

**RESOLUTION NO. 2013-017**

**RESOLUTION APPROVING A TENTATIVE MAP FOR THE BRIGHTON LANDING  
DEVELOPMENT PROJECT**

**WHEREAS**, the City of Vacaville has received an application for the Brighton Landing Development Project, a subdivision including 767 single family residential parcels, a private high school parcel, a public park parcel, a public school parcel, a parcel for a non-potable water supply pump station, and parcels for public trails and landscaping on approximately 211 acres at the southeast corner of Leisure Town Road and Elmira Road, also shown on the attached Exhibit A and described as:

Southeast corner of Leisure Town Road and Elmira Road  
APN: 135-080-070

**WHEREAS**, the Planning Commission of the City of Vacaville has conducted a study session on December 4, 2012 and a public hearing on December 18, 2012, regarding the proposed Environmental Impact Report, General Plan Amendments, Zone Change, Specific Plan, Tentative Map, and Development Agreement pertaining to the Brighton Landing Specific Plan and Development Area, and voted 6-0 to recommend that the City Council approve said actions; and

**WHEREAS**, the City Council has reviewed the project at a study session on January 22, 2013 and has reviewed and considered the proposed Tentative Map, attached hereto as Exhibit A, and based on the evidence contained in the written record and the testimony given at the public hearing, finds:

1. That the design of the Tentative Map is consistent with the goals, objectives, and policies of the General Plan, the Zoning Ordinance, and the Development Code;
2. That the site is physically suitable for the type and density of development;
3. That the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat;
4. That the design of the Tentative Map would not be detrimental to the public health, safety or welfare of the community;
5. That the design or the type of improvements of the proposed subdivision will not conflict with easements, acquired by the public at large, for access through or use of , property within the boundary of the proposed subdivision;
6. That dedications and improvements associated with the proposed subdivision are consistent with the General Plan, Zoning Ordinance, and the Development Code;
7. That the Tentative Map includes provisions which ensure that adequate public facilities, including water, sewer, parks, schools, and other facilities are or will be made available as a condition of approval to serve the proposed subdivision, without adversely affecting the existing public facilities serving the surrounding neighborhoods, and;

8. That projected traffic levels and levels of service are, or as a result of conditions of approval, will be consistent with the policies of the Transportation Element of the General Plan.

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Vacaville does hereby approve the Tentative Map for the Brighton Landing Specific Plan and Development Project subject to the conditions of approval attached in Exhibit B.

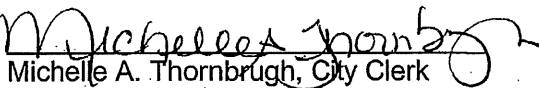
**I HEREBY CERTIFY** that the foregoing resolution was introduced and passed at a regular meeting of the City Council of the City of Vacaville, held on the 26th day of February, 2013, by the following vote:

AYES: Council members Hunt, Mashburn, Rowlett and Mayor Hardy

NOES: None

ABSENT: Vice Mayor Harris

ATTEST:

By:   
Michelle A. Thornbrugh, City Clerk

Attachments:

Exhibit A – Tentative Map  
Exhibit B – Conditions of Approval



## EXHIBIT B

### Conditions of Approval

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#### Brighton Landing - Tentative Map

(File No. 10-118)

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#### I. Standard Conditions of Approval for Tentative Maps:

1. The project shall comply with all the Standard Conditions of Approval for Tentative Maps. In the event there is a conflict with these Conditions of Approval and the Development Agreement, the Development Agreement shall prevail.

#### II. Standard Conditions of Approval for Residential Developments:

2. The project shall comply with the all the Standard Conditions of Approval for Residential Development. In the event there is a conflict with these Conditions of Approval and the Development Agreement, the Development Agreement shall prevail.

#### III. Standard Conditions of Approval for Non-Residential Developments:

3. The project shall comply with the all the Standard Conditions of Approval for Non-Residential Development. In the event there is a conflict with these Conditions of Approval and the Development Agreement, the Development Agreement shall prevail.

#### IV. Project-Specific Conditions of Approval:

### PLANNING – GENERAL

1. Project approval and conditions of approval apply to the following plan/document set:

- a. Specific Plan dated December 10, 2012.
  - b. Tentative Map dated December 10, 2012.
2. Approval of each final map and improvement plans shall be consistent with the approved Tentative Map, prepared by Phillippi Engineering, Inc. dated 12/10/12. Unless otherwise stated in these conditions, the lots, streets, utilities, and grading must generally be in conformance with the approved Tentative Map.
  3. The developer shall comply with all provisions contained in the Brighton Landing Specific Plan EIR Mitigation Monitoring & Reporting Plan. The Mitigation Measures are incorporated into these project conditions of approval as Exhibit 1 and shall be implemented during each phase of the project build-out.
  4. Prior to and during any construction, the applicant shall provide the City with evidence showing compliance with any required permits, including those from the US Corps of Engineers, US Department of Fish and Wildlife, and California Department of Fish and Game.
  5. The Developer shall comply with the requirements of the Development Agreement between the City of Vacaville and Brighton Landing LLC regarding the development of real property commonly referred to as "Brighton Landing." Implementation of any phase of the project shall require a recorded Development Agreement. The developer and successors shall comply with all provisions of the Brighton Landing Development Agreement during each phase of the project build-out.
  6. No final map shall be recorded unless a Development Agreement remains effective for the Brighton Landing project (as it may be amended from time to time) or, in the event such development agreement expires or is terminated, another development agreement is effective against the property related to such final map. In the event there is a conflict with these Conditions of Approval and the Development Agreement, the Development Agreement shall prevail.
  7. Project approval and conditions of approval apply to each development implemented for each phase of the Brighton Landing development project. Plans submitted for Final Map, Improvement Plans, and all subsequent approvals such as Design Review for development within each phase of the Specific Plan shall be in substantial compliance with the plans approved by this action, except as modified by these conditions of approval.
  8. All development in the Specific Plan area shall comply with the Land Use plan within the Brighton Landing Specific Plan document. Development standards applying to each phase of the project shall be as identified in the Specific Plan unless otherwise

delegated to compliance with the development standards contained in the City's Land Use & Development Code.

9. To the extent consistent with the Development Agreement, the applicant and development shall comply with these conditions of approval and all applicable provisions of the Vacaville Municipal Code (Zoning, Subdivision, Building Codes, etc.), Vacaville General Plan and any applicable policy 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 the applicant to defend, indemnify, and hold harmless the City and its officials and employees in any action brought by a third party to overturn, set aside, or void any permit, entitlement, or approval.
10. City review and approval through subsequent applications is required for the following elements of the Specific Plan project area. This information shall be added to the final Specific Plan document:
  - a. Private High School: This project shall be subject to Design Review approval from the Planning Commission as detailed by the Specific Plan, Section 3.5;
  - b. Residential Projects: Residential projects shall be subject to Design Review approval by the Planning Commission;
  - c. Neighborhood Park: This public facility shall be subject to the City's park approval process through the Community Services Commission, Design Review approval by the Planning Director, and City Council approval for the final use and design. The design and development process for the Neighborhood Park shall follow the terms identified in the Brighton Landing Development Agreement.
  - d. Public Trails and Landscaped Corridors shall be subject to Design Review approval by the Planning Director;
  - e. Model Home Complexes: These uses shall be subject to Design Review approval from the Community Development Director, and shall include requirements for park construction disclosure as required by the Development Agreement;
  - f. Review of Subsequent Applications will include land use consistency and compatibility, design review, development standards, signage and lighting. All future development proposals for these areas shall comply with the Brighton Landing Specific Plan and the Tentative Map, and including all mitigation measures identified in the adopted Mitigation Monitoring & Reporting Program.

11. Park Construction – Disclosure to Residents. The developer is responsible to inform all home buyers of the timing for construction of the neighborhood park. At a minimum, this notification shall be provided as follows:
- a. By written disclosure acknowledged by the home-buyer at time of escrow.  
Approval of the language for this disclosure shall be required prior to recording of the first small lot Final Map;
  - b. By prominent display at each model home complex of information on the timing of park construction, with approval of sign design required with Design Review for each Model Home Complex;
  - c. By placement of one information sign on each street frontage adjacent to the park site at the time of installation of street improvements for these phases of the project, size and location of which to be determined at the time of design review approval for the Model Home Complex for each such phase.

## **Fencing**

12. The Project Fencing Plan shall be completed with the first submittal of Project Improvement Plans. 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 and when approved shall be incorporated into the Final Specific Plan document for use with all subsequent approvals under the Specific Plan.
13. Fencing/walls along the perimeter of villages adjoining open lands shall comply with the most recent standards of Chapter 14.20.290 of the Vacaville Municipal Code relating to "Development Standards for New Construction Adjacent to Open Space Lands Where Wildfire is a Threat".
14. A decorative metal fence, at a height and design subject to approval of the Directors of Community Development and Public Works at time of Improvement Plans for this street, shall be located within the median of J Street (the Major Collector) to discourage pedestrian crossing at points outside designated crossing locations.

## **Landscaping**

15. The developer shall provide landscaping in accordance with the City's Water Efficient Landscaping Regulations and the Water Conservation Ordinance. Use of drought-tolerant, native species shall be used as specified by this ordinance.
16. A Tree Inventory shall be submitted with Improvement Plans for each phase of the development that contains pre-existing trees. The inventory shall document trees as required by the City Land Use & Development Code and shall specify any protective measures to be used during construction for protection of any trees. The Inventory shall document all requirements specified by the Brighton Landing Mitigation Monitoring & Reporting Plan.
17. The Developer shall design and professionally landscape and irrigate all of the proposed greenbelt/trail and frontage landscape areas as shown on the tentative map. These areas shall be incorporated into the Community Facilities District (CFD) or Landscape and Lighting Maintenance Assessment District (LLD) or similar district, as approved by the City Engineer. These landscaped areas shall be subject to the City's Water Efficient Landscape Regulations. The proposed variety of trees and plants to be planted adjacent to sidewalks or curbs shall be intended to achieve adequate tree shading on trails and walkways, subject to the approval of the Community Development Director. The landscape plans shall be submitted by professional landscape architect in California for review to and approval by the Directors of Public Works and Community Development Department. All landscaping improvements shall be completed prior to occupancy or



otherwise secured for installation by a means satisfactory to the City Engineer and Community Development Director.

18. Complete landscaping plans, showing all landscaping of public and required front yard and street-side yard areas shall be submitted with the improvement plans for each phase for review and approval by the Community Development Director and the City Engineer. Landscape shall be designed consistent with the overall concept approved and installed with Phase 1.
19. Landscaping and fencing shall be installed with home construction for corner parcels in both the front and street-side yard areas.
20. Sound wall design shall be shown on either the development plan or landscape plan and shall be consistent in design detail and quality with the sound wall approved with Phase 1.

### **Tentative Map - General**

21. The following exceptions to Land Use & Development Code standards for lot dimensions and size shall be allowed by this action and all other lots shall meet the standards of the Code:
  - a. All lots shall be consistent with the Tentative Map. Exceptions to development standards are allowed consistent with the development shown on the Tentative Map, including street frontage exceptions for Lots 288-290, 306, 348-351, 442-444, 448-450, and 464.
22. Creation of Detention Basin Parcel and Easements: The project shall cause to be dedicated the parcel for the off-site detention basin at the time of recordation of the Large Lot Final Map.
23. An avigation easement, in a form acceptable to the Community Development Director, shall be dedicated on the Final Maps for all Phases, as well as against each lot prior to the issuance of any building permits. The easement shall include the following:

“This property is in the area subject to overflight by the aircraft using Travis Air Force Base and as a result, residents may experience inconvenience, annoyance, or discomfort arising from the noise of such operations. State law (Public Utilities Code Section 21670) establishes the importance of public use airports, including federal military airports, to the protection of the public interest of the people of the State of California. Residents of property near a federal military airport should therefore be prepared to accept such inconvenience, annoyance, or discomfort from normal aircraft operations.”
24. Phased improvement plans and Final Maps submitted for review and approval by the City shall show or provide the following information:

- a. Streets in adjacent phases if required / specified on the approved Phasing Plan;
- b. All street names are subject to review and approval by the City Planner, Fire Marshall, and Police Department;
- c. All lot information demonstrating that each parcel will meet the minimum standards of the Specific Plan;
- d. Complete landscape plans showing what will be installed by the developers and either maintained by the developer or through an approved Lighting and Landscaping District;
- e. Location and number of bus turnouts for transit service (the location/number of turnouts shall be coordinated between the City and the Developer);
- f. The design of all entry/gateway signs for the Specific Plan shall be submitted for approval with the first phase small lot Final Map. The location and design of signs for each phase shall be included on the landscape plans for each phase;
- g. Signs required for disclosure regarding park construction timing.

25. The following changes shall be reflected on the phased improvement plans and Final Maps:

- a. Pedestrian Connections Points: Pedestrian connections with a width and landscape design subject to approval of the Community Development Director and Public Works Director, shall be provided at the ends of the following streets:
  - i. B3 Street;
  - ii. FF Court 1 and FF Court 2;
  - iii. G Street;
  - iv. Connecting J Street with the corner of N Street & O Street.
- b. Detached Sidewalk Locations for Street Tree Planting: Detached sidewalk with a minimum 6-foot wide parkway area between curb and sidewalk, shall be provided at a minimum at the following locations:
  - i. North side of A Street;
  - ii. South side of B2 Street;
  - iii. East side of F2 Street and on the connector between F2 Street and the Major Collector Street;
  - iv. M Street adjacent to back-up masonry walls;
  - v. S Street between Elmira Road and M Street;
  - vi. West side of Z Street where r.o.w. allows near traffic circles;
  - vii. CC Street, both sides;

viii. South side of EE Street.

26. The CC&R's (Conditions, Covenants and Restrictions) for the subdivision shall be submitted for review and approval by the City Planner, City Engineer, and the City Attorney prior to recording the final map. The CC&R's shall include information on:

- a. Community Facilities District's responsibilities;
- b. Park construction timing;
- c. Development standards for residential lots in the RLM District, including setbacks, rules for additions/patio covers, etc;
- d. Type of accessory structures that will be permitted in residential areas.

27. Until the Vacaville Unified School District develops plans for the timing of school construction within the Brighton Landing area, the Developer shall provide the original buyer of each lot within the subdivision with the following statement in a form approved by the City Planner.

"The local school may be near or at student capacity. Vacaville Unified School District policy may result in the transportation of students from this subdivision to other school facilities with adequate capacity to handle additional students. The School District does not yet have plans for the timing of any school construction within the Brighton Landing area. For additional information, contact the Vacaville Unified School district at (707) 453-\_\_\_\_\_."

#### **NON-POTABLE WATER SUPPLY**

28. All Solano Irrigation District easements and fee title land must be shown on the Tentative Maps. Such real properties that will not be needed upon development of the land will be quitclaimed to the Developer for a cost determined by the District.

29. If Solano Irrigation District is the purveyor of non-potable water, the Developer(s) must sign a Solano Irrigation District work order for each construction phase of the development project. The work order is the mechanism by which all fees and charges associated with District agreements, reviews, inspections, boundary adjustments and facilities will be charged for reimbursement from the Developer(s). The partial estimated costs established by the District shall be paid by the Developer at the time of signing of

the work order. The District will not review nor sign any maps or plans without a signed and paid work order. Additional payments shall be required on an incremental and necessary schedule.

30. If Solano Irrigation District is the purveyor of non-potable water, per the Solano Irrigation District's Rules and Regulations, the District must review, place its certificate on and sign the Final Maps and Improvement Plans submitted by the Developer.
31. Services shall be maintained to each existing agricultural undeveloped parcel until that parcel detaches from the District or the landowner signs a standard Irrevocable Waiver of Raw Water Service Agreement.
32. Existing agricultural irrigation turnout pots, pipelines, canals and concrete structures which provided irrigation service to the property must be properly removed and abandoned per District standards at the Developer's expense.
33. Since agricultural irrigation service(s) will no longer be provided by Solano Irrigation District, the Brighton Landing Development properties shall detach from the District with the exception of the public lands and road Rights-of-Way which will be irrigated by a District non-potable water system. All fees and expenses for the detachment shall be calculated by the District and will be paid by the Developer(s).
34. Prior to construction of any parks or schools, the Developer shall pay for the construction of a permanent non-potable water pumping plant. The property for the permanent pumping plant shall be deeded to the District, if the District is the purveyor of non-potable water. If the District is the purveyor of non-potable water, the Developer shall sign and pay for a work order for the District to design and construct the permanent pumping plant and upon completion of the permanent pumping plant, the District shall be granted the non-potable water system.
35. Construction affecting existing District agricultural facilities must take place outside of the irrigation season so as not to interrupt service to the District's customers. The irrigation season is typically from March through October.
36. A non-potable water irrigation system for the park and public lands shall be constructed as part of the project. Each phase of the system must be connected to the previously installed non-potable pipelines and comply with the proposed non-potable utility master plan. Hydraulic calculations shall be completed for the entire development area as part of the utility master plan and submitted to the entire development area as part of the utility master plan and submitted to the non-potable water purveyor for approval. The non-potable water system must be constructed to the non-potable water purveyor standards latest revision at the Developers' expense and given to the non-potable water purveyor to own, operate and maintain. If the District is the purveyor of non-potable water, areas to receive non-potable water service must remain within the District

boundary. This area is not covered by the 1995 Vacaville-SID Master Water Agreement, as amended. The District and City may execute an agreement to specifically cover this area.

37. Each successive construction phase shall ensure their non-potable water requirements are met by the previously installed non-potable pipelines and services. If changes to existing facilities or additional services are needed, they will be installed per the comments above and at the Developer's expense.
38. If active District agricultural facilities or District-accepted non-potable facilities are present at the time of construction, a District-standard Relocation and Protection of Facilities Agreement must be signed by the Developer(s). A fee of \$50 is required per agreement. If the Developer(s) proposes to change the standard agreement, then a fee of \$300 is required and all District legal and staff time involved in the modification of the agreement will be billed to the Developer(s). Depending upon development phasing, the existing agricultural facilities may or may not be abandoned and/or removed at the time of construction for each phase. Upon quitclaim of District rights of way, all canal, pipeline and appurtenances will also be quitclaimed to the Developer(s).
39. The "small creek" identified in the Existing Setting subsection of the Storm Drainage section is the District's Frost Spill. The Frost Spill is an unlined earthen channel designed to convey excess Frost canal charge water and tail water from adjacent fields to Alamo Creek. If the detention basin and/or storm drain system will discharge to the Frost Spill, the District will quitclaim a portion of the Frost Spill (for a fair market value determined by a qualified appraiser), from the southern limit of the proposed public detention pond north to the outfall into Alamo Creek, to the City. SID will select the appraiser and the appraisal will be paid by the developer. The City and SID shall enter into a memorandum of understanding related to the conveyance of Frost Spill and the City and District's future use of the portion of Frost Spill identified in Exhibit 1 prior to the completion of construction of the Project's detention basin.
40. The Solano Irrigation District shall require an agricultural buffer. The District is in the process of negotiating the appropriate size, type, and permitted uses of the agricultural buffer.
41. At the completion of the project and prior to acceptance of District facilities, electronic copies of each improvement plan sheet in PDF format and 300 dpi resolution, and AutoCAD files are required showing as-built conditions for the District's electronic archiving.

## **DEVELOPMENT ENGINEERING**

## General

42. **Project Improvement Plans and Grading Plans.** Concurrent with each small lot 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.
43. **Project Phasing Plan.** Developer shall install required public infrastructure improvements in accordance with the Phasing Plan, dated 11/26/12, prepared by Phillippi Engineering, Inc. Any revisions to the Phasing Plan must first be approved by the Director of the Department of Public Works, provided such deviation is determined by the Community Development Director to be consistent with the Specific Plan. The Director of Public Works may require infrastructure improvements to be installed earlier than shown on the Phasing Plan if Developer requests approval of a Final Map out of sequence of the Phasing Plan. The Phasing Plan is generally based on the following assumptions:
- a. Developer is required to install two accesses off Elmira Road for the initial development of phases 1-8 and two accesses off Leisure Town Road for the initial development of phases 9-12.
  - b. Developer is required to install full street frontage for all streets that are within or adjacent to the development being map, except for J Street as conditioned below.
  - c. Temporary cul-de-sacs shall be installed on all stub streets longer than one residential lot that will eventually be extended by future phases.
  - d. Emergency access shall be provided off Leisure Town Road for the initial development of phases 1-8.
  - e. Pedestrian access to Leisure Town Road and to a signalized crossing of Leisure Town Road shall be provided for the initial development of phases 1-12.
  - f. Developer is required to construct J Street with the initial development of phase 11-13.
  - g. Developer is required to construct the initial phase of the detention basin with the first development.
  - h. Developer is required to install a looped water system that connects to the 12-inch waterline in Leisure Town Road and to the Developer installed 12-inch waterline on Elmira Road with the first development.
  - i. For Final Maps that create up to 386 single family homes, Developer may connect to the existing 54-inch sewer in Elmira Road. For Final Maps that create single family lots beyond 386 or development of either school site, the offsite sewer is required to be installed by Developer. The phase that installs the offsite sewer will also be required to install the 12-sewer switch over and the landscaping in the eastern greenbelt.
  - j. The park and non potable Pump Station shall be constructed with the phase that creates the 500th residential unit, or at such other time as determined by the Director of Public Works.

## Easements and Dedications

44. **Public Street and Public Utility Easement Dedication.** The Developer shall dedicate all the public rights of way and public utility easements shown on approved Tentative Map with the first Large Lot final map, including the additional rights of way on Leisure Town Road, Elmira Road, all internal streets necessary for access and utilities, pedestrian access easements, utility corridors, emergency vehicle access easements, and linear parks, unless otherwise approved by separate instrument by the City Engineer/Director of Public Works.
45. **Z Street Dedication.** The Developer shall not dedicate additional road rights of way on the west side of Z Street where homes will have front or side frontage.
46. **Detention Basin.** Prior to or concurrent with the first Large Lot final map, Developer shall dedicate the land for detention basin and all required utility and maintenance easements connecting the public rights of way to the detention basin.
47. **Public Park.** Upon the recording of the first Large Lot final map, Developer shall make an irrevocable offer of dedication to the City on such final map of the land designated on the approved Tentative Map as a neighborhood park
48. **Public Utility Easement Dedications.** The Developer shall dedicate a minimum 10-foot wide Public Utility Easement (PUE) behind the residential street right of way on each new public street and over any other joint utility trench lines outside of this area that are needed to serve the project.
49. **Street with Detached Sidewalks (CC Street).** The Developer shall dedicate to the City a 37-foot wide right of way (back of curb to back of curb) instead of the normal 50-foot wide right of way. The developer shall dedicate an 11-foot pedestrian access easement from the back of curb to the back of sidewalk (6-foot planter + 5-foot sidewalk). The developer shall further dedicate a 17-foot public utilities easement from the back of curb to 6-feet beyond the back of sidewalk.
50. **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 each final map and improvement plan submittal. The improvements contemplated by a final map's improvement plans must be secured by bonds prior to such final map approval.

### **Street and Road Improvements**

51. **Residential Streets.** All internal residential streets shall have curb to curb width of 36 feet with sidewalks on both sides of the street. Residential streets, that have proposed driveways located on the frontage, shall incorporate the City standard low profile curb and gutter with a continuous sidewalk. All streets designated as Collector streets shall be constructed to include a curb to curb width of 40 feet. As shown on the Tentative Map, Collector and Residential streets without driveways shall incorporate the City standard vertical curb and gutter. Sidewalks, curbs and gutters shall conform to City Standard Drawing 3-10 or 3-12A.
52. **J Street and Elmira Road.** J Street and Elmira Road shall be constructed in phases in accordance with the phasing plan and shall incorporate the City standard vertical curb and gutter. Sidewalks, curbs and gutters shall conform to City Standard Drawing 3-10 or 3-12A. No driveway accesses shall be allowed on J Street or Elmira Road with the exception of secondary access for Private School site subject to review and approval of Public Works Director. Marked crosswalks shall only be provided where approved by Public Works Director, typically at intersections with traffic control. On Elmira Road, the

Developer shall complete the interim improvements per the Specific Plan, including landscaping, sidewalk, curb and gutter, and sound-wall. Any portion of Elmira Road frontage improvements found to be beyond the fair share contribution of the Project would be established within a benefit district. Developer would deposit sufficient funds for fair share contribution of the Elmira Road Ultimate Improvements of a 16-foot landscaped median with the City.

53. **Leisure Town Road.** The ultimate widening of Leisure Town Road shall be constructed with the City's Capital Improvement Project, Jepson Parkway for curb, gutter and pavement. Developer is responsible for 20-feet of roadway section including the curb and gutter. Developer shall deposit sufficient funds with the City to compensate for these costs. Developer shall install landscaping and sidewalk improvements per the Specific Plan. If mutually agreed to between the City and Developer, Developer may provide sufficient funds for the City to construct all or a portion of the landscape and sidewalk improvements for the City to provide these facilities with their Capital Improvement Project. No driveway accesses shall be allowed on Leisure Town Road.
54. **Stop Signs and limit lines.** Stop Signs and limit lines shall be provided on minor intersection approaches. Stop legends shall only be provided on approaches if at intersection with Collector or Arterial.
55. **Potential future Road Connections.** Developer shall provide signage at the south end of subdivision roadways that will be extended in the future.
56. **Emergency Vehicle Access.** An Emergency Vehicle Access is required to be installed from Leisure Town Road to the initial development as an alternate route for emergency vehicles.
57. **Pedestrian Access Through Selected Courts and Streets.** As noted elsewhere in these conditions, pedestrian access shall be provided at select locations. Sidewalks shall be connected with a 6-foot wide concrete path. Appropriate bollards shall be installed to prevent vehicle traffic from accessing the path.
58. **Sidewalk.** The Developer shall construct a separated 10-foot concrete sidewalk on the east side of Leisure Town Road, north side of A Street, south side of B2 Street, both sides of J Street, south side of Elmira Road, west side of S Street between BB and EE Streets, in the landscape green belt contiguous to Z Street, and the pedestrian corridors between B3 and J Streets and G and J Streets.

The Developer shall construct separated 5-foot concrete sidewalks along both sides of CC Street. All other sidewalks shall meet the minimum standard per City Standard Drawing 3-10 or 3-12A.

59. **Sound Wall.** The Developer shall construct minimum 6-foot high sound walls along the rear and side of residential property lines where City maintained landscaping is proposed. All sound walls shall be located within City right of way. At a minimum, 8-foot high sound walls shall be located on the east side of Leisure Town Road adjacent to residential properties, and 6-foot high sound walls on the south side of Elmira Road, both sides of J Street where residents backup to the road, along the rear of properties along K Circle, O Street, G Street, H Street, B3 Street, S Street, and Z Street. The Developer shall include the sound wall locations and details on the improvement plans and shall submit engineered wall calculations. The sound wall location and type shall be subject to the approval of the City Engineer and the Community Development Director. Walls may step down to 3-foot high walls or down to a concrete mow strip adjacent to



residential front yards.

- 60. Street Lights.** All public streets lights standards shall be the City approved decorative standard street lights in accordance with the City Standard Specifications and Drawings. The street light bulbs shall be induction lighting for residential streets, and LED lighting for J Street and Elmira Road.
- 61. Roundabouts.** All proposed roundabouts shall be designed by an experienced design professional. Roundabouts shall be reviewed and commented on by a City consultant. The City's cost to pay for this review shall be paid for by the Developer. The City shall provide Developer with a cost proposal prior to entering into an agreement with the City's consultant. Developer shall provide City with sufficient funds to cover the cost of the City's consultant and City Staff time to manage City's consultant (15%).

The roundabout at the intersection of Elmira Road and J Street shall be phased to fit the rights of way at the time of the final map that requires the installation of J Street. Ultimate and phased roundabout designs shall be submitted by Developer for the City to review and comment. The Developer is responsible for half the construction costs of the ultimate roundabout.

## **Grading**

- 62. 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.
- 63. Retaining Walls.** Where finished grade of a property is in excess of 12 inches 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. Wood retaining walls are not allowed in the public right-of-way, or for walls over 12" high. All retaining walls shall be shown on the improvement plans and shall conform to Section DS11 of the City's Standard Specifications.
- 64. 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.
- 65. 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 the pad elevations are built in accordance with the approved Grading Plan and that the parcels on the grading plan are above the 100 year flood plain.
- 66. Maximum Slopes of Driveways.** The Developer shall show the location of all driveways on the improvement plans and show the slope of the driveway and drainage of each residential lot on final grading plans for each lot. No driveway slopes shall exceed a 14% slope unless approved by the City Engineer or Building Official.
- 67. Driveways Access onto Z Street.** The Developer shall construct a minimum 13 driveways onto Z Street from adjacent lots. However, lot #623 shall not have access onto Z Street, but shall have access from AA Street. Lot #624 may have access onto Z Street.

## Utilities

68. **Non Potable Water Improvements** – The Developer shall construct a non-potable water system (NPW) that will provide water to public parks, landscape buffers, and greenbelts to the satisfaction of the Director of Public Works and the non potable water system purveyor. A non potable pump station shall be bonded for prior to first final map containing the 500th residential unit and shall be operational by the time the park landscaping is installed, or at such other time as determined by the Director of Public Works.
69. **Storm Drain Improvements.** A Storm Drainage Master Plan and a detention basin Preliminary Design Report (PDR) must be completed and approved before the first final map creating residential units. The detention basin PDR will identify the required improvements to be installed (including the basin, swales, pumps, piping, concrete pad, vaults, buildings, generator, SCADA controls, Motor Control Centers) with each phase of the subdivision. The required improvements identified in the PDR must be designed and bonded with each phase requiring a specific improvement.
70. **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.
71. **Sewer Master Plan.** A sewer study for each phase to buildout will be required to determine the capacity of temporary and new sewer pipelines. Developer shall be responsible for a Sewer study, including hydraulic sewer modeling, as well as design and construction to City Standards.
72. **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. If, with the General Plan Update, the City prepares a sewer master plan of this area and identifies a Sewer Development Impact Fee (DIF) project within the Project Area, and the Developer installs this Sewer DIF project Developer shall receive Sewer DIF credit.
73. **Off-Site Sewer Improvements.** The Developer shall prepare improvement plans and construct off-site sewer improvements as shown on the approved Tentative Map. The sewer study prepared for the Project or for the General Plan Update shall dictate the size and location of the off-site sewer improvements. If the Developer installs a Sewer DIF project, Developer shall receive Sewer DIF credit. Prior to submitting Improvement Plans for this work, the Developer shall field verify the invert elevation of the existing sewer manhole that the new trunk sewer will be tying in to.
74. **Water Study.** A water modeling study for the project is required. The cost to do so will be \$3,000 plus \$10/lot. The water modeling study for this project will analyze the water system as constructed in the phasing plan. If the water study determines additional improvements are necessary (upsizing or additional waterline) to meet current requirements for fire flow, the Developer shall install the required improvements at no cost to the City of Vacaville.
75. **Water Mains.** The onsite 12-inch domestic water line shall be looped from the existing 12-inch water main in Leisure Town Road to a new Developer installed 12-inch main in Elmira Road. All Onsite 8-inch domestic water lines shall be installed in all streets

though the project subdivision and shall be looped on all dead-ends longer than 600 feet.

76. **Undergrounding Overhead Utilities.** In accordance with Chapter 14.12.178 of the Land Use and Development Code, "Undergrounding of Utilities", Developer shall underground all overhead utilities within the project subdivision boundary, including the overhead utilities on Leisure Town Road adjacent to the project subdivision.
77. **Joint Trench** Concurrently with the second submittal for plan check of the improvements plans for each small lot final map, the developer shall submit joint trench plans for the work contemplated within the property associated with such final map. 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.
78. **Joint Trench Easements.** All utilities shall be located and provided within public utility easements and/or public rights-of-way, 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. All proposed locations of utility vaults and boxes are subject to review and approval by the City Engineer.

#### **Park Fee Agreement**

79. **Park Fee Agreement.** Unless the City in its discretion elects to construct the neighborhood park at earlier date, no later than the date of the first final map that creates the 500<sup>th</sup> residential lot, Developer shall enter into a Park Fee Agreement that stipulates, when the construction of the Brighton Landing Park shall commence and when it shall be completed.
80. **Park Fees.** Developer shall pay Park and Recreation fees at time of building permit until such time the Developer has entered into the Park Fee Agreement and posted bonds for the construction of the Brighton Landing Park.

#### **Benefit District**

81. **Benefit District.** The Developer shall establish a Benefit District, in accordance with the City's Benefit District ordinance, for the construction of improvements that benefit multiple phases of the subdivision and any properties outside of the project boundary. The Developer shall submit the Benefit District to the City for review and comment prior to holding any informal public hearings, and prior to the recording of the first Small Lot Final Map. The Benefit District may be revised from time to time to accommodate changes to infrastructure improvements. The process for revising the Benefit District shall be in accordance with the City's Benefit District Ordinance procedures for adopting a new Benefit District.

#### **Landscaping**

82. **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.
83. **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.

84. **City Maintained Setback Landscaping.** The City shall maintain setback landscaping at the following locations through a Landscape Maintenance District:
- South side of Elmira Road, B2 and EE Streets.
  - East side of Leisure Town Road, J and Z Streets, and S Street between Elmira Road and M Street.
  - West side of J Street, S Street between Elmira Road and M Street and Z Street between Elmira Road and M Street.
  - North side of A Street and all Emergency Vehicle and Pedestrian Access Easements-from property line to property line.

#### **Community Facility and Lighting and Landscaping Districts**

85. **Community Facilities District.** The Developer shall create the Brighton Landing Community Facilities District or join an existing community facilities district to provide funding for Fire and Police services prior to the recording of the first small lot Final Map.
86. **Landscaping and Lighting Assessment Districts.** The Developer shall create the Brighton Landing Neighborhood Park, Brighton Landing Setback Landscaping, Brighton Landing Lighting, and the Brighton Landing Area Detention Basin Maintenance Districts prior to the recording of the first small lot final map.
87. **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**

88. **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.
89. **Internal Street Names.** Prior to the first final map, 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 all Subdivision Final Maps and recorded prior to issuance of any building permits.
90. **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 each improvement plan approval. 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.

91. **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 Best Management Practice 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 Best Management Practice 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 to the extent required by the City. 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 maintenance conditions are improved to the satisfaction of the City Engineer, Building official or Director of Public Works.
92. **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.
93. **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.
94. **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
95. **Required Environmental Permits.** If required, the Developer shall obtain all necessary environmental permits required by other agencies (ie. California Department of Fish and Game, Army Corps of Engineers wetland delineation, etc.), and shall submit copies of the permits to the Department of Public Works and Community Development prior to obtaining any site grading permits.

## FIRE DEPARTMENT

*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.*

96. Approved address numbers shall be provided for each home.
97. All work shall be in conformance with California Fire Code Chapter 14, "Fire Safety During Construction and Demolition" and NFPA 241 "Safeguarding Construction, Alteration, and Demolition Operations".
98. Homes shall be located no more than 300 feet 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. The preliminary site plan and site utility plan show different hydrant locations.
99. Fire lanes shall be stripped and have signage where needed. This will be decided during inspections.
100. Deferred submittals to the Vacaville Fire Department shall be required for underground fire lines, fire hydrants and fire sprinklers.
101. Fire flow shall meet the requirements of the Table B105.1 of the 2010 CFC for the building type and size.
102. 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.
103. The on-site water supply shall comply with the adopted City Water Master Plan.
104. All fire hydrants shall be "Rich 960" or equal with two 2-1/2" and one 4-1/2" 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) feet 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 centerline towards the hydrant.
105. When emergency vehicle access roads are required for this project they must be at least 20 feet wide and at a minimum, these roads shall be graded and compacted with decomposed granite or similar, and shall be kept clear of all flammable vegetation at all times. The Fire Chief may require the road to be surfaced with pavement if it is determined the road is not being properly maintained in accordance with these standards. Review City Standards for more details.

106. 100 feet of defensible space between homes and open space is required, unless otherwise approved by the Fire Chief.
107. 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. Private driveways greater than 100 feet in length shall have a minimum clear width of 20 feet.
  - c. Private driveways less than 100' in length shall have a minimum width of 15'.
  - d. Private driveways greater than 100 feet in length shall have a turn-around or turnout approved by the Fire Marshal every 100 feet and at the structure.
108. A temporary EVA, which may also serve as a pedestrian and bicycle path, is required off of Leisure town road and must be at least 20 feet wide. At a minimum, this road shall be graded and compacted with aggregate base rock, or similar, and shall be kept clear of all flammable vegetation at all times. Any portion of the EVA that serves as a pedestrian or bicycle path shall be paved, to the satisfaction of the Director of Public Works. The Fire Chief may require the road to be surfaced with pavement if it is determined the road is not being properly maintained in accordance with these standards. Review City Standards for more details.
109. Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with Table D103.4.
110. Non-combustible fencing is required when adjacent to open space.
111. Each development within Brighton landing must have carbon monoxide alarms/detectors, smoke detectors and residential fire sprinklers (fire sprinklers must comply with NFPA 13D).
112. Class "A" rated roof coverings are required on all structures located within the development adjacent to Open space/lands.
113. All structures shall be constructed with non-combustible siding on all structures located within the development adjacent to open space/lands.