adjacent to the public realm shall be split face block with brick cap, or wood fence. For community consistency, whichever wall type has been installed in other surrounding Folsom Ranch communities will be the determining factor for which wall type will be used at the Carr Trust Development within White Rock Springs Ranch.

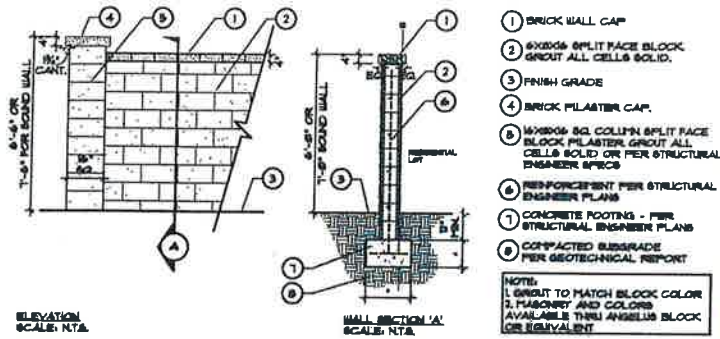
- Interior/side yard or any wall not visible to the public realm shall be precision block with precision cap, or wood fencing based on builder's preference and product price point. Block color to match split face block wall color.
- View fencing of full height tubular steel and/or a low wall or concrete mowcurb with tubular steel may be used for rear yard fencing on lots that do not require noise attenuation.
- Vines and/or shrubs should be planted along community walls to soften the visual character. An extensive use of vines is encouraged.
- The maximum wall or fence height shall be six (6) feet within any required rear, or side setback area, and along the project perimeter unless a higher wall is determined necessary to act as a sound wall and approved by the City. Wall/fence heights are measured from the base of the wall/fence to the top of the interior or exterior side, always providing a minimum six (6) feet barrier from either side. The maximum height of any wall should not exceed city standards (when in combination with a retaining wall) without a variance.
- Combination retaining wall and privacy walls at block ends may be used.
- Combination block and tempered glass walls may be used subject to the approval of a Design Review Application by the Planning Commission when shown in combination with the entire design for the adjoining open space and when it can be shown that the glass will not produce glare. If the combination block and tempered glass wall is used on lots that require noise attenuation, then the glass must meet a minimum STC rating of 32.
- Rear yard fencing adjacent to park areas or open space edges where residential pad is elevated above park/open space shall be view fencing, where applicable, considering grade differentials, etc.
- Where appropriate, view fencing may be less than 6' high to provide an enhanced view shed. In cases where pools or spas are located in rear yards, a minimum 5'-6" high perimeter fence is required. Continuous view fencing or block walls shall have pilasters located at corners, at change in wall/fencing materials, and significant redirections in the fence line.
- Sound walls will be 7' in height (as measured above the build pad grade) and will be constructed of split face block with a brick cap. Walls that are not required to be sound walls may be a maximum 6 feet in height.
- Wall sections greater than 50 feet in length should incorporate at least two of the following design features which are proportionate to the wall length:
 - A minimum 2 feet change in plane for at least 2 feet.
 - A minimum 18-inch change in height for at least 10 feet.
 - Use of pilasters at 50 feet maximum intervals and at changes in wall planes.

- A minimum 4 feet high view fencing section for at least 10 feet.
- Solid walls or wood fencing shall be used for property line fencing and gate returns between housing lots and those areas in public view. Fence returns located on the garage side of each home shall include a three foot (3') wide minimum gate.
- All retaining walls, courtyard walls, gates and fences shall be compatible with the architecture of each neighborhood/village.
- Visible precision block walls are prohibited from the public realm.
- Construction documents developed for this project detailing walls and fences will locate and verify all walls will be located outside the PUE.
- For residential side yard gates, vinyl gates with slump block wall are encouraged, color to match and complement adjacent wall/architecture, where wood fence is used, wood gates are encouraged.
- Gates should be provided in walls or fences to allow emergency access and to facilitate convenient pedestrian access to activity areas and adjacent uses.
- Walls should be eliminated or sited to provide additional setbacks areas at project entries to accommodate distinctive landscaping, ornamental gateways, signage and street furniture.
- Walls should be curved or angled at corner locations along street frontages to preserve sight lines.
- Be mindful of sight lines when laying out lots and perimeter walls.
- If the retaining walls contain plantable cells, then a mix of at least two varieties of shrubs (one with a trailing growth habit and one with a billowy growth habit) shall be planted in alternate cells.
- All walls visible to the Public Realm will be maintained by the HOA. Interior lot walls to be maintained by homeowner.

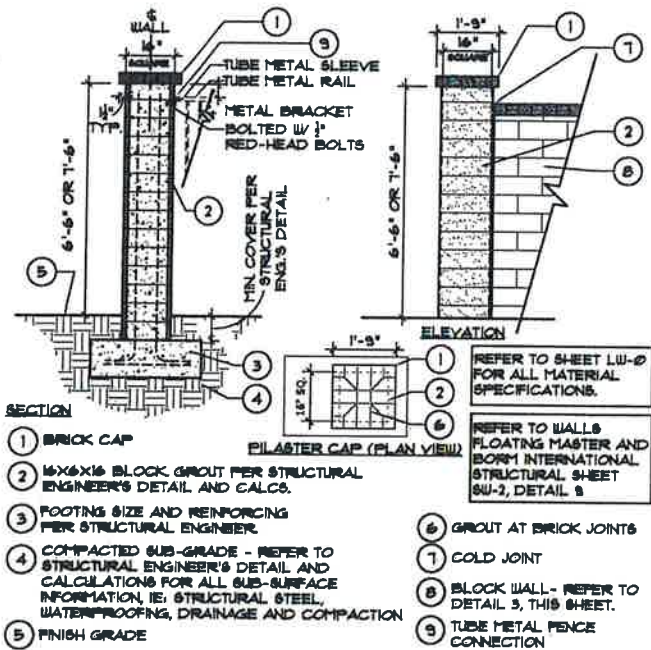


Community Wall and Pilasters (Solid Fence Option)	
Pilaster/ Wall:	Split Face Block with Brick Cap
Block Color:	Harvest (or equal) available through Angelus Block
Brick:	Belden Brick - Jumbo Polar White Clear A (Sugarcreek Plant 3), available through Thompson Building Supply
Grout:	CBP #384 Camel
Detail:	Refer to next page

The following photos should not be construed as the exact wall and fence height, color and material, but should be used as preferred examples. The sketches and graphic representations contained within these Design Guidelines are for conceptual purposes and are provided as visual aids in understanding the basic intent of the Guidelines and to present examples of their potential implementation. The block/color specification can be substituted with a different manufacturer as long as colors and textures match.

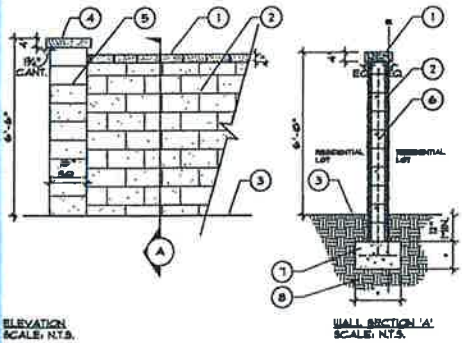


Community Wall (Sound wall option)
Materials- See Previous page



Prefabricated Tubular Steel Fence with Pilaster Condition

Pilaster:	Split face Block with Brick Cap
Block Color:	Harvest (or equal) available through Angelus Block
Paint:	Sherwin Williams SW7705 Wheat Penny
Brick:	Belden Brick- Jumbo Polar White Clear A (Sugar creek Plant 3), available through Thompson Building Supply
Grout:	CBP #384 Camel
Metal Color:	Powder Coated- Sherwin Williams SW7020 Black Fox

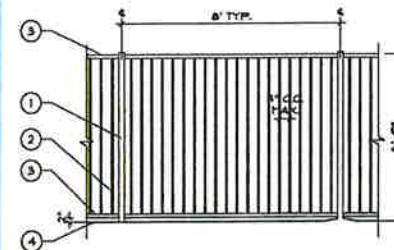


- 1 PRECISION BLOCK WALL CAP
 - 2 4X8X16 PRECISION BLOCK. GROUT ALL CELLS SOLID.
 - 3 FINISH GRADE
 - 4 PRECISION BLOCK PILASTER CAP.
 - 5 16X16X16 SQ. COLUMN PRECISION BLOCK PILASTER. GROUT ALL CELLS SOLID OR PER STRUCTURAL ENGINEER SPECS.
 - 6 REINFORCEMENT PER STRUCTURAL ENGINEER PLANS
 - 7 CONCRETE FOOTING - PER STRUCTURAL ENGINEER PLANS
 - 8 COMPACTED SUBGRADE PER GEOTECHNICAL REPORT
- NOTE:
 1. GROUT TO MATCH BLOCK COLOR
 2. MASONRY AND COLORS AVAILABLE THRU ANGELUS BLOCK OR EQUIVALENT



Precision Block Wall Option at Side Yard Conditions (No Precision Block Wall shall be visible/exposed to the public realm.)

Color: To match SW 7705 Wheat Penny, available through Angelus Block

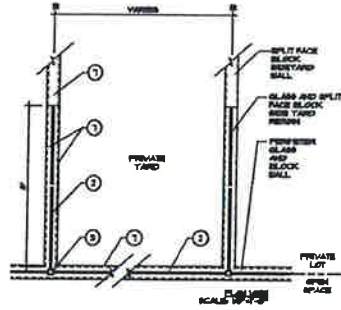
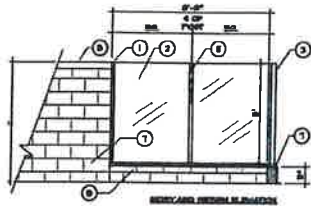
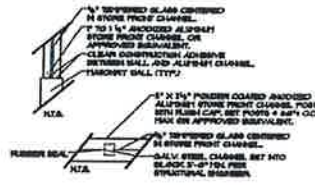
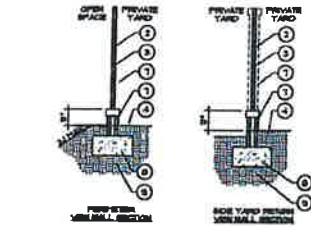


- 1 1 1/2" X 2" RECTANGULAR TUBULAR STEEL FENCE POST @ 8'-0" O.C. MAX. OR EQUALLY SPACED AND ALL CHANGE OF DIRECTION (CORNERS).
- 2 5/8" SQ. TUBULAR STEEL PICKETS @ 4" O.C. MAX. TYP. PICKETS STAGGER AT TOP PER DETAIL.
- 3 1 1/2" X 2" RECTANGULAR TUBULAR STEEL TOP AND BOTTOM RAIL LAID FLAT WELD TO POST AS SHOWN.
- 4 FINISH GRADE

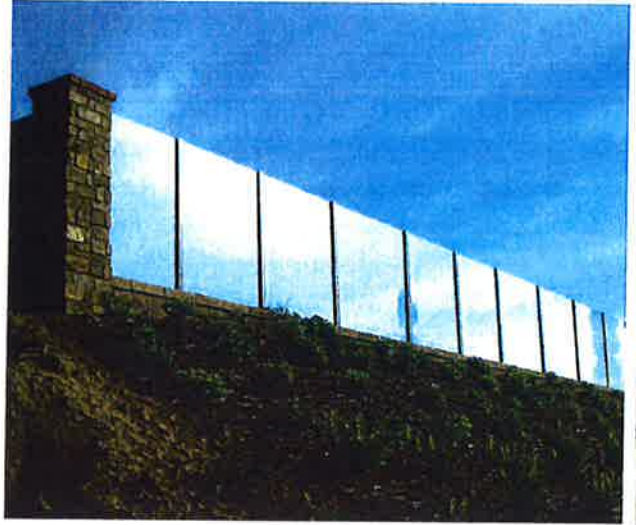


Community Prefabricated Tubular Steel View Fence

Metal Color: Powder Coated- Sherwin Williams SW7020 Black Fox



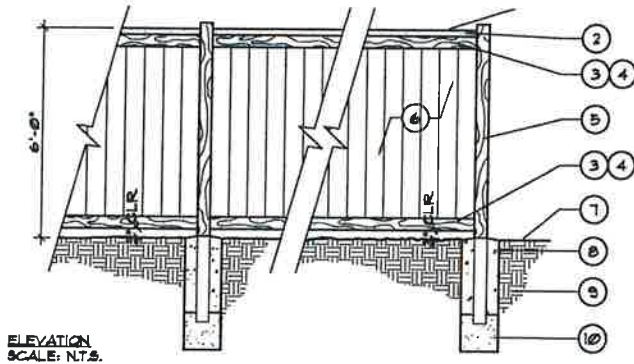
- 1 1/2" x 1/4" ANODIZED ALUMINUM STONE FRONT CHANNEL, SET IN RUBBER SEAL OR APPROVED SUBSTITUT.
- 2 1/2" x 1/4" ANODIZED ALUMINUM STONE FRONT CHANNEL.
- 3 1/2" x 1/4" ANODIZED ALUMINUM POST AT PROPERTY LINE OR APPROVED POST CAP TO BE FLASH BUTT OF GLASS.
- 4 FINISH GRADE - REFER TO TYPICAL SUBGRADE.
- 5 1/2" x 1/4" ANODIZED ALUMINUM STONE FRONT CHANNEL, POST WITH RUBBER SEAL OR APPROVED SUBSTITUT.
- 6 1/2" x 1/4" ANODIZED ALUMINUM STONE FRONT CHANNEL, CLEAR CONSTRUCTION ADHESIVE BETWEEN BALL AND ALUMINUM CHANNEL (TYPICAL BALL (TYP)).
- 7 1/2" x 1/4" ANODIZED ALUMINUM STONE FRONT CHANNEL, POST WITH RUBBER SEAL OR APPROVED SUBSTITUT.
- 8 1/2" x 1/4" ANODIZED ALUMINUM STONE FRONT CHANNEL, POST WITH RUBBER SEAL OR APPROVED SUBSTITUT.
- 9 1/2" x 1/4" ANODIZED ALUMINUM STONE FRONT CHANNEL, POST WITH RUBBER SEAL OR APPROVED SUBSTITUT.
- 10 1/2" x 1/4" ANODIZED ALUMINUM STONE FRONT CHANNEL, POST WITH RUBBER SEAL OR APPROVED SUBSTITUT.



Community Glass View Fence

Metal Color:	Spraylac Regal Brown
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- NOTE:**
1. ALL WOOD SHALL BE 6-48 KILN DRIED UNLESS OTHERWISE NOTED.
 2. ALL WOOD POST SHALL BE 6-48 DOUGLAS FIR UNLESS NOTED OTHERWISE. ALL OTHER WOOD TO BE CEDAR (NO.1)
 3. PRIMER SHALL BE OIL BASED AND TOP COAT W/ PREMIUM WATERBASED LATEX ENAMEL. REFER TO MATERIALS SCHEDULE ON SHEET LC-2 FOR PAINT COLOR.
 4. ALL NAILS AND METAL SHALL BE HOT DIPPED GALVANIZED.
 5. ALL WOOD SHALL HAVE STAMP OF FSC (FOREST STEWARDSHIP COUNCIL) CERTIFICATION.



- 1 2x2 TOP TRIM INSIDE, NAIL TO POST AND CAP
- 2 2 x 6 CAP, NAIL TO POSTS W/ HALF LAP SPLICES OVER POSTS AND MITER AT ALL CORNERS.
- 3 2 x 4 TOP AND BOTTOM RAILS, TOE NAIL TO POSTS.
- 4 1 x 4 TOP AND BOTTOM TRIM INSIDE NAIL TO POST, RAILINGS AND CAP.
- 5 4 x 4 6-48 PRESSURE TREATED POSTS AT 8'-0" O.C. MAX. AT ENDS AND CHANGES OF DIRECTION.
- 6 1 x 6 CEDAR VERTICAL BOARDS BUTT-JOINT ALTERNATE PANELS ON BOTH SIDES, NAIL TO 2x4 TOP 4 BOTTOM RAIL.
- 7 FINISH GRADE - PER CIVIL ENGINEER PRECISE GRADING PLAN.
- 8 CONCRETE FOOTING PER STRUCTURAL ENGINEER.
- 9 COMPACTED SUBGRADE PER GEO-TECHNICAL REPORT.
- 10 1 CUBIC FOOT OF GRAVEL PER POST FOOTING.



Solid Fence Option at Side Yard Conditions

Color:	Mission Brown Cabot Semi-solid Stain or equivalent
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LANDSCAPE MASTER COMMUNITY PLANT MATRIX

The plant list for this project was developed to reinforce the community theme and to create some seasonal change with a mixture of low water use, drought-tolerant, deciduous, and evergreen plants while maintaining a well-balanced landscape. Many plants on this list are considered low water using and drought-tolerant species and were chosen based on their specific growth characteristics, including flowering and foliage color, texture and form.

The following items should be considered in the community landscape design process:

- Consistent street tree themes should be related to the hierarchy of the street system.



- Extensive use of trees, vines and shrubs to soften community theme wall and fencing.
- Recognition of existing natural conditions and situations.
- Use of both "formal" and "informal" planting arrangements, depending upon the particular condition.
- "Layering" of the shrub material to create depth, variety and interest.
- Refer to local codes for spacing distance from utilities, light poles, etc.

Trees Planted on Slopes

Trees on slopes shall be planted in 5 gallon, 15 gallon, or 24" box sizes. Tree planting details pertaining to slope planting shall be provided within construction documents. Trees will be on separate irrigation valves than shrubs/groundcover. Typically, the landscape architect and/or contractor will specify jute mesh for slope stabilization/erosion control. There are many new/current technologies applied during the design/construction document phase that assist in maximizing tree growth/stabilization on slope applications.



Firewise Landscaping

A firewise landscaping approach shall be implemented on the slopes/open space areas between the rows of houses within the community. Through the careful spacing of shrubs and trees, utilizing low groundcovers and mulch, and reducing mass plantings, the path of potential fire to the homes can be slowed greatly, if not stopped. Selection of plant material deemed "fire safe" will be determined at the time Improvement Plans and/or Landscape Construction Documents are created for the project. Maintenance of plant material by the HOA through fuel reduction and irrigation to maintain fuel moisture is necessary to keep the landscape "fire safe."

The slope landscape between neighborhood areas will include trees that will provide buffer screening at the toe of slopes from back yards and maintain view landscape at the top of slopes. The slope landscape may include California native plant material and also adaptive landscape palettes that will provide drought tolerant planting for the community. This landscape will also help provide structural stability to the engineered slopes. The slope landscape will be irrigated and maintained to soften and transition the terraced housing pads within the project. In addition, surveillance of these areas will be provided by the residential lots with open-view fencing.


LANDSCAPE IRRIGATION NOTE

All landscaped areas will be permanently irrigated using an automatic, underground irrigation system or drip system. The irrigation system will be separated into several systems based on water requirements of each hydrozone. Hydrozone separations

will be based on sun orientation and water requirements of the plant material.

Irrigation of required landscaped areas shall be by either automatic overhead high efficiency spray nozzle or drip irrigation and matched precipitation rate, low gallonage sprinkler heads, bubblers, and timing devices. Landscape areas less than 8' wide shall be irrigated with drip irrigation. Timing devices shall include soil moisture sensors and rain sensing override devices. Sprinkler pop-up heights shall range from 6" in turf areas and 12" high in shrub beds, where a drip system may not be applicable. The irrigation system shall be capable of operating automatically by incorporating an electric weather-based and climate-smart irrigation controller or advanced solar technology components and low voltage electric remote control valves. Quick coupling valves, as required, shall be strategically located to provide supplemental water to plant material and for wash down purposes. All remote control and quick coupling valves shall be located and installed within the shrub beds wherever possible.

The irrigation system will be compliant with the City Water Efficient Ordinance and AB 1881, the State Model Water Efficient Landscape Ordinance. Irrigation water use will comply with water allotments defined in the Ordinance. All irrigation systems shall comply with the Governor's Executive Orders and the orders from the State Water Board on water conservation.

A backbone "purple pipe" non-potable water system shall be designed and installed to supply non-potable water to landscape corridors, natural parkways, and other public landscaped areas within the community. 

UTILITY AND EQUIPMENT SCREENING

All utilities above/below ground and other equipment providing service to the residential neighborhoods of the Carr Trust Development within White Rock Springs Ranch shall be screened accordingly to prevent unsightly conditions that distract from the overall aesthetics.

- Above-ground utility equipment should be screened from view by the use of hedges, trees, or larger screening plant material and/or vines where feasible, subject to utility provider requirements or restrictions.
- Above-ground utility equipment, vents, and access doors to underground utilities shall be located with sufficient space to allow clearance between the screening for the utility equipment and any paved surface including streets, driveways, and walkways.





Botanical Name	Common Name	Project Entry	Local Collector	Bottom Street/Trees/ Local Parkway	Single Family Loc.	Water Tank Screening	Open Space
TREES							
<i>Abies concolor</i>	White Fir			•	•		•
<i>Abies nordmanniana</i>	Nordmann Fir				•		•
<i>Acacia spp.*</i>	Acacia	•	•		•		•
<i>Acacia baileyana</i>	Bailey Acacia			•	•		
<i>Acacia melanoxylon</i>	Black Acacia			•	•		
<i>Acer macrophyllum***</i>	Big Leaf Maple	•			•		
<i>Acer spp.</i>	Maple			•	•		•
<i>Acer buerferianum</i>	Trident Maple			•	•		•
<i>Acer campestre</i>	Hedge Maple			•	•		•
<i>Acer macrophyllum</i>	Big-leaf Maple			•	•		•
<i>Acer negundo</i>	California Box Elder				•		•
<i>Acer platanoides x truncatum</i> 'Crimson Sunset'	Crimson Sunset Maple			•	•		•
<i>Acer rubrum</i>	Red Maple			•	•		•
<i>Acer rubrum</i> 'Bowhall'	Bowhall Red Maple			•	•		•
<i>Acer rubrum</i> 'Columnare'	Columnare Red Maple			•	•		•
<i>Acer rubrum</i> 'October Glory' or 'Red Sunset'	October Glory or Red Sunset Red Maple			•	•		•
<i>Acer tataricum ginnala</i>	Amur Maple			•	•		•
<i>Acer truncatum</i>	Shantung Maple			•	•		•
<i>Aesculus californica***</i>	California Buckeye			•	•		•
<i>Aesculus glabra</i>	Ohio Buckeye				•		
<i>Aesculus hippocastanum</i>	Common Horsechestnut			•	•		
<i>Aesculus x carnea</i> 'Briotii' or 'O'Neill Red'	Red Horsechestnut			•	•		
<i>Albizia julibrissin</i>	Silk Tree				•		•
<i>Alnus cordata</i>	Italian Alder			•	•		•
<i>Alnus glutinosa</i>	European Alder			•	•		•
<i>Alnus rhombifolia</i>	White Alder			•	•		•

*Indicates drought-tolerant species

**Indicates that designer must select a low water or drought-tolerant variety only

***River-Friendly Landscaping List – Sacramento, CA



Botanical Name	Common Name	Project Entry	Local Collector	Patron Street Tree/ Local Parkway	Single Family Lot	Water Tank Screening	Open Space
<i>Amelanchier canadensis</i>	Eastern Serviceberry				•		
<i>Amelanchier laevis</i>	Allegheny Serviceberry			•	•		
<i>Araucaria bidwillii</i>	Bunya-Bunya			•	•		•
<i>Arbutus unedo</i>	Strawberry Tree	•	•		•		•
<i>Arbutus unedo 'Marina'</i>	Marina Strawberry Tree	•	•		•		•
<i>Bauhinia lunariodes</i>	Anacacho Orchid Tree				•		•
<i>Bauhinia macranthera</i>	Chihuahuan Orchid Tree				•		•
<i>Betula nigra</i>	River Birch			•	•		•
<i>Betula platyphylla japonica</i>	Japanese White Birch				•		•
<i>Caesalpinia cacalaco 'Smoothie'</i>	Smoothie Thornless Cascalote			•	•		
<i>Callistemon viminalis</i>	Weeping Bottlebrush				•		•
<i>Calocedrus decurrens</i>	Incense Cedar			•	•		•
<i>Camellia reticulata</i>	NCN				•		
<i>Carpinus betulus 'Fastigiata'</i>	European Hornbeam			•	•		•
<i>Carpinus caroliniana</i>	American Hornbeam			•	•		•
<i>Carya illinoensis</i>	Pecan			•	•		•
<i>Carya ovata</i>	Shagbark Hickory			•	•		
<i>Casanopsis cuspidata</i>	Japanese Chinquapin				•		
<i>Casuarina stricta</i>	She-Oak, Beefwood				•		•
<i>Castanea dentata</i>	American Chestnut			•	•		
<i>Castanea mollissima</i>	Chinese Chestnut			•	•		
<i>Catalpa speciosa</i>	Western Catalpa			•	•		•
<i>Cedrus spp.</i>	Cedar				•	•	•
<i>Cedrus atlantica ('Glauca')</i>	Atlas (Blue) Cedar			•	•	•	•
<i>Cedrus deodara</i>	Deodar Cedar			•	•	•	•
<i>Celtis australis</i>	European Hackberry			•	•		•
<i>Celtis occidentalis</i>	Common Hackberry			•	•		•
<i>Ceratonia siliqua</i>	Carob Tree	•	•	•	•		•
<i>Cercidium 'Desert Museum'*</i>	Desert Museum Palo Verde	•	•	•	•	•	•
<i>Cercidium floridum*</i>	Blue Palo Verde	•	•	•	•	•	•

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***River-Friendly Landscaping List – Sacramento, CA

LANDSCAPE DESIGN GUIDELINES



Botanical Name	Common Name	Prolet Entry	Local Collector	Folsom Street Tree/ Local Parkway	Single Family Lot	Water Tank Screening	Open Space
<i>Cercis canadensis</i>	Eastern Redbud			•	•		•
<i>Cercis canadensis</i> 'Forest Pansy'	Forest Pansy Redbud			•	•		•
<i>Cercis occidentalis</i> *,***	Western Redbud	•	•	•	•		•
<i>Cercis reniformis</i> 'Oklahoma'	Oklahoma Redbud			•	•		•
<i>Cercis silquastrum</i>	Judas Tree			•	•		•
<i>Chilopsis linearis</i> *	Desert Willow			•	•		•
<i>Chilopsis linearis</i> 'Art's Seedless'	Art's Seedless Desert Willow			•	•		•
<i>Chilopsis linearis</i> 'Bubba'	Bubba Desert Willow			•	•		•
<i>Chilopsis linearis</i> 'Lucretia Hamilton'	Lucretia Hamilton Desert Willow			•	•		•
<i>Chilopsis linearis</i> 'Warren Jones'	Warren Jones Desert Willow			•	•		•
<i>Chionanthus retusus</i>	Chinese Fringe Tree			•	•		•
<i>Chitalpa tashkentensis</i> 'Pink Dawn'	Pink Dawn Chitalpa				•		•
<i>Cinnamomum camphora</i>	Camphor Tree	•	•	•	•		•
<i>Citrus spp.</i>	Citrus	•	•	•	•		•
<i>Cladrastis kentukea</i>	Yellow Wood			•	•		
<i>Cordyline australis</i>	Dracaena				•		
<i>Cornus spp.</i>	Dogwood				•		•
<i>Cornus controversa</i>	Giant Dogwood			•	•		•
<i>Cornus x</i> 'Eddie's White Wonder'	Eddie's White Wonder Dogwood			•	•		•
<i>Cornus florida</i>	Eastern Dogwood			•	•		•
<i>Cornus kousa</i>	Kousa Dogwood			•	•		•
<i>Cotinus obovatus</i>	Smoke Tree				•		•
<i>Crataegus laevigata</i> 'Paul's Secret'	Paul's Secret English Hawthorn			•	•		
<i>Crataegus phaenopyrum</i>	Washington Hawthorn			•	•		
<i>Cryptomeria japonica</i>	Japanese Cryptomeria				•		
<i>Cupressus spp.</i>	Cypress	•	•		•		•
<i>Cupressus arizonica</i>	Arizona Cypress	•	•		•		•
<i>Cupressus sempervirens</i>	Italian Cypress	•	•		•		•
<i>Diospyros kaki</i>	Fuyu Persimmon				•		•
<i>Diospyros virginiana</i>	American Persimmon				•		•

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***River-Friendly Landscaping List – Sacramento, CA



Botanical Name	Common Name	Project Entry	Local Collector	Folium Street Tree/ Local Parkway	Single Family Loc.	Water/Fertil Screening	Observance
<i>Ebenopsis ebano</i>	Texas Ebony			•	•		
<i>Elaeocarpus decipiens</i>	Japanese Blueberry Tree	•	•	•	•		•
<i>Eriobotrya deflexa</i>	Bronze Loquat	•	•		•		•
<i>Eriobotrya japonica</i>	Loquat	•	•		•		•
<i>Eucalyptus spp.** (Exclude invasive sp.)</i>	Gum					•	•
<i>Eucalyptus nicholii</i>	Nichol's Willow-leaved Peppermint			•	•	•	•
<i>Eucalyptus polyanthemos</i>	Silver Dollar Gum			•		•	•
<i>Eucalyptus sideroxylon</i>	Red Ironbark Gum			•		•	•
<i>Eucommia ulmoides</i>	Hardy Rubber Tree			•	•		•
<i>Fagus grandifolia</i>	American Beech				•		•
<i>Fagus sylvatica</i>	European Beech			•	•		•
<i>Fagus sylvatica 'Atropunicea'</i>	Copper Beech				•		•
<i>Fagus sylvatica 'Pendula'</i>	Weeping European Beech				•		•
<i>Fagus sylvatica 'Purpurea Pendula'</i>	Weeping Purple Beech				•		•
<i>Feijoa sellowiana</i>	Pineapple Guava				•		•
<i>Ficus carica</i>	Common Fig	•	•		•		•
<i>Ficus microcarpa nitida</i>	Indian Laurel Fig	•	•		•		•
<i>Firmiana simplex</i>	Parasol Tree				•		
<i>Fraxinus spp.</i>	Ash	•	•		•		•
<i>Fraxinus americana 'Autumn Purple'</i>	Autumn Purple White Ash	•	•	•	•		•
<i>Fraxinus angustifolia 'Raywood'</i>	Raywood Ash	•	•	•	•		•
<i>Fraxinus greggi</i>	Little Leaf Ash	•	•	•	•		•
<i>Fraxinus latifolia</i>	Oregon Ash	•	•		•		•
<i>Geijera parviflora</i>	Australian Willow	•	•	•	•		•
<i>Ginkgo biloba</i>	Ginkgo, Maidenhair Tree	•	•		•		•
<i>Ginkgo biloba 'Autumn Gold'</i>	Autumn Gold Maidenhair Tree	•	•	•	•		•
<i>Ginkgo biloba 'Princeton Sentry'</i>	Princeton Sentry Maidenhair Tree	•	•	•	•		•
<i>Ginkgo biloba 'Saratoga'</i>	Saratoga Maidenhair Tree	•	•		•		•
<i>Gleditsia triacanthos</i>	Honey Locust				•		•
<i>Gleditsia triacanthos 'Shademaster'</i>	Shademaster Locust				•		•

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***River-Friendly Landscaping List – Sacramento, CA



Botanical Name	Common Name	Project Entry	Local Collector	Traditional Street Tree/ Local Parkway	Single Family Lot	Water Tank Screening	Open Space
<i>Gleditsia tracanthos</i> 'Sunburst'	Sunburst Locust				•		•
<i>Grevillea robusta</i>	Silk Oak			•	•		•
<i>Gymnocladus dioica</i>	Kentucky Coffee Tree			•	•		
<i>Halesia carolina</i>	Carolina Silver Bell			•	•		
<i>Heteromeles arbutifolia</i> *	Toyon	•	•		•		•
<i>Hymenosporum flavum</i>	Sweetshade	•	•		•		•
<i>Ilex x 'Nellie R. Stevens'</i>	Nellie Stevens Holly				•		•
<i>Ilex altaclarensis 'Wilsonii'</i>	Wilson Altaclara Holly				•		•
<i>Ilex aquifolium</i>	English Holly				•		•
<i>Ilex cornuta 'Burfordii'</i>	Burford Chinese Holly				•		•
<i>Juglans californica 'Hindsii'</i> ***	California Black Walnut			•	•		•
<i>Juglans cinerea</i>	Butternut			•	•		
<i>Juglans nigra</i>	Black Walnut				•		
<i>Juglans regia</i>	English Walnut			•	•		
<i>Juniperus conferta</i>	Shore Juniper				•		•
<i>Juniperus californica</i>	California Juniper				•		•
<i>Juniperus occidentalis</i>	Western Juniper				•		•
<i>Juniperus osteosperma</i>	Utah Juniper				•		•
<i>Juniperus scopulorum 'Blue Haven'</i>	Blue Haven Juniper				•		•
<i>Juniperus scopulorum 'Skyrocket'</i>	Skyrocket Juniper				•		•
<i>Koelreuteria bipinnata</i>	Chinese Flame Tree	•	•	•	•		•
<i>Koelreuteria paniculata</i>	Goldenrain Tree	•	•	•	•		•
<i>Lagerstroemia spp.</i>	Crape Myrtle	•	•		•		•
<i>Lagerstroemia hybrid 'Arapaho'</i>	Arapaho Crape Myrtle	•	•	•	•		•
<i>Lagerstroemia hybrid 'Muskogee'</i>	Muskogee Crape Myrtle	•	•	•	•		•
<i>Lagerstroemia hybrid 'Natchez'</i>	Natchez Crape Myrtle	•	•	•	•		•
<i>Lagerstroemia hybrid 'Tonto'</i>	Tonto Crape Myrtle	•	•	•	•		•
<i>Lagerstroemia hybrid 'Tuscarora'</i>	Tuscarora Crape Myrtle	•	•	•	•		•
<i>Laurus nobilis</i>	Sweet Bay	•	•	•	•		•
<i>Leucaena retusa</i>	Golden Ball Lead Tree				•		

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***River-Friendly Landscaping List – Sacramento, CA



Botanical Name	Common Name	Project Entry	Local Collector	Fallow Street/Trail/Local Parkway	Single Family Lot	Water/Tank/Screening	Drought Sensitive
<i>Liquidambar spp.</i>	Sweet Gum	•	•		•		•
<i>Liriodendron tulipifera</i>	Tulip Tree	•	•	•	•		•
<i>Lithocarpus edulis</i>	Japanese False Oak			•	•		
<i>Maackia amurensis</i>	Amur Maackia			•	•		
<i>Magnolia spp.</i>	Magnolia	•	•		•	•	•
<i>Magnolia grandiflora</i>	Southern Magnolia	•	•	•	•	•	•
<i>Magnolia grandiflora</i> 'St. Mary'	St. Mary Southern Magnolia	•	•		•	•	•
<i>Magnolia kobus</i>	Kobus Magnolia	•	•		•		•
<i>Magnolia x soulangeana</i>	Saucer Magnolia	•	•	•	•		•
<i>Malus spp.</i>	Crabapple				•		•
<i>Malus</i> 'Centurion'	Centurion Crabapple			•	•		•
<i>Malus</i> 'Harvest Gold'	Harvest Gold Crabapple			•	•		•
<i>Malus ioensis</i> 'Prairiefire'	Prairiefire Crabapple			•	•		•
<i>Malus</i> 'Robinson'	Robinson Crabapple			•	•		•
<i>Malus</i> 'Strawberry Parfait'	Strawberry Parfait Crabapple			•	•		•
<i>Maytenus boaria</i>	Mayten Tree			•	•		•
<i>Melaleuca lanceolata</i>	Black Tea Tree				•		•
<i>Melaleuca leucadendron</i>	Paperbark	•	•		•	•	•
<i>Melaleuca linariifolia</i>	Flaxleaf Paperbark	•	•		•	•	•
<i>Melaleuca quinquenervia</i>	Broad-leaved Paperbark	•	•			•	•
<i>Metasequoia glyptostroboides</i>	Dawn Redwood			•	•		•
<i>Morus alba</i>	White Mulberry				•		•
<i>Nyssa sylvatica</i>	Sour Gum			•	•		•
<i>Olea europaea</i>	Olive	•	•	•	•		•
<i>Olea europaea</i> Majestic Beauty TM	Majestic Beauty TM Olive	•	•		•		•
<i>Olea europaea</i> 'Swan Hill'*	Swan Hill Olive	•	•		•		•
<i>Olneya tesota</i>	Desert Ironwood			•	•		•
<i>Osmanthus fragrans</i>	Sweet Olive				•		
<i>Ostrya virginiana</i>	American Hop-hornbeam			•	•		
<i>Parkinsonia aculeata</i> *	Mexican Palo Verde				•	•	•

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***River-Friendly Landscaping List – Sacramento, CA

LANDSCAPE DESIGN GUIDELINES



Botanical Name	Common Name	Project Entry	Local Collector	Fall from Street (Tree)/ Local Parkway	Single Family Lot	Water tank/Screening	Open Space
<i>Parkinsonia floridum</i> *	Blue Palo Verde				•	•	•
<i>Parkinsonia x 'Desert Museum'</i> *	Mexican Palo Verde				•	•	•
<i>Persea borbonia</i>	Redbay			•	•		
<i>Persea thunbergii</i>	Persea			•	•		
<i>Photinia serratifolia</i>	Chinese Photinia			•	•		•
<i>Picea pungens</i>	Colorado Spruce				•		
<i>Picea pungens glauca</i>	Colorado Blue Spruce				•		
<i>Pinus brutia</i>	Calabrian Pine	•	•	•	•		•
<i>Pinus canariensis</i> *	Canary Island Pine	•	•	•	•	•	•
<i>Pinus coulteri</i>	Coulter Pine	•	•	•	•		•
<i>Pinus densiflora</i>	Japanese Red Pine	•	•	•	•		•
<i>Pinus edulis</i>	Pinon Pine	•	•		•		•
<i>Pinus eldarica</i> *	Afghan Pine	•	•	•	•	•	•
<i>Pinus flexilis</i>	Limber Pine	•	•	•	•		•
<i>Pinus halepensis</i> *	Allepo Pine	•	•	•	•	•	•
<i>Pinus nigra</i>	Austrian Black Pine	•	•	•	•		•
<i>Pinus parviflora</i>	Japanese White Pine	•	•	•	•		•
<i>Pinus pinea</i>	Italian Stone Pine	•	•	•	•	•	•
<i>Pinus ponderosa</i>	Ponderosa Pine	•	•	•	•	•	•
<i>Pinus sabiniana</i> ***	Gray Pine	•	•		•		•
<i>Pinus strobus</i>	White Pine	•	•	•	•		•
<i>Pinus sylvestris</i>	Scotch Pine	•	•	•	•		•
<i>Pinus thunbergii</i>	Japanese Black Pine	•	•	•	•		•
<i>Pistacia chinensis</i>	Chinese Pistache	•	•	•	•		•
<i>Pistacia chinensis 'Keith Davies'</i>	Keith Davies Chinese Pistache	•	•	•	•		
<i>Pistacia chinensis 'Red Push'</i>	Red Push Chinese Pistache	•	•	•	•		
<i>Pittosporum tenuifolium</i>	Blackstem Pittosporum	•	•		•		
<i>Platanus x acerifolia</i>	London Planetree	•	•		•	•	•
<i>Platanus x acerifolia 'Bloodgood'</i>	Bloodgood Planetree	•	•		•	•	•
<i>Platanus x acerifolia 'Columbia'</i>	Columbia London Planetree	•	•	•	•	•	•

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***River-Friendly Landscaping List – Sacramento, CA



Botanical Name	Common Name	Project Entry	Local Collector	Uniform Street Tree/ Local Parkway	Single Family Lot	Water Tank Screening	Open Space
<i>Platanus x acerifolia</i> 'Yarwood'	Yarwood London Planetree	•	•		•	•	•
<i>Platanus occidentalis</i>	American Sycamore	•	•	•	•	•	•
<i>Platanus racemosa</i> ***	California Sycamore	•	•	•	•	•	•
<i>Podocarpus gracilior</i>	Fern Pine	•	•	•	•		•
<i>Podocarpus henkelii</i>	Long-leafed Yellowwood	•	•		•		•
<i>Podocarpus macrophyllus</i>	Yew Pine	•	•	•	•		•
<i>Podocarpus macrophyllus</i> 'Maki'	Shrubby Yew Pine	•	•		•		•
<i>Populus canadensis</i>	Carolina Poplar	•	•		•	•	•
<i>Populus fremontii</i> ***	Fremont or Western Cottonwood	•	•		•	•	•
<i>Populus nigra</i> 'Italica'	Lombardy Poplar	•	•		•		•
<i>Prosopis glandulosa</i> 'Maverick'	Maverick Texas Honey Mesquite			•	•		•
<i>Prosopis hybrid</i> 'Phoenix'	Phoenix Thornless Mesquite			•	•		•
<i>Prunus spp.</i>	Flowering Cherry	•	•		•		
<i>Prunus caroliniana</i>	Carolina Laurel Cherry	•	•	•	•		
<i>Prunus cerasifera</i> var.	Cherry Plum	•	•		•		
<i>Prunus cerasifera</i> 'Krauter Vesuvius'	Purple Leaf Plum	•	•	•	•		
<i>Prunus dulcis</i>	Almond				•		
<i>Pseudotsuga menziesii</i>	Douglas Fir			•	•		•
<i>Pterostyrax hispida</i>	Epaulette Tree			•	•		
<i>Punica granatum</i>	Pomegranate				•		
<i>Pyrus calleryana</i> 'Capital'	Capital Pear		•	•	•		
<i>Pyrus calleryana</i> 'Chanticleer'	Chanticleer Pear		•	•	•		
<i>Pyrus calleryana</i> 'Redspire'	Redspire Pear		•	•	•		
<i>Pyrus fauriei</i> 'Korean Sun'	Fauer Pear		•		•		
<i>Pyrus kawakamii</i>	Evergreen Pear		•	•	•		
<i>Quercus acutissima</i>	Sawtooth Oak	•	•	•	•		•
<i>Quercus agrifolia</i> *	Coast Live Oak	•	•	•	•		•
<i>Quercus bicolor</i>	Swamp White Oak	•	•	•	•		•
<i>Quercus castaneifolia</i>	Chestnut-leafed Oak	•	•	•	•		•
<i>Quercus cerris</i> *	Turkey Oak	•	•	•	•		•

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***River-Friendly Landscaping List – Sacramento, CA



Botanical Name	Common Name	Project Entry	Local/Collector	Foldover Street/Tree/Local Parkway	Single Family Lot	Water Tank/Scrubbing	Open Space
<i>Quercus chrysolepis</i>	Golden Cup Oak	•	•	•	•		•
<i>Quercus coccinea</i>	Scarlet Oak	•	•	•	•		•
<i>Quercus douglasii</i> *,***	Blue Oak	•	•	•	•		•
<i>Quercus garryana</i>	Oregon White Oak	•	•	•	•		•
<i>Quercus ilex</i> *	Holly Oak	•	•	•	•		•
<i>Quercus lobata</i> *	Valley Oak	•	•	•	•		•
<i>Quercus macrocarpa</i>	Burr Oak	•	•	•	•		•
<i>Quercus x morehus</i>	Oracle Oak	•	•	•	•		•
<i>Quercus muehlenbergii</i>	Chinquapin Oak	•	•	•	•		•
<i>Quercus nuttallii</i>	Nuttall Oak	•	•	•	•		•
<i>Quercus palustris</i>	Pin Oak	•	•	•	•		•
<i>Quercus phellos</i>	Willow Oak	•	•	•	•		•
<i>Quercus rubra</i>	Red Oak	•	•	•	•		•
<i>Quercus shumardii</i>	Shumard Oak	•	•	•	•		•
<i>Quercus suber</i> *	Cork Oak	•	•	•	•		•
<i>Quercus virginiana</i>	Southern Live Oak	•	•	•	•		•
<i>Quercus wislizeii</i>	Interior Live Oak	•	•	•	•		•
<i>Rhus lancea</i>	African Sumac	•	•	•	•		•
<i>Robinia X ambigua 'Idahoensis'</i>	Idaho Locust	•	•		•		
<i>Robinia X ambigua 'Purple Robe'</i>	Purple Robe Locust	•	•		•		
<i>Salix babylonica</i>	Weeping Willow				•		•
<i>Salix gooddingii</i> ***	Black Willow				•		•
<i>Salix laevigata</i> ***	Red Willow				•		•
<i>Salix lasiolepis</i> ***	Arroyo Willow				•		•
<i>Sapium sebiferum</i>	Chinese Tallow Tree				•		
<i>Sciadopitys verticillata</i>	Umbrella Pine				•		
<i>Sophora spp.</i>	Pagoda Tree				•		
<i>Sophora japonica</i>	Japanese Pagoda Tree			•	•		
<i>Sophora scundiflora</i>	Mescal Bean Tree			•	•		

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***River-Friendly Landscaping List – Sacramento, CA



Botanical Name	Common Name	Project Entry	Local Collector	Edison Street/Tree / Local Parkway	Single Family Lot	Water Table Screening	Open Space
<i>Sophora scundiflora</i> 'Silver Sierra'	Silver Sierra, Texas Mountain Laurel			•	•		
<i>Styrax japonicus</i>	Japanese Snowbell			•	•		
<i>Styrax obassia</i>	Fragrant Snowbell			•	•		
<i>Syringa reticulata</i>	Japanese Tree Lilac			•	•		
<i>Taxodium distichum</i>	Bald Cypress			•	•		
<i>Taxodium mucronatum</i>	Montezuma Cypress			•	•		
<i>Taxus baccata</i>	English Yew				•		
<i>Thuja occidentalis</i>	American Arborvitae			•	•		
<i>Thuja plicata</i>	Western Red Cedar			•	•		
<i>Tilia americana</i>	American Linden, Basswood			•	•		
<i>Tilia cordata</i>	Little-leaf Linden			•	•		
<i>Tilia tomentosa</i>	Silver Linden			•	•		
<i>Toona sinensis</i>	Toona			•	•		
<i>Ulmus americana</i> 'Princeton'	American Elm (DED resistant)	•	•	•	•		•
<i>Ulmus glabra</i> 'Camperdownii'	Camperdown Elm	•	•		•		•
<i>Ulmus parvifolia</i> var.	Chinese or Evergreen Elm	•	•		•	•	•
<i>Ulmus parvifolia</i> 'Allee'	Chinese Lacebark Elm	•	•	•	•		•
<i>Ulmus wilsonii</i> 'Prospector'	Prospector Elm	•	•	•	•		•
<i>Ulmus</i> x 'Frontier'	Frontier Elm	•	•	•	•		•
<i>Umbellularia californica</i> ***	California Bay	•	•		•		•
<i>Vitex agnus-castus</i>	Chaste Tree			•	•		
<i>Vitex agnus-castus</i> 'Montrose Purple'	Montrose Purple Chaste Tree			•	•		
<i>Yucca</i> spp.	Yucca	•	•		•		
<i>Zelkova serrata</i>	Sawleaf Zelkova	•	•	•	•		
<i>Zelkova serrata</i> 'Village Green'	Village Green Zelkova	•	•		•		
<i>Ziziphus jujube</i>	Jujube, Chinese Date				•		

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***River-Friendly Landscaping List – Sacramento, CA

LANDSCAPE DESIGN GUIDELINES



Botanical Name	Common Name	Project Entry	Local Collector	Falcon Street/Trail/ Local Parkway	Single Family Lot	Water/Tank Screening	Open Space
PALMS							
<i>Butia capitata</i> *	Pindo Palm	•			•		•
<i>Chamaerops humilis</i> *	Mediterranean Fan Palm	•	•		•		•
<i>Cycas revoluta</i>	Sago Palm	•	•		•		•
<i>Phoenix canariensis</i> *	Canary Island Date Palm	•	•		•		•
<i>Phoenix dactylifera</i> *	Edible Date Palm	•	•		•		•
<i>Phoenix reclinata</i>	Senegal Date Palm	•	•		•		•
<i>Syagrus romanzoffianum</i>	Queen Palm	•	•		•		•
<i>Trachycarpus fortunei</i>	Windmill Palm	•	•		•		•
<i>Washingtonia filifera</i>	California Fan Palm	•	•		•		•
<i>Washingtonia robusta</i>	Mexican Fan Palm	•	•		•		•
SHRUBS							
<i>Abelia X grandiflora</i>	Glossy Abelia	•	•		•	•	•
<i>Acacia spp.**</i>	Acacia	•	•		•		•
<i>Acanthus mollis</i>	Bear's Breech	•	•		•		•
<i>Achillea millefolium*,***</i>	Yarrow				•		•
<i>Acer spp.</i>	Maple				•		•
<i>Agapanthus spp.</i>	Lily of the Nile	•	•		•		
<i>Arbutus unedo 'Compacta'</i>	Dwarf Strawberry Tree	•	•		•		•
<i>Arctostaphylos spp.**</i>	Manzanita	•	•		•		•
<i>Armeria maritima</i>	Sea Pink	•	•		•		
<i>Artemisia spp.</i>	Artemisia				•		•
<i>Asclepia curvassavica</i>	Blood Flower Milkweed				•		•
<i>Aucuba japonica</i>	Japanese Aucuba	•	•		•		
<i>Aucuba japonica 'Crotonifolia'</i>	Croton Leaf Aucuba	•	•		•		
<i>Aucuba japonica 'Variegata'</i>	Gold Dust Plant	•	•		•		
<i>Azalea spp.</i>	Azalea	•	•		•		•
<i>Baccharis 'Centennial'*</i>	Centennial Coyote Brush	•	•	•	•		•
<i>Baccharis pilularis var.*</i>	Coyote Bush	•	•	•	•		•
<i>Bambusa multiplex 'Alphonse Karr'</i>	Alphonse Karr Bamboo				•	•	

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***River-Friendly Landscaping List – Sacramento, CA



Botanical Name	Common Name	Project Entry	Local Collector	Folsom-Street Tree/ Local Park/Quarry	Single Family Lot	Water Tank Screening	Open Space
<i>Bambusa oldhamii</i>	Clumping Giant Timber Bamboo				•	•	
<i>Berberis spp.</i>	Barberry				•		•
<i>Berberis thunbergii var.</i>	Japanese Barberry				•		•
<i>Buddleja davidii var.</i>	Butterfly Bush				•		
<i>Buxus spp.</i>	Boxwood	•	•		•		•
<i>Caesalpinia gilliesii*</i>	Yellow Bird of Paradise	•	•		•		
<i>Calycanthus occidentalis***</i>	Spicebush				•		
<i>Camellia spp.</i>	Camellia	•	•		•		•
<i>Cassia artemisioides</i>	Feathery Cassia				•		•
<i>Ceanothus spp.**</i>	Lilac	•	•		•		•
<i>Cephalanthus occidentalis***</i>	Button Bush				•		
<i>Cistus spp.**</i>	Rockrose				•		•
<i>Coleonema spp.</i>	Breath Of Heaven	•	•		•		
<i>Convolvulus cneorum</i>	Bush Morning Glory	•	•		•		
<i>Cordyline australis var.</i>	Australian Dracaena	•	•		•		
<i>Cornus sericea***</i>	Red Twig Dogwood	•	•		•		•
<i>Cotoneaster spp.</i>	Cotoneaster				•		•
<i>Dicksonia antarctica</i>	Tasmanian Tree Fern	•	•		•		•
<i>Dietes vegeta</i>	Fortnight Lily	•	•		•		•
<i>Dodonaea viscosa*</i>	Hopseed Bush	•	•		•	•	•
<i>Dodonaea viscosa 'Purpurea'*</i>	Purple-leafed Hopseed Bush	•	•		•	•	•
<i>Eleagnus pungens var.</i>	Silverberry				•		•
<i>Encelia spp.</i>	Brittlebush				•		•
<i>Erigeron karvinskianus</i>	Santa Barbara Daisy				•		•
<i>Eriogonum spp.</i>	Buckwheat				•		•
<i>Euonymus spp.</i>	Euonymus	•	•		•		•
<i>Fatsyhedera lizei</i>	Botanical Wonder	•	•		•		
<i>Fatsia japonica</i>	Japanese Aralia	•	•		•		
<i>Fremontodendron spp.*</i>	Flannel Bush				•		•
<i>Gardenia spp.</i>	Gardenia	•	•		•		

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***River-Friendly Landscaping List – Sacramento, CA

LANDSCAPE DESIGN GUIDELINES



Botanical Name	Common Name	Project Entry	Local Collector	Custom Street Tree / Local Parkway	Single Family Lot	Water/Tank Screening	Open Space
<i>Grevillea spp.*</i>	Grevillea	•	•		•		
<i>Grewia occidentalis</i>	Lavender Starflower	•	•		•		•
<i>Hemerocallis spp.**</i>	Daylily	•	•		•		•
<i>Heteromeles arbutifolia*,***</i>	Toyon	•	•		•		•
<i>Hibiscus spp.</i>	Hibiscus	•	•		•		•
<i>Hydrangea spp.</i>	Hydrangea	•	•		•		•
<i>Hypericum spp.</i>	St. Johnswort, Goldflower	•	•		•		•
<i>Ilex spp.</i>	Holly				•		•
<i>Juniperus spp.*</i>	Juniper	•	•		•		•
<i>Kniphofia uvaria*</i>	Red Hot Poker	•	•		•		•
<i>Lantana spp.**</i>	Lantana	•	•	•	•		•
<i>Lavandula spp.*</i>	Lavender	•	•		•		•
<i>Leucophyllum spp.</i>	Texas Ranger				•		•
<i>Ligustrum japonicum</i>	Japanese Privet	•	•		•	•	•
<i>Ligustrum japonicum 'Texanum'</i>	Wax Leaf Privet	•	•		•	•	•
<i>Ligustrum lucidum</i>	Glossy Privet, White Wax Tree	•	•		•		•
<i>Liriope muscari</i>	Big Blue Lily Turf	•	•		•		
<i>Lobelia laxiflora</i>	Red Mexican Lobelia				•		•
<i>Mahonia spp.</i>	Oregon Grape				•		
<i>Mimulus aurantiacus*,***</i>	Sticky Monkey Flower				•		•
<i>Mimulus bifidus</i>	Santa Lucia Monkey Flower				•		•
<i>Mimulus puniceus</i>	Red Monkey Flower				•		•
<i>Myoporum laetum</i>	Myoporum	•	•	•	•		•
<i>Myrtus spp.</i>	Myrtle				•		•
<i>Nandina domestica var.</i>	Nandina, Heavenly Bamboo	•	•		•		
<i>Neprolepis cordifolia</i>	Sword Fern	•	•		•		
<i>Nolina bigelovii*</i>	Nolina	•	•		•		•
<i>Osmanthus fragrans</i>	Sweet Olive				•		•
<i>Osteospermum spp.*</i>	Freeway Daisy	•	•		•		•
<i>Pelargonium X hortorum</i>	Garden Geranium	•	•		•		•

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***River-Friendly Landscaping List – Sacramento, CA



Botanical Name	Common Name	Project Entry	Local Collector	Folsom Street Tree/Local Parkway	Single Family Lot	Water-Tolerant Spreading	Open Source
<i>Penstemon spp.</i>	Penstemon				•		•
<i>Phormium spp.**</i>	Flax	•	•		•	•	•
<i>Photinia x fraseri</i>	Fraser's Photinia	•	•		•	•	•
<i>Phyllostachys aurea</i>	Golden Bamboo				•	•	
<i>Phyllostachys bambusoides</i>	Giant Timber Bamboo				•	•	
<i>Pittosporum spp.</i>	Pittosporum	•	•		•	•	•
<i>Portulacaria afra</i>	Elephant's Food	•	•		•		•
<i>Prunus caroliniana 'Compacta'</i>	Dwarf Carolina Laurel Cherry	•	•		•		•
<i>Pyracantha spp.</i>	Pyracantha	•	•		•	•	•
<i>Rhamnus californica var.*</i>	California Coffeeberry				•		•
<i>Rhaphiolepis spp.</i>	Indian Hawthorn	•	•		•	•	•
<i>Rhus ovata*</i>	Sugar Bush	•	•		•	•	
<i>Ribes malvaceum***</i>	Chaparral Currant				•		
<i>Ribes spp.</i>	Currant				•		
<i>Romneya coulteri*</i>	Matilija Poppy				•		•
<i>Romneya 'White Cloud'</i>	White Cloud Matilija Poppy				•		•
<i>Rosa spp.</i>	Rose	•	•		•		
<i>Rosa californica***</i>	Wild Rose				•		•
<i>Rosmarinus spp.*</i>	Rosemary	•	•	•	•		•
<i>Salvia spp.**</i>	Sage	•	•		•		•
<i>Sambucus mexicana ***</i>	Mexican Elderberry				•		•
<i>Santolina chamaecyparissus</i>	Lavender Cotton				•		
<i>Stachys byzantina</i>	Lamb's Ears				•		
<i>Styrax officinalis var. redivivus***</i>	Snowdrop Bush				•		
<i>Symphoricarpos spp.</i>	Snowberry				•		
<i>Thymus spp.**</i>	Thyme	•	•	•	•		
<i>Trachelospermum asiaticum</i>	Yellow Star Jasmine	•	•	•	•		
<i>Trachelospermum jasminoides</i>	Star Jasmine	•	•	•	•		
<i>Verbena spp.**</i>	Verbena	•	•		•		•
<i>Viburnum spp.</i>	Viburnum	•	•		•	•	•

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***River-Friendly Landscaping List – Sacramento, CA

LANDSCAPE DESIGN GUIDELINES



Botanical Name	Common Name	Project Entry	Local Collector	Platform Street Tree/ Local Parkway	Single Family Lot	Water Tank Screening	Open Space
<i>Westringia</i> spp.	Coast Rosemary	•	•		•	•	•
<i>Xylosma congestum</i>	Xylosma, Glossy Xylosma	•	•		•	•	•
<i>Yucca</i> spp.**	Yucca	•	•		•		•
SUCCULENTS							
<i>Agave</i> spp.*	Agave	•	•		•		•
<i>Aloe</i> spp.*	Aloe	•	•		•		•
<i>Bulbine frutescens</i> *	Yellow Stalked Bulbine	•	•		•		•
<i>Bulbine frutescens</i> 'Hallmark'	Orange Hallmark Bulbine	•	•		•		•
<i>Bulbine frutescens</i> 'Yellow'	Yellow Bulbine	•	•		•		•
<i>Echeveria</i> spp.*	Hen and Chicks	•	•		•		•
<i>Euphorbia rigida</i> *	Blue Euphorbia	•	•		•		•
<i>Euphorbia</i> spp.	Euphorbia	•	•		•		•
<i>Ferocactus wislizenii</i> *	Fish Hook Barrel Cactus	•	•		•		•
<i>Hesperaloe parviflora</i> *	Red Yucca	•	•		•		•
<i>Opuntia</i> spp.*	Prickly Pear	•	•		•		•
<i>Portulacaria afra</i> *	Elephant's Food, Elephant Bush	•	•		•		•
<i>Sedum</i> spp.*	Sedum	•	•	•	•		•
<i>Yucca</i> spp.	Yucca	•	•		•		•
GROUNDCOVER							
<i>Achillea</i> spp.**	Yarrow				•	•	•
<i>Ajuga reptans</i> var.	Carpet Bugle	•	•		•	•	
<i>Arctostaphylos</i> spp.	Manzanita	•	•		•	•	•
<i>Baccharis pilularis</i> *,***	Coyote Brush	•	•	•	•	•	•
<i>Bergenia cordifolia</i>	Heartleaf Bergenia	•	•		•	•	
<i>Campanula poscharskyana</i>	Serbian Bellflower	•	•		•	•	
<i>Ceanothus griseus</i> var.	Carmel Creeper	•	•	•	•	•	•
<i>Centranthus ruber</i>	Jupiter's Beard	•	•		•	•	•
<i>Cerastium tomentosum</i>	Snow-in-Summer	•	•		•	•	•
<i>Cyclamen persicum</i>	Cyclamen	•	•		•	•	
<i>Dianthus</i> spp.	Carnation	•	•		•	•	

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***River-Friendly Landscaping List – Sacramento, CA



Botanical Name	Common Name	Project Entry	Local Collector	Folsom Street/Trans/Local Parkway	Single-Family Loc.	Water/Tank Screening	Open Space
<i>Dichondra micrantha</i>	Dichondra	•	•	•	•	•	
<i>Festuca californica</i> 'Serpentine Blue'	California Fescue selection	•	•	•	•	•	•
<i>Festuca glauca</i>	Blue Fescue	•	•	•	•	•	•
<i>Fragaria chiloensis</i>	Ornamental Strawberry	•	•		•	•	
<i>Fragaria</i> 'Pink Panda'	Pink Panda Ornamental Strawberry	•	•		•	•	
<i>Gazania hybrids</i>	Hybrid Gazania	•	•		•	•	•
<i>Gazania spp.</i>	Gazania	•	•		•	•	•
<i>Geranium spp.</i>	Cranesbill	•	•		•	•	
<i>Hedera canarensis</i>	Algerian Ivy	•	•		•	•	
<i>Hedera helix</i>	English Ivy	•	•		•	•	
<i>Heuchera spp.**</i>	Coral Bells	•	•		•	•	•
<i>Hypericum spp.</i>	St. John's Wort	•	•	•	•	•	
<i>Iberis sempervirens</i>	Evergreen Candytuft	•	•		•	•	
<i>Impatiens wallerana</i>	Impatiens	•	•		•	•	
<i>Juniperus spp.*</i>	Juniper	•	•		•	•	•
<i>Lantana spp.</i>	Lantana	•	•		•	•	•
<i>Lobelia erinus</i>	Lobelia	•	•		•	•	•
<i>Lonicera japonica</i> 'Halliana'	Hall's Honeysuckle	•	•		•	•	
<i>Myoporum parvifolium*</i>	Ground Cover Myoporum	•	•	•	•	•	•
<i>Myoporum parvifolium</i> 'Putah Creek'*	Putah Creek Myoporum	•	•	•	•	•	•
<i>Nandina domestica</i> 'Harbour Dwarf'	Dwarf Heavenly Bamboo	•	•		•	•	
<i>Ophiopogon spp.</i>	Mondo Grass	•	•	•	•	•	
<i>Osteospermum fruticosum</i> var.	Trailing African Daisy	•	•		•	•	
<i>Rosa</i> Ground Cover varieties	Ground Cover Rose	•	•		•	•	
<i>Santolina chamaecyparissus</i>	Lavender Cotton	•	•		•	•	
<i>Scaevola</i> 'Mauve Clusters'	Fan Flower	•	•		•	•	
<i>Sedum morganianum*</i>	Donkey Tail	•	•		•	•	
<i>Sedum rubrotinctum*</i>	Pork and Beans	•	•		•	•	
<i>Soleirolia soleirolli</i>	Baby's Tears	•	•	•	•	•	
<i>Thymus praecox arcticus</i>	Creeping Thyme	•	•	•	•	•	

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Botanical Name	Common Name	Project Entry	Local Collector	Folsom Street Tree/ Local Parkway	Single Family Lot	Water-Yield Screening	Open Space
<i>Thymus praecox</i> 'Purple Carpet'	Purple Carpet Creeping Thyme	•	•	•	•	•	
<i>Trachelospermum asiaticum</i>	Yellow Star Jasmine	•	•	•	•	•	
<i>Vinca minor</i> *	Dwarf Periwinkle	•	•		•	•	
<i>Vinca minor</i> 'Sterling Silver'	Sterling Silver Periwinkle	•	•		•	•	
<i>Zauschneria californica</i> *	California Fuchsia	•	•		•	•	•
<i>Zinnia angustifolia</i>	Zinnia	•	•		•	•	
<i>Zoysia tenuifolia</i> *	Korean Grass	•	•	•	•	•	
VINES							
<i>Clematis armandii</i>	Evergreen Clematis	•	•		•	•	•
<i>Distictus buccinatoria</i>	Scarlet Trumpet Vine	•	•		•	•	•
<i>Ficus pumila</i>	Creeping Fig	•	•		•	•	•
<i>Gelsemium sempervirens</i>	Carolina Jessamine	•	•		•	•	•
<i>Hardenbergia violacea</i>	Lilac Vine	•	•		•	•	•
<i>Hardenbergia violacea</i> 'Rosea'	Pink Lilac Vine	•	•		•	•	•
<i>Hedera spp.</i>	Ivy	•	•		•	•	•
<i>Jasminum polyanthum</i>	Pink Jasmine	•	•		•	•	•
<i>Lonicera hildebrandeana</i>	Giant Burmese Honeysuckle	•	•		•	•	•
<i>Lonicera japonica</i>	Japanese Honeysuckle	•	•		•	•	•
<i>Macfadyena unguis-cati</i>	Cat's Claw Vine	•	•		•	•	•
<i>Parthenocissus</i> 'Hacienda Creeper'	Hacienda Creeper	•	•		•	•	•
<i>Parthenocissus quinquefolia</i>	Virginia Creeper	•	•		•	•	•
<i>Parthenocissus tricuspidata</i>	Boston Ivy	•	•		•	•	
<i>Parthenocissus tricuspidata</i> 'Veitchi'	Boston Ivy	•	•		•	•	
<i>Rosa</i> 'Cecile Brunner'	Cecile Brunner Rose (polyantha)	•	•		•	•	
<i>Rosa banksiae</i> 'Alba Plena'	dbl. White Lady Banks' Rose	•	•		•	•	
<i>Rosa banksiae</i> 'Lutea'	Yellow Lady Banks' Rose	•	•		•	•	
<i>Rosa spp.</i>	Climbing Rose	•	•		•	•	
<i>Solanum jasminoides</i>	Potato Vine	•	•		•	•	
<i>Thunbergia alata</i>	Black-eyed Susan Vine	•	•		•	•	
<i>Trachelospermum jasminoides</i>	Star Jasmine	•	•		•	•	

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***River-Friendly Landscaping List – Sacramento, CA



Botanical Name	Common Name	Project Entry	Local Collector	Fairway/Street Trees/ Local Parkway	Single Family Lot	Water Tank/Screening	Open Space
<i>Vitis californica</i>	California Wild Grape	•	•		•	•	•
<i>Vitis californica</i> 'Roger's Red'*	Roger's Red California Grape	•	•		•	•	•
<i>Wisteria</i> spp.	Wisteria	•	•		•	•	
GRASSES/WILDFLOWER							
<i>Bouteloua curtipendula</i> *	Sideoats Grama Grass	•	•		•	•	•
<i>Bouteloua gracilis</i> *	Blue Grama Grass	•	•		•	•	•
<i>Carex barbarae</i> ***	Santa Barbara Sedge	•	•	•	•	•	•
<i>Carex elata</i> *	Golden Variegated Sedge	•	•		•	•	•
<i>Carex</i> spp.	Sedge	•	•	•	•	•	•
<i>Chlorogalum pomeridianum</i> ***	Soap Root	•	•		•	•	•
<i>Collinsia heterophylla</i> ***	Chinese Houses	•	•		•	•	
<i>Dichelostemma capitatum</i> ***	Bluedicks	•	•		•	•	•
<i>Elymus glaucus</i> ***	Blue Wildrye	•	•		•	•	•
<i>Epilobium canum</i> ***	California Fuchsia	•	•		•	•	•
<i>Eschscholzia californica</i> ***	California Poppy	•	•		•	•	•
<i>Festuca californica</i> ***	California Fescue	•	•	•	•	•	•
<i>Festuca glauca</i> *	Blue Fescue	•	•	•	•	•	•
<i>Festuca mairei</i> *	Atlas Fescue	•	•	•	•	•	•
<i>Festuca rubra</i>	Red Fescue	•	•	•	•	•	•
<i>Gilia tricolor</i> ***	Bird's Eyes	•	•		•	•	•
<i>Helictotrichon sempervirens</i> *	Blue Oat Grass	•	•	•	•	•	
<i>Juncus acutus</i>	Spiny Rush	•	•		•	•	•
<i>Juncus balticus</i>	Rush	•	•		•	•	•
<i>Juncus effusus</i> ***	Common Rush	•	•		•	•	•
<i>Juncus effusus pacificus</i> 'Quartz Creek'	Quartz Creek Soft Rush	•	•		•	•	•
<i>Lasthenia californica</i> ***	Goldfields	•	•		•	•	•
<i>Layia fremontii</i> ***	Tidy Tips	•	•		•	•	•
<i>Leymus condensatus</i> *	Wild Rye	•	•		•	•	•
<i>Leymus condensatus</i> 'Canyon Prince'*	Canyon Prince Wild Rye	•	•		•	•	•
<i>Leymus triticoides</i> ***	Creeping Wild Rye	•	•		•	•	•

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Botanical Name	Common Name	Project Entry	Local Collector	Folsom Street Trees/ Local Parkway	Single Family Lot	Water Tank Screening	Open Space
<i>Lupinus microcarpus</i> ***	White-Whorled Lupine	•	•		•	•	•
<i>Lupinus microcarpus</i> var. <i>densiflorus</i> ***	Golden Lupine	•	•		•	•	•
<i>Lupinus nanus</i> ***	Sky Lupine	•	•		•	•	•
<i>Miscanthus</i> spp.	Miscanthus	•	•		•	•	•
<i>Muhlenbergia</i> spp.	Muhlenbergia	•	•		•	•	•
<i>Muhlenbergia rigens</i> *, ***	Deergrass	•	•		•	•	•
<i>Nassella lepida</i> *, ***	Foothill Needlegrass	•	•		•	•	•
<i>Nassella pulchra</i> *, ***	Purple Needlegrass	•	•		•	•	•
<i>Nassella tenuissima</i> *	Mexican Feather Grass	•	•		•	•	
<i>Nolina bigelovii</i> *	Desert Bigelov Nolina	•	•		•	•	•
<i>Ophiopogon jabburan vittata</i>	Snakebeard	•	•		•	•	
<i>Ophiopogon japonicus</i>	Mondo Grass	•	•	•	•	•	
<i>Pennisetum</i> spp.	Fountain Grass	•	•		•	•	
<i>Penstemon heterophyllus</i> ***	Foothill Penstemon	•	•		•	•	•
<i>Phalaris arundinacea</i> 'Picta'	Variiegated Ribbon Grass	•	•		•	•	
<i>Phalaris arundinacea</i> 'Rosea'	Ribbon Grass	•	•		•	•	
<i>Scirpus tabernaemontani</i>	Soft-stem Bulrush	•	•		•	•	•
<i>Sisyrinchium bellum</i> *, ***	Blue-Eyed Grass	•	•	•	•	•	•
<i>Solidago californica</i> ***	California Goldenrod	•	•		•	•	•
<i>Sporobolus airoides</i> ***	Alkali Sacaton	•	•		•	•	•
<i>Sporobolus wrightii</i>	Giant Dropseed	•	•		•	•	•
<i>Stipa pulchra</i> *	Needle Grass	•	•		•	•	
<i>Triteleia laxa</i> ***	Ithuriel's Spear	•	•		•	•	
<i>Zoysia</i> 'De Anza'	Turf Zoysia De Anza	•	•		•	•	

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4

DESIGN REVIEW PROCESS



Image from Greenlee and Associates



INTRODUCTION

The Design Guidelines for the Carr Trust Development within White Rock Springs Ranch have been created to provide property owners, architects, home builders, and contractors with a set of parameters for the preparation of their drawings and specifications. Adherence to these Guidelines will assure builders that a consistent level of quality will be maintained. The Carr Trust Development Design Review Committee (or the "Committee") and the City will review all designs, plans, and construction to ensure:

- Primary site design issues have been adequately considered,
- Excellence in architectural design,
- The unique landscape potential of the homesite is addressed,
- Compatibility and integration with surrounding land uses.

Design Review Committee

The Carr Trust Development within White Rock Springs Ranch is designed to be a unique community of high-quality homes. The future community's Covenants, Conditions, and Restrictions (CC&R's) may not list specific design items necessary for plan approval. Rather, the authority to approve or disapprove individual building and landscaping plans is given to The Carr Trust Development Design Review Committee. The Committee does not seek to restrict individual creativity or preferences, but rather maintain within the overall community the aesthetic relationship between homes, natural amenities, and surrounding neighbors. As the community matures, these key relationships will become increasingly important, requiring coordination through the design process.

This project, as a **Planned Development**, and its associated Planned Development Zoning Ordinance for the property, as approved and adopted by the Folsom City Council, will serve as a supplement to the existing Folsom Zoning Code for the Plan Area. The City Planning Staff, Planning Commission, and City Council will use these Development Guidelines as a vehicle to review specific development proposals and to implement the project's vision and regulations. Future development proposals and plans, whether individual buildings or collectively phased projects, must comply with these Guidelines, as well as the General Plan and Zoning Code, where applicable. These Development Guidelines are intended to be used by City staff, property owners, architects, landscape architects, designers, builders, and developers in the planning and design of individual projects within the Plan Area.

Should particular elements in these Guidelines or the Planned Development Zoning Ordinance adopted for the property conflict with development standards or regulations in the Folsom Zoning Code, the Folsom Plan Area Specific Plan, or the Community Design Guidelines for the Plan Area, these Development Guidelines shall prevail. Conversely, any particular element or provision not specifically covered in these Guidelines shall be subject to the provisions of the Community Design Guidelines for the Plan Area, and Folsom Plan Area Specific Plan, and/or Folsom Zoning Code, as applicable.

The Committee is composed of three members or more, as decided upon by the Project Master Developer, who are intricately involved in the development of the community. Additionally, an architect or other design professional, who is a non-owner, may serve on or act as a consultant to the Committee.

The Committee will use the Design Guidelines

for the purpose of review, but may individually consider the merits of any design due to special conditions that, in the opinion of the Committee, provide benefits to the adjacent areas, the specific site, or to the community as a whole. Alternate materials/architectural styles that are deemed equivalent may be permitted, subject to Planning Commission approval.

Compliance

The FPASP and the Planned Development Permit provide zoning and development standards for this project, with further project-level refinements included in these Design Guidelines. The City Planning staff, Planning Commission, and City Council will use these Design Guidelines as a vehicle to review specific development proposals and to implement the project's vision and regulations. Future development proposals and plans, whether individual buildings or collectively phased projects, must comply with these Guidelines, as well as the General Plan, FPASP, and Zoning Code, where applicable. These Design Guidelines are intended to be used by City staff, property owners, architects, landscape architects, designers, builders, and developers in the planning and design of individual projects within the Plan Area.

Conflicts with City Code and other Approved Entitlements or Policies

Design components within the "Public Realm" (as defined in the Community Design Guidelines) cannot be amended without the consent of all "Participating Landowners" (as defined in development agreements between the landowners and the City). Therefore, the Community Design Guidelines will prevail in the event of any inconsistencies between these Design Guidelines and the Community Design Guidelines. Where these Design Guidelines

provide greater specificity on design detail for components of projects within the Public Realm, the Community Development Director shall determine that the project level design detail of components is consistent with, and does not purport to amend, the requirements set forth in the Community Design Guidelines.

Conversely, any particular element or provision not specifically covered in these Design Guidelines shall be subject to the provisions of the Community Design Guidelines for the Plan Area (as to components of the "Public Realm"), and otherwise to the provisions of the FPASP and/or the Folsom Municipal Code as applicable. As provided for in the FPASP, in any instances where the Design Guidelines conflict with the requirements of the Folsom Municipal Code, the Design Guidelines will take precedence. Where the Design Guidelines do not address a specific provision, the FPASP and/or the Community Design Guidelines (as to components of the "Public Realm") will take precedence. If none of these entitlements or policy documents addresses a specific provision, the Folsom Municipal Code requirements remain in force.

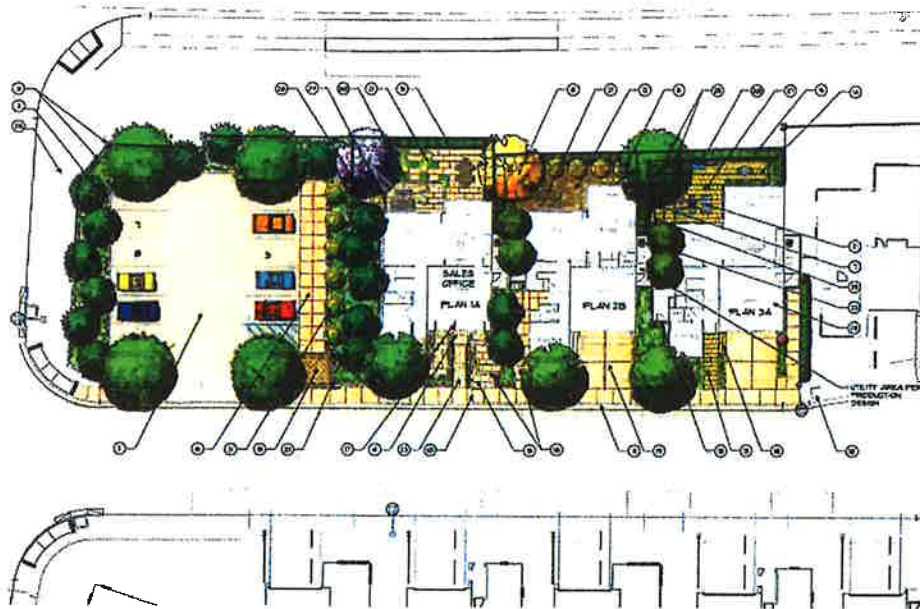
Modifications and Amendments

The Design Guidelines are intended to encourage and direct a high level of design quality to the project site while permitting flexibility for creative expression and innovative design solutions. However, deviations to these guidelines may be considered for projects with special and unique design characteristics during the Carr Trust Development Design Review Committee (CTDDRC) and the City's Design Review process and are categorized as either minor administrative modifications or amendments. The criteria to be applied for evaluating such modifications and amendments are set forth in Section 13.3.1

of the FPASP and shall be controlling for this project. Amendments to these Design Guidelines shall be reviewed as require by the FPASP, the Folsom Municipal Code, and/or California Government Code Section 65453.

In addition to the criteria set forth in Section 13.3.1, minor administrative modifications shall also include, but are not limited to, architectural style design modifications and architectural material substitutions that are consistent with and do not substantially change the overall intent of these Design Guidelines. Review and approval of minor administrative modifications shall be conducted by the Community Development Director.

The Community Development Director may, at its discretion, defer to review and action of any item where it has decision making authority to the City Planning Commission and/or City Council; however, unless subject to an appeal, minor administrative modifications do not require review by either of these legislative bodies. Decisions of the Community Development Director are subject to appeal to the Planning Commission, and decisions of the Planning Commission are subject to appeal to the City Council.



Example of Conceptual Design

Residential Design Review Process

The design review process described in this section is intended to ensure that residential villages within the Carr Trust Development within White Rock Springs Ranch contribute to the character and quality envisioned for the neighborhood. This four step process is intended to be efficient, without compromising the quality of design solutions. The Carr Trust Development Design Review Committee (CTDDRC), comprised of representatives of the master developer and design professionals appointed by the master developer, will review all designs developed for the Carr Trust Development within White Rock Springs Ranch neighborhood prior to submittal to the City.

Step One: Project Application

The design review process will commence upon receipt of the Builder's application form and review fee. At the applicant's request, a kick-off and orientation meeting with the CTDDRC during the phase may be scheduled.

Submittal Requirements:

Completed application form and fee

Step Two: Preliminary Design Review

This step is intended to establish and define the project's preliminary architectural and landscape character and concepts. Upon review and approval of the Builder's submittal package, the Carr Trust Development Design Review Committee will schedule a Preliminary Design Review Session, during which the CTDDRC will meet with the builder to review and discuss the submittal.

The Preliminary Design Review Session is an opportunity to review the following design criteria:

- Selected architectural styles from the Carr Trust Development within White Rock Springs Ranch Design Guidelines. Applicant may propose additional architectural styles that are consistent with the neighborhood vision for the CTDDRC's review and approval.
- Architectural form, massing, roofs, and details, which establish character.
- Preliminary concepts for colors and materials.
- Landscape concepts identifying major tree and shrub massing, hardscape areas, and proposed character.
- Wall and fencing

Following the Preliminary Design Review, the CTDDRC shall prepare and submit to the applicant, within 15 business days of plan submittal, a written memorandum outlining the agreed-upon direction of the CTDDRC and the applicant.

Submittal Requirements:

Civil / Planning

1. Location map showing project location within the overall neighborhood.

Landscape

1. Landscape concept plans, identifying the general planting scheme, street tree program, typical front, side, and rear yards. Plans shall be prepared at a minimum scale of 1"=20'.
2. Color illustrative depicting typical landscape treatment for the last three contiguous lots, including one corner lot. The typical plan shall include at least one of each floor plan proposed for the project. The plan shall include a description of the landscape concept.

Architecture

1. Preliminary building floor plans and front elevations for all proposed plans. These shall be prepared at a minimum scale of 1/4"=1'-0".
2. Building coverage or floor area ratio calculations.
3. Consistency with project development standards and architectural guidelines.
4. Architectural color and material sample boards (or equivalent information as approved by the Carr Trust Development Design Review Committee) for every color scheme by architectural style intended. These should be noted by elevation style for each product.

The CTDDRC will issue a Preliminary Design Review Memorandum (PDRM) detailing the results of the Preliminary Design Review. The PDRM will state one of the following:

1. Approved to move forward to Final Design Review
2. Approved to move forward to Final Design Review with Comments & Conditions
3. Denied with Comments; resubmittal of Preliminary Design Review is required.

Step Three: Final Design Review

This step is intended to review the specific designs for the architecture and landscape elements of the project.

Upon receipt of an approved PDRM, more detailed project plans shall be prepared and submitted to the CTDDRC for design review. Plans shall be a progression of the approved plan and direction established during

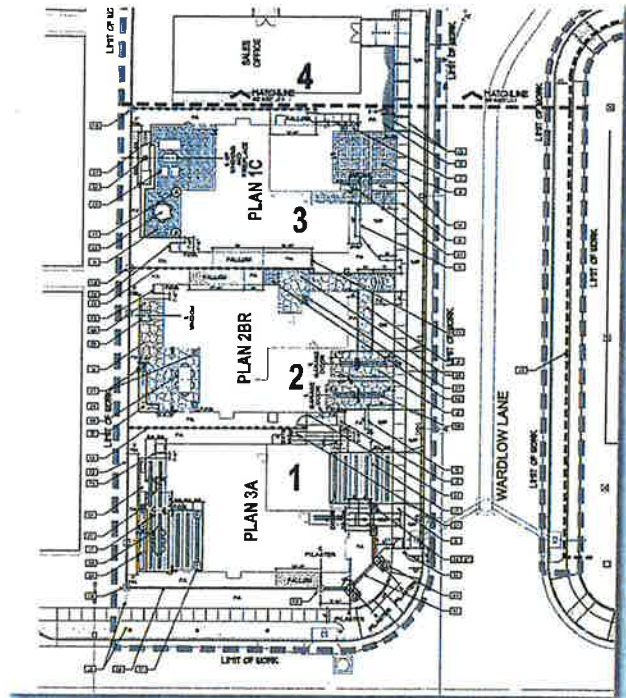
Preliminary Design Review.

Professionals licensed to practice in the State of California shall prepare all Architecture, Civil Engineering, and Landscape Architecture plans. No non-licensed design work shall be permitted.

Submittal Requirements:

Civil / Planning

1. Dimensioned site plan showing:
 - Building footprints
 - Porches and patios
 - Garages
 - Street curbs and rights-of-way
 - Easements
 - Driveways and walkways
 - Dimensioned building setbacks
 - Compliance with project development standards
 - Garbage locations



2. On all motor court lots, utility coordination drawings, showing location and visual mitigation measures for all major utilities must be provided. Careful attention should be given to the placement of utility and irrigation cabinets, backflow preventers, and garbage bin locations to mitigate their visibility.

Landscape

1. Landscape Plans (minimum scale 1"=20') including:
 - Cover sheet with sheet index.
 - Plant material and hardscape list and key, including finishes and colors of hardscape and fencing.
 - Typical landscape, planting, and irrigation plans for each unique footprint type and each lot type (i.e., corner lot, loop lot, or other non-standard lot).
 - Fencing, hardscape, and planting details.
 - Fencing site plan.
 - Plant lists should include species diversity identified with WUCOLS ratings, relating to water efficient landscape ordinance AB 1881.
2. Site Plan / Landscape Concept for Model Home Complex, Sales Office, and Temporary Marketing Facility (minimum scale 1"=20'). Model landscape plans may be deferred at the discretion of the CTDDRC.

Architecture

1. Colored street scene showing at least three contiguous lots, actually occurring within the subject site, including one corner

lot. Each plan type and an example of each selected architectural style must be depicted. The lot number, plan type, and architectural style shall be identified for each lot.

2. Architectural construction drawings, including floor plans, roof plans, secondary unit plans, alternatives or options, all exterior elevations (including interior courts), sections, and key details, prepared at a minimum scale of 1/4"=1'-0".
3. Architectural color and material sample boards (or equivalent information as approved by the CTDDRC) for every color scheme by architectural style intended. These should be noted by elevation style for each product.
4. The builder shall submit to the CTDDRC plotting for each phase of construction to ensure that housing diversity is delivered for each neighborhood.

Miscellaneous

1. Comment response memo identifying the steps taken to address Carr Trust Development Design Review Committee comments from Step 2: Preliminary Design Review.
2. Estimated Construction Schedule for completion of the project, including improvements, model home complex site improvements, and phasing.

Step Four: City Design Review Submittal

After final approval by the CTDDRC, applicant shall submit for Design Review by the City of Folsom. The Community Development Department will evaluate and determine the proposed project's consistency with the Carr Trust Design Guidelines and the City's other applicable requirements as set forth in the subsection "Conflicts with City Code and other Approved Entitlements or Policies" of these Design Guidelines (and in the order of priority established in that subsection) and forward the project to the Planning Commission for final review and approval.

Step Five: Construction Document Review

After Design Review approval by the City of Folsom, applicant shall submit completed construction documents to the CTDDRC to review for consistency of designs with approvals through the design review process.

Within 15 days of construction document submittal, the CTDDRC will submit to the applicant a memorandum indicating one of the following:

1. Approved to move forward for building permit submittal to the City of Folsom.
2. Denied with comments; resubmittal of construction documents is required.

The CTDDRC reserves the right to inspect plans and conduct field investigations.

ATTACHMENT NO. 11

**Environmental Checklist and Addendum for the
Carr Trust Project**

Carr Trust Project

Addendum to the Environmental Impact Report/
Draft Initial Study & Environmental Evaluation

April 2016

Prepared for:

City of Folsom
Community Development Department

50 Natoma Street
Folsom, CA 95630

Prepared by:

HELIX Environmental Planning, Inc.

11 Natoma Street, Suite 155
Folsom, CA 95630

**ADDENDUM TO THE
PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE
FOLSOM PLAN AREA SPECIFIC PLAN (FPASP)**

A. INTRODUCTION

The City of Folsom (City) certified a Program Environmental Impact Report (EIR) for the Folsom Plan Area Specific Plan (2011 EIR; FRASP EIR) on June 14, 2011. Subsequently, Gragg Ranch Recovery Acquisition, LLC. (project applicant) proposed minor changes to the land uses previously assumed for the project site, which have been analyzed in an Environmental Evaluation, included with this Addendum, to determine whether those changes would result in any new or more substantial impacts from those identified in the prior certified 2011 EIR.

This Addendum has been prepared to provide information regarding: (1) the background and purpose of this Addendum to the certified, 2011 EIR; (2) standards for adequacy under the California Environmental Quality Act (CEQA) and State CEQA Guidelines; (3) a description of the format and content of this Addendum; and (4) the current processing requirements for the proposed project.

B. BACKGROUND AND MODIFICATIONS TO THE PROJECT

The proposed modified project site is an approximately 15 acre lot in the City of Folsom. This site is south of US 50, generally bound by Old Placerville Road to the west, the proposed White Rock Springs Ranch project to the west and south, and future Grand Prairie Drive to the north (as a part of the approved Russell Ranch Project). Surrounding land uses include undeveloped land, residential, commercial, industrial, and agriculture.

The proposed modified project site is in what the FPASP designates as the Hillside District. It consists of vacant, undeveloped land, on hilly terrain. The site is bordered by a swale to the north, and a seasonal wetland swale to the south. The ground surface of the site varies in elevation from approximately 500 to 600 feet above mean sea level. The Sacramento Valley Railroad (SVRR) is located between the site and Old Placerville Road.

The original Carr Trust (Mangini 1998 Trust) project area, analyzed in the previously certified 2011 EIR (approved project), included development of open space (preserve open space), multi-family low density, and a small area of public/quasi-public. Since the EIR's certification, a boundary line adjustment (BLA) has been made to the north with the approved Russell Ranch project, reducing the 21.5 acre site to 14.7 acres, to accommodate secondary vehicular access and for detention/water quality basin purposes for Russell Ranch. Another BLA adjusts the eastern portion of the site, shared with White Rock Springs Ranch, to reach a final total acreage of 15.0. This BLA would accommodate the allocation of three water tank sites per the approved FPASP

Water Master Plan. Of the 15 acres, existing land use is 8.1 acres passive open space, 5.5 acres multi-family low density development, 0.4 acre public/quasi-public development, and 0.3 acre preserve open space.

The 2011 EIR analyzed construction of Multi-Family High Density Development on the site. The proposed project intends to change the land use and zoning designations, eliminating the small area of public/quasi-public. Though the type of residential development is proposed to be changed, the overall project footprint is similar to what was analyzed in the FPASP and its EIR. The project would reduce the number of dwelling units from 63 to 28.

The project would offer high density single family homes on one single street. Phase 1 would include 12 du and Phase 2 would include 16 du, on a total of 5.7 acres (density 4.9 du/ac). This is reduced from the 63 du on 5.5 acres previously analyzed (density 11.4 du/ac) in the FPASP EIR.

C. BASIS FOR AN EIR ADDENDUM

The State CEQA Guidelines environmental review procedures allow for the updating and use of a previously certified EIR for projects that are different from the previous project or the conditions under which the project was analyzed. § 15164 of the State CEQA Guidelines states the following with respect to an addendum to an EIR:

- a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in § 15162 calling for preparation of a subsequent EIR have occurred.*
- b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in § 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.*
- c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.*
- d) The decision making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.*
- e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to § 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.*

The State CEQA Guidelines identify criteria for determining whether a subsequent EIR would be required for a project with a previously approved EIR. Further detailed analysis and public review are required only if proposed changes to the project would require “major revisions” to the previously approved EIR because of new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts (CEQA Guidelines § 15162).

In accordance with State CEQA Guidelines § 15164, this Addendum has been prepared to document that the proposed project modifications do not require preparation of a subsequent EIR under § 15162. The criteria have been reviewed and compared against the analyses contained in the Initial Study, as follows:

- *Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*

The proposed project is substantially similar to the project evaluated in the certified 2011 EIR. Like the approved project, the proposed project involves constructing a residential development and open space on the project site which is substantially similar to the development area analyzed in the 2011 EIR. As supported in the analysis contained in the accompanying Initial Study, there are no substantial changes proposed in the project which would result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

- *Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*

The circumstances under which the proposed project is undertaken are substantially similar to those for the approved project. As supported in the analysis contained in the Initial Study, there are no substantial changes with respect to the circumstances under which the proposed project is undertaken which would result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

- *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:*

- a) *The project will have one or more significant effects not discussed in the previous EIR;*
- b) *Significant effects previously examined will be substantially more severe than shown in the previous EIR;*
- c) *Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*
- d) *Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

As supported in the analysis contained in the Initial Study, there is no new information of substantial importance which was not known for the 2011 EIR. There would be no new impacts from the proposed modified project.

None of the circumstances listed in State CEQA Guidelines § 15162 requiring the preparation of a subsequent EIR are present, and only minor technical changes or additions are necessary to update the previously certified EIR; therefore, an addendum may be prepared.

D. FORMAT AND CONTENT OF THIS ADDENDUM

The accompanying CEQA Initial Study (IS) and associated traffic study comprise an Addendum to the 2011 Folsom Plan Area Specific Plan EIR. A traffic study was conducted by MRO Engineers in March 2016 in preparation of the addendum, and is included as an appendix to the IS.

As described above, the IS has been prepared to determine whether the proposed amendments to the approved project analyzed in the certified EIR would require major revisions to the EIR due to any new or more severe significant environmental impacts as compared to those analyzed in the prior certified EIR. The following definitions are used in the IS:

Potentially Significant Impact: Any potentially significant impact as a result of the proposed Carr Trust project that was not previously analyzed in the EIR.

Less than Significant with Mitigation Incorporated: Any potential impacts as a result of the proposed changes to the Carr Trust project not previously analyzed in the certified EIR, but

found to be less than significant with previously prescribed mitigation from the EIR incorporated.

Less than Significant: Any potential impacts as a result of the proposed changes to the Carr Trust project not previously analyzed in the certified EIR, but which are found to be less than significant.

No New Impact: The proposed changes to the Carr Trust project would not result in an impact, or would result in an impact found to be equal to or less than the impact analyzed in the certified EIR.

E. ADDENDUM PROCESSING

The City of Folsom Community Development Department directed and supervised the preparation of this Addendum, which has been reviewed and determined to be complete and accurate by them. The City has concluded, based on the accompanying IS, that an Addendum is the appropriate CEQA compliance document for the revised Carr Trust project.

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CARR TRUST PROJECT

**Draft Initial Study and
Environmental Evaluation**

Prepared for:

City of Folsom
Community Development Department
50 Natoma Street
Folsom, CA 95630

Prepared by:

HELIX Environmental Planning, Inc.
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Folsom, CA 95630

April 2016

**CARR TRUST PROJECT
INITIAL STUDY AND ENVIRONMENTAL EVALUATION**

TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
1. Introduction	1
2. Project Background	2
3. Project Description	2
3.1 Project Location	2
3.2 Project Setting and Surrounding Land Uses	2
3.3 Proposed Project and Modifications of the Approved Project	3
4. Environmental Factors Potentially Affected	1
5. Determination	1
6. Evaluation of Environmental Impacts	2
6.1 Aesthetics	2
6.2 Agriculture and Forestry Resources	5
6.3 Air Quality	7
6.4 Biological Resources	5
6.5 Cultural Resources	8
6.6 Geology and Soils	11
6.7 Greenhouse Gases	15
6.8 Hazards and Hazardous Materials	17
6.9 Hydrology and Water Quality	22
6.10 Land Use and Planning	27
6.11 Mineral Resources	30
6.12 Noise	32
6.13 Population and Housing	35
6.14 Public Services	37
6.15 Recreation	40
6.16 Transportation and Traffic	41
6.17 Utilities and Service Systems	44
6.18 Mandatory Findings of Significance	47
7. Supporting Information Sources	49
8. Initial Study Preparers	52

LIST OF TABLES

Table 1 Approved Project and Proposed Modified Project 3

LIST OF APPENDICES

Appendix A Figures 1 and 2
Appendix B Traffic Impact Analysis

LIST OF ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
ac	acre(s)
Aerojet	Aerojet-General Corporation
ADT	average daily traffic
AEP	annual exceedance probability
BLA	Boundary Line Adjustment
BMPs	best management practices
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CAAQS	California Ambient Air Quality Standards
CDMG	California Division of Mines and Geology
CEQA	California Environmental Quality Act
CHP	California Highway Patrol
DTSC	Department of Toxic Substance Control
du/ac	dwelling unit/acre
EID	El Dorado Irrigation District
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EPA	U.S. Environmental Protection Agency
FCUSD	Folsom-Cordova Unified School District
FMMP	Farmland Mapping and Monitoring Program
FPASP	Folsom Plan Area Specific Plan
ft	foot or feet
GHG	greenhouse gas
HCP	Habitat Conservation Plan
HELIX	HELIX Environmental Planning, Inc.
LAFCo	Local Agency Formation Commission
MLD	Multi-Family Low Density
NAAQS	National Ambient Air Quality Standards
NCIC	Northern Central Information Center
NHPA	National Historic Preservation Act
NO _x	oxides of nitrogen
NRCS	Natural Resources Conservation Service
NPDES	National Pollutant Discharge Elimination System
PA	Programmatic Agreement
PM	Particulate matter

REC	Recognized Environmental Conditions
ROG	reactive organic gas
SACOG	Sacramento Area Council of Governments
SMAQMD	Sacramento Metropolitan Air Quality Management District
SMUD	Sacramento Municipal Utilities District
SP-MLD	Specific Plan designated Multi-Family Low Density
SP-OS2	Specific Plan designated Passive Open Space
SP-OS2-PD	Proposed Project Passive Open Space
SP-PQP	Specific Plan designated Public/Quasi-Public
SP-SFHD-PD	Proposed Project Single Family High Density
SPA	Specific Plan Area
SRWTP	Sacramento Regional Wastewater Treatment Plant
SSHCP	South Sacramento Habitat Conservation Plan
SVAB	Sacramento Valley Air Basin
SVRR	Sacramento Valley Railroad
SIP	State Implementation Plan
SRCSO	Sacramento Regional County Sanitation District
SWPPP	Storm Water Pollution Prevention Plan
TAC	toxic air contaminant
USACE	US Army Corps of Engineers

ENVIRONMENTAL EVALUATION

Project Title:	Carr Trust
Entitlements Requested:	General Plan/Specific Plan Amendment Rezone Design Guidelines Small Lot Vesting Tentative Subdivision Map Development Agreement Amendment (Solely for O&M Plan)
Lead Agency Name and Address:	City of Folsom 50 Natoma Street Folsom, CA 95630
Contact Person and Phone Number	Scott Johnson, AICP, Planning Manager (916) 335-7223 sjohnson@folsom.ca.us
Project Sponsor's Name and Address:	Gragg Ranch Recovery Acquisition, LLC 7 Mt. Lassen Drive, Suite A-120 San Rafael, CA 94903
General Plan Designation: Open Space (OS) Multi-Family Low Density, 4-7du/ac (MLD)	Existing Zoning: Passive Open Space (SP-OS2) Multi-Family Low Density (SP-MLD)

1. INTRODUCTION

This Environmental Evaluation addresses the Carr Trust Project (proposed modified project) and whether it may result in different or more significant effects on the environment than previously analyzed in the City of Folsom's (City) certified Program Environmental Impact Report (EIR) for the Folsom Plan Area Specific Plan (2011 EIR; FPASP EIR), which included the area designated as the Carr Trust (Mangini 1998 Trust) Project, on June 14, 2011. Subsequently, Gragg Ranch Recovery Acquisition, LLC (applicant) purchased a portion of the Carr Trust property. The applicant has proposed minor changes to the land uses previously assumed for the project site, which require an addendum to the original FPASP EIR, to document any changes to the FPASP EIR that would be necessary as a result of the proposed project's development.

The Initial Study and Environmental Evaluation is intended to assess whether any significant environmental effects of the proposed modified project are susceptible to substantial reduction or avoidance by specific revisions in the project, by the imposition of new conditions, or by other means in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. If such revisions, conditions, or other means are identified, they would be imposed as Mitigation Measures and/or conditions of approval of the project. This Evaluation relies on State CEQA Guidelines § 15064 and 15064.4 in its determination of the significance of environmental effects. According to § 15064, the finding as to whether a project may have one

or more significant effects shall be based on substantial evidence in the record, and that controversy alone, without substantial evidence of a significant effect, does not trigger the need for an EIR.

2. PROJECT BACKGROUND

The original Carr Trust (Mangini 1998 Trust) project area, analyzed in the previously certified 2011 EIR (approved project), included development of open space (passive open space), multi-family low density, and a small area of public/quasi-public. Since the EIR's certification, a boundary line adjustment (BLA) has been made to the north with the approved Russell Ranch project, reducing the 21.5 acre site to 14.7 acres, to accommodate secondary vehicular access and for detention/water quality basin purposes for Russell Ranch. Another BLA adjusts the eastern portion of the site, shared with White Rock Springs Ranch, to reach a final total acreage of 15.0. This BLA would accommodate the allocation of three water tank sites per the approved FPASP Water Master Plan. Of the 15 acres, existing land use designations are 8.6 acres passive open space, 5.5 acres multi-family low density development, and 0.4 acre public/quasi-public development

The City discretionary actions for the approved project consist of amending the General Plan and Specific Plan, rezone, Design Guidelines, Small Lot Vested Tentative Subdivision Map, and a Development Agreement Amendment, solely for the Operations and Maintenance Plan.

Under the proposed modified project, land use would include 5.7 acres single family high density development, 8.9 acres of passive open space, and 0.4 acre designated for the proposed Street "A" along the southern edge of the project.

3. PROJECT DESCRIPTION

3.1 PROJECT LOCATION

The proposed modified project site is located in the City of Folsom in Sacramento County, California, south of US 50 and east of Old Placerville Road. It is located within Sections 15 and 16, Township 09 North, Range 08 East on the United States Geological Survey 7.5-minute "Clarksville" quadrangle. The proposed modified project site is within Assessor's Parcel Number 072-0060-088.

3.2 PROJECT SETTING AND SURROUNDING LAND USES

The proposed modified project site is an approximately 15 acre lot in the City of Folsom. This site is south of US 50, generally bound by Old Placerville Road to the west, the proposed White Rock Springs Ranch project to the west and south, and future Grand Prairie Drive to the north (as

a part of the approved Russell Ranch Project). Surrounding land uses include undeveloped land, residential, commercial, industrial, and agriculture.

The proposed modified project site is in what the FPASP designates as the Hillside District. It consists of vacant, undeveloped land, on hilly terrain. The site is bordered by a swale to the north, and a seasonal wetland swale to the south. The ground surface of the site varies in elevation from approximately 500 to 600 feet above mean sea level. The Sacramento Valley Railroad (SVRR) is located between the site and Old Placerville Road.

3.3 PROPOSED PROJECT AND MODIFICATIONS OF THE APPROVED PROJECT

3.3.1 Amendments to the General Plan and Existing Zoning

The approved project from the FPASP designated the property for the development of a 63 dwelling unit, multi-family low density development. This is reflected in the General Plan designations and zoning as proposed in the 2011 EIR. Under the proposed modified project, the land use and zoning designations would be revised to allow a 28 dwelling unit, high density single family development. The existing and proposed zoning designations are summarized in **Table 1**.

Table 1 Existing and Proposed Zoning		
Zoning	Existing (acres)	Proposed Modified Project (acres)
Single Family High Density Residential (SFHD)	0	5.7
Multi-Family Low Density Residential (MLD)	5.5	0
Public/Quasi-Public	0.4	0
Open Space (Passive)	8.6	8.9
Roadways	0.5	0.4
Total project site	15.0	15.0

3.3.2 Residential Development

The 2011 EIR analyzed construction of Multi-Family Low Density Development on the site. The proposed project would change the land use and zoning designations, eliminating the small area

of public/quasi-public area. Though the type of residential development is proposed to be changed, the overall project footprint is similar to what was analyzed in the FPASP and its EIR. The project would reduce the number of dwelling units from 63 to 28.

The project would offer high density single family homes on one single street. Phase 1 would include 12 du and Phase 2 would include 16 du, on a total of 5.7 acres (density 4.9 du/ac). This is reduced from the 63 du on 5.5 acres previously analyzed (density 11.4 du/ac) in the FPASP EIR.

3.3.3 Parking and Circulation

The proposed Carr Trust project maintains the proposed street connection to the west, which includes 12 foot travel lanes and on-street bike lanes. The on-street bike lanes terminate once inside the subdivision and they give way to non-striped bike travel on the local subdivision roads. The Carr Trust project will connect to the proposed Street “A,” which is being constructed to provide a connection to the White Rock Springs Ranch project to the east. Internal project circulation includes one court that is intended to functionally and visually link the neighborhood to the rest of the FPASP. Old Placerville Road, in combination with these proposed roads, will lead residents to nearby amenities, such as school, parks and trail heads. Local roads are designed to seamlessly blend with the approved White Rock Springs Ranch project.

3.3.4 Parks and Open Space

The Carr Trust project’s open space land areas have been designed to protect some of the area’s hillside resources and preserve some of the views as they exist today. The project would include a small adjustment to the Open Space and Single Family boundaries to preserve and protect open space (hillside) resources, to maximize view opportunities for the future Single Family home sites, and to seamlessly blend with the approved Russell Ranch and White Rock Springs Ranch projects. The FPASP, and later BLA (including the pending one), identified 8.6 acres of open space lands within the project boundary and the proposed plan would provide 8.9 acres of open space lands (landscaped grassland, sloping terrain) which exceeds the total as allocated by the FPASP by 0.3 acre.

3.3.5 Grading and Drainage

A preliminary grading plan has been developed that accommodates needs for on-site stormwater detention, incorporates preferred alignments for roadways, and joins with existing conditions at the project boundaries. A stormwater system consisting of surface swales, catch basins, drainage inlets, underground pipes, and detention basins has been developed. These stormwater facilities would be constructed along the natural drainage courses within the SPA to mimic natural

drainage patterns. The stormwater system has been designed to collect and convey 100-year (0.01 AEP) storm events. The proposed drainage and detention facilities would detain flows exiting the site for 10-year (0.1 AEP) and 100-year (0.01 AEP) flow events.

The City's Public Works Department provides stormwater services in Folsom. The proposed project would include stormwater infrastructure designed to collect and convey 100-year (0.01 AEP) storm events. The proposed infrastructure includes surface swales, catch basins, drainage inlets, underground pipes, and detention basins.

3.3.6 Water Supply

The SPA's water demand has been determined through an addendum to the EIR and a series of legislation by the City. When the SPA was annexed into the City, Measure W was put forth by the Folsom City Council. This Measure ensures that the SPA south of Highway 50 would:

- Not cause a reduction in the water supply designated to serve existing water users north of Highway 50; and
- Not be paid for by Folsom residents north of Highway 50.

After Measure W was passed, and codified in the Folsom City Charter, an addendum to the FPASP EIR was produced that analyzed the availability of water supplies, even under a multiple-year drought condition. Following the addendum's certification by City Council, a Water Supply Agreement (WSA) was drafted between the City and the landowners in the SPA. This forms the legal basis by which the City will secure water supplies at no cost and no detriment to the residents of Folsom north of Highway 50 and their water supply. The City will be retaining and using water supplies for the SPA that result from its conservation and improvement efforts. Sacramento County Superior Court validated the WSA, and the determination is forever binding on water supply issues within the SPA.

4. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality/Greenhouse Gases |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

5. DETERMINATION

On the basis of the initial evaluation that follows:

I find that the proposed project WOULD NOT have a significant effect on the environment not previously identified in the certified Environmental Impact Report for the previously approved project, in accordance with Section 15164 of the State CEQA Guidelines. An ADDENDUM TO THE CERTIFIED ENVIRONMENTAL IMPACT REPORT will be prepared.

I find that the proposed project will result in one or more of the conditions described in Section 15162 of the State CEQA Guidelines. A SUBSEQUENT ENVIRONMENTAL IMPACT REPORT will be prepared.

I find that the proposed project will result in one or more of the conditions described in Section 15163 of the State CEQA Guidelines, but only minor additions or changes to the certified Environmental Impact Report would be necessary to adequately apply the project in the changed situation. A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT will be prepared.

Signature Date

Printed Name Date

6. EVALUATION OF ENVIRONMENTAL IMPACTS

6.1 AESTHETICS

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed modified project site is located in the eastern portion of the Specific Plan Area (SPA; approved project). It is characterized by rolling hills, steep narrow valleys, covered in annual grasses and scattered oak trees. Scott Road, from White Rock Road south to Latrobe Road, is a designated scenic corridor. Though it is not within the SPA, the project site is visible from the scenic corridor. The Rolling Hills section of the SPA is considered to have high visual character. The area is also considered to have high viewer sensitivity since it is observed by thousands of motorists on US 50. Potential effects on aesthetics were evaluated in the 2011 EIR in Section 3.A-1. With implementation of the previously adopted mitigation identified below, the Carr Trust project would not have any new significant or substantially more severe aesthetics impacts (Guidelines, § 15162).

Evaluation of Aesthetics

Question A: No New Impact

Though not within the SPA itself, Scott Road, south of White Rock Road, is designated a scenic roadway. Since the project is visible from the scenic corridor, implementation of the SPA was

analyzed in the certified 2011 EIR under the proposed project alternative, and found to be a direct significant impact. As a result, **Mitigation Measure 3A.1-1** would be implemented. The proposed modified project would include more than the 30 percent open space element pursuant to Local Agency Formation Commission (LAFCo) Resolution LAFC 1196 and Measure W. The proposed project would not introduce any new impacts that were not previously disclosed.

Question B: No New Impact

Though not within the SPA itself, Scott Road, south of White Rock Road, is designated a scenic roadway. Since the project is visible from the scenic corridor, implementation of the SPA was analyzed in the certified 2011 EIR under the proposed project alternative, and found to be a direct significant impact. There were no feasible mitigation measures to implement. The proposed project would not introduce any new impacts that were not previously disclosed.

Question C: No New Impact

The 2011 EIR found that development of the SPA would result in significant impacts on the existing visual character or quality of the site and its surroundings. Development of the approved project would permanently alter the visual character of the site from an undeveloped to a developed environment. Like the project analyzed in the 2011 EIR, the proposed modified project would involve constructing a residential development on a footprint similar to that analyzed in the 2011 EIR. As a result, **Mitigation Measures 3A.1-1, 3A.1-4, 3A.7-4** (refer to Section 3A.7 Geology for more detail), **3B.1-2a**, and **3B.1-2b** would be implemented. A transmission line running parallel to Old Placerville Road would also contribute to this shift of visual character. The environmental compliance of this transmission line and the relocation of a Sacramento Municipal Utilities District (SMUD) substation have been analyzed in a separate document. The proposed modified project would not introduce any new impacts that were not previously disclosed.

Question D: No New Impact

The 2011 EIR concluded that with mitigation, implementing the SPA would result in less than significant impacts as a result of lighting and glare. Development of the approved project would result in an increase in night light and glare. Because of the scale of the impending development of the SPA, and with it, the introduction of substantial light into a rural landscape, the effects are considered significant. To compensate for this impact, **Mitigation Measures 3A.1-5, 3B.1-3a**, and **3B.1-3b** would be implemented. Therefore, the potential impacts would be reduced to less than significant, except for those out of the City's jurisdiction. The residential development footprint of the proposed modified project is substantially similar to the residential development

originally planned, and would result in similar impacts associated with glare and lighting. The proposed project would not introduce any new impacts that were not previously disclosed.

6.2 AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agriculture resources are significant environmental effects, lead agencies may refer to the California Agriculture Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land [as defined in Public Resources Code Section 12220(g)], timberland [as defined by Public Resources Code Section 4526 (g)], or timberland zoned Timberland Production [as defined by Government Code Section 51104 (g)]?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Agriculture resources were evaluated under Section 3A.10 Land Use and Agricultural Resources of 2011 EIR. The EIR concluded that there are no feasible mitigation measures for the approved project that would reduce two agriculture impacts to less than significant level; Impacts 3.A10-3: Cancellation of Existing Williamson Act Contracts and 3.10-4: Potential Conflict with Existing Off-Site Williamson Act Contracts remain significant and unavoidable. The Carr Trust project would not have any new significant or substantially more severe agricultural or forestry service impacts (Guidelines, § 15162).

Evaluation of Agriculture and Forestry Services

Questions A – E: No New Impact

The Farmland Mapping and Monitoring Program (FMMP) categorizes all land within the SPA as Grazing Land, which is land where existing vegetation is suited to the grazing of livestock. This farmland category is not considered to be Prime Farmland or Farmland of Local or State Importance; therefore, neither the approved project nor the proposed modified project would result in an impact. As discussed in the FPASP EIR, the FPASP would potentially conflict with existing Williamson Act Contracts, where impacts would potentially be significant and unavoidable. The proposed modified project is located within a portion of the SPA where there are no existing Williamson Act Contracts; therefore, there would not be a new conflict or impact. Additionally, the SPA is not within forest land. As described in the FPASP EIR, the approved project would convert agriculture land to a non-agricultural use, resulting in a significant and unavoidable impact, with no other feasible mitigation. The proposed modified project would not create new impacts.

6.3 AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The approved project's potential effects on air quality were evaluated in Section 3A.2 of the 2011 EIR. The EIR concluded that the approved project may result in significant impacts. With implementation of the previously adopted mitigation identified below, the Carr Trust project would not have any new significant or substantially more severe air quality impacts (Guidelines, § 15162).

Evaluation of Air Quality

Questions A-C: No New Impact

The SPA is located in Sacramento County, California, which is under the jurisdiction of the Sacramento Metropolitan Air Quality Management District (SMAQMD). SMAQMD is the primary local agency with respect to air quality for all of Sacramento County. Sacramento County is within the Sacramento Valley Air Basin (SVAB). Air quality is also regulated by the U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB); at a local level, air quality in these two counties is regulated by SMAQMD.

SMAQMD attains and maintains air quality conditions in Sacramento County through a comprehensive program of planning, regulation, enforcement, technical innovation, and promotion of the understanding of air quality issues. The clean-air strategy of SMAQMD includes the preparation of plans for the attainment of ambient air quality standards, adoption and enforcement of rules and regulations concerning sources of air pollution, and issuance of permits for stationary sources of air pollution.

In accordance with SMAQMD (SMAQMD 2009) recommended thresholds for evaluating project-related air quality impacts, implementation of the approved project would be considered significant if:

- for project-related construction activity that would occur in Sacramento County, generate construction-related criteria air pollutant or precursor emissions that exceed the SMAQMD-recommended threshold of 85 lb/day for NOX, or result in or substantially contribute (at a level equal to or greater than 5%) to emissions concentrations (e.g., 50 µg/m³ and 2.5 µg/m³ for PM10, respectively) that exceed the National Ambient Air Quality Standards (NAAQS) or California Ambient Air Quality Standards (CAAQS);
- generate long-term regional criteria air pollutant or precursor emissions that exceed the SMAQMD recommended threshold of 65 lb/day for ROG and NOX, or result in or substantially contribute (at a level equal to or greater than 5%) to emissions concentrations (e.g., 50 µg/m³ and 2.5 µg/m³ for PM10, respectively) that exceed the NAAQS or CAAQS;
- contribute to localized concentrations of air pollutants at nearby receptors that would exceed applicable ambient air quality standards;
- expose sensitive receptors to TAC emissions that exceed an incremental increase of 10 in 1 million for the carcinogenic risk (i.e., the risk of contracting cancer) and/or a

noncarcinogenic Hazard Index of 1.0 at the Maximally Exposed Individual (MEI). This threshold of significance applies to projects that would introduce new stationary or area sources of TAC emissions in close proximity to existing or future planned sensitive receptors. CARB and SMAQMD do not have a recommended threshold of significance for evaluating projects that would locate sensitive receptors near existing sources of TAC emissions such as a freeway, high-volume roadway, or rail yard. For the purposes of this analysis, the City will use applicable screening criteria recommended by ARB and SMAQMD as thresholds of significance to evaluate instances in which each action alternative would locate a sensitive receptor in close proximity to a freeway, high-volume roadway, or a TAC-emitting land use such as a gasoline station or a dry-cleaning operation that uses perchloroethylene. (CARB's and SMAQMD's screening criteria are discussed in greater detail under the analysis methodology and Impact 4.2-4 below.); and

- expose sensitive receptors to excessive nuisance odors, as defined under SMAQMD Rule 402.

The approved project would have construction activities associated with the project that would generate intermittent emissions of NO_x and PM₁₀. Because of the large size of the approved project, the 2011 EIR concluded that construction-generated emissions of NO_x, an ozone precursor, and fugitive PM₁₀ dust would exceed SMAQMD-recommended thresholds and would substantially contribute to emissions concentrations that exceed the NAAQS and CAAQS. Thus, the EIR concluded that project-generated, construction-related emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation, expose sensitive receptors to substantial pollutant concentrations, and/or conflict with air quality planning efforts.

Because mass emissions of NO_x would exceed SMAQMD's recommended threshold of significance and because grading activities are anticipated to be extensive, construction-generated emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation. Also, construction emissions of criteria air pollutants and precursors could expose sensitive receptors to substantial pollutant concentrations, particularly when grading and other ground disturbance activities occurs near land uses that have already been developed (and where people are already living or working) in the SPA. In addition, because the SMAQMD's significance thresholds approximately correlate with reductions from heavy-duty vehicles and reduction requirements for land use project emissions in the State Implementation Plan (SIP), construction-generated emissions could also conflict with air quality planning efforts. This was concluded to be a direct significant impact. Impacts from the proposed modified project are similar to those described for the approved

project, due to the similar size of the footprint of development, requiring implementation of previously adopted **Mitigation Measures 3A.2-1a, 3A.2-1b, 3A.2-1c, 3A.2-1d, 3A.2-1e, 3A.2-1f, 3A.2-1g, 3A.2-1h, 3A.2-6, 3B.2-1a, 3B.2-1b, 3B.2-1c, 3B.2-3a, and 3B.2-3b**. These measures would reduce impacts from NO_x emissions to less than significant. The measures would also reduce impacts from PM₁₀ emissions, but they may remain a significant and unavoidable impact.

The approved project will result in the generation of long-term operational (regional) emissions of reactive organic gas (ROG), and NO_x. Operational area- and mobile-source emissions from project implementation would exceed the SMAQMD-recommended threshold of 65 lb/day for ROG and NO_x, and would result in or substantially contribute to emissions concentrations that exceed the NAAQS or CAAQS for ozone. In addition, because of the large increase in emissions associated with project build out and the fact that the approved project is not within an already approved plan (which means that increased emissions would not already be accounted for in applicable air quality plans), project implementation could conflict with air quality planning efforts in the SVAB. Impacts from the proposed modified project are similar to those described for the approved project, requiring implementation of **Mitigation Measure 3A.2-2**. According to the 2011 EIR, after the measure's implementation, the impact may remain significant and unavoidable. The proposed modified project has no new impact associated with cumulative regional pollution.

Questions D: No New Impact

Implementation of the approved project would result in exposure of receptors to short- and long-term emissions of (Toxic Air Contaminants) TACs from on-site stationary and mobile sources and from off-site mobile sources. Construction of the approved project would result in short-term emissions of diesel exhaust from onsite heavy-duty equipment. Construction of the approved project would result in the generation of diesel Particulate Matter (PM) emissions from the use of off-road diesel equipment required for site grading and excavation, paving, and other construction activities. Diesel PM from construction activities could also expose on-site residents and schools to levels that exceed applicable standards as some phases of the development plan are built out while construction of other phases continues. Some residents may be exposed to diesel PM generated by construction activity in all directions (at varying times). Construction activities could expose sensitive receptors to levels of health risk that exceed applicable standards, resulting in direct impacts considered potentially significant. No stationary sources of TAC emissions are located on or immediately adjacent to the SPA. Proposed on-site commercial and industrial land uses within the SPA have not yet been identified and could potentially involve substantial volumes of truck activity occurring in close proximity to nearby sensitive

receptors, exposure of nearby on-site receptors to mobile-source TACs associated with commercial and industrial activities is considered a direct and potentially significant impact. Impacts from the proposed modified project are similar to those described for the approved project, requiring implementation of **Mitigation Measures 3A.2-1h, 3A.2-4a, 3A.2-4b, 3B.2-3a, and 3B.2-3b**, reducing the impact of pollution on sensitive receptors. The proposed modified project has no new impacts not previously disclosed.

The approved project may result in exposure of sensitive receptors to construction-generated emissions of naturally occurring asbestos. Asbestos is a toxic air contaminant. Residents and other receptors located close to construction activity could be exposed to dust from asbestos rock and soils during earth disturbance activities. Impacts from the proposed modified project are similar to those described for the approved project, requiring implementation of **Mitigation Measure 3A.2-5** to reduce the impact of naturally-occurring asbestos to less than significant. The proposed modified project has no new impacts not previously disclosed.

Question E: No New Impact

The approved project may result in the exposure of sensitive receptors to odorous emissions. Temporary, short-term construction and long-term operation of the project could result in the frequent exposure of sensitive receptors to substantial objectionable odor emissions, resulting in a direct, significant impact. Impacts from the proposed modified project are similar to those described for the approved project and would require the following mitigation: **Mitigation Measures 3A.2-1a, 3A.2-1f, 3A.2-1h, 3A.2-6, 3B.2-1b, 3B.2-1c, 3B.2-3a, and 3B.2-3b**.

6.4 BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) 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 U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any applicable policies protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Biological studies conducted in support of the 2011 EIR are discussed in Section 3A.3. Biological studies for the project site included a biological resource assessment, a focused plant survey, and a wet-season survey for listed vernal pool branchiopods, for potential for on-site habitats to support special-status wildlife and plant species. A delineation of waters of the U.S. and an analysis of soil samples were also prepared for the project site (then a part of the Folsom South Project). The EIR concluded that the approved project may result in significant impacts. With implementation of the previously adopted mitigation identified below, the Carr Trust project would not have any new significant or substantially more severe biological resources impacts (Guidelines, § 15162).

Evaluation of Biological Resources

Question A: No New Impact

The 2011 EIR analyzed species identified as sensitive species and habitats that exist within the SPA. The EIR concluded that 13 special-status plant species, four special-status invertebrates, four special status amphibians, one special status reptile, 13 special status birds, and six special status mammals have the potential to occur in the project site. Under the approved project, the development would result in significant impacts for vernal pool fairy shrimp, conservancy fairy shrimp, vernal pool tadpole shrimp, western spadefoot toad, Swainson's hawk and other raptors, and Valley elderberry longhorn beetle. The impact of the development is potentially significant for tricolored blackbird and roosting bat. All other impacts on species are considered less than significant. These significant impacts will require implementation of Mitigation Measures **3A.3-1a, 3A.3-1b, 3A.3-2a, 3A.3-2b, 3A.3-2c, 3A.3-2d, 3A.3-2e, 3A.3-2f, 3A.3-2g, 3A.3-2h, 3A.3-3, 3B.3-1a, 3B.3-1b, 3B.3-1c, and 3B.3-2**. With implementation, impacts may still be significant and unavoidable. There is no new impact anticipated under the proposed modified project. The mitigation measures above remain accurate and applicable to this project. The amount of open space has increased slightly, which may slightly alleviate impacts on the habitat and species in the area.

Questions B and C: No New Impact

The 2011 EIR analyzed sensitive communities and protected wetlands within the SPA. As a result of the BLAs, the proposed modified project avoids many bordering vernal pools, an intermittent drainage, and a seep. The proposed modified project will leave 8.9 acres of open space. This helps alleviate the destruction of wetland and riparian habitat, and other sensitive natural communities within the SPA. However, for the portions of the project area impacted by development, the previously identified impacts are still considered significant. This will require the implementation of **Mitigation Measures 3A.3-1a, 3A.3-1b, 3A.3-4a, 3A.3-4b, 3B.3-1a,**

3B.3-1b, and 3B-3-1c. There is no new impact anticipated under the proposed modified project. Open space on the project site aids in avoidance of sensitive resources, and the above mitigation will reduce impacts to less than significant, as concluded in the 2011 EIR. Vernal pools and other sensitive resources are being avoided as originally conceptualized in the 2011 EIR.

Question D: No New Impact

The 2011 EIR concluded that most of the drainages in the SPA do not provide enough cover to be a valuable animal movement corridor; the adjacent grassland open space and Alder Creek corridor will provide opportunities for movement in perpetuity; and there are no established migratory routes in the SPA for any fish or wildlife species. As a result, no mitigation is required to compensate for impacts. Implementing the proposed modified project would not alter this resulting level of impact. No new impacts not previously disclosed will occur as a result of the proposed modified project.

Question E: No New Impact

The 2011 EIR identified the loss of blue oak woodland, and other protected trees of 6 inch DBH or greater as a significant impact, pursuant to the Folsom Municipal Code. To reduce this impact, **Mitigation Measure 3A.3-5** can be employed. Even with implementation, there may still be a significant and unavoidable impact. The proposed modified project is a development within the SPA, therefore the mitigation measures listed above are applicable. No new impacts not previously disclosed will occur as a result of the proposed modified project.

Question F: No New Impact

The 2011 EIR analyzed the pending South Sacramento Habitat Conservation Plan (SSHCP). The proposed SSHCP is adjacent to, but does not include, the SPA. The proposed modified project would not reduce the effectiveness of the proposed SSHCP's conservation strategy, or adversely affect its goals and objectives. There is no new impact due to the proposed modified project, and no mitigation is required.

6.5 CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Cultural studies conducted in support of the 2011 EIR are discussed in Section 3A.5 at the program level, where impacts to cultural resources are the same for individual projects within the SPA. The North Central Information Center (NCIC) records search indicates that the entire SPA has been inventoried previously for cultural resources and that approximately 260 prehistoric and historic-era districts, sites, features, and isolated artifacts have been identified (refer to Appendix E2 of the EIR). The density of identified historic and prehistoric resources suggests that the entire SPA is also sensitive for additional undiscovered prehistoric and historic cultural resources. Thus, the SPA was considered highly sensitive for historic and prehistoric resources and, under Section 106 of the National Historic Preservation Act (NHPA) individual projects may be required to perform additional cultural resource surveys. Following the EIR's certification, a Programmatic Agreement (PA) was executed in 2011, and amended in 2013, that met the requirements of Section 106 for the area that included the proposed project area. The proposed project area was surveyed by ECORP under the PA, and no Historic Properties were found. The US Army Corps of Engineers verified the project's compliance with the terms of the PA and the State Historic Preservation Officer was notified. As a result of the studies done to supplement the EIR, there is a very low likelihood that culturally sensitive areas or human remains exist within the proposed project area. However, with implementation of the previously adopted mitigation identified below, the Carr Trust project would not have any new significant or substantially more severe cultural resource impacts (Guidelines, §15162).

Evaluation of Cultural Resources

Questions A and B: No New Impact

The 2011 EIR analyzed previous documents that surveyed the SPA, concluding that site-specific studies should be done at the time of development to satisfy Section 106 requirements prior to Federal agency coordination and permitting. It concluded that this could be achieved by implementing a Programmatic Agreement whereby applicants are expected to proceed with site evaluations independently of one another. Following the EIR's certification, a Programmatic Agreement (PA) was executed in 2011, and amended in 2013, that met the requirements of Section 106 for the area that included the proposed project area. The proposed project area was surveyed by ECORP under the PA, and no Historic Properties were found. The US Army Corps of Engineers verified the project's compliance with the terms of the PA and the State Historic Preservation Officer was notified, therefore complying with **Mitigation Measures 3A.5-1a** and **3A.5-1b**. **Mitigation Measure 3A.5-2**, set forth in the 2011 EIR, would be implemented before the start of construction activities on the site. As a result of the studies done to supplement the EIR, there is a very low likelihood that culturally sensitive areas or human remains exist within the proposed project area. No impacts not previously disclosed would occur under the proposed modified project.

Question C: No New Impact

The 2011 EIR analyzed previous documents that surveyed the SPA, concluding that because of the large number of fossils that have been recovered from other Mehrten and Ione Formations throughout the Central Valley, there is a potential for uncovering additional similar fossil remains during construction-related earthmoving activities. This impact is considered potentially significant. Following the EIR's certification, a Programmatic Agreement (PA) was executed in 2011, and amended in 2013, that met the requirements of Section 106 for the area that included the proposed project area. The proposed project area was surveyed by ECORP under the PA, and no Historic Properties were found. The US Army Corps of Engineers verified the project's compliance with the terms of the PA and the State Historic Preservation Officer was notified, therefore complying with **Mitigation Measures 3A.5-1a** and **3A.5-1b**. As a result of the studies done to supplement the EIR, there is a very low likelihood that culturally sensitive areas or human remains exist within the proposed project area. At the start of construction activities on the project site, **Mitigation Measures 3A.5-2**, **3A.7-10** (Geology) and **3B.7-5** (Geology) will be implemented. No impacts not previously disclosed would occur under the proposed modified project. **Question D: No New Impact**

The 2011 EIR analyzed previous documents that surveyed the SPA, concluding that while no documented prehistoric or historic burial sites occur within the SPA or the vicinity, the density and number of identified resources suggests that there is at least the potential that interred human remains exist within the project footprint. Development of the SPA could result in potentially significant impacts to human remains. As a result, **Mitigation Measure 3A.5-3** would be implemented, reducing the impact on areas within the City's jurisdiction to less than significant. No impacts not previously disclosed would occur under the proposed modified project.

6.6 GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The approved project's potential effects on geology, soils, minerals, and paleontological resources were evaluated in Section 3A.7 of the 2011 EIR. The EIR concluded that the project may result in significant and unavoidable impacts related to strong seismic ground shaking, construction-related erosion, construction in bedrock/rock outcrops and landslides, requiring mitigation to reduce impacts to less than significant. With implementation of the mitigation identified below, the Carr Trust project would not have any new significant or substantially more severe geology and soils impacts (Guidelines, § 15162).

Evaluation of Geology and Soils

Question A(i): No New Impact

The SPA is located approximately 50 miles from the nearest Alquist-Priolo Earthquake Fault Zone, and the SPA is not underlain by or adjacent to any known faults. Because the damage from surface fault rupture is generally limited to a linear zone a few yards wide, and the nearest fault is approximately 50 miles away, the potential for surface fault rupture to cause damage to proposed structures is negligible and this impact was not evaluated further under the 2011 EIR. The proposed project is located within the SPA and does not require further evaluation or mitigation for the reasons described above.

Question A(ii): No New Impact

The SPA is located in an area of generally low seismic activity; however, structures in the SPA could be subject to seismic ground shaking from an earthquake along active faults in Lake Tahoe. Because structures within the SPA could be subject to ground shaking, the potential for damage from strong seismic shaking is still considered a direct, potentially significant impact. Consistent with the mitigation described in the EIR, the proposed modified project would be required to implement **Mitigation Measures 3A.7-1a, 3A.7-1B, 3B.7-1a, and 3B.7-1b**. With this mitigation, the proposed modified project would result in less than significant impacts from exposure of people or structures to seismic ground shaking or seismic hazards. No new impact would occur.

Question A(iii): No New Impact

As discussed in the 2011 EIR, construction activities would not occur in areas subject to liquefaction. Based on a review of information contained in (1) the Preliminary Geotechnical Engineering Reports prepared by Wallace Kuhl & Associates (2004, 2005, 2008) and Youngdahl Consulting Group (2003), (2) published geological maps and literature, and (3) a telephone conference with Wallace Kuhl & Associates (French, pers. comm., 2009), it is unlikely that on-

or off-site soils would be subject to liquefaction in the event of an earthquake, for the following reasons:

- the SPA and areas of proposed off-site activities are underlain by small amounts of Pleistocene-age alluvium and primarily by Jurassic-age bedrock formations, which generally are not susceptible to liquefaction;
- the SPA and areas of proposed off-site activities are underlain by a moderately deep groundwater table that is at least 100 feet below the ground surface; and
- the potential sources of seismic activity are a relatively long distance away (approximately 50 miles).

Direct impacts related to potential damage to structures from seismically-induced liquefaction for the approved project are considered less than significant. The proposed modified project is within the SPA and was previously evaluated under the EIR, and for the reasons described above, would not have a direct impact related to potential damage to structures from seismically-induced liquefaction and would not require mitigation.

Question A(iv), C: No New Impact

As described in the 2011 EIR, development within in the eastern portion of the SPA would occur in steep slopes underlain by bedrock at shallow depths and rock outcrops that could result in geologic hazards during construction. The proposed modified project is located in the eastern portion of the SPA resulting in potential geologic hazards from construction in bedrock/ rock outcroppings that are potentially significant. Consistent with mitigation described in the EIR, the proposed project would be required to implement **Mitigation Measure 3A.7-1a, 3A.7-4, and 3A.7-5**. With the proposed mitigation, the proposed modified project would result in less than significant impacts geologic hazards related to an unstable geologic unit or soil. No new impact would occur.

Question B: No New Impact

Implementation of the approved project would involve intensive grading and construction activities for infrastructure and building and road foundations on varied terrain including rolling hills and steep slopes. Construction activities would occur in soils that have moderate wind and water erosion potential. Direct impacts associated with construction-related erosion are potentially significant. Consistent with mitigation described in the EIR, the proposed project would be required to implement **Mitigation Measure 3A.7-3** to reduce erosion related impacts

to less than significant, and **Mitigation Measure 3B.7-4** to implement corrosion protection measures. No new impact would occur.

Question D: No New Impact

Portions of the SPA are underlain by soils that have a moderate to high potential for expansion when wet and may result in damage to structures. Based on review of the National Resources Conservation Service (NRCS) soil survey data, the proposed modified project contains Auburn-Argonaut-Rock outcrop complex and Argonaut-Auburn complex, which have a low to medium shrink swell potential. Soil expansion, including volume changes during seasonal fluctuations in moisture content, could adversely affect road surfaces, interior slabs-on-grade, landscaping hardscapes, and underground pipelines. Impacts from soil expansion could be significant and would require **Mitigation Measure 3A.7-1a, 3A.7-1b, 3B.7-1a, and 3B.7-1b** as described in the EIR. The proposed modified project would not be substantially different than the approved project, and with the proposed mitigation, impacts from expansive soils would be less than significant. No new impacts would occur.

Question E: No New Impact

The SPA is underlain by soils that are unsuitable for use with conventional septic systems; however, because the proposed modified would use a piped sewer service from Sacramento Regional County Sanitation District, septic systems would not be required and there would be no direct impacts and no mitigation would be required.

6.7 GREENHOUSE GASES

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Climate change and greenhouse gas (GHG) emissions are discussed in Section 3A.4 of the FPASP EIR. The EIR concluded that the approved project's incremental contributions to greenhouse gas emissions from project-related construction and from long-term operation are cumulatively considerable and significant and unavoidable. With implementation of the mitigation identified below, the Carr Trust project would not have any new significant or substantially more severe GHG impacts (Guidelines, § 15162).

Evaluation of Greenhouse Gas Emissions

Questions A and B: No New Impact

The analysis contained in the EIR found that project-related construction activities associated with development of the approved project would result in increased generation of GHG emissions. These emissions would be temporary and short-term and would decline over time as new regulations are developed that address medium- and heavy-duty on-road vehicles and off-road equipment under the mandate of AB 32. Additionally, operation of the project over the long term would result in increased generation of GHGs, which would contribute considerably to cumulative GHG. Impacts would be significant, and as a result, the approved project as well as the proposed modified project would be required to implement **Mitigation Measures 3A.2-1a, 3A.2-1b, 3A.4-1, 3A.4-2a, 3A.4-2b, 3B.4-1a, and 3B.4-1b.**

SMAQMD adopted a GHG threshold for the operational phase land development projects in October 2014 of 1,100 metric tons of CO₂ emissions per year. Because the proposed modified project's development footprint has only changed slightly from the approved project, and the number of residential units has been reduced, long term operational emissions are anticipated to

be substantially lower than for that of the approved project. As a result, the proposed modified project does not conflict with an applicable plan or regulation adopted for the purpose of reducing GHGs. The proposed modified project would not introduce any additional impacts not already discussed in the EIR and would not require additional mitigation.

6.8 HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Hazards and hazardous materials were evaluated in Section 3A.8 of the FPASP EIR at the program level. The EIR identified mitigation for direct impacts at the program level that would be significant, therefore they are not addressed at the project level. Project specific mitigation is identified below, where the Carr Trust project would not have any new significant or substantially more hazards or hazardous materials (Guidelines, § 15162).

Historical land uses for the SPA were primarily agricultural, with some mining activities. The southeast portion of the SPA was used by Aerojet-General Corporation (Aerojet) in the 1960s and 70s to separate and burn chemicals associated with aerospace activities. Part of the Aerojet site is located within the SPA and considered to be a superfund site (Area 40) that is currently undergoing remediation. The EIR identified project specific mitigation for projects located near this portion of the SPA; however, the proposed modified project is located outside of this area.

Folsom South, which includes the proposed modified project area, consists of undeveloped land used for agricultural purposes. It is bordered to the west by Old Placerville Road and the SVRR track. A search of relevant agency databases, including the Cortese List maintained by Department of Toxic Substance Control (DTSC), did not include records associated with this property.

Evaluation of Hazardous Materials

Questions A: No New Impact

Increased residential development within the SPA would result in increased use, storage, and disposal of household hazardous materials as well as an increase in the amount of hazardous materials being transported on major roadways. The project applicant(s), builders, contractors, business owners, and others would be required to use, store, and transport hazardous materials in compliance with local, state, and Federal regulations during project construction and operation. Transportation of hazardous materials on area roadways is regulated by California Highway Patrol (CHP) and the California Department of Transportation (Caltrans), and use of these materials is regulated by DTSC, as outlined in Title 22 of the California Code of Regulations. Facilities that would use hazardous materials on-site after the project is constructed would be required to obtain permits and comply with appropriate regulatory agency standards designed to avoid hazardous waste releases. Because the project is required by law to implement and comply with existing hazardous material regulations, direct impacts related to the creation of significant hazards to the public through routine, transport, use, disposal, and risk of upset are considered less-than-significant. The proposed modified project would not create an additional impact regarding significant hazards to the public and no mitigation is required.

Questions B: No New Impact

Construction workers and future residents within the SPA could be exposed to hazardous materials known to exist. A Phase I Environmental Site Assessment has not yet been performed for the proposed modified project area. This site assessment would evaluate and identify recognized environmental conditions (RECs), which are the presence or likely presence of petroleum products or hazardous substances on the property under conditions that indicate an existing release, a past release, or a material threat of a release into structures on the property, or into the ground, groundwater, or surface water of the property. The project is located near the SVRR, but, according to Geotracker and the Federal Railroad Administration, no accidental releases of petroleum products or other hazardous materials associated with the railroad track have been reported. A search of relevant agency databases, including the Cortese List maintained by DTSC, did not include records associated with this property. In order to develop the project, **Mitigation Measure 3A.8-2** will be implemented, to complete a Phase I Environmental Assessment prior to any earth-moving activities. If it is concluded that there are no RECs with respect to this site, then no further investigation is required. If this is not the case, a Phase II Environmental Site Assessment would be required. The proposed project would be required to implement previously adopted **Mitigation Measure 3A.9-1** which requires applicants at the grading permit stage to obtain the appropriate regulatory permits and prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) and best management practices (BMPs). The proposed project will be subject to **Mitigation Measures 3B.8-1a** and **3B.8-1b**, whereby hazardous materials handling will be planned and will uphold applicable regulations and guidelines. It will also be necessary to keep up communication with respect to utilities, in order to minimize service disruption and exposure to hazards associated with utilities, which can be achieved with **Mitigation Measures 3B.16-3a** and **3B.16-3b**. The proposed project will be required to cooperate with Aerojet, the City, and applicable agencies, by way of **Mitigation Measures 3A.8-3a, 3A.8-3b, 3A.8-3c**. The proposed project will also need to implement a Vector Control Plan, **Mitigation Measure 3A.8-7**, to alleviate health hazards from mosquitoes associated with nearby water features. Applying these mitigation measures will ensure impacts remain less than significant. No new impacts not previously disclosed will occur. No new mitigation measures are required.

Question C: No New Impact

The nearest school to the proposed project site is Russell Ranch Elementary, located approximately 1.5 miles northeast of the project site. The proposed modified project has potential risks associated with hazardous materials exposure that would be temporary, and the use of materials during construction would be limited. Following construction, no hazardous

materials use or storage would be expected other than small amounts of cleaning and landscaping chemicals. Additionally, a transmission line would exist near the proposed modified project, possibly exposing people to electromagnetic fields. The environmental compliance of this transmission line and the relocation of a SMUD substation have been analyzed in a separate document. Therefore, the proposed modified project would be required to implement **Mitigation Measure 3A.8-6** as described in the EIR. The proposed modified project would not introduce any new impacts and no additional mitigation is required.

Question D: No New Impact

As discussed in the 2011 EIR, a Phase I Environmental Site Assessment was not prepared for Folsom South, where the proposed modified project is located. A search of relevant agency databases, including the Cortese List maintained by DTSC, did not include records associated with this property. In order to develop the project, **Mitigation Measures 3A.8-2, 3B.8-5a and 3B.8-5b** will be implemented, to complete a Phase I Environmental Assessment, and plan for remediation, if any contamination is found. If it is concluded that there are no RECs with respect to this site, then no further investigation was recommended. The project is located in the eastern portion of the SPA and may require the use of explosive material as part of grading activities that could result in injury to construction workers and the general public. As a result, the proposed modified project may be required to implement **Mitigation Measure 3A.8-5**, if blasting is required for excavation and removal of rock. With the implementation of these measures, the impacts will remain less than significant. The proposed modified project would not create any new impact and additional mitigation would not be required.

Questions E and F: No New Impact

The SPA is not located within 2 miles of a public, public-use, or private airport. The nearest airport, Sacramento Mather Airport, is located approximately 9 miles southwest of the SPA. Therefore, impacts related to airport or private airfield safety was not discussed further in the EIS/EIR. The proposed modified project would have no new impacts and no mitigation is required.

Question G: No New Impact

Implementation of the proposed modified project would require permits from the City of Folsom to ensure that the project provides sufficient hydrant locations, street width, circulation, and project access for fire and emergency response units. Implementation of the project would not conflict with any adopted emergency response or evacuation plans. Furthermore, the circulation plans for the Proposed Project and the other four action alternatives would include sufficient

ingress and egress routes to ensure public safety in the event to an emergency. Finally, the proposed modified project would be subject to the Sacramento County Multi-Hazard Mitigation Plan (MHMP). Therefore, direct impacts would be less than significant. The proposed modified project would not create additional impacts and no mitigation would be required.

Question H: No New Impact

As discussed in the 2011 EIR, California Public Resources Code Sections 4201-4204 and Government Code 51175-51189 require identification of fire hazard severity zones within the state of California. Fire hazard severity zones are measured qualitatively, based on: vegetation, topography, weather, crown fire potential (a fire's tendency to burn upwards into trees and tall brush), and ember production and movement within the area of question. Fire prevention areas considered to be under state jurisdiction are referred to as "state responsibility areas." In state responsibility areas, the California Department of Forestry and Fire Protection is required to delineate three hazard ranges: moderate, high, and very high "local responsibility areas." These areas are under the jurisdiction of local entities (e.g., cities, counties) that are required to disclose very high fire hazard severity zones. The SPA is located within a state responsibility area designated as a moderate fire hazard severity zone. It is not near an area of high or extremely high fire hazard severity. Therefore, project implementation would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or residences are intermixed with wildlands. Therefore, this issue area is not discussed further in the 2011 EIR/EIS.

6.9 HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Hydrology and water quality analysis in the 2011 EIR was based on information specified in Section 3A.9. It relied on public agency information, as well as technical planning studies generated to support proposed development of the SPA. The EIR concluded that the project may result in significant and unavoidable impacts related to alteration of drainage patterns and the degradation of water quality, requiring mitigation to reduce impacts to less than significant. With implementation of the previously adopted mitigation identified below, the Carr Trust project would not have any new significant or substantially more hydrology or water quality impacts (Guidelines, § 15162).

Evaluation of Hydrology and Water Quality

Questions A and C: No New Impact

The 2011 EIR prepared for the approved project concluded that during construction, large areas of land would be disturbed, drainage patterns would be altered, and water quality could be negatively affected by sediment, erosion and pollutants. Therefore, the impacts on the landscape would be significant and **Mitigation Measures 3A.3-1a, 3A.3-1b, 3A.9-1, 3B.9-1a, and 3B.9-1b** would be implemented. An infrastructure backbone and drainage system would be installed throughout the SPA (see the South of Highway 50 Backbone Initial Study). Appropriate permits and construction practices must be employed. Construction in the approved project area would be subject to National Pollutant Discharge Elimination System (NPDES) permit conditions, including implementation of best management practices which are intended to reduce potential impacts to water quality to the maximum extent practicable, and all applicable water quality standards. The proposed modified project would be subject to implementation of the above mentioned mitigation measure to ensure its impact on hydrology remains less than significant. No new impact would occur.

Question B: No New Impact

As described in the 2011 EIR, development of the SPA would increase impervious surfaces and therefore increase surface runoff generated by the project. Most soils in the area presently have poor capacity for groundwater discharge, with the areas that are most conducive to groundwater recharge being Alder Creek and its tributaries. An infrastructure backbone and drainage system would be installed throughout the SPA (see the South of Highway 50 Backbone Initial Study). Detention/water quality basins will also aid in maximizing infiltration. Since these riparian areas will remain intact, and even be improved upon, and there will be seasonal groundwater recharge from landscape irrigation activities, the impact of the development of the SPA would be less than significant. The proposed modified project would construct a residential development within the SPA. The proposed modified project would not introduce any new impacts that were not previously disclosed. The proposed modified project would result in less than significant impacts to groundwater supplies and groundwater recharge.

Question D: No New Impact

As described in the 2011 EIR, development of the SPA would increase impervious surfaces and therefore increase surface runoff generated by the project. The SPA will have a conveyance and detention/water quality treatment system in place. An infrastructure backbone and drainage system would be installed throughout the SPA (see the South of Highway 50 Backbone Initial Study). Development of the approved project will result in higher amounts of runoff, and therefore amounts of discharge into Alder Creek and its tributaries. Since the 2011 EIR was not a project-level document for all topics, the ability to anticipate where and how runoff would be conveyed through the approved project site was not determined in 2011, and the impact was deemed potentially significant. With **Mitigation Measures 3A.9-2, 3B.9-3a, and 3B.9-3b** implemented, a project will demonstrate that off-site upstream runoff can be appropriately conveyed through the SPA, and that project-related on-site runoff would be appropriately contained in detention/water quality basins or managed otherwise. The impact from the project will remain less than significant with implementation of the mitigation mentioned above. The proposed modified project would construct a residential development within the SPA. The proposed modified project would implement the above mentioned mitigation measure to reduce the impact on discharge into Alder Creek and its tributaries. The proposed modified project would not introduce any new impacts that were not previously disclosed.

Question E: No New Impact

As described in the 2011 EIR, development of the SPA would increase impervious surfaces and therefore increase surface runoff generated by the project. The SPA will have a conveyance and

detention/water quality treatment system in place. An infrastructure backbone and drainage system would be installed throughout the SPA (see the South of Highway 50 Backbone Initial Study). Development of the approved project will result in higher amounts of runoff, and therefore amounts of discharge in Alder Creek and its tributaries. Since the 2011 EIR was not a project-level document for all topics, the ability to anticipate where and how runoff would be conveyed through the approved project site was not determined in 2011, and the impact was deemed potentially significant. With **Mitigation Measures 3A.9-1** and **3A.9-2** implemented, a specific project will demonstrate: effective erosion control and sediment runoff on site, and prevent pollution to sensitive resources; off-site upstream runoff can be appropriately conveyed through the SPA; and that project-related on-site runoff would be appropriately contained in detention/water quality basins or managed otherwise. With the implementation of the identified mitigation measures, projects would be mitigated to a less than significant level. The proposed modified project would construct a development within the SPA. The proposed modified project would implement the previously mentioned mitigation measures to ensure the impact on erosion control, sediment runoff, and pollution, as well as the management of upstream runoff remains less than significant. The proposed modified project would not introduce any new impacts that were not previously disclosed.

Question F: No New Impact

As described in the 2011 EIR, development of the SPA would increase impervious surfaces and therefore increase surface runoff generated by the project. The SPA will have a conveyance and detention/water quality treatment system in place. An infrastructure backbone and drainage system would be installed throughout the SPA (see the South of Highway 50 Backbone Initial Study). Development of the approved project will result in higher amounts of runoff, and therefore amounts of discharge in Alder Creek and its tributaries. Since the 2011 EIR is not a project-level document for all topics, the ability to anticipate where and how runoff will be conveyed through the approved project site was not determined in 2011, and the impact was deemed potentially significant. With **Mitigation Measure 3A.9-3** implemented, a project will demonstrate that off-site upstream runoff can be appropriately conveyed through the SPA, and that project-related on-site runoff would be appropriately contained in detention/water quality basins or managed otherwise. With the implementation of the adopted mitigation, impacts, once mitigated for, will be reduced to less than significant. The proposed modified project would construct a residential development within the SPA. The proposed modified project would implement the previously mentioned mitigation measure to ensure the impact on surface runoff and associated facilities would remain less than significant. The proposed modified project would not introduce any new impacts that were not previously disclosed.

Questions G and H: No New Impact

As described in the 2011 EIR, the approved project concluded that the SPA is outside of the 100- and 500-year floodplains, with the exception of areas directly adjacent to Alder Creek flowing through the SPA. All anticipated construction within the approved project will occur outside of the 100-year floodplain. The impact is considered less than significant and no mitigation is necessary. The proposed modified project is a development within the SPA. It is not being constructed within the 100-year floodplain, and therefore would result in less than significant impacts on water quality and drainage patterns. No new impact would occur.

Question I: No New Impact

As described in the 2011 EIR, there are no levees protecting the approved project. However, Folsom Dam is located approximately 4.5 miles north of the SPA. In the event that Folsom Dam or another structure failed, the SPA would likely be outside of the mapped inundation area. Other emergency procedures, such as a dam failure plan, the flooding ALERT system, and evacuation procedures are integrated into Sacramento County Emergency Operations Plan. Finally, the likelihood of dam inundation, due to dam or dike failure, is extremely low. Because the current conditions of dams upstream of the SPA are unknown, and the area of downstream inundation in the event of a flood are uncertain, the 2011 EIR identified a risk of loss, injury, or death involving flooding as a result of dam failure inundation or levee failure for the approved project, a significant impact. To reduce this impact to less than significant, **Mitigation Measure 3A.9-4** would be implemented before a project's initiation. The proposed modified project is a development within the SPA, and would be subject to **Mitigation Measure 3A.9-4**. There would be no new impact.

Question J: No New Impact

As described in the 2011 EIR prepared for the approved project, the project site is not located near a lake or other surface water body or an area in which a seiche, tsunami, or mudflow could directly or indirectly affect the site. As a result, there would be no impact for the proposed modified project. There would be no new impact.

6.10 LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Land use and planning are discussed in the Section 3A.10 of the 2011 EIR. The SPA was planned in accordance with the Sacramento Area Council of Governments (SACOG), Sacramento County, and Sacramento LAFCo, specifically the Sacramento Region Blueprint (in 2002), Memorandum of Understanding between Sacramento County and the City of Folsom (in 2000), the Sacramento County General Plan, Resolution LAFC 1196 (in 2001) and the City’s Measure W (in 2004). The EIR concluded that the project would not physically divide an established community, is consistent with applicable land use regulations, plans, or policies, and would not conflict with any applicable habitat conservation or natural community conservation plan. The Carr Trust project would not have any new significant or substantially more land use impacts (Guidelines, § 15162).

Evaluation of Land Use and Planning

Question A: No New Impact

The 2011 EIR prepared for the approved project concluded that the approved project would not physically divide an established community. The project site is currently grazing lands, with only one single-family residence and associated buildings located on the west side of the SPA. The proposed modified project is a residential development on previously undeveloped land. Construction of the proposed modified project would not result in changes that would require major revisions to the EIR, or new or more significant effects than those previously identified in the EIR.

Question B: No New Impact

The 2011 EIR prepared for the approved project concluded that the approved project would not conflict with the Sacramento LAFCo Guidelines or SACOG's Sacramento Region Blueprint. As discussed in the Land Use Section page 3A.10-29 of the FPASP EIR, specific designation for land use and zoning in the City of Folsom's General Plan and Specific Plan were approved with the adoption of the FPASP EIR in 2011. The area consisting of the proposed modified project site consisted of multi-family low density development, open space (passive), and a small portion of public/quasi-public development.

Since two BLAs have been applied to the project, the proposed modified project will consist of single family high density development and open space (passive). The proposed modified project will require changes to the General Plan and FPASP and Rezoning. The zoning designations changed after the approval of the FPASP. A "SP" modifier was added to specify its inclusion and approval as a part of the SPA. The proposed project area contains the following zoning designations: SP-OS2 (Open Space [Passive]), SP-MLD (Multi-Family Low Density Residential), and SP-PQP (Public/Quasi Public). The project site would be rezoned to reflect the current site plan and the General Plan would be amended to reflect the revised land uses. Under the proposed modified project, the zoning designations would be as follows: SP-OS2-PD (Open Space [Passive]), and SP-SFHD-PD (Single Family High Density Residential).

The general land uses and zoning designations under the proposed modified project would be consistent with the spirit and intent of the FPASP, although the type of residential is adjusted, and the public/quasi-public development has dissolved. The proposed modified project would also involve the slight addition of open space on the project site. Although the proposed modified project would require an amendment to the General and Specific Plans, the project does not conflict with any land use plan, policy or regulation that was adopted to avoid or mitigate environmental effects. The proposed modified project would result in no impacts, and would not result in any new impacts that were not previously disclosed.

Question C: No New Impact

The 2011 EIR prepared for the approved project concluded that the approved project would have no impact on the provision of adopted Habitat Conservation Plans, Natural Conservation Community Plans, or other approved local, regional, or state habitat conservation plans. At the time of preparation of the 2011 EIR, no plans covering the project site had been approved. No Habitat Conservation Plan or Natural Community Conservation Plan has been approved for the project area since certification of the 2011 EIR; therefore, implementation of the proposed

modified project would not conflict with any conservation plans. No impact would result, and no mitigation would be required.

6.11 MINERAL RESOURCES

Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
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X. MINERAL RESOURCES

Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project’s potential effects on mineral resources were evaluated in Section 3A.7 of the 2011 EIR and concluded that potential presence of a valuable mineral resource could occur within the SPA but not within the proposed modified project area. The Carr Trust project does not require mitigation and would not have any new significant or substantially more severe mineral resource impacts (Guidelines, § 15162).

Evaluation of Mineral Resources

Questions A, B: No New Impact

As described in the FPASP EIR, the western third of the SPA is located within the Sacramento Fairfield Production-Consumption Region designated by the California Division of Mines and Geology (CDMG), and contains dredge tailings that could provide a source of construction aggregate. The proposed modified project is located in the eastern portion of the SPA, where the dredge tailings are not present or present in large enough concentrations that would warrant an economically viable on-sit mining operation. Impacts from the proposed modified project would be considered less than significant and no mitigation is required.

The western edge of the SPA is zoned MRZ-3 for kaolin clay and may contain deposits. It is currently unknown whether or not an economically valuable deposit of kaolin clay is present; however, if it were, the deposit would be unavailable for mining following implementation of the FPASP. Because the potential of this valuable mineral resource cannot be ruled out, and because the resource would be lost as a result of implementing the FPASP as a whole, the impact was

considered significant. However, the proposed modified project does not lie within the MRZ-3; therefore, no impacts would occur and no mitigation is required.

6.12 NOISE

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in any applicable plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project (including construction)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Noise was evaluated in support of the approved project under Section 3A.11 of the FPASP EIR and concluded that the approved project may increase impacts from noise. With implementation of the mitigation identified below, the Carr Trust project would not have any new significant or substantially more severe noise impacts (Guidelines, § 15162). Land uses near the SPA include open space and agricultural uses to the south, residential land uses to the east and north, the Aerojet General Corporation rocket engine manufacturing and test facility to the west, and Prairie City State Recreational Vehicle Area (SRVA) facility to the southwest. Mather Airport is located approximately 9 miles west of the SPA. The existing noise environment in and surrounding the SPA is influenced by surface-transportation noise emanating from vehicular

traffic on area roadways. Vehicle traffic noise levels are attributed to US 50, Placerville Rd, Scott Rd, Prairie City Rd, and White Rock Rd.

The ambient noise levels in the SPA are not generally influenced by noise generated by nearby commercial industrial and recreational land uses, including the Aerojet General Corporation facility located adjacent to the eastern boundary of the SPA or the Prairie City SRVA located southwest of the SPA. However, occasional noise from outdoor testing of engines, fans, and other mechanical devices at the Aerojet facility and from vehicles using the Prairie City SRVA may influence noise levels in the SPA.

Evaluation of Noise

Questions A: No New Impact

The FPASP EIR concluded that implementation of the approved project would result in temporary, short-term construction activities associated with development of residential, commercial, schools, and park uses, supporting roadways, and other infrastructure improvements. Project-related construction activities could expose existing off-site and future on-site sensitive receptors to temporary noise levels that exceed the applicable noise standards and/or result in a substantial increase in ambient noise levels. Consistent with the EIR and the approved project, the proposed modified project would be required to implement **Mitigation Measures 3A.11-1, 3A.11-4, 3B.11-1a, 3B.11-1b, 3B.11-1c, 3B.11-1.d, and 3B.11-1e** to reduce construction-related noise levels. No new impact would occur.

Questions B: No New Impact

Construction and implementation of the approved project could expose sensitive receptors to groundborne noise and vibration levels that exceed applicable standards that could cause human disturbance or damage structures. Consistent with the EIR and the approved project, the proposed modified project would be required to implement **Mitigation Measures 3A.11-3 and 3B.11-3** to reduce groundborne noise levels and vibrations. No new impact would occur.

Questions C and D: No New Impact

Implementation of the approved project would result in long-term increases in average daily traffic (ADT) volumes on affected road segments. Increased traffic volumes would result in a substantial (e.g., 3 dB Ldn/CNEL) increase in ambient noise levels on- and off-site at nearby noise-sensitive receptors. As a result, impacts would be significant. Additionally, the approved project would result in increases in on-site stationary noise levels associated with the proposed development. These stationary noise sources could exceed the applicable noise standards (hourly

and maximum) and result in a substantial increase in ambient noise levels. Consistent with the 2011 EIR, the proposed modified project would be required to implement **Mitigation Measure 3A.11-4** and **3A.11-5** to reduce project-generated noise from traffic and stationary sources. No new impact would occur. No noise wall is necessary for this project.

Question E and F:

Aircraft approaching and departing Mather Airfield have the potential to pass above the SPA. Overflights would not result in interior noise levels that create sleep disturbance. Development on the project site would not expose people within the project area to excessive noise levels; therefore, the proposed modified project would also have no impacts related to excessive noise levels associated with an airport or airstrip.

6.13 POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Population and Housing is discussed in Section 3A.13 of the FPASP EIR. The proposed project is changing its land use designation from Multi-Family Low Density to Single Family High Density, reducing its dwelling units from 63 to 28. The EIR concluded that the approved project’s impact on population from development is less than significant. The Carr Trust project would not have any new significant or substantially more severe population and housing impacts (Guidelines, § 15162).

Evaluation of Population and Housing

Question A: No New Impact

The 2011 EIR prepared for the approved project concluded that the approved project would result in less than significant impacts on population growth in the area, temporarily and permanently. Temporarily, population and housing demand would increase as a result of the employment of construction workers for the purpose of project buildout. This is a less than significant impact, and no mitigation is required. More permanently, the approved project would include the construction of 10,817 residential units, which would in turn generate 24,335 new residents at the anticipated buildout. The City’s Housing Element has projected the 2035 population in the City of Folsom to be 97,485. From 2008 to 2035 this is an increase of 24,335. Because it cannot be determined whether development of the SPA would generate population growth that exceeds estimates for Folsom or Sacramento County under their currently adopted

General Plans, the project could result in unplanned population growth in the area. Population growth is not, itself, considered a significant environmental impact, therefore, the impact is considered less than significant. No mitigation is required.

Like the approved project, the proposed modified project would introduce new homes and residents to a currently undeveloped area; however, because the project would contribute a relatively small amount of growth to the City as a single project within the SPA, it is considered a less than significant impact. Construction of the proposed modified project would not result in changes that would require major revisions to the EIR, or new or more significant effects than those previously identified in the EIR. No mitigation would be required.

Questions B and C: No New Impact

The 2011 EIR prepared for the approved project concluded that the approved project would not necessitate the construction of replacement housing elsewhere through displacement of people or housing. The single family residence currently within the SPA would remain. The project site is undeveloped, so the approved project would not result in displacement of people or houses. The proposed modified project is an area within the undeveloped SPA, so its development would not result in the construction of replacement housing. The proposed modified project would result in no impacts, and would not result in any new impacts that were not previously disclosed.

6.14 PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
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:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The approved project's potential effects on recreation were evaluated in Section 3A.12 of the 2011 EIR. The EIR concluded that the project would have a less than significant impact on existing facilities and sufficiency of proposed public services. With implementation of the mitigation identified below, the Carr Trust project would not have any new significant or substantially more severe public services impacts (Guidelines, § 15162).

Evaluation of Public Services

Question A: No New Impact

The 2011 EIR concluded that with the onset of construction in the SPA, lane closures, increased truck traffic, and other roadway effects, could slow down or stop emergency vehicles, potentially increasing response times and impeding existing services. Therefore, the EIR concluded that this would result in a significant impact. **Mitigation Measures 3A.14-1** and **3B.15-1a** would be implemented to reduce the impact of construction-related traffic. The 2011 EIR also concluded that development in the SPA would increase demand for fire protection facilities, services, and equipment, as well as increased demand for fire flow. These impacts were considered potentially significant when applied to the approved project site. The City requires fire prevention standards to be incorporated into new residential and commercial development, with Fire Department

approval, which would be implemented as **Mitigation Measure 3A.14-2**. Since lack of water flow in the SPA would impede the effectiveness of fire suppression, the increase in demand for fire flow would be considered a significant impact. To reduce this impact to less than significant, **Mitigation Measure 3A.14-3** was adopted. With implementation of all of the previously adopted mitigation for fire protection and service-related impacts, the proposed modified project would ensure these impacts remain less than significant. No new impact would occur.

Question B: No New Impact

The 2011 EIR concluded that with the onset of construction in the SPA, there would be an increased demand for police protection facilities, services and equipment. Under the proposed project, applicants would fund the construction of sufficient police facilities and personnel to serve the project, through payment of the “Capital Improvement New Construction Fee.” Because the new fee would provide sufficient funding for new facilities, the impact is considered less than significant and no mitigation is required. The proposed modified project is a residential development within the SPA, and would be subject to the “Capital Improvement New Construction Fee,” contributing to the necessary facilities within the SPA. This would be a less than significant impact. No mitigation is required. No new impact would occur.

Question C: No New Impact

The 2011 EIR concluded that with the onset of construction in the SPA, there would be an increased demand for public elementary, middle, and high school facilities and services. Under the proposed project, applicants would fund the construction of sufficient school facilities and personnel to serve the project, through a state-mandated school impact fee directly to Folsom Cordova Unified School District (FCUSD). Applicants would also be required, under Measure W, to provide “for the funding and construction of all necessary school facilities for the Area, so that Folsom residents north of Highway 50 are not required to” do so. Because the applicable fees would provide sufficient funding for all new facilities, the impact is considered less than significant and no mitigation is required. The proposed modified project is a residential development within the SPA, and would be subject to the applicable fees that contribute to school facilities within the SPA. This would be a less than significant impact. No mitigation is required. No new impact would occur.

Question D: No New Impact

Section 3A.12 of 2011 EIR regarding Recreation concluded that because the approved project will create 118.4 acres of community and neighborhood parks, as well as an additional 3.5 acres

of local parks, the project meets the City's requirement of 5 acres of parkland per 1,000 residents. Therefore, the impact of development within the SPA on the use of existing parks and sufficiency of proposed parkland is considered less than significant. No mitigation would be required. The proposed modified project would result in less than significant impacts. No mitigation is required. No new impact would occur.

Question E: No New Impact

The 2011 EIR concluded that with implementation of applicable mitigation, significant impacts can be reduced to less than significant levels. Most impacts are less than significant, as the necessary funding to offset the increase in demand of services is accounted for in the FPASP. The proposed modified project is a residential development within the SPA. With the proposed applicable mitigation, the proposed modified project would result in less than significant impacts. No new impact would occur.

6.15 RECREATION

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The approved project's potential effects on recreation were evaluated in Section 3A.12 of the 2011 EIR. The 2011 EIR concluded that the project would have a less than significant impact on existing facilities and sufficiency of proposed parkland. The Carr Trust project would not have any new significant or substantially more severe recreation impacts (Guidelines, § 15162).

Evaluation of Recreation

Questions A and B: No New Impact

The 2011 EIR concluded that because the approved project will create 118.4 acres of community and neighborhood parks, as well as an additional 3.5 acres of local parks, the project meets the City's requirement of 5 acres of parkland per 1,000 residents. Therefore, the impact of development within the SPA on the use of existing parks and sufficiency of proposed parkland is considered less than significant. However, **Mitigation Measure 3B.12-1** would be implemented, as an extension of **3A.14-1**, to continue to allow access to recreational features during construction. . The proposed modified project would result in less than significant impacts. No new mitigation is required. No new impact would occur.

6.16 TRANSPORTATION AND TRAFFIC

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Traffic and transportation for the approved project was evaluated in Section 3A.15 of the FPASP. An additional traffic analysis (MRO 2016; Appendix B) was prepared for the Carr Trust project in March 2016 to determine whether the traffic impacts of the modified project have been adequately addressed in the FPASP EIR. This determination is primarily based on a comparison of the relative trip generation values for the two land use plans.

The approved land use plan for the Carr Trust site would have generated about 420 daily trips. In the AM peak hour, the approved land use plan would have generated a total of 32 trips, with six inbound and 26 outbound. The PM peak hour trip generation was estimated to be 39 trips, with 25 inbound and 14 outbound.

The proposed modified project would reduce the density of residential land uses from 63 du to 28 du. The open space area would be increased slightly, but no trips are associated with that component of the proposed project. The proposed modified project is estimated to generate 270 daily trips, which is 150 fewer than the approved project. In both the AM and PM peak hours, the proposed modified project will generate 11 fewer trips than the approved project. In the AM peak hour, it would result in 21 trips, five inbound and 16 outbound. In the PM peak hour, there would be 28 trips, 18 inbound and 10 outbound.

Thus, in all three key time periods, the currently-proposed land use plan will generate less traffic than the approved Carr Trust project. The traffic analysis concluded that all significant traffic impacts that might be associated with the proposed project have already been identified in the analysis of the approved project. Any necessary mitigation measures have also been identified. No new impacts are anticipated.

Evaluation of Transportation and Traffic

Questions A and B: No New Impact

The EIR analyzed cumulative traffic impacts for the approved project under a full buildout scenario (by year 2030) and concluded that full implementation of the approved project would result in increases to peak-hour and daily traffic volumes, resulting in unacceptable levels of service. The proposed project is one of several components to the Folsom SPA, and as a result, the project applicant will be required to pay into a fair share program to fund the construction of transportation improvements. The proposed project may be required to participate in one or more fair share funding programs described in the following mitigation: **Mitigation Measures 3A.15-1i, 3A.15-1j, 3A.15-1l, 3A.15-1o, 3A.15-1p, 3A.15-1q, 3A.15-1r, 3A.15-1s, 3A.15-1u, 3A.15-1v, 3A.15-1w, 3A.15-1x, 3A.15-1y, 3A.15-1z, 3A.15-1aa, 3A.15-1dd, 3A.15-1ee, 3A.15-1ff, 3A.15-1gg, 3A.15-1hh, 3A.15-1ii, 3A.15-2a, 3A.15-2b, 3A.15-4b, 3A.15-4d, 3A.15-4i, 3A.15-4l, 3A.15-4m, 3A.15-4n, 3A.15-4o, 3A.15-4p, 3A.15-4r, 3A.15-4s, 3A.15-4t, 3A.15-4u, 3A.15-4v, 3A.15-4w, 3A.15-4x, 3A.15-4y, 3B.15-1a, and 3B.15-1b.** As discussed in the 2016 traffic analysis, the proposed modified project would create an overall reduction in trip generations than previously analyzed under the approved project and therefore would not create a new impact not previously analyzed nor require additional mitigation not already described in the approved EIR.

Question C: No New Impact

As identified in the 2011 EIR for the approved project, the project site is located approximately 9 miles from the Mather Airport. The project site is not located within an airport land use land area or within two miles of an airport or private strip. Development of the project site would not interfere with or change air traffic patterns. The proposed modified project is located on the project site analyzed in the 2011 EIR, and as a result, there would be no new impact.

Questions D: No New Impact

As described in the EIR for the approved project, roadways for the project would be required to comply with City standards for roadway design including roadway geometry and intersection design, and would be subject to review by the Community Development Department, Public Works Department, City Engineering Department, and Fire Department. Like the approved project analyzed in the 2011 EIR, the proposed modified project would not result in an increase in hazards due to design features or inadequate emergency access. Impacts would be less than significant, and there would be no new impact.

Questions E: No New Impact

As described in the 2011 EIR, implementation of the approved project could obstruct roadways in the project vicinity during construction, potentially obstructing or slowing emergency vehicles attempting to access the area. As a result, the proposed modified project would be required to implement **Mitigation Measure 3A.14-1**. The proposed modified project would not introduce new impacts that have not already been discussed in the 2011 EIR and no additional mitigation is required.

Question F: No New Impact

The approved project includes Class I, II, and III bicycle facilities; paths, sidewalks, and pedestrian crossings; and transit facilities such as shuttle services, bus services, and light-rail facilities. The Specific Plan implements General Plan Policy 17.13 by incorporating bikeways and lanes. Because the approved specific plan is consistent with the City's General Plan and the proposed project would be consistent with existing policies, the proposed project is expected to have less-than significant impacts on pedestrian, bicycle, and transit facilities. The proposed project would not create a new impact and no mitigation is required.

6.17 UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The SPA is presently not served by any wastewater collection and treatment systems. The majority of the SPA is within Sacramento Regional County Sanitation District (SRCSD), and the portion east of future Empire Ranch Road is within both SRCSD and El Dorado Irrigation District (EID). Infrastructure is proposed to be in place before the development of the SPA (see the South of Highway 50 Backbone Initial Study). Many documents were utilized to review and analyze the potential impacts on utilities and service systems, detailed in Section 3A.16-11 of the

2011 EIR. The EIR concluded that the project would have significant impacts on wastewater flow, collection, and conveyance, stormwater drainage facilities, and surface water supply. With implementation of the mitigation identified below, the Carr Trust project would not have any new significant or substantially more severe public services impacts (Guidelines, § 15162).

Evaluation of Utilities and Service Systems

Questions A, B, E (Wastewater): No New Impact

The 2011 EIR concluded that because the SPA is not currently served by the municipal wastewater collection system, and sufficient on-site wastewater collection and conveyance infrastructure and off-site infrastructure support for the project have not yet been constructed, this is considered a significant impact. **Mitigation Measure 3A.16-1** can be used to reduce the impact, and ensure that the appropriate infrastructure is already or is planned to be in place. Implementing the SPA project would also increase demand for Sacramento Regional Wastewater Treatment Plant (SRWTP) facilities within the SPA. Since there are no assurances that the SRWTP would have adequate capacity for new wastewater flows for projects after the planned out year of 2020 at full approved project buildout, this was determined to be a potentially significant impact. If **Mitigation Measure 3A.16-3** is implemented, the impact is reduced to a less than significant level. The proposed modified project is a residential development within the SRCSD portion of the SPA. Because the proposed modified project has a reduced number of dwelling units from the approved project, potential impacts associated with facility capacity would be slightly reduced as compared to the approved project. The proposed modified project would have no impact greater than those previously identified in the EIR, and construction of the proposed modified project would not result in changes that would require major revisions to the EIR.

Question C: No New Impact

The 2011 EIR concluded that the approved project would require the construction of new stormwater drainage facilities, which could have a significant environmental impact. **Mitigation Measures 3A.9-1, 3A.9-2, 3A.3-1a, 3B.9-3b and 3B.9-3b**, which were discussed in previously, will be implemented. The proposed modified project is a residential development within the SPA. With mitigation, the impacts would be reduced to less than significant. No new impacts would occur.

Questions B and D (Water): No New Impact

The 2011 EIR concluded that since the approved project required water supply, and water conveyance and treatment facilities were not under contract or constructed in advance of

approval of the project, a potentially significant impact could result. **Mitigation Measure 3A.18-1** will reduce this impact to less than significant, by requiring proof of surface water supply availability. **Mitigation Measures 3A.18-2a, 3A.18-2b, 3B.16-3a, and 3B.16-3b** will reduce the potentially significant impact by proving that there is adequate on- or off-site water treatment capacity for the project, and that minimal disruption in utilities will occur through coordination with utility providers. The proposed modified project is a residential development within the SPA, with a reduced number of dwelling units demanding water as compared to the approved project. The foregoing mitigation measures would be required for the proposed modified project. The mitigation measures would ensure impacts remain less than significant. No new impacts would occur.

Questions F and G: No New Impact

The 2011 EIR concluded that since the approved project can use Keifer Landfill for the anticipated increase in the generation of both short-term construction and long-term solid waste, the impact would be less than significant. No mitigation would be necessary. The proposed modified project is a residential development within the SPA. No mitigation would be necessary for the proposed modified projects. No new impacts would occur.

6.18 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Project-level Mitigation Incorporated	Less Than Significant Impact	No New Impact
<p>The lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur. Where prior to commencement of the environmental analysis a project proponent agrees to Mitigation Measures or project modifications that would avoid any significant effect on the environment or would mitigate the significant environmental effect, a lead agency need not prepare an EIR solely because without mitigation the environmental effects would have been significant (per Section 15065 of the State CEQA Guidelines):</p>				
<p>a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present and probable future projects)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Question A: No New Impact

The preceding analysis indicates that the proposed modified project would not have any new impacts, not previously disclosed the 2011 EIR in regard to the degrading the quality of the environment, substantially reducing the habitat of a fish or wildlife species, causing a fish or wildlife population to drop below self-sustaining levels, threatening to eliminate a plant or animal community, substantially reducing the number or restricting the range of a rare or endangered plant or animal or eliminating important examples of California history or prehistory. The proposed modified project would be required to comply with applicable Mitigation Measures from the 2011 EIR.

Question B: No New Impact

The proposed modified project is a subset of the SPA analyzed in the 2011 EIR. The project site is slated to be developed with residential development. No new or more severe impacts have been identified as a result of the proposed modified project. As a result, the proposed modified project would not result in cumulative impacts other than those identified in the 2011 EIR. The 2011 EIR contains cumulative impacts for each impact topic, and applicable Mitigation Measures to reduce these impacts to less than significant if feasible.

Question C: No New Impact

As outlined in other sections of this document, the proposed modified project will adhere to Mitigation Measures previously prescribed in the Mitigation Monitoring and Reporting Program adopted for the 2011 EIR for potentially significant impacts discussed previously and within the FPASP EIR. With applicable Mitigation Measures, implementation of the proposed modified project will not result in substantial adverse effects to human beings either directly or indirectly.

7. SUPPORTING INFORMATION SOURCES

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8. INITIAL STUDY PREPARERS

City of Folsom

Scott Johnson, Planning Manager, AICP

HELIX Environmental Planning, Inc.

Robert Edgerton, AICP CEP, Quality Assurance/Quality Control

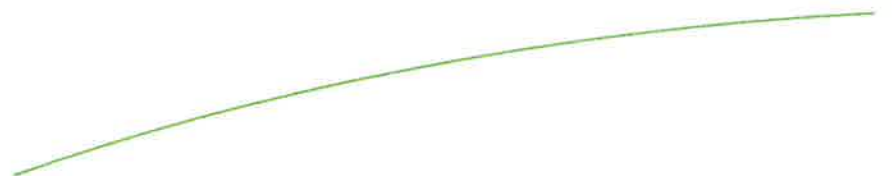
Noosheen Pouya, GIS Specialist/Planner

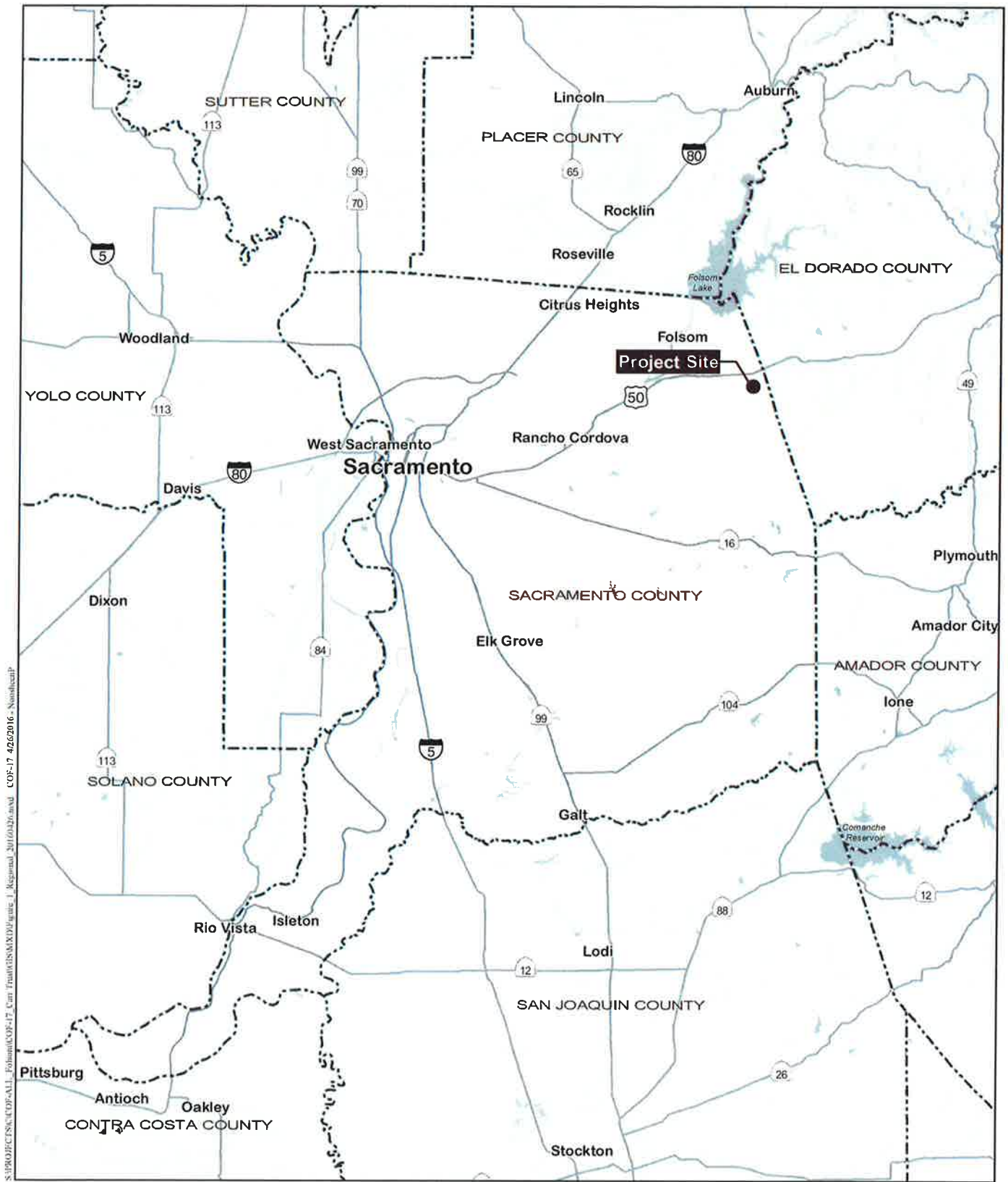
Jameson Honeycutt, Environmental Planner



Appendix A

Figures 1 and 2





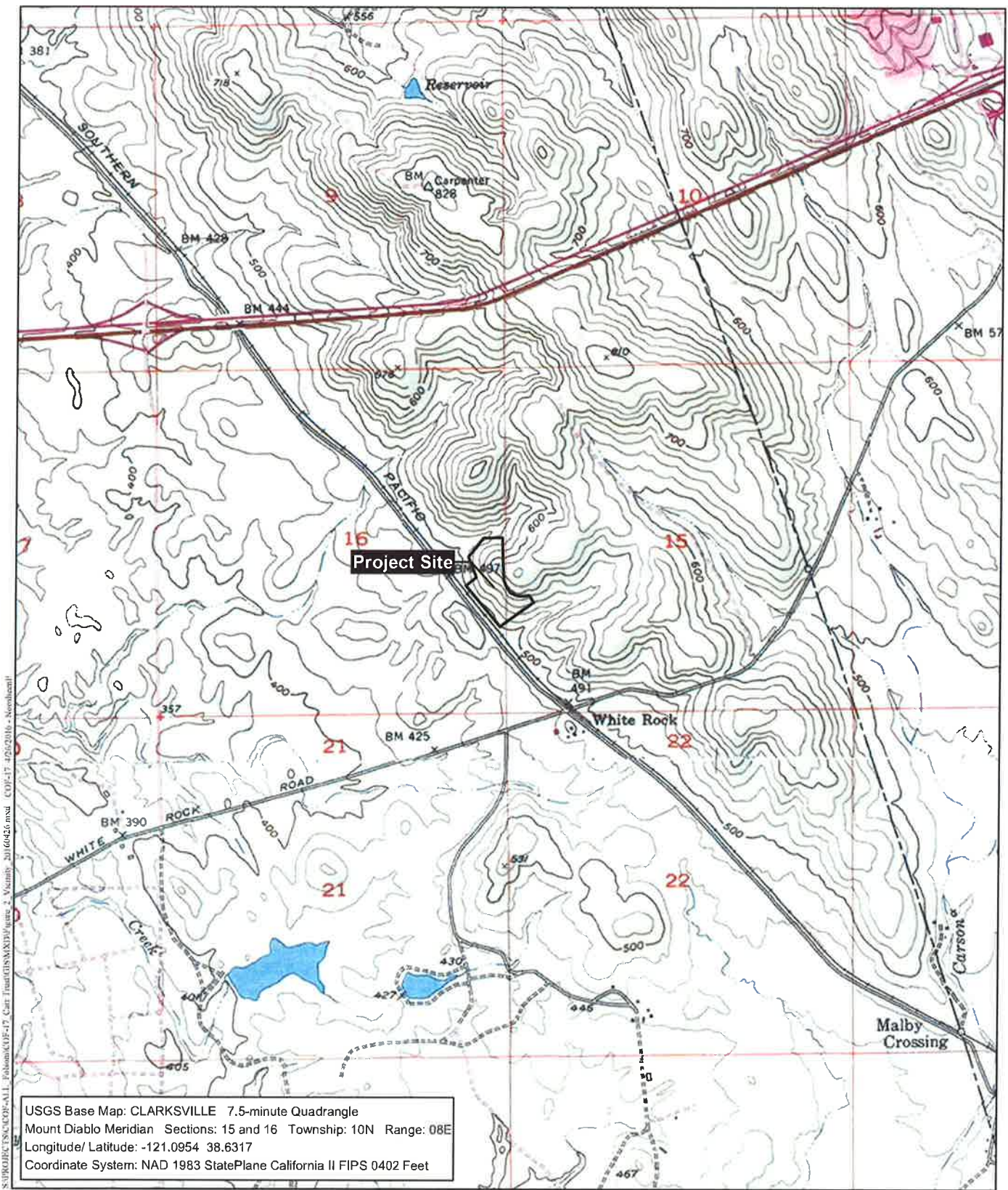
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Regional Location Map

CARR TRUST PROJECT



Figure 1



Project Vicinity Map

CARR TRUST PROJECT

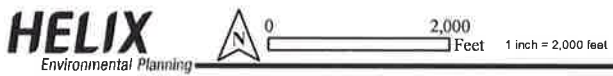


Figure 2



Appendix B

Traffic Impact Analysis (MRO 2016)





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 95603
 PHONE (916) 783-3838
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March 23, 2016

Mr. Robert Edgerton, AICP
 HELIX Environmental Planning, Inc.
 11 Natoma Street, Suite 155
 Folsom, California 95630

Subject: ***Traffic Analysis for Carr Trust Property – Folsom, California***

Dear Mr. Edgerton:

MRO Engineers, Inc. is pleased to submit this letter report documenting the results of a traffic analysis for the proposed Carr Trust Property, which is located within the Folsom Plan Area (FPA), south of U.S. Highway 50 and east of Placerville Road.

BACKGROUND

The environmental impacts associated with annexation of the FPA into the City of Folsom were addressed in the *Final EIR/EIS – Folsom South of U.S. Highway 50 Specific Plan Project* (AECOM and RMC Water and Environment, May 2011). That document was certified by the Folsom City Council on June 28, 2011.

Given current market conditions, the Carr Trust Property developers have proposed various modifications to the approved land use plan. Specifically, the previously-approved Multi-Family Low Density (MLD) uses would be replaced by Single-Family High Density (SFHD) uses, and the number of residential units would be reduced from 63 multi-family units to 28 single-family homes. Table 1 provides a more specific summary of the proposed changes in the Carr Trust Property land use plan.

Table 1 Land Use Comparison Approved Plan vs. Proposed Plan			
Land Use	Approved Plan	Proposed Plan	Difference
Single Family High Density	0.0 Acres (0 DU ¹)	5.7 Acres (28 DU)	+5.7 Acres (+28 DU)
Multi-Family Low Density	5.5 Acres (63 DU)	0.0 Acres (0 DU)	-5.5 Acres (-63 DU)
Public/Quasi-Public	0.4 Acres	0.0 Acres	-0.4 Acres
Open Space	8.6 Acres	8.9 Acres	+0.3 Acres
Roadways	0.5 Acres	0.4 Acres	-0.1 Acres
TOTAL	15.0 Acres	15.0 Acres	0.0 Acres
Notes: ¹ Dwelling units.			



STUDY OBJECTIVE

The purpose of the analysis presented here is to determine whether the traffic impacts of the modified Carr Trust project have been adequately addressed in the environmental documentation prepared with respect to the entire Folsom Plan Area. This determination will be based primarily upon a comparison of the relative trip generation values for the two land use plans. If the proposed land use plan is estimated to generate an equal (or lower) number of trips in the key analysis periods, then its traffic impacts will similarly be equal to or lower than the impacts of the approved project, which were documented in the Final EIR/EIS for the FPA annexation. If, on the other hand, the proposed land uses generate more traffic than the approved project, additional traffic analyses could be recommended.

In addition, this analysis considers whether projected traffic conditions have changed in the vicinity of the Carr Trust project since the Final EIR/EIS was certified. Substantial changes in operating conditions might also indicate a need for updated traffic analyses.

TRIP GENERATION COMPARISON

The volume of traffic associated with the Carr Trust Property was estimated using information presented in the *Trip Generation Manual* (Institute of Transportation Engineers, Ninth Edition, 2012). Estimates were developed for three time periods: daily, AM peak hour, and PM peak hour.

Approved Carr Trust Project

Table 2 summarizes the estimated trip generation associated with the approved Carr Trust Property land use plan. The estimates were developed using the “Apartment” category in the ITE document, as those rates are the most conservative (i.e., highest) values for various types of multi-family housing.

The approved land use plan would generate about 420 daily trips. In the AM peak hour, the approved land use plan would generate a total of 32 trips, with 6 inbound and 26 outbound. The PM peak hour trip generation is estimated to be 39 trips, with 25 inbound and 14 outbound.

Land Use	Size	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
			In	Out	Total	In	Out	Total
Single-Family Residential ²	0 DU ³	0	0	0	0	0	0	0
Multi-Family Residential ⁴	63 DU	420	6	26	32	25	14	39
TOTAL		420	6	26	32	25	14	39

Notes:

- ¹ Reference: Institute of Transportation Engineers, *Trip Generation Manual*, Ninth Edition, 2012.
- ² ITE Land Use Code 210 – Single-Family Detached Housing.
- ³ Dwelling unit.
- ⁴ ITE Land Use Code 220 – Apartment.



Proposed Carr Trust Project

As described above, the proposed Carr Trust land use plan would replace the 63 multi-family residential units with 28 single-family residential units. Only minor changes are proposed in the other land uses, none of which will generate traffic.

Table 3 summarizes the trip generation estimate for the modified Carr Trust land use plan. The proposed land use plan will generate about 270 trips per day. The AM peak-hour trip generation will be 21 trips (5 inbound and 16 outbound), while the PM peak-hour total will be 28 trips (18 inbound and 10 outbound).

Land Use	Size	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
			In	Out	Total	In	Out	Total
Single-Family Residential ²	28 DU	270	5	16	21	18	10	28
Multi-Family Residential ⁴	0 DU	0	0	0	0	0	0	0
TOTAL		270	5	16	21	18	10	28

Notes:
¹ Reference: Institute of Transportation Engineers, *Trip Generation Manual*, Ninth Edition, 2012.
² ITE Land Use Code 210 – Single-Family Detached Housing.
³ Dwelling unit.
⁴ ITE Land Use Code 220 – Apartment.

Trip Generation Comparison

Based on the trip generation analyses presented above, Table 4 summarizes the comparison of the approved and proposed Carr Trust Property land use plans.

The currently-proposed project is estimated to generate 150 fewer daily trips than the approved version of the project. In both the AM and PM peak hours, the proposed land use plan will generate 11 fewer trips than the approved plan.

Thus, in all three key time periods, the currently-proposed land use plan will generate less traffic than the approved Carr Trust project.

This suggests that the traffic impact analysis incorporated into the environmental documentation for the FPA annexation, which addressed the approved Carr Trust Property land use plan discussed above, remains valid with respect to the proposed land use plan. Specifically, all significant traffic impacts that might be associated with the proposed plan have already been identified in the analysis of the approved plan. Further, any necessary mitigation measures will also have been identified.

Land Use Plan	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
		In	Out	Total	In	Out	Total
Approved Project ²	420	6	26	32	25	14	39
Proposed Project ³	270	5	16	21	18	10	28
DIFFERENCE	150	1	10	11	7	4	11

Notes:
¹ Reference: Institute of Transportation Engineers, *Trip Generation Manual*, Ninth Edition, 2012.
² See Table 2.
³ See Table 3.

INTERSECTION LEVEL OF SERVICE COMPARISON

To further ensure that the traffic analysis for the FPA annexation EIR/EIS remains valid for the modified Carr Trust project, a comparison of cumulative conditions level of service results for selected key intersections was performed. The intent of this comparison was to confirm that the results of recent traffic analyses are not substantially different from the FPA annexation analysis. If the recent level of service results are somewhat different, it would suggest that the projected study area traffic operations have changed and additional analyses might be required.

The traffic impact analysis incorporated into the *Final EIR/EIS – Folsom South of U.S. Highway 50 Specific Plan Project* was conducted by DKS Associates. With respect to cumulative conditions, it addressed traffic operations in the year 2030 at 26 intersections within the pre-existing Folsom city limits and an additional 30 intersections in the annexation area (including four existing intersections along White Rock Road).

More recently, a detailed traffic analysis was completed for the Russell Ranch project, which is located adjacent to the Carr Trust Property within the FPA. That analysis, which was completed by Fehr & Peers, addressed traffic operations at 32 intersections in the year 2035.

Comparison of the study areas for the two analyses revealed eleven intersections that were common to both studies and were located in the vicinity of Carr Trust. Those locations are:

- East Bidwell Street/Iron Point Road,
- East Bidwell Street/U.S. Highway 50 Westbound Ramps,
- East Bidwell Street/U.S. Highway 50 Eastbound Ramps,
- White Rock Road/Scott Road,
- White Rock Road/Placerville Road,
- Iron Point Road/Cavitt Drive,
- Iron Point Road/Serpa Way,



- Empire Ranch Road/Iron Point Road,
- Empire Ranch Road/U.S. Highway 50 Westbound Ramps,
- Empire Ranch Road/U.S. Highway 50 Eastbound Ramps, and
- Empire Ranch Road/White Rock Road.

Table 5 illustrates the comparison of Cumulative Plus Project level of service results for those intersections for the AM and PM peak hours. The Cumulative Plus Project scenario includes buildout of the entire FPA land use plan (including the approved Carr Trust land use plan), as well as expected growth throughout the Sacramento region.

Table 5 reveals that relatively little difference in intersection level of service is projected in the two analyses. In the AM peak hour, five of the eleven intersections will have identical levels of service. At another five locations, the more-recent year 2035 projections indicate better LOS than the year 2030 annexation EIR/EIS analysis, based on lower delay values.

At Empire Ranch Road/Iron Point Road, although the delay value is shown to be substantially higher in the year 2035, detailed examination of that location reveals that this finding is primarily related to differences in the LOS calculation assumptions employed in the two analyses. If those assumptions had been more consistent in the two studies, the delay values would be more similar. The only intersection where the Russell Ranch analysis showed a worse level of service is East Bidwell Street/Iron Point Road, where LOS D is projected rather than the previous LOS C.

More variation is seen in the PM peak hour, although the differences are not considered significant. While two locations are projected to have identical levels of service, at five locations the year 2035 LOS is projected to be better than the year 2030 values. Four locations are projected to have slightly worse LOS values, although two of those are projected to continue to operate at acceptable levels of service under City of Folsom policy.

As noted above, the increased delay value at East Bidwell Street/Iron Point Road is related to differences in the LOS calculation assumptions employed in the two analyses. The Final EIR/EIS for the annexation process identified this intersection as having a significant impact and designated a corresponding mitigation measure (No. 3A.15-4d).

In the case of Empire Ranch Road/Iron Point Road, the decline from LOS E to LOS F is primarily due to the fact that the boundary between LOS E and LOS F is an average delay value of 80.0 seconds/vehicle. As such, the year 2030 result is only 0.2 seconds/vehicle from exceeding that threshold and, consequently, operating at LOS F. In any event, the Final EIR/EIS for the annexation process identified this intersection as having a significant impact and designated a mitigation measure (No. 3A.15-4f) to address the projected efficiency.

In general, this comparison indicates that the year 2035 findings resulting from the recently-completed Russell Ranch traffic analysis are not significantly different from the year 2030 results documented in the certified Final EIR/EIS for the FPA annexation process.

Table 5
Level of Service Comparison for Selected Intersections

Intersection	Cumulative Plus Project Conditions							
	FPASP (Year 2030) ¹				Russell Ranch (Year 2035) ²			
	AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
	Delay ³	LOS ⁴	Delay	LOS	Delay	LOS	Delay	LOS
East Bidwell St./Iron Point Rd.	29.7	C	77.0	E	49	D	141	F
East Bidwell St./U.S. Hwy. 50 WB Ramps	28.1	C	22.5	C	10	A	8	A
East Bidwell St./U.S. Hwy. 50 EB Ramps	17.1	B	20.7	C	15	B	11	B
White Rock Rd./Scott Rd.	35.6	D	22.1	C	15	B	17	B
White Rock Rd./Placerville Rd.	11.7	B	9.7	A	15	B	16	B
Iron Point Rd./Cavitt Dr.	12.9	B	21.6	C	10	A	23	C
Iron Point Rd./Serpa Way	24.3	C	43.7	D	15	B	19	B
Empire Ranch Rd./Iron Point Rd.	82.2	F	79.9	E	122	F	89	F
Empire Ranch Rd./U.S. Hwy. 50 WB Ramps	14.7	B	15.8	B	12	B	9	A
Empire Ranch Rd./U.S. Hwy. 50 EB Ramps	15.8	B	19.2	B	7	A	11	B
Empire Ranch Rd./White Rock Rd.	28.9	C	17.7	B	31	C	35	C

Notes:
¹ Reference: AECOM and RMC Water and Environment, *Final EIR/EIS – Folsom South of U.S. Highway 50 Specific Plan Project*, May 2011.
² Reference: Fehr & Peers, *Russell Ranch Final Transportation Impact Study*, December 2014.
³ Average control delay in seconds per vehicle.
⁴ Level of service.



CONCLUSION

The developers of the Carr Trust Property have proposed a modified land use plan, which differs from the land use plan addressed in the certified Final EIR/EIS for the Folsom Plan Area, south of U.S. Highway 50. The analysis documented in this report addressed whether the traffic impacts of the modified project have been adequately addressed in the FPA environmental documentation, based primarily upon a comparison of the relative trip generation values for the two land use plans. This analysis also considered whether projected traffic conditions have changed in the vicinity of the Carr Trust project since the Final EIR/EIS was certified. Substantial changes in operating conditions might indicate a need for updated traffic analyses.

The analysis determined that, in all three key time periods, the currently-proposed, modified land use plan will generate less traffic than the approved Carr Trust project.

Based on a detailed review of the recently-completed traffic study for the adjacent Russell Ranch project, this analysis also determined that projected cumulative traffic operating conditions have not changed substantially since the FPA EIR/EIS was certified.

Therefore, it is reasonable to conclude that the findings presented in the traffic analysis for the FPA annexation process remain valid for the modified version of the Carr Trust project, and that no further traffic analysis is necessary for that project.

We appreciate having the opportunity to work with you on this project. Please call if you have any questions or need further information.

Sincerely,

MRO ENGINEERS, INC.

A handwritten signature in blue ink that reads "Neal K. Liddicoat".

Neal K. Liddicoat, P.E.
Traffic Engineering Manager