



**VIA EMAIL: Don Fouts (don@foutshomes.com)**

January 12, 2022




715 East, LLC  
C/o Don Fouts  
1959 5<sup>th</sup> Street, #107  
Davis, CA 95616

**Subject: Letter of City Council Action on 715 Pole Line Road -- Planning Application #21-31** for Rezone and Preliminary Planned Development #2-21, Final Planned Development #2-21, Tentative Subdivision Map #3-21, Affordable Housing #1-21, and Design Review #9-21, for the Development of 30 for-sale, fee-simple ownership, attached single-family homes (for the Project Commonly Known as "715 East")

Dear Don,

On January 11, 2022, the City Council unanimously approved the Planning Application #21-31, which consisted of the following entitlement applications and actions:

1. Determined that the proposed project is categorically exempt pursuant to Section 15332 of CEQA Guidelines as an in-fill development meeting the following conditions:
  - a. The project is consistent with the City's General Plan land use designation of Residential Medium High Density, and applicable General Plan policies, and the applicable zoning designation and regulations as will be established.
  - b. The proposed development occurs within City of Davis city limits on a project site of no more than five acres, which is substantially surrounded by urban uses.
  - c. The project site does not currently provide suitable habitat for endangered, rare or threatened species and such species are not known to occur on or within immediate proximity of the site. The project site is a highly disturbed urban infill parcel that lacks trees, shrubs, water or wetland features, or fossorial mammal burrows.
  - d. Based on the proposed project and supporting documentation, approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
  
2. Introduced Planned Development (P-D) Ordinance that rezones the property at 715 Pole Line Road from Residential One-Family (R-1) district to Planned Development #2-21 to accommodate the proposed project (Attachment #3);

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3. Approved Affordable Housing Plan #1-21, which provides three onsite affordable ownership units consistent with Section 18.05.050(a)(1)(c) of the Municipal Code;
4. Approved the following implementation entitlement applications for the proposed project, subject to the attached Findings and Conditions of Approval (Attachment #1):
  - a. Tentative Subdivision Map #3-21, to subdivide the subject parcel into 30 lots to accommodate 14 buildings (i.e., 12 attached for-sale, fee-simple, single-family homes and 2 triplex-like for-sale, fee-simple ownership, single-family homes);
  - b. Final Planned Development #2-21, to establish final development standards for the proposed project; and
  - c. Design Review #9-21, for the site plan and architecture of the proposed project.

The City Council action included a new condition of approval and minor edits to recommended conditions of approval, which are already incorporated in the attached conditions of approval.

The second reading (adoption) of the P-D ordinance should occur at the Tuesday, February 1, 2022, Council meeting. To be able to adhere to legal requirements, the P-D ordinance will be published in the Davis Enterprise for 30 days before it becomes effective after the second reading by the City Council.

If you have any questions regarding the City Council action, please contact me as usual. Attached are the findings and conditions of approval, including the project plans.

Sincerely,

*Ikenjoku*

Ike Njoku, Planner & Historical Resources Manager

**Attachment**

1. Findings and Conditions of Approval
2. Approved Project Plans – Site Plan, Floor Plans, Elevations, Subdivision Map

**cc via emails:**

Dianna Jensen & Kevin Fong, PW  
Brain Fenty, Building Division  
Patrick Sandholdt

**JANUARY 11, 2022, CITY COUNCIL FINDINGS & CONDITIONS OF  
APPROVAL FOR 715 EAST PROJECT LOCATED AT 715 POLE LINE ROAD**  
PA #21-31 For Rezoning & Preliminary P-D#2-21; Final P-D #2-21; Tentative Subdivision  
Map #3-21; Affordable Housing #1-21; & Design Review #9-21

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**FINDINGS FOR APPROVAL**

Find that the proposed project is categorically exempt pursuant to Section 15332 of CEQA Guidelines as an in-fill development meeting the following conditions:

- e. The project is consistent with the City's General Plan land use designation of Residential Medium High Density, and applicable General Plan policies, and the applicable zoning designation and regulations as will be established.
- f. The proposed development occurs within City of Davis city limits on a project site of no more than five acres, which is substantially surrounded by urban uses.
- g. The project site does not currently provide suitable habitat for endangered, rare or threatened species and such species are not known to occur on or within immediate proximity of the site. The project site is a highly disturbed urban infill parcel that lacks trees, shrubs, water or wetland features, or fossorial mammal burrows.
- h. Based on the proposed project and supporting documentation, approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

No environmental impacts report (EIR) is needed, or further environmental analysis. A notice of exemption will be filed with Yolo County.

**Rezoning and Preliminary Planned Development Findings**

1. Find that the proposed rezoning of 715 Pole Line Road from Residential One-Family (R1-6) zone to Planned Development #2-21 zone, is consistent with the subject site's General Plan land use designation of Residential Medium High Density.
2. Find that the proposed project, with the adoption of the proposed rezone, will be consistent with the Zoning Ordinance, as the purpose of the planned development district is to allow diversification in the relationship of various buildings and structures and provide relief from the rigid standards of conventional zoning in order to allow for new and compatible housing development within the surrounding residential uses. The proposed project will provide for an integrated and harmonious residential environment and creative relationship with adjacent residential uses. It will allow for and encourage architectural variation while maintaining the residential character within the area.
3. Find that public necessity, convenience and general welfare require adoption of the proposed amendment, given that the proposed project is an infill project that will address the housing needs of the City.
4. Find that the proposed project will constitute a residential environment of sustained desirability and stability in harmony with the character of the surrounding neighborhood in that the proposed project compliments surrounding residential uses in design, layout and architecture.

### **Affordable Housing Plan**

1. The project constitutes a residential environment of sustained desirability and stability in harmony with the character of the surrounding neighborhood.
2. The project, as conditioned, complies with the General Plan call for a mix of housing types, densities, prices and rents, and designs in new development area.
3. As conditioned, the project is consistent with the Affordable Housing Ordinance in that the required number of three on-site affordable units will be provided consistent with the requirements of Section 18.05.050 (Ownership development affordable housing standards) of the Municipal Code.

### **Tentative Subdivision Map Findings**

1. The proposed subdivision, as conditioned, will be consistent with the General Plan, and with the Subdivision Map and Zoning Ordinances' applicable requirements, in that the proposed subdivision will be permitted by the proposed zoning and consistent with applicable subdivision standards as modified.
2. The design of the subdivision and the proposed improvements will not cause serious public health problems, in that all public improvements for the subdivision will be in place prior to issuance of any building permit.
3. The design of the subdivision and the proposed improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
4. The project site is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (section 66474.4).
5. The proposed subdivision is consistent with the City of Davis Affordable Housing Ordinance; and does not require allocations based the Phased Allocation Ordinance.

### **Final Planned Development #18-03 Findings**

1. The property owner can commence substantial construction within eighteen months from the date of this final planned development approval and intends to complete the construction within a reasonable time frame.
2. As conditioned, the proposed development conforms to the General Plan designation of Residential Medium High Density for the development of the proposed residential subdivision. The project, as designed and conditioned, will comply with applicable policies of the General Plan as discussed in the Planning Commission and City Council staff reports.
3. As conditioned, the proposed development is consistent with the requirements of the new Planned Development. The development is appropriate in area, location and overall planning for the purpose intended. The design and development standards for the P-D are intended to create a residential environment of sustained desirability and stability.
4. The auto, bicycle and pedestrian traffic system is adequately designed to meet anticipated traffic and is so designed to provide the minimum amount of interference with each other.

### **Design Review Findings**

1. The design review plans are consistent with the intent of the General Plan, and the Zoning chapter of the Municipal code, the proposed planned development zoning, and design review standards established for the project, as conditioned.
2. The proposed project is suitable for the site as it will comply with the standards in the new P-D zoning district, and the scale of the buildings will be consistent with that anticipated within the district given the applicable development standards.
3. As conditioned, the project will not have significant adverse effect on surrounding properties in that the plan complies with the standards for the site which were established as a means to minimize impact on surrounding properties.

**JANUARY 11, 2022, CITY COUNCIL FINDINGS & CONDITIONS OF  
APPROVAL FOR 715 EAST PROJECT LOCATED AT 715 POLE LINE ROAD**  
PA #21-31 For Rezoning & Preliminary P-D#2-21; Final P-D #2-21; Tentative Subdivision  
Map #3-21; Affordable Housing #1-21; & Design Review #9-21

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## **GENERAL CONDITIONS**

### **1. PROJECT APPROVAL**

- a. The 715 East project, as depicted in the Exhibits attached to the January 12, 2022, City Council staff report, is hereby approved by the City Council, subject to the conditions listed below. All other project approvals are contingent upon the second reading of the Planned Development PD-2-21 Rezoning ordinance, and further Final Planned Development #2-21, Affordable Housing Plan #1-21 and Design Review 9-21 shall expire 18 months from the effective date of approval, unless extended pursuant to Section 40.39 of the Zoning Ordinance. Tentative Subdivision Map #3-21 shall expire 24 months after approval by the City Council. Extensions may be granted in accordance with Section 66452.6 of the Subdivision Map Act.
- b. The subdivider shall defend, indemnify, and hold harmless the City of Davis, its officers, employees, or agents to attack, set aside, void, or annul any approval or condition of approval of the City of Davis concerning this approval, including but not limited to, approval of a condition by the City Council. The City shall promptly notify the subdivider of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officers, employees and agents in the defense of the matter.
- c. The approved Tentative Subdivision Map, Final Planned Development, and Design Review shall govern the design and construction of the project. When exhibits and/or written conditions of approval are in conflict, the written conditions shall prevail, unless specifically stated in the conditions of approval. The fact that exhibits were included with City Staff Reports, or not appropriately corrected when signed by the department does not override and invalidate the approved written conditions of approval. All other plans, specifications, and information contained within the approved Exhibits shall be specifically applicable to the project and shall be construed as if directly stated within the conditions of approval. Unless otherwise expressly stated, the subdivider shall be solely responsible for satisfying each condition and each condition must be satisfied at the time listed in the condition. The agency and/or city department responsible for ensuring implementation of each condition is indicated within each condition.
- d. Final construction drawings, such as plot plans, and building elevations incorporating all conditions of approval for this project shall be coordinated and submitted to the Community Development & Sustainability Department and/or Public Works, as applicable. All plans including site, grading, landscape, irrigation, mechanical and street improvement plans shall be coordinated for consistency prior to issuance of any permits (such as grading, encroachment, building, etc.) Any changes to the size, colors, construction materials, design or location of any structure on site, or other site

or landscape improvements shall not be made without prior City approval. The terms and conditions of this approval shall run with the land and shall be binding upon and be to the benefit of the heirs, legal representatives, successors, and assignees of the property owner.



- e. In addition, final maps, grading plans and improvement plans incorporating all conditions of approval for this project shall be coordinated and submitted to the Public Works Engineering and Transportation Department. All plans, including final map, grading, landscape, irrigation, utility improvement plans, shall be coordinated for consistency prior to approval of the improvement plans or final map.
- f. Prior to any use of the project site being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City of Davis Community Development & Sustainability Department. The site buildings and improvements shall be inspected for compliance prior to the issuance of a final inspection.

## **TENTATIVE SUBDIVISION MAP**

### **2. GRADING**

- a. Prior to any grading or disking on the site, the developer shall submit a final grading plan prepared by a registered civil engineer that is consistent with the exhibits and conditions incorporated as a part of this entitlement, and in compliance with all applicable city standards. Upon acceptance of the final plans, the applicant shall obtain a grading permit, which has a 30-day expiration date, from the Public Works Department. A separate grading permit shall be required for any off-site borrow disposal, or staging site, if within the City limits.
  - 1) The project grading and drainage plans shall include the following:
    - a) The project shall comply with the Stormwater Management and Discharge Control Ordinance (Chapter 30 City of Davis Municipal Code). Demonstration of full compliance shall be provided prior to issuance of the building permit unless otherwise noted in the following conditions.
    - b) For projects that create or replace more than 5,000 square feet or more of impervious surfacing, the developer shall submit a full Stormwater Quality Plan (SWQ) with the boundaries of all drainage management areas clearly delineated on site. The SWQ plan shall contain all of the following components:
      - i. A site plan showing all locations and methods utilized for site design measures to reduce runoff consistent with Section E.12.b. and E.12.e.(ii)(d) of the Phase II Small MS4 General Permit (Permit).
      - ii. A site plan showing the location and methods for all source control measures are required in Section E.12.d. of the Permit.
      - iii. A complete stormwater quality plan consistent with Section E.12.e.(ii)(b) of the permit to include all of the following:




- a. Total site area.
  - b. The amount of pre-project vs. post project impervious surfacing
  - c. The direction of all rainwater flow on site
  - d. All treatment control measures and if required bioretention areas consistent with Section E.12.e.(ii)(f) clearly identified including cross section details of treatment measures showing soil composition and substrate details.
  - e. All final calculations showing sizing compliance with all of all treatment control measures (Section E.12.e.(ii)(c)).
  - f. If the project creates or replaces more than 1 acre of impervious surfacing and the post project runoff exceeds the pre-project runoff, then the plan shall show the locations, method and calculations for hydromodification measures for the 2-year 24-hour storm event (2.26 inches) (Section E.12.f.(ii)(a)).
  - g. The plan shall show that the runoff from impervious areas for the 85<sup>th</sup> percentile 24-hour storm even for Davis (0.65 inches) shall be retained or infiltrated on site.
  - h. The SWQ Plan shall provide landscaping details for all treatment control measures and bioretention areas including supporting irrigation.
- iv. An Erosion, and Sediment Control plan, and a SWPPP shall be prepared by a registered Civil Engineer, for review and approval by the City Engineer prior to approval of the grading plan. For construction projects that disturb one acre or more of soil, the developer shall obtain coverage under the Storm Water General Construction Permit from the State Water Quality Control Board by applying for a Notice of Intent (NOI) through the State's SMARTS system. A Storm Water Pollution Protection Plan (SWPPP) shall be prepared by a State Certified Qualified SWPPP Developer (QSD) for review and approval by the City and State, as part of the project's drainage improvement plans prior to the disturbance of earth upon the project site. The developer is responsible for contacting the Regional Water Quality Control Board to determine if additional requirements apply to this project. Once the SWPPP is approved and filed with the State, a Waste Discharger Identification number (WDID) shall be provided to the city of Davis. This plan shall incorporate the following requirements:
- a. This plan will include erosion control measures to be applied during the duration of construction activity with more specific focus during the wet season in the months of October through April. These measures may include limitations on earth moving activities in sensitive areas during this time period.
  - b. The developer shall implement wind erosion and dust control measures to be applied on a year-round basis. This shall include an effective watering program to be implemented during earth

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- moving activities during wind events in excess of 15 mph and suspension of activities in wind event in excess of 25 mph.
- c. The plan will include methods for re-vegetating denuded earth slopes. Re-vegetation will be accomplished by a method which reseeds and temporarily protects the ground so that 90% germination is achieved. Future building pads are not subject to this requirement, although measures will be required to contain sediments.
  - d. All sediments generated by construction activities shall be contained by the use of sediment traps, such as straw wattles, silt fences, settling basins, perimeter ditches, etc.
  - e. When building construction will be delayed beyond the next rainy season, the developer shall provide permanent erosion control measures on each individual lot.
  - f. The developer shall provide details of using good housekeeping measures including a properly sized and maintained stabilized construction entrance, street frontage sweeping and maintenance, downstream drainage inlet protection, concrete washout, construction materials management, demolition and site trash management, and spill response measures.
- b. The following notes shall be included on the grading and/or improvement plans, to be implemented prior to or during construction:
- 1) The applicant shall be responsible for informing all subcontractors, consultants, engineers, or other business entities providing services related to the project of their responsibilities to comply with all pertinent requirements herein, in the City of Davis Municipal Code, including obtaining a business license, hours of operation, noise ordinance requirements, all applicable state and federal laws and regulations.
  - 2) Prior to the start of any on site work, the developer shall request and attend a preconstruction meeting to include the project superintendent, subcontractors, as well as city staff from the Community Development and Sustainability Department and Public Works.
  - 3) Two weeks prior to the start of any site work, notification to the neighborhood within a ½ mile radius of the project shall be mailed describing the basic project, construction hours, and note any traffic control measures which may be in place.
  - 4) The developers engineer shall prepare Record Drawings that accurately indicate the completed grades and utility locations after completion of public and private improvements. Reproducible mylar copies, electronic files in Adobe PDF, and AutoCAD files of the Record Drawings of public improvements shall be provided to the city.
  - 5) The developer shall be responsible for the ongoing maintenance and upkeep of the undeveloped portions of the project site in accordance with the City of Davis Municipal Code.
  - 6) The developer shall keep the entire site free of trash or debris at all times.
  - 7) The developer shall be responsible for informing all subcontractors, construction crews, consultants, engineers, other business entities providing services related to

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- the project of their responsibilities to comply with all pertinent requirements herein, in the Davis Municipal Code, including obtaining a business license, hours of operation, noise ordinance requirements, and all applicable state and federal laws.
- 8) Backflow prevention valve wheels and stems shall be maintained in a manner which enable inspection in order to determine whether or not the valve is open.
  - 9) If subsurface paleontological, archaeological or historical resources or remains, including unusual amount of bones, stones, shells or pottery shards are discovered during excavation or construction of the site, work shall stop immediately. The developer shall contact the Community Development and Sustainability Department who shall consult with a qualified archaeologist, state coroner and a representative of the Native American Heritage Commission to develop, if necessary, further measures to reduce any cultural resource impact before construction continues.
  - 10) The developer shall employ noise reducing construction practices. The following measures shall be incorporated into contract specifications to reduce the impact of construction noise;
    - a) All equipment shall have sound control devices no less effective than those provided on the original equipment. No equipment shall have an un-muffled exhaust.
    - b) As directed the city, the developer shall implement appropriate additional noise mitigation measures including but not limited to; changing the location of stationary construction equipment, shutting off idling equipment, rescheduling construction activity, notifying adjacent residents in advance of construction work, or installing acoustic barriers around stationary construction noise sources.
  - 11) The following actions shall be taken during construction to minimize temporary air quality impacts from dust:
    - a) An effective dust control program should be implemented whenever earth moving activities occur on the project site. In addition, all dirt loads exiting the construction site within the project area shall be well watered and/or covered.
    - b) Apply water or dust palliatives on exposed earth surfaces as necessary to control dust emissions. Construction contracts shall include dust control treatment in late morning and at the end of the day of all earth surfaces during clearing, grading, earth moving and other site preparation activities. Non-potable water shall be used where feasible. Excessive watering will be avoided to minimize tracking of mud from the project onto the street.
    - c) Grading operations on the site shall be suspended during periods of high winds (i.e. greater than 15 miles per hour).
    - d) Outdoor storage of fine particulate matter on construction sites shall be prohibited.
    - e) All stockpiles of soil, sand and similar materials shall be covered.
    - f) Construction related trucks shall be covered and installed with liners and on the project site shall be swept at the end of each day.
    - g) Revegetation or stabilization of exposed earth surfaces shall be required in all inactive areas of the project.
    - h) Vehicle speeds shall not exceed 15 miles per hour on unpaved surfaces.
    - i) Construction equipment and engines shall be properly maintained.

- j) Vehicle idling shall be kept to below five minutes.
  - k) Construction activities shall utilize new technologies to control ozone precursors emissions, as they become available and feasible.
  - l) During smog season (May to October), the construction period shall be lengthened so as to minimize the number of vehicles and equipment operating at the same time.
  - m) The subdivider shall provide e-mail and telephone numbers of all contractors and subcontractors working on the subject site to neighbors to be used to report concerns during the project's construction activities.
- 12) The developer shall provide a current soils' report concurrent with the submittal of the final grading plans.
- 13) The developer shall obtain all necessary encroachment permits from the City of Davis Public Works Department for all work and construction that encroaches within or over the public right-of-way.
- 14) The developer shall submit a construction impact management plan including a project development schedule and "good neighbor" information for review and approval by the Community Development and Public Works Departments. The plan shall include, but is not limited to, public notice requirements for periods of significant impacts (noise/vibration/street or parking lot closures, etc.), special street posting, construction vehicle parking plan, phone listing for community concerns, names of persons who can be contacted to correct problems, hours of construction activity, noise limits, dust control measures, and security fencing and temporary walkways. Work and/or storage of material or equipment within a City right-of-way may require the separate receipt of an Encroachment Permit
- 15) The developer shall ensure that the construction waste recycling program required by Davis Municipal Code 32.04 is implemented.
- 16) The project's grading plan shall not adversely affect adjacent properties and shall provide information showing where all proposed grading cuts/fills will occur within the canopy of any existing trees to remain, both on and off site.
- 17) The property owner/developer shall demonstrate that the proposed construction shall be above the base flood elevation of Zone A as designated by FEMA. A registered engineer may provide an elevation certificate or alternatively may provide documentation to the City and FEMA leading to a letter of map revision.
- 18) The applicant and/or owner shall retain a certified arborist to monitor the condition of the tree intended to be retained on the subject property before and during site disturbance and construction activity. Proof of retention of the arborist and reports prepared by the arborist shall be provided to the Public Works Department for review and approval of the landscaping plans.
- 19) The developer shall comply with the City's Tree Preservation ordinance to mitigate for the removal of trees of significance (5" or greater dbh) or other protected trees

on the property, ***including the trees that were removed during the demolition of the pre-existing care center.*** Mitigation may include replanting the equivalent dbh of the removed trees on site or off site or an in-lieu payment to the Tree Preservation Fund as determined by the Urban Forest Manager and Community Development and Sustainability Department. Replacement trees shall be shown on landscaping plans.

### 3. IMPROVEMENT PLANS

- a. Prior to any site improvements or other construction activities associated with this project, improvement plans shall be prepared by a registered civil engineer, consistent with the exhibits and conditions incorporated as a part of this entitlement for the review and approval by the Public Works Engineering and Transportation Department. Public and private improvements, including roadways, curbs, gutters, sidewalks and all other improvements shall be provided in accordance with the latest edition of the City of Davis Standard Construction Specifications and Details and the Design and Procedures Manual and Improvement Standards unless otherwise shown on the approved exhibits or listed within the conditions of approval. These plans shall be accompanied with engineering cost estimates.

1) The improvement plans shall include all of the following offsite improvements:

- a) All work within the public right-of-way (ROW), including but not limited to utilities and grading, shall be explicitly noted on the improvement plans. The subdivider shall obtain all necessary encroachment permits from the City of Davis Public Works Engineering and Transportation Department for all work and construction that encroaches within or over the public right-of-way, including, but not limited to water meters, backflow devices, signs and curb/gutter/sidewalk improvements.
- b) All improvement plans shall include pavement treatment details including type, thickness, and other design details. All street sections shall be designed based on the subgrade “R” value and the Traffic Index (TI). The TI for streets shall be as follows;

Street Classification	TI
Major Arterials	9.0
Minor Arterials	7.0
Collectors	7.0
Modified Locals	6.0
Local	5.0
Cul-de-sac	4.5
Private	4.0

The pavement improvement plans shall be subject to the review and approval of the City Engineer.

- c) The developer shall submit improvement plans showing all sizes, locations and grades of the utilities, including private common utilities to serve the project.
  - d) Final Street lighting design, including location and number of fixtures.
  - e) Water and sewer mainlines shall be located in the street with the required minimum 10' separation between utilities. The lines shall be placed in a manner that would allow for one lane of traffic to be open should the lines need maintenance at some point in the future. The depth of the lines shall be below the drainage management area street section. The final layout shall be reviewed at the improvement plan stage and is subject to approval by the City Engineer.
  - f) Curb, and gutter shall be installed with drain inlets meeting City standards, subject to the review and approval of the City Engineer.
  - g) Stormwater runoff shall be treated prior to discharge into the City stormwater system. The location, number, and type of treatment devices are subject to the review and approval of the City Engineer.
  - h) Any unused water service stubs shall be abandoned at the City's water main
  - i) Any unused sewer service stubs shall be abandoned at the City's sewer main.
  - j) A wet barrel fire hydrant shall be installed at the end of the cul de sac, subject to the review and approval of the City Engineer.
  - k) If the sidewalk in front of the site along Pole Line Road does not meet the Americans With Disabilities Act (ADA), the sidewalk, curb, and gutter shall be replaced, including any damaged curb and gutter, subject to the review and approval of the City Engineer.
  - l) **Applicant shall install an appropriate mid-block crossing improvement of Pole Line Road at the project's entrance to include signing, striping, markings, pedestrian signal lights and safety lighting as determined by the City Engineer.**
- 2) The improvement plans **shall include all street, curb, gutter and sidewalk and utility improvements as shown on the approved exhibits, as well as**, all of the following on site improvements:
- a) All existing and proposed monuments, including boundaries of public and private maintenance areas.

- b) All locations of joint trench and other dry utilities. Details shall include but not be limited to the following; HVAC, gas meters, fiber optic conduit and electrical boxes for each unit and service points, conduit wire sizes and pole numbers for street lights.
  - c) On site drainage improvements shall be designed to comply with the City of Davis Stormwater Management and Discharge Control Ordinance.
  - d) Pedestrian and bike circulation shall be provided within the project site. Primary and secondary walkways shall be designed indicating a relationship to street access, bus stops, parking areas, employee activity areas, and adjacent structures and abutting properties. Pedestrian walkways and bikeways shall be landscaped to provide shade in the summer.
  - e) All transformers and vaults that must be located within the right-of-way shall be installed below grade unless otherwise approved by the Community Development and Public Works Departments, and then must be completely screened from view.
  - f) All infrastructure components necessary to support modern communication technologies such as conduit space within joint utility trenches for future high-speed data equipment and flexible telephone conduit to allow for easy retrofit for high-speed data systems.
  - g) *The developer shall provide evidence to the City of Davis that prospective homeowners within this subdivision are informed that they responsible for the maintenance of the 5' wide modified sidewalk. The City's sidewalk standard is 6' wide, and the project's unique storm drains and the need to clean these out adds an additional cost to the City beyond what is typical in other City subdivisions; thus, the sidewalk maintenance will be an undue added cost to the City.***
- 3) A subdivision improvement agreement shall be executed prior to the recordation of the final map, subject to the review and approval of the City Engineer.
  - 4) The applicants engineer shall prepare Record Drawings that accurately indicate the completed on-site, and off-site improvements after completion, and prior to the issuance of a final certificate of occupancy. Reproducible mylar copies of the Civil drawings shall be provided to the City, as well as a PDF copy, and AutoCAD file showing all utility lines in relation to property lines.

#### 4. FIRE SAFETY REQUIREMENTS

- a. Improvement plans shall be reviewed and approved by the Fire Department prior to approval of improvement. All new development shall comply with the fire safety

requirements of the California Fire Code and California Building Code as adopted by the City of Davis as well as:




- 1) All necessary public services, including water service and fire hydrants, meet Fire Department and Public Works standards
  - 2) Vehicle access is sufficient to accommodate fire department equipment per CFC 503 and CFC Appendix D.
  - 3) Show the location of the Fire Department Connection (FDC) and ensure a hydrant is located within 100 feet of the FDC CFC 507.5.1.1
  - 4) All Fire Department access and fire lanes shall be posted as “No Parking, Fire Lane.” Signage, paint and location are subject to review and approval by the Fire Department.
  - 5) Backflow prevent valve wheels and stems shall be maintained in a manner which enables inspection in order to determine whether or not the valve is open.
- b. The developer shall install street signage within the development to indicate there is no parking allowed on the street.
- c. The developer shall install street signage to indicate that is no parking is allowed on both sides of the proposed street, including no parking in the Cul-de-sac. The developer shall paint the curb red along the roadway segments where no parking is allowed, including the Cul-de-sac bulb, upon subject to review and approval of the Public Works Department.**
- d. Prior to completion of streets, building permits may be issued, provided fire vehicle access is maintained to all hydrants and from hydrants to all structures prior to commencing construction with wood. Details of Fire Department access to hydrants and structures shall be approved by the Fire Department. All necessary public services including water service and wet barrel fire hydrants shall meet fire department standards. Where structures are built or under construction, all adjacent streets shall be paved or graveled.

## 5. UNDEVELOPED PAD MAINTENANCE

The applicant shall be responsible for the ongoing maintenance and upkeep of undeveloped portions of the project site in accordance with the City of Davis Municipal Code. All building pads shall be seeded and irrigated or treated for erosion control in a manner to the satisfaction of the City Engineer.

## 6. RIGHT OF WAY STREET LIGHTING

An on-site final inspection of the photometric standards shall be conducted by the electrical engineering consultant to confirm that all lights were correctly installed according to the approved photometric plan, prior to issuance of the first Certificate of Occupancy. The developer shall submit to the Community Development and Sustainability Department a written confirmation from the electrical engineer.

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## 7. TENTATIVE SUBDIVISION MAP

- a. The FEMA flood zone designation of 715 East shall be noted on the final map.
- b. Any land dedicated to the City shall be free of toxic contamination. The property owner shall disclose any information related to the property pertaining to any possible contaminant exposure of the site.
- c. Provisions shall be made for all necessary easements for common access, drainage, utility and provisions for maintenance of any shared driveways. These provisions shall be subject to the review and approval of the Public Works Director and the City Attorney prior to the recordation of the Final Map. Reservation of the easements for reciprocal access, drainage, utility and maintenance for shared facilities for this subdivision shall be shown on the Final Map.

## 8. TRASH ENCLOSURES

- ~~a. All waste collection bins (for waste, recycling and organics) shall not be stored on the street or on three-foot sidewalks. Developer shall include the requirement as a part of the CC&Rs for the property as well as, add a disclosure document to be signed by prospective homeowners at closing, and submit the same for review and approval by the Public Works Department and Community Development & Sustainability Departments, prior to the recordation of the final map.~~
- a. Solar access easements shall be dedicated for the purpose of assuming that each lot or dwelling unit shall have the right to receive sunlight across adjacent lots or units for use of a solar energy system. The easements may be contained in a Declaration of Restrictions for the subdivision which shall be recorded concurrently with the recordation of the final map or issuance of permits, whichever comes first. The easements shall prohibit the casting of shadows by vegetation, structures, fixtures, or any other object, except for utility wires and similar objects.

## 9. DESIGN REVIEW / BUILDING DESIGN

- a. No substantive deviations from the approved building design may be permitted without Design Review approval. However, minor changes may be approved through the minor improvement application process.
- b. The design, placement and color of the building materials shall be as provided on the material sample board date stamped January 12, 2022, except as modified by the conditions of approval for the project. Details shall be provided on the construction drawings to the satisfaction of the Community Development & Sustainability Department prior to the issuance of permits. Minor changes in materials and color selection may be made through the Community Development & Sustainability Department's Minor Improvement process.

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- c. The stucco treatment shall be a three-coat system and shall be so noted on the construction drawing set, to the satisfaction of the CDSD.
- d. Prior to the issuance of building permits, preliminary exterior paint colors (and materials) shall be submitted for review and approval by the Community Development & Sustainability Department.
- e. The construction drawing set shall include adequate detailing of application, construction and materials proposed for all exterior architectural enhancements including but not limited to building and window trim, depth of recessed features, grout or reveal width/depth, awning materials, trellis construction, building material application such as tile/brick. Adequate detailing may necessitate the use of cross-sections. Review and approval of the details shall be to the satisfaction of the Community Development & Sustainability Department.
- f. Placement and design of photovoltaic panels shall be architecturally integrated with the building design and/or parking area and shall be to the satisfaction of the Community Development & Sustainability Department.
- g. The following notes shall be included on the construction drawings to be implemented during construction:
- h. Plans shall be reviewed and approved by the Fire Department prior to issuance of building permits. All new development shall comply with the fire safety requirements of the California Fire Code and California Building Code as adopted by the City of Davis as well as:
  - 1) Fire sprinklers are provided in any new residential building.
  - 2) Show the location of the Fire Department Connection (FDC) and ensure a hydrant is located within 100 feet of the FDC  
(CFC 507.5.1.1)
  - 3) All building numbers and individual units shall be permanently identified in a clear and concise manner, including proper illumination.
  - 4) **The property owner/applicant has offered to build the subdivision as an all “electric” community, and the City has accepted the offer, which means that the 715 East Project shall be an all-electric subdivision.**

## 10. POLICE SAFETY REQUIREMENTS

Plans shall be reviewed and approved by the Police Department prior to issuance of building permits. All new development shall comply with the City Building and Security Ordinance and other safety recommendations and requirements regarding building security as well as employee and patron security, prior to issuance of building permits.

## 11. LANDSCAPING PLANS

- a. Detailed landscape and irrigation plans shall be submitted and approved by the Community Development for each residential lot, prior to the issuance of building permits. Landscape plans shall specify the following:
- 1) Location, size and quantity of all plant materials:
  - 2) A plant legend specifying species type (botanical and common names) container size, maximum growth habit, and quantity of all plant materials. Native plant species shall be used to the maximum extent possible.
  - 3) Trees shall be a minimum of 15 gallons in size. All trees shall be planted and staked in accordance with Parks and Community Services Department standards.
  - 4) Shrubs shall be a minimum of 5 gallons in size. Ground cover may be 1 gallon or less in size. Ground cover areas shall be supplemented with additional 5-gallon size materials to provide variation and texture.
  - 5) Bark and other surface materials may be utilized in planter areas as a mulch or accent material. All mulch shall be at least 4 inches in depth minimum and shall be retained in the proposed landscape areas by retention materials which may include, but not be limited to: bender board, rock, landscaping, retaining walls, or concrete barriers at least 4 inches in grade differential from the landscape areas with the goal of full retention of all mulch on site. Large areas that utilize only bark, decomposed granite, or other surface/mulch material are not acceptable and shall include shrubs, trees and groundcover to provide variation, texture and shade.
  - 6) Location of all pavements, fencing, buildings, accessory structures, parking lot light poles, property lines, and other pertinent site plan features.
  - 7) The final design of any perimeter walls, landscaping and on-site sidewalks and shall be coordinated for consistency with any green-street planting that may be required.
  - 8) All landscape areas shall be enclosed by a six-inch raised concrete curb. All turf areas shall be separated from non-turf areas by a minimum 2" x 4" redwood header or other acceptable or equivalent material.
  - 9) Planting and installation details and notes including soil amendments;
  - 10) All plant materials, including ground cover shall be serviced with an automatic irrigation system. Details of all irrigation (drip and sprinkler) as well as all equipment such as backflow, controller and meter devices identified.
  - 11) The project shall comply with Water Efficient Landscaping requirements (Section 40.42 of the Davis Municipal Code). Verification of compliance with this ordinance shall be to the satisfaction of the Community Development and Sustainability and/or Public Works Department and shown on the building permit and/or improvement plans set with the irrigation plan. The plant list shall incorporate native species whenever possible throughout the site.
  - 12) Supporting plantings and supporting irrigation for all water quality treatment control measures. No plant species identified on the California Invasive Plant Inventory Database shall knowingly be permitted.
  - 13) The following statement shall be included on the final landscape plan set:  
 "All landscaped areas shall be maintained in perpetuity upon completion and kept free from weeds and debris and maintained in a healthy, growing condition and shall receive regular pruning, fertilizing, mowing and trimming. Any

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damaged, dead, diseased, or decaying plant material shall be replaced within 30 days. Significant trimming or pruning will not be permitted without prior City approval.”

- 14) South and West facing windows shall be shaded from the summer sun by using shade trees on the south and west building exposures. Landscaping shall be planted adjacent to a building face to the extent possible to help reduce heat and glare.

## 12. INSTALLATION CONFIRMATION




The landscape architect for the approved plan shall submit a signed statement to the Community Development Department upon installation of the landscaping for each unit confirming that the landscape, irrigation and conservation measures have been installed consistent with the approved plans and specifications.

## 13. ON SITE LANDSCAPE MAINTENANCE

- a. The applicant / prospective homeowners shall maintain all landscaped areas within their properties in perpetuity upon completion/occupancy, and they shall be kept free from weeds and debris and maintained in a healthy, growing condition and shall receive regular pruning, fertilizing, mowing and trimming. Any damaged, dead, diseased, or decaying plant material shall be replaced within 30 days by the applicant during the initial installation/planting.
- b. All trees planted or preserved in accordance with this approval shall be trimmed and maintained per guidelines established and approved by the International Society of Arboriculture (ISA). Any pruning of the trees, other than light pruning of no more than 25 percent of the foliage within any one growing season, requires review and approval of a Tree Modification Permit prior to the commencement of the work.
- c. **The developer shall provide evidence to the City of Davis that the owners of tentative subdivision map lots 1 and 30 have been made aware that they are responsible for the maintenance of all landscaping on their property on the easterly side of their street side yard fence.**

## 14. FENCES AND WALLS

- a. All wooden fence footings and foundations shall be constructed of galvanized steel, reinforced concrete, masonry or treated wood materials when contact with the ground will be permitted. All required notes/details shall be provided on landscape plans prior to the issuance of building permits subject to review and approval by the Community Development & Sustainability Department.
- b. All fences, including masonry wall shall be constructed consistent with the fence and hedges regulations. Double fencing is discouraged.

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- c. Concurrently with application for the first building permit, developer shall submit a plan showing location and design for all fences adjacent to public or private open space, roads, or bicycle paths, subject to review and approval by the Community Development & Sustainability Department. Amendments to the approved fencing plan may be considered through the Design Review process.

## **15. MECHANICAL EQUIPMENT SCREENS AND SCREENING**

- a. All ground mounted utility appurtenances such as transformers, AC condensers, etc., shall be located to the rear of each home, subject to review and approval by the Community Development & Sustainability Department.
- b. The developer shall prepare a final site plan and elevations of all on-site mechanical equipment (including HVAC condensers, transformers, switch boxes, backflow devices, PG&E transformers, etc.) including specifics of how all such equipment shall be screened from public view. The plan, with an approval stamp from the City of Davis Community Development & Sustainability Department, shall be submitted by the developer to the utility provider for review. Any necessary changes or deviations made by the utility providers from the approved utility location and/or screening shall be reviewed by the Community Development & Sustainability Department prior to installation and may be subject to discretionary Design Review processing and fees by the Community Development & Sustainability Department.

## **16. PARK MITIGATION**

Prior to issuance of permits, the owner shall dedicate land, pay a fee in lieu thereof, or a combination of both at the option of the City, to satisfy the 5 acres per 1000 persons park standard and based on the formulas as established and amended in Section 36.08.040(d) of the City of Davis Municipal Code, or as determined by the City.

**JANUARY 11, 2022, CITY COUNCIL FINDINGS & CONDITIONS OF  
APPROVAL FOR 715 EAST PROJECT LOCATED AT 715 POLE LINE ROAD**  
PA #21-31 For Rezoning & Preliminary P-D#2-21; Final P-D #2-21; Tentative Subdivision  
Map #3-21; Affordable Housing #1-21; & Design Review #9-21

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**17. AFFORDABLE HOUSING AGREEMENT PROVISIONS**

- a. Prior to issuance of building permits, developer shall submit a plan showing the location of the three affordable units (as required by Chapter 18.05.020 of the City of Davis Municipal Code) and the plan for marketing the affordable units and selecting and qualifying the buyers, subject to review and approval by the City Manager's Office and the City Attorney. Developer shall recognize that any commitments for sale of the units without City approval are invalid and counter to this affordable housing approval.
- b. Required affordable units shall remain affordable in perpetuity. This requirement shall be established in a deed restriction or covenant recorded on the property, subject to review and approval by the City Manager's Office prior issuance of building permit to the unit.
- c. Developer shall provide written notice to all purchasers of lots or homes within the subdivision of the location and zoning for the affordable housing. The disclosure shall explicitly note that the housing may be developed for moderate income residents or special needs residents. Wording is subject to review and approval by the City Manager's Office.

## REQUIREMENTS

The following is a list of code requirements which apply to the proposed project, 715 Pole Line Road commonly known as 715 East. This is not a complete list of all code requirements, but only those which the City of Davis wishes to highlight for the applicant.

1. Any temporary building, trailer, commercial coach, etc. installed or used in connection with construction of this project shall comply with the requirements of Section 40.26.360 of the Municipal Code.
2. The developer/applicant shall be responsible for informing all subcontractors and construction crews about construction start and finish times including appropriate ambient noise impacts consistent with city code.
3. All new development shall comply with the Green Building Ordinance. All projects shall be constructed using the guidelines, green building rating systems, and green building project checklists as set forth in section 8.20.050 of the Davis Municipal Code. Compliance shall be demonstrated prior to issuance of building permits.
4. All new construction, renovation and demolition projects shall comply with the Construction and Demolition Ordinance by diverting at least 50% of construction and demolition waste from the landfill, through recycling, reuse and or waste reduction. Compliance shall be demonstrated as set forth in section 32.04.080 of the Davis Municipal Code.
5. Prior to the issuance of building permits, the applicant shall submit for review and approval to the Community Development & Sustainability Department, details of all accessible parking signage locations and wording. Required accessible signage takes precedence over all other signage.
6. A plan check fee shall be required by the Community Development Department when an application for a building permit is submitted. The plan check hours shall be billed to the building permit application, unless advised otherwise by the applicant/developer.
7. The developer shall pay the appropriate fees established in the Major Projects Financing Plan pursuant to the General Plan. Final fee categories shall be as adopted by the City Council in the Major Project Financing Plan and shall be paid at the time of certificate of occupancy or as otherwise required by law.
- ~~8. Water connection and sewer connection fees shall be paid at the time of recordation of the Final Map.~~

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9. Water connection and sewer connection fees shall be paid **at the time of permit issuance prior to occupancy.**
10. In the event the building permit applications will be made by a different entity than the applicant, the applicant is responsible for informing the Planning Division that plan check fees shall be paid by a different entity. Failure to notify and seek approval from Planning Division regarding separate payment for plan checking after entitlement applications' approval, shall result in Planning Division charges being made to the project account.
11. ~~Prior to recordation of the final subdivision map for the project, the~~ The applicant shall pay the parkland in-lieu fee at the rate in effect at the time of payment as established and amended in Section 36.08.040 of the City of Davis Municipal Code. **Timing of parkland in-lieu fee payment is subject to review and approval of the Community Development Director with the requirement that parkland in-lieu fees shall be paid prior to occupancy.**
12. The owner shall cooperate with the School District to the extent authorized by State law in establishing school funding mechanisms for new subdivisions and in-fill development to ensure that the impacts of such development on school facilities are fully mitigated. This may also include the reservation or dedication of school sites and meeting School District standards. **Compliance with this condition shall be demonstrated to the City prior to occupancy.**
13. This use is classified as a rental use in the City of Davis Development Impact fee study. Payment of the appropriate impact fees is required prior to issuance of Certificate of Occupancy. Credit will be given for fees previously paid at the industrial rate.
14. Any Habitat Conservation Plan / Natural CC Plan land cover fee payments shall be made prior to site disturbance.