



## AGENDA

### REGULAR MEETING OF THE SUISUN CITY

#### PLANNING COMMISSION

TUESDAY, FEBRUARY 28, 2023

6:30 PM

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**Suisun City Council Chambers - 701 Civic Center Boulevard - Suisun City, California**

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### NOTICE

*The following Planning Commission meeting may include teleconference participation by: Commissioners Albert Enault, Vinay Tewari, Herbert Dardon, Terrance West, and Kristina Elder in accordance with subdivision (b), (e), or (f) of Section 54953 of the Government Code, as applicable.*

*FACE MASKS ARE RECOMMENDED FOR MEMBERS OF THE PUBLIC WHILE IN CITY FACILITIES IF NOT FULLY VACCINATED. IF YOU DO NOT HAVE A FACE MASK, ONE WILL BE PROVIDED FOR YOU.*

*THE PLANNING COMMISSION HAS RESUMED IN-PERSON MEETINGS IN ADDITION TO ZOOM. A LIMITED NUMBER OF SEATS ARE AVAILABLE, TO RESERVE A SEAT PLEASE CONTACT THE CITY CLERK AT [clerk@suisun.com](mailto:clerk@suisun.com) OR 707 421-7302.*

#### *ZOOM MEETING INFORMATION:*

*WEBSITE: <https://zoom.us/join>*

*MEETING ID: **893 0598 5651***

*CALL IN PHONE NUMBER: (707) 438-1720*

*REMOTE PUBLIC COMMENT IS AVAILABLE FOR THE CITY COUNCIL MEETING BY EMAILING [CLERK@SUISUN.COM](mailto:CLERK@SUISUN.COM) (PRIOR TO 6 PM), VIA WEBSITE OR ZOOM CALL IN PHONE NUMBER: (707) 438-1720.*

*(If attending the meeting via phone press \*9 to raise your hand and \*6 to unmute/mute for public comment.)*

(Next Resolution No. PC 23-01)

### ROLL CALL

Planning Commissioners

Pledge of Allegiance

Invocation

### CONFLICT OF INTEREST NOTIFICATION

*(Any items on this agenda that might be a conflict of interest to any Commissioners should be identified at this time.)*

## **REPORTS: (Informational items only.)**

- 1 City Manager/Staff

## **PUBLIC COMMENTS**

*(Request by citizens to discuss any matter under our jurisdiction other than an item posted on this agenda per California Government Code §54954.3. Comments are limited to no more than 3 minutes unless allowable by the Chair. Speaker cards are available on the table near the entry of the meeting room and should be given to the Clerk. By law, no prolonged discussion or action may be taken on any item raised during the public comment period, although informational answers to questions may be given and matters may be referred for placement on a future agenda.)*

## **CONSENT CALENDAR**

*Consent calendar items requiring little or no discussion may be acted upon with one motion.*

- 2 Planning Commission Appointment of Chair and Vice Chair.
- 3 Planning Commission Approval of the Minutes of the Regular Meeting of the Suisun City Planning Commission held on November 30, 2022 - (Vasquez: bvasquez@suisun.com).

## **PUBLIC HEARING**

- 4 Planning Commission Adoption of Resolution No. PC23-\_\_\_: A Resolution of the Planning Commission of the City of Suisun City Approving Site Plan/Architectural Review, Variance, Uniform Sign Program, and Modified Initial Study for a Tractor Supply Retail Store on a Vacant 3.17-acre Parcel Located East of Sunset Avenue, North of Highway 12, and West of Snow Drive (APN 0173-390-160) – (Wooden: awooden@suisun.com).
- 5 Planning Commission Adoption of Resolution No. PC23-\_\_\_: A Resolution of the Planning Commission of the City of Suisun City Recommending that the City Council Adopt a General Plan Amendment to Update the General Plan Housing Element for the Period of 2023-2031 and the General Plan Public Health and Safety Element – (Kearns: jkearns@suisun.com).

## **GENERAL BUSINESS NONE**

## **REPORTS: (Informational items only.)**

- 6
  - a. Commission Member
  - b. Commission Chairperson

## **ADJOURNMENT**

### **Public Access To Agenda Documents**

A complete packet of information containing staff reports and exhibits related to each item for the open session of this meeting, and provided to the City Council, are available for public review at least 72 hours prior to a Council /Agency/Authority Meeting at Suisun City Hall 701 Civic Center Blvd., Suisun City. Agenda related writings or documents provided to a majority of the Council/Board/Commissioners less than 72 hours prior to a Council/Agency/Authority meeting related to an agenda item for the open session of this meeting will be made available for public inspection during normal business hours. An agenda packet is also located at the entrance to

the Council Chambers during the meeting for public review. The city may charge photocopying charges for requested copies of such documents. To the extent feasible, the agenda packet is available for online public viewing on the City's website: [www.suisun.com/government/city-council/city-council](http://www.suisun.com/government/city-council/city-council)

The City Council/Agency/Authority hopes to conclude its public business by 10:00 p.m. No new items will be taken up after 10:00 p.m., unless so moved by a majority of the City Council, and any items remaining will be agendaized for the next meeting. The agendas have been prepared with the hope that all items scheduled will be discussed within the time allowed.

### **Accommodations**

If you require an accommodation to participate in this meeting, please contact the City Clerk at (707) 421-7302 or [clerk@suisun.com](mailto:clerk@suisun.com). The City's reasonable accommodation policy is available for review on the City's website at [www.suisun.com/government/city-council/](http://www.suisun.com/government/city-council/), you may request an electronic copy or have a copy mailed to you. Please note that for accommodations that are not readily available, you must make your request as soon as you can prior to the time of the meeting.

### **Decorum**

All participants are expected to conduct themselves with mutual respect. Conduct that disrupts meetings will be addressed in accordance with Section 54957.95 of the Government Code.

### **Ordinances**

Ordinances are city laws contained in the Suisun City Municipal Code. Enacting a new city law or changing an existing one is a two -step process. Government Code 36934 provides, except when, after reading the title, further reading is waived by regular motion adopted by majority vote all ordinances shall be read in full either at the time of introduction or passage; provided, however, that a reading of the title or ordinance shall not be required if the title is included on the published agenda and a copy of the full ordinance is made available to the public online and in print at the meeting prior to the introduction or passage.

### **Certification Of Posting**

Agendas are posted at least 72 hours in advance of regular meetings at Suisun City Hall, 701 Civic Center Boulevard, Suisun City, CA. Agendas may be posted at other Suisun City locations including:

- Suisun City Fire Station, 621 Pintail Drive, Suisun City, CA;
- Suisun City Senior Center, 318 Merganser Drive, Suisun City,
- CA; Joe Nelson Center, 611 Village Drive, Suisun City, CA;
- Harbor Master Office, 800 Kellogg Street, Suisun City, CA.

I, Bianca Vasquez, Administrative Assistant for the City of Suisun City, declare under penalty of perjury that the above agenda was posted and available for review, in compliance with the Brown Act.

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PLANNING COMMISSION  
 Anthony Adams, Chair  
 Albert Enault, Member  
 Vinay Tewari, Member  
 Jessie Pooni, Member  
 Angel Borja, Member



PLANNING COMMISSION  
 MEETING

**MINUTES**  
**SPECIAL MEETING OF THE SUISUN CITY**  
**PLANNING COMMISSION**  
**WEDNESDAY, NOVEMBER 30, 2022**  
**6:30 PM**

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**Suisun City Council Chambers - 701 Civic Center Boulevard - Suisun City, California**

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**NOTICE**

*Pursuant to Government Code Section 54953, subdivision (b), and in accordance with the provisions of SB 361 (2021), the following Planning Commission meeting includes teleconference participation by: Commissioners Angel Borja, Albert Enault, Jessie Pooni, Vinay Tewari and Chair Anthony Adams. Teleconference locations are on file at City Hall, 701 Civic Center Blvd., Suisun City, CA 94585.*

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*(If attending the meeting via phone press \*9 to raise your hand and \*6 to unmute/mute for public comment.)*

(Next Resolution No. PC 22-06)

**ROLL CALL**

Chairperson Adams called the meeting to order at 6:32 pm with the following Planning Commissioners present:

Present: Adams, Pooni, Tewari, Borja, Enault

Absent: None

Pledge of Allegiance led by Commissioner Enault.

Invocation led by Principal Planner Kearns.

**CONFLICT OF INTEREST NOTIFICATION - NONE**

*(Any items on this agenda that might be a conflict of interest to any Commissioners should be identified at this time).*

**REPORTS: (Informational items only.)**

## 1 City Manager/Staff

Development Services Director Bermudez reported that zoning amendments were brought forth in early November and continued to recalibrate the approach taken. It is intended to restart that process and move forward in January.

**PUBLIC COMMENTS - NONE**

*(Request by citizens to discuss any matter under our jurisdiction other than an item posted on this agenda per California Government Code §54954.3. Comments are limited to no more than 3 minutes unless allowable by the Chair. Speaker cards are available on the table near the entry of the meeting room and should be given to the Clerk. By law, no prolonged discussion or action may be taken on any item raised during the public comment period, although informational answers to questions may be given and matters may be referred for placement on a future agenda.)*

**CONSENT CALENDAR**

*Consent calendar items requiring little or no discussion may be acted upon with one motion.*

2 Planning Commission Approval of the Minutes of the Regular Meeting of the Suisun City Planning Commission held on October 25, 2022 - (Vasquez: [bvasquez@suisun.com](mailto:bvasquez@suisun.com)).

Motion by Commissioner Pooni to approve Consent Calendar and seconded by Chairperson Adams.

Motion passed by the following vote:

AYES: Pooni, Adams, Borja

ABSTAIN: Tewari, Enault

**PUBLIC HEARING**

- Commission Adoption of Resolution No. PC22-06: A Resolution of the Planning Commission of the City of Suisun City Approving Addition of 13,500 Square Feet of Portable Storage on Property Located at 621 Railroad Avenue, Assessor's Parcel Number 0037-090-060, (Exempt from California Environmental Quality Act per Section 15303, New Construction or Conversion of Small Structures) – (Kearns: [jkearns@suisun.com](mailto:jkearns@suisun.com)).

Principal Planner Kearns presented PowerPoint for the proposed project.

Chairperson Adams opened for any clarifying questions from the Commission.

Commissioner Enault asked a clarifying question on the setback being 20 feet along the rear property line.

Principal Planner Kearns answered, the Commercial Services and Fabricating (CSF) district has a specific setback for properties in that zone that back up or are adjacent to residential.

Commissioner Enault asked clarifying questions on the space and relocation of the site plan, the setback compared to the other surrounding buildings for the units along Railroad Ave.

Applicants Tony and Vince answered clarifying questions.

Chairperson Adams opened for Public Comments.

Steve Olry commented on the gas station in the middle of Jubilee Development, and asked what the financial impact on Suisun City is for the portable storages, if there was an obligation to curbing sidewalks, and if this is an increase in revenue for the City.

George Guynn commented on what kind of storage units are being developed, and asked if there would be heavy trucks or traffic going in and out causing damage to the roads, if there would be an effect on traffic and disruption to the neighborhood.

James Berg asked what the financial benefit of the portable storages would be, the effect on property values or taxes, does the City have a quota for the number of storage facilities in town, if the storage units would eventually need to be upgraded or made permanent, and sprinkler systems in the storage units.

Applicant Tony shared an overview of the intention of the project.

Chairperson Adams closed Public Hearing and opened up for discussion with commissioners.

Commissioner Tewari commented on the concern of the narrowness of the road.

Commissioner Pooni stated one of her biggest concerns is traffic.

Commissioner Enault commented on planting landscaping within easements, allowing trees within the public utilities by modifying the condition, adding landscape improvements for aesthetics to the frontage along Worley Road, and possibly relocating one or two of the units that are along Railroad Avenue.

Chairperson Adams commented that it is unclear what the visual of the portable storage units will be from the street, the proximity of the surrounding buildings and portable storage units is too close and the visual needs to be appealing to counteract the close proximity of steel next to each other. On the same tact with landscape comments, the questions brought up tonight will be gone through individually.

Chairperson Adams asked if there was any kind of fiscal impact analysis done on this project and if there was an impact fee.

Principal Planner Kearns answered that the primary revenue source is the annexation into the Community Facility Districts (CFD). This would offset the revenue to pay for Police, Fire, etc., as well as paying for other minimal taxes with business licenses

Chairperson Adams asked what type of things will be stored in the storage units and will there be heavy trucks going in or just normal storage that any family could go to.

Principal Planner Kearns answered that there will only be large trucks when the storage units come in, the storage units are relatively small in size, traffic is found to be minimal, and the hours people can go in and out of the project are controlled.

Chairperson Adams asked a clarifying question to the applicants regarding hours of operation.

The applicant answered the clarifying question.

Chairperson Adams asked if there was a traffic study done on this project and if there was a reason it did not necessitate a traffic study.

Principal Planner Kearns answered that there was not a traffic impact study done

Chairperson Adams asked the applicants if there was anything they could say regarding community impact with a storage unit and if there would be noise with trucks coming in and out.

The applicant answered the clarifying question.

Chairperson Adams clarified if the tax revenue being in the CFD is now tied to inflation and asked what the estimate was.

Principal Planner answered that was correct and the estimate was \$900 per thousand square ft.

Chairperson Adams asked if the Fire Department was aware that there are no sprinkler systems and if they were consulted on the design of the narrow roads.

Principal Planner Kearns answered that the Fire Department consulted with the design multiple times

Chairperson Adams opened up a discussion with commissioners for any recommendations or comments. Vice Chair Enault was addressed to explain what he meant by modifying the condition to allow trees in the utilities easements.

Commissioner Enault answered that on the landscape plan on sheets L1 along the project frontage on Railroad Avenue there are a number of trees that are further outside of that easement and based off of that condition then all of the trees would need to be removed.

Chairperson Adams asked if there were any gas lines in the easement currently and if trees would be taken down due to the road being paved there.

The applicant answered the commissioners' questions.

Chairperson Adams addressed the commissioners to talk about the change to the landscaping. Commissioner Tewari commented that it doesn't make sense to remove the trees and then put a road there and asked for clarification on the timeline on the expansion of Railroad Avenue.

Principal Planner Kearns answered that it is unclear of the timeline, the expansion of Railroad Avenue is going to be a policy decision.

Development Services Director Bermudez commented that ultimately what's going to happen with Railroad Avenue is a capital improvement project that would increase the size of Railroad Avenue

Chairperson Adams asked to have a consensus on modifying PW-20 to say no structures such as trees and building foundations shall be installed within easements unless approved by the Public Works Director.

Commissioner Enault recommended as part of the modification that the Development Services Director be included in that evaluation of landscaping and approval along with the PW Director.

Chairperson Adams asked for a consensus from commissioners.

Commissioner Tewari and Commissioner Pooni agreed to a consensus.

Chairperson Adams commented that Commissioner Enault recommended adding landscaping to improvements. This can be added in addition to the development conditions.

Commissioner Tewari commented that yes, it doesn't seem too costly for the developer and helps beautify the City as long as it's not a major landscaping project.

Commissioner Pooni and Commissioner Borja agreed with Commissioner Tewari.

Chairperson Adams proposed a vegetative screen with a 70% visual opacity.

Development Services Director Bermudez agreed they could work with that.

Chairperson Adams stated they will add a vegetative screen along Worley Road as a development condition.

Commissioner Borja stated that Commissioner Enault brought up the building closest to Railroad Avenue.

Chairperson Adams clarified that Commissioner Enault brought up the other storage unit in proximity to Railroad Avenue.

Commissioner Tewari asked if they could be straightened.

The applicant answered the questions from the commissioners.

Chairperson Adams stated the following changes:

- Modify condition PW-20 to say to add unless approved by PW Director and Development Services Director.
- Include a Development Provision to add landscaping along Worley Road sufficient to provide a visual screen subject to the Development Services Director approval.
- Change design slightly for the last two units on the very Northeast corner and straighten them out to be aligned with the rest to provide a larger setback.
- Strike original P-14 and adding new P-14 stating the project should include modification to ensure all applicable setbacks are met providing a required 20 ft. setback along the southern property line. This may require the relocation of some portable storage containers.

Commissioner Enault motioned to approve and seconded by Commissioner Tewari. Motion passed by the following vote:

AYES: Enault, Tewari, Borja, Pooni, Adams.

NOES: None

### **GENERAL BUSINESS NONE**

### **REPORTS: (Informational items only.)**

- 4 a. Commission Member
- b. Commission Chairperson

### **ADJOURNMENT**

There being no further business the meeting was adjourned at 7:56 pm.

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Bianca Vasquez  
Administrative Assistant II

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## Planning Commission Agenda Report

Meeting Date 02/28/2023

DATE: 02/28/2023  
 TO: PLANNING COMMISSION  
 FROM: APRIL WOODEN, SPECIAL PROJECTS  
 RE: TRACTOR SUPPLY RETAIL STORE

Files:  
 SPAR21/22-003  
 VAR21/22-001

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**SUMMARY**

The proposed project is a Tractor Supply Retail Store on a vacant 3.17-acre parcel adjacent to and east of Sunset Shopping Center, north of Highway 12, and west of Snow Drive (APN 0173-390-160). Previously, a Lot Line Adjustment (LLA) was approved for the site. The LLA adjusted the interior lot line between two parcels which comprise the 8.29-acre site: APN 0173-390-160 and APN 0173-390-180. The 3.17-acre parcel on which the proposed project would be located was created, leaving a remainder parcel of 5.12 acres. The entire 8.29-acre site is planned for an integrative development, Legacy Center, which would include commercial development of the 5.12-acre remainder parcel.

Tractor Supply Company is a farm and agricultural equipment supplier/retail supplier. The Project would involve the construction of the 22,135-square-foot retail center, including retail sales area of 15,557 square feet, pet wash area of 131 square feet, feed storage area of 3,335 square feet, 4,368-square-foot garden center, along with associated parking areas, landscaping, and utility improvements. Other outdoor display areas would include an approximately 1,920-square-foot trailer equipment display area. Other outdoor vehicles displayed may include utility vehicles, ATVs, minibikes, go-karts, and similar items.

The Project requires approval of:

- Site Plan/Architectural Review,
- Variance to increase fence height,
- Uniform Sign Program, and
- Modified Initial Study.

**Recommendation:** Planning staff recommends adoption of Resolution No. PC23-\_\_\_; A Resolution of the Planning Commission of the City of Suisun City Approving Site Plan/Architectural Review, Variance, Uniform Sign Program, and Modified Initial Study for a Tractor Supply Retail Store on a Vacant 3.17-acre Parcel Located East of Sunset Avenue, North of Highway 12, and West of Snow Drive (APN 0173-390-160).

**Proposed Motion:** I move that the Planning Commission adopt Resolution No. PC23-\_\_\_; A Resolution of the Planning Commission of the City of Suisun City Approving Site Plan/Architectural Review, Variance, Uniform Sign Program, and Modified Initial Study

for a Tractor Supply Retail Store on a Vacant 3.17-acre Parcel Located East of Sunset Avenue, North of Highway 12, and West of Snow Drive (APN 0173-390-160).

**OWNER/APPLICANT**

Sutter Retail Development/Yuba Investments E St., LP  
Kurt Hilbers, Hilbers Inc.  
770 N. Walton Avenue, Suite 100  
Yuba City, CA 95993

**BACKGROUND**

The site is located on a 3.17-acre site north of Highway 12, between Sunset Avenue and Snow Drive. Although identified as a significant commercial site, the property has remained vacant and undeveloped for decades. Prior to this meeting, the applicant submitted a Lot Line Adjustment application, which was reviewed by the City Engineer and processed by the Planning Division, approving the adjustment of a lot line between two parcels within the overall site of the integrated development. (Attachment 2.) Access is via the property access drive west of Snow Drive or from Sunset Avenue through a portion of the Sunset Shopping Center. The proposed Project would result in 89,289 square feet of impervious area post construction. Pervious site surfaces would include landscaped and garden areas such as tree wells and flow through planters.

Project grading activities would require approximately 272 cubic yards of cut and approximately 7,272 cubic yards of fill material (Exhibit 3.A.). The maximum depth of excavation for the proposed Project would be 5 feet, and no demolition debris is expected to be generated from the site preparation activities. The 272 cubic yards of cut material would be reused onsite, and as such, a net total of approximately 7,000 cubic yards of fill material would be imported.

The Project would involve the construction of the 22,135-square-foot retail center, including retail sales area of 15,557 square feet, pet wash area of 131 square feet, feed storage area of 3,335 square feet, 4,368-square-foot garden center, along with associated parking areas, landscaping, and utility improvements. Other outdoor display areas would include an approximately 1,920-square-foot trailer equipment display area. Other outdoor vehicles displayed may include utility vehicles, ATVs, minibikes, go-karts, and similar items.

In addition to the project construction, Public Works conditions of approval PW-41, 42, 47, and 54 require additional improvements. These include:

- Accessible on-site sidewalk connections to all existing buildings with the Sunset Shopping Center, including a concrete sidewalk connection along the south side of the empty parcels located immediately west of the Tractor Supply project site, including onsite street lighting;
- Accessible 5-foot-wide sidewalk from the Central County Bikeway to the on-site parking lot;
- Resurfacing the pavement located at the following locations: a) Between the two gas stations located immediately west of the Tractor Supply project site, and b) Along the south side of the empty parcels;
- Upgraded fencing around Parcel B of the integrated development; and



- An upgraded guardrail at the northwest corner of Parcel B to the latest Caltrans standard guardrail.

The parking area provides 94 spaces, including four ADA spaces, 8 clean air/vanpool spaces, and 5 EV charging stalls. In addition, four bicycle racks are provided. The Project hours of operation would be standard retail hours, seven days per week between the hours of 8 AM and 9 PM. Operation of the Project would require 10 to 12 employees at any one time, with the number of customers anticipated to be usually not more than 25 at a time.

Outdoor vehicles sold at the retail center would include different types of utility vehicles, ATVs, minibikes, and go-karts. Minor odors from the storage and use of fertilizers are anticipated resulting from Project operation. Noise generated from the Project operation would only include typical retail noise from customer vehicles. Operation of the Project would involve the use and storage of small amounts of hydraulic fluid and vehicle oil. Truck deliveries required for Project operation would typically only occur once or twice a week, with a delivery duration of approximately 45 minutes each. Truck deliveries would occur in the loading/unloading area located along the east-facing side of the building and would typically arrive between the hours of 8 AM and 9 PM.

The site is designated Commercial Mixed Use (CMU) in the Suisun City 2035 General Plan and is also zoned CMU. The General Plan describes sites designated as CMU as appropriate for retail and service commercial operations, as well as other uses. The CMU zoning district is consistent with the mixed use land use designation in the general plan. The CMU zoning district is applicable to parcels where a variety of commercial uses are desired as the primary use, with residential uses permitted as a secondary use; however, residential uses are not required.

A required Good Neighbor public meeting was hosted by the applicant on Wednesday, August 3, 2022 and was well-attended by the public. Surrounding property owners were sent notice of the meeting by first class mail. The Good Neighbor meeting notice and agenda, along with information about the project, were also posted on the Suisun City website.

Planning Commission meeting notices to affected property owners were sent by first class mail on February 10, 2023 and the public hearing notice was published in the Daily Republic on February 13, 2023. As of the date of this staff report, no additional inquiries regarding this item had been received by City Staff.

## **DISCUSSION/ANALYSIS**

The decisions of the planning commission (commission) regarding site plan/architectural review, fence height variance, and uniform sign program for the proposed project should be considered in the context of the City's Strategic Plan. Goal 2. of the strategic plan includes these objectives:

- Promote sustainable economic growth by attracting small and medium-sized businesses and creating jobs.
- Determine the economic viability of specific land uses.
- Be business friendly and provide excellent customer service.
- Perform a detailed inventory of underutilized land in the city and develop a plan to activate the property over a ten-year period.

The development of the parcel under consideration, which been vacant for decades, will significantly address these objectives by attracting a business and creating jobs on an undeveloped parcel. Staff and the Planning Commission are tasked with implementing the Strategic Plan goals and objectives. Staff has determined that approval of the proposed project will be responsive to this charge.

The proposed project has been analyzed for consistency with the General Plan designation, zoning district, Municipal Code regulations, and other applicable codes and regulations. All City departments, as well as Suisun-Solano Water Authority (SSWA) and Fairfield-Suisun Sewer District (FSSD), have reviewed the project and provided staff with conditions of approval required by those departments/agencies.

#### Site Plan/Architectural Review

As shown on the Exhibit 3.B., Expanded Site Plan, the project is oriented with the front of the store facing west, toward the Sunset Avenue and other businesses located in the center. The 94-space parking area is located immediately west of the front of the store. The rear of the store faces east toward the wall which will separate the project from the adjacent residential dwellings. The garden center is located on the south side of the retail store. The free-standing forage shed and outdoor display area are located on the southern portion of the site, south of the access road that runs between the store and the forage shed area, providing access to the rear of the store for deliveries. Fire access to the rear of the structure is also provided via this access way (Exhibit 3.C.).

For approval of Site Plan and Architectural Review, the commission must find that the proposed project complies with all development standards, other relevant city standards, and the uses and activities permitted in the zoning district. Upon application, as required by the zoning code, staff reviewed siting of structures; protection of other properties from nuisance; design and location of parking facilities; control of ingress and egress to minimize traffic hazards and ensure safety of pedestrians and bicyclists; landscaping; building elevations showing design, height, and function of proposed structures; proposed signage; and exterior lighting.

As defined in the zoning code, the commercial mixed use (CMU) zoning district is applicable to parcels where a variety of commercial uses are desired as the primary use, with residential uses permitted as a secondary use. The purpose of the commercial mixed use (CMU) zoning district is to allow a mix of land uses that may include commercial retail, service, or office and housing to support a variety of uses that effectively respond to changes in the market and promote economic vitality. The CMU zoning district is intended to be comprised of predominantly retail or service uses, in combination with other secondary and complementary uses (i.e., residential, office, or civic uses). The uses of “Building materials, garden supplies < 40,000 square feet”; “Farm equipment and supplies”; and “Retail store 5,000 – 40,000 square feet” are all permitted uses in the CMU zoning district.

The minimum area per commercial development is 2,500 square feet, and the minimum size of commercial/retail tenant space is 2,500 square feet of gross leasable area. Maximum size of commercial/retail tenant space is 40,000 square feet gross leasable area. The proposed project is 3.17 acres and include 22,135-square feet of retail; consequently, it is consistent with these

development standards. Maximum lot coverage in the CMU zoning district is 100%, so the project falls well within that standard. The 3.27-acre site is significantly larger than the minimum lot area of 2,500 square feet, the minimum lot width of 40 feet, and the minimum lot depth of 60 feet. The front elevation (main store entrance) 171 feet from the western property line. The north side of the store is 78.5 feet from the north property line. The east side of the store is 40' from the wall separating the project from the adjacent residential dwellings. The southern-most portion of the store (southern wall of the feed center) is 171 feet from the southern property line. The southern-most corner of the free-standing forage shed is 50 feet from the southern property line.

The following site design requirements (with staff responses) are applicable to commercial mixed use development:

- Access drives on local streets that connect with nearby major streets shall reduce curb cuts on major streets to ensure safe vehicular access.
  - No new access drives are proposed on local streets.
- In commercial centers with internal traffic circulation routes and parking areas, pedestrian routes must be clearly marked with paving treatments and signage.
  - Pedestrian routes within the site are clearly identified, directional signage is proposed, and the requirement is included in proposed project conditions of approval.
- Street trees shall be planted in landscape strips or tree wells along drive aisles and pedestrian walkways and in parking areas.
  - The attached landscape plan (Exhibit 3.F.) demonstrates compliance with this requirement.
- Pedestrian amenities (street trees, sidewalks, and benches) shall be included along pedestrian walkways along building storefronts.
  - Pedestrian amenities are required.
- A five-foot clear, unobstructed pedestrian path must be provided and maintained along the building storefronts for pedestrian access.
  - A five-foot clear, unobstructed pedestrian path along the storefront is required.
- Pedestrian connections to nearby uses and adjacent neighborhoods must be provided on tentative parcel maps and/or site plans.
  - Connectivity within the commercial area is shown on the site plan. In addition, the project connects the project to the surrounding neighborhood through both sidewalks and the Central County Bikeway, located along the project's southern boundary.
- Commercial mixed use development is encouraged to be provided adjacent to transit. Transit stops, located within a CMU development, are preferred, but where transit is located outside of the development, nearby wayfinding signage shall be provided that clearly displays the location of transit stops.
  - This site design standard was approved prior to the City changing to "micro-transit service". Rather than running a fixed route with a large bus, the City's micro-transit service provides a more personalized door-to-door service. The micro-transit service offers pick-up and drop-off to any location within the City limits, as well as to and from nine locations in Fairfield. The smaller micro-transit buses are ADA accessible and more efficient to operate and maintain, compared

to a fixed-route bus service. Consequently, providing transit stops and wayfinding signage is not necessary.

- Parking reductions, less than the total of the various uses, may be requested, based on the Urban Land Institute's Shared Parking Second Edition (2006) or another shared parking resource approved by the development services director. On-street parking may be included in parking calculations.
  - This site design standard is not required but may be requested. If it would be appropriate in the future, it may be considered at the time of development of the remainder of the integrated development.
- An approved parking plan must be completed before a certificate of occupancy can be issued for a CMU project.
  - Approval of the parking plan is a part of the commission's site plan/architectural approval.
- Parking for nonresidential uses shall not exceed three per 1,000 square feet of gross leasable floor area.
  - Although the number of parking spaces exceeds this standard, since the site is part of an integrated development, it will provide parking for uses on the additional 5.12 acres yet to be developed. Consistency with this standard will be determined during review of future development.

#### Fence Height Variance

The applicant has submitted a variance application requesting an increase fence height to 16' for fencing around the outdoor display area located south of the east/west access road. Zoning Code Table 18.34.01 *Height Limits by Zoning District* sets out the standards for fencing. In the CMU zoning district, standards for Commercial Retail (CR) apply. These standards limit the height of fences for storage yards to a maximum of 8 feet. In support of the application, and as required by the variance application instructions, applicant submitted a written statement (Attachment 5.) explaining the special circumstances they contend apply to the site which deprives it of privileges enjoyed by other properties in the vicinity with the same zoning. Among their contentions were statements regarding the "High Rack Storage System". Staff reviewed other commercially-zoned sites to determine whether a 16-foot fence had been constructed. This review found that Walmart's 12-foot fence seems to be the highest constructed in a commercial area. Consequently, the Walmart project fence was determined to be the most comparable.

California statute requires that the commission make findings that the subject property is deprived of privileges enjoyed by other similar properties. The City's zoning code requires that the Planning Commission make specific findings of hardship before approving a variance. These findings are:

1. Because of special circumstances applicable to the specific property in question, including size, shape, topography, location, or surroundings, the strict application of Municipal Code Title 18 would deprive the property of privileges enjoyed by other properties in the vicinity and under identical zone classification.
2. The variance granted does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and within the zoning district within which the subject property is situated.

While both the Walmart site and the site of the proposed project are zoned for commercial development, the proposed project site is zoned CMU while the Walmart site is zoned CR. However, applicable standards for fences in the CMU district are those applicable in the CR district. For that reason, staff believes that the applicant would be deprived of privileges enjoyed by other commercial properties. Although the zoning districts are different, the standards are identical. Staff believes that the intent of the municipal code would be met by permitting the applicant to construct a fence of the same height as that permitted for the Walmart project. Consequently, staff recommends approval of a variance in fence height to 12 feet.

However, the fence proposed by the applicant is a vinyl-clad chain link fence. Chain link fencing is not permitted in any zoning district (Table 18. Note 1). Walmart used tubular metal fencing. Wood and wire fencing would also be appropriate. Consequently, the project is conditioned on the applicant submitting a different fence material for approval by the Development Services Director (or his designee), prior to installation.

#### Uniform Sign Program

The 3.17-acre parcel proposed for Tractor Supply Retail Store development is part of an 8.29-acre integrated development intended for additional commercial development over time. The zoning code requires the preparation and approval of a uniform sign program (USP) for all integrated developments. The USP (Attachment 4.) addresses not only signage for the Tractor Supply Retail Store, but also sets out standards and processes for approval and maintenance of signage for future businesses on these parcels. The USP includes specifics for the proposed pylon sign, monument signs, and building-attached wall signage for Tractor Supply, while providing standards to insure consistency in future signage within the integrated development. Permitted signs for this project are regulated by Zoning Code Chapter 18.44 *Signs (Commercial)*. The appropriate signage for this project should also be considered in the context of the City's Strategic Plan goals and objectives, set forth above.

The project's USP, page 5, provides a site plan setting out the locations of all proposed signs for the project which include one freestanding pylon sign and two directional signs to identify the variety of businesses anticipated in the future integrated development, as well as four freestanding monument signs and three building-attached wall signs to identify the proposed Tractor Supply Retail Store. Sign depictions are included as follows:

- Pylon sign, page 9
- Monument signs, page 10
- Directional signs, page 11
- Wall signs, page 12

Pursuant to Chapter 18.44.040 B. of the zoning code, a unified sign program is required for integrated developments. The intent of the uniform sign program requirement is to allow the integration of a project's signs with the design of the structures to achieve a unified architectural statement and to approve common sign regulations for multi-tenant projects, as well as to permit deviations from the strict application of the code in order to contribute to the character and vitality of the project. The USP (Attachment 4.) includes information regarding proposed project signage.

The Planning Commission must make the following findings in approving the uniform sign program:

1. The proposed uniform sign program is consistent with the objectives of the general plan.
2. The proposed uniform sign program is consistent with all adopted specific plans, master plans, and design guidelines applicable to the project.
3. The proposed uniform sign program establishes a unified design theme for all permanent building-attached and freestanding signs within the project.
4. The proposed deviations from the sign standards of this chapter contribute to the character and vitality of the project and do not negatively impact surrounding properties.

Staff has reviewed the proposed USP and has determined that it is consistent with the City's sign standards and regulations regarding size, placement, and design. It also provides the required process for achieving consistency throughout the integrated development in the future through approval, maintenance, and prohibition of signage. Staff recommends that the commission adopt the findings above for the USP.

#### Plans Provided

Attachment 3., below, includes copies of the latest site plan, fire access plan, exterior elevations, floor plan, and landscaping plan for review by the Planning Commission. Staff has determined that the proposed plans conform to all relevant city standards and result in a site design that is both functional and suitable for its location. The plans have been reviewed by all necessary city departments, as well as by the Fairfield-Suisun Sewer District (FSSD) and the Suisun-Solano Water Authority (SSWA). Conditions of approval, Attachment 1. of the Resolution, required by departments and agencies are provided for commission review. Staff recommends that implementation of all proposed conditions of approval be required as a part of commission approval of the project.

#### Action

Subsequent to Planning Commission approval of the Modified Initial Study, staff is required to file a Notice of Determination (NOD) with the County Clerk within 5 days of approval.

#### Planning Commission Options

The Planning Commission has the following options available:

- Approve the project as submitted;
- Approve the project with modifications;
- Deny the project;
- Continue the item for further discussion.

Regardless of the option which the commission approves, it must be supported by appropriate findings.

#### Next Steps

At the applicant's risk, civil, grading, and building plans have been submitted for staff review. The applicant is prepared to move forward with grading as soon as March if approval is granted. Construction would then follow.



## **CEQA REVIEW**

Consistent with CEQA Guidelines, a Modified Initial Study (MIS) has been prepared to identify and assess potential environmental impacts of the proposed Project. The document can be found at <https://www.suisun.com/departments/development-services/planning/>. This document relies, in part, on the City of Suisun City 2035 General Plan approved by the Suisun City Council on October 9, 2014, and its accompanying Environmental Impact Report (EIR) (SCH#2011102046), also certified on October 9, 2014 (AECOM). As documented in the MIS, since the certification of the City's General Plan EIR, there have been no significant changes in the physical environment that could result in a new or substantially increased impact related to the proposed Project.

### Applicable CEQA Guidelines

The Modified Initial Study (MIS) has been prepared to satisfy the California Environmental Quality Act (CEQA), (Public Resources Code [PRC], Section 21000 et seq.) and the State CEQA Guidelines (14 California Code of Regulation [CCR] 15000 et seq.). CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects. The environmental analysis in the MIS relies on Sections 15162, 15168, and 15183 of the CEQA Guidelines, which govern program EIRs and projects consistent with a general plan or community plan.

Under Section 15183 of the CEQA Guidelines, where a project is consistent with the use and density established for a property under an existing general plan or zoning ordinance for which the city has already certified an EIR, no additional environmental review is required "except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site."

If these requirements are met, the examination of environmental effects is limited to those which the agency determines, in an initial study or other analysis:

- 1) Are peculiar to the project or the parcel on which the project would be located,
- 2) Were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent,
- 3) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or
- 4) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR. (CEQA Guidelines Section 15183(b)).

Under these sections, the program EIR, in this case the City's 2035 General Plan EIR (General Plan EIR), serves as a basis for the MIS to determine if project-specific impacts would occur that are not adequately covered in the previously certified EIR.

### Modified Initial Study

The Modified Initial Study is a public document used by the City to determine whether the proposed Project may have a significant effect on the environment. If the City finds substantial evidence that any aspect of the proposed Project, either individually or cumulatively, may have a significant effect on the environment, regardless of whether the overall effect of the proposed Project is adverse or beneficial, the City is required to prepare an EIR. Where the City determines that these impacts may be significant while others would not be significant or can clearly be mitigated to less than significant levels through mitigation measures to which the Project proponent has agreed, the City may prepare an EIR focused on the potentially significant impacts. Under this last approach, the City may use an Initial Study to satisfy the requirements of CEQA Guidelines Section 15168(c)(4) and Section 15128.

### Senate Bill 18

Senate Bill 18 requires that the City, as the CEQA lead agency, consult with appropriate tribes that have ancestral connections to the region prior to the adoption of any amendment to a general or specific plan for the purpose of preserving or mitigating potential impacts to cultural places within the local government's jurisdiction. The lead agency is required to contact the NAHC for a list of tribes, groups, or individuals who are recognized as having a cultural connection to the proposed Project site. The lead agency must notify the tribes and invite them to consult. Tribes are given a 90 period to respond to the agency's request.

### Assembly Bill 52

The legislature added requirements regarding Tribal Cultural Resources (TCRs) for CEQA in AB 52 which require consultation with California Native American tribes and consideration of TCRs in the CEQA process. To help determine whether a project may have an effect, a lead agency must notify and consult with any California Native American tribe that requests consultation. The purpose of the consultation is to determine if TCRs are present or may be impacted by a proposed project. TCRs are defined as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either included or determined to be eligible for inclusion in the California Register of Historical Resources (California Register) or included in a local register of historical resources, or a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant. A cultural landscape that meets these criteria is a TCR to the extent that the landscape is geographically defined in terms of the size and scope of the landscape. Historical resources, unique archaeological resources, or non-unique archaeological resources may also be TCRs if they meet these criteria.

In response to the City's required outreach, two Native American groups requested consultation with the City. Representatives for the Confederated Villages of the Lisjan Nation agreed that the General Plan requirements included in Program OSC-5.1 would be sufficient to address their potential concerns. Representatives for the Yocha Dehe Wintun Nation requested the execution of a monitoring agreement and also provided a treatment protocol that they requested to be included as a condition of approval of the Project. Staff supported these requests, which would be required/executed at the discretion of the City. (See Chapter 3.18 of the MIS for additional information.)



### Conclusions

The proposed Project's land use and development assumptions are consistent with the City's General Plan. Therefore, the Lead Agency (City of Suisun City or City) is not required to examine environmental impacts that have already been adequately evaluated in the previously certified General Plan EIR if the Project would not lead to new or substantially greater environmental impacts, or to a significant impact that is peculiar to the Project or to the Project site. The MIS determined that the proposed Project would not result in significant impacts to any of the environmental topics analyzed. Compliance with General Plan provisions would be required; however, no mitigation measures are included in the General Plan EIR, and none are warranted for the proposed Project.

Regarding MIS Chapter 3.18, Tribal Cultural Resources, staff supports the request of the Yocha Dehe Wintun Nation to include both a treatment protocol and the execution of a monitoring agreement as conditions of approval of the project. (Attachments 2. and 3., respectively, to the Resolution)

The MIS for the proposed Project determined that it would incrementally contribute to cumulative impacts in combination with other projects occurring within the City. However, all reasonably foreseeable future development in the City would be subject to environmental review and regulations similar to the proposed project. Furthermore, all non-state-owned development projects are guided by the policies identified in the General Plan and by the regulations established in the City Municipal Code. Compliance with policies and actions identified in the General Plan, as well as compliance with applicable land use and environmental regulations, would ensure that environmental effects associated with the proposed Project do not combine with effects from reasonably foreseeable future development in the Planning Area to cause cumulatively considerable significant impacts. Therefore, the proposed Project would not have cumulatively considerable contributions to existing cumulative impacts resulting in a less-than-significant impact. Cumulative impacts were adequately addressed in the General Plan EIR, and the criteria for requiring further CEQA review are not met.

### **ATTACHMENTS**

1. PC23-\_\_\_: A Resolution of the Planning Commission of the City of Suisun City Approving Site Plan/Architectural Review, Variance, Uniform Sign Program, and Modified Initial Study for a Tractor Supply Retail Store on a Vacant 3.17-acre Parcel Located East of Sunset Avenue, North of Highway 12, and West of Snow Drive (APN 0173-390-160).
  - Attachment 1. Conditions of Approval
  - Attachment 2. Yocha Dehe Wintun Nation Treatment Protocol
  - Attachment 3. Yocha Dehe Wintun Nation Standard Monitoring Agreement
2. Parcel map
3. Project Plans (Identified by Plan Sheet number)
  - Exhibit 3.A: Grading Plan
  - Exhibit 3.B: Expanded Site Plan
  - Exhibit 3.C: Fire Access Plan
  - Exhibit 3.D: Exterior Elevations
  - Exhibit 3.E: Floor Plan
  - Exhibit 3.F: Landscaping Plan

4. Uniform Sign Program
5. Variance Application Written Statement
6. PowerPoint Presentation
7. Modified Initial Study: [https://www.suisun.com/wp-content/files/Tractor\\_Supply\\_ModIS\\_wAppx\\_02082023.pdf](https://www.suisun.com/wp-content/files/Tractor_Supply_ModIS_wAppx_02082023.pdf)

**RESOLUTION NO. 2023-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SUISUN  
CITY APPROVING SITE PLAN/ARCHITECTURAL REVIEW, VARIANCE,  
UNIFORM SIGN PROGRAM, AND MODIFIED INITIAL STUDY FOR A TRACTOR  
SUPPLY RETAIL STORE ON A VACANT 3.17-ACRE PARCEL LOCATED EAST OF  
SUNSET AVENUE, NORTH OF HIGHWAY 12, AND WEST OF SNOW DRIVE (APN  
0173-390-160)**

**WHEREAS**, the Planning Commission held a public hearing on Tuesday, February 28, 2023, and took public comment; and

**WHEREAS**, notices for the public hearing were published in the Daily Republic on February 13, 2023 for the Planning Commission public hearing, and notices were mailed to individual property owners within 600 feet on February 13, 2023; and

**WHEREAS**, the Planning Commission made findings approving Site Plan/Architectural Review Application (SP/AR21/22-003) and Variance Application (VA21/22-001); and

**WHEREAS**, the Planning Commission approved a Uniform Sign Program for both the proposed project and the integrated development of which it is a part; and

**WHEREAS**, a Modified Initial Study has been prepared in accordance with California State law, including the California Environmental Quality Act (CEQA), and has been approved by the Planning Commission; and

**WHEREAS**, the Planning Commission hereby makes the following findings:

1. That the proposed project is consistent with the Goals, Policies, and Objectives of the Suisun City General Plan 2035.
2. That the proposed project is consistent with the Goals, Policies, and Objectives of Title 18 "Zoning" of the Suisun City Municipal Code including meeting all applicable development standards.
3. That the proposed project will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the proposed use, not detrimental to properties or improvements in the vicinity, or to the general welfare of the City.
4. A Modified Initial Study has been determined to be the appropriate environmental document for the project and has been prepared in accordance with California state law, including the California Environmental Quality Act (CEQA).
5. That the establishment, maintenance, or operation of a use or building applied for are in conformity to the general plan with regard to circulation, population densities and distribution, design, and/or other aspects of the general plan considered by the development services director to be pertinent.
6. That adequate utilities, access roads, pedestrian and bicycle access, drainage, parking, landscaping, and/or other necessary facilities have been or are being provided.
7. That the applicant exhibits proof that such will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the health, safety, peace,

- morals, comfort, or general welfare of persons residing or working in or passing through the vicinity of such proposed use, or be detrimental or injurious to property and improvements in the vicinity, or to the general welfare of the city, provided that if any proposed building or use is necessary for the public health, safety, or general welfare the findings shall be to that effect.
8. That the proposed use conforms with all relevant federal, state, and local laws and regulations.
  9. That because of special circumstances applicable to the specific property in question, including size, shape, topography, location, or surroundings, the strict application of Municipal Code Title 18 would deprive the property of privileges enjoyed by other properties in the vicinity and under identical zone classification.
  10. The variance granted does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and within the zoning district within which the subject property is situated.
  11. The proposed uniform sign program is consistent with the objectives of the general plan.
  12. The proposed uniform sign program is consistent with all adopted specific plans, master plans, and design guidelines applicable to the project.
  13. The proposed uniform sign program establishes a unified design theme for all permanent building-attached and freestanding signs within the project.
  14. The proposed deviations from the sign standards of this chapter contribute to the character and vitality of the project and do not negatively impact surrounding properties.

**Now, therefore, Be It Resolved** that the Planning Commission of the City of Suisun City hereby approves the Site Plan/Architectural Review Application and Variance Application, the Uniform Sign Program, and the Modified Initial Study, subject to Attachment 1., attached hereto and by this reference incorporated herein.

The foregoing motion was made by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_ and carried by the following vote:

AYES:           Commissioner(s):  
NOES:           Commissioner(s):  
ABSENT:       Commissioner(s):  
ABSTAIN:       Commissioner(s):

**WITNESS** my hand and the seal of the City of Suisun City this \_\_\_\_ day of \_\_\_\_\_, 2023.

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Donna Pock  
Commission Secretary

Exhibit A  
Conditions of Approval

GENERAL

- G-1 The Developer shall indemnify, defend, and hold harmless the City of Suisun City, including its agents, employees, and officers in accordance with the indemnification provisions of the Agreement.
- G-2 The use shall be constructed and operated in accordance with the information presented, except as otherwise identified in these Conditions of Approval (COA), and shall conform to all requirements of the Suisun City Municipal Code (SCMC), including but not limited to the Uniform Building Code, as adopted by SCMC Title 15, and the Zoning Code, as adopted by SCMC Title 18.
- G-3 Approval of the entitlements will be effective, provided no appeals are received within 14 days of February 28, 2023, and that Developer's signatures are obtained affirming that they have read and understand the COAs for the entitlements and agree to comply with all conditions.
- G-4 The Developer shall comply with applicable federal, state, and local codes including, but not limited to, the Zoning Code, Uniform Building Code, and Fire Code.
- G-5 All proposed improvements, including landscape installation, shall be completed prior to issuance of any business license or Certificate of Occupancy.

PLANNING

- P-1 The use shall operate consistently with all facets of operations as proposed by the applicant, including hours of operation, types of business activities, and approved site layout.
- P-2 A sign permit application and a building permit application shall be submitted to and approved by the Development Services Department.
- P-3 The final color scheme shall be approved by the Development Services Director (or his/her designee).
- P-4 Final plans, responding to any comments raised at the February 28<sup>th</sup> Planning Commission meeting, must be submitted to and approved by the Development Services Director (or his/her designee).
- P-5 A photometric/lighting plan shall be submitted and approved by the Development Services Director (or his/her designee) prior to building permit issuance.
- P-6 All exterior lighting shall be downcast.

- P-7 Construction of the project and use of the property shall be in substantial conformance with the approved plans including the project description. Any deviation must be submitted for review by the Development Services Director (or his/her designee) to determine whether further Planning Commission consideration is required.
- P-8 All proposed fencing material shall be submitted to the Development Services Director (or his/her designee) for approval prior to installation.
- P-9 All landscaping shall be in conformance with the landscaping plan as approved by the Planning Commission.
- P-10 All work shall be subject to the Yocha Dehe Treatment Protocol for Handling Human Remains and Cultural Items Affiliated with the Yocha Dehe Wintun Nation.
- P-11 Prior to issuance of a building permit, the Standard Monitoring Agreement Between Yocha Dehe Wintun Nation and the Contractor shall be executed.

#### PUBLIC WORKS

- PW-1 All work performed shall conform to these conditions as well as to all City ordinances, rules, standard specifications and details, design standards, and any special requirements imposed by the City Engineer. The Public Works Department will provide inspection to ensure conformance. Any deviation from the aforementioned documents shall require review and written approval by the City Engineer. Deviations or exceptions to the design requirements in the listed documents for private improvements must be identified in the design guidelines, or submitted to the City Engineer for approval.
- PW-2 The Applicant shall agree, with respect to the new public improvements on this project, to either establish a community facilities district (CFD) or annex such property to an existing community facilities district, as deemed appropriate by the Applicant and the City, for the purpose of financing the cost of providing the following public services to the project property(ies): police services, fire services, paramedical services, services for the maintenance of parks, open space (landscaping), and storm drain. The rate and method of apportionment of special tax applicable to the property shall establish a special tax designed to offset public services per City Council Resolution 2005-70. The City shall not be obligated to issue certificates of occupancy with respect to the property until formation of the new community facilities district or annexation to an existing community facilities district is completed.
- PW-3 The City Engineer may approve and/or negotiate minor changes or exceptions to Public Works Department conditions of approval.
- PW-4 The Applicant shall designate a design professional as the main point of contact in submitting plans, reports and other documents to the City during the design and plan review phase. Submittals from any other person will not be accepted by the City.
- PW-5 The Improvement Plans shall include a General Note that: any revisions to the approved Improvement Plans and/or City Standards, including those due to field conditions, shall

require review and written approval by the City Engineer. The Applicant shall have the revised plans prepared by the Project Professional Designer and shall have the revised plans submitted for review and approval by the City Engineer. Any revisions to the Improvement Plans resulting from these or other conditions contained herein shall be subject to written approval of the City Engineer.

- PW-6 The Improvement Plans shall include a Site Improvement Plan prepared by a registered Civil Engineer and shall comply with the requirements of the soils report for the project.
- PW-7 The Improvement Plans shall include and demonstrate successful turning movements for all City fire trucks and commercial trucks.
- PW-8 Building foundations shall comply with Suisun City's Ordinance No. 729 and the most current Building Code.
- PW-9 The Applicant shall pay all Public Works fees, including plan review and inspection fees, as established by the City Public Works Fee Schedule at the time of submittal of Improvement Plans.
- PW-10 The Applicant shall pay Suisun-Solano Water Authority (SSWA) plan check and inspection fees within 30 calendar days upon receipt of invoice from the Solano Irrigation District (SID). The invoice will be for actual expenses incurred by SSWA for providing plan checking and inspection services for the project.
- PW-11 Developer shall submit his Faithful Performance Bond and Labor & Materials Bond prior to the approval of Improvement Plans. Developer shall submit his One-Year Warranty Bond prior to the City's acceptance of the improvements. The amounts of the Faithful Performance Bond and Labor & Materials Bond shall each be 100% the cost estimate of the civil and landscape improvements, while the amount of the One-Year Warranty Bond shall be 20% of the cost estimate of the civil and landscape improvements.
- PW-12 The Applicant shall obtain all necessary permits from all applicable agencies prior to start of construction.
- PW-13 The Applicant shall dedicate any required right-of-way by Final Map or approved instrument prior to start of construction.
- PW-14 The Applicant shall dedicate, as required, on-site easements for any new public utilities by Final Map or approved instrument prior to start of construction.
- PW-15 If not already existing, the Applicant shall dedicate a ten-foot (10') minimum utility service easements along the south side of the empty parcels located west of the Tractor Supply project site by Final map or approved instrument prior to construction.
- PW-16 Dumpsters for use during construction shall be dumpsters supplied by Republic Services. This is pursuant to the agreement between the City and Republic Services for all areas within Suisun City. Dumpsters shall be screened from public view by a City-approved method and shall be covered at all times after work hours.
- PW-17 All work within the public right-of-way, which is to be performed by the Applicant, the general contractor, and all subcontractors shall be included within a single City Encroachment Permit issued by the City Public Works Department. Issuance of the

Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.

- PW-18 The Applicant shall have a superintendent present at all times at the job site. Superintendent shall provide the quality control for the Applicant; respond to the City's concerns; coordinate inspections with the City Inspector; make construction decisions on behalf of the Applicant; and coordinate work of the Applicant's subcontractors.
- PW-19 A sign shall be posted on the property in a manner consistent with the public hearing sign requirements, which shall identify the address and phone number of the Applicant and/or Applicant's representative for the purposes of responding to questions and complaints during the construction period. Said sign shall also indicate the hours of permissible construction work.
- PW-20 Prior to start of construction, a security fence, the height of which shall be the maximum permitted by the Zoning Ordinance, shall be installed and maintained around the perimeter of the lot. The lot shall be kept clear of all trash, weeds, and unusable construction material throughout the construction activity.
- PW-21 Unless otherwise approved by the City Engineer, all existing sidewalks shall be kept clear and passable during all phases of the project.
- PW-22 Any existing wells shall be abandoned per County of Solano Health Department standards prior to development of the property. Owner shall submit documentation to the Public Works Director that this condition has been satisfied prior to any construction on this project.
- PW-23 If any archaeological resources are found during the grading of the site or during performance of any work, work shall be halted, the City Engineer shall be notified and a certified archaeological firm shall be consulted for advice at Applicant's expense.
- PW-24 Any relocation or modification of any existing facilities necessary to accommodate subject project shall be at the Applicant's expense. It shall be the responsibility of the Applicant to coordinate all necessary utility relocations with the appropriate utility company.
- PW-25 Any existing frontage, or street, improvements, which in the opinion of the City Engineer, are currently damaged or become damaged as a part of the work shall be removed and replaced as required to the current City Standards, or as directed. Prior to start of construction, Developer shall perform a walk-through with the Public Works Department staff and take date-stamped photos of existing conditions.
- PW-26 Visual obstructions over three feet in height will not be allowed within the driver's sight triangle near driveways and corners in order to allow an unobstructed view of oncoming traffic. Improvements at driveways and corners are subject to the review and approval of the City Engineer.
- PW-27 The project shall comply with the requirements of the most current Municipal Regional Permit (MRP) issued to the Fairfield-Suisun Urban Runoff Management Program and to the City's Stormwater C.3 Guidebook. This includes, but is not limited to, construction and post-construction Best Management Practices (BMPS); obtaining all necessary permits



for storm water discharges; entering into a Stormwater Treatment Measures Maintenance Agreement (attached); preparing a long-term maintenance plan for the Applicant's maintenance of the post-construction stormwater facilities; and contracting with a Qualified SWPPP Practitioner (QSP) to inspect and to ensure the implementation of all elements of the Storm Water Pollution Prevention Plan (SWPPP), including non-stormwater and stormwater visual observations, sampling, and analysis and preparation of Rain Event Action Plans (REAP). As part of the improvement plans, the ponding depths, pipe sizing, time of release, and storage for the bioretention facilities shall be calculated. The project shall not introduce any ponding nuisance and shall eliminate the possibility of flooding in the bioretention facilities.

- PW-28 The proposed trash enclosures are to comply with Detail SW-3 of the City's Stormwater C.3 Guidebook. Additionally, trash enclosures serving food service facilities, the drain shall be connected to a properly sized grease removal device and/or treatment devices prior to discharging to the sanitary sewer.
- PW-29 The project shall install full capture trash devices within the proposed on-site drain inlets. These full trash capture trash devices shall be monitored and maintained by the Applicant or Property Owner.
- PW-30 All on-site drain inlets and catch basins along the project frontage shall be marked with "No Dumping – Flows to Bay" or equivalent information.
- PW-31 The maximum allowable slope in landscape areas shall be 3:1, or as approved by City Engineer. Slopes steeper than the allowable slope would require the installation of retaining wall.
- PW-32 Dust control shall be in conformance with City Standards and Ordinances. Vehicles hauling dirt or other construction debris from the site shall cover any open load with a tarpaulin or other secure covering to minimize dust emissions.
- PW-33 Street sweeping shall be regularly performed such that no evidence of tracking dirt shall be present on the public streets. A street sweeper shall be present at all times on the project site.
- PW-34 All relocated facilities shall meet state and local separation standards. Separation between proposed water and sanitary sewer pipes shall meet the latest Suisun-Solano Water Authority (SSWA) Design Standards, Standard Specifications, and Standard Drawings.
- PW-35 Direct tapping of City or SSWA water mains is not permitted. Applicant shall install the required fittings in the existing or new main lines to accommodate the proposed water system. No existing water mains shall be shut down without specific permission of the City Engineer and the Solano Irrigation District.
- PW-36 The landscaping and irrigation shall comply with the City's water efficient landscaping ordinance. The irrigation plans shall include Model Water Efficient Landscape Ordinance (MWELO) calculations.
- PW-37 No structures such as trees, buildings, monument signs and concrete foundations shall be installed within utility easements. Civil and landscape plan sheets shall show the utility easements and all other easements.

- PW-38 Trees shall not be planted within bioretention areas. Moreover, tree driplines shall not encroach into bioretention areas.
- PW-39 The project improvements shall comply with ADA requirements.
- PW-40 The project shall provide accessible on-site sidewalk connections to all existing buildings with the Sunset Shopping Center, including a concrete sidewalk connection along the south side of the empty parcels located immediately west of the Tractor Supply project site. Improvements shall include onsite street lighting behind this sidewalk.
- PW-42 The project shall provide an accessible 5-foot wide sidewalk from the Central County Bikeway to the on-site parking lot.
- PW-43 Stormwater and irrigation runoff shall not drain onto the adjacent private parcels to the east and to north.
- PW-44 All on-site storm drain pipelines and facilities shall be private and maintained by the Property Owner. The plan sheets for this project shall label these facilities as private facilities.
- PW-45 All on-site sanitary sewer pipelines and facilities shall be private and maintained by the Property Owner. The plan sheets for this project shall label these facilities as private facilities.
- PW-46 Maintenance of on-site lighting, landscaping, paving, utilities and other on-site improvements shall be the responsibility of the Property Owner. The plan sheets for this project shall label these facilities as private facilities.
- PW-47 Improvements shall include resurfacing the pavement located at the following locations: a) Between the two gas stations located immediately west of the Tractor Supply project site, and b) Along the south side of the empty parcels located west of the Tractor Supply project site. Pavement resurfacing treatment shall include digout repairs and 2" asphalt concrete overlay. The location of digout repairs is to be at the sole discretion of the City Engineer.
- PW-48 The structural section of offsite and onsite pavement is to be in compliance with the City standards or geotechnical report recommendations for this project. The more stringent requirement/recommendation is to be used.
- PW-49 The project improvements shall include installing 6-foot-tall masonry walls along the east and north perimeters of the project site. Split-faced wall blocks or City-approved equal shall be used for said walls.
- PW-50 Prior to the issuance of Certificate of Occupancy, a utility and access reciprocal agreement between the Tractor Supply project site and the empty parcels to the west shall be entered into between the Property Owners and the agreement recorded at the Solano County Recorder's Office.
- PW-51 All sanitary sewer work associated with connection to the existing 36-inch sewer main shall be in conformance with Fairfield-Suisun Sewer District Standards.
- PW-52 The civil plans shall include a Fairfield-Suisun Sewer District approval signature block.

PW-53 Applicant's contractor(s) shall notify the Fairfield-Suisun Sewer District a minimum of 48-hours in advance for inspections associated with connection to the existing 36-inch sewer main.

PW-54 The project shall upgrade the existing fencing around Parcel B to a 4-foot-tall vinyl clad chain link fence. Project shall also upgrade the existing guardrail at the northwest corner of Parcel B to the latest Caltrans standard guardrail.

PW-55 Prior to the issuance of Certificate of Occupancy, the Applicant shall submit to the Public Works Department "as-built" Improvement Plans in PDF format.

#### FIRE SAFETY

FD-1 Dead end emergency vehicle access road behind building exceeds 150 feet, thus requiring an apparatus turnaround. Widths and turnaround provisions shall be in accordance with 2019 California Fire Code, Appendix D Section D103.4.

FD-2 Minimum turn radius of 23' inside, 47' outside shall be provided along all emergency vehicle apparatus access roads.

FD-3 Fire flow requirements shall be in accordance with 2019 California Fire Code, Appendix B. Fire hydrant location and distribution shall be reviewed and approved by Fire Department.

#### SUISUN-SOLANO WATER AUTHORITY

SSWA-1 The proposed development will require connections onto the existing domestic water stubs per the latest SSWA Design Standards and Specification and Details.

SSWA-2 Improvement plans must show all existing facilities located within the project site, along with all proposed modifications that will be required to serve the property.

SSWA-3 Any waterlines or public water facilities not installed within a public right-of-way will require an easement granted to SSWA for the operations and maintenance of the public facilities.

SSWA-4 Per the SSWA Cross-Connection Control Resolution No. 99-01, all types of commercial buildings and landscape irrigation services are required to include an approved backflow prevention assembly, at the developer's expense. The desired location, service size, and flow-rate for the backflow prevention assembly must be submitted for approval. Based on proposed commercial use, a Reduced Pressure Principle (RRP) Assembly will be required on each of the domestic water services.

SSWA-5 The developer is required to provide and install freeze protection for all RPBFP's and DCDC's at the developer's expense.

SSWA-6 At the time the Building Permit is issued, the developer will be required to pay the appropriate SSWA Connection Fee and Meter Installation Fee at the City of Suisun City.

These fees are determined by the size of meter requested. All domestic water services will be metered.

SSWA-7 We require that the District (on behalf of SSWA) review, approve and sign all Final and/or Parcel Maps and that SSWAS review, approve, and sign the Improvement Plans of this development.

SSWA-8 The SSWA Plan Review Fee applies and is due upon submittal of the maps and plans for review.

SSWA-9 SSWA's General Notes must be included in the Improvement Plans and all proposed water system appurtenances and waterlines shall be constructed per the latest SSWA Design Standards and Specification and Details.

SSWA-10 Electronic AutoCAD files and .pdf files are required upon the completion of the project showing "as-builts" for electronic archiving.

#### FAIRFIELD-SUISUN SEWER DISTRICT

FSSD-1 Sewer capacity fees are required to be paid upon issuance of a building permit.

FSSD-2 A site utility plan, conforming to City of Suisun City and FSSD standards shall be submitted for review and approval.

FSSD-3 The existing FSSD sewer easement for the existing 36-inch sanitary sewer main shall be widened to 15-feet to the north of the existing centerline of pipe.

FSSD-4 No trees or permanent structures shall be within FSSD sewer easements.

FSSD-5 Existing FSSD sewer easements, sewer mains, and manholes shall be accessible from the Highway 12 right-of-way and shall not be impeded by new fencing or sound walls.

FSSD-6 24/7 all-weather access for FSSD maintenance vehicles shall be provided to all FSSD sewer manholes. Existing surfaces shall be improved to provide all-weather access.

FSSD-7 FSSD's sewer master plan and model for the subject parcel included a total of 9,500 gallons per day of combined residential and commercial wastewater discharge. If future development density exceeds what was assumed in the master plan, an update to the FSSD's sewer model is required to incorporate the changes and confirm sewer capacity exists to serve the proposed density. The model update shall be at the developer's expense. Any capacity deficiencies identified following the model update shall be remedied by the developer prior to any new connections to the impacted sewer. Existing sewer capacity is allotted on a first-come, first-serve basis upon receipt of connection fees.



## **Treatment Protocol for Handling Human Remains and Cultural Items Affiliated with the Yocha Dehe Wintun Nation**

The purpose of this Protocol is to formalize procedures for the treatment of Native American human remains, grave goods, ceremonial items, and items of cultural patrimony, in the event that any are found in conjunction with development, including archaeological studies, excavation, geotechnical investigations, grading, and any ground disturbing activity. This Protocol also formalizes procedures for Tribal monitoring during archaeological studies, grading, and ground-disturbing activities.

### **I. Cultural Affiliation**

The Yocha Dehe Wintun Nation ("Tribe") traditionally occupied lands in Yolo, Solano, Lake, Colusa and Napa Counties. The Tribe has designated its Cultural Resources Committee ("Committee") to act on the Tribe's behalf with respect to the provisions of this Protocol. Any human remains which are found in conjunction with Projects on lands culturally-affiliated with the Tribe shall be treated in accordance with Section III of this Protocol. Any other cultural resources shall be treated in accordance with Section IV of this Protocol.

### **II. Inadvertent Discovery of Native American Human Remains**

Whenever Native American human remains are found during the course of a Project, the determination of Most Likely Descendant ("MLD") under California Public Resources Code Section 5097.98 will be made by the Native American Heritage Commission ("NAHC") upon notification to the NAHC of the discovery of said remains at a Project site. If the location of the site and the history and prehistory of the area is culturally-affiliated with the Tribe, the NAHC contacts the Tribe; a Tribal member will be designated by the Tribe to consult with the landowner and/or project proponents.

Should the NAHC determine that a member of an Indian tribe other than Yocha Dehe Wintun Nation is the MLD, and the Tribe is in agreement with this determination, the terms of this Protocol relating to the treatment of such Native American human remains shall not be applicable; however, that situation is very unlikely.

### **III. Treatment of Native American Remains**

In the event that Native American human remains are found during development of a Project and the Tribe or a member of the Tribe is determined to be MLD pursuant to Section II of this Protocol, the following provisions shall apply. The Medical Examiner shall immediately be notified, ground disturbing activities in that location shall cease and the Tribe shall be allowed, pursuant to California Public Resources Code Section 5097.98(a), to (1) inspect the site



of the discovery and (2) make determinations as to how the human remains and grave goods should be treated and disposed of with appropriate dignity.

The Tribe shall complete its inspection and make its MLD recommendation within forty-eight (48) hours of getting access to the site. The Tribe shall have the final determination as to the disposition and treatment of human remains and grave goods. Said determination may include avoidance of the human remains, reburial on-site, or reburial on tribal or other lands that will not be disturbed in the future.

The Tribe may wish to rebury said human remains and grave goods or ceremonial and cultural items on or near the site of their discovery, in an area which will not be subject to future disturbances over a prolonged period of time. Reburial of human remains shall be accomplished in compliance with the California Public Resources Code Sections 5097.98(a) and (b).

The term "human remains" encompasses more than human bones because the Tribe's traditions call for the burial of associated cultural items with the deceased (funerary objects), and/or the ceremonial burning of Native American human remains, funerary objects, grave goods and animals. Ashes, soils and other remnants of these burning ceremonies, as well as associated funerary objects and unassociated funerary objects buried with or found near the Native American remains are to be treated in the same manner as bones or bone fragments that remain intact.

#### **IV. Non-Disclosure of Location of Reburials**

Unless otherwise required by law, the site of any reburial of Native American human remains shall not be disclosed and will not be governed by public disclosure requirements of the California Public Records Act, Cal. Govt. Code § 6250 *et seq.* The Medical Examiner shall withhold public disclosure of information related to such reburial pursuant to the specific exemption set forth in California Government Code Section 6254(r). The Tribe will require that the location for reburial is recorded with the California Historic Resources Inventory System ("CHRIS") on a form that is acceptable to the CHRIS center. The Tribe may also suggest that the landowner enter into an agreement regarding the confidentiality of site information that will run with title on the property.

#### **V. Treatment of Cultural Resources**

Treatment of all cultural items, including ceremonial items and archeological items will reflect the religious beliefs, customs, and practices of the Tribe. All cultural items, including ceremonial items and archeological items, which may be found at a Project site should be turned over to the Tribe for appropriate treatment, unless otherwise ordered by a court or agency of competent jurisdiction. The Project Proponent should waive any and all claims to ownership of



Tribal ceremonial and cultural items, including archeological items, which may be found on a Project site in favor of the Tribe. If any intermediary, (for example, an archaeologist retained by the Project Proponent) is necessary, said entity or individual shall not possess those items for longer than is reasonably necessary, as determined solely by the Tribe.

#### **VI. Inadvertent Discoveries**

If additional significant sites or sites not identified as significant in a Project environmental review process, but later determined to be significant, are located within a Project impact area, such sites will be subjected to further archeological and cultural significance evaluation by the Project Proponent, the Lead Agency, and the Tribe to determine if additional mitigation measures are necessary to treat sites in a culturally appropriate manner consistent with CEQA requirements for mitigation of impacts to cultural resources. If there are human remains present that have been identified as Native American, all work will cease for a period of up to 30 days in accordance with Federal Law.

#### **VIII. Work Statement for Tribal Monitors**

The description of work for Tribal monitors of the grading and ground disturbing operations at the development site is attached hereto as Addendum I and incorporated herein by reference.



YOCHA DEHE  
CULTURAL RESOURCES

**ADDENDUM I**

**Yocha Dehe Wintun Nation  
Tribal Monitors  
Description of Work and Treatment Protocol**

**I. Preferred Treatment**

The preferred protocol upon the discovery of Native American human remains is to (1) secure the area, (2) cover any exposed human remains or other cultural items, and (3) avoid further disturbances in the area.

**II. Comportment**

All parties to the action are strongly advised to treat the remains with appropriate dignity, as provided in Public Resource Code Section 5097.98. We further recommend that all parties to the action treat tribal representatives and the event itself with appropriate respect. For example, jokes and antics pertaining to the remains or other inappropriate behavior are ill advised.

**III. Excavation Methods**

If, after the Yocha Dehe Tribal representative has been granted access to the site and it is determined that avoidance is not feasible, an examination of the human remains will be conducted to confirm they are human and to determine the position, posture, and orientation of the remains. At this point, we recommend the following procedures:

*(A) Tools.* All excavation in the vicinity of the human remains will be conducted using fine hand tools and fine brushes to sweep loose dirt free from the exposure.

*(B) Extent of Exposure.* In order to determine the nature and extent of the grave and its contents, controlled excavation should extend to a full buffer zone around the perimeter of the remains.

*(C) Perimeter Balk.* To initiate the exposure, a perimeter balk (especially, a shallow trench) should be excavated, representing a reasonable buffer a minimum of 10 cm around the maximum extent of the known skeletal remains, with attention to counter-intuitive discoveries or unanticipated finds relating to this or other remains. The dirt from the perimeter balk should be bucketed, distinctly labeled, and screened for cultural materials.

*(D) Exposure Methods.* Excavation should then proceed inward from the walls of the balk as well as downward from the surface of the exposure. Loose dirt should be scooped out and brushed off into a dustpan or other collective device. Considerable care should be





given to ensure that human remains are not further impacted by the process of excavation.

*(E) Provenience.* Buckets, collection bags, notes, and tags should be fully labeled per provenience, and a distinction should be made between samples collected from: (1) **Perimeter Balk** (described above), (2) **Exposure** (dirt removed in exposing the exterior/burial plan and associations, and (3) **Matrix** (dirt from the interstices between bones or associations). Thus, each burial may have three bags, “Burial 1 Perimeter Balk,” “Burial 1 Exposure Balk,” “Burial 1 Matrix.”

Please note the provisions below with respect to handling and conveyance of records and samples.

*(F) Records.* The following records should be compiled in the field: (1) a detailed scale drawing of the burial, including the provenience of and full for all human remains, associated artifacts, and the configuration of all associated phenomena such as burial pits, evidence for preinterment grave pit burning, soil variability, and intrusive disturbance, (2) complete a formal burial record using the consultants proprietary form or other standard form providing information on site #, unit or other proveniences, level depth, depth and location of the burial from a fixed datum, workers, date(s), artifact list, skeletal inventory, and other pertinent observations, (3) crew chief and worker field notes that may supplement or supercede information contained in the burial recording form, and (4) photographs, including either or standard photography or high-quality (400-500 DPI or 10 MP recommended) digital imaging.

*(G) Stipulations for Acquisition and Use of Imagery.* Photographs and images may be used only for showing location or configuration of questionable formation or for the position of the skeleton. They are not to be duplicated for publication unless a written release is obtained from the Tribe.

*(H) Association.* Association between the remains and other cultural materials should be determined in the field in consultation with an authorized Tribal representative, and may be amended per laboratory findings. Records of provenience and sample labels should be adequate to determine association or degree of likelihood of association of human remains and other cultural materials.

*(I) Samples.* For each burial, all **Perimeter Balk** soil is to be 1/8”-screened. All **Exposure** soil is to be 1/8”-screened, and a minimum of one 5-gallon bucket of excavated but unscreened Exposure soil is to be collected, placed in a plastic garbage bag in the bucket. All **Matrix** soil is to be carefully excavated, screened as appropriate, and then collected in plastic bags placed in 5-gallon buckets.



*(J) Human remains are not to be cleaned in the field.*

*(K) Blessings.* Prior to any physical action related to human remains, a designated tribal representative will conduct prayers and blessings over the remains. The archaeological consultant will be responsible for insuring that individuals and tools involved in the action are available for traditional blessings and prayers, as necessary.

#### **IV. Lab Procedures**

No laboratory studies are permitted without consultation with the tribe. Lab methods are determined on a project-specific basis in consultation with Yocha Dehe Wintun Nation representatives. The following procedures are recommended:

*(A) Responsibility.* The primary archaeological consultant will be responsible for insuring that all lab procedures follow stipulations made by the Tribe.

*(B) Blessings.* Prior to any laboratory activities related to the remains, a designated tribal representative will conduct prayers and blessings over the remains. The archaeological consultant will be responsible for insuring that individuals and tools involved in the action are available for traditional blessings and prayers, as necessary.

*(C) Physical Proximity of Associations.* To the extent possible, all remains, associations, samples, and original records are to be kept together throughout the laboratory process. In particular, **Matrix** dirt is to be kept in buckets and will accompany the remains to the lab. The primary archaeological consultant will be responsible for copying all field records and images, and insuring that the original notes and records accompany the remains throughout the process.

*(E) Additional Lab Finds.* Laboratory study should be done making every effort to identify unanticipated finds or materials missed in the field, such as objects encased in dirt or human remains misidentified as faunal remains in the field. In the event of discovery of additional remains, materials, and other associations the tribal representatives are to be contacted immediately.

#### **V. Re-internment without Further Disturbance**

No laboratory studies are permitted on human remains and funerary objects. The preferred treatment preference for exhumed Native American human remains is reburial in an area not subject to further disturbance. Any objects associated with remains will be reinterred with the remains.



#### **VI. Curation of Recovered Materials**

Should all, or a sample, of any archaeological materials collected during the data recovery activities – with the exception of Human Remains – need to be curated, an inventory and location information of the curation facility shall be given to tribe for our records.

Standard Monitoring Agreement  
Between  
Yocha Dehe Wintun Nation  
And

This MONITORING AGREEMENT ("Agreement") is made and entered into as of \_\_\_\_\_, \_\_\_\_\_, by and between the **Yocha Dehe Wintun Nation**, a federally recognized Indian tribe ("Yocha Dehe" or "Tribe") on the one hand, and \_\_\_\_\_ (**hereinafter "Contractor"**) on the other hand. Yocha Dehe and Contractor are collectively referenced hereinafter as the "Parties".

**I. RECITALS**

**A. Subject Matter:** This Agreement concerns the use and/or development of real property located within the area of \_\_\_\_\_, and which is the subject of development by Contractor. The development is commonly known as \_\_\_\_\_, hereinafter referenced as the "Project" and is described in Attachment I of this Agreement. As used herein, the Area of Potential Effect (or APE) includes \_\_\_\_\_.

**B. Purpose:** The purpose of this Agreement is to establish fee schedules and terms for the use of Yocha Dehe tribal monitors for the Project; establish protocols for the relationship between Yocha Dehe and the Contractor; formalize procedures for the treatment of Native American human remains, grave goods, ceremonial items and any cultural artifacts, in the event that any are found in conjunction with the Project's development, including archaeological studies, excavation, geotechnical investigations, grading and any ground disturbing activity. This Agreement is entered into as mitigation under the California Environmental Quality Act ("CEQA") and/or the National Environmental Policy Act ("NEPA") and Section 106 of the National Historic Preservation Act ("Section 106"), and any such mitigation may be a condition of approval for said Project.

**C. Cultural Affiliation:** The Tribe traditionally occupied, and can trace its historical ties to, land in the Project's Area of Potential Effect ("APE" or "Project Area"). The Project is within the boundaries of the Yocha Dehe Linguistic Territory. Thus, cultural resources identified in the APE are related to the history and tradition of the Yocha Dehe Wintun Nation and Patwin speaking peoples. Yocha Dehe has designated its Cultural Resources Department to act on its behalf with respect to the provisions of this Agreement. Any Native American human remains, grave goods, ceremonial items, and cultural items or artifacts that are found in conjunction with the development of this Project shall be treated in accordance with the Provisions of this Agreement.

**II. TERMS**

**A. Incorporation of Recitals:** All of the foregoing recitals are accurate and are incorporated in this Agreement by reference.

**B. Term:** This Agreement shall be effective as of the date of execution and it shall remain in effect until the Project's completion.

**C. Scope of Services and Specifications:** Given the nature and sensitivity of archaeological sites and cultural resources that are or may be within the Project area (a map of which is shown and attached hereto as Attachment I). Yocha Dehe shall provide tribal monitoring and consultation for the Project during the archaeological investigations and all ground disturbing activities required for the Project. Yocha Dehe monitors will work in collaboration with the archaeologists, inspectors, project managers and other consultants hired/employed by the Contractor.

**D. Fee Schedule:**

The fee schedule for the use of Yocha Dehe Wintun Nation monitors and staff is as follows;

|  |   |
|--|---|
| Native American Monitoring   | \$82.50 hourly rate (per monitor)   |
| Overtime (over 8 hrs in a day)   | \$123.75 hourly rate (per monitor)  |
| Weekend and Holiday Hours  | \$123.75 hourly rate Saturday; and<br>\$165.00 hourly rate Sunday and Holiday |
| Cultural Resources Manager<br>(4 hour minimum)   | \$192.50 (per hour)   |
| Tribal Historic Preservation Officer/<br>Cultural Resources Director<br>(4 hour minimum) | \$220.00 (per hour)   |
| Tribal Executives<br>(4 hour minimum)  | \$220.00 (per hour)   |
| Cultural Sensitivity Training  | \$300.00  |
| Tribal Records Search  | \$150.00  |
| Ground Penetrating Radar   | \$1,000 (per day)   |
| Administrative Fee   | 15% of Invoice  |

Yocha Dehe's monitors will bill for time spent traveling to and from any Project site. In addition, Yocha Dehe shall be reimbursed for all costs associated with travel to and from the Project. Eligible items for cost reimbursement shall include, but not be limited to, mileage (or fuel purchases, at the submitter's election), hotel, and per diem (GSA rate).

**E. Coordination with County Coroner's Office.** In the event human remains are discovered on or near the Project site during its development, Contractor shall immediately contact the Coroner, the Yocha Dehe Director of Cultural Resources, Cultural Resources Manager, the Cultural Resources Committee Chairperson, and the Tribal Chairman. In order to facilitate this Agreement's implementation, the appropriate County Coroner's Office shall be provided a copy of this

Agreement either before any earth disturbing activities or upon request of the Tribe. Yocha Dehe agrees to provide Contractor the needed contact information in order to comply with this provision. The Coroner shall be asked by the Contractor to determine if the remains are (1) human, (2) prehistoric, and further, the Contractor shall request the Coroner notify the State of California's Native American Heritage Commission in the event the remains are determined to be Native American. The Contractor will compensate the Coroner for reasonable fees and costs, if applicable and required by the County Coroner's office.

**F. Most Likely Descendant (MLD):** The Yocha Dehe Wintun Nation as the MLD for any Human Remains, Associated Funerary Objects and Artifacts found within the exterior boundaries of the Yocha Dehe Wintun Nation Linguistic Territory. Human Remains have been discovered within the Yocha Dehe Wintun Nation Linguistic Territory on occasion and in all of those cases, the Native American Heritage Commission ("NAHC") designated the Yocha Dehe Wintun Nation as the Most Likely Descendant ("MLD") under California Public Resources Code section 5097.98.

**G. Treatment and Disposition of Remains.** Where Native American human remains are discovered during the Project's development, and where Yocha Dehe has been designated the Most Likely Descendant (MLD), the following provisions shall apply to the Parties:

I. The Tribe shall be allowed, under California Public Resources Code sections 5097.98 (a) and 21083.2 and State CEQA Guidelines section 15064.5 (e), to: (1) inspect the site of the discovery; and (2) make recommendations as to how the human remains and grave goods shall be treated and disposed of with appropriate dignity.

II. The Tribe shall complete its inspection within twenty-four (24) hours of receiving notification from either the Contractor or the NAHC, as required by California Public Resources Code section 5097.98 (a). The Parties agree to discuss, in good faith, what constitutes "appropriate dignity" as that term is used in the applicable statutes.

III. Reburial of human remains shall be accomplished in compliance with the California Public Resources Code sections 5097.98 (a) and (b) and 21083.2 and State CEQA Guidelines section 15064.5 (e).

IV. The Parties are aware that Yocha Dehe may wish to rebury the human remains and associated ceremonial and cultural items (artifacts) on or near the site of their discovery, in an area that shall not be subject to future subsurface disturbances. Should Yocha Dehe recommend reburial of the human remains and associated ceremonial and cultural items (artifacts) on or near the site of their discovery, the Contractor shall make good faith efforts to accommodate the Tribe's request.

V. The term "human remains" encompasses more than human bones because Yocha Dehe's traditions periodically necessitated the ceremonial burning of human remains, and monitors shall make recommendations for removal of cremations. Grave goods are those artifacts associated with any human remains. These items and the soil, in an area encompassing up to two (2) feet in diameter around the burial, and other funerary remnants and their ashes, are to be treated in the same manner as human bone fragments or bones that remain intact

**H. Treatment and Disposition of Cultural Items (Artifacts).** Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Tribe. Contractor agrees to return all Native American ceremonial items and items of cultural patrimony that may be found on the Project site to the MLD for appropriate treatment, unless Contractor is ordered to do otherwise by a court or agency of competent jurisdiction. In addition, the Tribe requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations on or adjacent to the Project site. Where appropriate (from the perspective of Yocha Dehe), and agreed upon in advance by Yocha Dehe, certain analyses of certain artifact types will be permitted, which may include, but which may not necessarily be limited to, shell, bone, ceramic, stone and/or other artifacts.

**I. Ownership Relinquishment.** Contractor waives any and all claims to ownership of Native American ceremonial and cultural artifacts that may be found on the Project site. If examination of cultural artifacts by an entity or individual other than the MLD is necessary, that entity or individual shall return said artifacts to the MLD within thirty (30) days, or any other agreed upon time frame from the initial recovery of the items.

**J. The Description of Work.** Description of work for Yocha Dehe monitors for the grading and ground disturbing operations at the Project site is provided in **Attachment II** to this Agreement and incorporated herein by this reference. **Section I of Attachment II specifies the duties and responsibilities of the identified tribal monitoring crew and other specified parties. Section II of Attachment II identifies the geographical area over which the tribal monitoring crew shall oversee cultural resource mitigation and monitoring in accordance with California Public Resources Code section 21083.2 (c) and (k). Sections III and IV of Attachment II mandate compensation of the tribal monitoring crew by the Contractor.**

**K. Confidentiality.** Unless otherwise required by law, the site of any reburial of Native American human remains shall not be disclosed and will not be governed by public disclosure requirements of the California Public Records Act, Cal. Govt. Code § 6250 et seq. The County Coroner shall withhold public disclosure of information related to such reburial pursuant to the specific exemption set forth in California Government Code Section 6254(r). Moreover, all records relative to consultation between the Parties shall be confidential and not subject to public disclosure as required by the California Public Records Act, Cal. Govt. Code § 6250 et seq.

Executed by:

**Yocha Dehe Wintun Nation**

**(Company Name)**

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: Tribal Historic Preservation Officer

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

ATTACHMENT I

[Insert Tract Map for Project Name]



## Attachment II

### NATIVE AMERICAN MONITORING OF GRADING AND GROUND DISTURBING ACTIVITIES

- I. **Specifications:** Given the nature and sensitivity of the archaeological sites and cultural resources that are in or may be within the Project area, the Yocha Dehe Wintun Nation, a federally recognized Indian tribe and the Most Likely Descendant as identified by the Native American Heritage Commission, shall provide the tribal monitoring, consultation and facilitation for this Project during the archeological investigations, and all ground disturbing activities for the Project. Yocha Dehe's monitors will work in concert with the archaeologists and Project engineers hired/employed by Contractor. The tribal monitors or Project archaeologists will be empowered to halt all earthmoving equipment in the immediate area of discovery when cultural items or features are identified until further evaluation can be made in determining their significance. It is understood that all surface and subsurface artifacts of significance shall be collected and mapped during this operation following standard archaeological practices.

After discovery of cultural items or features' discussions between the tribal monitors and project archaeologist will occur to determine the significance of the situation and best course of action for avoidance, protection of resources, and/or data recovery, as applicable.

- II. **Project to be Monitored:** Monitoring shall encompass the area known as \_\_\_\_\_ and shall be known as the Project area. It is agreed that monitoring shall be allowed for all archaeological studies, excavations, and groundbreaking activities occurring in conjunction with the development of the Project.
- III. **Project Crew Size:** The Parties to this Agreement project the need for a tribal monitoring crew size to be determined by the Cultural Resource Manager, in accordance with Yocha Dehe Wintun Nation Cultural Law. If the scope of the work changes (*e.g.*, inadvertent discoveries of cultural resources or simultaneous grading of area that requires multiple tribal monitors), additional tribal monitors may be required. Developer agrees to directly compensate Yocha Dehe for all of the work performed by the tribal monitors. The compensation rate shall be made directly from Contractor to the Tribe in accordance with Section IV. If human remains are found, the coordination of the reburial of those remains and any associated cultural and ceremonial items shall be conducted in accordance with Sections III and IV of this Agreement.
- IV. **Insurance and Indemnity:** Yocha Dehe shall provide the tribal monitoring crew for the Project and shall be responsible for coordinating the tribal monitors' activities on the Project. The Tribe recognizes that dangerous conditions may exist on the work site, particularly during grading operations, and agrees to assume responsibility for the safety of the tribal monitoring crew while the crew remains on the Project site. The Tribe possesses the necessary insurance to cover any bodily injury or property damage that

may be suffered by the tribal monitors and proof of such insurance shall be made available to Contractor upon request.

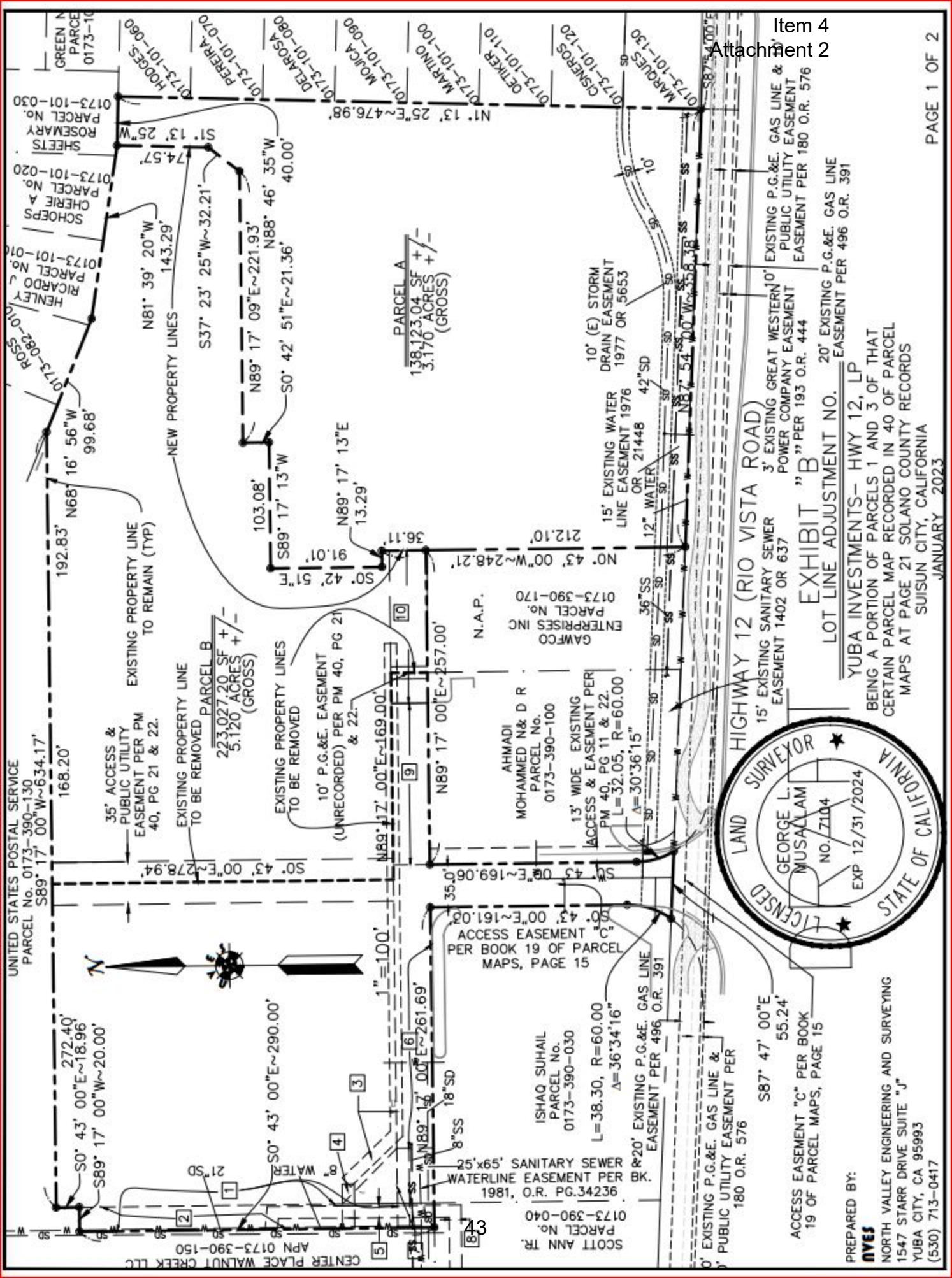
- V. **Compensation:** Contractor shall directly compensate the Tribe in accordance with the following compensation rates and procedures. Invoices will be submitted on a monthly basis and shall be paid within 30 days of submittal to assure timely tribal monitor compensation and to further assure that tribal monitoring will not be terminated for the Project.

A minimum half-day charge ("show up" time) shall be charged to Contractor for unannounced work stoppages of the tribal monitors that are not due to actions by Yocha Dehe.

- VI. **Rights of Access/Stoppage/Consultation Upon Discovery:** Contractor shall provide Yocha Dehe tribal monitors with unencumbered access to the Project site as reasonably necessary for the monitors to effectively perform the services required by this Agreement. The tribal monitors and/or project archaeologist will be empowered to halt all earthmoving equipment in the immediate area of discovery when cultural items or features are identified until further evaluation can be made in determining their significance. It is understood that all surface and subsurface artifacts, Native American human remains, funerary objects, items of cultural patrimony, and any other cultural items shall be treated in accordance with an agreed upon artifact treatment and disposition plan.

After discovery of cultural items or features, discussions between the tribal monitors and project archaeologist will occur to determine its significance and the best course of action for avoidance, protection of resources, and/or data recovery, as applicable. While determinations will be mostly in the field, Yocha Dehe's tribal monitors may need to seek further guidance from the Most Likely Descendent, Yocha Dehe Tribal Council and/or the Cultural Resources Committee. If this rare occurrence should arise, Yocha Dehe reserves the right to request a 30-day stoppage of work.

Where circumstances warrant, the Contractor may be required, at its sole expense, to provide security personnel or remove unnecessary persons from the Project site. For example, where the safety of tribal monitors is at risk due to controversy or other circumstances surrounding a particular Project's development, security personnel would be provided at the Contractor's expense and members of the public excluded from the site. Likewise, where the protocol for the treatment of Native American human remains, funerary objects, artifacts, or items of cultural patrimony deems culturally required or appropriate, Contractor agrees unnecessary personnel will leave the site during the relevant time period.



PREPARED BY:  
**IVES**  
NORTH VALLEY ENGINEERING AND SURVEYING  
1547 STARR DRIVE SUITE "J"  
YUBA CITY, CA 95993  
(530) 713-0417

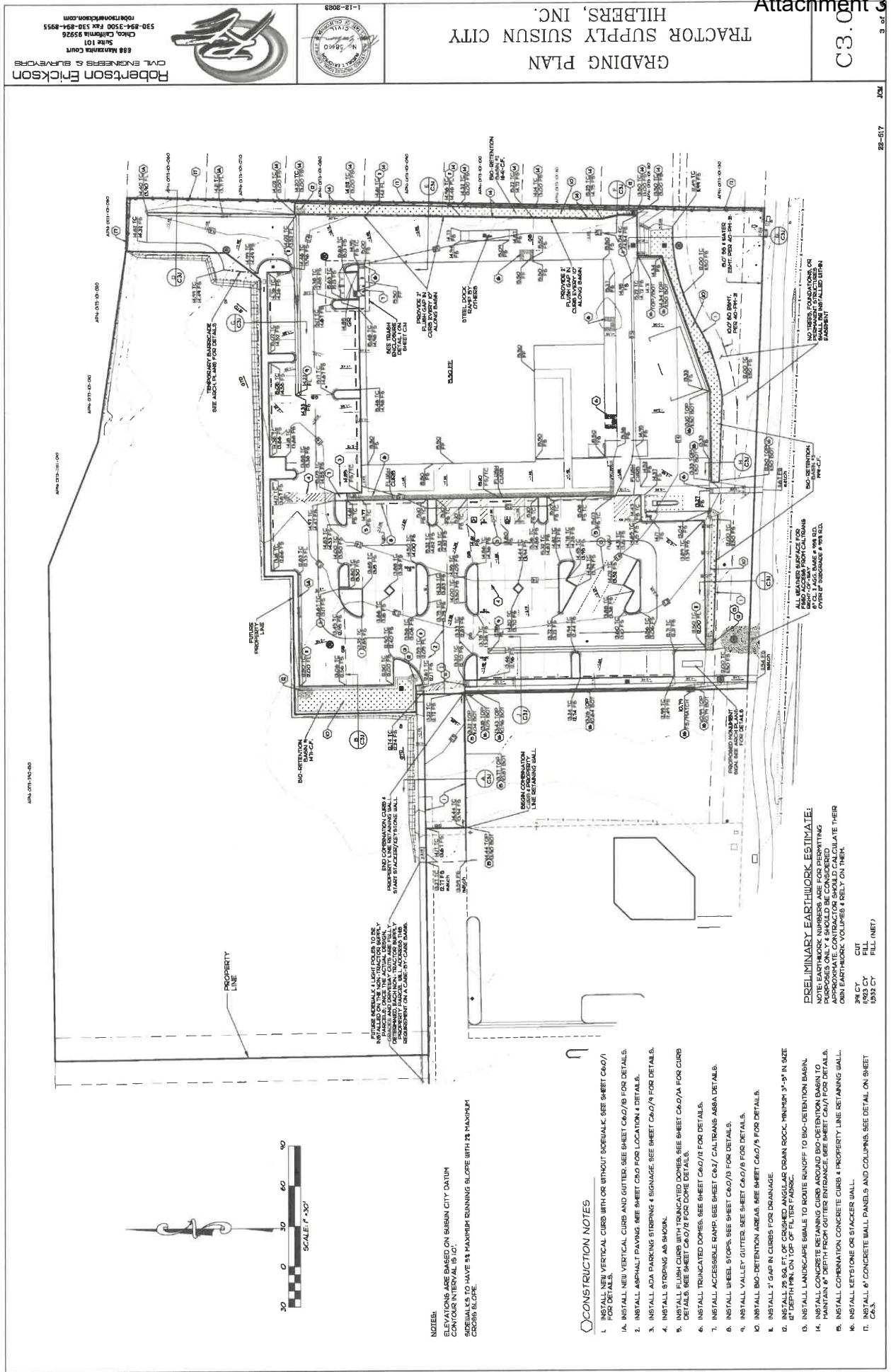
YUBA INVESTMENTS- HWY 12, LP  
BEING A PORTION OF PARCELS 1 AND 3 OF THAT  
CERTAIN PARCEL MAP RECORDED IN 40 OF PARCEL  
MAPS AT PAGE 21 SOLANO COUNTY RECORDS  
SUISUN CITY, CALIFORNIA  
JANUARY 2023

EXHIBIT "B"  
LOT LINE ADJUSTMENT NO. 20' EXISTING P.G.&E. GAS LINE  
EASEMENT PER 496 O.R. 391

HIGHWAY 12 (RIO VISTA ROAD)

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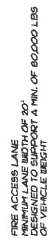


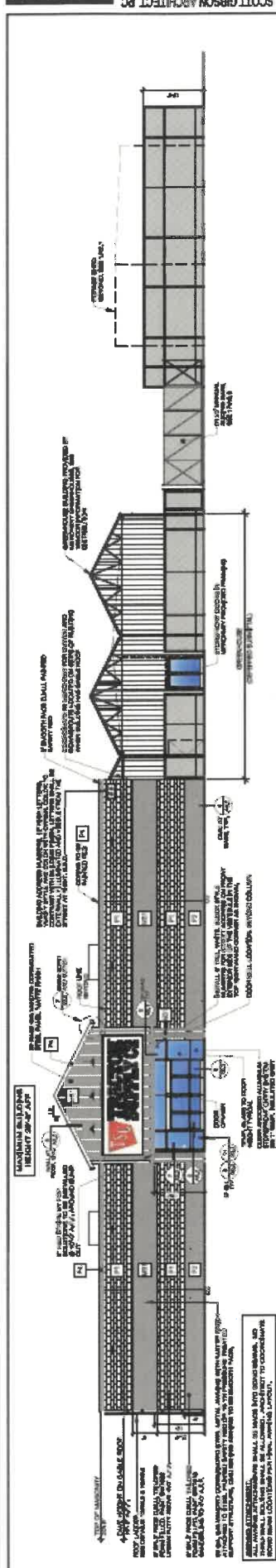


4. SWEEP UP DRILLINGS AND ANY OTHER MATTER.









| ↑ | Front (West) Elevation | SCALE: 1/8" = 1'-0" |
|---|------------------------|---------------------|
|---|------------------------|---------------------|

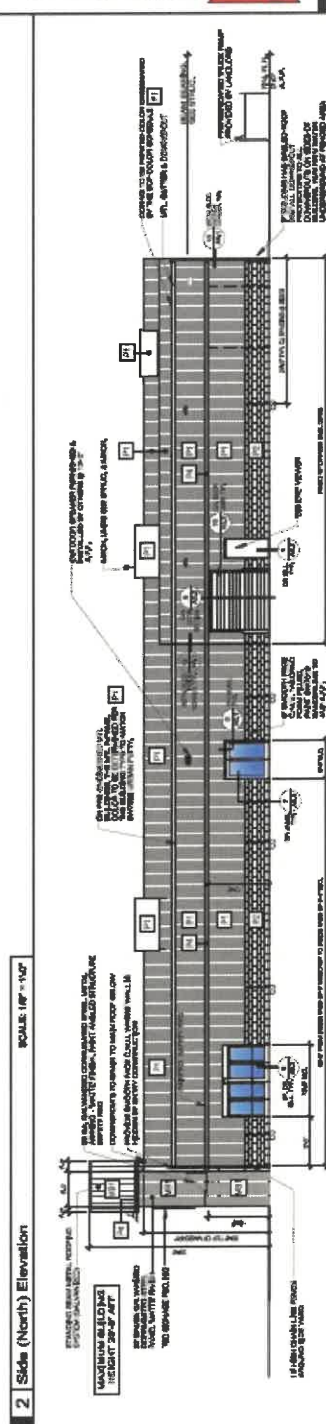
## GENERAL NOTES

- [illegible]

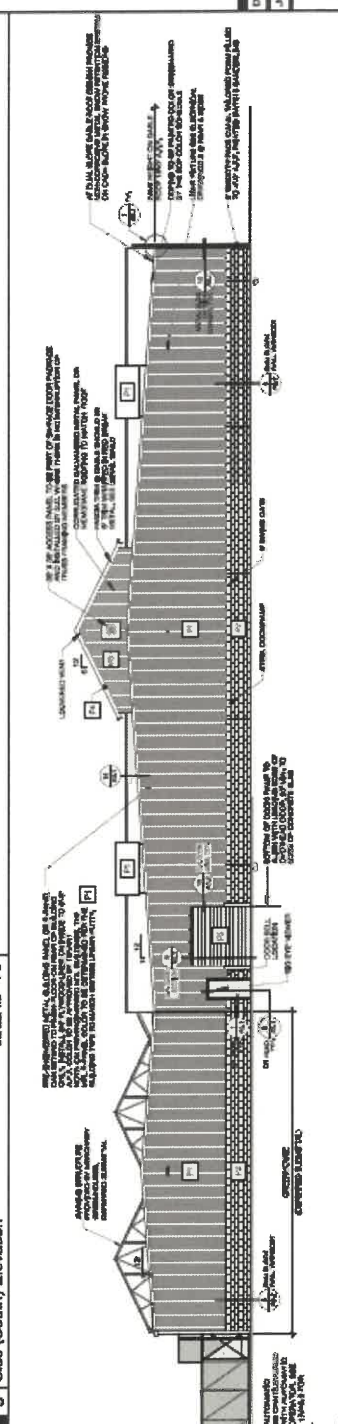
## EXTERIOR FINISH SCHEDULE

[illegible]

48



| 3 | Side (South) Elevation | SCALE 1/8" = 1'-0" |
|---|------------------------|--------------------|
|---|------------------------|--------------------|



4 Rear (East) Elevation







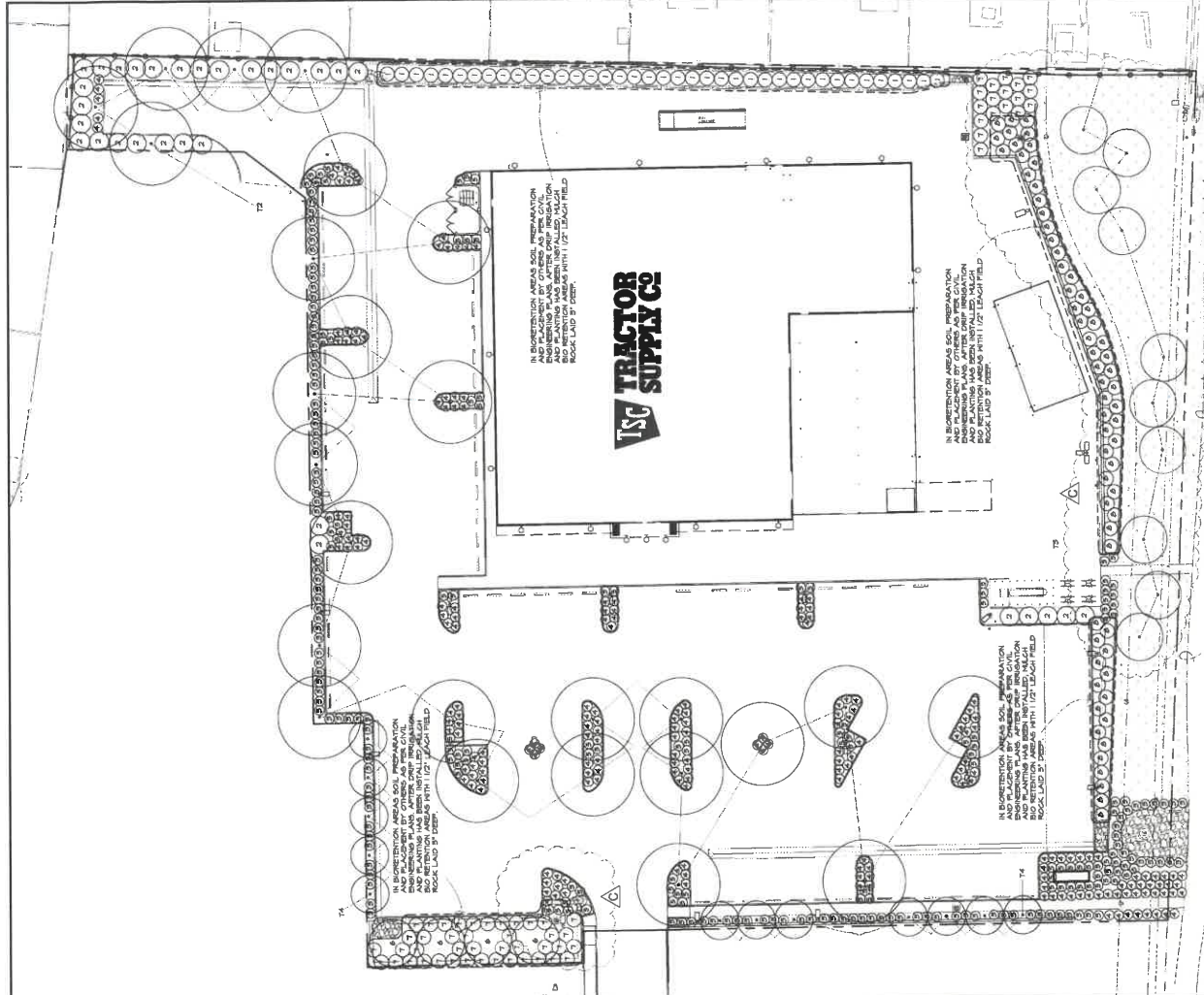
LANDSCAPE DOCUMENTATION  
PACKAGE (LDP) CHECKLIST (DESIGN)LANDSCAPE DOCUMENTATION PACKAGE CHECK LIST

## PLANT PICTURES

| SPICES | ROMANIAN NAME | CODING NAME   | SIZE / CAPACITY | MATERIAL     |
|--------|---------------|---------------|-----------------|--------------|
| 1      | 1. UNDEZIELE  | 1. UNDEZIELE  | 1. 3 LITRONI    | 1. ALUMINIU  |
| 2      | 2. UNDEZIELE  | 2. UNDEZIELE  | 2. 3 LITRONI    | 2. ALUMINIU  |
| 3      | 3. UNDEZIELE  | 3. UNDEZIELE  | 3. 3 LITRONI    | 3. ALUMINIU  |
| 4      | 4. UNDEZIELE  | 4. UNDEZIELE  | 4. 3 LITRONI    | 4. ALUMINIU  |
| 5      | 5. UNDEZIELE  | 5. UNDEZIELE  | 5. 3 LITRONI    | 5. ALUMINIU  |
| 6      | 6. UNDEZIELE  | 6. UNDEZIELE  | 6. 3 LITRONI    | 6. ALUMINIU  |
| 7      | 7. UNDEZIELE  | 7. UNDEZIELE  | 7. 3 LITRONI    | 7. ALUMINIU  |
| 8      | 8. UNDEZIELE  | 8. UNDEZIELE  | 8. 3 LITRONI    | 8. ALUMINIU  |
| 9      | 9. UNDEZIELE  | 9. UNDEZIELE  | 9. 3 LITRONI    | 9. ALUMINIU  |
| 10     | 10. UNDEZIELE | 10. UNDEZIELE | 10. 3 LITRONI   | 10. ALUMINIU |
| 11     | 11. UNDEZIELE | 11. UNDEZIELE | 11. 3 LITRONI   | 11. ALUMINIU |
| 12     | 12. UNDEZIELE | 12. UNDEZIELE | 12. 3 LITRONI   | 12. ALUMINIU |
| 13     | 13. UNDEZIELE | 13. UNDEZIELE | 13. 3 LITRONI   | 13. ALUMINIU |
| 14     | 14. UNDEZIELE | 14. UNDEZIELE | 14. 3 LITRONI   | 14. ALUMINIU |
| 15     | 15. UNDEZIELE | 15. UNDEZIELE | 15. 3 LITRONI   | 15. ALUMINIU |
| 16     | 16. UNDEZIELE | 16. UNDEZIELE | 16. 3 LITRONI   | 16. ALUMINIU |
| 17     | 17. UNDEZIELE | 17. UNDEZIELE | 17. 3 LITRONI   | 17. ALUMINIU |
| 18     | 18. UNDEZIELE | 18. UNDEZIELE | 18. 3 LITRONI   | 18. ALUMINIU |
| 19     | 19. UNDEZIELE | 19. UNDEZIELE | 19. 3 LITRONI   | 19. ALUMINIU |
| 20     | 20. UNDEZIELE | 20. UNDEZIELE | 20. 3 LITRONI   | 20. ALUMINIU |
| 21     | 21. UNDEZIELE | 21. UNDEZIELE | 21. 3 LITRONI   | 21. ALUMINIU |
| 22     | 22. UNDEZIELE | 22. UNDEZIELE | 22. 3 LITRONI   | 22. ALUMINIU |
| 23     | 23. UNDEZIELE | 23. UNDEZIELE | 23. 3 LITRONI   | 23. ALUMINIU |
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| 26     | 26. UNDEZIELE | 26. UNDEZIELE | 26. 3 LITRONI   | 26. ALUMINIU |
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| 34     | 34. UNDEZIELE | 34. UNDEZIELE | 34. 3 LITRONI   | 34. ALUMINIU |
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| 52     | 52. UNDEZIELE | 52. UNDEZIELE | 52. 3 LITRONI   | 52. ALUMINIU |
| 53     | 53. UNDEZIELE | 53. UNDEZIELE | 53. 3 LITRONI   | 53. ALUMINIU |
| 54     | 54. UNDEZIELE | 54. UNDEZIELE | 54. 3 LITRONI   | 54. ALUMINIU |
| 55     | 55. UNDEZIELE | 55. UNDEZIELE | 55. 3 LITRONI   | 55. ALUMINIU |
| 56     | 56. UNDEZIELE | 56. UNDEZIELE | 56. 3 LITRONI   | 56. ALUMINIU |
| 57     | 57. UNDEZIELE | 57. UNDEZIELE | 57. 3 LITRONI   | 57. ALUMINIU |
| 58     | 58. UNDEZIELE |               |                 |              |

[illegible]

**SHRUB PLANTING DETAIL**



COMPACTED ROCK BORDER  
INSTALL 4" THICK COMPACTED BASE ROCK  
AROUND THE HYDRATED AREAS, THE WIDTH  
OF THE BORDER SHALL BE 24" WIDE EXCEED  
THE COMPACTED ROCK AREA AROUND THE  
UTILITIES IN THE SOUTH EAST CORNER AS SHOWN.

Figure 1. The effect of the concentration of the monomer on the polymerization of 1,3-bis(4-vinylphenyl)propane (1) in the presence of 10% of the initiator. The polymerization was carried out at 60°C for 24 h. The concentration of the monomer was 0.5, 1.0, 1.5, 2.0, 2.5, 3.0, 3.5, 4.0, 4.5, 5.0, 5.5, 6.0, 6.5, 7.0, 7.5, 8.0, 8.5, 9.0, 9.5, 10.0, 10.5, 11.0, 11.5, 12.0, 12.5, 13.0, 13.5, 14.0, 14.5, 15.0, 15.5, 16.0, 16.5, 17.0, 17.5, 18.0, 18.5, 19.0, 19.5, 20.0, 20.5, 21.0, 21.5, 22.0, 22.5, 23.0, 23.5, 24.0, 24.5, 25.0, 25.5, 26.0, 26.5, 27.0, 27.5, 28.0, 28.5, 29.0, 29.5, 30.0, 30.5, 31.0, 31.5, 32.0, 32.5, 33.0, 33.5, 34.0, 34.5, 35.0, 35.5, 36.0, 36.5, 37.0, 37.5, 38.0, 38.5, 39.0, 39.5, 40.0, 40.5, 41.0, 41.5, 42.0, 42.5, 43.0, 43.5, 44.0, 44.5, 45.0, 45.5, 46.0, 46.5, 47.0, 47.5, 48.0, 48.5, 49.0, 49.5, 50.0, 50.5, 51.0, 51.5, 52.0, 52.5, 53.0, 53.5, 54.0, 54.5, 55.0, 55.5, 56.0, 56.5, 57.0, 57.5, 58.0, 58.5, 59.0, 59.5, 60.0, 60.5, 61.0, 61.5, 62.0, 62.5, 63.0, 63.5, 64.0, 64.5, 65.0, 65.5, 66.0, 66.5, 67.0, 67.5, 68.0, 68.5, 69.0, 69.5, 70.0, 70.5, 71.0, 71.5, 72.0, 72.5, 73.0, 73.5, 74.0, 74.5, 75.0, 75.5, 76.0, 76.5, 77.0, 77.5, 78.0, 78.5, 79.0, 79.5, 80.0, 80.5, 81.0, 81.5, 82.0, 82.5, 83.0, 83.5, 84.0, 84.5, 85.0, 85.5, 86.0, 86.5, 87.0, 87.5, 88.0, 88.5, 89.0, 89.5, 90.0, 90.5, 91.0, 91.5, 92.0, 92.5, 93.0, 93.5, 94.0, 94.5, 95.0, 95.5, 96.0, 96.5, 97.0, 97.5, 98.0, 98.5, 99.0, 99.5, 100.0, 100.5, 101.0, 101.5, 102.0, 102.5, 103.0, 103.5, 104.0, 104.5, 105.0, 105.5, 106.0, 106.5, 107.0, 107.5, 108.0, 108.5, 109.0, 109.5, 110.0, 110.5, 111.0, 111.5, 112.0, 112.5, 113.0, 113.5, 114.0, 114.5, 115.0, 115.5, 116.0, 116.5, 117.0, 117.5, 118.0, 118.5, 119.0, 119.5, 120.0, 120.5, 121.0, 121.5, 122.0, 122.5, 123.0, 123.5, 124.0, 124.5, 125.0, 125.5, 126.0, 126.5, 127.0, 127.5, 128.0, 128.5, 129.0, 129.5, 130.0, 130.5, 131.0, 131.5, 132.0, 132.5, 133.0, 133.5, 134.0, 134.5, 135.0, 135.5, 136.0, 136.5, 137.0, 137.5, 138.0, 138.5, 139.0, 139.5, 140.0, 140.5, 141.0, 141.5, 142.0, 142.5, 143.0, 143.5, 144.0, 144.5, 145.0, 145.5, 146.0, 146.5, 147.0, 147.5, 148.0, 148.5, 149.0, 149.5, 150.0, 150.5, 151.0, 151.5, 152.0, 152.5, 153.0, 153.5, 154.0, 154.5, 155.0, 155.5, 156.0, 156.5, 157.0, 157.5, 158.0, 158.5, 159.0, 159.5, 160.0, 160.5, 161.0, 161.5, 162.0, 162.5, 163.0, 163.5, 164.0, 164.5, 165.0, 165.5, 166.0, 166.5, 167.0, 167.5, 168.0, 168.5, 169.0, 169.5, 170.0, 170.5, 171.0, 171.5, 172.0, 172.5, 173.0, 173.5, 174.0, 174.5, 175.0, 175.5, 176.0, 176.5, 177.0, 177.5, 178.0, 178.5, 179.0, 179.5, 180.0, 180.5, 181.0, 181.5, 182.0, 182.5, 183.0, 183.5, 184.0, 184.5, 185.0, 185.5, 186.0, 186.5, 187.0, 187.5, 188.0, 188.5, 189.0, 189.5, 190.0, 190.5, 191.0, 191.5, 192.0, 192.5, 193.0, 193.5, 194.0, 194.5, 195.0, 195.5, 196.0, 196.5, 197.0, 197.5, 198.0, 198.5, 199.0, 199.5, 200.0, 200.5, 201.0, 201.5, 202.0, 202.5, 203.0, 203.5, 204.0, 204.5, 205.0, 205.5, 206.0, 206.5, 207.0, 207.5, 208.0, 208.5, 209.0, 209.5, 210.0, 210.5, 211.0, 211.5, 212.0, 212.5, 213.0, 213.5, 214.0, 214.5, 215.0, 215.5, 216.0, 216.5, 217.0, 217.5, 218.0, 218.5, 219.0, 219.5, 220.0, 220.5, 221.0, 221.5, 222.0, 222.5, 223.0, 223.5, 224.0, 224.5, 225.0, 225.5, 226.0, 226.5, 227.0, 227.5, 228.0, 228.5, 229.0, 229.5, 230.0, 230.5, 231.0, 231.5, 232.0, 232.5, 233.0, 233.5, 234.0, 234.5, 235.0, 235.5, 236.0, 236.5, 237.0, 237.5, 238.0, 238.5, 239.0, 239.5, 240.0, 240.5, 241.0, 241.5, 242.0, 242.5, 243.0, 243.5, 244.0, 244.5, 245.0, 245.5, 246.0, 246.5, 247.0, 247.5, 248.0, 248.5, 249.0, 249.5, 250.0, 250.5, 251.0, 251.5, 252.0, 252.5, 253.0, 253.5, 254.0, 254.5, 255.0, 255.5, 256.0, 256.5, 257.0, 257.5, 258.0, 258.5, 259.0, 259.5, 260.0, 260.5, 261.0, 261.5, 262.0, 262.5, 263.0, 263.5, 264.0, 264.5, 265.0, 265.5, 266.0, 266.5, 267.0, 267.5, 268.0, 268.5, 269.0, 269.5, 270.0, 270.5, 271.0, 271.5, 272.0, 272.5, 273.0, 273.5, 274.0, 274.5, 275.0, 275.5, 276.0, 276.5, 277.0, 277.5, 278.0, 278.5, 279.0, 279.5, 280.0, 280.5, 281.0, 281.5, 282.0, 282.5, 283.0, 283.5, 284.0, 284.5, 285.0, 285.5, 286.0, 286.5, 287.0, 287.5, 288.0, 288.5, 289.0, 289.5, 290.0, 290.5, 291.0, 291.5, 292.0, 292.5, 293.0, 293.5, 294.0, 294.5, 295.0, 295.5, 296.0, 296.5, 297.0, 297.5, 298.0, 298.5, 299.0, 299.5, 300.0, 300.5, 301.0, 301.5, 302.0, 302.5, 303

[illegible]

| Item | Value |
|------|-------|
| 1    | 100   |
| 2    | 200   |
| 3    | 300   |
| 4    | 400   |
| 5    | 500   |
| 6    | 600   |
| 7    | 700   |
| 8    | 800   |
| 9    | 900   |
| 10   | 1000  |

# LEGACY CENTER

Hwy 12, east of Sunset Blvd.  
Suisun City, CA

## UNIFORM SIGN PROGRAM TENANT SIGN CRITERIA



1700 West Anaheim Street  
Long Beach, California  
90813-1195  
Phone: 562.495.3808  
Facsimile: 562.435.1867  
www.superiorsigns.com

2207857902

Page 1

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# LEGACY CENTER

Hwy 12, east of Sunset Blvd.  
Suisun City, CA

## UNIFORM SIGN PROGRAM TENANT SIGN CRITERIA



**PROJECT ADDRESS:**  
HWY 12, EAST OF SUNSET BLVD.  
SUISUN CITY, CA

**SIGN PROGRAM:**  
SUPERIOR ELECTRICAL ADVERTISING, INC.  
1700 WEST ANAHEIM STREET  
LONG BEACH, CA 90813  
[WWW.SUPERIORSIGNS.COM](http://WWW.SUPERIORSIGNS.COM)  
T: 209.810.7865  
CONTACT: DAVE COBERLY  
[DAVE@SUPERIORSIGNS.COM](mailto:DAVE@SUPERIORSIGNS.COM)  
CONTRACTORS #: CA 271598

**MANAGER / APPROVING PARTY:**  
HILBERS INCORPORATED  
770 N. WALTON AVE. #600  
YUBA CITY, CA 95993  
  
KRISTEN LONGWELL  
(530) 870-8766



1700 West Anaheim Street  
Long Beach, California  
90813-1195  
Phone: 562.495.3808  
Facsimile: 562.435.1887  
[www.superiorsigns.com](http://www.superiorsigns.com)

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|-------------------|---|
| Sheet             | Description   |
| 2                 | Project & Contact Information                       |
| 3                 | Introduction & Overview                             |
| 4                 | Sign Size Parameters Chart                          |
| 5                 | Site Plan   |
| 6                 | Approval Procedure / General Requirements           |
| 7                 | Sign Allowance and Sign Construction                |
| 8                 | Sign Restrictions                                   |
| 9                 | Multi-Tenant Freestanding Pylon Sign Specifications |
| 10                | Monument Sign Specifications                        |
| 11                | Directional Sign Specifications                     |
| 12                | Retail #1 Building Elevations                       |
| 13                | Tenant Sign & Specifications                        |
| 14                | Channel Letter Section Details                      |
| 15                | Window Graphic Specifications                       |

## A. INTRODUCTION:

The purpose of this sign program is to ensure coordination and compatibility between all signs with the Legacy Center. Signs will be high-quality and will be professionally manufactured and installed. Criteria shall establish the sign standards necessary to provide coordinated, imaginative, and proportional exposure for all the Tenants to be located within the Shopping Center. Performance shall be strictly enforced and any non-conforming sign that is installed shall be removed immediately by a professional sign contractor at Tenant's expense.

## OVERVIEW:

The overview of this criteria is to assist the Manager / Tenant and the City's relationship.

The Manager will be responsible to:

- Provide base building design and construction information requested by the Tenant's design consultants.
- Review, comment and approve Tenant sign submission.
- Manager will handle the Multi-tenant Monument signs.

In return, the Tenant will be responsible for:

- Design, fabrication, permitting and installation of signs, including any structural support and electrical service and special installation requiring addition of modification to the shell building approved by the Manager.
- Tenant panels on forementioned multi-tenant signs.
- On building signs and tenant monument signs when allowed.



1700 West Anaheim Street  
Long Beach, California  
90801-1951  
Phone: 562.495.3808  
Facsimile: 562.435.1887  
www.superioradn.com  
2207857902

Page 3  
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# SIGN SIZE PARAMETERS

## SIGN MATRIX

| SIGN TYPE | SIGN CLASSIFICATION               | SIGN LOCATION | MAX. QTY. | MAX. AREA | MAX. SIGN WIDTH        | MAX. LETTER HEIGHT       | # OF TENANT PANELS | MAX. HEIGHT OF SIGN | LOGOS ALLOWED | LOGO COLORS ALLOWED | ILLUMINATION PERMITTED |
|-----------|-----------------------------------|---------------|-----------|-----------|------------------------|--------------------------|--------------------|---------------------|---------------|---------------------|------------------------|
| A         | FREESTANDING PYLON SIGN           | GROUND        | 1         | 192 sq ft | 24 feet                | 3'-0"                    | 4                  | 24 feet             | Yes           | Yes                 | Yes                    |
| B         | FREESTANDING MONUMENT             | GROUND        | 4         | 35 sq ft  | 6 feet                 | 3'-0"                    | 1                  | 6 feet              | Yes           | Yes                 | Yes                    |
| C         | FREESTANDING DIRECTIONAL          | GROUND        | 2         | 4 sq ft   | 4 feet                 | 3" OR AS NEEDED          | 4                  | 4 feet              | Yes           | Yes                 | Yes                    |
| D         | BUILDING MULTITENANT USER SIGNAGE | WALL          | 3         | 1:1 sq ft | 75% OF TENANT FRONTAGE | 25% OF TOTAL WALL HEIGHT | -                  | -                   | Yes           | Yes                 | Yes                    |
|           |                                   |               |           |           |                        |                          |                    |                     |               |                     |                        |
|           |                                   |               |           |           |                        |                          |                    |                     |               |                     |                        |
|           |                                   |               |           |           |                        |                          |                    |                     |               |                     |                        |
|           |                                   |               |           |           |                        |                          |                    |                     |               |                     |                        |



1700 West Anaheim Street  
Long Beach, California  
90813-1195  
Phone: 562.495.3808  
Facsimile: 562.435.1887  
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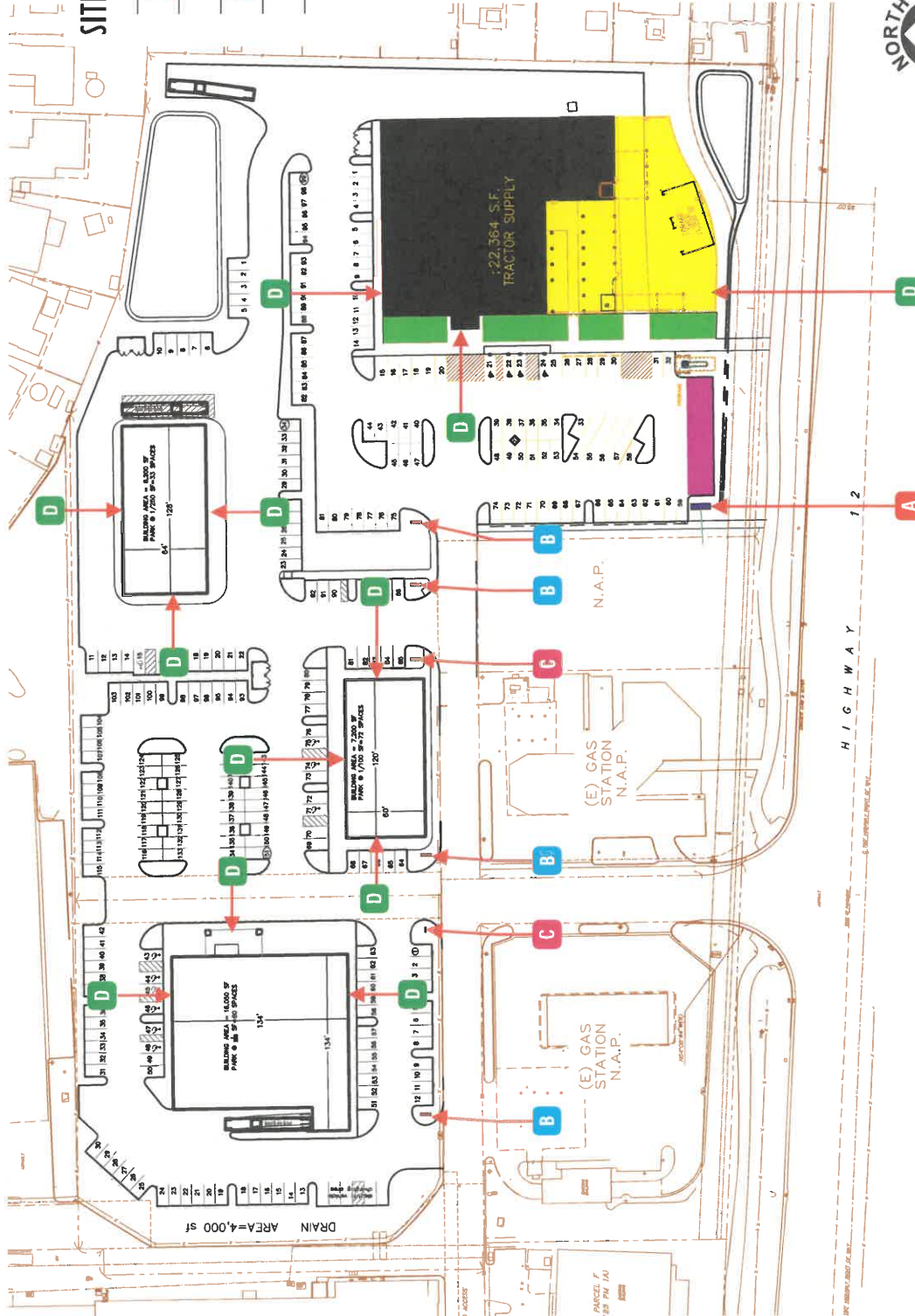
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**LEGACY CENTER**  
UNIFORM SIGN PROGRAM  
TENANT SIGN CRITERIA

## SITE PLAN - SIGN LOCATIONS

|          |                               |
|----------|-------------------------------|
| <b>A</b> | Multi-Tenant Pylon Sign       |
| <b>B</b> | Single Tenant Monument Sign   |
| <b>C</b> | Multi-Tenant Directional Sign |
| <b>D</b> | Building Signage              |



**1**

**SCALE: 1" = 80'-0"**

OVERALL SITE PLAN / SIGN LOCATIONS

## II. APPROVAL PROCEDURE

All signs installed or displayed on the premises of Legacy Center must have written approval of the Landlord/Developer. The aesthetic characteristics of the signs (i.e., placement, size, proportion, colors, textures, method of fabrication, location of power supplies and electrical devices, etc.) are subject to the discretionary approval of the Landlord/Developer within the context of this criteria.

Prior to submission to the City of Suisun City for permits, and prior to construction and installation of any sign or graphic covered by this criteria, tenant must submit three (3) sets of professionally prepared drawings of their proposed signage meeting this criteria to Landlord/Developer for review and approval.

### Drawings must:

1. Depict sign on building elevation with dimensional location and scale.
2. Include all specifications for construction and installation, including but not limited to, colors, materials, and illumination details. Following Landlord/Developer approval, Tenant must submit approved drawings to the City of Suisun City for review / permits prior to construction. All design, processing and construction shall be at the Tenant's sole cost & expense.

## III. GENERAL REQUIREMENTS

1. All work is to be performed by a professional sign company. Said sign company must be in possession of a current contractor's license to perform such work, in addition to a current city business license. Said sign company must maintain a minimum of \$1,000,000 insurance to be working on property.
  2. Each Tenant shall submit or cause to be submitted to the Landlord/Developer and the City of Suisun City for approval before fabrication three (3) copies of detailed drawings, to scale, indicating the location, size, layout, design and color of the proposed signs, including all lettering and or graphics. These drawings should be submitted along with site plan indicating the location of the lease space on the site, and elevation showing sign placement and lease space width.  
**NOTE:** All sign layouts shall include a digital image of the building frontage with proposed sign in a scaled format to include adjacent tenant signage, if applicable.
- \* All sign applications must comply with the City of Suisun City sign application requirements.

3. All signs shall be reviewed and approved in writing by the Landlord/Developer for conformance with these criteria and overall design quality as well as Tenant's lease agreement. Approval or disapproval of sign submittal based on aesthetics of a design shall remain the sole right of the Landlord/Developer.
4. All signs must comply with current City of Suisun City planning, zoning, building and electrical codes.
5. City Approval and Permits: Upon approval by the Landlord/Developer, Tenant shall secure a sign permit from the City of Suisun City by bringing color copies of the proposed drawings (approved by the Landlord/Developer) to the Planning Department. All permits required by the City of Suisun City for signs and their installation must be obtained and paid for by the Tenant prior to installation.
  - \* All sign applications must comply with the City of Suisun City sign application requirements.
6. All building signs shall be constructed and installed at Tenant's expense. Tenant is also responsible for the maintenance of building signs.
7. In the event a Tenant vacates his premises, Tenant shall be responsible for the removal of any wall and/or logo sign, with all holes being repaired and repainted to match the building exterior, within 15 days of vacating premises.
8. Tenant's sign contractor shall repair any damage to any work caused by his actions. Incomplete repairs are the ultimate responsibility of the Tenant.
9. Upon notice by the City of Suisun City or the Landlord/ Developer, a Tenant shall be required to repair or refurbish their sign structure, sign face and/or sign illumination within seven (7) working days.
10. Window signs as related to logos to be allowed, shop addressing, hours of operation, telephone numbers, etc., shall be allowed by this criteria as shown in this criteria.
11. All electrical signage shall bear the Underwriter Laboratories (UL) label of approval. All conduit, transformers, junction boxes, openings in the building surface, etc. shall be concealed. No raceways or sign cabinets (boxes) are allowed. The City of Suisun City and the Landlord/Developer shall approve the method of installation.
12. Tenant is responsible for maintenance and cost of electricity for their own signage. The Tenant or Landlord shall be responsible to provide a designated electrical circuit from electrical panel for their signage. Tenant to provide primary wiring from electrical sub panel to J-box at sign location.
13. Tenant shall be fully responsible for the operations of his sign contractor and shall indemnify, defend and hold harmless the Landlord/Developer and his agents from damages or liabilities resulting from his contractor's work.
14. Registered trademarks, herein referred to as Registered Corporate Identity, pertain to corporate logos and logos that have been registered and are on file with the UNITED STATES PATENT AND TRADEMARK OFFICE in Washington, D.C.
15. Signs not covered by these criteria are subject to prior review and approval of the Landlord/Developer and shall conform to the requirements of the City of Suisun City Sign Standards and the City Code.
16. Sign Manufacturer identification. All signs must have the sign manufacturers name, address, and telephone number conspicuously and permanently attached on the exterior of the sign.
17. Leasing signs shall be restricted to the window of the available suite. These signs shall follow the same criteria as window graphics.
18. The sign criteria package will be updated when tenants update their individual site signage criteria. The location, number, size, and design may change based on the prototypical signage of each tenant.



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**LEGACY CENTER**  
**UNIFORM SIGN PROGRAM**  
TENANT SIGN CRITERIA



### III. TYPES OF SIGNS:

#### TENANT FASCIA SIGN DISPLAYS:

1. Types of tenant signs allowed:  
Fascia sign displays shall be individual channel letter construction with internal LED illumination.  
Channel letter power supplies may be remote set or self-contained. No exposed raceways shall be allowed unless necessitated by structural considerations.  
Tenant displays that incorporate "Contour" or "Cloud design" displays may be allowed with the approval by the Landlord. These displays must be of channel letter construction to maintain the sign types consistent with the location. Internally illuminated channel letters are required.  
Foam letter signs and new cabinet signs are not allowed without a variance from the City of Suisun City.

#### 2. Tenant Sign Standards:

Tenant:  
Front elevations - Signs shall not exceed (1:1) one square foot of sign area per one lineal foot of leased frontage.  
Maximum 100 square feet.  
Side or Rear elevations - Signs shall not exceed (5:1) one half square foot of sign area per one lineal foot of leased frontage.  
Maximum 75 square feet.  
Total aggregate 200 square feet maximum.  
Total height of sign may not exceed 25% of total wall height.

#### 3. Length of tenant signs allowed:

Signs not to exceed 75% of storefront frontage width.

#### 4. Sign location placement allowed:

Tenants are allowed one (1) sign per street or parking lot frontage, plus, two (2) signs on the side of the building, or one (1) on the side and one (1) on the rear elevation.  
Sign mounted no higher than ground floor or 20 feet from grade.  
Aggregate area does not include window vinyls.

Note: Signs shall be attached to the building parallel to the Building face. No portion of any sign or its supporting

structure may project more than twelve (12") inches from the face of the building or structure to which it is attached.

5. Lighting:  
In keeping with the architectural character of the project, identity signs for tenants should be illuminated using LED lighting.

#### 6. Colors:

The following guidelines are to be adhered to in selecting colors for tenant signage:  
- sign colors should be selected to provide sufficient contrast against building background colors.  
- colors within each sign should be harmoniously blended  
- sign colors should be compatible with building background colors  
- signage colors should provide variety  
- colors of letter returns should contrast with face colors for good daytime readability

All sign colors are subject to review and approval by the Landlord/Developer as part of the tenant sign submittal.

#### 7. Typestyles:

The use of logos and distinctive typestyles is encouraged for all tenant signs. Tenants may adapt established typestyles, logo and or images that are in use on similar buildings operated by them, provided that said images are architecturally compatible and approved by the Landlord/Developer. Type may be arranged in one or more lines of copy consist of upper and/or lower case letters.

#### 8. FREESTANDING MULTI-TENANT PYLON SIGN:

##### PYLON SIGN (A):

One (1) freestanding multi-tenant display shall be allowed for this location.  
Sign shall be 24 feet in maximum height.  
Maximum 192 square feet including combined tenant signage and center name on this display, per display side elevation.  
Display to be internally illuminated with LED low voltage.

##### MONUMENT SIGN (B):

Four (4) freestanding single tenant display shall be allowed for this location.  
Signs shall be 6 feet in maximum height.  
Maximum 35 square feet including combined tenant signage and center name on this display, per display side elevation.  
Display to be internally illuminated with LED low voltage.  
DIRECTIONAL SIGN:  
Two (2) freestanding multi-tenant directional sign shall be allowed for

this location.

Signs shall be 4 feet in maximum height.  
Maximum 4 square feet including combined tenant signage and center name on this display, per display side elevation.  
Display to be internally illuminated with LED low voltage.  
Directional sign with arrows indication location of tenant.

#### 9. WINDOW GRAPHICS:

Suite Numbers: One (1) allowed per tenant. 8" high opaque white vinyl applied flush with glass located above entry.

Window vinyl hours: One (1) allowed per tenant. No more than 10% of any storefront panel not to exceed 18" x 18". Vinyl hours applied to glass next to door, first or second surface.

Temporary Window signs shall not exceed 25% of total window area, max 50SF, only allowed seasonally max 16 wks per year. May not advertise products or pricing. Window signs shall be limited to the business name, hours of operation and identification of the products sold or services offered.



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## LEGACY CENTER

### UNIFORM SIGN PROGRAM

#### TENANT SIGN CRITERIA

V. SIGN RESTRICTIONS

PROHIBITED SIGNS

1. Any prohibited sign described in Zoning Regulations of the City of Suisun City.
  2. Signs constituting a Traffic Hazard: No person shall install or maintain, or cause to be installed or maintained, any building sign which simulates or imitates in size, color, lettering or design any traffic sign or signal, or which makes use of the words "STOP", "LOOK", "DANGER" or any words, phrases, symbols, or characters in such a manner as to interfere with, mislead or confuse traffic.
  3. Signs in Proximity to Utility Lines: Signs which have less horizontal or vertical clearance from authorized communication or energized electrical power lines that are prescribed by the laws of the State of California are prohibited.
  4. Wall signs may not project above the top of a parapet, the roof line at the wall (Except for mansard roof buildings).
  5. Advertising or promotional signs on parked vehicles are prohibited. This includes signs on or affixed to trucks, automobiles, trailers or other vehicles which advertise, identify or provide direction to a use or activity within the shopping center, and which are not related to the vehicle's lawful activity. This provision does not apply to service and delivery vehicles of Occupants when engaged in regular business activities (e.g. Trucks making deliveries to businesses within the center).
  6. The use of a permanent sale sign is prohibited.
  7. Any sign not indicated in this sign program shall be considered prohibited unless approved Landlord and City of Suisun City sign regulations.
  8. Signs must be architecturally compatible with the entire center.
  9. All materials used in signage construction and installation must be new. No used materials will be allowed.
  10. Temporary signs, including flags, banners, and pennants are prohibited by the Suisun City Municipal Code. Grand opening signs are permitted for a max of 30 days with City of Suisun City approval.
11. Inflatable advertising devices.
  12. A-Frame signs and portable ground signs.
  13. Hand-held portable signs, banners or flags (i.e. Sign dancers) either on or off site.
  14. No Spinning signs are allowed

LEGACY CENTER  
UNIFORM SIGN PROGRAM  
TENANT SIGN CRITERIA

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# SIGN TYPE A - PYLON SIGN

SIGN TYPE A - PYLON SIGN



**A** CUSTOM FABRICATED ALUMINUM DOUBLE FACE PYLON SIGN  
 QUANTITY: ONE (1) SIGN ALLOWED  
 192.0 SQ FT  
 SCALE: 1/4" = 1'-0"



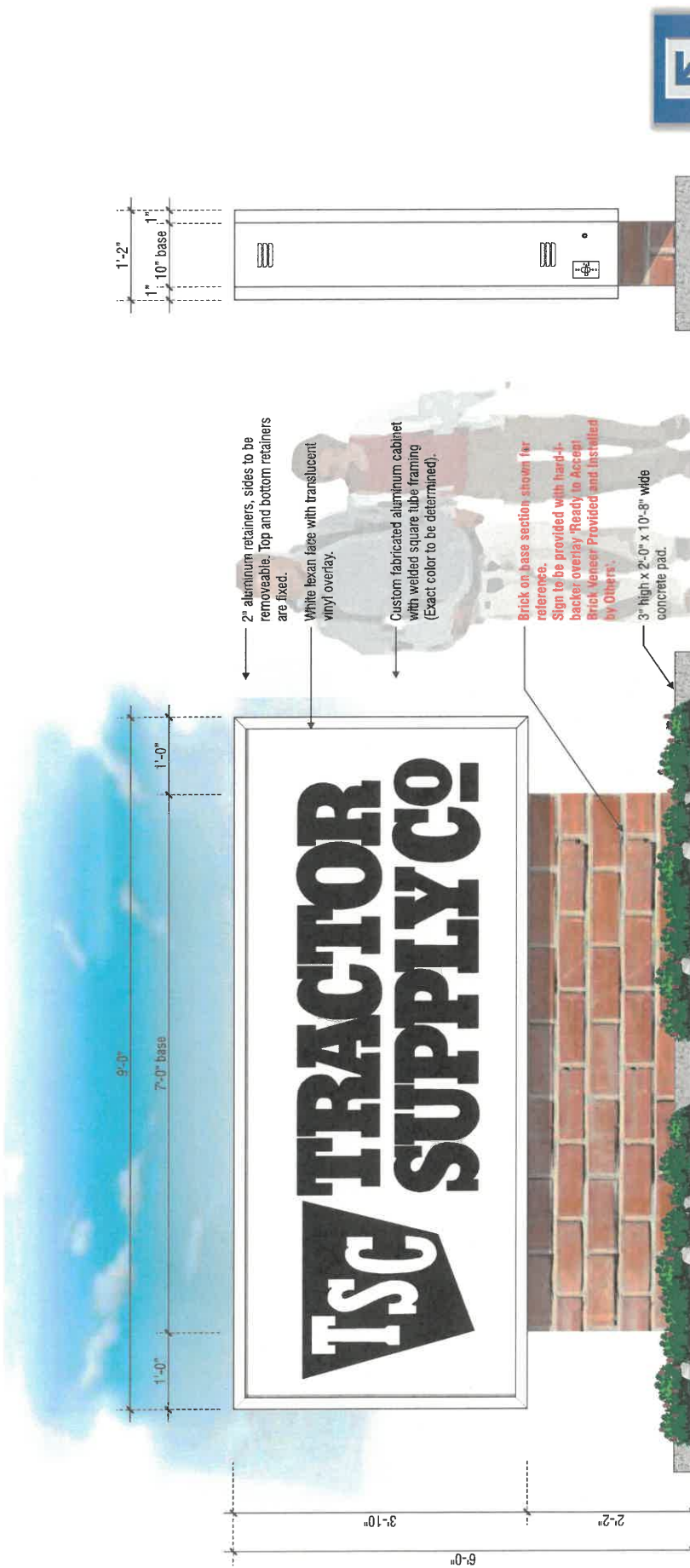
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# SIGN TYPE B - MONUMENT SIGN



**B** CUSTOM FABRICATED ALUMINUM DOUBLE FACE MONUMENT SIGN  
QUANTITY: FOUR (4) SIGNS ALLOWED

34.5 SQ FT  
SCALE: 3/4" = 1'-0"

**1** SIDE VIEW  
SCALE: 3/4" = 1'-0"

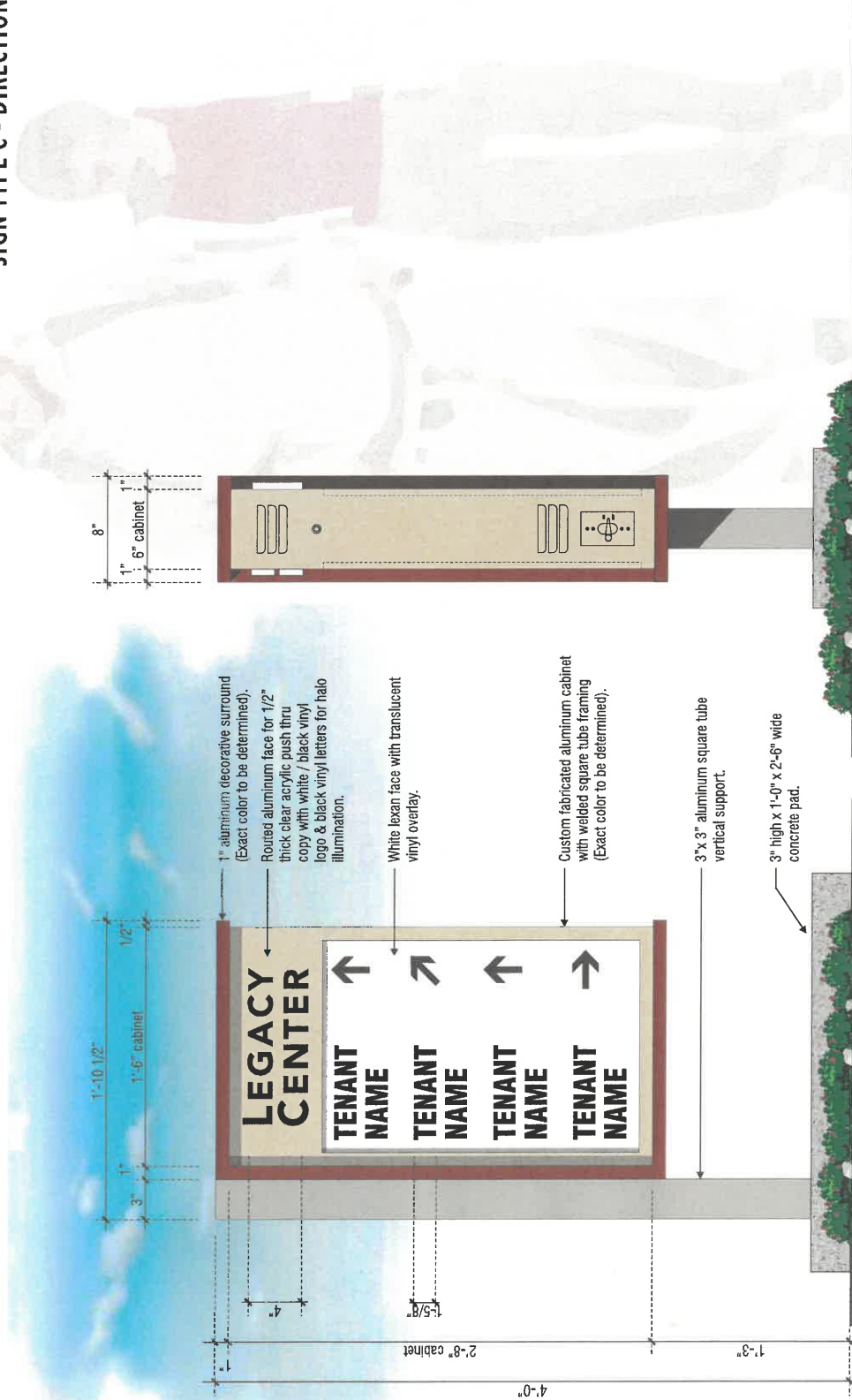


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## SIGN TYPE C - DIRECTIONAL SIGN



**C** CUSTOM FABRICATED ALUMINUM DOUBLE FACE MONUMENT SIGN 4.0 SQ FT  
 QUANTITY: TWO (2) SIGNS ALLOWED SCALE: 1'-1/2" = 1'-0"

**1**

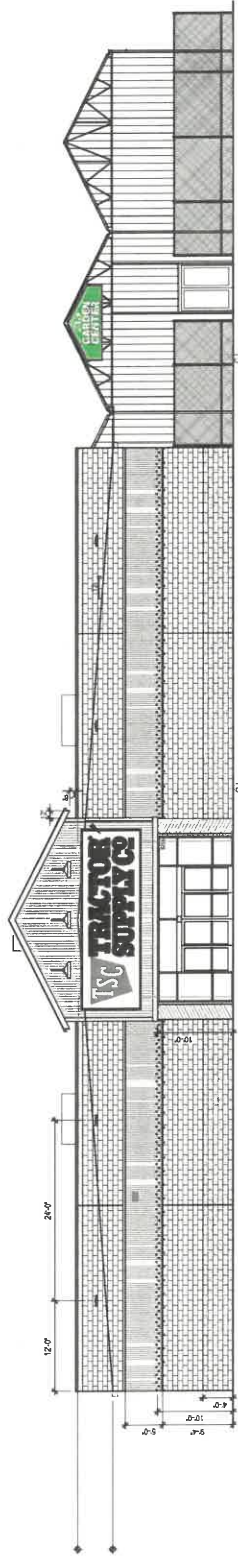
# LEGACY CENTER

## UNIFORM SIGN PROGRAM

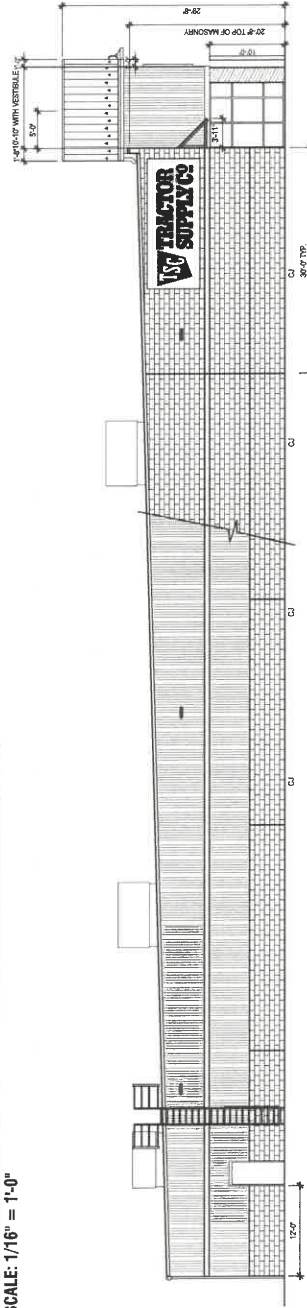
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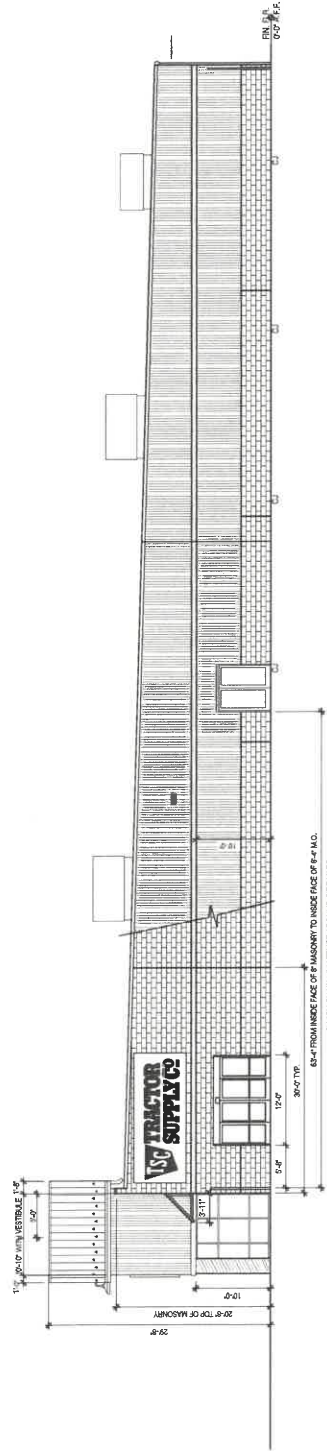
# BUILDING #1 ELEVATIONS



**1** BUILDING FRONT (WEST) ELEVATION  
SCALE: 1/16" = 1'-0"



**2** BUILDING LEFT (NORTH) ELEVATION  
SCALE: 1/16" = 1'-0"

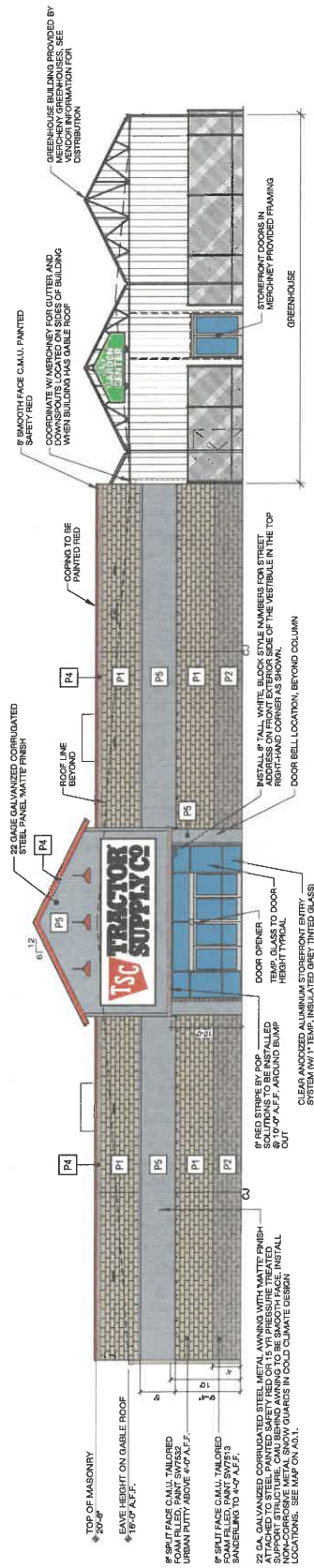


**3** BUILDING RIGHT (SOUTH) ELEVATION  
SCALE: 1/16" = 1'-0"

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1 BUILDING FRONT (WEST) ELEVATION

SCALE: 1/16" = 1'-0"



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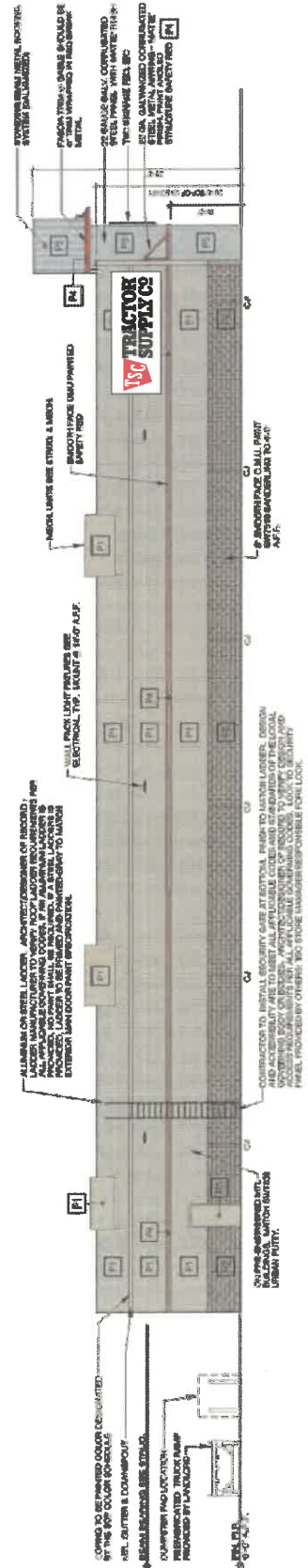
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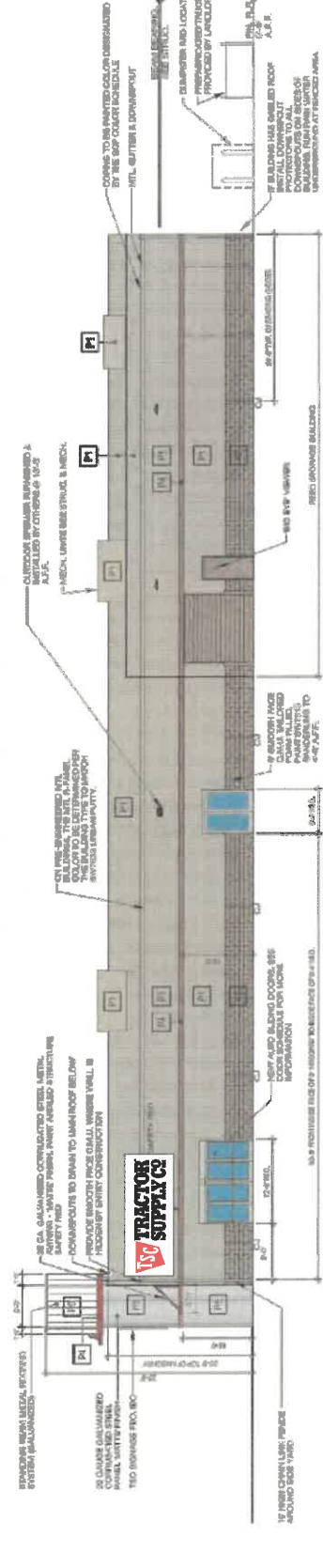
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1 BUILDING LEFT (NORTH) ELEVATION  
SCALE: 1/16" = 1'-0"



2 BUILDING RIGHT (SOUTH) ELEVATION  
SCALE: 1/16" = 1'-0"



SIGN TYPE D - TENANT SIGN SPECIFICATIONS



WALL MOUNTED CHANNEL LETTERS AND LOGO

**D** SCALE: NTS

- Tenant:
- Front elevations - Signs shall not exceed (1:1) one square foot of sign area per one lineal foot of leased frontage.
  - Maximum 100 square feet.
  - Side or Rear elevations - Signs shall not exceed (5:1) one half square foot of sign area per one lineal foot of leased frontage.
  - Maximum 75 square feet.
  - Total aggregate 200 square feet maximum.
  - Maximum sign height is 25% of wall height.
- 3 Area of tenant signs allowed:
- Signs not to exceed 75% of storefront frontage width.
- 4 Sign location placement allowed:
- Tenants are allowed one (1) sign per street or parking lot frontage, plus, two (2) signs on the side of the building, or one (1) on the side and one (1) on the rear elevation.
  - Sign mounted no higher than ground floor or 20 feet from grade.
  - Aggregate area does not include window vinyls.



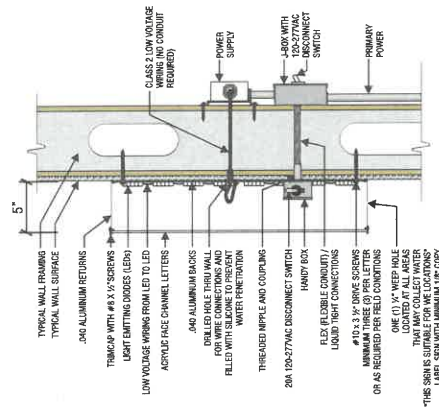
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**LEGACY CENTER**  
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TENANT SIGN CRITERIA

- L.E.D. FACE LIT CHANNEL LETTERS
- ACRYLIC PLASTIC FACE
- FLUSH MOUNT
- REMOTE POWER SUPPLY



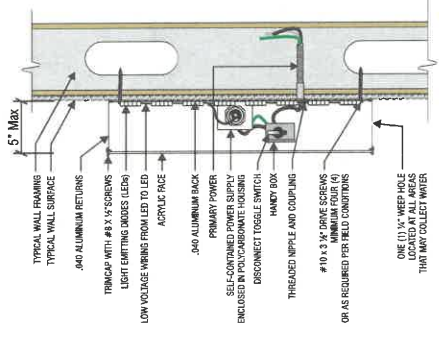
1 TYPICAL SECTION DETAIL - LED LETTER ILLUMINATION  
SCALE: NTS

#### Note to All Contractors

##### 120 Sign Voltage

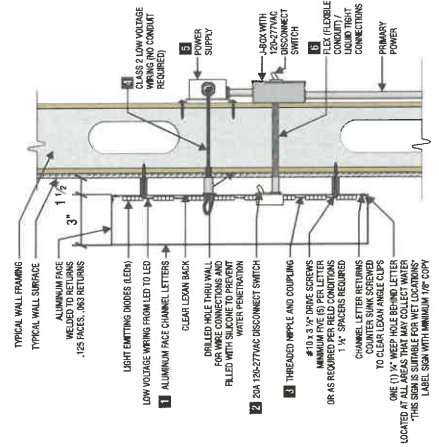
This sign is intended to be installed in accordance with the requirements of the National Electrical Code (NEC) and the applicable local codes. This includes proper grounding and bonding of the sign. All wall penetrations to be sealed with UL Listed silicone sealant.

- L.E.D. FACE LIT CHANNEL LOGO
- ACRYLIC PLASTIC FACE
- FLUSH MOUNT
- SELF-CONTAINED POWER SUPPLY



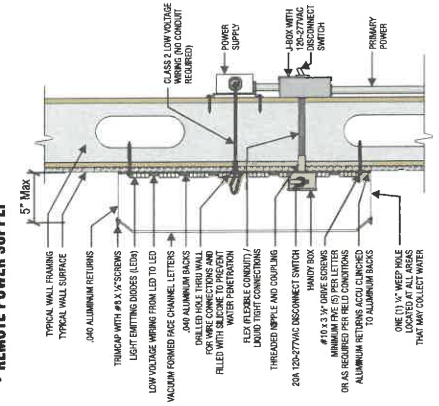
2 TYPICAL SECTION DETAIL - LED LOGO ILLUMINATION  
SCALE: NTS

- HALO LIT CHANNEL LETTERS / LOGO
- ALUMINUM FACE
- MOUNTED 1 1/2" AWAY FROM WALL SURFACE
- REMOTE POWER SUPPLY



3 TYPICAL SECTION DETAIL - LED HALO ILLUMINATION  
SCALE: NTS

- L.E.D. FACE LIT CHANNEL LETTERS OR LOGO PLAQUE
- VACUUM FORMED FACE
- FLUSH MOUNT
- REMOTE POWER SUPPLY



4 TYPICAL SECTION DETAIL - LED ILLUMINATION  
SCALE: NTS



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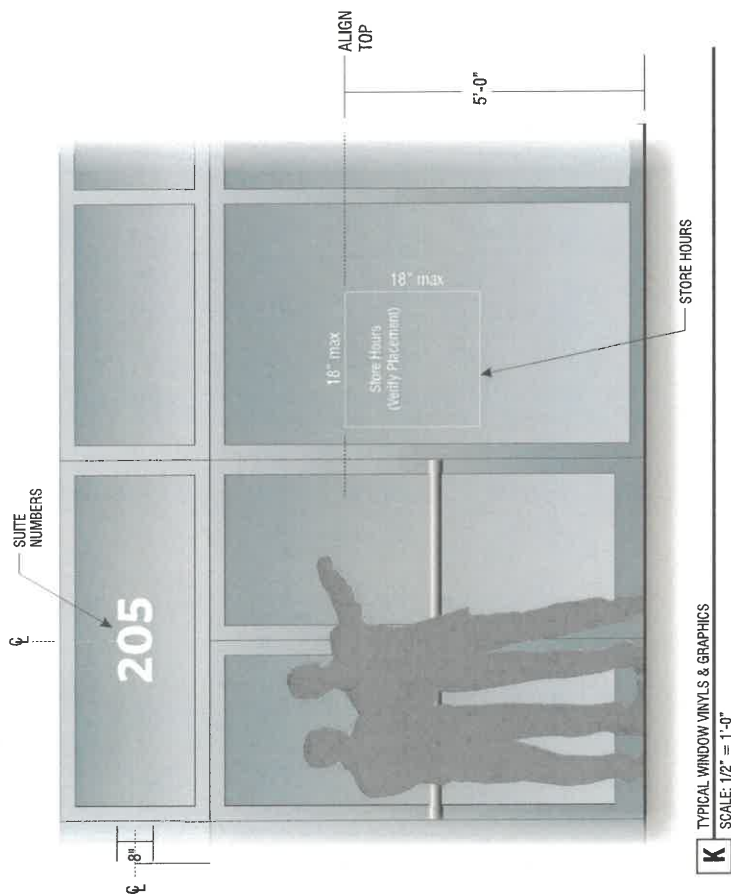
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TENANT SIGN CRITERIA

# PERMANENT WINDOW GRAPHIC SPECIFICATIONS



## SUITE NUMBER SPECIFICATIONS

- Location: Suite numbers - Centered and applied on glass
- Number Allowed: One (1) allowed per tenant
- Maximum Letter Height Allowed: 8"
- Construction: Opaque white vinyl letters
- Letter Installation: Flush to glass first or second surface

## WINDOW VINYL HOUR SPECIFICATIONS

- Location of Window Vinyl Graphics: Only ground floor Tenant Storefront
  - Number allowed: One per Tenant
  - Maximum size: Not to exceed 25% of window area.
- Window graphics to be reviewed and approved by LL prior to MFG & Install.

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90801-1935  
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Facsimile: 562.495.1887  
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### SIGN TYPE A - PYLON SIGN





# WRITTEN STATEMENTS:

## TRACTOR SUPPLY Company Project

East of NEC Hwy 12 & Sunset Avenue

Suisun City, California

SCA Project # 20.012



Date August 28<sup>th</sup>, 2022

## VARIANCE PROPOSAL:

The City of Suisun City has a maximum fence height standard of 8'-0", for commercial projects. We propose to increase the height from 8'-0" to 16'-0" for the Sales Yard area only.

## DISCUSSION POINTS:

1. The 16' high Sales Yard Fencing was a specific requirement requested directly by the Tractor Supply Company; and a part of their nationwide prototypical building standards. There are numerous operational, Supply Chain and merchandising issues for Company.
2. Tractor Supply utilizes a Tall Stock Rack Storage System in the Outdoor Sales Yard; this enables them store back-stocks of Various Soils, Mulches, Fertilizers, fencing and other agricultural materials.
3. The requested 16'-0" high fence would both preclude unwanted climbing ("Attractive Nuisance") up and onto the storage rack systems and reduce the chance of both injuries and those materials from being stolen.
4. The High Rack Storage allows the store to retain more commodities on site, to better serve the customers during peak seasonal periods.
5. Tractor Supply is a nationwide retail chain, and one of the ways the company stays competitive is to have consistency between stores, this is important for the Customer Experience, their Supply Chain and the on-site merchandising of the store.
6. If the High Rack Storage system is not utilized the store would need to increase the frequency of Truck Deliveries in order to maintain store merchandising levels.
7. The High Rack Storage system increases the amount of merchandise held in the Store. Thereby reducing total number of Truck deliveries, which reduces the carbon footprint as well.
8. The 16' high Sales Yard Fence is not like a property line -or- Zoning Fence; this is for the Sales Yard only and not along the perimeter of the site.

End of Written Statements

Sincerely,

SCA ~ SCOTT GIBSON ARCHITECT, Inc.




Scott G. Gibson  
California License: C18327

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# **Tractor Supply Retail Store SPAR21/22-003 Variance21/22-001**

**City of Suisun City  
Planning Commission  
February 28, 2023**





## Overview

### Owner/Applicant:

Sutter Retail Development/Yuba Investments E St., LP

Kurt Hilbers, Hilbers Inc.

770 N. Walton Avenue, Suite 100

Yuba City, CA 95993

### Planning Commission review:

- Site Plan/Architectural Review
- Variance
- Uniform Sign Program
- Modified Initial Study



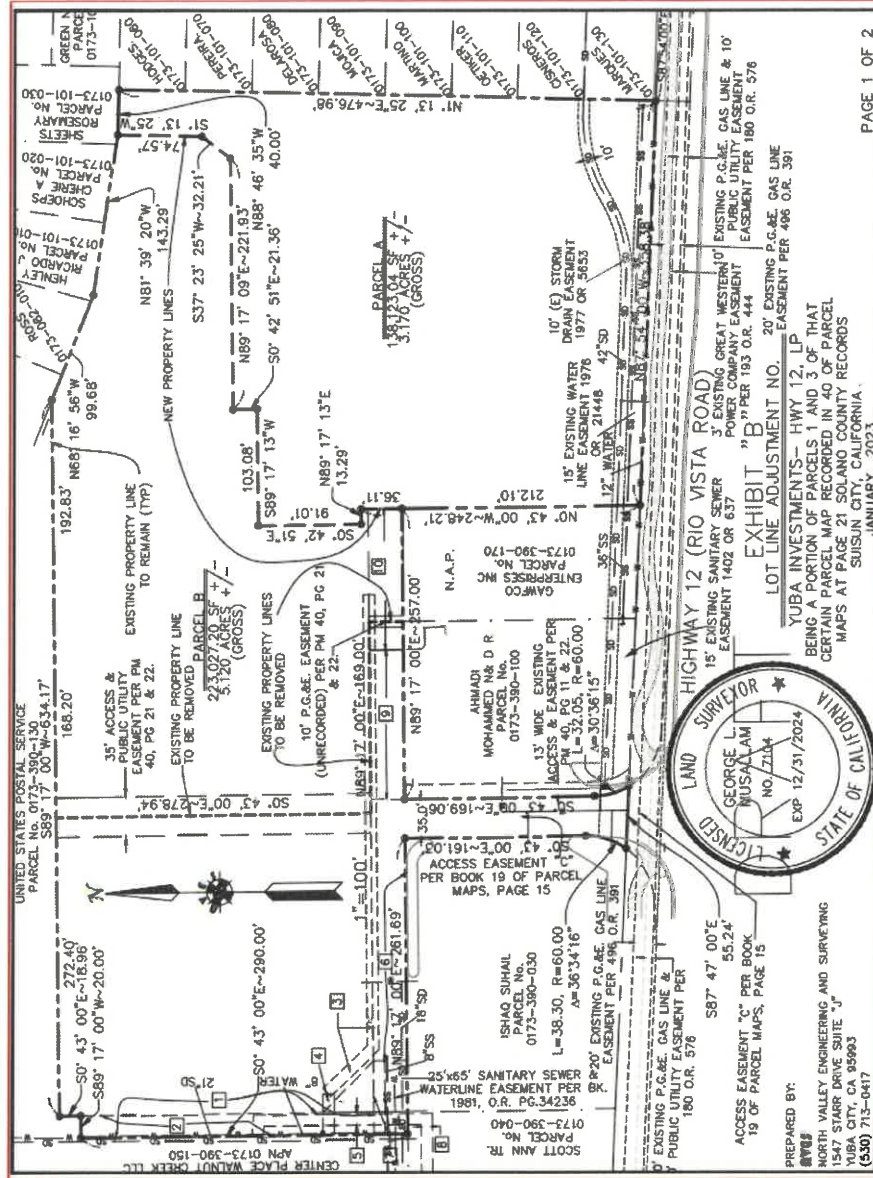
## Location, General Plan Designation, Zoning District

- Vacant 3.17-acre site, part of an 8.29-acre future integrated development
- North of Highway 12, east of Sunset Shopping Center, west of Snow Drive
- General Plan Designation: Commercial Mixed Use (CMU)
- Zoning District: Commercial Mixed Use (CMU)



Tractor Supply Retail Store

# Parcel Map





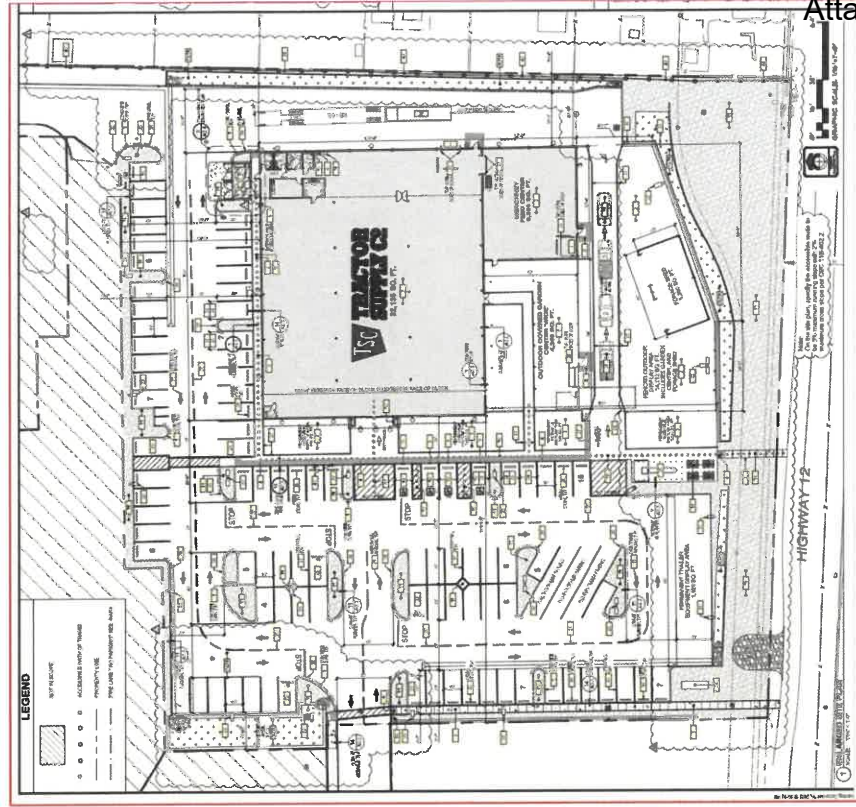
## Site Plan/Architectural Review

- Permitted use
- Commercial development anticipated in the General Plan
- Consistent with the City's Strategic Plan
  - Promote sustainable economic growth by attracting small and medium-sized businesses and creating jobs.
  - Determine the economic viability of specific land uses.
  - Be business friendly and provide excellent customer service.
  - Perform a detailed inventory of underutilized land in the city and develop a plan to activate the property over a ten-year period.
- Complies with development standards



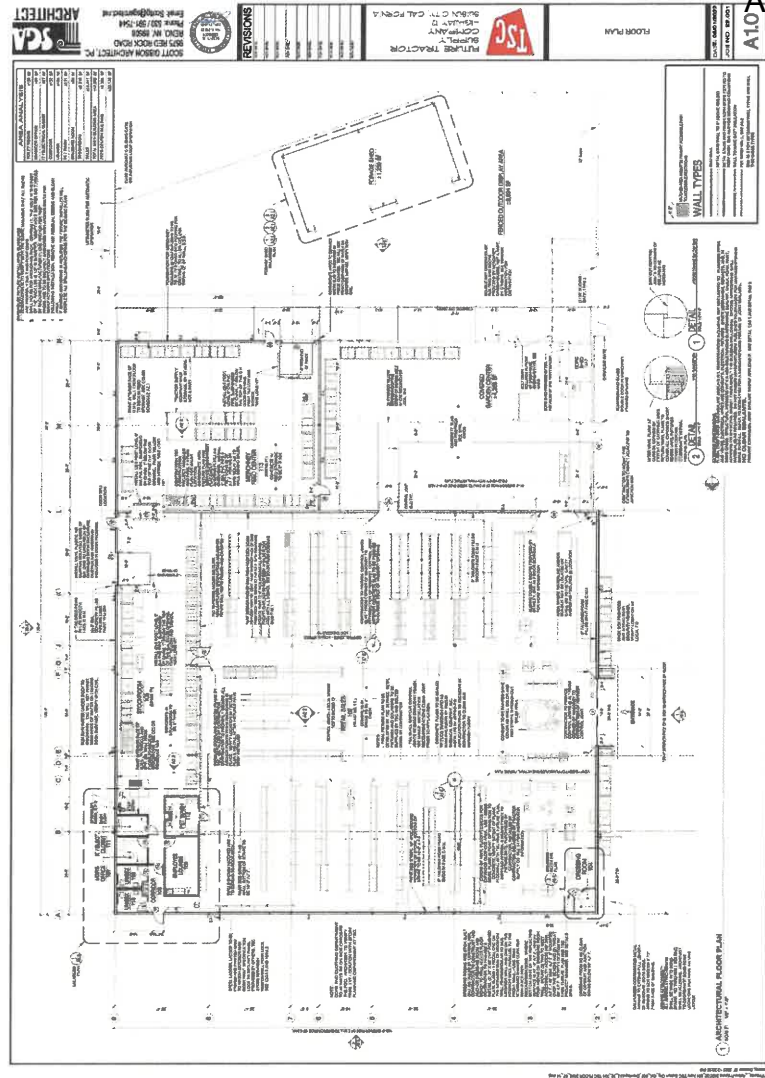
## Site Plan

- 3.17-acre site (part of a future 8.29-acre integrated commercial development)
- 22,135-square-foot retail center:
  - 15,557 sq ft retail sales area
  - 131 sq ft pet wash area
  - 3,335 sq ft feed storage area
  - 4,368 sq ft garden center
  - 1,920 sq ft trailer/outdoor vehicle area
- 94-space parking area
- Landscaping/utility and access improvements



# Floor Plan

- 15,557 sq ft farm/home hardware retail space
- 4,368 garden center
- 3,335 sq ft detached forage shed

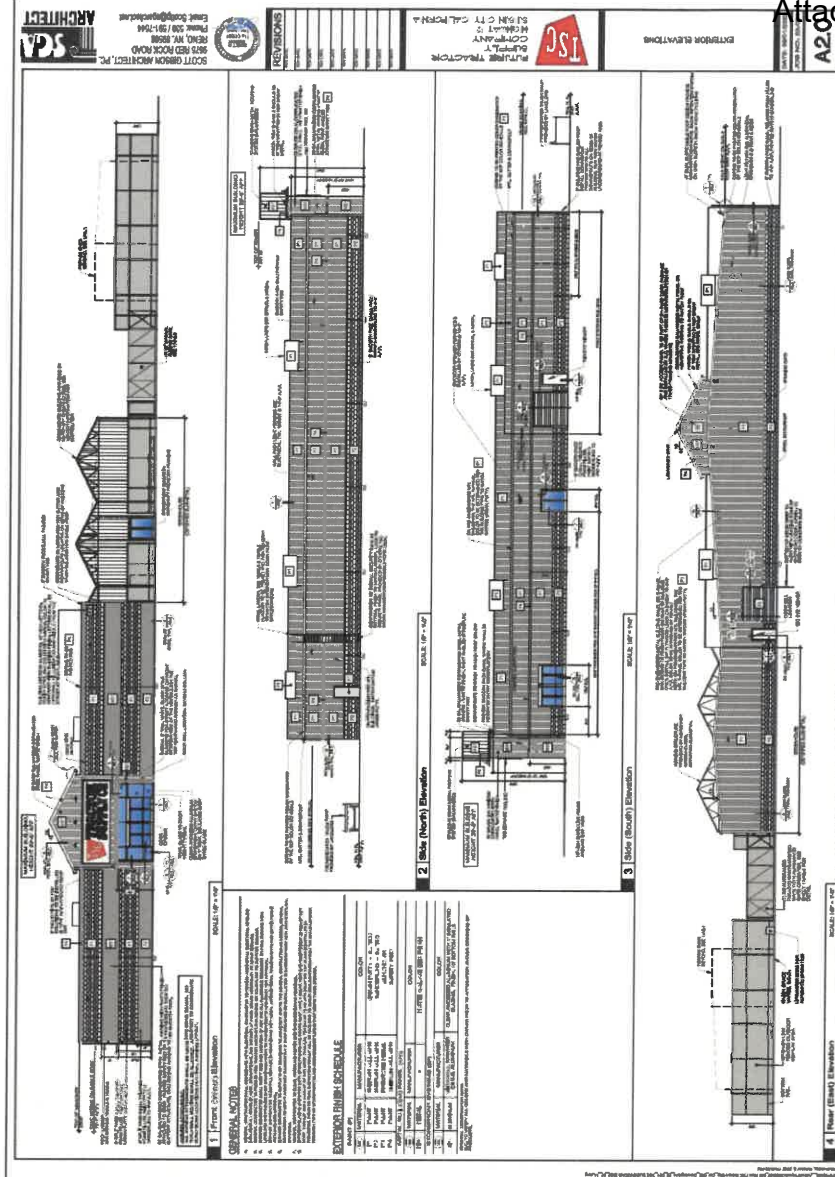


Tractor Supply Retail Store



# Elevations

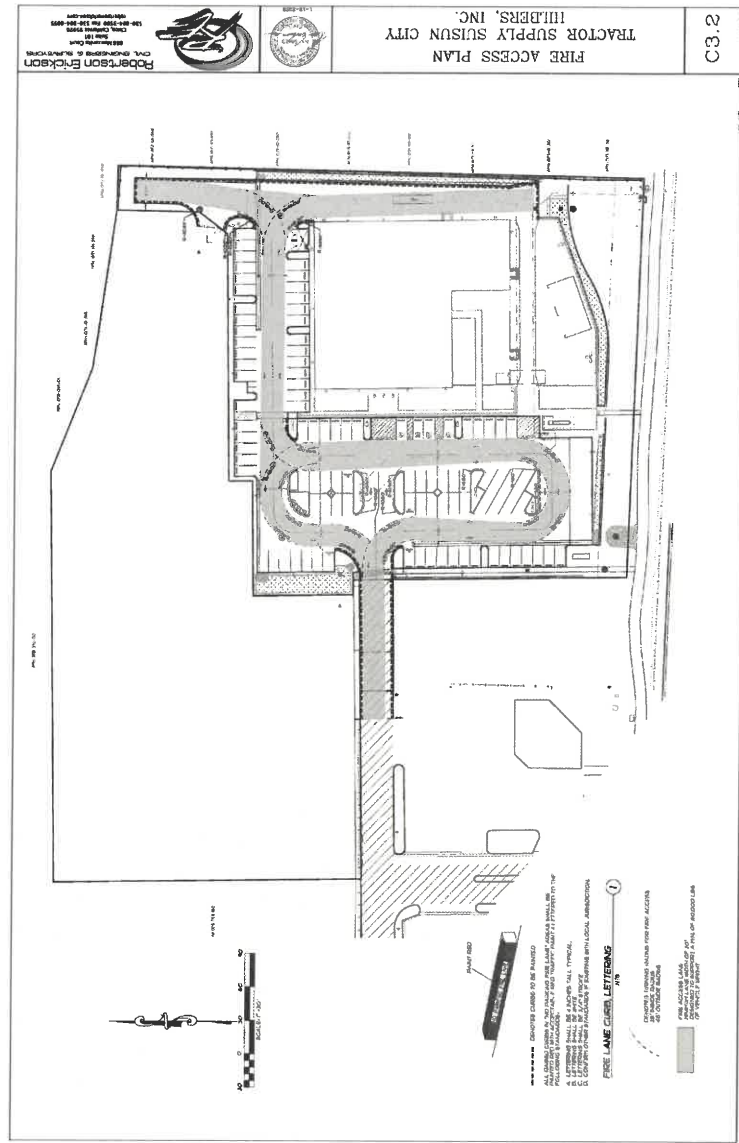
- West – primary entrance, garden center entrance
- North – faces vacant parcel
- South – faces Highway 12
- East – rear
  - Wall separating residential area
  - Delivery/loading access
  - Fire access



Tractor Supply Retail Store

# Fire Access

- Access drive behind building requires an apparatus turnaround.
- Widths and turnaround provisions consistent with Fire code.
- Fire hydrant location and distribution to be reviewed and approved by Fire Department.





80

- 
- # Landscaping



Tractor Supply Retail Store

Landscape palette

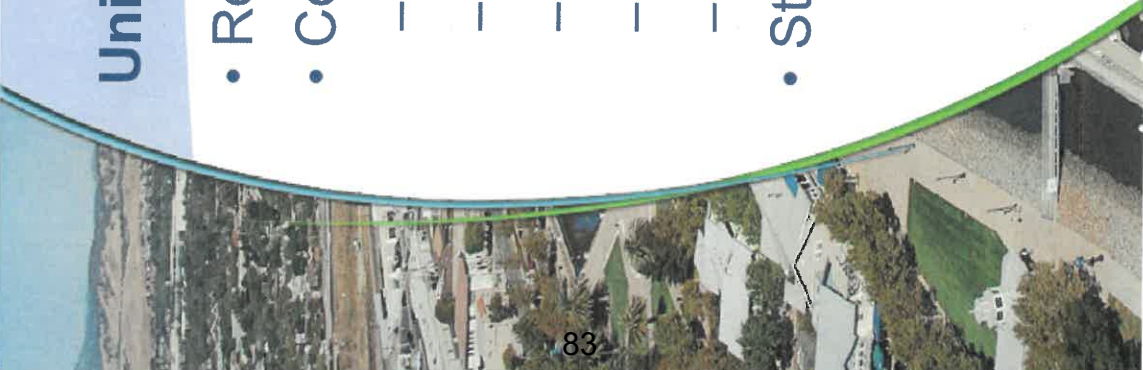




## Variance – Proposed fence height increase from 8' to 16'

- Outdoor display area – appropriate area to fence
- Proposed height of 16' (or 12') exceeds development standard
- Fence material options
- Staff recommends approval of variance for fence height of 12'

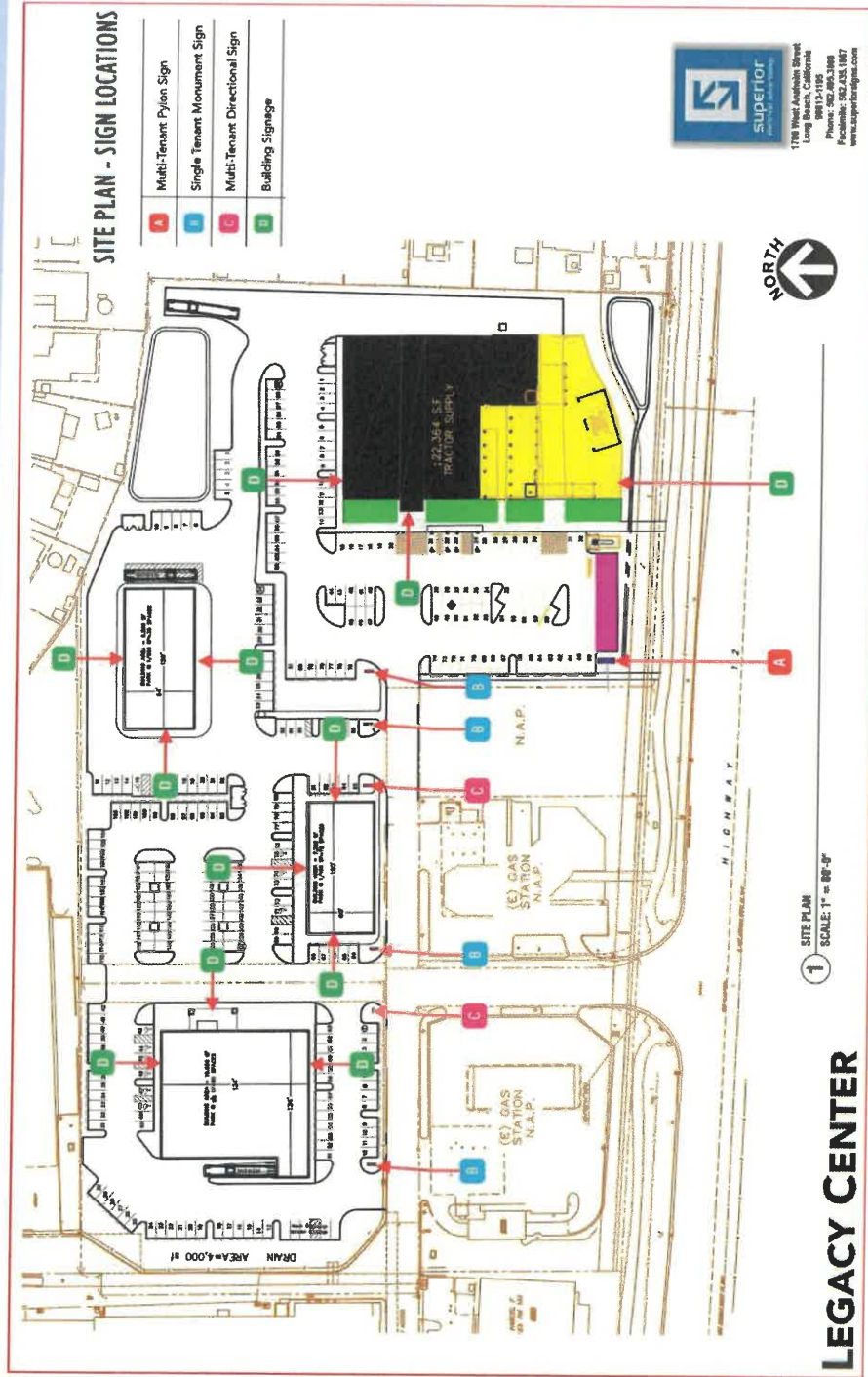




## Uniform Sign Program

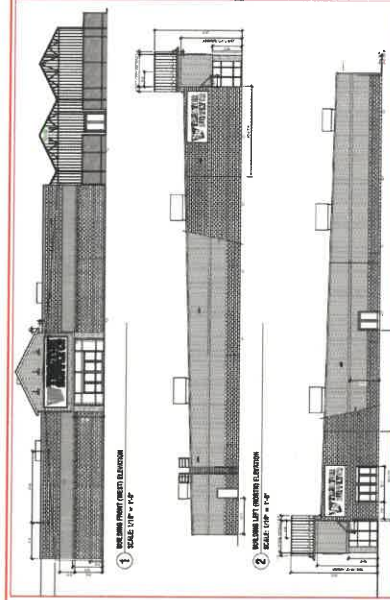
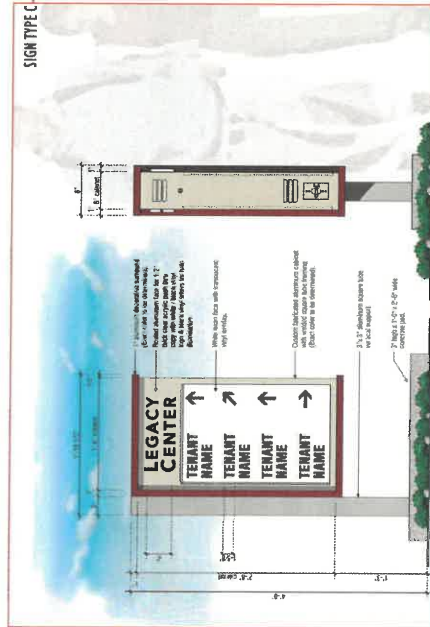
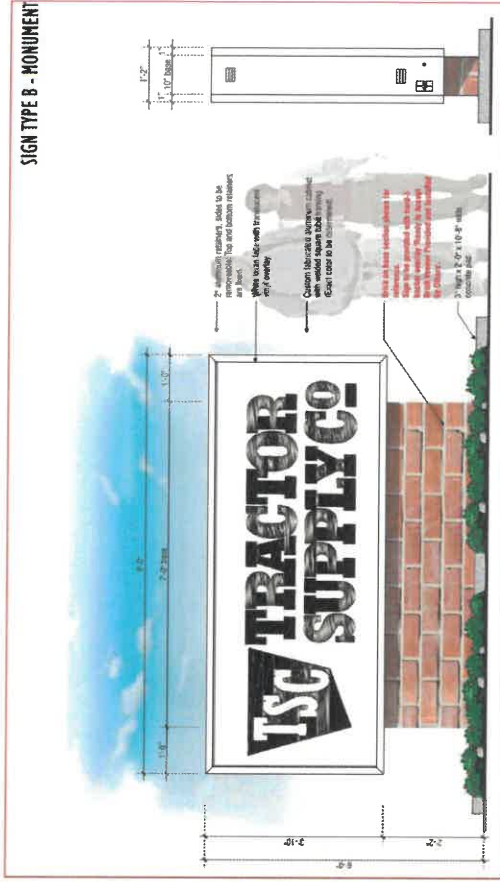
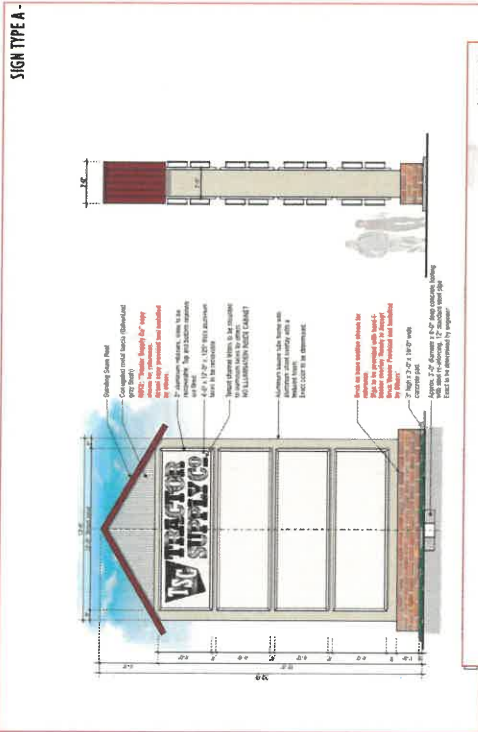
- Required for all integrated developments
- Consistent standards/process for approval of future signs
  - Multitenant pylon sign
  - Monument sign
  - Multitenant directional sign
  - Building-attached sign
  - Process for sign approval, maintenance, prohibited signs
- Staff recommends approval of the USP

# Site plan – sign locations





# Proposed signage



Tractor Supply Retail Store





## Environmental Review (CEQA)

- Modified Initial Study (MIS) prepared by Stantec
  - CEQA Guidelines Section 15183
- No significant changes in the physical environment that could result in increased impacts related to the project.
- Tribal Consultations (SB18, AB 52)
  - Treatment Protocol and Standard Monitoring Agreement
- Planning Commission review and approval
- Notice of Determination filed within 5 days of decision



## Conditions of Approval

- City
  - Standard conditions
  - Planning
  - Public Works
  - Fire Safety
- SSWA
- FSSD
- Tribal requests
  - Treatment protocol
  - Standard monitoring agreement



## Resolution

- Staff recommends approval of Resolution 23-\_\_\_, approving:
  - Site Plan/Architectural Review of SP/AR 21/22-003;
  - Variance;
  - Uniform Sign Program
  - Modified Initial Study;
- Resolution includes required findings
- Conditions of approval are attached as Exhibit A.



## Planning Commission Agenda Report

Meeting Date 02/28/2023

|  |               |
|--|---------------|
| <p>DATE: 02/28/2023</p> <p>TO: PLANNING COMMISSION</p> <p>FROM: JOHN KEARNS, PRINCIPAL PLANNER</p> <p>RE: GENERAL PLAN HOUSING AND PUBLIC HEALTH AND SAFETY UPDATE</p> | <p>Files:</p> |
|--|---------------|

### SUMMARY

The City started the Housing Element and Public Health and Safety Element update process in late 2021. The Housing Element is one of seven State-mandated elements that comprise the City's General Plan and that serves as a policy document to assess housing characteristics, community needs and establishes programs to meet those needs. California State law requires cities to update the Housing Element periodically. The City's current Housing Element was adopted in May 2015 and is required to adopt an updated version for the 2023-2031 planning period.

### STAFF RECOMMENDATION

Staff recommends the Planning Commission conduct a public hearing, consider the information contained in the staff report, and testimony of the public, and take the following action:

1. Planning Commission Adoption of Resolution No. PC23-\_\_: A Resolution of the Planning Commission of the City of Suisun City Recommending that the City Council Adopt a General Plan Amendment to Update the General Plan Housing Element for the Period of 2023-2031 and the General Plan Public Health and Safety Element.

### BACKGROUND

#### 2023-2031 Housing Element

California Government Code Sections 65580-65589.8 requires local jurisdictions to update the Housing Element of their General Plans every eight years, subject to the review and approval of the State Department of Housing and Community Development (HCD). The City's current [Housing Element](#) ("5th Cycle") was adopted on May 19, 2015, and covers the period from 2015 to 2023.

The Housing Element is a comprehensive statement by the community of its current and future housing needs and proposed action to facilitate the provision of additional housing to meet those needs at all income levels. The policies contained in the Housing Element are an expression of the statewide housing goal of meeting the housing needs in our region, as well a reflection of the unique concerns of the community. Housing Elements are required to:

1. Assess and address constraints to housing development;
2. Provide an assessment of population housing needs;

3. Analyze progress toward implementing the previous Housing Element;
4. Guide housing development policy;
5. Identify opportunities to meet the City's housing needs and identified Regional Housing Needs Allocation (RHNA);
  - a. Identify resources that support housing for all income groups;
  - b. Complete an inventory of existing and new sites for housing development in support of meeting the City's RHNA;

Housing Element law does not require the City to build all units identified as part of the RHNA, but rather to implement a plan to accommodate for these units throughout the City. The Housing Element is not only a tool to solve housing problems but aims to identify constraints and barriers and provide realistic solutions where able.

The City has prepared the 6th Cycle Housing Element which plans for the period of 2023 to 2031. All 6th cycle Housing Elements must be certified by HCD by January 31, 2023 (with an additional 120-day grace-period possible, until May 31, 2023, to accommodate for delays).

On January 14, 2020, the City Council, by Resolution, became a member of the Solano County sub Region to administer the Regional Housing Needs Allocation (RHNA) for Solano County in the 6th Cycle Housing Element update (2023-2031). The County as a whole was assigned 10,992 units throughout the four income ranges (Very Low-, Low-, Moderate-, Above Moderate-) to plan for as part of the Housing Element updates. All jurisdictions worked together, under the authority of the Solano City-County Coordinating Council (4C's), to develop methodology to allocate the housing needs amongst its member jurisdictions.

In 2020, the City also joined the County Collaborative, a partnership with the other jurisdictions in Solano County to jointly select, utilize, and fund a single consultant to prepare the Housing Elements for partnering jurisdictions in the county.

In December 2021, HCD approved the Solano Subregion 6th cycle RHNA plan and methodology, which established the housing needs that each jurisdiction in the subregion needed to plan for as part of the 6th Housing Element cycle. For Suisun City, the total RHNA assigned is 620 units (of the 10,992 units assigned to Solano County as a whole). See Table 1 below for a breakdown of units by income group. The sites are located throughout the City and a map and discussion of the sites can be found beginning on Page 48. The discussion includes Table 7, Page 49; and Figure 1, Page 50.

**TABLE 1 REGIONAL HOUSING NEED, 2023–2031**

| Income Category | Allocation (units) |
|-----------------|--------------------|
| Very Low*       | 160                |
| Low             | 95                 |
| Moderate        | 98                 |
| Above Moderate  | 267                |
| <b>Total</b>    | <b>620</b>         |

*Source: ABAG 2021*

*\*It is assumed that 50 percent of the very low-income category is allocated to the extremely low-income category.*

In January 2022, the Planning Commission (January 11, 2022) conducted a study session to receive an introduction to the update process, the requirements for the update, overview of the RHNA process, and new state housing laws that must be incorporated into the Housing Element update.

On August 17, 2022, the City released the Draft Housing Element for a 30-day public review period, ending on September 16, 2022.

In August 2022, the Planning Commission and City Council held a joint meeting (August 20, 2022) to review the Draft Housing Element and recommend submittal to HCD for initial review.

On October 4, 2022, the City submitted the Draft Housing Element to HCD for review. HCD had 90-days, until December 30th, to complete their review of the draft.

On December 7, 2022, staff and the consultant team met with HCD to discuss HCD's preliminary comments prior to the end of their 90-day review. Based on the preliminary comments received, the City staff and the consultant team revised the Draft Housing Element, released it for public review on December 21<sup>st</sup>, and submitted it to HCD on December 27<sup>th</sup>.

On December 28, 2022, the City received a comment letter from HCD regarding items that need to be corrected or further addressed. The HCD comment letter is included as Attachment 1. Following receipt of the HCD comment letter, staff and the consultant team revised the Housing Element to address all the comments in the letter.

### 2023 Public Health and Safety Element

Pursuant to California Government Code Section 65302(g), a Safety Element must be updated upon the revision of a Housing Element or a Local Hazard Mitigation Plan, but no less than every eight years. The Safety Element must identify potential natural and human-caused hazards that could affect the City of Suisun City's residents, businesses, and services. The purpose of a Safety Element is to establish a framework that anticipates these hazards and prepares the community to minimize exposure to these risks.



Suisun City's Safety Element content is included in the Public Health and Safety Element of the City's General Plan 2035. Although the Safety Element was updated as part of the 2035 General Plan adopted by the City Council in May 2015, California Government Code Section 65302(g) requires the City to review the Safety Element and update it as needed concurrent with the update of the Housing Element update. The City initiated this update in late 2021.

City staff and the consultant team prepared a Climate Change Vulnerability Assessment in accordance with the California Adaptation Planning Guide and pursuant to Government Code Section 65302(g)(4) in mid-2022. Concurrently with this assessment, City staff and the consultant team prepared the Public Health and Safety Background Report, which includes an overview of natural and human-caused hazards in Suisun City, past occurrences, updated mapping of hazards, and how the hazards are likely to change in the future. The results of the Climate Change Vulnerability Assessment were integrated into the Background Report, which was prepared in late 2022. The Background Report was then used to update the text, goals, policies, and actions of the 2023 Public Health and Safety Element. The background report has been added as an appendix to the General Plan.

A link to the 2023 Public Health and Safety Element is provided as Attachment 3.

## ANALYSIS

### 2023-2031 Housing Element

A summary of the major changes to the revised draft Housing Element is included below. The Housing Element is listed as Attachment 3 of the staff report.

#### Key Changes to Housing Element Programs (Housing Element, Page 24)

Program 1.A: **Expanded** to fully meet rezone requirements from previous Program 1.A.1.

Program 1.B: **Revised** to increase allowable residential component in the CMU zone or to establish a residential minimum.

Program 1.E: **Expanded** to seek developer input on draft Inclusionary Housing Ordinance.

Program 1.G: **Removed** "consider" from language to seek funding for a First-Time Homebuyer Program.

Program 1.H: **Clarified** how the City will encourage ADU construction.

Program 1.L: **Removed** "consider" from language to commit to developing objective design standards.

Program 2.D: **Added** language to complete a Housing Conditions Survey.

Program 3.A: **Added** language to provide incentives for construction of affordable units with multiple bedrooms.

Program 3.B: **Added** language to monitor the migrant student population to assess need for farmworker housing.

Program 3.E: **Expanded** to monitor the demographic composition of the homeless population to identify targeted needs.

Program 4.A: **Expanded** to allow mobile and manufactured homes and employee housing in compliance with State law and to reduce parking for studio and one-bedroom units.

Program 4.E: **New** program monitor the impact of nongovernmental constraints on residential development.

Program 5.A: **Expanded** to provide targeted outreach on affordable opportunities, prioritize investment in underserved areas, and provide multilingual access to programs.

Program 1.C, 1.D, 1.E, 1.F, 1.k, 2.C, 4.C: **Expanded** fair housing targeting to improve housing mobility opportunities, reduce displacement risk, and improve access to resources for all households.

#### Key Changes to Housing Needs Assessment (Housing Element, Appendix 2)

- **Expanded** analysis of non-English speaking households and need for translation services.
- **Expanded** discussion of potential rehabilitation need.
- **Expanded** analysis of cost burden for senior households.
- **Expanded** analysis of farmworkers in Suisun City and housing need.
- **Expanded** analysis of extremely low-income housing need.
- **Revised** discussion of the homeless population to address 2022 PIT.
- **Expanded** on specific demographic characteristics of Suisun City.

#### Key Changes to Fair Housing Analysis (Housing Element, Appendix 3)

- **Expanded** analysis of income patterns in the city.
- **Expanded** analysis of access to opportunities compared to region.
- **Expanded** analysis of female-headed households and high rates of disabilities.
- **Revised** analysis of housing conditions to identify areas of need.
- **Updated** homelessness analysis and identified available resources.
- **Added** analysis of the influence of historic growth patterns.
- **Added** analysis of the distribution of RHNA sites by unit capacity.

#### Key Changes to Constraints (Housing Element, Page 57)

- **Added** analysis of the cumulative impacts of development standards on residential development.
- **Clarified** parking requirements for studio and one-bedroom units and in the Waterfront District Specific Plan area.
- **Clarified** how manufactured homes are permitted.
- **Expanded** on how the City can accommodate and meet the need for emergency shelters and homeless services.
- **Confirmed** that site improvement requirements are not a constraint on development.
- **Identified** the typical processing times and procedures by project type.
- **Analyzed** design guidelines in the Waterfront District Specific Plan.
- **Confirmed** compliance with the Permit Streamlining Act and CEQA streamlining requirements.
- **Identified** local providers of dry utilities (i.e., electricity, phone, internet).
- **Analyzed** efforts to address nongovernmental constraints.

#### Key Changes to Site Analysis (Housing Element, Page 45)

- **Identified** sites used in two previous housing element cycles.
- **Expanded** analysis of realistic capacity for development based on development standards.
- **Removed** park and ride sites due to barriers to residential development.
- **Clarified** the current status and next steps of approved and pending projects.

## 2023 Public Health and Safety Element Update

The Safety Element (Public Health and Safety) is a required element of the General Plan per California state law and as stated previously must be updated concurrently with any Housing Element update. As part of the update, below is a discussion of changes and additions to the element.

An appendix to the General Plan has been created for the Public Health and Safety Background Report. Within the background report, evaluation of public safety issues is discussed with emphasis on the following items:

- Healthy Communities
- Hazardous Materials
- Flooding
- Fire Risk
- Geologic, Soils, and Seismic Hazards
- Emergency Response
- Climate change hazards

Additionally, the element includes updated mapping, regulatory framework discussion, as well as a discussion of past events and future risks. Lastly, a Climate Change Vulnerability Assessment (CCVA) was prepared by the project team pursuant to Government Code section 65302(g)(4). The assessment included a four-step process: (1) characterizing the city's exposure to current and projected climate hazards; (2) identifying potential sensitivities and potential impacts to city populations and assets; (3) evaluating the current ability of the populations and assets to cope with climate impacts, also referred to as its adaptive capacity; and (4) identifying vulnerabilities based on systematic scoring. The CCVA included an evaluation of 59 populations and community assets to the following ten hazards: The CCVA is included as Appendix A of the Public Health and Safety Background Report.

A summary of the major changes to the revised draft Public Health and Safety Element is included below.

### Public Health (Public Health and Safety, Page 9-5)

- Noise (minor changes)
- Air Quality and GHGs (minor changes)
- Water Quality (minor changes)
- Healthy Communities (minor changes)

Safety (Public Health and Safety, Page 9-26)

- Hazardous Materials (updated)
- Flooding (updated and expanded)
- Sea Level Rise and Shoreline Flooding (new section)
- Fire Risk (updated)
- Geologic and Seismic Hazards (updated and expanded)
- Climate Change Hazards (new section)
- Drought
- Extreme Heat
- Severe Weather
- Agriculture and Ecosystem Pests
- Emergency Response (updated and expanded)
- Evacuation (new section)

Goals/Policies (Public Health and Safety, Discussion begins on Page 9-7)

## New Goals/Policies

- Goal PHS-15: Climate Change Hazards
- Drought
- Extreme Heat
- Severe Weather

Updates Goals/Policies

- Goal PHS-3: Air Pollutants
- Goal PHS-4: Greenhouse Gas Emissions
- Goal PHS-5: Water Quality
- Goal PHS-7: Healthy Lifestyles
- Goal PHS-9: Economic Health and Opportunity
- Goal PHS-10: Hazardous Materials
- Goal PHS-11: Flooding
- Goal PHS-12: Fire
- Goal PHS-14: Geologic Hazards
- Goal PHS-16: Emergency Response and Evacuation

**CEQA REVIEW**

### Section 15061(b)(3): Common Sense Exemption

The proposed project is exempt as a “common sense” exemption under State CEQA Guidelines Section 15061(b)(3) because the project involves policies, programs, and actions to meet the City’s RHNA allocation that would not have the potential to cause a significant physical effect on the environment. As it can be seen with certainty that there is no possibility that the proposed 6th Cycle Housing Element Update would have a significant effect on the environment, the 6th Cycle Housing Element is exempt from CEQA under the commonsense exemption.

Similarly, the proposed Public Health and Safety Element Update is also exempt as a “common sense” exemption because it does not propose site-specific development. It is an update to an existing policy document to comply with new laws and reinforce existing policy direction. Therefore, the proposed Public Health and Safety Element would not result in any direct or indirect physical changes to the environment.

### Analysis in Support of Findings

Policies, programs, and actions included in the Housing Element encourage housing production and outline steps for the future implementation of certain actions. Similarly, the goals, objectives, policies, and programs included in the Public Health and Safety Element ensure that the City appropriately considers public health and safety in decisions related to land development, the provision of services, and public investments. Future implementation actions would include amendments to zoning and other regulations to facilitate housing development; however, no amendments to the City’s land use regulations are included in the Housing Element or Public Health or Safety Element Update. In addition, as discussed in Section 2.2.2, Proposed Sites and Zoning, the Housing Sites Inventory utilizes existing land use and zoning densities and does not require redesignation or rezoning to meet the RHNA. Furthermore, the proposed 6<sup>th</sup> Cycle Housing Element does not include specific amendments to any land use regulations but rather provides a timeline for future amendments. Subsequent amendments to the City’s land use or zoning regulations will be subject to separate CEQA review at the time the amendments are considered. Until the details and scope of the amendments are known, it is too speculative and premature to evaluate environmental impacts. Therefore, it can be seen with certainty that the Suisun City 6<sup>th</sup> Cycle Housing Element and Public Health and Safety Element Update would not have a significant effect on the environment and is therefore exempt from further CEQA analysis.

### **ACTION**

The Planning Commission is being asked to make a recommendation to the City Council regarding the proposed amendments to the Housing Element and Public Health and Safety Element as described above. The recommendation includes the addition of language which would allow the City Manager to make non-substantive changes to the documents to address comments California Housing and Community Development might have following adoption.

### **Planning Commission Options**

The Planning Commission has the following options available:

- Recommend City Council approval of the proposed General Plan Updates;
- Recommend City Council denial of the proposed General Plan Updates;
- Continue the item for further discussion.

Regardless of the option the commission approves, it must be supported by appropriate findings.

**Next Steps**

Once the Planning Commission has made a recommendation to the City Council, a public hearing will be noticed for a future City Council date. The City Council will then discuss the amendments and take action on them.

**PUBLIC CONTACT**

A public hearing notice was published in the Daily Republic Newspaper on Monday February 13, 2023. Throughout the process communications with interested parties has been ongoing with each new draft of the documents. As of the date of this staff report, no additional inquiries regarding this item had been received by City Staff.

**ATTACHMENTS**

1. City of Suisun City's 6<sup>th</sup> Cycle (2023-2031) Draft Housing Element Comment Letter, dated December 28, 2023
2. PC23-\_\_\_: A Resolution of the Planning Commission of the City of Suisun City Recommending City Council adoption of the 2023 Housing Element and Public Health and Safety General Plan Updates
3. 2023-2031 Housing Element Update and Public Health and Safety Element Update: <https://www.suisun.com/suisun-city-housing-and-public-health-and-safety-general-plan-element-updates/>
4. California Environmental Quality Act Exemption Technical Memorandum
5. PowerPoint Presentation



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**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500  
Sacramento, CA 95833  
(916) 263-2911 / FAX (916) 263-7453  
[www.hcd.ca.gov](http://www.hcd.ca.gov)



December 28, 2022

John Kearns, Principal Planner  
Department of Development Services  
City of Suisun City,  
701 Civic Center Blvd,  
Suisun, CA 94585

Dear John Kearns:

**RE: City of Suisun City's 6<sup>th</sup> Cycle (2023-2031) Draft Housing Element**

Thank you for submitting the City of Suisun's (City) draft housing element received for review on October 4, 2022, along with revisions received on December 28, 2022.

Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by a conversation on December 7, 2022, with you, City staff, and consultant Cynthia Walsh. In addition, HCD considered comments from David Kellogg, pursuant to Government Code Section 65585, subdivision (c).

The draft element with revisions addresses many statutory requirements; however, revisions will be necessary to comply with State Housing Element Law (Article 10.6 of the Gov. Code), as follows:

1. *Review the previous element to evaluate the appropriateness, effectiveness, and progress in implementation, and reflect the results of this review in the revised element. (Gov. Code, § 65588 (a) and (b).)*

Unaccommodated Need and Shortfall of Sites from Prior Planning Periods: As noted on page 11, the City had an unaccommodated need and shortfall of sites from the 4<sup>th</sup> and 5<sup>th</sup> cycle of the housing element. The element notes that rezoning was completed but should describe how all requirements were met or include new programs to address any gaps in meeting requirements. Specifically, the element should clearly describe how the 4<sup>th</sup> and 5<sup>th</sup> cycle needs were met with sites at appropriate densities, size and other suitability and availability factors. Currently, the element only discusses how the 5<sup>th</sup> cycle total capacity was met and does not discuss the capacity added to accommodate the 4<sup>th</sup> cycle unaccommodated need. The element should also discuss the suitability and availability of the sites, lack of programs implemented to facilitate availability, including consolidation, how all by right requirements were met pursuant to Government Code section 65583.2, subdivisions (h) and (i) and add or modify programs, as appropriate.

Special Housing Needs: The element must provide an evaluation of the cumulative effectiveness of past goals, policies, and related actions in meeting the housing needs of special needs populations (e.g., elderly, persons with disabilities, large households, female-headed households, farmworkers, and persons experiencing homelessness) and revise programs as appropriate. Currently, the element makes brief mention of a few accomplishments that do not appear related to special housing needs and then provides little to no evaluation of progress or effectiveness of programs related to special housing needs. Instead, the element should evaluate the specific efforts or lack of efforts to address special housing needs to better formulate appropriate programs. For example, the element could discuss the results, success or lack of, challenges and opportunities from outreach, coordination, application for funding, incentives or other activities and then discuss potential strategies.

2. *Include an analysis of population and employment trends and documentation of projections and a quantification of the locality's existing and projected needs for all income levels, including extremely low-income households. (Gov. Code, § 65583, subd. (a)(1).)*

*Include an analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition. (Gov. Code, § 65583, subd. (a)(2).)*

*Analyze any special housing needs such as elderly; persons with disabilities, including a developmental disability; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter. (Gov. Code, § 65583, subd. (a)(7).)*

The element includes a quantification of housing needs, including special needs for the Solano County area. While HCD applauds the collaboration and broader efforts to address housing needs and this quantification is generally adequate, the element should also analyze the quantification to better understand housing needs and formulate appropriate policies and programs. Further, this analysis should be specific to Suisun City. An analysis should generally address trends, characteristics, magnitude of needs, resources and potential strategies and should at least be conducted for population growth, employment, tenure, overpayment, overcrowding, housing unit types, extremely low-income households and all special needs households. The City may consider a community specific profile to address this requirement. For more information, please see the Building Blocks at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks>.

*An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

*Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory... (Gov. Code, § 65583, subd. (c)(1).)*

Progress toward the Regional Housing Need Allocation (RHNA): The element may utilize pending, approved, permitted and under construction projects toward the RHNA. However, the element must demonstrate their availability and affordability. While the element lists pending and approved projects (Table 7) toward the above moderate-income RHNA, it should also demonstrate their availability in the planning period. Availability should account for the likelihood of project completion in the planning period and should address the status, necessary steps to issue permits, any barriers to development and other relevant factors.

Realistic Capacity: While the element lists realistic residential capacity assumptions in mixed-use zones (50 percent of maximum allowable densities), it must also account for the likelihood of 100 percent nonresidential development. For example, the element could analyze all development activity in these mixed-use zones, how often residential development occurs and adjust residential capacity calculations, policies, and programs accordingly. This analysis may incorporate any proposed policies such as residential performance standards, prohibition of commercial uses and should clarify that all zones allow residential uses, particularly 100 percent residential uses.

Environmental Constraints: While the element notes there are no environmental constraints on identified sites, it should also discuss whether there are any other known constraints that will preclude development on identified sites (e.g., shape, contamination, easements, conditions, compatibility). For example, the element should provide a discussion on possible contaminants near identified sites in the City's Waterfront Specific Plan (WFSP) and additional policies and programs should be incorporated in addition to transitional buffers implemented by Program 5.A.

Electronic Sites Inventory: Pursuant to Government Code section 65583.3, subdivision (b), the City must utilize standards, forms, and definitions adopted by

HCD when preparing the sites inventory. Please see HCD's housing element webpage at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements> for a copy of the form and instructions. The City can reach out to HCD at [sitesinventory@hcd.ca.gov](mailto:sitesinventory@hcd.ca.gov) for technical assistance. Please note, upon adoption of the housing element, the City must submit an electronic version of the sites inventory with its adopted housing element to [sitesinventory@hcd.ca.gov](mailto:sitesinventory@hcd.ca.gov).

Zoning for a Variety of Housing Types (Emergency Shelters): While the element describes emergency shelters are permitted by-right in most residential zones and the Commercial Services and Fabricating (CSF) zone, it should clarify that emergency shelters are permitted without discretionary action. In addition, the element mentions two vacant sites in these zones but should also discuss reuse opportunities, particularly in the CSF zone, to demonstrate sufficient and suitable capacity to accommodate the need for emergency shelters.

Programs: As noted above, the element does not include a complete site analysis. Depending upon the results of that analysis, the City may need to add or revise programs.

3. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including... ..site improvements... ..and local processing and permit procedures... (Gov. Code, § 65583, subd. (a)(5).)*

*An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including... ..requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Government Code section 65583.2... (Gov. Code, § 65583, subd. (a)(6).)*

*Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities... (Gov. Code, § 65583, subd. (c)(3).)*

Local Processing and Permit Procedures: The element discusses pre-consultation meetings and a program to establish objective standards. However, the element should analyze all approvals necessary for a typical multifamily and single-family development that complies with zoning and the general plan. The analysis should address approval body, typical number of hearings and approval findings. The analysis should address impacts on housing cost, timing, feasibility and approval certainty.

In addition, the element states that the City's Planned Unit Development (PUD) process is mandatory for all development within the Waterfront Specific Plan (p. 78). Noting the strong reliance of sites within the WFSP, (51 percent), the element must describe and analyze approval procedures and decision-making criteria for impacts on housing cost, timing, feasibility and approval certainty. Lastly, the element should provide policies and programs to address constraints resulting from the lack of potential transparency and predictability of this process.

Finally, the element should discuss compliance with permit streamlining act and California Environmental Quality Act streamlining and add or modify programs as appropriate.

On/Off Site Improvements: While the element identifies subdivision level improvement requirements, such as minimum street widths (p. 76), it should still analyze site improvements for impacts on housing costs and supply (number of units).

Permit Times: The element must analyze the length of time between receiving approval for a housing development and submittal of an application for building permits. The element mentions the length of time between project approval in many cases is determined by the applicant (p. 80). However, the element should still quantify the length of time. Based on the length of time, the element should analyze any hinderances on the construction of a locality's share of the regional housing need and add or modify programs as appropriate.

Programs: As noted above, the element requires a complete analysis of potential governmental and nongovernmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints.

In addition, the element includes Program 4.A (Remove Constraints) to monitor parking requirement and make changes if appropriate. However, the element describes that multifamily parking requirements for studio and smaller one-bedroom units are constraints and increase costs for affordable housing. As a result, Program 4.A should include specific commitment to address multifamily parking requirements for studio and smaller one-bedroom units as a constraint. For example, the Program could commit to reduce parking requirements regardless of monitoring or future potential determinations.

4. *The Housing Element shall contain programs which assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households. (Gov. Code, § 65583, subd. (c)(2).)*



The element should include specific commitment to address the needs of farmworkers. For example, the element could commit to proactive actions to coordinate with nonprofit developers, employers, and other related organizations, to explore funding and incentives and to identify specific development opportunities.

5. *Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics... (Gov. Code, § 65583, subd. (c)(5).)*

The element includes various affirmatively furthering fair housing (AFFH) actions and provides “High Resource” targeting on various programs. While programs generally benefit from this geographic targeting, according to TCAC/HCD maps, the City does not have designated areas of “higher resource.” Instead, the element should target neighborhoods of areas of relatively higher median income such as Montebello, Peterson Ranch, and Quail Glen South. The element should re-evaluate key programs relative to these specific neighborhoods for the purposes of AFFH, including promoting housing mobility and new housing choices and affordability in these areas. Finally, the element should consider additional place-based strategies toward community revitalization in relatively lower income areas. HCD will send sample programs under a separate cover.

6. *Develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent... (Gov. Code, § 65583, subd. (c)(7).)*

The element (p. 53) indicates a minimal number of recently permitted accessory dwelling units but then assumes 12 ADUs over the planning period based on additional funding and marketing of resources. However, Program 1.H should commit to actions beyond amending the ordinance in compliance with state law and posting educational materials on the website. For example, the Program could commit to applying for funding, building partnerships, proactively marketing the program (e.g., community events, flyers, educational seminars) and incentives and waivers beyond state law.

7. *Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the Housing Element, and the element shall describe this effort. (Gov. Code, § 65583, subd.(c)(9).)*

While the element described various efforts to achieve public participation in the preparation of the housing element update, including comments received, it

should discuss how those comments were incorporated into the element. In a few cases, the element briefly and generically states programs were revised but the linkage between comments and program revisions is not apparent and the element should include a discussion of how comments were considered and incorporated into the element, beyond a generic statement that programs were revised.

In addition, public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. During the housing element revision process, the City must continue to engage the community, including organizations that represent lower-income and special needs households, including local neighborhood groups, by making information regularly available while considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

The element will meet the statutory requirements of State Housing Element Law once it has been revised and adopted to comply with the above requirements.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), if a local government fails to adopt a compliant housing element within 120 days of the statutory deadline (January 31, 2023), then any rezoning to make prior identified sites available or accommodate the RHNA pursuant to Government Code sections 65583, subdivision (c) and 65583.2, subdivision (c), shall be completed no later than one year from the statutory deadline. Please be aware, if the City fails to adopt a compliant housing element within one year from the statutory deadline, the element cannot be found in substantial compliance until any necessary rezones are completed.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City will meet housing element requirements for these and other funding sources.

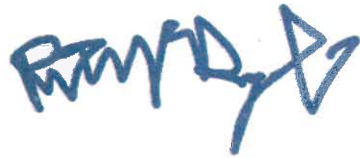
For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical

John Kearns, Principal Planner  
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Advisories issued by the Governor's Office of Planning and Research at:  
<https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

HCD appreciates the responsiveness and dedication of the City's housing element team during the review. We are committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Irvin Saldana, of our staff, at [Irvin.Saldana@hcd.ca.gov](mailto:Irvin.Saldana@hcd.ca.gov).

Sincerely,



Paul McDougall  
Senior Program Manager

**RESOLUTION NO. 2022-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SUISUN  
CITY RECOMMENDING THAT THE CITY COUNCIL ADOPT A GENERAL PLAN  
AMENDMENT TO UPDATE THE GENERAL PLAN HOUSING ELEMENT FOR THE  
PERIOD OF 2023-2031 AND THE GENERAL PLAN PUBLIC HEALTH AND SAFETY  
ELEMENT**

**WHEREAS**, local governments are authorized by Government Code section 65350 et seq. to prepare, adopt, and amend general plans; and

**WHEREAS**, Government Code section 65580 et seq. requires cities to update their Housing Elements on a regular basis; and

**WHEREAS**, an update to the Housing Element of the Suisun City General Plan for the 2023-2031 planning period has been initiated and prepared by the City of Suisun City; and

**WHEREAS**, the 2023-2031 Housing Element update leaves the General Plan internally consistent; and

**WHEREAS**, the staff report and supporting materials accompanying this resolution are found to be true, are adopted as Facts and Findings, and are incorporated by reference in this resolution; and

**WHEREAS**, pursuant to State Law, the Draft 2023-2031 Housing Element was submitted to the California Department of Housing and Community Development (“HCD”); and

**WHEREAS**, on December 7, 2022, HCD contacted the City to amend the draft Housing Element, and based on that direction, City staff revised the draft Housing Element to include additional information and data; and

**WHEREAS**, on December 28, 2022, the City received a letter from HCD providing its findings regarding the Draft Housing Element; and

**WHEREAS**, on February 13, 2023, the City published a revised draft Housing Element responding to HCD’s findings and requested public comment on the draft; and

**WHEREAS**, pursuant to the provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq.; “CEQA”) and the CEQA Guidelines (Title 14 California Code of Regulations section 15000 et seq.), the City has determined that the proposed action is exempt per Section 15061(b)(3) as there is no foreseeable impact as a result of the subject action.

**NOW, THEREFORE, BE IT RESOLVED** by the City of Suisun City Planning Commission, exercising its independent judgment as follows:

**SECTION 1:** The above recitals are true and correct and incorporated herein by reference.

**SECTION 2:** The Planning Commission finds that General Plan Amendment is consistent with and achieves the objectives prescribed in Suisun City Municipal Code.

**SECTION 3:** The Planning Commission finds the updates to the Housing Element and Public Health and Safety Element are consistent with California Government Code Section 65300 and State of California General Plan Guidelines.

**SECTION 4:** The Planning Commission recommends to the City Council of the City of Suisun City the approval of the subject General Plan Amendments with any revisions.

**SECTION 5:** This resolution is effective immediately upon adoption.

**BE IT FURTHER RESOLVED** that the Planning Commission recommends the City Council authorize the City Manager to make non-substantive modifications to the Housing Element, subject to approval as to form by the City Attorney, as may be required by the State Department of Housing and Community Development to achieve certification.

The foregoing motion was made by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_ and carried by the following vote:

|          |                |
|----------|----------------|
| AYES:    | Commissioners: |
| NOES:    | Commissioners: |
| ABSENT:  | Commissioners: |
| ABSTAIN: | Commissioners: |

**WITNESS** my hand and the seal of said City this 28<sup>th</sup> day of February 2023.

---

Donna Pock  
Commission Secretary

# Housing Element and Safety Element Updates CEQA Exemption Technical Memorandum

Suisun City

*Prepared for:*

**Suisun City**

Contact: Jim Bermudez, Development Services Director  
Suisun City Development Services  
701 Civic Center Boulevard | Suisun City, CA 94585

*Prepared by:*

**PlaceWorks**

Contact: Lexie Zimny, Project Planner  
101 Parkshore Drive, Suite 200  
Folsom, California 95630  
(916) 245-7500 x2738  
info@placeworks.com  
www.placeworks.com

January 2023



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# 1. Introduction

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## 1.1 PURPOSE

This Technical Memorandum serves as an evaluation of the Suisun City 6<sup>th</sup> Cycle Housing Element Update and Public Health and Safety Element (proposed project) concerning California Environmental Quality Act (CEQA) compliance. This Technical Memorandum was prepared to present: 1) the findings resulting from the CEQA compliance review, as described below; and 2) the recommendations concerning the appropriate CEQA compliance documentation.

## 1.2 STATUTORY AUTHORITY AND REQUIREMENTS

Once it is determined that an activity is a project subject to CEQA, it is then determined whether the project is exempt from CEQA. State CEQA Guidelines Section 15061(b) outlines the ways in which a project may be exempt as follows:

A project is exempt from CEQA if:

- 1) The project is exempt by statute (see, e.g. Article 18, commencing with Section 15260).
- 2) The project is exempt pursuant to a categorical exemption (see Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15300.2.
- 3) The activity is covered by the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.
- 4) The project will be rejected or disapproved by a public agency. (See Section 15270(b)).
- 5) The project is exempt pursuant to the provisions of Article 12.5 of Chapter 3.

## 2. Project Description

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### 2.1 REGIONAL LOCATION

Suisun City is in central Solano County, midway between Sacramento and San Francisco. The city is bounded on the north and west by the city of Fairfield, the Solano County seat. The city is also bounded on the east by Travis Air Force Base and unincorporated agricultural lands and on the south by the Suisun Marsh Protection District. The community is bisected by State Highway 12 and is approximately 2 miles east of Interstate 80. The Suisun Slough, a major tidal waterway, connects Suisun City to Suisun Bay and the greater San Francisco Bay. The Union Pacific Railroad passes through the city, and the only remaining passenger stop in Solano City is located adjacent to Main Street in the Old Town business district.

### 2.2 PROPOSED PROJECT

#### 2.2.1 Project Background

Suisun City is preparing an update to its existing Housing Element, a State-mandated policy document that is a component of the Suisun City General Plan. The overall purpose of the Housing Element Update is to identify current and projected housing needs; show locations where housing can be built; and set goals, policies, and programs to meet the community's housing needs. The foundation of the Housing Element is the Regional Housing Needs Allocation (RHNA), which is 620 units, including 160 very low- income units, 95 low- income units, 98 moderate- income units, and 267 above moderate- income units. The city has identified sufficient sites with adequate development capacity to accommodate these new housing units with existing land use designations and zoning. No amendments to land use regulations or zoning is required or included as part of the Housing Element.

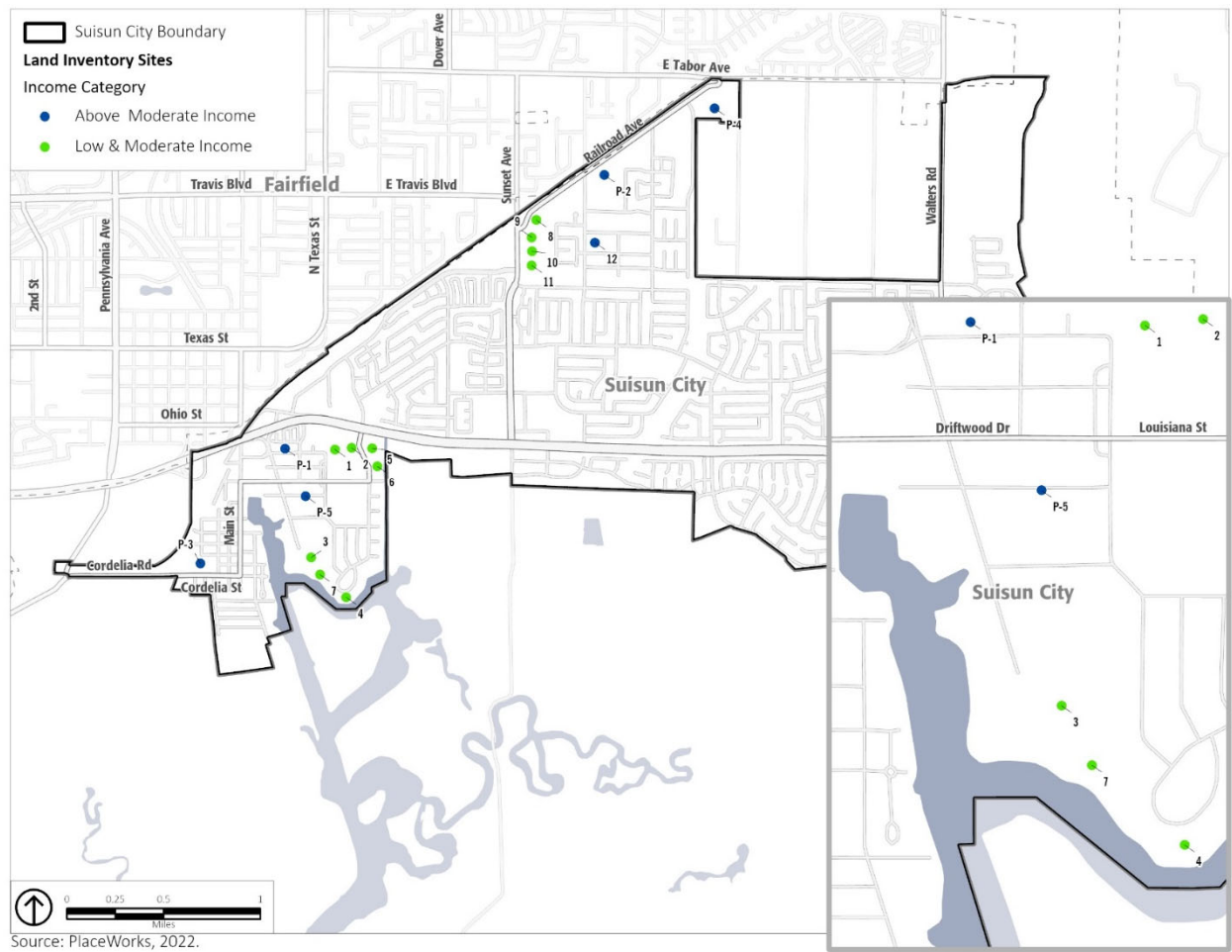
State legislation requires that the City update the Safety Element at the same time as the Housing Element. The updated Public Health and Safety Element will be adopted concurrently with the Housing Element. The Safety Element topics related to both public health and safety hazards including noise and vibration, air quality and greenhouse gas emissions, water quality, hazards and hazardous materials, flooding, fire risk, geologic and seismic hazards, climate change hazards, and emergency response. The City will update its existing General Plan Safety Element (2015) in conformance with the requirements and guidelines issued by the State Office of Planning and Research (OPR) General Plan Guidelines (2017), OPR's Fire Hazard Planning guidance, and the City's very high fire hazard severity zone map. The Safety Element will incorporate by reference the Solano County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) (2022). Under California law, the Public Health and Safety Element is required to include a vulnerability assessment that looks at how people, buildings, infrastructure, and other key community assets may be affected by climate change and the degree to which they are vulnerable. The City conducted this assessment in fall of 2022.

## Findings Concerning CEQA Exemption

### 2.2.2 Proposed Sites and Zoning

State law requires that the Housing Element identify adequate sites that exist within the Land Use Element of the General Plan for housing by including an inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, including analysis of the development capacity that can realistically be achieved for each site. The purpose of the Sites Inventory is to evaluate whether there are sufficient sites with appropriate zoning to meet the RHNA. It is based on the City's current land use designations and zoning requirements. The City's Sites Inventory for future housing identifies housing sites, approved projects, and projected accessory dwelling units and manufactured homes, spread throughout the City that could be developed with up to 1,080 new housing units, exceeding the RHNA assigned to the City. While all sites in the Housing Element inventory are located low resource areas according to the Tax Credit Allocation Committee and Department of Housing and Community Development's Opportunity Area maps, this Housing Element ensures that the site's inventory affirmatively furthers fair housing by analyzing the inventory against a variety of fair housing indicators. Figure 2-1, *Sites Inventory Map*, show where each site is located within the City. The development capacity of each of the identified housing sites is based on existing land use and zoning densities currently in place. No redesignations or rezoning are necessary, and no redesignation or rezoning would occur as part of the adoption of the proposed 6<sup>th</sup> cycle Housing Element.

FIGURE 2-1: SITES INVENTORY MAP





## Findings Concerning CEQA Exemption

## 3. Findings Concerning CEQA Exemption

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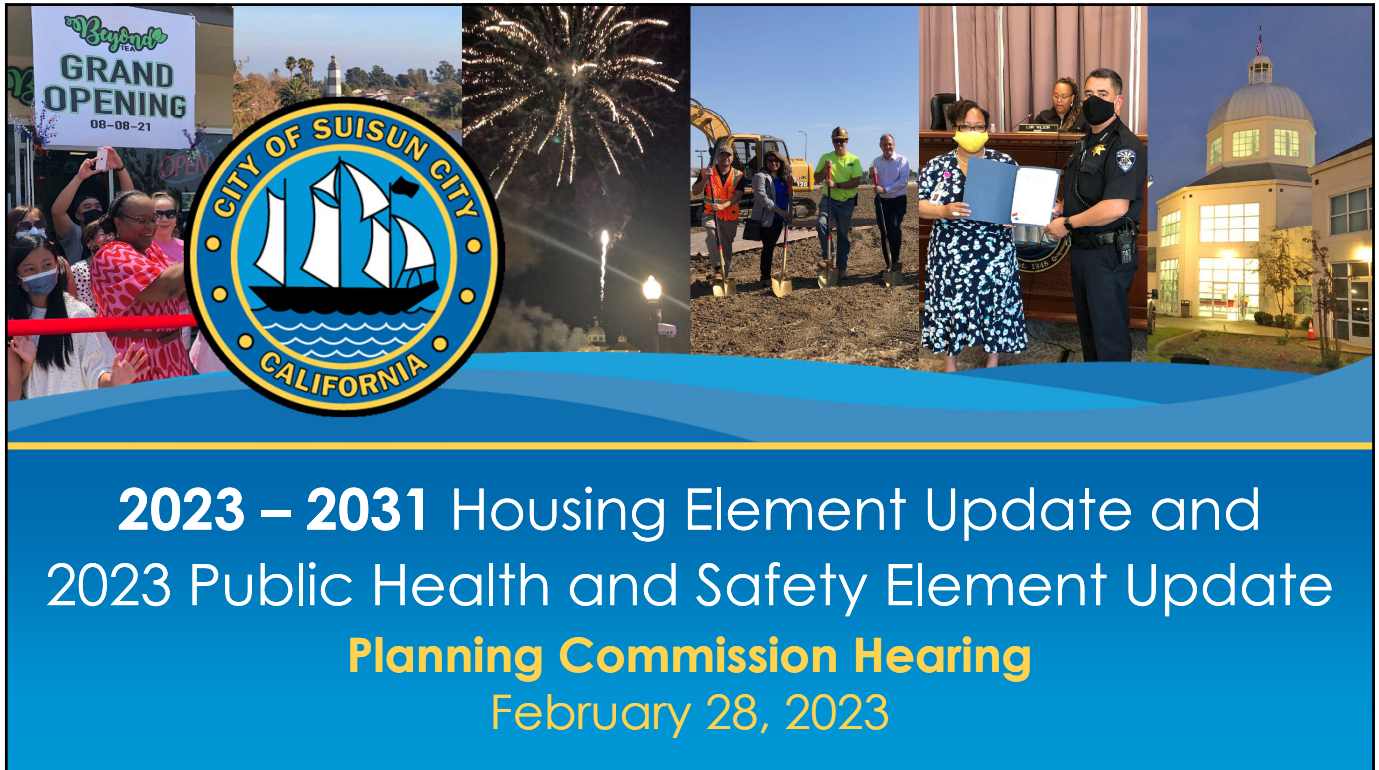
### 3.1 SECTION 15061(B)(3): COMMON SENSE EXEMPTION

The proposed project is exempt as a “common sense” exemption under State CEQA Guidelines Section 15061(b)(3) because the project involves policies, programs, and actions to meet the City’s RHNA allocation that would not have the potential to cause a significant physical effect on the environment. As it can be seen with certainty that there is no possibility that the proposed 6th Cycle Housing Element Update would have a significant effect on the environment, the 6th Cycle Housing Element is exempt from CEQA under the commonsense exemption.

Similarly, the proposed Public Health and Safety Element Update is also exempt as a “common sense” exemption because it does not propose site-specific development. It is an update to an existing policy document to comply with new laws and reinforce existing policy direction. Therefore, the proposed Public Health and Safety Element would not result in any direct or indirect physical changes to the environment.

### 3.2 ANALYSIS IN SUPPORT OF FINDINGS

Policies, programs, and actions included in the Housing Element encourage housing production and outline steps for the future implementation of certain actions. Similarly, the goals, objectives, policies, and programs included in the Public Health and Safety Element ensure that the City appropriately considers public health and safety in decisions related to land development, the provision of services, and public investments. Future implementation actions would include amendments to zoning and other regulations to facilitate housing development; however, no amendments to the City’s land use regulations are included in the Housing Element or Public Health or Safety Element Update. In addition, as discussed in Section 2.2.2, *Proposed Sites and Zoning*, the Housing Sites Inventory utilizes existing land use and zoning densities and does not require redesignation or rezoning to meet the RHNA. Furthermore, the proposed 6<sup>th</sup> Cycle Housing Element does not include specific amendments to any land use regulations but rather provides a timeline for future amendments. Subsequent amendments to the City’s land use or zoning regulations will be subject to separate CEQA review at the time the amendments are considered. Until the details and scope of the amendments are known, it is too speculative and premature to evaluate environmental impacts. Therefore, it can be seen with certainty that the Suisun City 6<sup>th</sup> Cycle Housing Element and Public Health and Safety Element Update would not have a significant effect on the environment and is therefore exempt from further CEQA analysis.



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## Agenda



Housing Element Overview



Housing Element Progress



Revisions to Address HCD comments



Public Health and Safety Element Overview



Project Schedule

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## Recommended Motion

- » The Development Services Department recommends the Planning Commission adopt the Resolution recommending that the City Council determine a “common sense” exemption under State CEQA Guidelines Section 15061(b)(3) and adopt the updated Housing Element and Safety Element. The City Council will consider final adoption on March 21, 2023.

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# Housing Element



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## Housing Element Overview

### » Adoption Deadline: January 31, 2023

- 6<sup>th</sup> Cycle Planning Period: January 31, 2023 – January 31, 2031
- 5<sup>th</sup> Cycle Planning Period: January 31, 2015 – January 31, 2023

### » Required element of the General Plan

### » State-mandated update schedule

### » Reviewed and certified by State (HCD) for compliance with State law

### » Plan for accommodating a jurisdiction’s “fair share” of the regional housing need

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## Housing Element Progress with HCD

| Milestone  | Date              |
|--|-------------------|
| Submitted to HCD – 90 days                                     | October 4, 2022   |
| Call with HCD to discuss draft Housing Element                 | December 7, 2022  |
| Revised Housing Element and posted revisions on City’s website | December 21, 2022 |
| Submitted Revisions to HCD                                     | December 27, 2022 |
| Findings letter received from HCD                              | December 28, 2022 |

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## Key Changes to Outreach and Review of Programs

- » **Clarified** the content of public feedback received and how it was incorporated into the Housing Element.
- » **Expanded** on efforts by the City to address special housing needs.
- » **Clarified** details of the rezone completed to satisfy Program 1.A.1 from the 2015 – 2023 Housing Element.

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## Key Changes to Housing Element Programs

| Programs    | Revision Made   |
|-------------|---|
| Program 1.A | <b>Expanded</b> to fully meet rezone requirements from previous Program 1.A.1.                                    |
| Program 1.B | <b>Revised</b> to increase allowable residential component in the CMU zone or to establish a residential minimum. |
| Program 1.E | <b>Expanded</b> to seek developer input on draft Inclusionary Housing Ordinance.                                  |
| Program 1.G | <b>Removed</b> “consider” from language to seek funding for a First-Time Homebuyer program.                       |
| Program 1.H | <b>Clarified</b> how the City will encourage ADU construction.  |

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## Key Changes to Housing Element Programs

| Programs    | Revision Made   |
|-------------|---|
| Program 1.L | <b>Removed</b> “consider” from language to commit to developing objective design standards.                   |
| Program 2.D | <b>Added</b> language to complete a Housing Conditions Survey.  |
| Program 3.A | <b>Added</b> language to provide incentives for construction of affordable units with multiple bedrooms.      |
| Program 3.B | <b>Added</b> language to monitor the migrant student population to assess need for farmworker housing.        |
| Program 3.E | <b>Expanded</b> to monitor the demographic composition of the homeless population to identify targeted needs. |

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## Key Changes to Housing Element Programs

| Programs                                  | Revision Made  |
|---|--|
| Program 4.A                               | <b>Expanded</b> to allow mobile and manufactured homes and employee housing in compliance with State law and to reduce parking for studio and one-bedroom units.   |
| Program 4.E                               | <b>New</b> program monitor the impact of nongovernmental constraints on residential development.   |
| Program 5.A                               | <b>Expanded</b> to provide targeted outreach on affordable opportunities, prioritize investment in underserved areas, and provide multilingual access to programs. |
| Program 1.C, 1.D, 1.E, 1.F, 1.K, 2.C, 4.C | <b>Expanded</b> fair housing targeting to improve housing mobility opportunities, reduce displacement risk, and improve access to resources for all households.    |

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## Key Changes to Housing Needs Assessment

- » **Expanded** analysis of non-English speaking households and need for translation services.
- » **Expanded** discussion of potential rehabilitation need.
- » **Expanded** analysis of cost burden for senior households.
- » **Expanded** analysis of farmworkers in Suisun City and housing need.
- » **Expanded** analysis of extremely low-income housing need.
- » **Revised** discussion of the homeless population to address 2022 PIT.
- » **Expanded** on specific demographic characteristics of Suisun City.

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## Key Changes to Fair Housing Analysis

- » **Expanded** analysis of income patterns in the city.
- » **Expanded** analysis of access to opportunities compared to region.
- » **Expanded** analysis of female-headed households and high rates of disabilities.
- » **Revised** analysis of housing conditions to identify areas of need.
- » **Updated** homelessness analysis and identified available resources.
- » **Added** analysis of the influence of historic growth patterns.
- » **Added** analysis of the distribution of RHNA sites by unit capacity.

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## Key Changes to Constraints

- » **Added** analysis of the cumulative impacts of development standards on residential development.
- » **Clarified** parking requirements for studio and one-bedroom units and in the Waterfront District Specific Plan area.
- » **Clarified** how manufactured homes are permitted.
- » **Expanded** on how the City can accommodate and meet the need for emergency shelters and homeless services.

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## Key Changes to Constraints

- » **Confirmed** that site improvement requirements are not a constraint on development.
- » **Identified** the typical processing times and procedures by project type.
- » **Analyzed** design guidelines in the Waterfront District Specific Plan.
- » **Confirmed** compliance with the Permit Streamlining Act and CEQA streamlining requirements.
- » **Identified** local providers of dry utilities (i.e., electricity, phone, internet).
- » **Analyzed** efforts to address nongovernmental constraints.

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## Key Changes to Sites Analysis

- » **Identified** sites used in two previous housing element cycles.
- » **Expanded** analysis of realistic capacity for development based on development standards.
- » **Removed** park and ride sites due to barriers to residential development.
- » **Clarified** the current status and next steps of approved and pending projects.

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# Public Health and Safety Element



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## Safety Element Overview

- » Required component of the General Plan.
- » Addresses physical hazards: flood, severe weather, and seismic risks.
- » State requires updates for emergency egress, climate change vulnerability, and evacuation routes.
- » Incorporates the LHMP by reference.



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## New Appendix to the General Plan

- » **Public Health and Safety Background Report**
  - Evaluation of public safety issues
    - Healthy Communities
    - Hazardous Materials
    - Flooding
    - Fire Risk
    - Geologic, Soils, and Seismic Hazards
    - Emergency Response
    - Climate change hazards
  - Updated mapping
  - Regulatory framework/agencies
  - Past events and future risks
- » **Climate Change Vulnerability Assessment**
  - Required by State law
  - Identify most vulnerable populations and community assets
  - Results integrated into Background Report

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# Public Health and Safety Element

## » Public Health

- Noise (minor changes)
- Air Quality and GHGs (minor changes)
- Water Quality (minor changes)
- Healthy Communities (minor changes)

## » Safety

- Hazardous Materials (updated)
- Flooding (updated and expanded)
  - Sea Level Rise and Shoreline Flooding (new section)
- Fire Risk (updated)
- Geologic and Seismic Hazards (updated and expanded)
- Climate Change Hazards (new section)
  - Drought
  - Extreme Heat
  - Severe Weather
  - Agriculture and Ecosystem Pests
- Emergency Response (updated and expanded)
  - Evacuation (new section)

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# Goals/Policies

## » New Goals/Policies

- Goal PHS-15: Climate Change Hazards
  - Drought
  - Extreme Heat
  - Severe Weather

## » Updated Goals/Policies

- Goal PHS-3: Air Pollutants
- Goal PHS-4: Greenhouse Gas Emissions
- Goal PHS-5: Water Quality
- Goal PHS-7: Healthy Lifestyles
- Goal PHS-9: Economic Health and Opportunity
- Goal PHS-10: Hazardous Materials
- Goal PHS-11: Flooding
- Goal PHS-12: Fire
- Goal PHS-14: Geologic Hazards
- Goal PHS-16: Emergency Response and Evacuation

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# Schedule



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## Project Schedule

| Milestone   | Date        |
|---|-------------|
| <b>2022</b>   |             |
| Released Public Draft Housing Element (30-40 days)                    | August 17   |
| Submitted Housing Element to HCD                                      | October 4   |
| Letter received from HCD  | December 28 |
| <b>2023</b>   |             |
| Planning Commission Hearing – Recommend Adoption                      | February 28 |
| City Council Hearing – Adoption                                       | March 21    |
| Submit Final Adopted Housing Element to HCD – Certification (60 days) | April - May |

We are  
here

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## Recommended Motion

- » The Development Services Department recommends the Planning Commission adopt the Resolution recommending that the City Council determine a “common sense” exemption under State CEQA Guidelines Section 15061(b)(3) and adopt the updated Housing Element and Safety Element. The City Council will consider final adoption on March 21, 2023.

THE CITY OF SUISUN CITY, CALIFORNIA

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