

CRYSTAL BAY (VTM17-05) – REDLINE VERSION

1. Comply with all applicable Federal, State, County and City codes, regulations and adopted standards and pay all applicable fees.
2. Pursuant to Section 15091 and 15093 of the State CEQA Guidelines, the project shall be subject to all applicable mitigation measures identified in the approved Final Environmental Impact Report (EIR6-05) and in the City-adopted "Findings, Statement of Overriding Considerations, and Mitigation Monitoring Program for the Crystal Bay Annexation, General Plan, Rezoning, Planned Development, Vesting Tentative Map, and Precise Road Plan Project."
3. The owners, developers and/or successors-in-interest (ODS) shall be responsible for the establishment of a Homeowners' Association and Covenants, Conditions and Restrictions (CC&Rs) for the maintenance of landscaping, structures and walls/fences on the private properties and common areas within the subdivision area. The CC&Rs shall be subject to review and approval by the City Attorney and the Community Development Director prior to their recordation. The ODS shall be responsible for recordation of the CC&Rs and payment of recording expenses prior to or in conjunction with the recordation of any small lot for this subdivision. The City shall be declared a third-party beneficiary of the CC&Rs and shall be entitled, without obligation, to take appropriate legal action to enforce the CC&Rs.
4. The Vesting Tentative Map shall not become effective until recordation of the Crystal Bay Annexation (A-05-4) to the City of Stockton and comply with all applicable conditions of PD1-08 and PR4-05.
5. The ODS shall be responsible for the City's legal and administrative costs associated with defending any legal challenge of the approvals for this project or its related environmental document.
6. The ODS shall be responsible for installing safety measures between the public park site and the lake and/or constructing the lake shore as necessary in the interest of public safety according to Building Code, subject to approval of the City Parks Facility Planner/Landscape Architect.
7. All mini parks and other private and public open space areas and the lake shall be the responsibility of the ODS for development. Any reimbursements for such areas shall be subject to the terms and conditions of a reimbursement agreement to be entered into by the master developer and the City. Such agreement shall be initiated by the master developer prior to any on-site grading operations within the development. The master developer shall provide an approved funding mechanism for constructing and maintaining such facilities.

8. The ODS shall dedicate in fee title 7.17 net acres for a public park site on the map. The value of such land shall be calculated at the rate established for land cost by the Public Facilities Fee Program and reimbursed per the program. Dedicated land shall be free of all easement encumbrances, debris, spoils or deleterious matter and the ODS shall provide such site(s) with utility services including (but not necessarily limited to): storm, sanitary sewer, PG&E (3 phase), potable water and telephone (for the irrigation system) as deemed appropriate by the City Parks Facility Planner/Landscape Architect and subject to his approval.
9. City Parks Facility Planner/Landscape Architect shall have review and approval authority for design and landscape plans for publicly accessible parks, mini-parks, open space areas and the lake.
10. Prior to recordation of any small lot, the ODS shall form a new zone of the Stockton Consolidated Landscape Maintenance District 96-2 and approve an assessment providing for the subdivision's proportionate share of the costs to maintain any public parks within the service area for this subdivision or serving this subdivision. ODS may request to annex to an existing zone of the Stockton Consolidated Landscape Maintenance District 96-2 provided the subdivision is within the service area of a park for which a zone of the Stockton Consolidated Landscape Maintenance District 96-2 has already been formed.
11. Prior to or concurrent with recordation of the small lot , the ODS shall establish a private maintenance entity acceptable to the Community Development Director, the Parks and Recreation Director and the Public Works Director to provide funding for the maintenance of and if necessary replacement at the end of the useful life of public improvements, including but not limited to, common area landscaping, landscaping in the right-of-way, sound walls and/or back-up walls, and all "improvements" serving, or for the special benefit of this subdivision and landscaped medians, inroads, and/or landscaped areas or adjacent to the subdivision.
12. If the ODS elects to provide maintenance for the improvements through a maintenance assessment district, the ODS shall form a new zone of the Stockton Consolidated Landscape Maintenance District 96-2 that includes the entire subdivision and it shall be formed prior to recordation of the small lot Final Map. The entire subdivision may be considered for annexation to an existing zone of the Stockton Consolidated Landscape Maintenance District 96-2, provided the type, intensity and amount of the improvements to be maintained are similar to improvements in the zone to which annexation is proposed. Formation/annexation shall result in an assessment being approved that shall be levied on all properties in the subdivision to ensure that all properly owners pay their proportionate share of the costs of maintaining, in perpetuity, the improvements as described in the previous paragraph.

13. All sound walls and back-up walls shall be located on private property and a separate maintenance easement shall be recorded for such walls. Such easement shall be sufficient to allow for regular maintenance (i.e. graffiti removal) and shall include the width of the support footing as it extends from both sides of the wall.
14. All access paths or emergency vehicle access (EVA) paths shall be landscaped by the ODS subject to approval of the City Parks Facility Planner/Landscape Architect and maintained by a homeowner's association.
15. Within the courtyard: (1) sanitary sewers in private streets 2 through 8 within the courtyard area shall be publicly owned and maintained; (2) locate sanitary sewer cleanouts within private streets 2 through 8; (3) sanitary sewer laterals within the driveway parcel shall be privately owned and maintained; (4) potable water infrastructure and meters shall be located within private streets 2 through 8; (5) non- potable water infrastructure and meters shall be located within private streets 2 through 8; and (6) storm drainage systems in the private streets shall be privately owned and maintained. The point of connection to the City storm system shall be at the maintenance holes on Street "1".
16. Within the high density parcel: (1) identify the width of public utility easement (PUE); (2) storm drainage and sanitary sewer within the high density parcel shall be privately owned and maintained; (3) potable water infrastructure and meters shall be located within the PUE; and (4) non-potable water infrastructure and meters shall be located within the PUE. Point of connection to the City sewer and storm drainage collection systems from the high density parcel shall be at the maintenance holes in Street "6".
17. The ODS shall design, construct, own and operate a permanent dewatering and ground- water discharge system to mitigate the high ground-water levels on the project site. The ODS shall prepare master plans for the construction of a permanent dewatering system to mitigate the high ground-water levels on the project site. Said master plans shall be subject to the approval of the Municipal Utilities Director and the City Engineer. The ODS or an entity approved by the City, shall be responsible for establishing a funding mechanism for the design, permitting, construction, operation, maintenance and repair of the approved system prior to the filing of any small lot Final Map.
 - a. The interim irrigation basin, channel and other associated infrastructure in the area of the future high-density parcel shall be privately owned and maintained.

18. The various City-approved maintenance entities shall be established prior to the filing of any small lot Final Map.
19. In accordance with Senate Bill 221 and Government Code Section 66473.7, the ODS shall submit a request to the Director of Municipal Utilities for verification of sufficient water supply. The request shall be submitted 90 days prior to the filing of the first small lot Final Map and accompanied by the appropriate fees (refer to the City's adopted fee schedule).
20. The ODS shall conduct an engineering analysis acceptable to the Director of Municipal Utilities, that demonstrates that the water system improvements to be constructed within the City of Stockton water service area are sufficient to meet the following conditions:

For ultimate build-out of the subdivision:

- a. With a given system pressure of 45 psi at all future points of connection to the City water system and no wells on within the subdivision, the internal water system improvements shall be sized to provide at least 40 psi pressure at any location during the period of peak hour demand (peak hour demands shall be calculated at 175% of maximum daily demands).
- b. With a given system pressure of 45 psi at all future points of connection to the City water system and no wells on within the subdivision, the internal water system improvements shall be sized to provide at least 20 psi pressure at any location during the period of maximum day demand (maximum day demands shall be calculated at 210% of the average day demands) combined with a fire flow of 2,000 gpm out of any fire hydrant in the single family residential portion of the subdivision.
- c. With a given system pressure of 45 psi at all future points of connection to the City water system and no wells on within the subdivision, the internal water system improvements shall be sized to provide at least 20 psi pressure at any location during the period of maximum day demand (maximum day demands shall be calculated at 210% of the average day demands) combined with a fire flow of 3,000 gpm out of any fire hydrant in the high- density portion of the subdivision.

For phased developments of units within a subdivision (interim development):

- d. With a given system pressure of 45 psi at the existing points of connection to the City water system and no wells on within the subdivision, the internal water system improvements shall be sized to provide at least 20 psi pressure at any location during the period of maximum day demand combined with a fire flow of 1,500 gpm out of any fire hydrant in the subdivision (maximum day demands shall be calculated at 210% of the average day demands).
21. The ODS shall prepare and submit to the Municipal Utilities Department an Integrated Water Management Plan. Said plan shall identify, describe and quantify all of the different water resources used throughout the proposed project. The plan shall distinguish between the various non-potable water supplies used to maintain the lake.
22. Potable water shall not be used to fill the lake.
23. As required by the Storm Water Quality Control Criteria Plan, the ODS must establish a maintenance entity prior to the filing of any small lot Final Map and acceptable to the City to provide funding for the operation, maintenance and replacement costs of the storm water best management practices.
24. The lakes and infrastructure associated with the maintenance of the lakes and storm water quality treatment systems shall be privately owned and maintained. The ODS or entity approved by the City, shall be responsible for establishing a funding mechanism for the design, permitting, construction, operation, maintenance and repair of the approved system, prior to the filing of any small lot Final Map.
25. The use of cast-in-place pipe is prohibited.
26. Parcel 8 Lake of the subject subdivision, shall be integrated in the Westlake Villages Lake System (WVLS) through a gravity connection to the closest lake to the south. Subject subdivision shall take all measures to incorporate Parcel 8 Lake into the WVLS, including but not limited to, increasing the capacity of the storm pump station at Pixley Slough, verifying capacity of receiving water (Pixley Slough) and providing for infrastructure to make a gravity connection to the WVLS. The Parcel B Lake shall be adequately sized and configured to meet the requirements of the Storm Water Quality Control Criteria Plan and the City's required detention basin

standards. A report shall be submitted to the Municipal Utilities Department analyzing and recommending the improvements to the Parcel B Lake, WVLS and any other associated infrastructure. The ODS shall participate in the design and construction of the storm pump station at Pixley Slough.

27. The ODS shall prepare a master plan for the non-potable irrigation system for the withdrawal and use of non-potable water from the project lake, Bishop Cut and/or other identified water sources. The system will consist of an intake structure, pump and mains, etc. that would distribute non-potable water to public and private parks, open space, streetscape, landscaping and common areas of either apartment condominium or high density complexes. The master plan shall be subject to the approval of the Municipal Utilities Director. The ODS shall design and construct the approved system to the satisfaction of the Director of Public Works and the Director of Municipal Utilities. The non-potable irrigation system shall be constructed in all public and common landscaped areas. Potable water shall only be used in the purple pipe system if it is demonstrated to the Director of Municipal Utilities that a non-potable water supply from the slough or other source can not be reasonably brought into the purple pipe system.
28. The non-potable water infrastructure and appurtenances will be dedicated to the City and system operation will be provided by the City with financing provided by an assessment district or equivalent funding mechanism subject to approval by the City. Prior to recordation of any small lot Final Map, the ODS shall establish an assessment district to provide funding for the operation, maintenance, repair and replacement of project's non-potable water system improvements, including but not limited to the pump stations, wet well, and distribution systems.
29. The ODS shall provide adequate room for a levee seepage collection system at the toe of the levee. This system must collect and convey levee seepage water to the public storm drainage system. The ODS shall design, construct, own and operate the levee seepage collection system. The collection system shall be privately owned and maintained. The point-of-connection to the public storm drainage system shall be at a storm drainage maintenance hole located in the public right-of-way. The ODS shall prepare master plans for the construction of levee seepage collection system. Said master plans shall be subject to the approval of the Municipal Utilities Director and the City Engineer. The ODS or an entity approved by the City, shall be responsible for establishing a funding mechanism for the design, permitting, construction, operation, maintenance and repair of the approved system, prior to the recordation of any small lot Final Map.
30. The ODS shall dedicate a right-of-way to the City of Stockton to provide a minimum half street section in compliance with the Eight Mile Road Precise Road Plan and proposed Amendment and shall install all necessary frontage improvements, including but not limited to curb, gutter, sidewalk, street lighting and pavement widening upon recordation of the first final map.

31. The ODS shall provide a minimum 25-foot maintenance access easement from the toe of the levee for flood control as required by Reclamation District 2042 and State of California Department of Water Resources.
32. The ODS shall initiate the abandonment of Rio Blanco Road from Eight Mile Road to the proposed Street "1". Gates shall be installed per City Standards at Eight Mile Road and Street "1" to enable limited access for the Reclamation District, agricultural equipment, and Class 1 bike path use.
33. The ODS shall submit master water (potable and non-potable), storm drain and sanitary sewer plans for this development. These plans shall conform to the utility master plans and be approved by the Municipal Utilities Director and City Engineer prior to the approval of any improvement plans or final maps.
34. The ODS shall update the adjacent Westlake Development Storm Drainage System to incorporate additional drainage from this proposed development. A report shall be submitted to the Municipal Utilities Department analyzing and recommending needed capacity changes and associated infrastructure.
35. The ODS shall be responsible for 100 percent of the design and construction costs of on-site roadway, intersection improvements, roadway extensions and the public utilities identified on the tentative map and/or included in the project EIR6-05, project description or as mitigation measures. Improvements shall include but are not limited to all sewer, water and storm drain lines, traffic signals, street lighting, street paving, curb, gutter, sidewalk and landscaping.
36. Comply with all the requirements of the agencies having jurisdiction over Bishop Cut regarding dedication of right-of-way, easement, fencing, etc.
37. Dedicate lots used for private streets as a public utility easement (PUE) for the proposed public sanitary sewer and waterlines. All gated access shall be identified and conform to City Standards.
38. The ODS shall dedicate access rights to the City of Stockton per the following:
 - a. Eight Mile Road, entire length except at approved opening.
 - b. Street "1", except at approved openings.
 - c. Scott Creek Drive, except at approved openings.
39. Street "8" access to Street "5" and Street "29" access to Street "1" shall be limited to right in/right out only.
40. The ODS shall prepare and submit a technical memorandum to be approved by the City identifying traffic calming measures required on-site. Right-of-ways and lot layouts within the tentative map area may need to be revised to accommodate traffic calming measures which may include roundabouts, traffic

circles, etc.

41. The ODS shall be responsible for design and construction costs and installation of off-site roadway and intersection improvements, including traffic signals, at the following locations, as identified in the Existing Plus Approved Project (EPAP) plus Project section in the Environmental Impact Report (EIR 06-05):

Eight Mile Road/Mokelumne Circle
 Eight Mile Road/1-5 Northbound Ramps
 Eight Mile Road/Davis Road
 Eight Mile Road/West Lane
 Eight Mile Road/SR99 West Frontage Road
 Hammer Lane/Mariners Drive
 Eight Mile Road/Oak Grove Regional Park Entrance
 Eight Mile Road/1-5 to Trinity Parkway

The traffic signals shall be installed when warranted or at the discretion of the Public Works Director. At the election of the ODS, all other improvements shall be installed with the first parcel or final map for this project or as identified in an improvement/development phasing plan subject to the approval of the Public Works Director. Should the ODS choose to phase these improvements, the ODS shall prepare an improvement/development phasing plan to determine the level of project development that can occur within established level of service standards prior to completion of said improvements. Said plan shall be approved by the City and identified improvement timing shall be binding to the ODS.

42. Prior to or simultaneous with the recordation of any part of this Vesting Tentative Map (VTM 17-05) as a (Parcel Map/Subdivision Map), the ODS shall enter into a Subdivision Agreement to identify the timing/phasing of required improvements and provide for appropriate improvement securities.
43. The ODS shall be responsible for their proportionate share of design and construction costs for the improvements based on traffic loadings, to reduce the significance of the cumulative impacts at the following intersections as identified in the Future 2035 Plus Project section in the Environmental Impact Report (EIR6-05):

Eight Mile Road/Regatta Lane
 Eight Mile Road/Mokelumne Circle
 Eight Mile Road/Trinity Parkway
 Eight Mile Road/1-5 Southbound and Northbound Ramps
 Eight Mile Road/1-5 Southbound and Northbound Ramps
 Eight Mile Road/Thornton Road
 Eight Mile Road/Davis Road
 Otto Drive/Trinity Parkway

44. The ODS shall prepare or cause to be prepared a Project Report, Environmental Document and Final Design, as required by CalTrans for the reconstruction of the Eight Mile Road/Interstate 5 interchange. Further, subject to the CalTrans process and approval, the ODS shall install improvements to reduce the significance of the project impacts as identified in the Environmental Impact Report (EIR 06-05) for this project with the first parcel or for this project or as identified in an improvement/development phasing plan subject to the approval of the Public Works Director. Should the ODS choose to phase these improvements, the ODS shall prepare an improvement/development phasing plan to determine the level of project development that can occur within established level of service standards prior to completion of said improvements. Said plan shall be approved by the City and identified improvement timing shall be binding to the ODS.
45. The ODS shall pay their proportionate share to cover the costs for a Project Report, Environmental Document and Final Design, as required by CalTrans and necessary improvements described in the Project Report/Final Design for the Interstate 5 mainline system, Hammer Lane/Interstate 5 over crossing-interchange, Otto Drive/Interstate 5 over crossing-interchange and Gateway/Interstate 5 interchange to provide a level-of-service that conforms with State Urban Highway Standards. If other funds (Measure K, STIP, PFF, etc.) are applied to fund the improvement, then the ODS's share of the cost shall be recalculated after first subtracting the other funds from the denominator.
46. The ODS shall participate in any applicable Transportation Systems Management (TSM) programs established by the City of Stockton and contribute its proportionate share of the cost to provide an appropriate park and ride facility in the vicinity of Interstate 5 and Eight Mile Road.
47. The ODS shall dedicate and construct bus turnouts and shelters along Street "1", Eight Mile Road, Scott Creek Drive and any other location as required by the Public Works Director in consultation with the San Joaquin Regional Transit District, in conformance with the City Standards. Right-of-ways and lot layouts within the tentative map area may need to be revised to accommodate required locations for bus turnouts and shelters.
48. The ODS shall be responsible to pay for their proportionate share of all project related off-site street/traffic circulation improvements needed to mitigate the project's cumulative off-site impacts.
49. Provide appropriately sized utilities, including natural gas and three-phase electrical power (where necessary), to all City owned and maintained facilities.

50. Deed notifications shall be recorded against all properties adjoining Bishop Cut disclosing the potential for levee seepage and potential “standing ground-water” development that there will be a paved Class 1 bicycle/pedestrian path on the crown of the Rio Blanco Road/Bishop Cut levee.
51. The ODS shall abandon any public utilities and public utility easements not required for this development prior to the recordation of a Final Map.
52. A master striping plan shall be prepared for the roadway network that shall include all striping/lane geometries and fiber optic cable interconnects of all traffic signals for the ultimate design. Said master striping plan shall identify how new or widened streets transition at match points with existing streets, which may affect right-of-way requirements and shall be approved by the City Engineer prior to approval of improvement plans or any Final Map.
53. The ODS shall be responsible for establishing a Community Facilities District (CFD) or other financing mechanism to fund a shortfall for City services and facilities pursuant to the Public Facilities Financing Plan (PFFP) and Fiscal Impact Analysis (FIA) prepared by the ODS and reviewed and accepted by the City. The PFFP and FIA, for the entire project, shall be submitted to the City for review and acceptance prior to approval of the first small lot or Development Agreement whichever occurs first. The City and ODS may consider bundling the cumulative fiscal impacts of other nearby new projects proposed by the ODS in a Development Agreement or other discretionary actions.
54. Upon Approval of the vesting tentative map, the ODS shall annex into and comply with all requirements of the Citywide Services and Maintenance Community Facility District (CFD), in accordance with the City Council adopted Resolution 2018-07-17-1301.

In addition, the following information is provided to the ODS for inclusion in the design and layout of the project and warranted:

1. This project comes under the requirements of the City of Stockton's Storm Water Quality Control Criteria Plan (SWQCCP), as outlined in the City's Phase 1 Storm Water NPDES permit issued by the California Water Quality Control Board, Central Valley Region (Order No. R5-2002-0181). The implementation of SWQCCP became effective on November 25, 2003.
2. Per Stockton Municipal Code Section 16-630.030, tentative maps shall include all public utility easements.
3. Any on-site wells and septic tanks shall be abandoned and destroyed as required by the San Joaquin County Department of Environmental Health prior to the issuance of building permits.

4. The ODS shall comply with any and all requirements and pay all associated fees as required by the City's Storm Water Pollution Prevention Program, as set forth in its NPDES Storm Water Permit.
5. Per Stockton Municipal Code Section 16-630.030, tentative maps shall include all existing and proposed sanitary sewers, water mains, storm drains, location, and size of existing wells, septic tanks and utility easements. In addition, identify the point of connection to the City Utility and label which utility lines are publicly maintained and which are privately maintained.
6. This project must comply with the Stockton Municipal Code Section 7-859, Storm Water Quality Control Criteria Plan and as outlined in the City's Phase 1 Storm Water NPDES permit issued by the California Water Quality Control Board, Central Valley Region (Order No. R5-2002-0181).
7. Crystal Bay must provide access to the levee bench off Street "1" in both the north and south directions. This requirement will likely require the slope bank easement for Street "1" to be modified.
8. Prior to the construction of the high-density residential in Phase 3 and the abandonment of RD2042's drainage improvement, Crystal Bay must provide alternate drainage improvements and associated easements that provide equal or greater capacity to the existing RD 2042's drainage improvement.
9. For a project of this magnitude, the Police Department emphasizes the need for additional sworn and civilian support staff.
10. The City will need to work with project developers regarding the construction of a Police substation in the area.
11. A licensed, uniformed security guard should be present during the evening hours on weekdays (Monday through Friday), and 24 hours per day on weekends and holidays, when the developer is not on site.
12. The entire area should be fenced and inaccessible to the public after hours and on weekends and holidays until residents begin occupying the new homes. The fence should be well maintained as needed during the project.
13. The entire area should be well lighted throughout the night, every night, so as to clearly illuminate the majority of the lots and the entire street within the project area.
14. Appliances, such as stoves, microwaves, refrigerators, etc., should not be installed until the day a new owner completes the final walkthrough of the residence. If installed earlier, the residence must remain securely locked

after hours and on weekends/holidays.

15. Cabinetry and other valuable items should be kept off-site prior to installation. Once installed, the residence must be securely locked.
16. As a minimum, all fire apparatus access roads shall have an unobstructed width of 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. **2007 CFC, CHAPTER 5, SECTION 503.2.1**
17. Buildings over 30 feet in height shall have fire apparatus access roads with an unobstructed width of 26 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. **2007 CFC, APPENDIX D, SECTION D105**
18. Fire apparatus access roads shall not be obstructed in any manner. Fire apparatus access roads 34 feet and wider may allow for the parking of vehicles on both sides provided the minimum widths and clearances are maintained at all times. **2007 CFC, CHAPTER 5, SECTION 503.4**
19. Fire apparatus access roads shall have asphalt, concrete or other approved all-weather surface capable of supporting the imposed loads of fire apparatus. **2007 CFC, APPENDIX D, SECTION D102.1**
20. Fire apparatus access roads for buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 23 of the 2007 California Fire Code.
21. All existing overhead utility distribution facilities shall be placed under ground in accordance with Stockton Development Code, Section 16-355.240. Any relocation or under-grounding of existing overhead utility lines will be at the property owner's expense.
22. The installation of any above-ground utility structures within the City's right-of-way, are subject to City approval.
23. Submit detailed subdivision improvement plans. These plans shall show all on- and off-site utilities necessary to provide water, storm and sanitary sewer utility service. These plans shall be designed in accordance with the City's latest adopted water, storm and sanitary collection system master plans and the City's Public Works design standards.
24. Any phasing of this subdivision shall incorporate measures to accommodate vehicular traffic, sewer, water and storm drainage for the entire area.
25. Any private irrigation facilities proposed to be placed in the public right-of-way along Eight Mile Road will require a license and maintenance agreement with the City prior to placement.