

RESOLUTION 2018-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKLIN
APPROVING A DESIGN REVIEW AND AN OAK TREE PRESERVATION PLAN PERMIT

(Tractor Supply Co. / DR2018-0006/TRE2018-0002)

The City Council of the City of Rocklin does resolve as follows:

Section 1. The City Council of the City of Rocklin finds and determines that:

A. Design Review and an Oak Tree Preservation Plan Permit (DR2018-0006/TRE2018-0002) approves the development of a new farm and home supply retail store with enclosed outdoor storage and outdoor display including the site design, landscaping, and architecture on an approximately 2.6 acre site and allows the removal of approximately 63 oak trees. Assessor's Parcel Number 045-041-020.

B. A Mitigated Negative Declaration ("MND") was previously adopted for this Project via Planning Commission Resolution No. PC-2018-39 on November 6, 2018.

C. The Project is substantially the same as previously considered by the Planning Commission of the City of Rocklin and does not involve any changes in circumstances, new significant effects or a substantial increase in severity of previously identified significant effects.

D. There is no new information of substantial importance for the Project which could not have been known at the time of the MND adoption, and the Project will not have any significant effects that were not discussed nor any significant effects that are substantially more severe than shown in the previously adopted MND.

E. The design of the site is compatible with surrounding development, natural features and constraints.

F. The height, bulk, area, color scheme and materials of the buildings and structures are compatible with surrounding development.

G. The buildings and structures have been oriented with consideration given to minimizing energy consumption and maximizing use of natural lighting.

H. Adverse light and glare impacts upon adjoining properties have been eliminated or reduced to a less than significant level by consideration and modification of the location and height of light standards, orientation of exterior lighting fixtures, and conditioning the project to use light fixtures that will direct light downward.

I. The dimensions, placement, and design of the signs are compatible with the proposed buildings and structures and the surrounding development and environment.

J. The landscaping design is compatible with surrounding development and has been designed with provisions for minimizing water usage and maintenance needs.

K. The parking design, including ingress and egress traffic patterns, is compatible with the surrounding development and the public street patterns.

L. The design of the site and buildings or structures is consistent with the goals, policies, and land use designations in the General Plan and with all zoning standards, regulations, and restrictions applicable to the property.

M. The project design preserves as many oak trees onsite as reasonably possible, and the incorporated mitigation adequately mitigates for the loss of oak trees resulting from the project.

Section 2. The Design Review (Tractor Supply Co. / DR2018-0006/TRE2018-0002) as depicted in Exhibits A and B, attached hereto and by this reference incorporated herein, is hereby approved subject to the conditions listed below. Unless expressly stated otherwise, the applicant is solely responsible for satisfying each condition prior to occupancy of the structure. The approved Exhibits A and B shall govern the design and construction of the project. Any condition directly addressing an element incorporated into Exhibits A and B shall be controlling and shall modify Exhibits A and B. All other plans, specifications, details, and information contained within Exhibits A and B shall be specifically applicable to the project and shall be construed as if directly stated within the condition for approval. Unless expressly stated otherwise, the applicant is solely responsible for satisfying each condition prior to issuance of the building permit. The agency and / or City department(s) responsible for ensuring implementation of each condition is indicated in parenthesis with each condition.

A. Notice to Applicant of Fees & Exaction Appeal Period

The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code §66020(d), these conditions constitute written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions.

The applicant is hereby notified that the 90-day protest period, commencing from the date of approval of the project, has begun. If the applicant fails to file a protest regarding any of the fees, dedication requirements, reservation requirements or other exaction contained in this notice, complying with all the requirements of Government Code §66020, the applicant will be legally barred from later challenging such exactions.

B. Conditions

1. Utilities

- a. All utilities, including but not limited to water, sewer, telephone, gas, electricity, and conduit for cable television shall be provided to the project in compliance with all-applicable standards and requirements of the applicable provider. (APPLICABLE UTILITY)
- b. The applicant shall install an un-painted, split face CMU masonry trash enclosure with decorative masonry caps and solid metal gates, to the satisfaction of the Community Development Director. The locations and designs of the trash enclosures shall provide for a minimum clear width and gate opening of 11 feet, a minimum interior depth of 14 feet (to accommodate two trash bins) and gates designed to clear adjacent curbing, to the satisfaction of Recology Auburn Placer. (PLANNING, RECOLOGY AUBURN PLACER)
- c. Prior to issuance of a Building Permit, the project shall be included in the appropriate City financing districts, as needed, to most efficiently provide for public maintenance of public landscaping, improvements such as sound walls, and provision of new or enhanced services such as street lighting to the satisfaction of the City Finance Manager (FINANCE, BUILDING, PUBLIC SERVICES)

2. Schools

The following conditions shall be satisfied to mitigate the impact of the proposed development on school facilities (ROCKLIN UNIFIED SCHOOL DISTRICT, BUILDING):

- a. At the time of issuance of a building permit, the developer shall pay to the Rocklin Unified School District all fees required under Education Code section 17620 and Government Code Section 65995, to the satisfaction of the Rocklin Unified School District.
- b. The above condition shall be waived by the City Council if the applicant and the District reach agreement to mitigate the impacts on the school facilities caused by the proposed development and jointly request in writing that the condition be waived.

3. Fire

- a. Improvement plans shall show the location and size of fire hydrants and water mains in conformance with the standards and requirements of the Rocklin Fire Chief and PCWA. (PCWA, ENGINEERING, FIRE)

- b. Improvement plans shall reflect a looped water supply main to the satisfaction of the Rocklin Fire Chief and PCWA. (PCWA, ENGINEERING, FIRE)

4. Improvements / Improvement Plans

Prior to any grading, site improvements, or other construction activities associated with this project improvement plans shall be prepared consistent with the exhibits and conditions incorporated as a part of this entitlement, and in compliance with all applicable city standards, for the review and approval of the City Engineer.

Improvement plans shall be valid for a period of two years from date of approval by the City Engineer. If substantial work has not been commenced within that time, or if the work is not diligently pursued to completion thereafter, the City Engineer may require the improvement plans to be resubmitted and/or modified to reflect changes in the standard specifications or other circumstances.

The project improvement plans shall include the following:
(ENGINEERING, PLANNING, PUBLIC SERVICES)

- a. A final Stormwater Control Plan and a detailed grading and drainage plan prepared by a registered civil engineer, in substantial compliance with the approved project exhibit(s) and in accord with the City of Rocklin Post-Construction Manual. The grading and drainage plan shall include the following:
 - i) Stormwater Management
 - 1) Prior to issuance of improvement plans, to ensure compliance with the National Pollutant Discharge Elimination System MS4s General Permit and the regulations and orders of the State Water Resources Control Board, the applicant shall prepare and implement a Stormwater Management Facility Operation and Maintenance Plan for the on-site treatment systems and hydromodification controls, if any, or acceptable alternative to the satisfaction of the City Engineer and the Environmental Services Manager. All specified treatment systems and hydromodification controls shall be privately owned and maintained on a regular basis to ensure proper performance. (BUILDING, PUBLIC SERVICES)
 - 2) Prior to issuance of improvement plans, unless waived by the City Engineer and Environmental Services Manager, the developer shall grant a Stormwater Management Compliance Easement over the project site to the City of Rocklin, in a form acceptable to the City Attorney. The Stormwater Management Compliance Easement shall be recorded with the County Clerk's office and a

copy of the recorded document shall be provided to the Environmental Services division. Said easement shall provide for the following: (ENGINEERING, CITY ATTORNEY, BUILDING, PUBLIC SERVICES)

- i. Grant site access to City employees for the purpose of performing operations and maintenance inspections of the installed treatment system(s) and hydromodification control(s) (if any).
 - ii. Grant site access to City employees for the purpose of performing operations and maintenance work on the installed treatment system(s) and hydromodification control(s) (if any) in the event that that the Director of Public Services determines, based upon the inspection results, that said work is not being performed adequately and has or will compromise the system's ability to function as required.
 - iii. A statement that the City may, at its option, cause the operational and maintenance responsibilities set forth in the Stormwater Management Facility Operation and Maintenance Plan to be performed and place a special assessment against the project site to recover the costs to the City in the event the project is not operated and maintained in accord with the approved Stormwater Management Facility Operation and Maintenance Plan. (RMC §8.30.150).
- 3) All storm drainage inlets shall be stamped with City Engineer approved wording indicating that dumping of waste is prohibited and identifying that the inlets drain into the creek system.
 - 4) Site design measures for detaining run off at pre-development levels, including location and specifications of on-site or off-site detention basins, if any.
 - 5) Individual lot drainage management areas including individual drainage features, such as lined drainage swales.
 - 6) The developer shall prepare a Storm Water Pollutant Protections Plan (SWPPP) for review and approval by the State Regional Water Quality Control Board as part of the project's drainage improvement plans.
- ii) Prior to the commencement of grading operations, and if the project site will not balance with respect to grading, the contractor shall identify the site where any excess earthen material shall be deposited. If the deposit site is within the City of Rocklin, the contractor shall submit a report

issued by a technical engineer to verify that the exported materials are suitable for the intended fill and show proof of all approved grading plans. Haul routes to be used shall be specified. If the site requires importing of earthen material, then prior to the commencement of grading operations, the contractor shall identify the site where the imported earthen material is coming from and the contractor shall submit a report issued by a technical engineer to verify that the imported materials are suitable for the intended fill and show proof of all approved grading plans. Haul routes to be used shall be specified. (ENGINEERING)

- iii) If at any time during the course of grading or construction activities evidence of the existence of old wells, septic systems or other similar features is encountered, work shall be halted within 100 feet of the find and the City of Rocklin Engineer shall be notified. The City Engineer shall make a determination as to the nature of the feature (or features), the appropriate size for a buffer around the feature beyond which work could continue on the balance of the site, and which outside agencies, if any, should be notified and involved in addressing and/or remediation of the feature. At the discretion of the City Engineer and at the applicant's expense, a qualified consultant(s) shall be retained to assess and characterize the feature and to determine appropriate remediation, if any. Remediation of the feature including obtaining any special permits and/or approvals as needed shall be completed and documented to the satisfaction of the City Engineer and any responsible agencies, such as but not limited to the Placer County Department of Environmental Health, prior to completion of grading/construction in the affected area.
- b. All on-site standard improvements, including but not limited to:
- i) Paving, curbs (including concrete curbs to contain all landscape areas adjacent to vehicle parking areas or travel lanes), gutters, sidewalks, drainage improvements, irrigation improvements (main lines and distribution where located under paved areas), utility improvements, parking lot and site lights, fire hydrants, retaining walls, fences, pilasters, enhanced pavement treatments, trash enclosures, etc.
 - ii) All necessary easements for drainage, access, utilities, etc. shall be shown and offered for dedication (or Irrevocable Offer of Dedication provided) with the improvement plans.
 - iii) To the extent possible underground facilities such as but not limited to electrical, gas, water, drainage, and irrigation lines shall be located outside of or to the edge of areas designated for landscaping so as to minimize impacts to the viability of these areas.

- iv) Rough grading, erosion control, and hydroseeding (with a drought tolerant mix of wild flowers and grasses), as deemed appropriate by the City Engineer, for all areas disturbed by grading of the project site but not developed.
- c. A detailed parking lot striping plan designed per City standards, which indicates all parking spaces, aisles, entrances, and exits in substantial conformance with Exhibit A. (ENGINEERING, PLANNING)
- d. The following on-site special improvements:
 - i) Colored concrete to contrast with adjacent sidewalk and parking lot paving to differentiate and delineate the designated permanent Sidewalk Display and Trailer and Equipment Display areas, as shown on Exhibit A. (ENGINEERING, PLANNING)
 - ii) Retaining walls shall be constructed of decorative, split face CMU, or approved equivalent and shall match or blend with the existing retaining wall along the south boundary of the site, to the satisfaction of the Community Development Director. (ENGINEERING, PLANNING)
 - iii) Bollards and striping shall be installed between the truck dock and the southeast corner of the building to prevent vehicles from entering the loading zone at the end of the ramp. The bollard locations shall not interfere with the loading zone. Bollards and striping shall be to the satisfaction of the City Engineer and Fire Chief. (ENGINEERING, FIRE, PLANNING)
- e. The following off-site improvements:
 - i) If the project's Surface Transportation Assistance Act (STAA) truck route will be different than the existing route, install additional signage as required by State or City standards.
- f. Prior to any grading or construction activities including issuance of improvement plans, the developer shall submit a design-level soil investigation for the review and approval of the City Engineer and Chief Building Official that evaluates soil and rock conditions, particularly the potential for expansive soils. The professional engineer that prepared the soil investigation shall recommend appropriate roadway construction and foundation techniques and other best practices that are to be implemented by the project during construction. These techniques and practices shall address expansive soils or other geological concerns requiring remediation, including but not limited to:

- Recommendations for building pad and footing construction;
 - Use of soil stabilizers or other additives; and
 - Recommendations for surface drainage.
- g. Provisions for dust control, re-vegetation of disturbed areas, and erosion control, in conformance with the requirements of the City of Rocklin, including but not limited to the following (which shall be included in the project notes on the improvement plans):
- i) The prime contractor shall submit to the District a comprehensive inventory (e.g., make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used in aggregate of 40 or more hours for the construction project. If any new equipment is added after submission of the inventory, the prime contractor shall contact the District prior to the new equipment being utilized. At least three business days prior to the use of subject heavy-duty off-road equipment, the project representative shall provide the District with the anticipated construction timeline including start date, name, and phone number of the property owner, project manager, and on-site foreman.
 - ii) During construction the contractor shall utilize existing power sources (e.g., power poles) or clean fuel (e.g., gasoline, biodiesel, natural gas) generators to minimize the use of temporary diesel power generators.
 - iii) During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel powered equipment.
 - iv) Traffic speeds on all unpaved road surfaces shall be posted at 15 mph or less.
 - v) All grading operations shall be suspended when fugitive dust emissions exceed District Rule 228-Fugitive Dust limitations. The prime contractor shall be responsible for having an individual who is CARB-certified to perform Visible Emissions Evaluations (VEE). This individual shall evaluate compliance with Rule 228 on a weekly basis.
 - vi) Fugitive dust emissions shall not exceed 40% opacity and shall not go beyond the property boundary at any time. If lime or other drying agents are utilized to dry out wet grading areas, the developer shall ensure such agents are controlled so as not to exceed District Rule 228-Fugitive Dust limitations.
 - vii) The prime contractor shall be responsible for keeping adjacent public thoroughfares clean of silt, dirt, mud, and debris, and shall “wet broom” the streets (or use another method to control dust as approved by the individual jurisdiction) if silt, dirt mud or debris is carried over to adjacent public thoroughfares.

- viii) The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) are excessive and dust is impacting adjacent properties.
- ix) The contractor shall apply water or use other method to control dust impacts offsite. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site.
- x) All construction equipment shall be maintained in clean condition.
- xi) Chemical soil stabilizers, vegetative mats, or other appropriate best management practices, in accordance with manufacturers' specifications, shall be applied to all-inactive construction areas (previously graded areas which remain inactive for 96 hours).
- xii) All exposed surfaces shall be revegetated as quickly as feasible.
- xiii) If fill dirt is brought to or exported from the construction site, tarps or soil stabilizers shall be placed on the dirt piles to minimize dust problems.
- xiv) Water shall be applied to control fugitive dust, as needed, to prevent impacts offsite. Operational water trucks shall be onsite to control fugitive dust. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site.
- xv) Processes that discharge 2 pounds per day or more of air contaminants, as defined by California State Health and Safety Code Section 39013, to the atmosphere may require a permit. Developers / Contractors should contact the PCAPCD prior to construction or use of equipment and obtain any necessary permits.
- xvi) In order to minimize wind driven dust during construction, the prime contractor shall apply methods such as surface stabilization, establishment of a vegetative cover, paving, (or use another method to control dust as approved by the City).
- xvii) Construction equipment exhaust emissions shall not exceed Placer County APCD Rule 202 Visible Emission limitations. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified by APCD to cease operations and the equipment must be repaired within 72 hours.
- xviii) Open burning of any kind shall be prohibited. All removed vegetative material shall be either chipped on site or taken to an appropriate recycling site, or if a site is not available, a licensed disposal site.
- xix) Any diesel powered equipment used during project construction shall be Air Resources Board (ARB) certified.

- h. The following noise conditions shall be included in the notes on the face of the improvement plans: (ENGINEERING)
- i) All “self-powered” construction equipment and stationary noise sources (e.g. pumps, electrical generators, etc.) shall be equipped with noise control devices (e.g. mufflers). (ENGINEERING, BUILDING)
 - ii) Equipment “warm-up” areas, water storage tanks, equipment storage areas, and stationary noise-generating machinery (e.g. pumps, electrical generators, etc.) shall be located away from the existing residences and other sensitive noise receptors to the extent feasible. (ENGINEERING, BUILDING)
 - iii) All phases of project development shall be subject to the City of Rocklin Construction Noise Guidelines, including restricting construction-related noise generating activities within or near residential areas to between 7:00 a.m. and 7:00 p.m. on weekdays, between 8:00 a.m. and 7:00 p.m. on weekends. The Community Development Director may grant exceptions to the Construction Noise Guidelines if, in the opinion of the Community Development Director, special and unusual circumstances exist that make strict adherence to the Construction Noise Guidelines infeasible. (ENGINEERING, BUILDING)
- i. The following cultural resource condition shall be included in the project notes on the improvement plans, to the satisfaction of the City Engineer:

If an inadvertent discovery of cultural materials (e.g., unusual amounts of shell, charcoal, animal bone, bottle glass, ceramics, burned soil, structure/building remains) is made during project-related construction activities, ground disturbances in the area of the find shall be halted and a qualified professional archaeologist, the Environmental Services Manager and the Native American Heritage Commission shall be notified regarding the discovery. The archaeologist shall determine whether the resource is potentially significant as per CEQA (i.e., whether it is a historical resource, a unique archaeological resource, unique paleontological resource, or a tribal cultural resource) and shall develop specific measures to ensure preservation of the resource or to mitigate impacts to the resource if it cannot feasibly be preserved in light of costs, logistics, technological considerations, the location of the find, and the extent to which avoidance and/or preservation of the find is consistent or inconsistent with the design and objectives of the project. Specific measures for significant or potentially significant resources would include, but are not necessarily limited to, preservation in place, in-field documentation, archival research, subsurface testing, and excavation. The specific type of measure necessary would be determined according to evidence indicating degrees of resource integrity, spatial and temporal extent, and cultural associations, and would be developed

in a manner consistent with CEQA guidelines for preserving or otherwise mitigating impacts to archaeological and cultural artifacts.

In the event of the accidental discovery or recognition of any human remains, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains, until compliance with the provisions of Sections 15064.5 (e)(1) and (2) of the CEQA Guidelines, as well as Public Resources Code Section 5097.98, has occurred. If any human remains are discovered, all work shall stop in the immediate vicinity of the find and the County Coroner shall be notified, according to Section 7050.5 of the California Health and Safety Code. The City's Environmental Services Manager shall also be notified. If the remains are Native American, the Coroner will notify the Native American Heritage Commission, which in turn will inform a most likely descendant. The descendant will then recommend to the landowner appropriate disposition of the remains and any grave goods, and the landowner shall comply with the requirements of AB2641 (2006). {MM V.-1} (ENVIRONMENTAL SERVICES, ENGINEERING)

- j. The following tribal cultural resources condition shall be included in the project notes on the improvement plans, to the satisfaction of the City Engineer:

Prior to any grading or construction activities, orange construction fencing shall be erected around the potential Tribal Cultural Resource located on Parcel B. The fencing shall remain in place during all construction activities and may be removed once construction and landscaping for the project is complete. {MM XVII.-1} (ENVIRONMENTAL SERVICES, ENGINEERING)

- k. The following biological resource condition shall be included in the project notes on the improvement plans, to the satisfaction of the City Engineer:

Prior to the start of grading or construction activities to occur within the nesting season, the applicant shall submit documentation of a survey for nesting raptors and migratory to the City's Public Services and Economic and Community Development Departments. If the survey results are negative, no further mitigation is required. If the survey results are positive, the biologist shall consult with the City and the California Department of Fish and Wildlife as detailed below.

The applicant/developer shall attempt to time the removal of potential nesting habitat for raptors and migratory birds to avoid the nesting season (February 1 through September 15).

If tree and vegetation removal and/or project grading or activities occur during the nesting season for raptors and migratory birds (February 1 through September 15), the developer and/or contractor shall hire a qualified biologist

approved by the City to conduct pre-construction surveys no more than 14 days prior to initiation of tree and vegetation removal activities. The survey shall cover all areas of suitable nesting habitat within 500 feet of project activity and shall be valid for one construction season. Prior to the start of tree and vegetation removal activities, documentation of the survey shall be provided to the City of Rocklin Public Services Department and if the survey results are negative, no further mitigation is required and necessary tree and vegetation removal may proceed. If there is a break in construction activity of more than 14 days, then subsequent surveys shall be conducted.

If the survey results are positive (active nests are found), impacts shall be avoided by the establishment of appropriate buffers. The biologist shall consult with the California Department of Fish and Wildlife (CDFW) and the City to determine the size of an appropriate buffer area (CDFW guidelines recommend implementation of 500-foot buffers). Monitoring of the nest by a qualified biologist may be required if the activity has the potential to adversely affect an active nest.

If construction activities are scheduled to occur during the non-breeding season (September 16 - January), a survey is not required and no further studies are necessary. {MM IV.-1.} (ENVIRONMENTAL SERVICES, ENGINEERING)

- I. The following biological resource condition shall be included in the project notes on the improvement plans, to the satisfaction of the City Engineer:

Prior to any grading or construction activities, the applicant/developer shall erect orange construction fencing around the seasonal wetland located in the southwest corner of the site, as depicted and further described on Exhibit A for DR2018-0006, U2018-0005, DL2018-0002 and TRE 2018-0002. All orange construction fencing shall be maintained and remain in place during all construction and landscaping activities.

Following construction activities, a low durable edge treatment such as concrete curbing shall be installed around the boundary of the wetland to the satisfaction of the Community Development Director. {MM IV.-2} (ENVIRONMENTAL SERVICES, ENGINEERING)

- m. The following biological resource conditions shall be included in the project notes on the improvement plans, to the satisfaction of the City Engineer:

Prior to the issuance of improvement plans or grading permits, the applicant shall:

- i) Clearly indicate on the construction documents that oak trees not scheduled for removal, as indicated on Exhibit B and specified below, will

be protected from construction activities in compliance with the pertinent sections of the City of Rocklin Oak Tree Preservation Ordinance:

- Trees # 271, 273, 274 on APN 045-041-019
- All oak trees on Parcel B with the exception of Trees # 200 and # 218 to be removed for the western driveway and parking lot construction
- Trees # 219, 220, 234, 235, 244, 262, and 264 on Parcel A

ii) Mitigate for the removal of oak trees on the project site consistent with the requirements of the City's Oak Tree Preservation Ordinance (Rocklin Municipal Code Section 17.77.080.B). The required mitigation shall be calculated using the formula provided in the Oak Tree Preservation Ordinance and to that end the project arborist shall provide the following information:

- The total number of surveyed oak trees;
- The total number of oak trees to be removed;
- The total number of oak trees to be removed because they are sick or dying, and
- The total, in inches, of the trunk diameters at breast height (TDBH) of all surveyed oak trees on the site in each of these categories.

{MM IV.-3} (ENVIRONMENTAL SERVICES, PLANNING, ENGINEERING)

iii) Prior to any grading or construction activities, the applicant/developer shall erect orange construction fencing around all oak trees to be preserved, as depicted and further described on Exhibit A for DR2018-0006, U2018-0005, DL2018-0002 and TRE 2018-0002. All orange construction fencing shall be maintained and remain in place during all construction and landscaping activities. (ENVIRONMENTAL SERVICES, PLANNING, ENGINEERING, BUILDING)

5. Improvements in the Public Right-of-Way

The applicant shall obtain an encroachment permit for all improvements within the public right-of-way. Applicant shall post a performance bond and labor and materials payment bond (or other equivalent financial security) in the amount of 100% of the cost of the improvements to be constructed in the public right-of-way as improvement security to ensure the faithful performance of all duties and obligations required of applicant in the construction of the improvements. Such improvement security shall be

in a form acceptable to the City Attorney. Such security shall be either a corporate surety bond, a letter of credit, or other instrument of credit issued by a banking institution subject to regulation by the State or Federal government and pledging that the funds necessary to carry out this Agreement are on deposit and guaranteed for payment, or a cash deposit made either directly with the City or deposited with a recognized escrow agent for the benefit of the City. (PUBLIC SERVICES)

6. Line of Sight Maintenance

As identified in the May 11, 2018 Fehr & Peers “Tractor Supply Store Project Access Evaluation and Traffic Impact Assessment” Technical Memorandum and associated Exhibit 2, the sight distance triangles shall not have any fences, walls, shrubs, signs, product display or any other obstruction in excess of 30 inches above the roadway surface of Granite Drive. {XVI.-1} (ENGINEERING, PLANNING)

7. Landscaping

a. Final landscape plans shall be provided by the developer and approved by the Director of Community Development. The landscape plans shall comply with the following requirements and conform with Exhibit B: (PLANNING)

i) The landscaping plan shall be prepared by a landscape architect and shall include:

1) Plant material information shall adhere to the following:

a) A legend of the common and botanical names of specific plant materials to be used, including in the planters at the front of the store. The legend should indicate the nursery container size of plant materials, the size at maturity, and include a graphic symbol for each plant type:

Shrubs shall be a minimum of five (5) gallon and trees a minimum of fifteen (15) gallon and meet the minimum height specified by the American Standards for Nursery Stock. Groundcover spacing shall be sufficient to achieve adequate cover upon establishment of the plants.

b) Final plant selections shall be based on the approved Planting Legend and shall incorporate a variety of plants from each plant type.

c) Eastern redbud shall be replaced with Western redbud.

- d) Along the southern project boundary within the planter between the existing retaining wall and the new retaining wall, two varieties of tall narrow evergreen trees shall replace the proposed mix of Chinese Pistache and Holly Oak to provide quicker and more effective visual screening of the rear of the store.
- 2) A section diagram of proposed tree staking.
- 3) An irrigation plan including an automatic irrigation system. The plan shall include drip irrigation wherever possible.
- 4) Along the public right-of-way, berming of landscape strips or the installation of dense shrubs to screen the undercarriages of vehicles as viewed from off-site.
- 5) Documentation and verification that the proposed parking lot landscaping will achieve 50% shading at maturity (15 years from planting), to the satisfaction of the Community Development Director.
- 6) Trailing groundcover along the top of the retaining walls.
- 7) Two container plantings shall be placed at the front of the store with appropriate irrigation systems, consistent with Exhibit B. The containers shall be planted with a varied mix of plant materials to achieve a layered and attractive appearance. The locations and irrigation systems for said containers shall be indicated on the landscape plans and shall be installed prior to occupancy of the building, to the satisfaction of the Community Development Director. (PLANNING)
- 8) Granite or moss rock boulders in the Granite Drive landscape areas. Boulders within the required line of sight triangle shall not to exceed 30 inches in height.
- 9) Enhanced landscaping on both sides of the north driveway and in the vicinity of the monument sign, to the satisfaction of the Community Development Director.
- ii) The landscape plan shall accommodate the preserved oak trees and shall be revised by adding or removing trees if needed to provide adequate spacing around the oak trees to remain.

- iii) The plan shall be certified by the landscape architect that the landscape plan meets the requirements of the water Conservation and Landscaping Act. Government Code §65591, et seq.
- b. The parking lot lighting plan shall be designed to accommodate shade trees and provide for illumination of the parking areas. Light standards and underground utilities shall be located such that required parking lot shade trees can still be planted.
- c. All landscaping shall be installed and the landscape architect shall certify, in writing, that the landscaping and irrigation system have been installed in full compliance with the approved plans prior to issuance of a Certificate of Occupancy. (PLANNING)

8. Landscaping Maintenance Agreement

Prior to issuance of the Certificate of Occupancy for the first building, the property owner shall enter into an agreement with the City of Rocklin providing for the maintenance of landscaping within the public right-of-way along Granite Drive. The agreement shall stipulate that the property owner shall maintain the irrigation system and shall maintain all plant materials. The agreement shall also indemnify the City against claims arising from developer's activities and shall be recorded and binding on successors in interest of the developer. (ENGINEERING, PUBLIC SERVICES)

9. Architecture

- a. All wall-mounted mechanical equipment and conduit shall be color-matched to the adjacent building color to minimize its visibility, to the satisfaction of the Community Development Director. (PLANNING)
- b. The back or rear of any parapet wall that may be visible from an adjacent right-of-way or property shall be painted the same color as the front of the parapet wall to provide a more finished appearance. (PLANNING)
- c. The architecture of the building, including finishes and details, shall be in substantial conformance with Exhibit A. (PLANNING)

10. Lighting

The lighting design plan shall be approved by the Community Development Director for compliance with this condition. (PLANNING)

- a. All exterior lighting shall be cut-off type fixtures that incorporate "dark sky" provisions and are designed and installed such that all light is projected directly toward the ground to avoid adverse glare on adjacent properties. Lighting

fixtures that match those used for the nearby ARCO gas station shall be utilized within the parking lot areas. All building mounted lighting, including wall packs fixtures, shall be decorative and consistent with the building architecture to the satisfaction of the Community Development Director.

- b. The photometric plan shall be reviewed and revised if needed to avoid “hot spots” under the parking lot lights and to eliminate light spill over the property lines that exceeds 0.1 foot candles.
- c. Light poles shall be a maximum of 20 feet in height as measured from grade to the top of the light fixture itself.
- d. Any up-lighting of a public art installation shall be mounted in-ground (flush) and/or shielded so that the light source and any glare is shielded from the entry driveway, internal driveways, and Granite Drive and so that the light is projected onto the art installation only.

11. Signs

All signs shall conform to the sign designs and locations as shown in Exhibit A and as modified herein, and as needed to comply with the requirements of the Granite District Architectural Guidelines, Design Review Guidelines Criteria for signs, and the Sign Ordinance of the City of Rocklin. (PLANNING)

- a. All freestanding signs shall be located outside of any public utility easements and outside of the sight distance triangle shown on Exhibit A.
- b. Prior to building permit issuance, the freestanding entry sign shall be modified to include the project site addresses to the satisfaction of the Community Development Director and Fire Chief. (FIRE, PLANNING)
- c. All building mounted signage shall consist of individual internally illuminated or halo illuminated letters and logos. Backer boards shall be allowed if they contribute to the overall appearance and message of the sign.

12. Screening of Mechanical Equipment

- a. All mechanical equipment, whether ground- or roof -mounted, including future photo-voltaic installations, shall be screened from view from all public rights-of-way and the design of the screening shall be in harmony with the architectural design of the building, to the satisfaction of the Community Development Director. (PLANNING)
- b. The appearance of large utility features such as double detector check valves shall be minimized through the use of utility blankets or other acceptable

screening methods. The developer shall also demonstrate that these facilities have been moved as far as possible from the public right-of-way. (PLANNING)

13. Outdoor Storage and Outdoor Display

- a. The combination masonry wall and tubular steel fence enclosure and gates around the Outdoor Sales area shall be in substantial conformance with Exhibit A. (PLANNING)
- b. The forage shed shall be in substantial conformance with Exhibit A. (PLANNING)

14. Sight Design and Amenities

- a. Prior to issuance of construction permits the architectural site plan shall be updated to be consistent with the civil and landscape plans and provide for a minimum of five feet of landscaping area between the property line between Parcels A and B and onsite parking lot improvements on Parcel A. (PLANNING)
- b. The two benches, as indicated at the building entrance on Exhibit A, sheet L.1, shall be decorative and sturdy metal outdoor benches that complement the building architecture to the satisfaction of the Community Development Director. Plastic benches shall not be permitted. (PLANNING)

15. Public Art Installation

Unless waived by the Director of Parks and Recreation a public art installation is to be incorporated into the project, prior to issuance of a certificate of occupancy. The nature and location of any art installation shall be approved by the Parks, Recreation, and Arts Commission prior to installation. (PARKS & RECREATION, PLANNING, BUILDING)

16. Air Quality

- a. Electrical receptacles shall be installed in the exterior walls of the building(s) in this project to promote the use of electrical landscaping equipment. (BUILDING, PLANNING)
- b. Low nitrous oxide (NOx) natural gas hot water heaters shall be installed if gas hot water heaters are to be used in this project. (BUILDING, PLANNING)

17. Soils Investigation

Prior to grading, the applicant shall coordinate with Placer County Health and Human Services to develop an acceptable workplan for a Phase II Environmental Site Assessment to ensure no lead or arsenic is present. The Phase II Environmental Site Assessment field activities shall be implemented and should those efforts and the final

report identify any specific recommendations, the applicant shall implement or incorporate those recommendations into the project improvement plans and/or building permits if arsenic or lead is present and exceeds Department of Toxic Substances Control thresholds for commercial development, to the satisfaction of the Community Development Director. (PLACER COUNTY HEALTH, PLANNING)

18. Special Provisions/Project Design

- a. Prior to approval of improvement plans and / or a building permit, the project exhibits shall be revised as needed so that all drawings reflect the project layout, oak tree preservation, and landscaping as shown on Exhibit B. These modifications are necessary to incorporate changes made to the project design, as indicated in Exhibit B, in order to preserve oak trees but are not reflected on all related sheets (i.e. Grading and Utilities Plans, Alternate Site Plan for the Parking Standard, etc.) of Exhibit A. (PLANNING, BUILDING, ENGINEERING)
- b. Prior to issuance of a building permit, the applicant shall pay \$7,500.00 to help pay for future improvements to the Sucker Ravine trailhead on the City-owned property across Granite Drive from the project site.

19. Phasing

If the project is to be phased, a phasing plan showing the sequence of site improvements shall be submitted for review and approval by the Community Development Director. The Community Development Director may condition the phasing to ensure each phase shall function independently. Landscaping along the entire street frontage may be required for design continuity and consistency of plant growth. (PLANNING, BUILDING)

20. Monitoring

Prior to any grading on the property, developer shall deposit with the City of Rocklin the current fee to pay for the City's time and material cost to administer the Mitigation Monitoring Program. The Community Development Director shall determine if and when additional deposits must be paid for administering the Mitigation Monitoring Program, including additional deposits on subsequent phases of construction. These amounts shall be paid prior construction of additional phases on this project. (PLANNING)

21. Indemnification and Duty to Defend

Within 30 days of approval of this entitlement by the City, the developer shall execute an Indemnity Agreement, approved by the City Attorney's Office, to indemnify, defend, reimburse, and hold harmless the City of Rocklin and its agents, officers and employees from any claim, action, or proceeding against the City of Rocklin to set aside, void or

annul an approval of the entitlement by the City's planning commission or City Council, which action is brought within the time period provided for in Section 66499.37 of the Government Code. The City will promptly notify the applicant of any such claim, action or proceeding, and the City will cooperate in the defense of the claim, action or proceeding. Unless waived by the City, no further processing, permitting, implementation, plan checking or inspections related to the subdivision or parcel map shall be performed by the City if the Indemnity Agreement has not been fully executed within 30 days. (CITY ATTORNEY)

22. Validity

- a. This entitlement shall expire two years from the date of approval unless prior to that date a building permit has been issued or a time extension has been granted. (PLANNING)
- b. This entitlement shall not be considered valid and approved unless and until the previously approved Conditional Use Permit (U2018-0005) and Tentative Parcel Map (DL2018-0002) are valid. (PLANNING)

PASSED AND ADOPTED this 18^h day of December, 2018, by the following roll call vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

, Mayor

ATTEST:

Mona Forster, City Clerk

EXHIBIT A

Tractor Supply Co. / DR2018-0006/TRE2018-0002

Design Review Documents are available at the Community Development Department

EXHIBIT B

Tractor Supply Co. / DR2018-0006/TRE2018-0002

Design Review Documents are available at the Community Development Department