

CITY OF CITRUS HEIGHTS PLANNING DIVISION STAFF REPORT PLANNING COMMISSION MEETING

December 12, 2018

Prepared by: Casey Kempenaar, Senior Planner

REQUEST

The applicant requests a Design Review Permit to allow construction of a new 16,000 square foot outpatient surgery center at 7435 Stock Ranch Road. The applicant also requests approval of a Tree Permit for the removal of numerous trees.

Property Owner: California C & S Properties

1939 Harrison Street Oakland, CA 94612

Applicant United Real Estate Holdings (USPI)

15305 Dallas Parkway Suite 418

Addison, TX 75001

SUMMARY RECOMMENDATION

The Planning Division recommends that the Planning Commission:

- A. Determine that the previously adopted EIR, EIR Addendums and Negative Declaration are the appropriate environmental documents for this project and no further review is required.
- B. Approve the Design Review Permit as depicted in Attachment 1-8 subject to the findings and conditions of approval contained in the staff report.

BACKGROUND

The project site is located within the boundaries of the Stock Ranch Guide for Development. The Guide for Development contains a land use concept, infrastructure and service plans, roadway improvements, design guidelines, and development regulations for approximately 129 acres of land. Arcade Creek runs through the property in an east-west fashion. South of Arcade Creek, near the corner of Stock Ranch Road and Sylvan Road the Guide envisions development of residential and offices along Stock Ranch Road. The Guide refers to this area south of the creek as the "Sylvan Commerce District".

The Stock Ranch Guide for Development ("Guide") was adopted by the City Council in February 2001. In conjunction with adopting the Guide for Development, the City Council also rezoned the area within the Guide into the "Stock Ranch Special Planning Area", certified an Environmental Impact Report and adopted a Mitigation Monitoring Program. In September 2002, the Planning Commission and City Council approved two minor amendments to the Guide for Development, approved a minor modification to the Mitigation Monitoring Program, approved the Development Agreement, and certified a Negative Declaration that tiered off the original EIR for the project. An EIR Addendum was also approved in conjunction with the Wal-Mart development. A site plan modification and associated EIR Addendum was approved in 2017.

The proposed project involves a Design Review Permit to allow for the construction of a new surgery center at the corner of Stock Ranch Road and Sylvan Road.

The project setting is summarized below:

Location:	7435 Stock Ranch Road – northwest corner of Stock Ranch Road and Sylvan Road. See Vicinity Map (Attachment 1).		
Parcel Size:	2.32 acres		
REACH Neighborhood:	The project is within the boundaries of the Arcade Creek Neighborhood Association (#4). No comments have been received.		

ZONING AND LAND USES

LOCATION	ZONING	GENERAL PLAN LAND USE	ACTUAL USE OF PROPERTY
On-Site	Stock Ranch Special Planning Area (SR -SPA) allowing general commercial uses	General Commercial (GC)	Vacant
North	SR -SPA	GC	SBA Building
South	SR-SPA and SC	GC	Community Garden and Brookdale Senior Living
East	RD-5	Low Density Residential	Single Family Homes
West	RD-20	High Density Residential	Brookdale Alzheimer's and Dementia Care

DESIGN REVIEW PERMIT 18-11

Design Review Permit- Description of Request

The applicant requests approval of a Design Review Permit for the construction of an approximately 16,000 square foot ambulatory surgery center. The proposed development plans are contained in Attachments 1-8. As the site plan shows, the proposed building is located in the eastern part of the Sylvan Commerce District, immediately to the west of Sylvan Road.

The building includes a patient dropoff and pickup location with covered decorative awnings. A sample board of the various colors and materials will be available for your review at the meeting.

Site Plan

The proposed project will construct a new driveway on Stock Ranch Road. The proposed driveway will provide access to the parking field including a patient drop-off and pickup area. The site has been designed to provide adequate parking and circulation for vehicles and pedestrians accessing the site.

Architectural Elevations.

The proposed architectural elevations are provided in Attachment 3. The main building walls, about 18' in height, will have a stucco exterior with metal awnings and storefront glass. The main colors are various shades of brown.

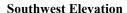
A prominent feature of the building will be various metal awnings including larger decorative awnings at pickup and drop-off areas.

The Guide for Development requires a minimum of 50% of street facing facades include transparent glass. Storefront glass fronts both Stock Ranch Road and Sylvan Road. A sample board of the various colors and materials will be available for your review at the meeting.

A perforated metal screen wall has been incorporated into the building design to screen rooftop equipment as well as compliment the building architecture adding material variety for the structure. The structure will have a mix of glass, stucco, stone, and metal (awnings and screen walls) to add visual interest to the building.



Figure 1: Color Renderings





East Elevation - Facing Sylvan Road

Landscaping

The proposed Landscape Plan is provided in Attachment 7. The Landscape Plan includes shade trees and plantings within the parking lot area as well as landscaping along all sides of the building. The landscape plan includes screening plants and shrubs to improve screening of the trash enclosure area and generator. The project includes a landscaped entry feature near the corner of the site creating a gateway for Stock Ranch Road.

Design Review Permit - Analysis

The Stock Ranch Guide for Development requires that the Planning Commission make five findings before approving a Design Review Permit. The required findings are listed below in **bold italics** and are followed by an evaluation of the applicant's request in relation to the required findings.

 The proposed use is consistent with the General Plan and Stock Ranch Guide for Development.

<u>General Plan</u>. The General Plan designates this property General Commercial, which allows for commercial uses including medical uses. The project is consistent with many of the goals and policies of the General Plan, including Goals 14 and 17:

Goal 15: Diversify the local economy to meet the present and future

employment, shopping, and service needs of Citrus Heights

residents and sustain long-term fiscal health.

Goal 17: Develop the Stock Ranch property with a mix of uses that

enhance the City's economic base, are compatible with

surrounding land uses, and are sensitive to natural resources.

Development of the building will meet a desire for additional professional uses in Citrus Heights. The building will complement both the nearby tenants, as well as compliment the nearby medical office building. The proposed design is compatible with surrounding land uses and achieves the proposed design standard amendment. The project is consistent with the General Plan.

<u>Guide for Development</u>. The Stock Ranch Guide for Development designates the land south of Arcade Creek as the "Sylvan Commerce District". The Guide for Development envisioned that the Sylvan Commerce District would be developed with a variety of office or residential uses. The architectural design of the building, as well as the landscaping and pedestrian improvements, is also in keeping with the overall vision expressed in the Guide for Development.

- The proposed use and project design complies with all applicable development standards of the Guide and Zoning Ordinance where applicable.
- The building design, including materials, colors, height, bulk, size, and relief, and the arrangement of the structures on the site, is harmonious with other development and buildings in the vicinity and which is consistent with the applicable goals and policies set forth in the General Plan and the Guide for Development.

Staff has reviewed the plans for consistency with the development standards contained in both the Guide for Development and Zoning Code. The project is consistent with these documents.

The site plan has been designed to accommodate the potential for a future building on the western portion of the site. The site plan depicts a potential building as well as additional parking to serve the entire site at build out.

- The project is of high quality design and conforms to the vision, development objectives and planning principles of the Stock Ranch Guide for Development.
- The nature, condition, and development of adjacent uses, buildings and structures have been considered, and that the use will not adversely affect or be materially detrimental to these adjacent uses, buildings or structures.

Staff believes that the proposed building and site layout is a high quality design that conforms to the vision, development objectives, and planning principles of the Guide for Development. The building location and orientation of the building will ensure the project is not detrimental to adjacent land uses.

Design Review Permit - Conclusion

As proposed and conditioned, staff believes the required findings can be made to approve the Design Review Permit for this project. Staff recommends approval of the Design Review Permit subject to the conditions of approval contained in the staff report.

Tree Permit

The applicant is requesting approval of a tree permit to remove 18 trees onsite. Due to the grade changes on the site and grading required to level the site, the removal of all existing trees is required.

Tree Permit - Analysis

Chapter 106.39 of the Zoning Code contains the City's Tree Preservation and Protection measures. The purpose of this is to preserve and protect the City's remaining native Oak trees, heritage trees, mature trees, and others as identified in the Zoning Code. The preliminary Arborist Report was prepared and submitted by the project applicant. The report inventoried onsite trees and off-site trees with a dripline onto the project site.

The site is home to 18 onsite trees, 17 are considered protected under the City's Tree Preservation Ordinance. Of these trees, one (Tree 467) is recommended for removal by the arborist due to their poor condition. The shared border of the site adjacent to SBA includes a number of existing trees planted as part of the SBA project. The project does not anticipate any impact to these existing trees. The project is conditioned to protect the existing trees to remain during construction and conduct a post-construction evaluation prior to final of the building permit.

The arborist report and site plan indicate the project will remove 17 protected trees resulting in approximately 273 inches of diameter removal. Mitigation for the loss of these trees may include the replanting other tree species acceptable by the City, the payment into a tree preservation fund (\$298 per inch of diameter), or a combination of these mitigation measures.

The Landscape Plans (Attachment 7) depict a total of 42 new trees being planted on the site. These 42 trees can count towards the mitigation for the loss of protected trees; however, the balance of the replacement trees will be required to be planted off site or to the City's tree preservation fund. Final mitigation fees will be determined prior to the issuance of the building permit.

Tree Permit - Conclusion

Based on the analysis above and the fact that the applicants will be required to mitigate the loss of any trees proposed for removal, staff recommends approval of the Tree Permit.

ENVIRONMENTAL DETERMINATION

An Environmental Impact Report (EIR) was certified in conjunction with adoption of the Guide for Development. On September 18, 2002, the City Council approved a Negative Declaration that addressed several amendments to the Guide, Development Agreement, and Modification to Mitigation Monitoring Program. In 2005, the City Council adopted an EIR Addendum in conjunction with the Wal-Mart project. The previously certified EIR, and the subsequently adopted Negative Declaration and EIR Addendum, serve as baseline environmental documents for this project.

In 2017, an Addendum to the EIR was prepared and adopted for the project as a result of site changes and reduction of buildable area beyond the impacts previously identified in the Stock Ranch EIR.

The proposed building is consistent with the EIR addendum and no further environmental review is required.

PUBLIC OUTREACH

The project is within the boundaries of the Arcade Creek Neighborhood Association (#4). No written comments were received.

RECOMMENDATION

The Planning Division recommends that the Planning Commission:

- A. Determine that the previously adopted EIR, EIR Addendums and Negative Declaration are the appropriate environmental documents for this project and no further review is required.
- B. Approve the Design Review Permit as depicted in Attachment 1-8 subject to the findings and conditions of approval contained in the staff report.

FINDINGS FOR APPROVAL OF THE DESIGN REVIEW PERMIT 18-11

- The nature, condition, and development of adjacent uses, buildings and structures have been considered and the surgery center will not adversely impact or be materially detrimental to these adjoining uses;
- The site for the proposed surgery center is of adequate size and shape to accommodate the use and building proposed;
- The proposed surgery center complies with all applicable development standards of the zoning district; and
- The proposed project conforms to the general design standards contained in the Zoning Code and to the City's general standards for quality.

CONDITIONS OF APPROVAL - DESIGN REVIEW PERMIT 18-11

- 1) This approval is for the plans shown in Attachment 1-8 and as conditioned or modified below. All development must comply with the Guide for Development.
- 2) Comply with all requirements of the Stock Ranch Guide for Development, Environmental Impact Report, Mitigation Monitoring Program, and Development Agreement. Comply with all federal and state environmental permits. Comply with all requirements of agencies of jurisdiction. (Planning)
- 3) The applicant shall submit for review and approval a Final Landscape and Irrigation Plan prepared in compliance with the City of Citrus Heights Zoning Code and the Stock Ranch Guide for Development that includes the following:
 - a) All landscaping requirements, including minimum planter widths, shall meet the minimums established by the Guide for Development.
 - b) Final plant and tree selection shall be approved with the final landscape plan.
 - c) Root barriers will be required for trees adjacent to physical improvements including walkways, infrastructure, and buildings.
 - d) The landscape and lighting plans need to be coordinated such that trees will not block light fixtures in future years. In most cases, this requires that light fixtures not locate within landscape planters containing trees.
 - e) The applicant shall submit evidence that the project is consistent with the State Model Water Efficient Landscape ordinance, subject to Planning Division Approval.
 - f) Landscaping shall be designed to screen all aboveground equipment, such as fire department connections, as well as all service areas. The location of all such aboveground equipment shall be noted on the plans. (Planning)
- 4) The applicant shall submit a photometric plan to the Planning Division demonstrating compliance with the City's lighting standards. All on-site external lighting shall be designed to have no off-site glare. All light fixtures shall have full cut-off concealed source lenses. Floodlights are not permitted. (Planning)

- 5) The applicant shall demonstrate to the Planning Division that the lighting plan is designed such that exterior lighting levels are lowered during periods when the restaurant is not open. (Planning)
- 6) Prior to issuance of the Building Permit, the applicant shall demonstrate that at least 50% of the building fronting the public street is transparent storefront glass, subject to Planning Division approval. (Planning)
- 7) Prior to issuance of the building permit the applicant shall demonstrate that the proposed ACM screen panel appears integral to the building design. The stucco parapet along the south and north elevations shall be increased in height to screen the gap between the roof and the bottom of the screen wall, subject to Planning Division approval.
- 8) The site plan shall be revised to disperse compact parking stalls throughout the site, rather than cluster the parking stalls. (Planning)
- 9) The applicant shall submit building documents which demonstrate that any roof-mounted equipment shall be screened from view. Such screening shall be complimentary to the building architecture, subject to Planning Division Approval. (Planning)
- 10) The applicant shall install construction fencing around the staging, equipment storage, and construction area. The construction fencing shall be screened with mesh screening or slats, subject to Planning Division Approval (Planning)
- 11) The project applicant shall develop a Construction Traffic Management Plan to the satisfaction of the City's General Services Department. The plan would include items such as: the number and size of trucks per day, expected arrival/departure times, truck circulation patterns, location of truck staging areas, employee parking, and the proposed use of traffic control/partial street closures on public streets. The overall goal of the Construction Traffic Management Plan would be to minimize traffic impacts to public streets and maintain a high level of safety for all roadway users. The Construction TMP shall adhere to the following performance standards throughout project construction:
 - a) Delivery trucks do not idle/stage on Sylvan Road or Stock Ranch Road.
 - b) Any lane closures along the project's frontages are limited to a single lane during off-peak hours (8:30 AM to 3:30 PM).
 - c) All construction employees shall park on-site or in designated lots owned or leased by the applicant.
 - d) Roadways, sidewalks, crosswalks, and bicycle facilities shall be maintained clear of debris (e.g., rocks) that could otherwise impede travel and impact public safety. (Planning)
- 12) The applicant shall demonstrate that the project shall be made accessible per A.D.A. and California Non-Residential Disabled Access Regulations Title 24 part 2. This includes parking areas, sidewalks, and curb cuts. The applicant shall provide accessible pedestrian paths in accordance with the California Building Code (CBC). An "exterior routes of travel" site accessibility plan incorporating slope, cross-slope, width, pedestrian ramps, curb ramps, handrails, signages, detectable warnings or speed limit signs or equivalent means shall

comprise part of the site improvement plans submitted to the City for review, prior to the issuance of any building permits. The site accessibility plan shall also include:

- a) Handicapped parking stalls shall be dispersed and located closest to accessible entrances. One stall should be located in the rear of the store. The total number of accessible spaces shall be determined by the CBC.
- b) Handicapped spaces and crosswalks shall be signed, marked, and maintained as required by Title 24 amendments of the CBC. (Building)

During Construction and Prior to Issuance of Occupancy Permits

- 13) Prior to Occupancy, the applicant shall enter into an Operating Agreement with the City which shall address ongoing compliance with all requirements of this permit and the Guide for Development, including items such as: (1) hours of operation for deliveries, as well as hours that parking lot sweeping, refuse pick-up, etc. can occur, (2) the overall exterior appearance of the building including storage. The Operating Agreement shall also address reduction in lighting levels during hours when facility is closed. (Planning)
- 14) The developer (or designated consultant) shall certify that the building pad foundation location has been placed according to all approved setback requirements shown on the approved site plan. The developer (or designated consultant) shall also certify that the elevation of the building pad is as shown on the approved grading and improvement plans. The developer shall provide a written statement concerning building foundation location and pad compaction prior to the foundation inspection. (Building)
- 15) The developer (or designated consultant) shall certify that the elevation of the finished grade of the building and sidewalks are per approved plans and meet Building Code accessibility requirements. (Building)
- 16) Gateway entry feature/wall and landscaping located near the northwest corner of Sylvan Road and Stock Ranch Road shall meet height requirements per Citrus Heights Municipal Code 106.30.060.E. The 30" maximum height shall be measured from roadway elevation.(Engineering)
- 17) A lot merger or lot line adjustment is required to combine both parcels. Merger shall be completed prior to issuance of ANY occupancy of the building. (Engineering)
- 18) Site shall meet the pre and post Best Management Practices (BMP's) for Stormwater Mitigation per State of California requirements. The City is a member of the Sacramento Stormwater Quality Partnership and uses their guidelines and requirements. The following is their link: http://www.sactostormwater.org/SSQP/development.asp (Engineering)
- 19) The project's post-development (proposed) stormwater runoff cannot exceed the predevelopment (existing) runoff. (Engineering)
- 20) This project requires a Storm Water Pollution Prevention Plan (SWPPP) and California's Notice of Intent (NOI). The project shall adhere to the State of California's General Construction Permit requirements. (Engineering)

- 21) Roof drains for the buildings shall not directly connect into the storm drain system. Downspouts shall flow to rain garden, landscaped areas, bio-swale, and/or other approved filtering methods before entering the City's storm drain system. (Engineering)
- 22) Property owner shall enter into a storm-water device access agreement and a maintenance declaration for the proposed storm-water filtration system designed for the site. Access agreement and maintenance declaration shall be executed prior to issuance of any building permit or as approved by the City Engineer. (Engineering)
- 23) This project shall meet all federal, state, and local solid waste disposal requirements; including, but not limited to, California SB1383, California AB341, and the City's Municipal Code requirements. (Engineering)
- 24) Required development fees shall be paid prior to building permit issuance. Fee rates assessed shall be calculated during the building permitting process.
- 25) The applicant shall ensure that project construction shall not disrupt transit service or pedestrian access to transit stops. (Regional Transit)
- 26) The applicant shall provide clear and easy accessibility and connectivity for all transit users, including those with disabilities. (Regional Transit)
- 27) The applicant shall provide transit information displayed in prominent locations within the business for both patrons and employees. (Regional Transit)

Other Conditions of Approval

- 28) Following the installation of the landscaping, all landscape material shall be maintained in a healthy and weed free condition; dead plant material shall be replaced immediately. All trees shall be maintained and pruned in accordance with the accepted practices of the International Society of Arboriculture. All landscaping shall be maintained in such a manner as to not create an impediment to pedestrian movements. (Planning)
- 29) Prior to installation of Landscaping, the project Landscape Architect shall submit documentation to the City that demonstrates:
 - a) Soil has been tested and prepared as necessary based on the Soils Analysis.
 - b) The Irrigation has been installed compliant with the Zoning Code and approved landscape plan.
 - c) Tree planting sites comply with the minimum soil volume as identified in the Zoning Code and landscape plan.
- 30) Prior to Final of Building Permit, the project Landscape Architect shall:
 - a) Certify in writing that the landscaping has been installed in compliance with the Zoning Code and approved landscape plan.
 - b) Demonstrate and certify in writing that the irrigation has been installed and is in compliance with the Zoning Code and landscape irrigation plans. The City may require an irrigation audit performed by a certified irrigation auditor.

- 31) Exterior storage is prohibited. All storage must be contained within the building or trash enclosure. (Planning)
- 32) The access door within the rooftop HVAC screen wall shall appear consistent with the remainder of the screen wall, subject to Planning Division approval. (Planning)
- 33) This Design Review Permit approval does not include any signs. All signs must receive a separate building permit and shall conform to the signage criteria contained in the Guide for Development and the approved Comprehensive Sign Plan for the Auburn Commerce District.
- 34) Minor modifications to the design of the project, including site layout, colors and materials, may be approved by the Planning Division provided such changes are consistent with the overall design as approved herein. Major modifications will require Planning Commission approval. (Planning)
- 35) The applicant shall comply with the Will Serve Letter provided by Citrus Heights Water District dated November 20, 2018 (CHWD).
- 36) Prior to the issuance of a building permit: SASD and the Sacramento Regional County Sanitation District may require additional sewer impact fee payments in accordance with each District's Ordinances. Fees are to be paid prior to the issuance of building permits. The applicant should contact Permit Services Unit at 916-876-6100 for sewer impact fee information. (SASD)
- 37) Prior to approval of Improvement plans, show the design for a fire access roadway of not less than 20-feet of unobstructed width, 13-feet, 6-inches of vertical clearance, and turning radii of 25 feet inside and 50 feet outside dimension on the improvement plans. The access roadway shall extend to within 150 feet of all portions of the exterior walls of the first story of any proposed building. The use of turf-block or grass-crete or similar alternate road surfaces is not approved for installation in fire apparatus access roadways. (Fire)
 - a) The turning radii off of Stock Ranch Road shall met the above requirement. (Fire)
- 38) Prior to approval of Improvement plans show on the plans how Fire Lanes will be marked. Fire Lane identification shall be provided along the required fire access roadway. Fire Lane identification shall be in accordance with the Sacramento Metro Fire Districts Fire Prevention Standard #3 and the California Vehicle Code. Vehicle parking is prohibited on any street less than 28 feet in width. Vehicle parking is permitted on both sides of streets 36 feet or more in width. Roadway widths shall be measured between the gutter-line or edge of pavement on opposite sides of the road. Identification of fire apparatus access roadways may be required on private roads. (Fire)
- 39) Prior to approval of Improvement Plans provide a note on the plan that reads, "Fire access roadways shall be built to bear a minimum of 80,000 pounds and meet the Sacramento County Public Works Standards for roadways." A report, prepared by a registered geotechnical engineer, verifying the ability of the road to bear the required minimum weight, shall be submitted with any plan indicating construction of roadway. Verification of constructed roadway shall be provided by a registered geotechnical engineer prior to final of the project. (Fire)

- 40) Prior to approval of Improvement Plans show the location of the required fire hydrants for this project on the improvement plans. Approved fire hydrants capable of providing the required fire flow for the protection of any and all structures shall be located along the fire apparatus access roadway. The required fire hydrants shall be installed and operational prior to any construction or on-site storage of combustible materials. The minimum shown locations. (Fire)
- 41) Prior to approval of Improvement plans show the location of the required fire department connections (FDC). The FDC's shall be located on the address side of the building and within 40 feet of an approved fire hydrant. Each FDC shall serve only one building. (Fire)
- 42) Prior to Issuance of Final building permit, the applicant shall meet the following: Civil Site Plans and Architectural Plans shall be submitted and approved prior to Final Building Permit being issued. Fire Service Underground, Fire Sprinkler and Fire Alarm plans shall be submitted prior to Final Building Permit being issued. Please note: The Sacramento Metro Fire District does not allow deferred submittals for Fire Sprinkler and/or Fire Alarm plans. (Fire)
- 43) Prior to granting final occupancy, approved numbers or addresses shall be placed on all new or existing buildings in such a position as to be easily read from the street or road fronting the property. The minimum size of the numbers shall not be less than twelve (12) inches and shall be mounted immediately adjacent to a light source and shall also contrast with their background. (Fire)
- 44) The Sacramento Metropolitan Fire Districts requirements are not to be construed as abrogating more restrictive requirements by other agencies having jurisdiction. Final acceptance is subject to field approval and completion of required tests. (Fire)
- 45) SMUD has existing underground 12kV facilities along Stock Ranch Rd, Sylvan Rd, and on the project site that will need to remain. The Applicant shall be responsible for maintaining all CalOSHA and State of California Public Utilities Commission General Order No. 128 safety clearances during construction and upon building completion. If the required clearances cannot be maintained, the Applicant shall be responsible for the cost of relocation. (SMUD)
- 46) Structural setbacks less than 14-feet shall require the Applicant to conduct a preengineering meeting with all utilities to ensure property clearances are maintained. (SMUD)
- 47) Any necessary future SMUD facilities located on the Applicant's property shall require a dedicated SMUD easement. This will be determined prior to SMUD performing work on the Applicant's property. (SMUD)
- 48) In the event the Applicant requires the relocation or removal of existing SMUD facilities on or adjacent to the subject property, the Applicant shall coordinate with SMUD. The Applicant shall be responsible for the cost of relocation or removal. (SMUD)
- 49) SMUD reserves the right to use any portion of its easements on or adjacent to the subject property that it reasonably needs and shall not be responsible for any damages to the developed property within said easement that unreasonably interferes with those needs.

- 50) The Applicant shall not place any building foundations within 5-feet of any SMUD trench to maintain adequate trench integrity. The Applicant shall verify specific clearance requirements for other utilities (e.g., Gas, Telephone, etc.). (SMUD)
- 51) In the event the City requires an Irrevocable Offer of Dedication (IOD) for future roadway improvements, the Applicant shall dedicate a 12.5-foot public utility easement (PUE) for overhead and/or underground facilities and appurtenances adjacent to the City's IOD. (SMUD)
- 52) The Applicant shall comply with SMUD siting requirements (e.g., panel size/location, clearances from SMUD equipment, transformer location, service conductors). Information regarding SMUD siting requirements can be found at: https://www.smud.org/en/Business-Solutions-and-Rebates/Design-and-Construction-Services(SMUD)
- 53) The Applicant shall dedicate a 12.5-foot public utility easement for overhead and/or underground facilities and appurtenances adjacent to all public street rights-of-ways. (SMUD)
- 54) The Applicant shall dedicate and provide all-weather vehicular access for service vehicles that are up to 26,000 pounds. At a minimum: (a) the drivable surface shall be 20-feet wide; and (b) all SMUD underground equipment and appurtenances shall be within 15-feet from the drivable surface. (SMUD)
- 55) Developer agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person not a party to this Permit challenging the validity of the Permit or any Project Approval or any Subsequent Project Approval, or otherwise arising out of or stemming from this Permit. Developer may select its own legal counsel to represent Developer's interests at Developer's sole cost and expense. The parties shall cooperate in defending such action or proceeding. Developer shall pay for City's costs of defense, whether directly or by timely reimbursement on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent in regard to defense of the action or proceeding. The parties shall use best efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel and Developer agrees to pay directly or timely reimburse on a monthly basis City for all such court costs, attorney fees, and time referenced herein. (Planning)

CONDITIONS OF APPROVAL – TREE PERMIT 18-136

- 1) The project is approved as shown in Attachments 1-8 and as conditioned or modified below.
- 2) No activity within the dripline of any tree beyond that identified within this report is permitted without approval from the Planning Division. Only those trees identified as appropriate for removal, in accordance with the site plan, and the arborist's report, are authorized for removal, in accordance with the information provided earlier in this staff report. [Planning]
- 3) All recommendations contained in the Arborist Report shall be incorporated as part of these conditions except as modified herein. [Planning]

4) The applicant shall ensure a certified arborist shall monitor any excavation within the dripline of any tree to remain. (Planning)

PRIOR TO ISSUANCE OF A BUILDING PERMIT

- 5) Prior to issuance of a Building or Grading Permit, the applicant shall submit a final Tree Impact Assessment. The tree impact assessment report shall include all preservation measures, including details for modified curbs and paving that the applicant shall undertake during construction to ensure the long-term health and safety of the trees proposed to remain, including off-site trees. The impact assessment report shall take into account improvement plans that show any encroachment into the drip-lines of any protected trees including utility trenching, retaining walls, etc.
 - If avoiding construction within the dripline of protected trees is not feasible other mitigation measures offered by a certified arborist and accepted by the Planning Division must be made. [Planning]
- 6) The conditions of approval shall be distributed to all contractors and subcontractors who have access to the site. It is the responsibility of the property owners and contractor to inform all subcontractors of the tree preservation requirements. [Planning]
- 7) A fencing plan shall be shown on the approved site plan demonstrating the dripline for the affected trees. The fencing plan shall be reviewed and approved by the Planning Division prior to the installation of the protective fencing. [Planning]
- 8) Prior to commencing demolition, grading, or construction, the applicant shall install a minimum of a five-foot high chain link fence (or acceptable alternative) at the outermost edge of the dripline of the trees. Signs must be installed by the applicant on the temporary fence at least two (2) equidistant locations to be clearly visible from the front of the lot. The size of each sign shall be a minimum of two feet (2') by two feet (2') and must contain the following language:

"WARNING THIS FENCE SHALL NOT BE REMOVED OR RELOCATED WITHOUT WRITTEN AUTHORIZATION FROM THE PLANNING DIVISION" [Planning]

- 9) The applicant shall contact the Planning Division to inspect and approve the temporary fencing and signs around the protected zones before beginning any construction. [Planning]
- 10) All pruning, trimming, or construction within the dripline of any protected tree shall be done by an Arborist or under the direct supervision of a Certified Arborist, in conformance with International Society of Arboriculturalists (I.S.A.) standards. Prior to issuance of any grading or building permit, the applicant shall submit evidence that an arborist is under contract to perform required monitoring. [Planning]
- 11) All pruning shall be completed prior to the beginning of construction. Pruning shall be done by an Arborist or under the direct supervision of a Certified Arborist, in conformance with International Society of Arboriculturalists (I.S.A.) standards. [Planning]

- 12) Any watering or deep root fertilization which the arborist deems necessary to protect the health of the trees due to the construction impacts shall be completed by the applicant, prior to occupancy. [Planning]
- 13) Replacement planting of trees shall be completed so that for each inch of protected tree removed a replacement 15-gallon size tree shall be planted in its place within a the subject property. Replacement trees shall include root barriers when within 6' of a sidewalk, curb, or other improvement. The applicants shall submit a planting plan and irrigation plan to the City to the satisfaction of the Planning Division or pay into the City's tree preservation fund (\$298 per inch). At least 50% of trees replanted on site shall be oak trees.[Planning]

DURING CONSTRUCTION AND PRIOR TO ISSUANCE OF AN OCCUPANCY PERMIT

- 14) The following information must be located on-site during construction activities:
 - Arborist's report
 - Approved site plan including fencing plan
 - Conditions of approval for the Tree Permit
- 15) To avoid root injury, any excavation within the dripline shall be conducted with hand tools. [Planning]
- 16) A certified arborist shall monitor any excavation within the dripline of any tree. [Planning]
- 17) All finished grading shall ensure that no water will collect within the dripline of any tree. [Planning]
- 18) Submit and receive approval of a Landscape and Irrigation Plan for any landscaping within the dripline of any oak tree. Only low-water usage plantings may be planted under the dripline of any oak tree. [Planning]
- 19) If any native ground surface fabric within the dripline must be removed for any reason, it shall be replaced within forty-eight (48) hours. [Planning]
- 20) Storage of materials, equipment and vehicles is not permitted within the dripline of any tree. Vehicles and other heavy equipment shall not be operated within the dripline of any tree proposed to remain. [Planning]
- 21) The certified arborist shall immediately treat any severed or damaged roots (NOTE: Without exception, all digging shall be done using hand tools, no machine trenching shall be allowed in the dripline of any oak tree). Minor roots less than one (1) inch in diameter may be cut, but damaged roots shall be traced back and cleanly cut behind any split, cracked or damaged area. Major roots over one (1) inch in diameter may not be cut without approval of an arborist and any arborist recommendations shall be implemented. [Planning]
- 22) The temporary fencing shall remain in place throughout the entire construction period and shall not be removed without obtaining written authorization from the Planning Division. In no event shall the fencing be removed before the written authorization is received from the Planning Division. [Planning]
- 23) Within 5 days of the completion of the construction, a Certification Letter from a certified arborist shall be submitted to and approved by the Planning Division. The certification letter shall attest to all of the work (regulated activity) which was conducted in the dripline of the

trees, either being in conformance with this permit or of the required mitigation still needing to be performed. [Planning]

24) Developer agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person not a party to this permit challenging the validity of any Project Approval or any Subsequent Project Approval, or otherwise arising out of or stemming from this Agreement. Developer may select its own legal counsel to represent Developer's interests at Developer's sole cost and expense. The parties shall cooperate in defending such action or proceeding. Developer shall pay for City's costs of defense, whether directly or by timely reimbursement on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent in regard to defense of the action or proceeding. The parties shall use best efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel and Developer agrees to pay directly or timely reimburse on a monthly basis City for all such court costs, attorney fees, and time referenced herein. [Planning]

Attachments:

- 1. Vicinity Map
- 2. Floor Plan (A-100)
- 3. Building Elevations (A-200)
- 4. Demolition Plan (C1.0)
- 5. Site Plan (C2.0)
- 6. Grading and Drainage Plan (C4.0)
- 7. Landscape Plans (L1.0)





North

CITY OF CITRUS HEIGHTS

USPI Surgery Center 7435 Stock Ranch Road File #DRP 18-11 Scale: None

Attachment 1





