

WESTCOTT SUBDIVISION VERSION 2

General Conditions

1. The approval for the Colusa Industrial Properties, WESCOTT SUBDIVISION 226-lot subdivision tentative map shall expire 24 months from the date of its approval by the Planning Commission, subject to the provisions of the City's Subdivision Ordinance and the California Subdivision Map Act or as defined in a development agreement.
2. The developer may enter into a development agreement with the City, which shall be in place (approved by the City Council) prior to recordation of final map.
3. The developer shall comply with all mitigation measures as specified in the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP).
4. All outstanding planning application fees shall be paid in full prior to issuance of grading permit.
5. All environmental document recordation fees shall be paid in full within 7 days of application approval. When applicable Department Fish & Game environmental review fees shall be included in the total amount due.
6. All City fees applicable to this project, including those established by the environmental mitigation measures, shall be paid at the rate in effect at the time fees are due or as established by the Development Agreement.
7. Applicant's acceptance of this entitlement shall be deemed to be acceptance by the applicant of all Conditions of Approval.
8. The Conditions of Approval of this entitlement shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, which may or may not be shown on the map or improvement plans.
9. All Department, Division, District, and Agency permits, or "will-serve letters" shall be submitted to the City Engineer and Building Official prior to issuance of building permits.
10. Applicant agrees to join an existing Maintenance District already in place, CFD 20-20 prior to the filing of the final map to cover costs of public maintenance within Westcott Subdivision. Assessments will be shown on the property owners' tax bills.
11. The applicant shall indemnify, exonerate, and hold harmless the City and all officers and employees thereof against all claims, demands, and causes of action arising out of improvements constructed within this subdivision; and defend at his/her sole expense, any action brought against the City as a result of this project. The applicant shall reimburse the City for any court costs and attorney's fees resulting from any such action. The City may, at

its discretion, participate in the defense of any action, but such participation shall not relieve the applicant of the obligations under this Condition.

12. The developer may choose to construct all infrastructure improvements including, but not necessarily limited to , water, sewer, storm drain, roads, curbs gutters and sidewalks, signage and striping, dry utilities and street lights, and seek inspections and approval of any phase in order to record a final map or; the developer may enter into a contractual agreement with the City to perform the installation and construction of all improvements as contained in the Conditions of Approval of the subdivision and those required by the City of Colusa Subdivision Standards. The developer shall post bond, cash deposit, or instrument of credit, guaranteeing the installation and construction of all required improvements within the time period specified herein or approved time extension in accordance with the provisions of the City.

13. The improvement plans for this subdivision shall be prepared by a California Registered Civil Engineer and shall be approved by the City Engineer prior to the filing of the final map, unless a separate grading permit is issued. The applicant shall comply with the City of Colusa subdivision standards and the project's Conditions of Approval and Mitigation Measures. Developer shall submit a site-specific soils report for the project which will include at a minimum recommendation for trench backfill, subgrade preparation under roads and sidewalks, structural sections for paving, and building pad construction and compaction requirements.

These improvement plans shall be submitted concurrently and shall include, but not be limited to, grading, street, drainage, sewer, water, and appurtenant improvements. In addition, a master utility plan shall be submitted showing the layout and location of all the onsite and offsite utility facility improvements of the subdivision. (See Gas, Electric, and Communication Utilities conditions). The plan submittal shall also include construction cost estimates, plan check fees, soils reports, and all pertinent engineering design calculations. The final map may not be filed unless all said improvement plans have been approved by the City Engineer.

14. The final map of any phase shall be prepared in accordance with the Subdivision Map Act, most current City of Colusa Subdivision Standards and City Subdivision Ordinance. The final map shall be submitted to the City Engineer for review and approval prior to City Council action.

15. Lot standards shall substantially conform to the City of Colusa Zoning Ordinance.

16. The developer shall provide all necessary easements for streets, alleys, sewers, water facilities, utilities, drainage facilities, and other facilities as required by the City. In the event such easements cannot be obtained from the property owner involved by negotiation; the City may acquire them at the costs of appraisal, acquisition, attorney fees, and court fees borne by the developer.

17. The final improvement plans shall be reviewed, approved, and signed by the Colusa Fire Chief, for compliance with the Uniform Fire Codes, fire flow gallons per minute requirements, the number/type of fire hydrants and their location.
18. The final improvement plans shall be reviewed, approved, and signed by the City Police Chief for compliance with public safety and emergency
19. All Conditions of Approval of this project shall be met or bonded prior to the satisfaction of the City Engineer prior recordation of final map.
20. Costs of all plan checking and field inspections related to onsite and offsite improvements shall be the responsibility of the developer. Plan check fees shall be paid at the time the plans are submitted, and inspection fees shall be paid prior to the field inspection.
21. The developer shall be responsible for all actions of his contractors, and subcontractors until such time as the improvements have been accepted by the City.
22. The developer shall designate in writing before starting work, an authorized representative who shall have complete authority to represent and to act for the developer. Such written authorization shall be provided to the City. Said authorized representative shall be present at the site of the work at all times while work is actually in progress on the development. During periods when work is suspended, arrangements acceptable to the City shall be made for any emergency work, which may be required.
23. It shall be the applicant's responsibility to ensure that all requirements of any other law or agency of the State of California and any other governmental entity, applicable to this development, shall be met.
24. The project shall be constructed in conformance with all applicable City codes, plans, standards and guidelines. In the event of a conflict, those standards adopted at the time of tentative map approval shall prevail.
25. With the recordation of the final map each phase shall annex to an already existing Community Facilities District CFD 20-02.

Grading

26. The following shall be submitted to the City Engineer for approval, prior to issuance of a grading permit:
 - a. A master drainage plan and report that covers the interim and permanent drainage solutions shall be submitted and approved by the City Engineer, prior to submitting any civil design plans. The drainage report shall address each phase and any interim solutions for that phase, and an overall masterplan. The report shall include hydrologic and hydraulic calculations, and consideration of the 10 yr and 100 yr return flow periods. The report and calculations shall be stamped by a Registered Civil Engineer registered in the State of California.

- b. A grading and drainage plan for each phase, shall be designed to meet the requirements of the Colusa Municipal Codes and City Engineer. Plans shall include provisions for permanent erosion and sediment control. Estimated quantities of excavation and embankment shall be noted on the plans.
 - c. A temporary erosion and sediment control plan shall be included with any phase of work, If grading will not be completed by October 15 or is scheduled to start prior to April 15, a winterization plan shall be included for all work on that phase, with the developer responsible for implementation and maintenance of the winterization plan.
 - d. Water, wastewater, and utility improvements.
 - e. Two (2) copies of the SWPPP Monitoring Program and Inspection Plan including the WDID and NOI and Filing with the State Water Board.
 - f. Drainage calculations prepared in accordance with the Colusa Municipal Codes and City Engineer.
 - g. A geotechnical investigation report with recommendations pertinent to the facilities being proposed, including site preparation and engineered fill, on-grade, asphalt concrete pavements, and retaining walls, and building pad construction
 - h. Engineer's estimate of probable construction cost.
 - i. The plan shall include sufficient topographic information on adjacent parcels. The statement "I hereby state that all improvements have been substantially constructed as presented on these plans" shall appear on the site grading and drainage plan and shall be signed by a registered civil engineer. The erosion control plan shall include, but not limited to, inlet filters and stabilized construction site access.
 - j. Offsite improvement plans.
 - k. Plan check fees.
27. All grading performed shall conform to the City Ordinance, Chapter 70 of the Uniform Building Code, and as recommended in the Soils/Geotechnical Report with review and approval by the City Engineer.
28. Onsite grading shall be limited to the locations shown on the approved plans or on subsequent City approvals. All grading shall be suspended when winds reach 20 miles per hour or greater.
29. All abandoned irrigation lines and wells, trees (except those to be preserved), and obstructions in the project site shall be removed and properly disposed of from the site during grading operations. Proper backfill and compaction of voids shall be subsequently accomplished to provide protection against settlement.

30. It is the contractor's responsibility to use watering, dust fences, or other methods as directed by the City, to control dust throughout the construction operation.
31. All grading construction debris materials shall be removed and disposed of offsite prior to any excavation or fill operations. The developer or his agents or employees shall be responsible for removal and cleanup of any spill on public streets during his entire grading operations.
32. FEMA Map study showing that the proposed improvements meet the current city minimum elevations above the FEMA floodplain.

Sewer

33. All proposed subdivision lots shall connect to the City's sewer system.
34. Sanitary sewer facilities shall be designed and constructed at the developer's expense in accordance with the City of Colusa Subdivision Standards, as approved by the City Engineer. The developer shall construct and pay for sewer lines to tie in from the west to Wescott Road. Developer may be required to upgrade the sewer pumping station located along Wescott Road which transmits the effluent from this area to the City Municipal wastewater treatment plant.
35. The method of sewage and waste disposal shall be by means of the City's collection and disposal system. All sewer system improvements shall meet or exceed the City's standards and the necessary separation between water mains and sanitary sewers shall be maintained as required by the State Department of Health, as directed by the City.
36. Sewer connection and impact fees shall be paid with the issuance of a building permit and shall be those in effect at the time the permit is issued, excepting therefrom any special development agreements which may or may not adjust the fees.

Water

37. Water facilities shall be designed and constructed at the developer's expense in accordance with the City of Colusa Subdivision Standards, as directed by the City Engineer, and as proposed by the City Water Master Plan
38. The developer shall install onsite and offsite mains, fire hydrants, and water meters in conformance with the City Subdivision Standards.
39. The developer shall also provide onsite fire protection as determined necessary by the Fire Chief. Adequate fire protection, as determined by the Fire Chief, shall be available prior to acceptance of subdivision improvements by the City.
40. The required separation between water mains and sanitary sewers shall be in conformance with State Department of Health requirements.

41. The developer shall construct and pay for the water lines to tie in from east to Wescott Road as shown on the tentative map sheet 2.
42. Developer shall install a water main line, tying into the Cities water main line in Wescott Road.

Drainage

43. The project shall not increase runoff onto adjacent lands which are not owned by the developer, unless they are part of the master grading plan of the project. But in no case will the completed project discharge higher rates of runoff from the ultimate buildout boundary. Drainage calculations shall be completed and presented in a drainage analysis to the City Engineer for approval prior to issuance of grading permit. The drainage system design shall integrate, to the greatest extent feasible, techniques to minimize offsite runoff and maximize infiltration from not only large infrequent storms, but from small, frequent storms and irrigation.
44. Both onsite and offsite storm drainage facilities shall be designed and constructed in accordance with the City of Colusa Subdivision Standards, as approved by the City Engineer.
45. The developer shall install the required drainage facilities concurrently with the rough grading operations or provide an interim drainage and erosion control plan and construct interim improvements with prior approval from the City Engineer. Such improvements shall mitigate any potential flooding and erosion adversely affecting adjacent properties and public right-of-way.
46. The developer shall comply with the National Pollutant Discharge Elimination System (NPDES) requirements, as covered in the State of California General Permit for Storm Water Discharges Associated with Construction Activity. A Notice of Intent must be filed with the State Water Resources Control Board (SWRCB) prior to the onset of construction. A Storm Water Pollution Prevention Plan (SWPPP) Monitoring Program and Inspection Plan must be prepared and submitted to the City Engineer for approval, at the same time as the Improvement Plans for this project. The developer will solely be responsible for implementation of the SWPPP, Monitoring Program and Inspection Plan during construction.

Streets

47. The developer shall submit a phasing plan to the City Engineer and Planner which shows the phasing of development, and the roadways connecting to each phase shall be constructed such that there are two access routes. The specific road construction and geometrics shall be approved by the City Engineer for each phase, in particular the first phase, as this phase may require additional access routes to be constructed.
48. A minimum of two permanent, primary access routes shall be provided to the subdivision. Secondary access may be provided, subject to the approval of the Public Works Department.

49. The developer shall construct and pay for all required offsite roadway improvements. At a minimum the eastern ½ of Wescott Road fronting the project shall be improved to a City Collector standard including bike lane, curb, gutter and sidewalks. The City will permit the developer to complete the first phase of development and defer the Wescott Road offsite improvements to the second phase of the project. Improvements shall include completing the connection of all roadways to their respective connections points shown on the Tentative Map. Final improvement plans shall be prepared for all offsite improvements to be approved by the City Engineer and shall be constructed to City standards.
50. Streets shall be designed and constructed in accordance with the City of Colusa Subdivision Standards, or as otherwise approved, and agreed upon by the developer and by the City Engineer as illustrated on the approved tentative map, and streets will not have planter areas separating the curb and gutter from the sidewalks.
51. The design of the two roundabouts shall be reviewed and approved by the City Engineer and in compliance with emergency personnel needs to ensure the design can accommodate emergency equipment.
52. With the development of Phase I, extending the Street Kittyhawk to Wescott Road will be required, however the improvements extending west from phase I need only to be asphalt paving and the ultimate required underground utilities.
53. Developer shall erect barricades at street stub outs in conformance to city standards for barricade construction. The stub ends of all streets planned for future continuation shall also be in conformance with city standards. The stub ends of all streets planned for future continuation shall be temporarily protected with warning barricades, redwood headers or berms, as required by the City Engineer.
54. The developer shall obtain an encroachment permit for any construction within the public right-of-way.
55. Any street, alley, sidewalk, or curb damaged by the developer, or its agents or employees shall be repaired to the satisfaction of the City.
56. In accordance with the City's Subdivision Standards, all street names shall be approved by City staff and shall not be duplicated within the City limits or unincorporated area. Street names shall appropriately consider future extension of these roadways into adjacent developments (i.e., Brookins Ranch).
57. The developer shall purchase and install street name signs, traffic regulatory and warning signs, and any necessary street striping, overlay and markings, and fire hydrants and hydrant street markers as required by the development standards. Signs shall conform to City's requirements and shall be purchased by the developer. Striping and signing shall be installed

by the developer subject to review and approval of the City and made a part of the final improvement plans.

58. The Maintenance District assessments shall cover maintenance costs of public streets, repairs, maintenance, lighting, landscaping, street sweeping drainage and other items as noted in the Mitigation Measures.

Parks, Trees and Landscaping

59. The developer shall dedicate 3.51+/- acres of park land (Parcel A) to the City, as shown on the proposed tentative map.
60. The 14+ acres shown on the tentative map shall contain a class I paved bike lane pathway extending across the entire property from east to west. This area shall become part of the maintained area by the CFD, and the developer shall submit a passive development plan for this area including the incorporation of the proposed detention basins. These basins, to the extent feasible, shall be incorporated into the useable recreational passive park space. The City will not allow them to be deep, ponds, which become unattractive nuisance.
61. Park improvements shall be installed and paid for by the developer within the boundary of the park land prior to receiving a certificate of occupancy for 70th ~~450th~~ home (currently shown in Phase I ~~III~~) of the Tentative Subdivision Map.
62. The developer shall submit a proposed park improvement plan to the Colusa Parks and Recreation Department. The Department will then submit the plan to the Parks, Recreation and Trees (PRT) Commission for approval. Park improvements shall, at a minimum, consist of active play structures, looped walking path, trash can, benches, bicycle rack, basketball court, drinking fountains turf area, irrigation. Plantings will be placed on automatic drip irrigation, except for the active turf. Plant material be low water usage. If lighting is to be placed within the park, it shall conform to Mitigation Measures.
63. The developer shall submit a streetscape plan for review and approval by the City Planner and City Engineer. Groundcover type(s), tree species, sizes and planting intervals shall be shown on the streetscape plan for all areas to be publicly maintained. A detailed plan for automatic drip irrigation shall be included for all landscaped areas.
64. Street trees and/or streetscape including landscaping of medians and automatic irrigation system shall be installed by the developer. Tree plantings and groundcover shall be placed in the parkways separating the sidewalk from the curb and gutter.
65. The developer shall install side and rear yard fencing for all parcels at the time of home construction. Materials shall be consistent with those suggested in the *Colusa General Plan's* Community Character and Design Element.

66. The developer shall provide landscaping and drip irrigation systems in all front yards and on all corner lot side yards which face public streets meeting all current local and state guidelines. A landscape and irrigation plan will be required for review and approval by the City Planner prior to issuance of building permit.

67. The Maintenance District assessments shall cover maintenance costs of maintenance of public landscaped areas, open space and park lands.

Residential Design

68. If the design of any single unit is intended for use as a production design for more than 2 individual homes, design review shall be carried out by the City.

69. All lots shall be developed with front yards completed including landscaping and irrigation.

70. Fencing of interior lots shall be performed to the city subdivision standards.

Gas, Electric and Communication Utilities

71. A ten (10) foot wide public service easement adjacent to all public streets within the development shall be dedicated to the City and may be required elsewhere as requested by the utility companies and approved by the City.

72. All street crossings for gas, underground electrical power, cable or telephone lines shall be installed before any paving is placed.

73. All utilities shall be placed underground in accordance with City Ordinance.

74. A street lighting plan shall be prepared and submitted for approval by the City Planner, Public Works Administrator and City Engineer. The street lighting plan shall indicate the style, height, location and type of fixture and shall be installed in accordance with City standards and Mitigation Measures.

Conditions of Approval added at the Planning Commission Hearing

75. The improvement plans shall incorporate a Class II bicycle lane in a north south fashion through the project, connecting Kittyhawk and "J" Street within the project.

76. The center design of the roundabouts shall incorporate both hardscape and landscaping to ensure proper function. The design shall be adequate to ensure that emergency equipment may utilize the intersections without impediment.