



ESTABLISHED 1850

CITY OF VACAVILLE

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October 20, 2017

Community Development Department
Planning Division

Carsten Kristensen
Five Plus, L.P.
323 Richardson Drive
Mill Valley, CA 94941

**SUBJECT: MONTESSA TENTATIVE MAP MODIFICATION APPROVAL
1222 California Drive
Environmental Assessment, Modification and Development Agreement
Amendment (File No. 17-189)**

Dear Mr. Kristensen:

The Planning Division has reviewed your Modification request to modify the Montessa Tentative Subdivision Map for the purpose of decreasing the minimum lot width from 65 ft. to 60 ft. and increasing the number of lots from 58 lots to 61 lots, on a vacant 39.79-acre site located at 1222 California Drive ("Project"). The Project also includes an Administrative Adjustment to the Development Agreement to change the unit count from 58 lots to 61 lots. No other changes are proposed. Please be advised your Modification request and Administrative Adjustment to the Development Agreement have been approved as follows:

- I. **The Director of Community Development has determined that the previous Montessa Subdivision Mitigated Negative Declaration (SCH No. 2007012083) and Mitigation Monitoring and Reporting Program adequately addressed the potential impacts of the project in accordance with the California Environmental Act (CEQA), based on the following findings pursuant to Section 14.03.025.030 (Reaffirmations – Findings for Reaffirmation) of the Vacaville Land Use and Development Code:**
 - A. That the activity is within the scope of the Project covered by the previous EIR, negative declaration, or mitigated negative declaration;
 - B. That no new significant effects would occur or no new mitigation measures would be required;
 - C. That the Statement of Overriding Considerations, if any, adopted with the previous project for which the EIR was prepared has been incorporated into the Project approval;
 - D. That feasible mitigation measures or alternatives adopted with the previous EIR or mitigated negative declaration have been incorporated into the Project approval; and
 - E. That no new environmental document would be required.

II. The Director of Community Development has approved your Modification request to modify the Montessa Tentative Subdivision Map for the purpose of decreasing the minimum lot width from 65 ft. to 60 ft. and increasing the number of lots from 58 lots to 61 lots, for a vacant 39.79-acre site at 1222 California Drive, based on the following findings pursuant to Section 14.09.119.060.A (Modifications to Approved Projects – Required Findings) of the Vacaville Land Use and Development Code:

- A. That the proposed change is of a nature that does not require the complete redesign and resubmittal of the original project;
- B. That the proposed change is consistent with the original project;
- C. That the proposed change does not result in lack of compliance with the development standards approved with the original project;
- D. That the proposed change is consistent with the findings for a design review approval; and
- E. That the proposed change is consistent with the goals, objectives, and policies of the General Plan, the Zoning Ordinance, and the Development Code.

III. The Director of Community Development has approved your Administrative Adjustment request to amend the Development Agreement for the purpose of changing the unit count from 58 lots to 61 lots, in accordance with Section 14.17.218.020.B (Development Agreement – Amendment of Development Agreement) of the Vacaville Land Use and Development Code.

IV. The Director of Community Development has approved your Modification request to modify the Montessa Tentative Subdivision Map for the purpose of decreasing the minimum lot width from 65 ft. to 60 ft. and increasing the number of lots from 58 lots to 61 lots, and your Administrative Adjustment request to the amend the Development Agreement, for a vacant 39.79-acre site at 1222 California Drive, subject to the conditions of approval attached as Exhibits A and B.

This approval shall become effective immediately unless a written appeal to the Planning Commission is submitted within five (5) calendar days. To appeal this decision, a written appeal application and the accompanying fee must be submitted to the Planning Division offices at 650 Merchant Street on or before 5:00 pm on October 25, 2017.

This approval shall expire in accordance with the term limits established by the adopted Development Agreement, unless a Final Map is recorded, improvement Plans are issued, and construction commences prior to the expiration date, or an application for a time extension is submitted prior to the expiration date. **BUILDING PERMITS ARE REQUIRED PRIOR TO COMMENCING ANY CONSTRUCTION.** Please contact the Planning Division at (707) 449-5140 or the Permit Services Division at (707) 449-5152 if you have any questions.

Sincerely,

ALBERT ENAULT,
Associate Planner

EXHIBIT A

**MONTESSA TENTATIVE MAP MODIFICATION
1222 California Drive
Modification
Conditions of Approval
File No. 17-189**

I. Standard Conditions of Approval:

Carsten Kristensen (“Applicant”) and Five Plus, L.P. (“Property Owner”) shall comply with the applicable Standard Conditions of Approval. In the event of a conflict between the Standard Conditions of Approval and these Conditions, these conditions shall prevail.

II. Project-Specific Conditions:

Carsten Kristensen (“Applicant”) and Five Plus, L.P. (“Property Owner”) shall comply with the following Project-Specific Conditions:

PLANNING

1. This action approves a Modification request to modify the Montessa Tentative Subdivision Map for the purpose of decreasing the minimum lot width from 65 ft. to 60 ft. and increasing the number of lots from 58 lots to 61 lots, on a vacant 39.79-acre site located at 1222 California Drive (“Project”). This action also approves an Administrative Adjustment to the Development Agreement to change the unit count from 58 lots to 61 lots. No other changes are allowed.

This approval shall expire in accordance with the term limits established by the adopted Development Agreement, unless a Final Map is recorded, Improvement Plans are approved and issued, and construction commences prior to the expiration date, or an application for a time extension is submitted prior to the expiration date.

2. Plans submitted for Final Map and Improvement Plans shall be in substantial compliance with plans approved by this action and dated October 20, 2017, except as modified by these conditions of approval. In addition, the Project site shall continue to comply with the original conditions of approval for the Montessa Tentative Subdivision, Planned Development and Development Agreement (File No. 16-076) attached as Exhibit B, except as modified by these conditions of approval. Any modifications to the approved plans, Project description or land use, except as modified by these conditions of approval, shall be subject to review and approval by the Director of Community Development and may require a separate Planning entitlement review process. In the event of a conflict between the Conditions of Approval and the Development Agreement, the Development Agreement shall prevail.
3. The Standard Conditions of Approval and the Project-Specific Conditions set forth herein shall run with the land and shall apply to the Project Applicant and to all future owners of the property. (Cohn v. County Board of Supervisors (1955) 135 Cal. App. 2d 180, 184)

4. Hours of noise producing construction shall be from 7:00 a.m. to dusk (one-half hour after sunset), Monday through Saturday. Construction activities shall conform to the following standards:
 - a. There shall be no start-up of machines or equipment, no delivery of materials or equipment, no cleaning of machines or equipment and no servicing of equipment except during the permitted hours of construction; and
 - b. Radios played at high volume, loud talking and other forms of communication constituting a nuisance shall not be permitted; and
 - c. There shall be no construction on Sundays or legal holidays. Exceptions to these time restrictions may be granted by the Community Development Director for one of the following reasons: (1) inclement weather affecting work; (2) emergency work; or (3) other work, if work and equipment will not create noise that may be unreasonably offensive to neighbors so as to constitute a nuisance. The Community Development Director must be notified and must approve the work in advance.
5. Section 14.09.072.150 (D) of the City of Vacaville Land Use and Development Code states: "A permit or entitlement may be revoked for reasons which include, but are not limited to, any of the following: (1) Failure to comply with the original approval or with one or more of the Project conditions as originally approved; or the construction or development of the subject property is not in conformance with the Project as approved; (2) Upon a determination that the permit or entitlement was obtained or extended upon fraud or misrepresentation; and (3) Upon a determination that the Project violates a provision of the Municipal Code or is not operating in conformance with the performance standards".
6. The Applicant/Property Owner shall comply with these conditions of approval and all applicable provisions of the Vacaville Municipal Code (Zoning, Subdivision, Building Codes, etc.), the Vacaville General Plan and any applicable policy plan or specific plan, as such provisions may be amended from time to time including, but not limited to, Vacaville Municipal Code Section 14.09.072.190, which requires, except as otherwise provided by law (e.g. Government Code 66474.9) that the Applicant/Property Owner shall defend, indemnify, and hold harmless the City and its officials and employees in any action, claim or proceeding brought by any third party to overturn, set aside, or void any permit, entitlement, or approval issued or granted by the City. The City shall promptly notify the Applicant of any such action, claim or proceeding and the City shall cooperate with Applicant in the defense thereof without contributing to the cost of such defense.
7. The Applicant/Property Owner shall indemnify, defend and hold the City of Vacaville and its officers and employees harmless against all claims, suits or actions made against them arising out of or in connection with the ownership, occupancy, use or development of the Project site, or any portion thereof, including the installation or construction of improvements thereon; however, this duty to indemnify and defend shall not extend to any claim, suit or action arising solely from the City or its officers or employees' negligence or misconduct. In addition, the Applicant/Property Owner shall comply with the requirements of Vacaville Municipal Code Section 14.09.072.190.

FIRE

The Fire Department's review is to ensure compliance with the minimum code requirements related to fire and life safety as set forth in the California Fire Code and the State Fire Marshal's Regulations. The review is not to be construed as encompassing the structural integrity of the facility or abrogating more restrictive requirements by other agencies having responsibility. Final acceptance is subject to field inspection and necessary tests. The conditions below shall be subject to the current codes and regulations when plans are submitted to the Building Department. If you have any questions regarding these conditions, please contact Jill Childers at (707) 449-5482.

8. Approved address numbers shall be provided for each home.
9. All work shall be in conformance with California Fire Code Chapter 33, "Fire Safety During Construction and Demolition" and NFPA 241 "Safeguarding Construction, Alteration, and Demolition Operations".
10. Fire apparatus access roads shall be at least 20 ft. wide and able to hold 80,000 lbs. This includes the Fire Access road adjacent to Lots 14 and 15. The paving can stop 75 ft. past the proposed driveway location for Lot 15. In this same location a fence with access for emergency vehicles (at least 20 ft. wide) or bollards shall be provided to prevent public vehicle use of this road.
11. Fire lanes shall be required and have signage where needed this shall be determined by the Fire Marshal. The fire access road adjacent to Lots 14 and 15 shall remain unobstructed at all times, "No Parking" signs shall be provided at locations pre-approved by the Fire Marshal.
12. All fire hydrants shall have two 2½ in. and one 4½ in. connections. Each hydrant shall have its own separate shut off valve located on the lateral adjacent to the hydrant. A fire hydrant shall be located near Lot 15 to provide adequate protection to Lot 14. Each hydrant shall have a blue reflective "Fire Light" hydrant spotter located in the center of the street.
13. Fire Hydrants shall be installed by the developer and made serviceable prior to any combustible materials being delivered and stored/used on site.
14. Dead-end access roads in excess of 150 ft. in length shall be provided with an approved means for turning around apparatus. The final design of the turnaround shall be reviewed and approved by the Fire Marshal prior to installation. It shall also comply with Appendix D in the CFC and figure D103.1.
15. Fire sprinklers shall be required per the most current edition of NFPA, CRC and CFC.
16. Fire hydrants shall be located no more than 300 ft. (122 m) from a fire hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and water mains shall be provided at a location(s) required by the Fire Code Official. The Applicant shall also verify fire hydrant location(s) with the Vacaville Fire Department.
17. An approved on-site water supply capable of supplying the required fire flow for on-site fire protections shall be provided to all premises upon which buildings are constructed. When

any portion of the building is in excess of 150 ft. from a water supply on a public street, as measured by an approved route around the exterior of the building, on-site fire hydrants and mains capable of supplying the fire required fire flow shall be provided when required by the Fire Marshal.

18. Fire flow shall meet the requirements of the CFC and local amendments.
19. Smoke alarms and carbon monoxide alarms are required per CFC and CBC.
20. The Fire Marshal shall identify on the final map where metal grates shall be provided for emergency fire apparatus to cross V-ditches in the event of a fire or emergency. These grates shall have a minimum width of 12 ft. and be designed and engineered to accommodate a minimum of 40,000 pounds.
21. Fire Buffer Zone: There shall be a total of 40 ft. from the rear of the structure to the property line along Lots 57-61. These homes back up to an orchard maintained by the California Medical Facility. The open hillside next to Lot 55 shall be required to have the weeds cut prior to the beginning of Wildland fire season and when determined by the Fire Marshal is needed.
22. Rear Yard Setback: A minimum of a 30 ft. setback from the rear property is required for the main structure on Lots 55 and 56.
23. This project shall comply with VMC 14.20.290.160 Residential Construction Standards and VMC 14.20.290.170 Accessory Structures; for homes constructed adjacent to open space.
24. Side Yard Setback: A minimum of a 10 ft. side yard setback is required for Lots 12-14 and Lots 55-61 adjacent to open space where wildfire is a threat.
25. An approved water supply and emergency vehicle access shall be completed prior to any combustible materials being allowed on the project site. Please contact Jill Childers at (707) 449-5482 for a clearance letter prior to receiving any combustible materials at this site.
26. Unless otherwise approved by the Fire Marshal, all private driveways shall meet the following criteria:
 - a. Average grades shall not be more than 12.5% with no section greater than 14%.
 - b. Sections of private driveways less than 100 ft. in length may have grades of 15% if specifically approved by the Fire Marshal on a case-by-case basis.
 - c. Private driveways greater than 100 ft. in length shall have a minimum clear width of 20 ft.
 - d. Private driveways less than 100 ft. in length shall have a minimum width of 15 ft.
 - e. Private driveways greater than 100 ft. in length shall have a turn-around or turnout approved by the Fire Marshal every 100 ft. and at the structure.

EXHIBIT B

MONTESSA SUBDIVISION

1222 California Drive

Tentative Subdivision Map, Planned Development and Development Agreement

Conditions of Approval

File No. 16-076

- I. Standard Conditions of Approval for Montessa Tentative Map: The Applicant (Five Plus, L.P.) shall comply with the applicable standard conditions of approval for Tentative Maps.
- II. Project-Specific Conditions: The Applicant (Five Plus, L.P.) shall comply with the following Project-Specific Conditions:

PLANNING DIVISION

1. Plans submitted for building permits shall be in substantial compliance with the plans approved by this action dated November 17, 2006, except as modified by these conditions of approval. In the event the applicant proposes any deviations from the approved plan of subdivision or the Conditions of Approval, the Director of Community Development or his designee may require the project to be re-submitted to the Planning Commission for consideration at a duly noticed public hearing. The applicant will be responsible for paying a new application fee for any such reconsideration.
2. The project approval is tied to the life of the Montessa Development Agreement, as approved by City Council on August 23, 2016. Any time extension for the project will be tied to any such time extensions to the Development Agreement and may be considered and approved by the City Council, provided that prior to the expiration date an application for an extension of time is filed with the Community Development Director.
3. In the event of a conflict between the representations on the Tentative Map and these Conditions of Approval, the Conditions of Approval shall prevail. In the event of a conflict between the Conditions of Approval and the Development Agreement, the Development Agreement shall prevail.
4. Prior to the issuance of any grading and/or building permit, the development shall comply with all applicable provisions of the Vacaville Municipal Code (Land Use and Development Code, Subdivision Codes, Building Codes, etc.), the Vacaville General Plan, any applicable policy or specific plan, the Mitigation Monitoring and Report Plan for the project, and these Conditions of Approval.
5. Failure of the project applicant to comply with all applicable provisions of the Vacaville Municipal Code (Land Use and Development Code, Subdivision Code, Building Codes, etc.), the Vacaville General Plan, any applicable policy or specific plan, and these conditions of approval may result in revocation of the project approval.
6. Prior to the removal of any trees on the project site, Developer shall apply for a tree removal permit from the Community Development Department. The application shall include an updated Tree/Arborist Report completed by a certified Arborist to the Community Development Department.

7. Prior to construction, the applicant/developer shall create and submit a grading and construction staging plan for review and approval by the City Planner, to ensure that the adjoining property owners will not be significantly impacted during the development of the project site.
8. The side yards of lots 11 and 12, adjacent to the utility/emergency access parcel, shall be 6 ft. masonry walls. The walls shall be constructed so that they are completely on the City's property. The wall should be designed such that it steps down to no higher than 3 ft. within 5 ft. of the internal street.
9. For lots 55-61, the following shall apply to the exterior lot lines for fencing:
 - a. A 6 ft. masonry wall or 4 ft. masonry wall with 2 ft. decorative iron or steel view fence shall be constructed along the exterior lot lines of lot 55 and 56 adjacent to the open space parcel.
 - b. A 6 ft. masonry wall shall be constructed on the exterior lot line of lot 61, adjacent to Keating Park.
 - c. A 6 ft. masonry wall or 4 ft. masonry wall with 2 ft. decorative iron or steel view fence shall be constructed along the rear property line on lots 55-61.
10. A 6 ft. high good neighbor fence shall be installed along the interior property lines of the subdivision.
11. A range fence shall be installed along the west side (open space side) of "C" Street.
12. Submit details of the required retaining walls, masonry walls, and fencing for review and approval by the City Planner. This includes details of the retaining walls and 6 ft. high good neighbor wood fences to be installed on interior property lines. In no case shall the retaining walls and fences exceed 8 ft. in height from bottom of grade along interior property lines.
13. A minimum of one (1) ft. wide space shall be provided between retaining walls and fencing (rather than on top of each other) to provide some relief from the height of the fences. A minimum of five (5) ft. shall be provided between retaining walls and home structures.
14. A Landscape back-up treatment shall be installed along the project frontage of California Drive including the entry feature to the subdivision and a landscape transition feature on the eastern corner of the new public street and California Drive adjacent to Keating Park. The sidewalk along the new project frontage with California Drive shall be a meandering sidewalk consistent with the Skyview Subdivision. Landscaping at the corner of the subdivision with California Drive shall not impede sight distance requirements. A 6 ft. high decorative masonry wall shall be constructed, subject to review and approval by the City Planner, along the property line frontage to California Drive.
15. A final landscape plan shall be submitted for review and approval by the City Planner and City Landscape Plan Checker prior to issuance of grading permits.
16. With the submittal for grading permits, an updated arborist report from a Certified Arborist to review the health of the trees along the ridgeline near the Skyview Subdivision. Based on the arborist report, the grading of lots 13 and 14 shall include enough of a shelf at the

top elevations adjacent to the Skyview subdivision to preserve the existing trees in good or better health.

17. No less than 40 trees shall be installed on the park side of “A” Street and the open space side of “C” Street. The types of trees to be planted on “A” Street shall be varieties of evergreen trees with fast to moderate growth rates to act as a screen from ball field lighting within the park. The trees on “C” Street shall be varieties of Oak (valley oak, blue oak, live oak) for mitigation of the oak trees removed for the residential development. Trees shall be a mixture of 15-gallon and 24 in. box sized, subject to determination of Community Development and Community Services Departments. Prior to issuance of grading permits and prior to the removal of any trees, the developer shall apply for a tree removal permit from the Community Development Department. The application must include an updated tree report performed by a Certified Arborist. The Final Landscape plans shall be prepared to reflect the tree planting plan and will be subject to final approval by Community Development, Public Works and Community Services.
18. The Developer shall provide decorative trim, design subject to review and approval by the City Planner, around all windows on second story elevations facing the public street (including California Drive and new internal streets), and those elevations facing Keating Park and Skyview Subdivision.
19. The developer shall provide front yard landscaping in accordance with the City's Water Efficient Landscaping Regulations and the Water Conservation Ordinance.
20. All lots within the Montessa subdivision shall comply with the minimum development standards, which have been established as follows:

TABLE “A” – Setback Standards for Montessa Planned Development

The Montessa Planned Development is a single-family residential subdivision which is based upon Vacaville's RL-10 and RL-6 zoning district standards. Variations from the standards in these districts are to occur in limited cases.

The following Table establishes the Development Standards for the Montessa Planned Development. All Standards are in either Square Feet, as may be appropriate, and are minimums unless otherwise noted. All Standards apply to both one and two-story structures.

	Lot Area	Lot Width	Corner Lot Width	Lot Depth	Front Yards	Front Porches	Side Yards	Street Side Yards	Lot Frontage	Distance between structures on adjoining lots	Max. Height
RL-6-PD	6,000	60	70	100	20*	15	5/10	15	40	15	30
RL-10-PD	10,000	90	80	100	25**	20	5/15	20	40	20	30
RL-10-PD Flag Lot	10,000	90	N/A	100	13	15	10	N/A	40	20	30

* Front Yards in the RL-6-PD area may vary between 18 and 22 feet, provided that the average front setback along the street on which the unit is located is at least 20 feet. In all cases, garage setback shall be a minimum of 18 feet.

** Front Yards in the RL-10-PD area may be reduced to 20 feet when lots are located adjacent to lots in the RL-6-PD zoning areas.

21. Prior to and during any construction, the Applicant shall show proof of any required permits and shall comply with the mitigation measures of the attached Montessa Subdivision Mitigated Negative Declaration and Mitigation Monitoring Program.
22. The two-car garages shall provide space for parking two vehicles.
23. The layout of the subdivision including the individual lot areas shall be in substantial compliance with the tentative map approved by this action dated November 17, 2006, except as modified by the following:
 - Delete the sidewalk from the new public street along the project frontage with Keating Park.
24. The Developer shall install perimeter walls, retaining walls and interior fencing in accordance with the approved tentative map and to the satisfaction of the City Engineer and City Planner.
25. The Applicant shall dedicate the following parcels to the City: (a) a 23-acre parcel of undeveloped hillside open space to the south of the project; (b) a 7,600 sq. ft. parcel along the southeast corner of the project site for future little league field expansion; and (c) 30 ft. utility/emergency access parcel between lots 11 and 12.
26. The 30 ft. utility/emergency access parcel shall have landscaping within 5 ft. of both sides of the walls, to include:
 - a. Climbing vines along the walls.
 - b. Small shrubs and ground cover.
 - c. Small decorative trees, such as crape myrtles, aristocrat pears, purple leaf plums, and crabapples.
27. House plans shall require a separate Design Review application, which shall be subject to review and determination by the Planning Commission prior to submittal for building permits.
28. With submittal of the Final Map, the Applicant shall provide the Community Development Department and the Community Services Department with the language of a Notice of Land Use Entitlement, or another form of notice acceptable to the City Attorney, which shall be recorded on the deed of each legal parcel. The language shall inform the present and future owners of the conditions of approval placed upon the Montessa subdivision and provide disclosure of the type of activities occurring at the adjoining Keating Park. These activities include night-time sporting events using lighted sports fields that may produce objectionable noise, traffic, and stray lighting. It also shall be disclosed that the field most adjacent to the Montessa Subdivision (Field E) is planned for expansion and new sports field lighting that does not exist at this time.

Additionally, the developer shall either provide Community Services Department with a statement signed by the new land owners that they have received and are aware of the disclosed conditions OR the developer shall install permanent signage, as approved by Community Services Department with the Final Landscape Plans, which will serve as a written disclosure. The signage shall be attached to the tubular fencing along "A" Street

on the Keating Park side near the main entrance to the subdivision. The language shall include park hours and describe the type of activities occurring at the adjoining Keating Park. These activities include night-time sporting events with lighted sports fields that may produce objectionable noise, traffic, and stray lighting.

29. The Developer shall record a disclosure on the deed of each legal parcel stating the California State Prison, California Medical Facility, and the facilities' on-site shooting range is in the vicinity of the lot.

DEVELOPMENT ENGINEERING

30. Tentative Map. Approval of the Final Map and Improvement Plans shall be in substantial conformance with the approved Tentative Map, the Planned Development (PD), and the Land Use and Zoning for which this project was approved. Unless otherwise stated in these conditions, the lots, streets, utilities, and grading must generally be in substantial conformance with the approved Tentative Map.
31. Standard Conditions of Approval. The Developer shall comply with all applicable City of Vacaville Standard Conditions of Approval (Attachment A) for Tentative Maps. In the event of a conflict between the Standard Conditions of Approval and these conditions, these conditions shall prevail.
32. Project Improvement Plans and Grading Plans. Concurrent with the Final Map, the Developer shall submit Improvement and Grading Plans for review and approval of the City Engineer. The Development plans for this Tentative Map shall be prepared, designed, and signed by a Civil Engineer licensed in the State of California to the satisfaction of the Directors of Public Works and Community Development. The plans shall be in accordance with the Ordinances, Standard Specifications, Policies, and requirements of the City of Vacaville.

Easements and Dedications

33. Abandonment of Easements and Right of Ways. Prior to the approval of the Final Map, all access and utility easements across the project shall be abandoned by the applicable parties.
34. Internal Public Street Dedication. The Developer shall dedicate a 50 ft. right of way for all public streets as shown on the tentative map.
35. California Drive Dedication. The Developer shall dedicate additional right of way along its California Drive frontage to provide for a 56 ft. curb to curb width, plus an additional minimum of 34 ft. for the installation of sidewalk and setback landscaping as shown on the tentative map.
36. Public Utility Easement Dedications. The Developer shall dedicate a minimum 10 ft. wide Public Utility Easement (PUE) behind the street right of way on each new public street as shown on the approved Tentative map, and over any other joint utility trench lines outside of this area that are needed to serve the project.

37. Public Easements. The Developer shall dedicate all public easements as shown on the Tentative Map at the time of Final Map, unless otherwise approved by separate instrument by the City Engineer/Director of Public Works.
38. Park Parcel. As shown on the Tentative Map, the Developer shall dedicate a minimum of 7,600 sq. ft. along its Keating Park frontage for the future expansion of the Keating Park.
39. Recorded Deeds and Dedications. The Developer shall provide a copy of current title report and copies of all recorded deeds of parties having any recorded title interest in the property at the time of final map and improvement plan submittal. Unless otherwise approved by the City Engineer, all dedications and abandonment's shall be completed as part of the Final Map, and improvements must be secured by bonds prior to Final Map approval.
40. Fire/Maintenance/Pedestrian Road Dedication. The Developer shall provide for a 20 ft. wide access road from "C" Street to the existing access Road within the Skyview Subdivision. The roadway shall also serve as access to lot 14. The roadway shall be located within the property boundary of lot 14 up to the point where the roadway serves as access to lot 14 at which point the roadway shall be located within the dedicated lands to the City. The City shall have an emergency vehicle access and maintenance easement over the roadway portion within lot 14. Attachment 1 depicts the lot line adjustment on lot 14 that will be done at the time of the Final Map.
41. Utility Maintenance Road. The Developer shall dedicate a minimum of a 30 ft. wide maintenance strip between lots 11 and 12 from "D" Street and California Drive as shown on the Tentative Map.
42. Drainage Easement. Drainage improvements are shown to be constructed on APN 0128-060-120. The Developer shall secure the necessary easements and permits to construct and maintain such improvements. The drainage easement would be for the benefit of lots 55 and 56.

Street and Road Improvements

43. Internal Streets. All internal residential streets shall have curb width of 36 ft. with sidewalks on both sides of the street. There shall be residential permit parking only on "C" Street adjacent to the Park, to be designated by signage.
44. California Drive along Project Frontage. The Developer shall widen California Drive along the project frontage to City Collector Street Standards, having a minimum of a 56 ft. wide curb to curb width. The Developer shall construct all needed pavement widening, curb and gutter, sidewalk, storm drainage, fire hydrants, street drainage, signage, striping, and street lighting required as part of the road widening. This development shall reconstruct all existing damaged pavement along the project frontage and slurry seal the existing pavement. The Developer shall construct a minimum 12 ft. wide west bound left turn lane at least 125 ft. long with a 90 ft. transition at intersection of "A" Street and California Drive. The developer will need to re-strip the existing travel lanes along California Drive to the satisfaction of the Director of Public Works so the all travel lanes adequately transition to the existing street stripping on both ends of the project.

45. Widening of California Drive along Keating Park Frontage. As part of the frontage improvements of this project, the Developer shall widen California Drive to a 56 ft. curb to curb width along the Keating Park frontage to Alamo Lane. The south side widening includes the construction of new curb and gutter, storm drain extension, and signing and striping.
46. Construction Traffic and Phasing. The Developer shall prepare a traffic-handling plan for the widening of California Drive for the review and approval by the City Engineer and Director of Public Works prior to improvement plan approval. The Developer shall also prepare a construction phasing and construction traffic plan within the subdivision showing how newly occupied residents and construction traffic are kept separate, and have separate entrances and exits prior to the first building permit. The Developer shall post adequate construction signs and fencing in all areas under current construction to notify local residents that they are not to enter construction areas, and that construction traffic does not need to travel on streets occupied by newly occupied residents
47. "F" Street. The Developer shall install a standard street barricade in conjunction with a private manual gate at the end of "F" Street that is to be used by existing residence on the adjacent property. These improvements are to be to the satisfaction of the Director of Public Works and Community Development.
48. Existing Access. The Developer shall provide safe and continued access to the existing residence to the south of the project until the public roads are fully constructed and accepted by the City.
49. Fire/Maintenance/Pedestrian Access Road. The Developer shall construct a minimum 20 ft. wide concrete paved access road and driveway from "C" Street to the existing paved access road in the adjacent Skyview Subdivision. The alignment and grade of this Road shall accommodate a B-40 vehicle and be reviewed and approved by the City Fire Marshal and the Director of Public Works. The Developer shall construct all needed masonry retaining walls, drainage improvements, fences, and access gates to the satisfaction of the City Fire Marshal and Director of Public Works; and shall also address the existing drainage problem along the Skyview Subdivision and Open Space interface to the satisfaction of the Director of Public Works.
50. Accessible Ramps. The Developer shall construct accessible ramps at all street intersections and opposite the Tee intersection of E and A Streets and E and C Streets.
51. Utility Maintenance Road/Emergency Vehicle Access. The Developer shall construct a minimum 20 foot concrete access road between Lots 11 and 12 from "D" Street to California Drive. The Developer shall also install landscaping and masonry walls along this access way to the satisfaction of the Director of Public Works and Community Development.
52. The Developer shall install a 15 ft. wide class II aggregate base maintenance road from the intersection of B and C Streets to the existing fence at the northwest corner of APN 0129-060-120. Attachment 2 depicts the location of said maintenance road.

Grading

53. Grading. All grading work shall be performed in one continuous operation. The Grading Plan shall also indicate all existing trees, and trees that are to be removed as a result of the proposed development. The Developer's engineer shall certify that all pad elevations are built in accordance with the approved grading plan.
54. Geotechnical Investigation Report. The Developer shall submit a Geotechnical Investigation Report prepared by a Civil Engineer or Geotechnical Engineer licensed in the State of California to be used in the preparation of the Grading Plan. The Geotechnical Report shall evaluate and comment on the areas being dedicated to the City. If improvements are suggested, the Developer shall perform such improvements with the Grading Permit.
55. Retaining Walls. Where finished grade of a property is in excess of 12 in. higher or lower than the abutting property or adjacent grade, and an appropriate 2:1 slope is not feasible, a concrete or masonry block retaining wall, or other suitable solution acceptable to the Director of Public Works and Community Development, shall be shown on the Grading Plans.
56. Lot Drainage. The Developer shall construct drainage swales so that the drainage from each lot will flow to the public street and not across property lines.
57. Pad Certification. Prior to the issuance of a building permit on any parcel or lot created by this Subdivision, the Developer's Civil Engineer or Land Surveyor that are licensed by the State of California, shall certify that the pad elevation for any such parcel or lot as shown on the grading plan is above the 100 year flood plain.

Utilities

58. Storm Drain Improvements. The Developer shall design and construct all on-site and off-site storm drains, structures, and drainage improvements needed to serve this subdivision per City Drainage Design requirements. The Engineer for the project shall prepare a preliminary study showing the downstream connection point, and demonstrate that the additional drainage flows from the developed site will not cause flooding or damage to existing properties downstream of the development.
59. Overland Release. The Developer shall design the subdivision so that in the event that the storm drain pipe and inlet become plugged, or flows are above the capacity of the drainage system, that drainage will be able release overland to the next available drainage inlet or public right way without impacting any building finished floors or existing buildings. The Developer shall be required to construct a flood wall along the "F" Street frontage of Lot 57, and along the rear of Lots 55 through 61, to contain overland flow within the street right of way or Park lands.
60. Drainage V-Ditches. The Developer shall construct a concrete v-ditch and flood wall along the rear and side of lot 55, and along the rear of lot 56 to convey private open space drainage to approved drainage facilities. The Developer shall demonstrate the existing and new drainage swales near and around lots 55-61 are sized to convey the 100-year storm while maintaining 6 in. of freeboard. The Developer shall also construct a concrete v-ditch at the base of the hillside adjacent to the sidewalk on "C" Street; and a combination

of v-ditches and storm drainage pipes along the fire access road from "C" Street to the existing Skyview Access Road. The concrete v-ditch along the base of the hill on "C" Street shall be separated from the sidewalk by a minimum of three feet. Emergency vehicle crossings shall be constructed at 3 locations: near Lot 15, near Lot 55, and where the new access road connects to the existing Skyview access road. At the time of improvement plans, the developer shall work with the Public Works Department on the detailed design and location of the v-ditches that meet City standards and are approved by the City Engineer. Attachment 3 depicts options for construction of the v-ditch along Street C.

61. On-Site Sanitary Sewer Mains. The Developer shall construct all on-site sewer lines needed to serve the project as shown on the project Tentative Map.
62. Off-Site Sewer Main. In order to provide sewer service to the project, the Developer shall construct an eight inch sewer main on California Drive from "A" Street to Alamo Lane, then on Alamo Lane from California Drive to the ten inch sewer main on Alamo Drive.
63. Water Mains. The Developer shall loop the eight inch on-site water main to California Drive through the project subdivision as shown on the Tentative Map prior to occupancy of the first lot.
64. "F" Street Utilities. The Developer shall stub an 8 in. sewer main, an 8 in. water main, and a minimum of a 15 in. storm drain at the end of "F" Street so that utilities can be extended in the future.
65. Joint Trench. The Developer shall ensure that there are no conflicts between the Improvement Plans and the Joint Trench plans. In the case of conflict between the two plans, the facilities shown on the Improvement Plans shall govern, and the joint trench facilities shall be revised and or relocated to the approval of the Director of Public Works and Community Development.
66. Joint Trench Easements. All utilities shall be located and provided within public utility easements and constructed in accordance to utility company and City standards. All above ground joint trench utility boxes shall be placed in inconspicuous locations or otherwise screened from public view, and all proposed locations shall be reviewed and approved by the City Engineer prior to construction.

Landscaping

67. Concept Plan. The Developer shall submit a Landscaping Concept Plan showing all public landscaping that is to be publicly maintained at the time of improvement plan submittal.
68. Final Plans. Plans and specifications for setback landscaping shall be prepared by a Licensed Landscape Architect and approved by the Directors of Public Works and Community Development in conjunction with the Civil Improvement Plans. The landscape plans shall include setback landscaping improvements along their California Drive frontage, and along "A" Street adjacent to Keating Park, prior to occupancy of the first residential unit within the subdivision.

Community Facility and Lighting and Landscaping Districts

69. Community Facilities District No. 12. The Developer shall annex into existing Community Facilities District No. 12 prior to the recording of the recordation of the final map.
70. Landscaping and Lighting Assessment Districts. The Developer shall annex into the existing Community Center Park Landscape and Lighting Maintenance prior to the recording of the Final Map. The Developer shall also create new Landscaping and Lighting Districts for the Setback Landscaping (SBL), Street Lighting (LT), and Open Space (OS) Maintenance.
71. Dissemination of District Information. The Developer shall prepare a plan to disseminate information to prospective homebuyers in regards to the Community Facilities and Landscape and Lighting Districts. Said information shall be included in model homes sales literature and as part of required Department of Real Estate disclosure documents.

Miscellaneous

72. Project Fencing. The Developer shall install range style fencing along the west and south property lines of APN 0128-060-120 (the existing fence is not located on the property line). The Developer shall work with the owner of APN 0128-060-120 on the removal of the existing fence. The Developer shall also install range style fencing along the property line of APN 0128-070-100 to create a barrier between City owned property and State owned property. The Developer shall prepare and submit a preliminary Project Fencing Plan showing the locations of all fences and walls, and the type of fence construction with the first submittal of the Project Improvement Plans. The Project Fencing Plan shall be part of the Landscaping Improvement Plans for the Project and is subject to the approval of the Directors of Public Works and Community Development.
73. CAD files. Developer shall submit an AutoCAD drawing file to City specifications that shows all proposed utilities and utility services, street curbs within the public streets and utility easements to the City to be used as part of the public records system prior to approval of improvement plans.
74. Internal Street Names. The Developer shall prepare a street sign/naming plan for all internal streets within the subdivision for the review and approval of the City Fire and Community Development Departments. These approved street names shall be placed on the Subdivision Final Map and recorded prior to issuance of any building permits.
75. State Regional Water Quality Control Board. The Developer shall install and demonstrate to the City Engineer and Director of Public Works that this subdivision meets the requirements of the State Regional Water Quality Control Board's "Best Management Practices" to mitigate storm water pollution. The Developer shall submit to the City Engineer for approval a comprehensive Stormwater Management Plan, prepared by a Civil Engineer licensed by the State of California, at the time of improvement plan submittal. This management plan shall include comprehensive hazardous materials spill prevention and response plan to reduce the potential for impacts upon aquatic habitats. The Developer shall also prepare a Storm Water Pollution Prevention Plan (SWPPP) for this project prior to start of construction.

76. **Project Utility Phasing.** With the submittal of the Final Map, improvement drawings, or first project phase of improvement plans (whichever comes first) the Developer shall prepare a plan showing the phasing of the project with the ultimate infrastructure (utilities and paved access) that is needed to be constructed with the subdivision. Part of the phasing of construction of improvements is the review of all mitigation's and needed improvements as outlined in the project CEQA document, traffic reports, and utility studies for the project and other specific infrastructure environmental documents. The Developer shall identify each of the mitigation improvements, when each improvement will be constructed within each phase of development, and then reflect this sequencing of improvements on the phasing plan. Each phase of new development and adjacent existing development shall have sufficient water, sewer, drainage and paved access in accordance with City requirements. The phasing plan shall also address how the overall project area will be mapped showing the location of all temporary and permanent utility lines, easements and paved access easements to existing City roads and utilities prior to improvement plan approval. In the event that certain phased improvements will benefit or impact the project, the plan shall show the area of impact and what are the possible alternatives if subsequent phased improvements are not constructed with project.

77. **Phased Occupancy Plan.** If occupancy of each development area is requested to occur in phases, then all access, utility and drainage improvements to each phase may be required to be fully completed prior to occupancy of any buildings within that phase except for items specifically excluded in an approved Phased Occupancy Plan, or minor hand work items, as approved by the Department of Community Development and Public Works. The Phased Occupancy Plan shall be submitted to the Director of Community Development and Public Works for review and approval prior to building permit issuance for any building within the project. Any phasing shall provide for adequate vehicular access and circulation to all parcels in each phase, and shall substantially conform to the intent and purpose of the approved project circulation plan. No individual building shall be approved for occupancy until the public access is finished, safe, accessible, and all reasonably expected services and amenities are completed, and general public areas area fenced and separated from remaining additional construction activity. Subject to approval of the Director of Community Development, the completion of landscaping may be deferred due to inclement weather with the posting of a bond for the value of the deferred landscaping and associated improvements. With the development of first phase of development, the Developer shall prepare an overall internal pedestrian circulation plan of the entire project that will show the proposed sidewalks and access-ways to other phases of the development as shown on the development project site plan to the satisfaction of the City Engineer and Director of Public Works.

78. **Construction Coordination.** The Developer shall construct all infrastructure improvements in a timely manner in accordance with overall project infrastructure improvement schedule approved by the City and coordinated with all parties affected. If in the event that certain infrastructure improvements are needed to be constructed for the convenience and protection of the existing land owners, residences or the general public, the Developer shall install all such improvements as defined by the City Engineer. The Developer shall cooperatively work with all parties involved and shall have certain house-keeping measures in place in a timely manner for the benefit of all affected. At the start of the project, the Developer shall inform the City inspectors when each of the infrastructure improvements will be installed and what housekeeping measures will be in place during construction and coordinated with surrounding developments. The Developer shall also construct temporary improvements during construction for the convenience and

coordination of those existing residences or businesses. In the event that needed improvements or temporary improvements are not constructed or not properly maintained, the City has the right to hold back building permits, inspections, occupancy approvals or stop construction until such needed improvements are constructed or housekeeping conditions are improved to the satisfaction of the City Engineer, Building official or Director of Public Works.

79. Relocation of Existing Improvements. Any relocation of any existing improvements or public utilities shall be accomplished under the direction of the governing agency, at no expense to the City.
80. Wells. Any water wells or exploratory borings that are known to exist or encountered during construction are to be abandoned in accordance with Solano County Department of Environmental Management Standards.
81. Septic Tanks. Developer shall remove any existing septic tanks and leach fields in accordance with the requirements of the Solano County Department of Environmental Management
82. Required Environmental Permits. If required, the Developer shall obtain all necessary environmental permits required by other agencies (i.e. California Department of Fish and Game, Army Corps of Engineers wetland delineation, etc.), and shall submit copies of the permits to the Department of Community Development prior to obtaining any site grading permits.

FIRE

Water Supply

83. An approved on-site water supply capable of supplying the required fire flow for on-site fire protection shall be provided to all premises upon which buildings are constructed. When any portion of a building is in excess of 150 feet from a water supply on a public street, as measured by an approved route around the exterior of the building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the Fire Marshal.

Fire Hydrants

84. All fire hydrants shall be "Rich 960" or equal with two 2-1/2 in. and one 4-1/2 in. connections. Each hydrant shall have its own separate shut off valve located on the lateral adjacent to the hydrant. Curbs shall be painted red for a length of twelve (12) ft. in front of each hydrant. Each hydrant shall have a blue reflective "Fire Light" hydrant spotter located in the street or driveway just off of the centerline towards the hydrant.
85. Fire hydrants shall be installed by the developer and made serviceable prior to any combustible building materials being delivered or stored on the site and during the time of construction.
86. There shall be no more than 300 ft. between public fire hydrants located along the public street frontage in Hillside, Medium and High Density Residential, Industrial, and Commercial Districts.

Access Roads

87. Access roads with a minimum unobstructed width of 20 ft. shall be provided to the front and rear of structures. A minimum vertical clearance of 13 ft.-6 in. shall be provided. Access roads shall be engineered to support the imposed load of the apparatus which is typically 25 tons and shall be designed per the City Public Work's Department Standards. An access road shall be provided to within 150 ft. of all exterior walls of the first floor of the building/s. The route of the access road shall be approved by the Fire Marshal. Dead-end access roads in excess of 150 ft. in length shall be provided with an approved means for turning around the apparatus. The final design of the turnaround shall be reviewed and approved by the Fire Marshal prior to installation.

Note: The proposed access road from "C" Street to the Skyview access road, adjacent to lots 13 and 14, shall remain unobstructed at all times. "No Parking" signs shall be provided at locations pre-approved by the Fire Marshal.

88. Every building shall be accessible to Fire Department apparatus by way of all-weather access roadways during the time of construction. These roads shall have a minimum unobstructed width of 20 ft. and shall be required to have a minimum 'first lift' of pavement applied which shall support the imposed load of a fire apparatus which is typically 25 tons. (no exceptions) The developer shall be required to provide the Fire Marshal with a site plan showing the location, width, grades, and cross section of the proposed access roads to be used during construction. Permits shall not be issued and combustible construction shall not be allowed on the site until this site plan is reviewed and approved and stamped by the Fire Department.

Where Private Streets and Roads are Proposed

89. Private streets and roads if any shall be maintained by private owners and or private home owner associations. They shall be designed in accordance with the City Private Road/Street Standards. Average grades shall not be more than 12.5% with no section greater than 14%. When it is in the best interest of the community, the Chief may approve short sections of a private road to have grades of 15%. Short sections shall be defined as sections of the improved roadway less than 100 ft. in length. These streets and roads shall comply with the City Private Street and Road Standard.

Emergency Vehicle Access Roads

90. Prior to the issuance of any grading or building permits, the Fire Marshal shall approve the location of all Emergency Vehicle Access (E.V.A.) Roads within the project site. Unless otherwise approved, the access points to any Emergency Vehicle Access Roads shall be located at the end of cul-de-sacs and across utility easements, and shall be kept locked at all times with a City 1C04 lock.

Note: The proposed E.V.A. which connects with the existing E.V.A. to the Sky View subdivision appears to be acceptable by the Fire Department. This proposed E.V.A. shall have average grades of not more than 20% with no section greater than 25%. The minimum width of such roads shall be 20 ft. Side slopes shall not exceed 4%. These roads shall be engineered to withstand a minimum load of 12 tons. At a minimum, this road shall be graded and compacted with decomposed granite or similar, and shall be kept

clear of all flammable vegetation at all times. The Fire Marshal may require the road to be surfaced with pavement if it is determined the road will not be or is not being properly maintained in accordance with these standards.

The Fire Marshal shall identify on the final site development plans where metal grates shall be provided for emergency fire apparatus cross V-ditches in the event of a fire or emergency. These grates shall be shall have a minimum width of 10 ft. and be designed and engineered to accommodate a minimum load of 12 tons.

Note: Parking along the proposed E.V.A. adjacent to lots 13 and 14 shall be strictly prohibited. Signage shall be required which reads, "Fire Lane No Parking" The location of those signs shall be determined by the Fire Marshal.

A fence or bollards shall be provided along the E.V.A. west of lot 33 to prevent public vehicle use of this road.

Fire Lanes and No Parking Zones

91. The Fire Marshal shall identify on the final site development plans all Fire Lanes and areas where parking is to be restricted. The location of these lanes, signage, and curb painting shall be determined at the sole discretion of the Fire Marshal.

The following requirements shall apply to lots 14-15, & 55-61 which are adjacent to permanent open lands where wildfire is a threat.

92. The Fire Marshal may modify specific criteria outlined below to further protect lives and property.
- a) Fire Buffer Zone: There shall be a total of 40 ft. from the rear of structure to property line along lots 55 through 61. These homes shall back up to an orchard maintained by the California Medical Facility. The open hillside next to lot 55 shall be required to have the weeds cut prior to the start of fire danger. Should in the summer of 2007 the California Medical Facility's orchard have weeds that have not been maintained Pavillion Communities agrees to install NFPA 13 sprinkler systems in homes 55 through 61. If this requirement is found necessary the City of Vacaville Fire Marshall shall notify the applicant of the need for such measures.
 - b) Rear Yard Setback: A minimum of 30 ft. setback from the rear property is required for the main structure on lots 55 and 56.
 - c) Side Yard Setback: A minimum 10 ft. side yard setback is required for those lots adjacent to the open lands where wildfire is a threat except as noted below;
"Parcels that border open lands on the side shall have a 30 ft. side yard setback. For example, the last parcel in a row of houses may have open lands on the rear and side. The intent is to protect the main structure from a direct wildfire approaching from the open lands."
 - d) Boxed-In Eaves: All structures with eaves shall have the eaves boxed-in with non-combustible materials.
 - e) Attic and under floor Openings: All attic and under floor openings shall be protected with 1/8 in. wire screens.
 - f) Ingress/egress: Prior to the issuance of any grading or building permits:
 - g) Class A Fire Retardant Rating: Class A rated roof coverings are required on all structures located on or near hillsides or open space.

- h) Non-Combustible Siding: Non-combustible siding is required on all structures located on or near hillsides or open space.
- i) Accessory Structures: All attached and detached accessory structures, including but not limited to decks, awnings, patio covers, and sheds shall be at least 10 ft. from the property lines adjoining hillsides or open space lands. Patio decks or elevated porches shall be boxed in below the deck or porch or screened with wire mesh no larger than 1/8 of an inch.

COMMUNITY SERVICES

- 93. ~~Buyers of new the lots shall be provided with written disclosure of the active recreational activities occurring regularly at the adjoining Keating Park. These activities include night-time sporting events which utilize lighted sports fields and may produce noise, traffic, and stray lighting that is objectionable to the new residents. It also should be disclosed that the City plans to expand and install sports field lighting at the ball field most adjacent to the Montessa Subdivision (Field "E"). The applicant shall agree to provide Community Services with statements signed by each new land owner that they have received and agree to the disclosed conditions.~~
- 94. Fencing along the parcel line of lot 61 adjoining the existing Keating Park, and along the western side of the proposed 7600 sq. ft. parcel, shall be a masonry wall, 6 ft. in height, and as approved by the City of Vacaville.
- 95. Finish grades on the proposed 7,600 sq. ft. parcel shall be designed to permit a 10 ft. expansion of the existing Keating Field "E" without requiring significant re-grading. Revised grading along the western end of Keating Park (replacing the existing ditch) shall be designed and constructed to the satisfaction of the City.
- 96. The Applicant shall provide a landscape plan acceptable to the City Departments of Community Development, Public Works, and Community Services that will provide an effective, aesthetically pleasing, and year-round screening of the sports field lighting from the proposed new homes.
- 97. Landscape areas along California Drive that are to be maintained via a City-administered Lighting and Landscaping Maintenance Assessment District shall not extend past side-yard fencing where it would be adjoining privately-maintained front yards (at lot 1, and landscaping in the E.V.A. between lots 11 and 12).
- 98. If the Applicant desires that the LLMAD maintain the landscape area between the tubular steel fencing and the sidewalk on "A" Street, then a landscape plan acceptable to the City must be developed. This will require that a planting space of at least 6 ft. be provided between the fencing and the sidewalk (or gutter) so as permit a landscape design with sufficient root space and visual depth.
- 99. The Applicant shall agree to install a time clock, and any necessary related equipment, to ensure that the sports field lighting at Keating Park's Field No. 2 will automatically turn off at a prescribed time after each night-time sporting event. Design and installation of this equipment must meet the approval of the Department of Public Works.