

NEXTGRID SOLAR ARRAY
EXHIBIT I - CONDITIONS OF APPROVAL
(USE PERMIT AND LOT MERGER)

General Conditions

1. The approval for the NextGrid Solar Array Use Permit and Lot Merger 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. All outstanding planning application fees shall be paid in full prior to issuance of building permit.
3. 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.
4. 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.
5. Applicant's acceptance of this entitlement shall be deemed to be acceptance by the applicant of all Conditions of Approval.
6. 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.
7. 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.
8. Applicant agrees to annex to an existing Community Facilities District already in place, CFD 20-20 prior to the filing of the final map to cover costs of public maintenance. Assessments will be shown on the property owners' tax bills.
9. 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 attorneys 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.
10. The improvement plans for this Project 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.

11. The Lot Merger shall be prepared in accordance with the Subdivision Map Act, most current City of Colusa Subdivision Standards and City Subdivision Ordinance. The Lot Merger shall be submitted to the City Engineer and City Planning Staff for review and approval prior recordation.
12. 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.
13. 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.
14. The final improvement plans shall be reviewed, approved, and signed by the City Police Chief for compliance with public safety and emergency access.
15. In accordance with the City's Subdivision Standards, all bonds, fees, insurance and permits shall be satisfied prior to recordation of final map.
16. 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.
17. 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.
18. 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.

19. 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.
20. 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.
21. 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.
22. Prior to issuance of a building permit, the applicant shall provide evidence, satisfactory to the Sacramento Fire Department that the Battery Energy Storage System (BESS) shall contain both a suppression and smoke detection system.

Grading

23. 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 calculation shall be stamped by a Registered Civil Engineer registered in the State of California.
 - b. Grading and drainage plans 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.
24. 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.
25. 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.
26. 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.
27. 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.
28. 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.
29. FEMA Map study showing that the proposed improvements meet the current city minimum elevations above the FEMA floodplain.

Sewer

30. 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.
31. 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

32. 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
33. The developer shall also provide onsite fire protection (hydrants) in two locations within the project boundary as determined necessary by the Colusa Fire Chief.

Drainage

34. 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.
35. 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.
36. 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.

37. 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

38. Internal Perimeter loop road shall be increased in width to 12-feet and in areas of future fire hydrants the width shall increase to accommodate both the staging of a fire engine and permit the ability for vehicles to pass the area. Width and length of the staging areas shall be approved by Colusa Fire Chief.
39. The Perimeter loop road shall be designed in a manner to bare the weight of emergency vehicles. Such design shall have a minimum aggregate base with a gravel finish as determined by the City Engineer in consultation with the Fire Chief.
40. The developer shall obtain an encroachment permit for any construction within the public right-of-way.
41. Any street, alley, sidewalk, or curb damaged by the developer or its agents or employees shall be repaired to the satisfaction of the City.

Design

42. Exterior fencing and gates of the site shall be vinyl coated chain link with matching slates. Vinyl finish and slats can either be green or tan in color.