AGENDA

SPECIAL PLANNING COMMISSION MEETING

CHABOLLA CENTER, 600 CHABOLLA AVENUE, GALT

THURSDAY, MARCH 25, 2010, 6:30 P.M.

NOTE: Speaker Request Sheets are provided on the table inside the Council Chambers. If you wish to address the Commission during the meeting, please complete a Speaker Sheet and give to the Secretary of the Commission. A maximum of five minutes is allowed for each speaker.

NOTE: If you need disability-related modifications or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the Community Development Dept., 209-366-7230, 495 Industrial Drive, at least two days prior to the meeting.

NOTE: If at any time during this meeting, a quorum of the Galt City Council is present, the meeting will continue as a joint meeting of the City Council and the Planning Commission until such time as a quorum of the Council is no longer present.

CALL MEETING TO ORDER

ROLL CALL: COMMISSIONERS: Daley, Yates, Powers, McFaddin, Pellandini, Davenport

PUBLIC COMMENTS: Under Government Code §54954.3 members of the audience may address the Commission on any item of interest to the public or on any agenda item before or during the Commission's consideration of the item.

INFORMATION/CONSENT CALENDAR

(1)1. **SUBJECT**: **Minutes of the Jan. 14, 2010 meeting.**
RECOMMENDATION: That the Planning Commission approve the minutes of the Jan. 14, 2010 meeting.

PUBLIC HEARING

(5)1. **SUBJECT:** Walmart Project Conditional Use Permit, Final Environmental Impact Report, Compliance with the Big Box Ordinance, and appeal of the Community Development Director's Notice of Decision on Site Plan and Design Review

LOCATION: The site is located at the southeast corner of Twin Cities Road and Fermoy Way. It consists of approximately 11.26 acres on a single undeveloped parcel identified as Sacramento County Assessor's Parcel Number (APN) 148-0074-058.

Recommendation:

That the Planning Commission:

1. Adopt Resolution 2010-__ (PC) certifying the Final Environmental Impact Report and Errata Sheet, approving the Mitigation Monitoring and Reporting Program and adopting CEQA Findings and Statements of Overriding Considerations; and

2. Adopt Resolution 2010-__ (PC) approving:
   A. Walmart Project Conditional Use Permit,
   B. Determining compliance with the Big Box Ordinance including but not limited to Architectural Review, and
   C. Granting the appeal of the Community Development Director's Notice of Decision, subject to conditions 1-10 as amended.

(221)2. **SUBJECT:** General Plan Annual Report

Recommendation: That the Planning Commission review the City of Galt 2030 Galt General Plan Annual Report: 2009, comment and direct staff to make any needed modifications to the report and then by motion recommend that the City Council accept said report and direct staff to submit said report to the Governor's Office of Planning and Research and the Department of Housing and Community Development in accordance with Government Code §65400.

DEPARTMENT REPORTS – None at this time.

ADJOURN

CATHY KULM, PLANNING COMMISSION SECRETARY: Agenda Report. The agenda for this Galt Planning Commission Meeting was posted in the following listed sites before the close of business at 5:00 p.m. on the Monday preceding the meeting:

1. City Hall Lobby, 380 Civic Drive
2. U. S. Post Office, 600 N. Lincoln Way
3. Marian O. Lawrence Library, 1000 Caroline Avenue

MINUTES

Planning Commission Regular Meeting
Council Chambers, 380 Civic Drive, Galt, California
Thursday, Jan. 14, 2010, 6:30 p.m.

The meeting was called to order at 6:30 p.m. by Chairperson Powers. Commissioners present: Powers, McFaddin, Yates, Davenport and Pellandini. Daley was absent.

Staff members present: Community Development Director Campion, Associate Planner Erias, City Attorney Hollender, City Engineer Cavanaugh and PC Secretary Kulm.

PUBLIC COMMENTS – None.

INFORMATION/CONSENT CALENDAR

1. SUBJECT: Minutes of the June 11, 2009 meeting.

ACTION: McFaddin moved to approve the consent calendar; second by Davenport. Motion was unanimously carried by those Commissioners present. (Powers, McFaddin, Yates, Davenport, Pellandini)

PUBLIC MEETING

1. SUBJECT: Draft Environmental Impact Report (DEIR) for the Proposed Walmart Project

1. **RECOMMENDATION:** That the Planning Commission provide this additional opportunity for public comment on the Walmart DEIR.

Campion explained that the purpose of this meeting is for members of the public to comment publicly on the DEIR in a forum open to the public and in front of the Planning Commission. Campion also noted that this is not necessarily a meeting where we will engage in a question and answer process, but that process will be reserved for the public hearing for the use permit and consideration of the Final Environmental Impact Report.

Erias gave the staff report.

City Attorney Hollender reiterated that the purpose of this meeting is for the public to comment on the Draft Environmental document issued last month. Tonight the Commission will not be deliberating or debating the actual project, but receiving comments on the environmental document, there will be more opportunities to discuss the overall project in the coming months.

Chairperson Powers opened the meeting for public comment.

Sandra Markell, 729 Young Ct., addressed the Commission by reading a poem expressing her concerns about the proposed Walmart.

Frank Oliver, 718 Young Ct., expressed concerns regarding the study of police services in the EIR.

Richard Vaira, 745 Young Ct., raised concerns regarding: location, size of the store (too big), store hours (too long), and police services (too many calls).

Elmer Moretto, 548 Village Drive, raised concerns regarding: location, traffic, medical services too far away (more incidents w/large retailer), the affect Walmart will have on other retail businesses in Galt (Spaans, Sheila's Florist, Valley Pharmacy, etc.),
Al Baldwin, concerned senior citizen of Galt, complimented staff on an excellent job with the EIR. Mr. Baldwin

commented that the City negotiated well with Walmart, i.e., 12-ft. wall instead of 8-ft. wall, lighting, redirection of traffic is positive. He also had similar concerns to Mr. Moretto regarding medical services being too far away. Mr. Baldwin spoke briefly about the tax money Walmart will bring to the City and overall had very positive comments.

Willis Hinsz, 751 Young Court, expressed concerns regarding: the size of the store (too large), the buffer between Walmart and adjoining homes and security (gates at the east & south side of the property) and traffic (people will use Fermoy to exit rather than Twin Cities Road.

Barbara Vaira, 745 Young Court, expressed concerns regarding: safe street crossings, biking connections, and safety of those using bicycle lanes.

Barbara Gale, 739 Young Court, expressed 3 major concerns: health (exhaust from trucks), safety because the buffer wall is not high enough or far enough away from residential property line, and noise (cars & trucks in back of the store).

Jeanette Munsill, Galt resident, expressed a concern about the traffic and the safety of citizens trying to cross Fermoy from the west with all the new traffic. Walmart could provide a shuttle.

Chairperson Powers closed the public meeting.

Commissioner Davenport thanked the people for coming and speaking about this project. I think it's really important; it's not just about speeding and the senior center. And I'm glad that someone brought up the truck lane because I think that is going to be abused and I think we need to look at this from a traffic stand point and where you people are. I just want to thank you people for your time because I think it's important that we heard that. Thank you.

Commissioner McFaddin noted that there's a sentence in the EIR that disturbs her under 6.3 Significant Cumulative Impacts which says: *"It should be noted that the above improvements are not included in the current 2006 TCIP, at this time a guarantee cannot be made that the needed improvements will be constructed and therefore the impact will remain significant and unavoidable."* How do we mitigate that remark?

Campion explained that there are two options. One, the City would have to make statements of overriding consideration at the time they certify the EIR or secondly, we would impose mitigation on the property owner to change whatever mitigation is necessary to lessen the impact to something that is less than significant.

McFaddin also commented that the Commission had originally wanted the store to be about 100,000 square feet. She asked what the actual square footage would be.

Erias explained that the store is proposed at 133,000, but the EIR studied 137,000 to give the applicant some flexibility for potential growth.

Other comments noted by McFaddin were: police report is still a concern, public did a good job in reviewing the document, medical services, pedestrian crosswalks and the bale and pallet recycling location.

Erias commented that staff actually had the same concern regarding the bale and pallet recycling location and requested a treatment around the area so that people can't prop things against the fencing.

The Commissioners continued to discuss crosswalks, gated truck route, speed bumps, truck & delivery hours, as well as store hours (too long), and the 60 foot buffer (not enough).

Yates noted that he was under the impression in September 2008, when he was absent, that the Commission voted on Walmart and it was going to be built on Simmerhorn Road and now you guys here voted to put it out on Twin Cities. Other commissioners noted that there was never a vote by the Commission and Yates asked who voted. Commissioners explained that Walmart selected the Twin Cities / Fermoy location and nothing has been approved yet.

Campion noted that we really need to stay on the subject, which are comments on the EIR.

Yates said there is absolutely no way that the exit ramp at Twin Cities will ever handle the traffic this store will bring to it and doesn't know why we are even thinking about this until that intersection there at Twin Cities and Highway 99 is developed.

No further discussion.

DEPARTMENT REPORT: - None.

Meeting adjourned at 7:35 p.m.

Respectfully submitted by
Cathy Kulm, Planning Commission Secretary

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P.C. Meeting: March 25, 2010

Prepared By: Chris Erias, Associate Planner

Reviewed By: Sandra Kiriu, Principal Planner

CITY OF GALT

PLANNING COMMISSION

STAFF REPORT

Title: Walmart Project Conditional Use Permit, Final Environmental Impact Report, Compliance with the Big Box Ordinance, and appeal of the Community Development Director's Notice of Decision on Site Plan and Design Review.

Location: The site is located at the southeast corner of Twin Cities Road and Fermoy Way. It consists of approximately 11.26 acres on a single undeveloped parcel identified as Sacramento County Assessor's Parcel Number (APN) 148-0074-058.

Owner: Walmart Stores Inc.
PO Box 8050
Bentonville, AR 72712

Applicant: Tim Page
Doucet + SGI
9001 Foothills Blvd., Suite 150
Roseville, CA 95747
916.789.0822

Existing Zoning: Highway Commercial (HC)

Land Use Designation: Commercial

Surrounding Land Use/Zoning:
North: Twin Cities Road and unincorporated Sacramento County agriculture/rural residential zoned AG20 is directly north.
East: Rancho San Jon Subdivision residential zoned R1C.
South: Emerald Village Subdivision residential zoned Emerald Village Senior Phase 2 PUD.
West: Galt Village Center commercial zoned Highway Commercial

Environmental Status:

A Draft EIR for the Walmart Project was circulated for public review with a comment period from

December 10, 2009 to January 25, 2010. A public meeting to solicit public comments on the Draft Environmental Impact Report was held by the Planning Commission on January 14, 2010. The Final Environmental Impact Report responds to comments received during the public review period and makes appropriate revisions/clarifications to the Draft EIR. The Planning Commission will be asked to certify the Final EIR and consider the CUP and Architectural Review request.

Recommendation:

That the Planning Commission:

1. Adopt Resolution 2010-__ (PC) certifying the Final Environmental Impact Report and Errata Sheet, approving the Mitigation Monitoring and Reporting Program and adopting CEQA Findings and Statements of Overriding Considerations; and

2. Adopt Resolution 2010-__ (PC) approving the Walmart Project Conditional Use Permit, determining compliance with the Big Box Ordinance including but not limited to Architectural Review, and granting the appeal of the Community Development Director's Notice of Decision, subject to conditions 1-10 as amended.

Background

Doucet + SGI submitted a Site Plan Review application for the Walmart store on September 6, 2007. At the time of submittal, the Site Plan Review application was the appropriate entitlement for the Walmart project. Shortly after Walmart submitted its application, the City adopted the Big Box Ordinance (Ordinance 2007-14). Instead of Site Plan Review, the project was now subject to a Conditional Use Permit (CUP) as a requirement through the new ordinance. The ordinance permits Discount Superstores in the Commercial (C) and Highway Commercial (HC) zones subject to approval of a CUP. In addition to the CUP requirement, the Big Box Ordinance also requires a Community Impact Analysis, an Economic/Fiscal Impact Analysis, a Crime Analysis, and an Urban Decay Analysis. These required studies are included in the DEIR.

The project architecture is also subject to Big Box Ordinance requirements. The ordinance requires specific design elements and review by the Architectural Review Committee (ARC). The ARC reviewed the project design at a noticed public meeting on Monday, February 22, 2010. The ARC determined that the project design conformed to the design elements of the Big Box Ordinance and recommended approval to the Planning Commission. The attached ARC staff report explains in detail how the project conforms to the design criteria.

In accordance with Section 18.68.030 of the Galt Municipal Code, the Community Development Director issued a Notice of Decision on March 10, 2010. In it, the Director approved the Site Plan and Design component of the project, subject to 10 conditions. The applicant has appealed the decision because of wording of one of the conditions. The appeal issue is discussed at the end of this report and will require Planning Commission action.

Project Description

The proposed Walmart store is 133,279 square feet. Although the square footages reflect the current design of the store, the applicant has requested that the City review and analyze up to 137,277 square feet (approximately 3 percent greater than the overall square footage shown on the site plan) for the store to provide flexibility as the detailed project design progresses.

The project is proposed at the southeast corner of Twin Cities Road and Fermoy Way. Access to the site is proposed from one driveway on Twin Cities Road and two driveways on Fermoy Way. The proposed Walmart store includes a 6,030 square foot outdoor, fenced garden center. The store is proposing to operate 7 days a week from the hours of 5:00 AM to 12:00 AM.

Slightly more than half of the building will be devoted to general merchandise sales, which will be adjoined by the garden center. Approximately 19% of the total floor area will sell groceries, including fresh produce and meat. A food service area and various service uses, which may include uses such as a vision center, pharmacy, and salon, are planned at the front of the store.

The following is a breakdown of the proposed floor plan (not including the potential expansion area of 3,998 square feet noted above):

General Merchandise Sales Area	69,119 sq. ft.
Grocery Sales Area	24,999 sq. ft.
Retail Tenant Area	782 sq. ft.
Stockroom Receiving Area	11,803 sq. ft.
Ancillary Area	7,247 sq. ft.
Grocery Support Area	7,909 sq. ft.
Indoor Garden Center	5,390 sq. ft.
Outdoor Garden Center	6,030 sq. ft.
Total Area	133,279 sq. ft.

Landscaping

The proposed project will comply with all requirements set forth in the City of Galt Landscape Manual and the State's model landscape ordinance (AB 1881) . The entire length of street frontage

along Twin Cities Road and Fermoy Way will have 20-foot landscape setbacks. A community space is proposed at the corner of Twin Cities Road and Fermoy Way composed of a round plaza setting with a clock tower at the center, surrounded by plantings and seating areas. A detailed landscape plan will be required before building permit issuance.

Site Access/Circulation

Access to the project site would be available from one driveway off of Twin Cities Road and two driveways off of Fermoy Way. Trucks will be able to access the store via the project driveway at Twin Cities Road. Trucks will drive south along the east side of the store and turn right along the rear of the building, where the loading area is located. Trucks would exit the site via the southernmost driveway on Fermoy Way and continue north back to Twin Cities Road. The applicant has proposed to install a "No Truck Route" sign at the existing Fermoy Way median near the project's southernmost truck route exit. This is to prohibit trucks from traveling through the residential neighborhoods to the south.

Parking

The site plan indicates that 531 vehicle parking spaces will be provided. The Zoning Code requires that one vehicle space be provided per 500 square feet of indoor garden center floor area, one space for each 1,500 square feet of outdoor garden center sales area, once space for every 250 square feet of grocery area, and one space for every 250 square feet of the remaining retail area. Based on square footages of the proposed project, 388 parking spaces would be required for the 98,860 square feet of retail area, 100 parking spaces would be required for the 24,999 square feet of grocery area, 11 parking spaces would be required for the 6,030 square feet of outdoor garden area, and 4 parking spaces would be required for the 5,390 square feet of indoor garden area, which totals 503 required parking spaces. The project provides 21 bicycle parking spaces which is the required number so it complies with the Zoning Code requirement of one bicycle parking space per every 25 vehicle parking spaces (503/25 = 20.12, rounded up to 21).

The site plan is showing a seasonal display area that uses 22 parking spaces. This drops the provided parking count to 509 spaces, which still exceeds the 503 required spaces. However, if Walmart decides to construct the larger square foot option (137,277) then Walmart will be required to meet parking requirements for the additional area. The additional store area will require up to 16 extra spaces bringing the required parking count to 519 spaces. The site cannot accommodate the potential growth area and the full size of the seasonal display area in the parking lot, so some modification will be needed.

Pedestrian Circulation

The project site would include internal pedestrian pathways to accommodate pedestrian movement throughout the shopping center. The pedestrian circulation system includes two primary pathways running north and south leading to/out of the main entrance to the Walmart and the Garden Center, respectively. These walkways provide protected pedestrian pathways from the store, through the

parking lot, and provide access to the sidewalks along Twin Cities Road. Additional crosswalks and sidewalks provide access from the main entrance of the store to Fermoy Way to the west.

Deliveries and Loading

The proposed store will have one loading dock area at the rear of the building, which will be accessed by roll-up doors. Approximately seven to nine 18-wheeler trucks, two to three of which will include refrigeration units, will deliver merchandise to the store seven days a week throughout the day. In addition, eight to 10 smaller vendor trucks will make deliveries five days a week. The project will comply with the City's delivery time restrictions set forth in the Big-Box Design Guidelines, which prohibits delivery and loading between the hours of 10:00 p.m. and 7:00 a.m.

The truck dock will include sealed rubber gaskets and unloading will occur directly from the truck to the building. Engine idling by delivery trucks will be prohibited. Walmart truck engines shut off automatically after three minutes of idling. (If a truck includes a refrigeration unit, the unit remains refrigerated by a motor in the front of the trailer, which sounds similar to a window air conditioning unit.) A delivery door would be located at the back of the store for deliveries from small vendor trucks. An eight-foot-high solid masonry wall exists along the south of the project site. The proposed project would replace the existing eight-foot-high solid masonry wall located south of the project with a twelve-foot-high solid masonry wall along the south and east side of the project site.

Outdoor Seasonal Sales Area

The project may include a temporary outdoor seasonal sales area that will occupy some parking spaces on an intermittent basis and will be used for sales of such items as garden/yard supplies and pumpkins, Christmas trees, and other seasonal items. The area will be screened with temporary ornamental metal fencing; additional lighting is not proposed for this area. This area is identified on the west side of the building.

Architecture

The project would include construction of a single-story building with curved roofs over the two entries: the main store entrance located on the north elevation serving the general sales floor along with the market and pharmacy, and the second located on the west elevation serving the outdoor garden area. The project will also provide roofed accent towers and will vary the roofline of parapets to create variety in height. Please see the attached elevations (Attachment 3).

Section 18.38.020 of the Galt Municipal Code (GMC) requires all new retail establishments with single tenant space of 50,000 square feet or greater to comply with design standards set forth in Chapter 18.38 of the GMC (Big Box Ordinance). Section 18.38.020 also states that the Architectural Review Committee (ARC) shall determine compliance with the design standards. The ARC, at its meeting on February 22, recommended approval of the project design. A detailed description of the project architecture and how it meets the Big Box design elements can be found in the attached Architectural Review Committee Staff Report (Attachment 3).

Security

The applicant has proposed the following security measures to be implemented as part of standard operational activities associated with the proposed Walmart store:

- Conduct a risk analysis (crime survey) of the area to evaluate the security needs for the store and implement a security plan based upon this analysis;
- As appropriate based upon the crime survey, establish a parking lot patrol that assists customers, ensures safety and takes action to identify and prevent any suspicious activity (such as loitering and vandalism) both during the day and nighttime hours;
- Install closed-circuit camera systems (surveillance cameras) inside and outside the store;
- Establish a Risk Control Team, which is a team of associates responsible and trained to identify and correct safety and security issues at the site, including patrolling the inside of the store;
- Provide lighting in the parking areas that will ensure public safety; and
- Prohibit consumption of alcohol in the parking lots by having associates regularly "patrol" the parking areas while collecting shopping carts, and report any inappropriate activity to the store managers.

Climate Change

California passed several bills in the last few years regarding greenhouse gases with the most prominent being AB 32 (The California Global Warming Solutions Act of 2006). The main purpose of this bill is to reduce California's statewide greenhouse gas (ghg) emissions to 1990 levels by the year 2020. Local governments are now being required to address global warming impacts of projects as part of their local California Environmental Quality Act analyses. Consequently, the Walmart EIR includes such analysis for this project as part of the Air Quality discussion.

In summary, this project has been found to have a less than significant effect on global warming. The proposed project will incorporate a variety of features that would reduce its demand for natural resources, increase energy and water efficiency, utilize non-toxic materials, and promote waste reduction. At a minimum, the project will incorporate the following or equally efficient features:

Energy-Efficient HVAC Units

The project will utilize "super" high efficiency packaged HVAC units. While the industry standard Energy Efficiency Ratio ("EER") for retail stores is 10.3 (American Society of Heating, Refrigerating, and Air-Conditioning Engineers, Standard 90.1-2004), the proposed new HVAC units are rated at an EER value of ranging from approximately 12.1 to 14.3, with an average EER of 12.7. These units are between four and 17 percent more efficient than required by Title 24 of the CA Building Code.

Central Energy Management

The store will be equipped with an energy management system that will be monitored and controlled from the Home Office in Bentonville, Arkansas. The system enables Walmart to monitor energy usage, analyze refrigeration temperatures, observe HVAC and lighting performance, and adjust lighting, temperature, and/or refrigeration set points 24 hours per day, 7 days per week.

Dehumidification

The store will include a dehumidifying system that allows Walmart to operate the store at a higher summer temperature, use less energy, and allow the refrigeration system to operate more efficiently.

Food Displays

The store will include a film on the freezer doors that combats condensation and requires no energy, unlike heating systems that are typically used to combat condensation.

Water Heating

The grocery area will capture waste heat from the on-site refrigeration equipment to heat water for the kitchen preparation areas of the store. This represents energy savings of over 165 million BTUs per year.

White Roofs

The store will incorporate a "white" single ply membrane roof. The high solar reflectivity of this membrane results in lowering the "cooling" load by approximately eight to 10 percent and has a reduced “heat island” effect, as compared to most other applications that are a darker color (please note that the roof color will not be visible from street and will not cause glare problems to those in the area).

Non-PVC Roofs

The store’s roof will have a ThermoPlastic Olefin (TPO) membrane, which is more environmentally friendly than PVC roofing. TPO does not degrade under solar UV radiation, a common problem with PVC.

Daylight Harvesting

The Store will incorporate skylights with computer-controlled daylight sensors which will allow lighting within the store to be dimmed when natural lighting is available. This system takes full advantage of natural light to reduce energy consumption. A daylight harvesting system can reduce the electricity consumption of store lighting by up to 75 percent during daylight hours and saves an average of 800,000 kWh per year.

Night Dimming

Walmart will dim interior lighting to approximately 65 percent illumination during the late night hours when customer traffic is less.

Interior Lighting

All interior lighting in the store will utilize T-8 fluorescent lamps and electronic ballasts, which are one of the more common efficient lighting systems on the market. The store will also use only "low-mercury" lamps, which are not considered to be a hazardous material and are considered to be very "green friendly."

Occupancy Sensors

The store will include occupancy sensors in most non-sales areas, such as restrooms, break rooms and offices. These sensors detect activity in a room and automatically turn off the lights when the space is unoccupied.

LED Signage Illumination

All internally illuminated building signage will use light emitting diodes ("LED") lighting. This application of LED technology is over 70 percent more energy-efficient than fluorescent illumination. With lamp life ranging to 100,000 hours, using LEDs provides an extended life span of 12- to 20-plus years, thereby significantly reducing the need to manufacture and dispose of fluorescent lamps.

Poured Concrete

Cement production is estimated to produce seven percent of all greenhouse gas. All poured concrete for the store will include either fly ash (15-20 percent) or slag (25-30 percent). Fly ash is a waste product from the coal-fired electrical process, and slag is a waste product from steel production. It is estimated that one pound of fly ash reduces one pound of greenhouse gas. Further, Walmart is reducing the amount of a natural resource (limestone) used, and replacing it with waste products that would otherwise populate landfills.

Over 80 percent of the floor area will be natural or integrally colored concrete finish. This represents a major reduction of carpet and vinyl tile finishes for new stores, addressing not only environmental concerns with the manufacture and disposal of PVC, but also improving the indoor air quality by reducing the need for most chemical cleaners, wax, and wax strippers. It also reduces the off gassing of formaldehyde from carpet and tile adhesives. The store will also use environmentally friendly concrete form release agents in construction, which are non-petroleum based, nontoxic and biodegradable.

Recycling

The Store will include large amounts of recycled material.

- Steel recycling: The store will be constructed with nearly 100 percent recycled structural steel. Walmart structural steel suppliers use high efficient electric arc furnaces that use 50 percent less energy to manufacture recycled steel. Using recycled steel means less mining for new ore, and it is a material which can be readily recycled again if the building is demolished.
- Recyclable Kitchen Materials: The store will use recyclable non-reinforced thermoplastic panels in lieu of fiber reinforced plastic (FRP) sheets on the walls of its kitchen areas. (FRP cannot be recycled because it contains fiberglass.)
- Cabinets, Counters and Baseboards: The base cabinets, wall cabinets and counters in the Store will be made from particle board and medium-density fiberboard, which are made from sawmill waste products. The baseboards will be made from 100 percent recycled plastic and can also be recycled again.
- Recycling: The store will be designed and equipped to recycle oil, tires, auto batteries, cardboard, vegetable oil, single-use cameras, plastic waste, and silver from photo processing. In addition, the building will include significant amounts of recycled materials, including steel and plastic.
- Construction Recycling: A waste management company contracted by Walmart will work with the general contractors and project manager for the store construction in order to ensure that the widest possible range of materials used in construction are captured and recycled.

Water-Conserving Fixtures

All restroom sinks in the store will include sensor-activated low flow faucets. The low flow faucets reduce water usage by 78 percent, as compared to the 1992 Standards mandated by the EPA. Electronic sensors regulate a maximum 10 second run time per cycle. It is estimated that this technology allows users to adequately wash their hands using less than one pint of water and save approximately 20 percent usage over similar manual operated systems. In addition, water turbines are built into the faucet. During use, water flow through this turbine generates the electricity needed to operate the sensors.

Walmart will install high-efficiency urinals that use only 1/8 of a gallon (one pint) of water per flush, which is an approximately 87.5 percent reduction versus conventional one gallon per flush urinals. In addition, Walmart will install high-efficiency toilets in the restrooms that only use 1.28 gallons of water per flush, which is a 25 percent reduction in water usage over current mandated 1992 EPA Standards of 1.6 gallon per flush fixtures. Automatic flush valves on the toilets have water turbines similar to the low-flow faucets, which generate the power required to activate the flush mechanism. These turbines save energy and material by eliminating the need for electrical conduits and wiring otherwise required to power automatic flush valve sensors. It is estimated that these water conservation measures will reduce the overall water consumption by 17 percent compared to a Walmart store constructed in 2005.

Ozone-Friendly Refrigerants

Walmart has aggressively converted to less ozone-depleting refrigerants as they become available. It uses R404a for the refrigeration equipment. For air conditioning, Walmart has converted to R410a refrigerant. Further, refrigeration equipment will be roof-mounted to place equipment closer to refrigerated cases, reduce the amount of copper refrigerant piping and insulation, and reduce the potential for leaks and the amount of refrigerant charge needed.

CUP FINDINGS:

Pursuant to Municipal Code Section 18.80.030, the Planning Commission may approve or conditionally approve an application for a Conditional Use Permit if it finds all of the following:

FINDING: The proposed use is consistent with the goals and policies of the General Plan and any applicable specific plan.

DISCUSSION:

The following is a general description of the project's General Plan and Northeast Area Specific Plan consistency.

General Plan Consistency:

Policy ED-1.1 Local-Serving Commercial – The City should pursue locally-oriented commercial uses and prioritize those uses that are underserved in Galt. The City should also expand upon the existing base of local-serving retail and service establishments as population increases create additional market demand.

The proposed project would develop a state-of-the art retail store that would accommodate the retail and grocery demands of the Galt community. The proposed project would expand and provide new retail options in close proximity to local consumers by providing daytime and nighttime shopping opportunities.

Policy ED-1.2 Regional Commercial – The City should consider regional retail development opportunities that can serve the growing population in Galt, as well as residents in the surrounding communities. These opportunities also include highway commercial uses that serve travelers along State Route 99, and retail uses that significantly benefit from a freeway frontage road location, such as automotive uses.

The proposed project would serve the surrounding market area underserved by retail. As noted in the Existing Conditions Report of the General Plan 2030 and the Economic Analysis of the EIR (Appendix G of the Draft EIR), the City is currently underserved by retail options. The proposed project is consistent with the existing 2030 General Plan land use designation of Commercial and the zoning designation of Highway Commercial.

Policies CC-1.1 City Image and LU-2.4 Site Design – The City should promote high quality design and building materials for all new development and use durable and aesthetically pleasing building materials and encourage pedestrian oriented design.

The proposed project would include architectural design features such as trellises, awnings, canopies and articulated detailing to accentuate entrance spaces. The principal building material would be smooth and split-face concrete masonry with a generous use of stucco and cultured stone veneer, featuring contemporary earth tones with accents. The project would also include a point of community engagement through the creation of the Clock Tower Plaza at the intersection of Twin Cities Road and Fermoy Way. The architecture of the tower compliments the seating and landscaping of the plaza, as well as the architecture of the store by using similar design elements. The proposed project design plan was reviewed by the City's Architectural Review Committee (ARC) to ensure that the proposed project complies with the design standards contained in the Big Box Retail Ordinance. The ARC determined at its meeting on February 22, 2010 that the design conformed to the design criteria and recommended approval to the Planning Commission. The pedestrian circulation system includes two primary pathways running north and south leading to/out of the main entrance to the store. The pedestrian pathway also connects the Walmart store to the Clock Tower Plaza, enhancing the use of community space.

Policy CC-1.2 Neighborhood Integrity – The City should protect and enhance the character and integrity of existing residential neighborhoods and protect these neighborhoods from incompatible uses.

The proposed project is consistent with the current land use and zoning designations for the site and is adjacent to existing commercial development and is oriented toward a state highway. The project provides sufficient buffers and features to minimize adverse impacts on adjacent residential uses and will provide nearby shopping opportunities for those residents. In addition, there are several features protecting neighbors from potential land use conflicts. The rear setback of the building is 60' from the nearest residential rear yard. There is a 20' landscape setback on the residential side of the south property line, a 12' CMU wall, and a 40' drive isle. There is a 90' setback on the east side of the building. This setback includes a 12' wall on the property line, a landscape median, parking stalls, drive isle, an additional landscape median, and pedestrian walkway.

Policies CC-1.8 Building Elevations and CC-2.4 Architectural Enhancements in Major Corridors – The City should require that all exterior elevations have structural architectural treatments to alleviate long void surfaces. This can be accomplished through varying setbacks, breaking buildings into segments, pitched roof elements, columns, fenestration (doors and windows), substantial building relief/reveals to provide shadow and interest, patios, and similar treatments.

The proposed project would provide roofed accent towers and vary the roofline of parapets to create variety in height. The proposed project would include architectural design features such as trellises, awnings, canopies and articulated detailing to accentuate entrance spaces. The principal building material would be smooth and split-face concrete masonry with a generous use of stucco and

cultured stone veneer, and featuring contemporary earth tones colors. The proposed project would also provide roofed accent towers and would vary the roofline of parapets to create variety in height. The proposed project would have an architectural design that softens the scale and mass of the proposed building with features designed to blend with the surrounding area. The proposed project design plan was reviewed by the City's Architectural Review Committee (ARC) to ensure that the proposed project complies with the design standards contained in the Big Box Retail Ordinance. The ARC determined at its meeting on February 22, 2010 that the design conformed to the design criteria and recommended approval to the Planning Commission.

Policy CC-1.10 Art in Public Places – The City shall encourage new development projects to install public art and other design features such as fountains and monuments that beautify the community.

The proposed project includes the development of a Clock Tower Plaza at the intersection of Twin Cities Road and Fermoy Way. The round plaza setting with a clock tower at the center, surrounded by plantings and seating areas would help beautify the community and has been reviewed and recommended for approval by the City's Architectural Review Committee

Policy CC-1.11 Outdoor Lighting – The City shall ensure that future development includes provisions for the design of outdoor light fixtures to be directed/shielded downward and screened to avoid nighttime lighting spillover effects on adjacent land uses and nighttime sky conditions.

The parking lot would be illuminated with 15-foot light poles mounted on three-foot bases (similar to those found at Carillion Corners Shopping Center). Full directional cutoff lenses would be used to maintain a 0.0-foot candle outside the property line. The light fixtures would be 400-watt metal halide. The City of Galt allows a maximum one-foot candle illumination throughout the site with a downward focus to avoid night sky pollution.

Policy CC-2.2 New Development in Corridors – The City should require that new development within major corridors comply with the following minimum building requirements: All outdoor storage of goods, materials, equipment, and loading docks areas shall be screened from major roadways, to the extent possible; Developments with multiple buildings should have a unifying design theme and sign program; Increased frontage and parking lot landscaping in corridor developments shall be required.

The proposed store would have one loading dock area at the rear of the building, screened from the major roadways, and unloaded directly from the truck to the building. The proposed project would replace the existing eight-foot-high solid masonry wall located south of the project with a twelve-foot-high solid masonry wall along the south and east side of the project site. The proposed project would comply with all of the requirements set forth in the City of Galt Landscape Manual. The entire length of street frontage along Twin Cities Road and Fermoy Way includes 20-foot landscape setbacks. A new enhanced community space is composed of a round plaza setting with a clock tower at the center, surrounded by plantings and seating areas proposed at the corner of Twin Cities Road and Fermoy Way. The proposed project design plan has been submitted to the City's Architectural Review Committee to ensure that the proposed project complies with the design standards contained

in the Big Box Retail Ordinance.

Policy CC-2.3 Building Setbacks and Landscape Areas – The City shall encourage increased building setbacks and substantially wider landscape areas consistent with existing neighborhoods along major corridors outside of the Historic Business District.

The proposed project would comply with all of the requirements set forth in the City of Galt Landscape Manual and would include a 20-foot landscape setback on the entire length of street frontage along Twin Cities Road and Fermoy Way. The building is setback to the south portion of the parcel with a 60' setback from existing adjacent residential development and a 90' setback to the east parcel line.

Policy LU-1.7 Fiscal Balance – The City shall designate land for development consistent with the needs of the community and consistent with its efforts to maintain a positive fiscal balance for the City.

The project site currently is undeveloped land that does not substantially contribute to the need for City services and does not provide services or sales tax revenue. According to CBRE Consulting, the Walmart store is estimated to generate $497,624 annually in fiscal revenues from property and sales taxes. As shown in the Police Services Impact Report prepared by Robert Olson Associates in April 2008, the Walmart store is estimated to have $37,890 in marginal costs (costs associated with City services to the new development).

Policy LU-1.12 Fair Share Capital Costs on New Development – The City shall require new development to pay its fair share of capital costs for necessary infrastructure improvements.

The proposed project would be required to pay fair share for all capital costs necessary for infrastructure improvements.

Policy LU-2.1 Design for Safety – The City shall require good design as a means to promote public safety.

The pedestrian circulation system includes two primary pathways running north and south leading to/out of the main entrance to the Walmart and the Garden Center, respectively. These walkways provide protected pedestrian pathways from the store, through the parking lot, and provide access to the sidewalks along Twin Cities Road. The applicant has proposed to install a "No Truck Route" sign at the existing Fermoy Way median near the project's southernmost truck route exit. This is to prohibit trucks from traveling through the residential neighborhoods to the south. Trucks will be able to access the store via the project driveway at Twin Cities Road and Fermoy Way. In addition, the site includes a dedicated truck path to promote public safety. Trucks will drive south along the east side of the store and turn right along the rear of the building and exit via the southernmost driveway off of Fermoy Way and continue north back to Twin Cities Road to bypass pedestrian activity.

Policy LU-2.3 Smart Growth Principles and Sustainable Land Use Practices – Smart growth

principles and sustainable land use practices (Low Impact Development) shall be incorporated into development project proposals, to the extent possible, including, but not limited to, mixed use developments, energy and environmental conservation, use of renewable energy sources, building orientation to maximize solar and wind power opportunities, minimizing permeable surfaces to reduce/treat stormwater, and maximizing walking and biking connections within neighborhoods and to outside activity areas. Projects that impede or obstruct pedestrian or bicycle access in the community shall be prohibited.

The proposed project includes sustainability features such as energy-efficient HVAC units, central energy management, dehumidification, food displays, water heating, white roofs, non-PVC roofs, daylight harvesting, night dimming, interior lighting, occupancy sensors, LED signage illumination, poured concrete with fly ash, recycling, water-conserving fixtures, and ozone-friendly refrigerants. The pedestrian circulation system includes two primary pathways running north and south leading to/out of the main entrance to the Walmart and the Garden Center, respectively. The project promotes pedestrian and bicycle access and maximizes walking and biking connections.

Policy LU-10.2 Equal Public Participation – The City shall ensure that all community residents have an opportunity for public participation in the decision-making process.

A public scoping meeting was held on April 23, 2008. The Draft EIR was available for public review from December 10, 2009 to January 25, 2010. In addition, a meeting was held by the Planning Commission on January 14, 2010 to accept public comment on the Draft EIR. Moreover, a public meeting was held on February 22, 2010 to accept public comment on the project design. The applicant also held numerous meetings with residents of Emerald Village regarding the proposed project. Finally, the project requires approval of a Conditional Use Permit at a noticed public hearing (March 25, 2010).

Policy PFS-5.4 Solid Waste Recycling – The City shall encourage recycling in public and private operations to reduce demand for solid waste disposal capacity.

The Walmart store would be designed and equipped to recycle oil, tires, auto batteries, cardboard, vegetable oil, single-use cameras, plastic waste, and silver from photo processing. In addition, the building will include significant amounts of recycled materials, including steel and plastic.

Policy PFS-5.7 Construction Debris Recycling – The City shall require the recycling of construction debris to the extent practicable.

A waste management company contracted by Walmart would work with the general contractors and project manager for the store construction in order to ensure that the widest possible range of materials used in construction are captured and recycled.

Policy PFS-6.4 Reducing Crime through Site Design – The City shall require developers to incorporate best available practices in residential and nonresidential site plan design and construction using principles of Crime Prevention through environmental design, Safescape, eyes-

on-the-street design techniques, and related programs in order to minimize criminal activities including vandalism, graffiti, and burglary.

The proposed project includes establishment of a parking lot patrol during day and nighttime hours, plainclothes patrol inside the store, installed closed-circuit safety and security issues, lighting in parking areas, and prohibition of consumption of alcohol in the parking lots. The site plan also includes lighting in the parking area which would help minimize criminal activities.

Policy PFS-6.5 Police Facility Funding – The City shall require new development to develop or fund police facilities, equipment, and personnel that, at a minimum, financially support standards identified in Policy PFS6.3

The City of Galt recently passed Measure "R," which is a half-cent sales tax increase that generates revenue to be used for police services. Based on projected sales and property tax revenue for the proposed project, approximately $497,624 per year would be generated by the operation of the proposed project (Economic Impact Analysis Report, Appendix G of the Draft EIR). Therefore, the proposed project would generate revenue sufficient to support police services for the site. The net fiscal impact is a positive $459,734 (total tax benefits minus City service costs of $37,890). In addition to sales and property tax, due to the passage of Measure R, this project is estimated to provide an additional $230,000 per year in sales tax revenue that is ear marked for police services only. Therefore, the proposed project would generate a positive net fiscal balance for the City and provide needed services for its residents.

Policy PFS-7.1 Fire Protection – The City shall continue to support the Cosumnes Community Services District Fire Department for fire protection and emergency medical service capable of meeting the needs of the community based on the benefit received. In addition, the City shall work with the Cosumnes Community Services District regarding necessary public fire facilities, equipment, and operational costs for the provision of fire prevention, fire protection, and emergency medical services to Galt residents.

The current impact fee structure for the provision of fire protection and emergency services is sufficient to meet the current demand of the Cosumnes Community Services District Fire Department (CCSDFD), facilitating the emergency response needs of the City of Galt. Therefore, the proposed project (and other new developments within Galt) would have adequate fire protection and emergency services supported by the existing fee structure.

Policy COS-5.10 New Development Operational Emission Reductions – The City should require all new development projects which have the potential to result in significant operational air quality impacts (exceeding SMAQMD adopted thresholds), to incorporate design or operational features that result in a reduction in emissions equal to 15 percent from the level that would be produced by an unmitigated project, based upon feasible mitigation under CEQA.

The URBEMIS report for the project found that the project does not exceed operational and construction thresholds therefore not requiring further mitigation.

Policy COS-7.1 Greenhouse Gas Emission (GHG) Reduction – The City should reduce greenhouse gas emissions from City operations as well as from private development in compliance with the California Global Warming Solutions Act of 2006 and any applicable State regulations.

With the implementation of the measures listed in the Climate Change Features section of this report, the project was determined to not be in conflict with implementation of State goals for reducing GHG emissions (Chapter 5.4, page 44, Air Quality and Climate Change, Draft EIR). In addition, the location of the store in relationship to residential development allows for greater pedestrian use thereby limiting vehicle trips. Moreover, the Sacramento Metropolitan Air Quality Management District supports the proposed Galt Walmart because it will reduce vehicle trips by providing local shopping and employment opportunities in the city (page 3-16, Final EIR).

Policy COS-7.4 Energy Efficient Development – In addition to the energy regulations of Title 24, the City should encourage the energy efficiency of new development. Possible energy efficient design techniques include provisions for solar access, building siting to maximize natural heating and cooling, and landscaping to aid passive cooling and protection from winter winds.

The proposed project would include many measures aimed at energy efficiency that will exceed Title 24 requirements. (See Chapter 5.6, Energy of this Draft EIR).

Policy COS-7.5 Building Design and Components – The City shall encourage the implementation of cost-effective and innovative emission-reduction technologies in building components and design.

The proposed project would incorporate features into the store's design with innovative emission-reduction technologies. The proposed project would include technology such as or equivalent to: "super" high efficiency packaged HVAC units (four to 17 percent more efficient than required by Title 24), central energy management system, dehumidifying system, film on the freezer doors that combats condensation, grocery area would capture waste heat from the on-site refrigeration equipment to heat water for the kitchen prep areas of the Store, "white" single ply membrane roof, ThermoPlastic Olefin membrane (Non-PVC roofs), skylights with computer-controlled daylight sensors which would allow lighting within the store to be dimmed when natural lighting is available, night dimming, T-8 fluorescent lamps and electronic ballasts, occupancy sensors, LED signage illumination, environmentally friendly concrete, water-conservation fixtures, recycling, and ozone friendly refrigerators.

Policy COS-7.6 Sustainable Design – The City shall promote the implementation of sustainable design strategies for "cool communities" such as reflective roofing, light colored pavement, and urban shade trees.

The store would incorporate a "white" single ply ThermoPlastic Olefin membrane roof which is more environmentally friendly than PVC roofing. The high solar reflectivity of this membrane results in lowering the "cooling" load by approximately eight to 10 percent and has a reduced "heat island" effect, as compared to most other applications that are a darker color. The proposed project

would include a new enhanced community space composed of a round plaza setting with a clock tower at the center, surrounded by plantings and seating areas at the corner of Twin Cities Road and Fermoy Way. Plantings would include Red Maple, Chinese Hackberry, Bradford Pear, and several ground cover varieties such as Trailing Gazania and Star Jasmine which would provide for shading.

Policy N-1.6 Noise-Sensitive Land Separation – The City should separate noise-sensitive land uses from noise-impacted areas in new developments unless effective mitigation measures are provided and implemented. Noise-sensitive land uses include, but are not limited to, residential land uses, schools, health care facilities, libraries, and churches.

The proposed project would generate noise levels from on-site activities which would exceed the City's noise standards at existing residential uses. However, implementation of mitigation measures provided in DEIR Chapter 5.5, would require a 12-foot soundwall to be constructed along the east and south property lines of the site that would reduce the noise impacts to adjacent noise-sensitive land uses below a level of significance. In addition, there is a setback of at least 60' to the nearest residential property.

Northeast Area Specific Plan Consistency:

The project site is located in the Northeast Area Specific Plan Area. As a result, the following policies/guidelines are applicable to the project:

Access – Circulation and parking shall be required to facilitate ease of vehicular movement between properties and to limit number of driveways.

Access to the project site would be available from one driveway on Twin Cities Road and two driveways on Fermoy Way. Trucks would access the store via the project driveway at Twin Cities Road. Trucks would exit the site via the southernmost driveway off of Fermoy Way and continue north back to Twin Cities Road. The applicant has proposed to install a "No Truck Route" sign at the existing Fermoy Way median near the project's southernmost truck route exit. This is to prohibit trucks from traveling through the residential neighborhoods to the south.

Building Orientation – No "backs" of structures shall be oriented towards any private, local, collector, or arterial roadway.

The back of Walmart would be oriented towards residential uses, buffered by a 12-foot solid masonry wall and 60 foot setback.

Lighting – All light sources shall be shielded in such a manner that the light is directed away from streets or adjoining properties. Illuminators shall be complementary to the architecture of the building. Developers shall provide materials, methods, and designs so that no more than 0.25 foot candle is measured on a vertical plane located at five feet inside of an adjacent property and at sic feet above the ground to ensure nominal spillover lighting. The height of the poles shall be in scale with the buildings to which they are appurtenant and shall be limited by sensitive surrounding land

uses (e.g., Residential, agricultural etc.). Light pole heights in Commercial zoning districts shall not exceed a maximum of 25 feet except for areas within 100 feet of a residentially zoned parcel. Lamp posts located within 100 feet of a residential zone shall be no taller than 18 feet. Pole height shall be measured from the ground to the top of the light fixture. The height of the light poles will be evaluated in terms of whether the lights will be sufficiently shielded by surrounding buildings and whether there are sensitive land uses that could be affected by light poles that are not fully shielded. Fully shielded shall be defined as light fixtures that are constructed so that all of the light rays emitted by the fixture are projected below a horizontal plane passing through the lowest point on the fixture from which light is emitted. Light poles less than 25 feet in height may be required if deemed appropriate for the proposed development given the low height of the adjacent buildings and the orientation of the parking lots related to sensitive land uses.

The parking lot would be illuminated with 15-foot light poles mounted on three-foot bases. Full directional cutoff lenses would be used to maintain a 0.0-foot candle outside the property line. The light fixtures would be 400-watt metal halide. The City of Galt allows a maximum one-foot candle illumination throughout the site with a downward focus to avoid night sky pollution.

FINDING: The proposed use is consistent with the purpose of the applicable zoning district or districts.

DISCUSSION: The site is located within the Highway Commercial (HC) zoning district, which provides a high visibility commercial environment along freeway frontage roads and at freeway on/off ramps for uses that depend on high volume traffic or that serve highway travelers. The zoning district is characterized by large Lots designed to promote development of retail and service establishments such as regional Shopping Centers, Restaurants, Hotels, motels, highway service centers, and large scale entertainment enterprises. The proposed Walmart project is consistent with the HC zoning district as it is a retail establishment developing a large Lot (11.26 acres), it is near the Twin Cities and Highway 99 freeway on/off ramps, and depends on high volume traffic.

FINDING: The proposed use is listed as a use subject to a use permit in the applicable zoning district or districts or a determination of similar use has been made in accordance with the procedures set forth in Chapter 18.72 of this title.

DISCUSSION: As identified in Table 18.16-1 of Title 18: Zoning, of the Galt Municipal Code, Discount Superstores (defined as a store ranging in size from 100,000 to 139,999 square feet and devoting at least ten percent of the total sales floor area to the sale of non-taxable merchandise) are required to obtain a Conditional Use Permit within the Highway Commercial zone. Pursuant to Section 18.16.030.20 a community impact analysis, economic/fiscal analysis, crime analysis, and urban decay analysis are required as part of a Conditional Use Permit application. The analyses are addressed in Chapter 5.8, Urban Decay, of the Draft EIR. In addition, the project design is required to comply with the design guidelines contained in Municipal Code Section 18.30. The ordinance requires specific design elements and review by the Architectural Review Committee (ARC). The ARC reviewed the project design at a public meeting on Monday, February 22, 2010. The ARC determined that the project design conformed to the design elements of the Big Box Ordinance and

recommended approval to the Planning Commission. The attached ARC staff report explains in detail how the project conforms to the design criteria.

FINDING: The proposed use meets the minimum requirements of this title applicable to the use and complies with all other applicable laws, ordinances, and regulations of the City and the State of California;

DISCUSSION: The applicant has submitted an application for a use permit for the Project in accordance with the City's procedures set forth in Section 18.52.050(A)(1)(c) of the Galt Municipal Code. The project has been conditioned to comply with all other applicable ordinances and regulations of the City, County, CCSD Fire District, and the State of California as applicable.

FINDING: The proposed use will not be materially detrimental to the health, safety, or welfare of the public or to property and residents in the vicinity.

DISCUSSION: An Environmental Impact Report was completed for the proposed project. The report analyzed the project and all potential impacts to the community. All of these impacts were reduced to a less-than-significant level through the implementation of mitigation measures, except for the cumulative traffic and cumulative aesthetics. Please see the Draft EIR and Mitigation Monitoring Program for details. As a result, the proposed use will not be materially detrimental to the health, safety, or welfare of the public or to property and residents in the vicinity.

FINDING: The proposed use is suitable for the site and is compatible with neighboring uses.

DISCUSSION: The proposed project is suitable for the site. It meets all applicable development standard requirements including, parking, landscaping, and setback requirements.

The proposed project and the commercial land uses to the west, including a Raley's grocery store and a dollar store, are similar and compatible uses. The 2030 Galt General Plan designates land uses to the north for commercial development during Phase III of build out of the 2030 General Plan.

Existing residences to the south and east, as well as rural residential uses to the north, are considered sensitive receptors for the noise and traffic that would be generated by the proposed project. Impacts related to traffic, air quality, noise, and police protection are addressed in Chapters 5.3, 5.4, 5.5, and 5.7 of the Draft EIR, respectively. For these issues, the Draft EIR determined that with implementation of the mitigation measures in the EIR, less-than-significant impacts would occur in regard to noise and police protection; however, impacts related to cumulative traffic and cumulative aesthetics would remain significant and unavoidable.

The 2030 Galt General Plan EIR states that "[…] uses within development areas are expected to be compatible with one another because the General Plan policies establish requirements for compatible development, including buffering, screening, controls and performance standards." Discussions of applicable General Plan policies are listed above.

The proposed project would not physically divide an established community. The site is currently undeveloped, and construction activities would not encroach on existing developed areas. The project site is on a highly traveled State Highway. The proposed project is oriented to the highway and away from the residential community but still provides reasonable pedestrian access from the residences.

Environmental Impact Report

The Final EIR is comprised of the Draft EIR plus its technical appendices (which is a separately bound document), all written comments submitted during the public review period (Chapter 3), City responses to those comments (Chapter 3), and a list of any revisions/clarifications made to the Draft EIR text as a result of public comments (Chapter 2). The Draft EIR was advertised for public review on December 9, 2009 and the City accepted written comments on the Draft EIR from December 10, 2009 through January 25, 2010.

Environmental issues identified for analysis in the Draft EIR included:

- Land Use
- Aesthetics
- Transportation and Circulation
- Air Quality and Climate Change
- Noise
- Energy
- Public Services (including Hydrology, Water Quality, and Drainage)
- Urban Decay.

The City received 20 comment letters during the Draft EIR comment period. The local agencies commenting included the California Regional Water Quality Control Board, the California Department of Transportation, and the Sacramento Metropolitan Air Quality Management District. The other 17 letters came from local citizens and other interested parties. In addition, comments were received from the general public at the January 14, 2010 Planning Commission DEIR Comment meeting. A list of those comments can be found on pages 1.2 and 1.3 of Final EIR.

Subsequent to the printing and distribution of the Final EIR, several typographical errors and minor clarifications were identified in the document. These changes are listed on the Errata Sheet (Attachment 1, Exhibit B). The changes are for clarification purposes only and do not change the conclusions reached in the EIR.

The comments received touched on many of the issues studied in the Draft EIR. However, the main issues bought up in letters and at public meetings were Transportation and Circulation (traffic), Public Services (crime related) and Urban Decay.

Traffic

Transportation and Circulation (traffic) impacts related to the proposed Walmart cause concern among some citizens. Much of the concern centers on the existing traffic congestion at the Highway 99 and Twin Cities Road intersection. Since there is an existing traffic problem, the addition of the projected 5,063 daily vehicle trips (Table 5.3-7 Draft EIR) generated by the project will further compound the existing traffic congestion.

Recognizing the existing traffic issue at the intersection, the City of Galt is undertaking interim improvements, independent of the Walmart project, to alleviate the existing congestion. The Public Works Department is currently in the design phase of the improvement project. The plan is to use "round abouts" on Twin Cities Road on the east and west side of the freeway. The round abouts will replace the signalized intersections. Traffic simulations, and the use of round abouts in other like situations, show that the continual movement of traffic through the intersection rather than the stop and go of the traffic signals prevents the back up of vehicles and prevents congestion. The traffic analysis in the Walmart Draft EIR shows that this interim improvement will provide acceptable service levels at the Twin Cities Road/Highway 99 intersection with the Walmart project (Table 5.3-12 Draft EIR). The proposed interim improvement to the interchange is expected to be completed by 2013, which is estimated before the completion of the proposed Walmart project. The Walmart project will pay its fair share toward this improvement through City Impact Fees at the time of building permit.

In addition, cut through traffic has been a recurring traffic concern, mostly by residents of Emerald Village and others south of the project site. Residents fear that Fermoy Way will become a major route for vehicles entering and exiting Walmart. In response to this concern, Walmart engineers placed a raised median "pork chop" island at the Walmart project northern Fermoy Way driveway. This measure prevents vehicles from turning left onto Fermoy Way thus reducing vehicle traffic on the street through the residential portions to the south. However, this measure will also prohibit drivers from going straight across to the Galt Village Center (Raley's Center) driveway. Since the inclusion of the raised median, other residents have been commenting that they cannot get back into Emerald Village without going out to Twin Cities Road and traveling either to East Stockton Boulevard or Carillion Boulevard in order to return home. A u-turn is not permitted at Fermoy Way and Twin Cities. Staff and Walmart engineers recognize that residents now face a longer return trip from the proposed site. At this point there is no plan to allow u-turns on Fermoy Way at the Twin Cities Road since the existing right-of-way is not large enough to allow the movement. Staff is seeking a decision from the Planning Commission on this issue. Impacts related to cut through traffic are discussed in Section 5.3-5 of the Draft EIR.

The southern driveway on Fermoy Way is designated as a truck route and left turns are prohibited. There is a median located in Fermoy Way slightly south of the driveway opening. The location of the median makes it difficult for trucks to make a left turn out of the project site from this driveway. Automobiles may be able to make the maneuver around the median but are prohibited by double yellow lines extending north of the median. It is illegal for vehicles to cross the double yellow. As a result, all traffic leaving the south driveway are required to travel north out of the project site.

The combination of the raised "pork chop" at the north driveway and the median plus double yellow lines at the south driveway prohibit left turns from the site onto Fermoy thus limiting traffic through the residential areas to the south. Furthermore, the notion that Fermoy Way will become a major route to and from the store is more of a perceived problem. The traffic engineers, have estimated that less than 2% of the peak hour traffic generated by the project would use Fermoy Way if it was available (Project Trip Distribution, page 25, Appendix C of the Draft EIR)

Crime

Another common issue mentioned by citizens in the comments to the Draft EIR and at community meetings related to impacts of the proposed Walmart project includes a fear of increased crime related to the store. According to the Police Services Report (Appendix F of the Draft EIR) completed for the proposed project, Walmart stores generate on average 118 annual calls for police service per 100,000 square feet of store (Appendix F, page 9 of the Draft EIR). Based on this figure the proposed Galt Walmart, at 133,297 square feet can be expected to generate 158 (rounded) calls for police service each year. The police report further concluded that the extra calls for service will consume about 31.58% of one police officers time per year (Appendix F, page 8 of the Draft EIR).

The Police Services Report also stated that large scale retail centers generate on average 130 service calls per 100,000 square feet each year (Appendix F, page 9 of the Draft EIR). Consequently, the extra service calls are an industry issue and not solely a Walmart problem and Walmart's average is actually less than that of other large retailers. Since the property is zoned Highway Commercial presumably some other large scale retailer could develop the site and contribute an equal if not greater amount of police service calls per year. For comparison purposes, the Raley's store at 68,000 square feet generated 208 calls for service in calendar 2009. This translates into 274 calls for service per 100,000 square feet for the year.

According to the Economic Impact Analysis Report prepared for the project (Appendix G of the Draft EIR), the proposed Walmart project is projected to contribute $562,915 annually in property and sales tax revenue. Since the preparation of the report, the City voters passed Measure R which is a half cent sales tax increase ear marked for police services. That measure would generate another $230,000, from Walmart, per year to the City of Galt. The City could use this additional revenue to hire an additional police officer. According to the Galt Chief of Police, Loren Cattolico, the annual salary, plus benefits, for a police officer is estimated at $100,000 per year. The estimated tax revenue generated by the proposed project is more than ample to cover this expense. If the City chose to hire an additional officer one could make the argument that the tax revenue generated by the Walmart project will benefit the City as it relates to crime since only 31.58% of the officers time would be related to Walmart activities. The unaccounted officers' time can be used to address other non-Walmart related crime issues. In addition Walmart intends to implement on-site, private security measures as part of the project. They are listed in the Project Description section of this report.

Urban Decay

The Economic Impact Analysis Report mentioned above contains a section on Urban Decay (Appendix G, Section VII of the Draft EIR). This report shows that urban decay associated with the

proposed Walmart store is limited. The report concluded that Galt's current retail market is relatively small (Appendix G, page 28 of the Draft EIR) therefore there was not much existing retail to be impacted by the proposed project. The Economic Impact Analysis also showed that the City of Galt has a high sales leakage, meaning that many of Galt residents must travel to other markets (Lodi and/or Elk Grove) to do a majority of their shopping. The sales leakage problem in Galt found in this report is consistent with the Existing Conditions Report of the City's 2030 General Plan Update. In this report, it estimates that "households who live in Galt are spending an estimated $22.5 million at general merchandise-apparel stores outside of Galt" (page 2-29, 2030 Galt General Plan Existing Conditions Report).

Much of the criticism of Walmart, as it relates to Urban Decay, tends to focus on the impact of big box and/or national chain retailers effect on small locally owned businesses. Unfortunately, the national chain retailers have already impacted Galt like many other communities. As mentioned above, most of the City's residents are traveling to Lodi and Elk Grove to the national chain stores to do most of their shopping for non-perishable goods. Consequently, Galt and other cities have lost smaller businesses who could not find ways to compete. The proliferation of the national chains is in response to consumer demand but some smaller businesses are now finding niche markets in order to coexist with the larger chains.

In summary, due to the City's lack of current retail options, the impact of the proposed Galt Walmart store as it pertains to urban decay is negligible. The Economic Impact Analysis of the Draft EIR contains specific information on the proposed store and its impact on Galt.

The attached Resolutions contain the CEQA findings necessary to certify the Final EIR (with all recommended findings and Statements of Overriding Considerations) and to approve the Conditional Use Permit request. The Planning Commission must consider the documents and use your independent judgment to determine that the EIR is adequate, that you make the required findings per CEQA Section 15091 (Exhibit A to the Resolution, Attachment 1), adopt the Statement of Overriding Considerations (Exhibit B to the Resolution), and adopt the Mitigation Monitoring Program (Exhibit C to the Resolution). After the Final EIR is certified, the Planning Commission needs to adopt the Resolution to approve the Conditional Use Permit and make all required findings.

The Final EIR has been available for public review at the City Clerk's office, Planning Department, the Galt Public Library, and on the City's website at **http://www.ci.galt.ca.us/site/Depts/Planning/.**

Appeal of Community Development Director's Notice of Decision

The Community Development Director issued a Notice of Decision (NOD) on March 10, 2010 conditionally approving the applicant's site plan and design package as part of the Conditional Use Application. The Community Development Director has the authority to approve the site plan and design package (Section 18.68.030 of the GMC) while the Planning Commission makes a determination on the CUP.

The applicant appealed the NOD because of the wording of condition 10. Condition 10 read, "The

Project shall be constructed in accordance with the Final Application and other documents referenced above in this Notice of Decision." The applicant wishes to change the wording from "in accordance" to "in substantial compliance". Staff agrees with the applicant and is recommending modifying the NOD (Exhibit C to Attachment 2) to include the requested change. The attached NOD shows the wording to be removed in ~~strike through~~ and the wording to be added in double underline.

Attachments

Attachment 1 - Resolution Certifying the Final Environmental Impact Report - 2010___(PC)
- Exhibit A - CEQA Findings and Statement of Overriding Considerations
- Exhibit B - ERRATA Sheet
- Exhibit C - Mitigation Monitoring and Reporting Program

Attachment 2 - Resolution Approving the Conditional Use Permit, determining consistency with the Big Box Ordinance and granting appeal of the Community Development Director's Notice of Decision on the Site Plan and Design Review - 2010___(PC)
- Exhibit A - Conditional Use Permit Conditions
- Exhibit B - Building elevations and site plan
- Exhibit C - Revised Notice of Decision

Attachment 3 - ARC Staff Report

ATTACHMENT 1

RESOLUTION NO 2010 - _____ (PC)

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GALT CERTIFYING THE ENVIRONMENTAL IMPACT REPORT AND ADOPTING FINDINGS CONCERNING SIGNIFICANT IMPACTS,MITIGATIONS AND ALTERNATIVES, STATEMENTS OF OVERRIDING CONSIDERATIONS AND A MITIGATION AND MONITORING AND REPORTING PROGRAM FOR THE WALMART PROJECT

WHEREAS, Walmart, Inc., ("Applicant") proposes to develop an approximately 11.26 acre undeveloped parcel, identified as Assessor's Parcel Number 148-0074-058, with an approximately 133,279 square foot Walmart store, including an approximately 6,030 outdoor, fenced garden center, and has requested various entitlements to allow the construction of this project ("Project"). For purposes of providing a conservative evaluation of Project impacts, the EIR analyzed the Project to be 137,277 square feet. The Project site is located within the City at the southeast corner of Twin Cities Road and Fermoy Way; and

WHEREAS, the California Environmental Quality Act, Public Resources Code, Section 21000 et seq. ("CEQA"), requires that the City consider the environmental effects of the Project prior to approving any entitlements for the Project; and

WHEREAS, in compliance with Public Resources Code §21080.4, a Notice of Preparation ("NOP") was prepared by the City of Galt and was distributed to the State Clearinghouse of the Office of Planning and Research, responsible agencies and other interested parties on April 4, 2008 announcing the City's intent to prepare an Environmental Impact Report for the Walmart Project (Project), and to provide interested agencies and the general public an opportunity to express their concerns regarding the potential environmental effects of the Project. The NOP was circulated for thirty (30) days, as mandated by CEQA; and

WHEREAS, the Draft EIR was prepared by the City and the City of Galt distributed a Notice of Availability for the Walmart Project Draft EIR on December 10, 2009, which started the 45-day public review period, ending on January 25, 2010; and

WHEREAS, a noticed public meeting was held to accept public testimony on the Draft EIR by the Planning Commission of the City of Galt on January 14, 2010; and

WHEREAS, the City of Galt prepared and distributed a Final EIR on March 15, 2010 that responded to the written and oral comments received at the Planning Commission and in writing during the public review period; and

WHEREAS, pursuant to Public Resources Code Section 21092.5, on March 15, 2010, the City provided notice regarding the availability of the Final EIR and circulated the proposed responses to comments to public agencies which had submitted comments on the Draft EIR; and

WHEREAS, subsequent typographical and minor clarifications were identified in the EIR after it was circulated which are identified on the Errata Sheet dated March 2010 attached hereto as Exhibit B; and

WHEREAS, the Planning Commission of the City of Galt held a duly noticed public hearing on March 25, 2010, at which all interested parties had an opportunity to be heard. The Planning Commission considered the Draft and Final Environmental Impact Report, the Mitigation Monitoring and Reporting Program, the Errata Sheet attached as Exhibit B, and all evidence presented both orally and in writing.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Galt, that it finds, determines and certifies as follows:

A. The foregoing recitals are true and correct.

B. The EIR has been completed in compliance with CEQA and the CEQA Guidelines.

C. The EIR was presented to the Planning Commission who reviewed and considered the information contained therein prior to approving the Project. The EIR reflects the Planning Commission's independent judgment and analysis as to the environmental effects of the Project.

D. The Planning Commission received and considered the Errata Sheet handed out at the March 25, 2010 Public Hearing and attached hereto as Exhibit B and incorporated herein by reference.

E. The Planning Commission certifies the EIR as adequate. A copy of the certified EIR is on file with the City Clerk.

F. The Planning Commission hereby adopts the findings concerning significant impacts, mitigations and alternatives, as set forth in Exhibit A, which is attached hereto and incorporated herein by reference.

G. The Planning Commission hereby adopts the Statements of Overriding Considerations, as set forth in Exhibit A, which is attached hereto and incorporated herein by reference.

H. The Planning Commission hereby adopts the Mitigation Monitoring and Reporting Program, as set forth in Exhibit C, which is attached hereto and incorporated herein by reference, in order to ensure that all mitigation measures relied on in the findings are fully implemented.

PASSED AND ADOPTED by the Planning Commission of the City of Galt, California, this 25th day of March, 2010, upon motion by Commissioner _____ seconded by Commissioner _____, by the following vote, to wit:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Chairperson, Planning Commission

ATTEST:

_____
Planning Commission Secretary, City of Galt

APPROVED AS TO FORM:

_____
City Attorney, City of Galt

City of Galt

EXHIBIT A

Walmart Project

Final Environmental Impact Report
(SCH No. 2008042024)

Certification of the EIR,
Findings of Fact,
& Statement of
Overriding Considerations

March 25, 2010

I. Introduction

The California Environmental Quality Act, Public Resources Code section 21000 et seq. ("CEQA"), states that if a project would result in significant environmental impacts, it may be approved if feasible mitigation measures or feasible alternatives are proposed which avoid or substantially lessen the impact or if there are specific economic, social, or other considerations which justify approval notwithstanding unmitigated impacts.

Therefore, when an environmental impact report ("EIR") has been completed which identifies one or more potentially significant or significant environmental impacts, the approving agency must make one or more of the following findings for each identified significant impact:

1. Changes or alternatives which avoid or substantially lessen the significant environmental effects as identified in the EIR have been required or incorporated into the project; or

2. Such changes or alternatives are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency; or

3. Specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR. (Pub. Resources Code, § 21081).

As "lead agency" under California Code of Regulations, title 14, section 15367, the City of Galt ("City") hereby adopts the following CEQA findings relating to the Galt Walmart Draft Environmental Impact Report dated December 2009 ("Draft EIR") and the Final Environmental Impact Report certified by the City on March 25, 2010.

II. Purpose and Background

A. The Project

The Project site is located within the City at the southeast corner of Twin Cities Road and Fermoy Way, and consists of approximately 11.26 acres on a single undeveloped parcel identified as Assessor's Parcel Number 148-0074-058. Walmart proposes to develop the parcel and construct an approximately 133,279 square foot Walmart store, including an approximately 6,030 outdoor, fenced garden center. For purposes of providing a conservative evaluation of Project impacts, the EIR analyzed the Project to be 137,277 square feet. (Draft EIR, pp. 3-1 to 3-4.)

B. Purpose of the Project

The Project objectives are as follows:

- Design a project that is consistent with the City's 2030 General Plan and Zoning Code;
- Develop a state-of-the-art retail store that will accommodate the retail and grocery demands of the community;
- Expand and provide new retail options in close proximity to local consumers by providing daytime and nighttime shopping opportunities in a safe and secure environment;
- Provide sufficient off-street parking to ensure that there is adequate parking for store customers and employees and to minimize impacts to the surrounding neighborhood;
- Provide a store that will provide significant economic benefits to the City and community in terms of its diversity of employment opportunities (through the addition of new jobs) and increased sales tax revenues;
- Achieve an architectural design that softens the scale and mass of the proposed building with features designed to blend with the surrounding area;
- Provide landscaping within the parking lot to soften the design and create a pleasant, attractive appearance that complements the surrounding area;
- Minimize potential automobile and pedestrian conflicts on-site through site planning that clearly separates automobile and pedestrian access areas;
- Minimize noise impacts to the surrounding neighborhoods by using structures such as soundwalls;
- Provide a commercial center on a large, undeveloped lot in close proximity to an existing highway, and near other commercial centers to minimize travel lengths and utilize existing infrastructure to the extent possible; and
- Provide a commercial development that can be adequately served by public services and utilities.

(Draft EIR, p. 3-4.)

C. **Purpose of the EIR**

The EIR was prepared in accordance with CEQA, Public Resources Code sections 21000-21178, and the CEQA Guidelines, California Code of Regulations, title 14, sections 15000-15387, to address the environmental impacts associated with the development of the 11.26-acre Project site and the construction of an approximately 133,279 square foot Walmart store, including an approximately 6,030 square foot outdoor garden center, in the City. As required by section 15121 of the CEQA Guidelines, the EIR assesses the potential environmental impacts resulting from approval, construction, and operation of the Project, and identifies feasible means of minimizing potential adverse environmental impacts. The City is the lead agency for the environmental review of the Project and the EIR was prepared under the direction and supervision of the City. (Draft EIR, pp. 1-1 to 1-2, 3-4.)

D. **Procedural Background**

Following is an overview of the environmental review process for the Project that has led to the preparation of the EIR.

1. In accordance with section 15082 of the CEQA Guidelines, the City prepared a Notice of Preparation ("NOP") of an Environmental Impact Report and filed it with the Office of Planning and Research ("OPR") on April 4, 2008. The NOP was circulated to the public, local and state agencies, and other interested parties to solicit comments on the Project. A public scoping meeting was held to further address concerns. Environmental issues and alternatives raised by comments received on the NOP during the public review period were considered for inclusion in the EIR.

2. The Draft EIR was circulated for public review on December 10, 2009. Copies of the Draft EIR were available at the City offices and the local public library. In addition, the Draft EIR was made available on the City's website and Project information was made available in PDF format or on CD by request.

3. A formal Notice of Availability ("NOA") of the Draft EIR was prepared and circulated on December 10, 2009, as required by CEQA. The NOA was circulated to responsible agencies, adjacent property owners and interested parties, including any person who filed a written request for such a notice.

4. The public comment period for the Draft EIR was December 10, 2009 through January 25, 2010.

5. The City held a public meeting on January 14, 2010. At this meeting, Project information was disseminated and public comments were noted.

6. In response to comments received concerning the Draft EIR, the Final EIR was issued on March 15, 2010, at least 10 days prior to certification by the Planning Commission. The Final EIR contains copies of all comments received on the Draft EIR and responses to those comments. The Final EIR also contains errata revisions to the Draft EIR and supplemental information deemed necessary in response to comments on the Draft EIR.

7. Copies of the Final EIR were sent to the commenting responsible agencies. All other commenters received **notice** with instructions for accessing the Final EIR. The Final EIR was also made available at the City offices and the local public library. In addition, the Final EIR was made available on the City's website.

8. Pursuant to Public Resources Code section 21092.5, the City provided a written response in the form of the Final EIR to all public agencies commenting on the Draft EIR, 10 days prior to certifying the EIR.

9. On Janury 14, 2010, the Planning Commission held a public meeting to consider the Draft EIR and to provide an opportunity for public input on the Draft EIR.

10. On March 25, 2010, the Planning Commission certified the Final EIR and passed a resolution approving the Project.

(Draft EIR, pp. 1-2 to 1-4; see also Draft EIR, Appendix A and B; see also Staff Report for March 25, 2010 Planning Commission hearing.)

III. **Description of the Record**

The record of proceedings for the Planning Commission's decision on the Project includes, but is not limited to, the following documents:

- The NOP and all other public notices issued by the City in conjunction with the Project;
- All applications for approvals and development entitlements related to the Project and submitted to the City;
- The Draft EIR for the Project (December 10, 2009) and technical appendices;
- All comments submitted by agencies or members of the public during the public comment period on the Draft EIR;

- The Final EIR for the Project, including comments received on the Draft EIR, responses to those comments, and the Draft EIR and technical appendices (dated March 15, 2010);

- The Mitigation Monitoring and Reporting Program for the Project;

- All reports, studies, memoranda, maps, staff reports, or other planning documents related to the Project prepared by the City, or consultants to the City with respect to the City's compliance with the requirements of CEQA and with respect to the City's action on the Project;

- All reports, studies, memoranda, maps, staff reports, or other planning documents related to the Project cited or referenced in the preparation of the Draft EIR or Final EIR;

- The City of Galt General Plan, Zoning Code, and any other relevant City planning documents;

- All documents submitted to the City (including to the Planning Commission) by other public agencies or members of the public in connection with the Project, up through the close of the public hearing on March 25, 2010;

- Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the Project; and

- Any other materials required for the record of proceedings by Public Resources Code Section 21167.6, subdivision (e).

The Planning Commission has relied on all of the documents listed above in reaching its decision on the Project, even if not every document was formally presented to the Commission or City staff as part of the City files generated in connection with the Project. Without exception, any documents set forth above not found in the Project files fall into one of two categories. Many of them reflect prior planning or legislative decisions with which the Planning Commission was aware in approving the Project. (See *City of Santa Cruz v. Local Agency Formation Commission* (1978) 76 Cal.App.3d 381, 391-392; *Dominey v. Department of Personnel Administration* (1988) 205 Cal.App.3d 729, 738, fn. 6.) Other documents influenced the expert advice provided to City staff or consultants, who then provided advice to the Planning Commission. For that reason, such documents form part of the underlying factual basis for the Commission's decisions relating to the adoption of the Project. (See Pub. Resources Code, § 21167.6, subd. (e)(10); *Browning-Ferris Industries v. Planning Commission of City of San Jose* (1986) 181 Cal.App.3d 852, 866; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 153, 155.)

IV. **Discretionary Actions**

The Project involves the following actions and approvals by the City:

1. Certification of the Final EIR
2. Adoption of the Findings of Fact and Statements of Overriding Considerations
3. Adoption of the Mitigation Monitoring and Reporting Plan
4. Approval of a Conditional Use Permit per the Big Box Ordinance
5. Approval of Site Plan and Architectural Review
6. Approval of Architectural Review
7. Approval of a Sign Permit

The following findings, as well as the accompanying statement of overriding considerations in Section XI, have been prepared to comply with the requirements of CEQA (Pub. Resources Code § 21000 et seq.) and the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.).

V. **General Findings**

A. **Terminology of Findings**

Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The same statute states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." Section 21002 goes on to state that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

The mandate and principles announced in Public Resources Code section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which an Environmental Impact Report ("EIR") is required. (See Pub. Resources Code, § 21081, subd. (a); CEQA Guidelines, § 15091, subd. (a).) For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The first such finding is that "[c]hanges or alterations have been required in, or incorporated into, the project

which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) The second permissible finding is that "[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency." (CEQA Guidelines, § 15091, subd. (a)(2).) The third potential conclusion is that "[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(3).) Public Resources Code section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors." CEQA Guidelines section 15364 adds another factor: "legal" considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565 (*Goleta II*).)

The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417.) "'[F]easibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (*Ibid*.; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.)

The CEQA Guidelines do not define the difference between "avoiding" a significant environmental effect and merely "substantially lessening" such an effect. The agency must therefore glean the meaning of these terms from the other contexts in which the terms are used. Public Resources Code section 21081, on which CEQA Guidelines section 15091 is based, uses the term "mitigate" rather than "substantially lessen." The CEQA Guidelines therefore equate "mitigating" with "substantially lessening." Such an understanding of the statutory term is consistent with the policies underlying CEQA, which include the policy that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such Projects." (Pub. Resources Code, § 21002.)

For purposes of these findings, the term "avoid" refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less-than-significant level. In contrast, the term "substantially lessen" refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less-than-significant level. These interpretations appear to be mandated by the holding in *Laurel Hills Homeowners Association v. Planning Commission* (1978) 83 Cal.App.3d 515, 519-521, in which the Court of Appeal held that an agency had satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question less than significant.

Although CEQA Guidelines section 15091 requires only that approving agencies specify that a particular significant effect is "avoid[ed] or substantially lessen[ed]," these

findings, for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less-than-significant level, or has simply been substantially lessened but remains significant.

Moreover, although section 15091, read literally, does not require findings to address environmental effects that an EIR identifies as merely "potentially significant," these findings will nevertheless fully account for all such effects identified in the Final EIR.

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency. (CEQA Guidelines, § 15091, subd. (a), (b).)

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, §§ 15093, 15043, subd. (b); see also Pub. Resources Code, § 21081, subd. (b).) The California Supreme Court has stated, "[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Goleta II*, *supra*, 52 Cal.3d at p. 576.)

These findings constitute the City of Galt ("City") Planning Commission members' best efforts to set forth the evidentiary and policy bases for its decision to approve the Walmart Project ("Project") in a manner consistent with the requirements of the California Environmental Quality Act ("CEQA"). To the extent that these findings conclude that various proposed mitigation measures outlined in the Final EIR are feasible and have not been modified, superseded or withdrawn, the City hereby binds itself to implement these measures. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when the Planning Commission adopts a resolution approving the Project.

B. **Certification of Final EIR**

The Final EIR for the Project is hereby certified pursuant to the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). (CEQA Guidelines, § 15090.) The Planning Commission for the City of Galt ("Planning Commission" or "Commission") hereby certifies that the Final EIR has been completed in compliance with the requirements of CEQA. The Planning Commission further certifies that the Final EIR was presented to it and that the Commission reviewed and considered the information contained in

the Final EIR prior to approving the Project. Finally, the Commission certifies that the Final EIR reflects the Commission's independent judgment and analysis.

C. **Changes to the Draft EIR**

CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of the draft EIR but before certification of the Final EIR. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project proponent declines to implement. The CEQA Guidelines provide the following examples of significant new information under this standard:

- A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
- The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (*Mountain Lion Coalition v. Fish and Game Com.* (1989) 214 Cal.App.3d 1043).

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

The Planning Commission recognizes that the Final EIR incorporates information obtained by the City since the Draft EIR was completed, and contains additions, clarifications, modifications, and other changes. Some comments on the Draft EIR either expressly or impliedly sought changes to proposed mitigation measures identified in the Draft EIR as well as additional mitigation measures. Some of the suggestions were found to be appropriate and feasible and, thus, were adopted in the Final EIR or included in the MMRP; other suggestions were not found appropriate and/or feasible and were not adopted or included. (See, generally, Final EIR.)

It should be noted that since the Draft EIR was circulated for public review, the City adopted an update to its traffic capital improvement program: the 2009 Traffic Capital Improvement Program, Northeast Area, and Capital Facilities Fee Updates ("2009 TCIP"). The

2009 TCIP was adopted on March 2, 2010, and includes improvements that had been identified in the Draft EIR as necessary to mitigate some of the Project's traffic impacts. Because the 2009 TCIP had not been adopted when the Draft EIR was circulated, the respective impacts were determined to remain significant and unavoidable due to there being no guarantee that the needed improvements would be constructed. With the adoption of the 2009 TCIP, such guarantee now exists since the improvements are part of a reasonable, enforceable program that is tied to the actual mitigation of the traffic impacts at issue (i.e., the 2009 TCIP). As a result, payment of the 2009 TCIP fees prior to the issuance of building permits is now adequate mitigation and the resulting level of significance has been revised to less than significant with mitigation for some of the Project traffic impacts. These changes do not require recirculation pursuant to CEQA Section 15088.5.

Notably, CEQA case law emphasizes that "'[t]he CEQA reporting process is not designed to freeze the ultimate proposal in the precise mold of the initial project; indeed, new and unforeseen insights may emerge during investigation, evoking revision of the original proposal.'" (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 736-737; see also *River Valley Preservation Project v. Metropolitan Transit Development Bd.* (1995) 37 Cal.App.4th 154, 168, fn. 11.) "'CEQA compels an interactive process of assessment of environmental impacts and responsive project modification which must be genuine. It must be open to the public, premised upon a full and meaningful disclosure of the scope, purposes, and effect of a consistently described project, with flexibility to respond to unforeseen insights that emerge from the process.' [Citation.] In short, a project must be open for public discussion and subject to agency modification during the CEQA process." (*Concerned Citizens of Costa Mesa, Inc. v. 33rd Dist. Agricultural Assn.* (1986) 42 Cal.3d 929, 936.)

In sum, the information added to the EIR merely clarifies or amplifies the prior information, or makes insignificant modifications; therefore, the Draft EIR does not need to be recirculated.

D. **Evidentiary Basis for Findings**

The findings and determinations contained herein are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project and the EIR. The findings and determinations constitute the independent findings and determinations by this Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

Although the findings below identify specific pages within the Draft and Final EIRs in support of various conclusions reached below, the Commission has no quarrel with, and thus incorporates by reference and adopts as its own, the reasoning set forth in both environmental documents, and thus relies on that reasoning, even where not specifically mentioned or cited below, in reaching the conclusions set forth below, except where additional evidence is specifically mentioned. This is especially true with respect to the Commission's approval of all mitigation measures recommended in the Final EIR, and the reasoning set forth in responses to comments in the Final EIR. The Planning Commission further intends that if these

findings fail to cross-reference or incorporate by reference any other part of these findings, any finding required or permitted to be made by this Planning Commission with respect to any particular subject matter of the Project must be deemed made if it appears in any portion of these findings or findings elsewhere in the record.

E. **Findings Regarding Mitigation Measures**

1. **Mitigations Adopted**

Except as otherwise noted, the Mitigation Measures herein referenced are those identified in the DEIR.

2. **Effect of Mitigations**

Except as otherwise stated in these findings, in accordance with CEQA Guidelines sections 15091, 15092, and 15093, the City finds that the environmental effects of the Project:

- Will not be significant; or
- Will be mitigated to a less-than-significant level by the mitigation measures adopted by the City; or
- Will remain significant after mitigation, but specific economic, legal, social, technological, or other considerations outweigh the unavoidable adverse environmental effects.

The City finds that the mitigation measures incorporated into and imposed upon the Project will not have new significant environmental impacts that were not already analyzed in the DEIR.

F. **Location and Custodian of Records**

Pursuant to Public Resources Code section 21081.6 and California Code of Regulations, title 14, section 15091, the City is the custodian of the documents and other materials that constitute the record of proceedings upon which the City's decision is based, and such documents and other material are located at: Galt City Clerk's Office, 380 Civic Drive, Galt, California 95632.

VI. **Findings Regarding Monitoring/Reporting of CEQA Mitigation Measures**

A Mitigation Monitoring and Reporting Program (MMRP), which is attached as Exhibit B to these findings, was prepared for the Project and was approved by the Planning Commission by the same resolution that has adopted these findings. (See Pub. Resources Code, § 21081.6, subd. (a)(1); CEQA Guidelines, § 15097.) The City will use the MMRP to track

compliance with Project mitigation measures. The MMRP will remain available for public review during the compliance period.

VII. **Findings Regarding Alternatives**

Public Resources Code section 21002, a key provision of CEQA, provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The same statute states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects."

Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA. Although an EIR must evaluate this range of *potentially* feasible alternatives, an alternative may ultimately be deemed by the lead agency to be "infeasible" if it fails to fully promote the lead agency's underlying goals and objectives with respect to the project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417.) "'[F]easibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (*Ibid*.; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) Thus, even if a project alternative will avoid or substantially lessen any of the significant environmental effects of the project, the decision-makers may reject the alternative if they determine that specific considerations make the alternative infeasible.

Section 4 of the Draft EIR discussed several alternatives to the Project in order to present a reasonable range of options. The alternatives evaluated included:

- <u>No Project Alternative</u>: The City would not approve the Project and the Project site would continue in its existing undeveloped state.

- <u>Off-Site Alternative</u>: The Project, as proposed, would be developed on an alternative site located in central Galt.

- <u>Reduced Intensity Alternative</u>: The Project size would be reduced by 25% and include different uses than the Project.

The Planning Commission recognizes that some comments on the Draft EIR either expressly or impliedly sought the inclusion of additional alternatives to the Project. For instance, some commenters suggested that the EIR include an analysis of a smaller Walmart store. As explained in the Final EIR (Responses to Comments), although a smaller Walmart

store would reduce the intensity of some impacts, the Reduced Intensity Alternative that was included would result in greater reduction of impacts. (Final EIR Response to Comment ("RTC") 5-48, 20-6.)

As is evident from the specific response given to such suggestions, City staff and consultants spent large amounts of time carefully considering and weighing proposed alternatives, including that of a smaller Walmart store. In no instance did the City fail to take seriously a suggestion made by a commenter.

The Planning Commission finds that a good faith effort was made to evaluate all feasible alternatives in the EIR that are reasonable alternatives to the Project and could feasibly obtain the basic objectives of the Project, even when the alternatives might impede the attainment of the Project objectives and might be more costly. As a result, the scope of alternatives analyzed in the EIR is not unduly limited or narrow. The Planning Commission also finds that all reasonable alternatives were reviewed, analyzed and discussed in the review process of the EIR and the ultimate decision on the Project. (See, e.g., Draft EIR, pp. 4-1 to 4-17.)

A. **Significant and Unavoidable Impacts of the Proposed Project**

The EIR summarized the significant and unavoidable impacts of the Project. Significant effects related to aesthetics and transportation and circulation that cannot be avoided would occur. The significant unavoidable impacts are as follows:

- Aesthetics: The Project would alter the character of the area from vacant land to a commercial development with associated parking areas. The Project would introduce new sources of light and glare where none currently exist, which would result in a potentially significant impact. Implementation of the Project would create a significant and unavoidable impact in regard to long-term impacts to the visual character of the region from the Project in combination with existing and future developments in the Galt area.

- Transportation and Circulation: Impacts to the surrounding freeway under Cumulative Year 2030 Base Plus Project conditions would be significant and unavoidable.

(Draft EIR, pp. 4-3 to 4-4; Final EIR, pp. 2-36 to 2-48.)

B. **Project Objectives**

The Project objectives are as follows:

- Design a project consistent with the City of Galt 2030 General Plan and Zoning Code.

- Develop a state-of-the-art retail store that will accommodate the retail and grocery demands of the Galt community.
- Expand and provide new retail options in close proximity to local consumers by providing daytime and nighttime shopping opportunities in a safe and secure environment.
- Provide sufficient off-street parking to ensure that there is adequate parking for store customers and employees and to minimize impacts to the surrounding neighborhood.
- Provide a store that will provide significant economic benefits to the City and community in terms of its diversity of employment opportunities (through the addition of new jobs) and increased sales tax revenues.
- Achieve an architectural design that softens the scale and mass of the proposed building with features designed to blend with the surrounding area.
- Provide landscaping within the parking lot to soften the design and create a pleasant, attractive appearance that complements the surrounding area.
- Minimize potential automobile and pedestrian conflicts on-site through site planning that clearly separates automobile and pedestrian access areas.
- Minimize noise impacts to the surrounding neighborhoods by using structures such as soundwalls.
- Provide a commercial center on a large, undeveloped lot in close proximity to an existing highway, and near other commercial centers to minimize travel lengths and utilize existing infrastructure to the extent possible.
- Provide a commercial development that can be adequately served by public services and utilities.

(Draft EIR, p. 4-3.)

C. **Analysis of Alternatives**

1. **<u>The No Project Alternative</u>**

a. **Description of the Alternative**

The No Project Alternative was analyzed in Section 4 of the Draft EIR. The No Project Alternative would allow the Project site to continue in the site's existing

undeveloped state. Under this alternative, the City of Galt would not approve development for the Project site. (Draft EIR, p. 4-6.)

b. **Comparison to the Project**

The No Project Alternative would eliminate the significant and unavoidable impacts of the Project; however, it would not meet any of the Project objectives. (Draft EIR, pp. 4-6 to 4-7.)

c. **Finding**

While the No Project Alternative would result in fewer environmental impacts than the Project, the City finds this alternative infeasible and less desirable than the Project and rejects this alternative for the following "[s]pecific economic, legal, social, technological, or other considerations," which include project benefits such as the "provision of employment opportunities for highly trained workers" or other benefits of the Project that "make infeasible the … project alternatives identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(3).)

First, the No Project Alternative would not meet the Project objectives.

Fiscal Objective: The No Project Alternative would not develop a store that would provide significant economic benefits to the City and community in terms of diversity of employment opportunities (through the addition of new jobs) and increased sales tax revenues. As explained in the economic analysis performed for the Project, the Project is estimated to generate new store sales of $66.8 million in 2011. (Draft EIR, p. 5.8-17.) These net new sales would allow the Walmart store to capture some of the leakage in retail sales. (Draft EIR, p. 5.8-15.) This alternative, however, would not capture any leakage and would result in no increase in sales tax revenues for the City. In addition, the No Project Alternative would result in no new job opportunities. The Project, on the other hand, would be expected to increase store employment by 200 new jobs. (Draft EIR, p. 6-2.)

Land Use Objectives: The No Project Alternative would not design a project consistent with the City of Galt 2030 General Plan and Zoning Code or develop a commercial center that would minimize travel lengths and utilize existing infrastructure to the extent possible. As explained in the Draft EIR, the City of Galt General Plan designates the site Commercial and the Municipal Code designates the site Highway Commercial. (Draft EIR, pp. 5.1-2 to 5.1-4.) The Project is not only consistent with those general designations, it is also consistent with the goals and policies applicable to the site. (See Draft EIR, pp. 5.1-15 to 5.1-32.) Further, by providing a new retail option that includes grocery in proximity to existing infrastructure, the Project may minimize travel lengths for customers that seek these services. The No Project Alternative fails to further these objectives.

Retail Needs Objectives: The No Project Alternative would not develop a state-of-the-art retail store that would accommodate the retail and grocery demands of the Galt

community. The alternative would also not expand and provide new retail options in close proximity to local consumers by providing daytime and nighttime shopping opportunities in a safe and secure environment. The Project, on the other hand, would meet an unmet demand for retail, add to the convenience of the City's shoppers, and potentially reduce travel lengths for those shoppers. The No Project Alternative would fail to achieve these objectives.

Moreover, the No Project Alternative would require the City to forego Project benefits. (See generally Section XI.D below for a discussion of Project benefits.) Under the No Project Alternative, the City would not receive the substantial additional tax revenue from the Project and the public improvements associated with the Project would not be constructed.

For these reasons, the Planning Commission rejects this alternative as infeasible within the meaning of CEQA.

2. **<u>The Off-Site Alternative</u>**

a. **Description of the Alternative**

The Off-Site Alternative would involve the development of the Project in the vicinity of the C Street Interchange, southwest of the intersection of Simmerhorn Road and Crystal Way, in central Galt. The Off-Site Alternative would include the development of 11.26 acres of vacant land to commercial use. Development activities would occur to the same extent as the Project and the alternative would be expected to accommodate all of the uses associated with the Project. (Draft EIR, p. 4-8.)

b. **Comparison to the Project**

The Off-Site Alternative would have the potential to generate fewer overall impacts on transportation and circulation and noise relative to the Project and to reduce the significant and unavoidable impact on transportation and circulation to a level of less than significant. All other impacts would be similar to the Project. (Draft EIR, pp. 4-8 to 4-12; Final EIR p. 2-32.) The significant and unavoidable impacts of the Project on aesthetics would persist, and this alternative would not significantly reduce them.

c. **Finding**

The City finds this alternative infeasible and less desirable than the proposed Project and rejects this alternative for the following "[s]pecific economic, legal, social, technological, or other considerations" which include Project benefits such as the "provision of employment opportunities for highly trained workers" or other benefits of the project that "make infeasible the … project alternatives identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(3).)

First, the Off-Site Alternative would not meet the Project objectives to the same degree as the Project.

Land Use Objectives: The Off-Site Alternative may not meet the Project objectives to provide new retail options in close proximity to local consumers and to minimize travel lengths to the extent possible to the same degree as the Project. The Off-Site Alternative is surrounded by sparse residential development and vacant land while the Project is located adjacent to residential development and existing commercial uses. (Draft EIR, p. 4-8.)

Retail Objectives: Walmart does not own, control, or otherwise have access to the proposed site. Therefore, Walmart may not be able to develop on this site, resulting in this alternative not being able to enhance retail opportunities to the same degree as the Project.

Second, the Off-Site Alternative is not supported by an actual application so it would not be developed and, therefore, would likely result in underutilization of the site for a substantial period of time into the future. Under such a scenario, the City would not receive any additional tax revenue from the commercially zoned site for the foreseeable future. The alternative, then, is undesirable and infeasible from a policy standpoint.

For these reasons, the Planning Commission rejects this alternative as infeasible within the meaning of CEQA.

3. **The Reduced Intensity Alternative**

a. **Description of the Alternative**

The Reduced Intensity Alternative would include development of a smaller retail center (25% reduction) than the Project. Building pads would be oriented closer to the roadway frontage. A vegetative buffer would be placed between the Project site and the existing residential developments. The Alternative would include different uses than the Project, such as drive-thrus, retail, hotels, and entertainment, as allowed by the Highway Commercial zoning designation for the site. (Draft EIR, p. 4-12.)

b. **Comparison to the Project**

The Reduced Intensity Alternative would have the potential to generate fewer overall impacts on aesthetics, transportation and circulation, air quality, noise, energy, public services, and urban decay relative to the Project; land use impacts would be similar to the Project. (Draft EIR, pp. 4-12 to 4-16.) However, the significant and unavoidable impacts of the Project on aesthetics and transportation and circulation would persist.

c. **Finding**

The Reduced Intensity Alternative would not eliminate the significant and unavoidable impacts of the Project. In addition, the City finds this alternative infeasible and less desirable than the proposed Project and rejects this alternative for the following "[s]pecific economic, legal, social, technological, or other considerations" which include Project benefits such as the "provision of employment opportunities for highly trained workers" or other benefits

of the project that "make infeasible the … project alternatives identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(3).)

First, the Reduced Intensity Alternative would not meet the Project objectives to the same degree as the Project.

Fiscal Objective: The Reduced Intensity Alternative may not provide the same level of economic benefits to the City and community in terms of diversity of employment opportunities (through the addition of new jobs) and increased sales tax revenues to the same degree as the Project given its smaller size and lack of a major retailer, such as Walmart, as an anchor. Given that this Alternative would not include a major retail anchor store, consumers desiring one-stop shopping would need to drive outside of the City and therefore leakage may occur and less revenue overall would be generated for Galt. (Draft EIR, p. 4-16.) In addition, given its smaller size, this alternative may not create as many new jobs as the Project.

Land Use Objectives: The Reduced Intensity Alternative would not meet the land use objectives as well as the Project. In particular, it would not minimize travel lengths and utilize existing infrastructure to the maximum extent possible because it would not include a Walmart store that provides a one-stop shopping opportunity. It also would not utilize the site and existing infrastructure to the same degree as the Project given its smaller size.

Retail Needs Objectives: Given its smaller size and lack of major retailers like a Walmart store, the Reduced Intensity Alternative would not enhance the retail opportunities in the region to the same degree as the Project. It also would not accommodate the retail and grocery demands of the community to the same degree as the Project nor would it provide the same level of daytime and nighttime retail shopping opportunities.

Second, the Reduced Intensity Alternative would not provide the Project benefits to the same degree as the Project given its smaller size. (See generally Section XI.D below for a discussion of Project benefits.) Under the Reduced Intensity Alternative, the City would not receive as much tax revenue as from the Project. Additionally, this alternative would result in fewer employment opportunities than the Project.

Finally, the Reduced Intensity Alternative is not supported by an actual application, so it would not be developed and therefore would likely result in underutilization of the site for a substantial period of time into the future. Under such a scenario, the City would not receive any additional tax revenue from the commercially zoned site for the foreseeable future. The alternative, then, is undesirable and infeasible from a policy standpoint.

For all of these reasons, the Planning Commission therefore rejects this alternative as infeasible within the meaning of CEQA.

It should be noted that the Reduced Intensity Alternative was included as an alternative in response to NOP comments received on the Draft EIR that expressed opposition to the Walmart store itself. (Final EIR RTC 5-48.)

4. **Environmentally Superior Alternative**

CEQA requires the identification of the environmentally superior alternative in the EIR. The No Project Alternative would have the fewest environmental impacts. CEQA requires that if the No Project Alternative is the environmentally superior alternative, then the EIR must also identify another environmentally superior alternative among the remaining alternatives. Because the Reduced Intensity Alternative results in a decreased impact to all areas except land use, it would be considered environmentally superior. Therefore, the Reduced Intensity Alternative is the Environmentally Superior Alternative.

As discussed above, there are no feasible alternatives to the Project that would avoid or substantially lessen all of the significant and unavoidable impacts associated with the proposed Project.

VIII. **Growth Inducing Impacts**

A project may be growth-inducing if it directly or indirectly fosters economic or population growth or additional housing, removes obstacles to growth, taxes community service facilities, or encourages or facilitates other activities that cause significant environmental effects. (CEQA Guidelines Section 15126(g).) Under CEQA, induced growth is not considered necessarily detrimental or beneficial. Induced growth is considered a significant impact only if it directly or indirectly affects the ability of agencies to provide needed public services, or if it can be demonstrated that the potential growth could significantly affect the environment in some other way.

The Planning Commission finds that the Project would not significantly induce further growth or remove obstacles to future growth. Moreover, any induced growth would not affect the City's ability to provide needed public services, or would not significantly affect the environment in some other way. While the Project will generate additional tax-revenue for the City and may indirectly create the need for additional housing because it would employ approximately 200 people, the Project will not affect the ability of City agencies to provide needed public services or otherwise significantly affect the environment for several reasons. First, the Project site is designated for commercial use in the 2030 Galt General Plan and would, therefore, not induce development on land that is not already designated for development. Second, the Project would not result in the extension of public service infrastructure beyond what is required to support the Project or other approved development. Third, the Project is consistent with land use designations set forth by the 2030 Galt General Plan Policy Document. Finally, the City recently passed Measure R, which is a half-cent increase in sales tax that goes directly toward police services. With the additional tax revenue, the City would potentially increase staffing for public services such as police, fire, and emergency services. With an increase in public services, the City could more easily increase population without an adverse impact to public services. Also, it should be noted that the Project would not directly induce population growth through the provision of new dwelling units because it does not contain any residential uses. For these reasons, the Project would not result in any growth-inducing impacts. These facts support the City's finding. (Draft EIR, p. 6-2.)

IX. Findings Regarding Environmental Impacts and Mitigation Measures

A. Effects Not Found to Be Significant

Based on the discussion in the Final EIR, and other supporting information in the record, the Planning Commission finds that the Project would have no impact associated with the specific issues identified below.

1. Land Use

The Project would not impact lands protected by the Williamson Act because the Project site is not covered by a Williamson Act contract. (Draft EIR, p. 5.1-33.)

2. Urban Decay

The Project would not impact the City's General Fund revenues and costs because it would result in a positive net fiscal gain to the General Fund. (Draft EIR, p. 5.8-43.)

B. Less Than Significant Impacts Without Mitigation

Based on the Final EIR and the record, the Planning Commission finds that the Project would have less than significant environmental impacts associated with the specific issues identified below, as addressed in the EIR.

1. Land Use

a. Impacts

Impact 5.1-1: Impacts related to the project's compatibility with surrounding land uses: The Project and the commercial land uses to the west are similar and compatible uses. The 2030 Galt General Plan designates land uses to the north for commercial development during Phase III of buildout of the 2030 General Plan, which would also be compatible with the Project. There are existing residences to the south and east, as well as rural residential uses to the north. However, the Project would be subject to the 2030 General Plan and Zoning Code requirements regarding design, setbacks, lighting, noise, and traffic, which will ensure that the Project is compatible with these surrounding land uses. In addition, the Project is consistent with the land use designation for the site and therefore, would be compatible with surrounding communities and would not divide or segregate existing developments surrounding the site. Furthermore, the Project would not physically divide an established community because the site is currently undeveloped, and construction activities would not encroach on existing developed areas. Finally, because the Project site is located outside of the Airport Planning Area, the Project would not result in land uses that conflict with any applicable airport land use compatibility plan and, because the Project would comply with policies such as those set forth by the Migratory Bird Treaty Act, the California Native Plant Society, the California Department of Fish and Game Species of Concern, the California Endangered Species Act, and the Federal

Endangered Species Act, it would not conflict with any applicable habitat conservation plan or natural community conservation plan. For these reasons, the Project would have a *less-than-significant* impact on surrounding land uses. (Draft EIR, pp. 5.1-13 to 5.1-14.)

Impact 5.1-2: Impacts related to the Project's consistency with the 2030 General Plan and the Northeast Area Specific Plan: The Project site is designated as Commercial in the 2030 General Plan and the Northeast Area Specific Plan ("NEASP"). The proposed uses are in compliance with the Commercial designations for the site. In addition, the Project site is located on an arterial road that connects to the State Route 99 interchange and would therefore serve both local uses and the larger regional area, which would be consistent with General Plan land use goals and policies. Furthermore, the Project is considered to be a general merchandise store, which is identified in the General Plan as having unmet market potential in the City. Because the Project is consistent with the existing General Plan and NEASP land use designations for the site, and is consistent with applicable General Plan policies, the Project would be consistent with the General Plan and the NEASP. For these reasons, the impact resulting from the development of the Project would be less-than-significant. (Draft EIR, p. 5.1-14.)

Impact 5.1-3: Impacts related to the Project's consistency with existing zoning: The Project includes a regional serving store at a high-visibility commercial environment near the State Route 99 freeway interchange, which is consistent with the Project site's Highway Commercial zoning designation. In addition, the project would exceed or comply with various applicable Municipal Code provisions. First, the Project would exceed the Code's parking requirements by providing 531 parking spaces, 28 more spaces than the Code requires. Second, the Project would substantially exceed the Code's 35-foot setback requirements because it would maintain a minimum building setback of 60 feet between the Project and the existing residential neighborhoods on both the south and east sides of the building. Further, because an existing eight-foot-tall barrier currently separates the Project site from the residential community to the south, and the Project includes the construction of a sound wall of at least twelve feet in height to protect residences to the east, the Project would meet the six-foot-tall berm/decorative wall minimum provided in the Code. Finally, the Project would include outdoor plaza seating centered around a freestanding clock tower at the corner of Fermoy Way and Twin Cities Road, which would further comply with the Code. For these reasons, the Project is consistent with the existing zoning, and impacts to existing zoning would be considered less-than-significant. (Draft EIR, p. 5.1-32.)

The Project architecture is also subject to Big Box Ordinance requirements. The ordinance requires specific design elements and review by the Architectural Review Committee ("ARC"). The ARC reviewed the Project design at a noticed public meeting on February 22, 2010. The ARC determined that the Project design conformed to the design elements of the Big Box Ordinance and recommended approval to the Planning Commission. The ARC staff report is attached to the Planning Commission Staff Report dated March 22, 2010. That report explains in detail how the Project conforms to the Big Box Ordinance design criteria. (See Staff Report for March 25, 2010 Planning Commission hearing.)

Impact 5.1-4: Cumulative impacts related to land use: The Project is consistent with the City's land use and zoning designations, goals, and policies. Other projects will also be required to comply with these designations, goals and polices, which as indicated in the 2030 General Plan EIR, are consistent with regional designations, goals and policies. Furthermore, the EIR included discussions of other land uses in the Project area and found that the land use impacts from those uses would not differ from those identified for the project. Accordingly, a less-than-significant cumulative impact related to land use would occur. (Draft EIR, p. 5.1-32.)

Impact 5.1-5: Impacts related to the conversion of agricultural land: The Project site is comprised of 11.26 acres of nearly flat land that has historically been designated for agricultural purposes and contains soils eligible for designation under the Farmland of Statewide Importance category. However, according to the Farmland Mapping and Monitoring Program, Sacramento County Important Farmland 2006 Map, the Project site is not designated as Farmland of Statewide Importance. Furthermore, the site has been fallow for at least 21 years and is designated by the City's General Plan for urban development. Accordingly, impacts would be less-than-significant. (Draft EIR, p. 5.1-33.)

Impact 5.1-7: Cumulative impacts related to the conversion of agricultural land to urban uses: The Project site is not comprised of Farmland of Statewide Importance, does not contain prime agricultural soils, has not been actively farmed for at least 21 years and is designated for urban uses. In addition, the Project is consistent with the City's land use designations and zoning. Furthermore, the 2030 Galt General Plan EIR does not identify the conversion of agricultural land due to General Plan buildout as significant. Therefore, impacts related to the conversion of agricultural land to urban uses are less-than-significant. (Draft EIR, p. 5.1-34.)

b. **Finding**

The Planning Commission finds, based on the Final EIR and the whole record, that the Project will result in less than significant impacts to land use with respect to compatibility with surrounding land uses; consistency with the 2030 General Plan, the NEASP and existing zoning; cumulative impacts related to land use; conversion of agricultural land and the Williamson Act; and cumulative impacts related to the conversion of agricultural land to urban uses.

2. **<u>Aesthetics</u>**

a. **Impact**

Impact 5.2-1: Impacts related to substantial degradation of the existing visual character or quality of the site and the site's surroundings (including scenic vistas): The Project is consistent with the Commercial General Plan land use designation and Highway Commercial zoning designation for the site. In addition, the Project would be consistent with the General Plan policies and implementation programs that are designed to improve the overall

visual quality of the urban environment and reduce visual impacts. With implementation of the policies and implementation programs in the General Plan, the Project would not substantially degrade the existing visual character or quality of the site's surroundings. Furthermore, the land uses of the Project are compatible with surrounding developments. Therefore, the Project's impacts related to visual resources would be less-than-significant. (Draft EIR, pp. 5.2-9 to 5.2-10.)

b. **Finding**

The Planning Commission finds, based on the Final EIR and the whole record, that the Project will result in less than significant impacts to aesthetics related to substantial degradation of the existing visual character or quality of the site and the site's surroundings (including scenic vistas).

3. **Transportation and Circulation**

a. **Impacts**

Impact 5.3-4: Impacts to freeway operations under Short Term Plus Project Conditions Improvements: Freeway mainlines would operate at an acceptable level under the Short Term Plus Project Conditions. Therefore, potential impacts to freeway mainlines would not be significant. The State Route ("SR") 99 northbound off-ramp would operate at an unacceptable level of service ("LOS") during the AM peak hour, and the SR 99 southbound off-ramp would operate at an unacceptable LOS during the PM peak hour. However, these junctions operate at unacceptable levels under the No Project conditions and the addition of Project traffic would not increase the density at this location by more than five percent. Accordingly, a less-than-significant impact would occur. (Draft EIR, p. 5.3-33; see also Draft EIR, Appendix C.)

Impact 5.3-5: Impacts from cut-through traffic: The Project features a "pork chop" raised median to restrict outbound left turns from the project onto Fermoy Way, which is a residential collector street located adjacent to the Project site. This feature will minimize Project-added cut-through traffic on adjacent residential streets. The truck route driveway (southern driveway on Fermoy Way) is also right turn only. Vehicles are prohobited from turning right by the island in Fermnoy Way as well as a double yellow line. Left hand turns from this driveway are illegal. Therefore, the proposed project would have a less-than-significant impact in regard to project related cut-through traffic. (Draft EIR, p. 5.3-34; see also Draft EIR, Appendix C.)

Impact 5.3-6: Impacts to pedestrian circulation: The Project is located adjacent and to the north of residential development. Project traffic has the potential to disrupt pedestrian traffic by increasing delay at intersections. The Emerald Village senior housing complex is located south of Twin Cities Road and is bisected by Fermoy Way with some residential units located on the west side and the clubhouse located on the east. The clubhouse location results in pedestrian traffic crossing Fermoy Way. A pedestrian crosswalk exists across Fermoy Way, to the south of the Project site, and provides pedestrian access to Emerald Village.

In addition, a right-turn only sign would be installed at the Project driveway located along Fermoy Way, which would reduce cut-through traffic from impacting pedestrians in the crosswalk. Sidewalk exists along the south side of Twin Cities Road between Bergeron Road and Marengo Road and along the west side of Fermoy Way between Twin Cities Road and Raley's Driveway. South of Village Drive, sidewalk exists on both sides of Fermoy Way. The Project would include development of a pedestrian path that would provide a connection to the existing bicycle and pedestrian circulation system of the surrounding area. For these reasons, there would be a less-than-significant impact to pedestrian circulation. (Draft EIR, pp. 5.3-34 to 5.3-35; see also Draft EIR, Appendix C, and Final EIR RTC 5-34, 5-36, 19-1.)

Impact 5.3-7: Impacts to transit facilities: A bus stop is located along Fermoy Way, which would remain with development of the Project. The bus stop would connect to the existing local transit facilities. The Project is consistent with the General Plan land use designation for the site and would therefore not increase demand for public transit beyond what is currently planned for the site. The Project would include development of a pedestrian path that would provide a connection to the existing bicycle and pedestrian circulation system of the surrounding area, which would be required to meet current California Title 24 handicap accessibility standards. Therefore, a less-than-significant impact would occur in regard to public transit facilities. (Draft EIR, p. 5.3-35; see also Draft EIR, Appendix C, and Final EIR RTC 5-36.)

Impact 5.3-8: Impacts to bicycle facilities: Bike lane improvements would be included in the frontage improvements along Twin Cities Road as part of the Project. Therefore, the Project does not conflict with planned bicycle facilities in the City. In addition, bike parking facilities are located near the center and front of the building as required by the Zoning Ordinance. As such, a less-than-significant impact would result in regard to bicycle facilities. (Draft EIR, p. 5.3-35; see also Draft EIR, Appendix C, and Final EIR revised Figure 3-3 and RTC 5-34 to 5-38.)

Impact 5.3-10: Impacts to project-related parking: The Project would be required to comply with the City's Zoning Code, which requires 11 parking spaces for indoor areas, 4 spaces for the outdoor garden area, 100 spaces for the grocery area, and 388 spaces for the retail area, which totals 503 required parking spaces. The Project would provide 531 parking spaces, which would exceed the requirements of the Zoning Code. Although the Project will include a seasonal outdoor sales area in the parking lot, a condition of approval will limit the area to 28 spaces, which will ensure the Project will have adequate parking during the use of the outdoor sales area, regardless of when it is used. Therefore, Project-related parking would result in less-than-significant impacts. (Draft EIR, p. 5.3-36; see also Draft EIR, Appendix C, and Final EIR RTC 5-22.)

Impact 5.3-14: Impacts to cumulative cut-through traffic: The Project features a "pork chop" raised median to restrict outbound left turns from the Project onto Fermoy Way, which is a residential collector street adjacent to the Project. This feature would minimize Project-added cut-through traffic on adjacent residential streets. Therefore, the Project would

have a less-than-significant impact in regard to cumulative cut-through traffic. (Draft EIR, p. 5.3-48; see also Draft EIR, Appendix C.)

b. **Finding**

The Planning Commission finds, based on the Final EIR and the whole record, that the Project will result in less than significant impacts to transportation and circulation related to freeway operations under Short Term Plus Project Conditions, cut-through traffic, pedestrian circulation, transit facilities, bicycle facilities, parking, and cumulative cut-through traffic.

4. **Air Quality and Climate Change**

a. **Impacts**

Impact 5.4-2: Temporarily increased Toxic Air Contaminant (TAC) levels in the immediate vicinity of the Project site during construction: Various diesel-powered vehicles and equipment would be in use on the Project site during construction. The California Air Resources Board ("CARB") identifies particulate matter from diesel-fueled engines as a TAC. Construction diesel emissions are temporary, affecting an area for a period of days or perhaps weeks, are mobile and transient in nature, and the bulk of the emissions will occur within the Project site at a substantial distance from nearby sensitive receptors. A health risk assessment was conducted to analyze impacts from TACs associated with the Project. The health risk assessment concluded that because of the short duration of construction, people would not be exposed to TACs for more than a couple of years and would have a very low risk of contracting cancer. In addition, nearby sensitive receptors would not be down-wind of construction activity when the wind is blowing from the prevailing southwest direction. Therefore, impacts related to health risks from construction-related TACs would be less-than-significant. It should be noted, however, that although the impacts in this respect would be less-than-significant, implementation of Mitigation Measure 5.4-1 would help further reduce the impacts of construction TAC emissions. (Draft EIR, pp. 5.4-30 to 5.4-31; see also Draft EIR, Appendix D, and Final EIR RTC 5-94 and 5-95.)

Impact 5.4-3: Construction-related impacts resulting in temporary increases in nitrogen oxide ("NO_X") emissions greater than the Sacramento Metropolitan Air Quality Management District ("SMAQMD") threshold of 85 pounds per day: Emissions of NO_X are projected to reach a maximum of 64.7 pounds per day over the course of Project construction. Therefore, implementation of the Project would result in temporarily increased NO_X emissions, but they would not exceed the SMAQMD construction threshold of 85 pounds per day. Based on this criterion, Project construction activities would have a less-than-significant impact on regional ozone air quality. (Draft EIR, p. 5.4-31; see also Draft EIR, Appendix D, and Final EIR RTC 5-96 to 5-98.)

Impact 5.4-4: Increase in carbon monoxide ("CO") and other criteria pollutants resulting from Project traffic during Project operations: Existing CO concentrations were predicted to be well below the State and federal standards. Project traffic would increase

CO concentrations by up to 0.6 parts per million, but concentrations would remain well below the ambient standards. Because the Project would not cause a violation of ambient air quality standards or contribute substantially to an existing violation, the Project's impact related to local CO concentrations is less less-than-significant. Further, for land development projects primarily associated with indirect emissions from gasoline-powered vehicles that do not directly emit other criteria pollutants, such as the Project, increases in those criteria pollutants may be considered less than significant. Therefore, any increases in these respects will be less-than-significant. (Draft EIR, pp. 5.4-31 to 5.4-32; see also Draft EIR, Appendix D.)

Impact 5.4-5: Increases in ozone precursors due to operational emissions: Project emissions of criteria pollutants would not exceed the SMAQMD's significance threshold of 65 pounds per day and would, therefore, have a less-than-significant impact on regional ozone air quality. (Draft EIR, pp. 5.4-32 to 5.4-33; see also Draft EIR, Appendix D.)

Impact 5.4-6: Impacts related to the exposure of sensitive receptors to truck-related TAC emissions during Project operations: CARB has identified particulate emissions from diesel-fueled engines as TACs. On average, the Project would be expected to generate 16 diesel truck trips per day. The truck route plan for the Project would require trucks to access the site at the further east entrance and travel along the perimeter of the site to the loading dock at the southwest corner of the site. Trucks would exit the site via the southern driveway on Fermoy Way. It should be noted that all diesel truck operations are subject to applicable State law requirements for idling, which limits vehicles with gross vehicular weight ratings of more than 10,000 pounds to no more than five minutes of idling of the primary engine or the diesel-fueled auxiliary power system at any location. It should be further noted that Walmart trucks automatically shut off after three minutes of idling. The highest concentration of diesel particulate was found along the southern boundary of the site near the southwest corner. The closest sensitive receptor to the Project site is the Emerald Senior Village, which abuts the Project site to the south. The maximum calculated risk for a lifetime residential exposure was 6.18 in one million, which does not exceed the SMAQMD risk threshold of significance of 10 in one million, and therefore represents a less-than-significant impact. (Draft EIR, pp. 5.4-33 to 5.4-34; see also Draft EIR, Appendix D, and Final EIR RTC 5-92, 5-95, 5-99, 5-101, 5-102, 5-103.)

Impact 5.4-7: Impacts related to odors: The outdoor garden center would contain some materials with minor odor potential, including soil amendments, mulch, bark, compost peat moss and manure. These materials are sold in individual sealed bags to keep out the elements and avoid exposure to the atmosphere. Because odorous materials in the outdoor garden center are individually sealed, there is little potential for odors to be noticeable at the closest residences and even less potential for odors to be objectionable at these locations. The Project would not have the "potential to frequently expose members of the public to objectionable odors," and would therefore have a less-than-significant impact related to odors. (Draft EIR, p. 5.4-33; see also Draft EIR, Appendix D.)

Impact 5.4-8: Impacts related to obstruction of implementation of an applicable air quality plan: The 2030 General Plan was designed specifically to achieve and promote consistency with the planning documents of other key neighboring land use agencies or other agencies that have jurisdiction over the 2030 General Plan. Specific policies direct the City to protect and improve air quality, integrate the air quality, land use, transportation planning process, reduce greenhouse gas emissions, and global climate change. Additionally, the Conservation and Open Space Element was also updated to include several policies designed to promote a variety of energy conservation measures. The implementation of mitigation measures included in the 2030 General Plan EIR would result in a less-than-significant impact related to consistency with local air quality plans. In addition, the Project is consistent with the land use assumptions in the 2035 Metropolitan Transportation Plan, which was the basis for growth and vehicle miles traveled ("VMT") used in the 2009 State Implementation Plan ("SIP"). Therefore, because the Project is consistent with the 2030 General Plan EIR and does not conflict with an adopted SMAQMD air quality plan, implementation of the Project would result in a less-than-significant impact. (Draft EIR, p. 5.4-34; see also Draft EIR, Appendix D, and Final EIR p. 2-50, RTC 3-5.)

Impact 5.4-9: Cumulative contribution to regional air quality conditions: The Project does not include a General Plan Amendment or rezone and would be built out under the existing land use and zoning designations. In addition, the criteria pollutant emissions projected to be created by the Project would not exceed the SMAQMD significance thresholds. Therefore, the Project would have a less-than-significant impact in regard to cumulative air quality. (Draft EIR, pp. 5.4-34 to 5.4-35; see also Draft EIR, Appendix D.)

Impact 5.4-10: Impacts related to potential conflicts with implementation of State goals for reducing greenhouse gas ("GHG") emissions: Potential GHG emissions for the Project have been calculated to be approximately 7,784 metric tons. This is a conservative number which does not include reductions for the sustainable features that will be included in the Project or reduced vehicular emissions due to the fact that most of the vehicle trips to the Project will be relocated trips (i.e., they would have been traveling to other uses). The Project would not significantly impair the State's ability to meet targets established by AB 32 and Executive Order S-305. The Project's design features are in excess of those required by Title 24 and encourage pedestrian and bicycle use. By providing connectivity for non-vehicular modes of travel, the Project takes advantage of its location in proximity to other urban uses, consistent with smart planning principles aimed at reducing GHGs. Further, the Project is consistent with various strategies regarding reducing GHG emissions, including those of the Attorney Generals' office, the California Environmental Protection Agency's Climate Action Team, and the California Air Pollution Control Officer's Association ("CAPCOA"). Because the Project would not conflict with implementation of State goals for reducing GHG emissions, the impact is less-than-significant. (Draft EIR, pp. 5.4-35 to 5.4-44; see also Draft EIR, Appendix D, and Final EIR RTC 5-109 to 5-115.)

b. **Finding**

The Planning Commission finds, based on the Final EIR and the whole record, that the Project will result in less than significant impacts to air quality and climate change related to temporarily increased TAC levels in the immediate vicinity of the Project site during construction, construction-related impacts resulting in temporary increases in NO_X emissions greater than the SMAQMD threshold, an increase in CO and other criteria pollutants resulting from Project traffic during Project operations, increases in ozone precursors due to operational emissions, the exposure of sensitive receptors to truck-related TAC emissions during Project operations, odors, conflict with or obstruct implementation of an applicable air quality plan, cumulative contribution to regional air quality conditions, and potential conflicts with implementation of State goals for reducing GHG emissions.

5. **<u>Noise</u>**

a. **Impacts**

Impact 5.5-3: Project-related increase in traffic noise levels: The Project is predicted to result in traffic noise level increases over existing no Project levels of 0.1 to 2.2 decibels ("dB") on the Project area roadways. Under the short-term plus project scenario, the traffic noise level increase would range from 0.1 to 1.5 dB on Project area roadways; therefore, because the increase in ambient noise levels would not exceed the City's 3 dB threshold, implementation of the Project would result in a less-than-significant impact. (Draft EIR, p. 5.5-20; see also Draft EIR, Appendix E.)

Impact 5.5-6: Cumulative noise impacts: Noise generated by Project construction would be temporary and would not add to the permanent noise environment. In addition, the total noise contribution from construction activities of the Project in the cumulative context would not constitute a substantial increase from the existing future noise environment. Therefore, the Project would result in a less-than-significant cumulative impact in this respect. The future (2030) plus Project noise impacts would occur primarily as a result of increased traffic on local roadways and on-site activities resulting from the Project. Increased noise levels above the future (2030) no project conditions are less than the 3 dB threshold of significance. Operations of the Project are anticipated to generate noise from retail activities. The number of people walking and interacting on surrounding roads would increase noise levels on the roadways as more people utilize the site. However, pedestrian traffic is not anticipated to substantially influence interior or exterior noise levels at nearby receptors. Noise generated from mechanical equipment, including heating, cooling, ventilation, and power supplies would be placed indoors or shielded by mechanical barriers and/or rooftop parapets. In addition, all mechanical equipment would be required to comply with the General Plan Noise Element Standards. On-site parking, truck deliveries, and loading dock generated noise would be mitigated through noise barriers and the restriction of hours of operation. Construction related noise is temporary in nature and would not result in a cumulative noise impact. The combination of traffic and non-traffic noise from the Project would not produce noise levels that would exceed City standards or produce isolated events that could disrupt sleep. With implementation

of mitigation measures the Project would not create non-transportation or stationary noise exceeding local ordinances. Project related traffic would increase traffic noise levels by a maximum of 1.1 dB on local roadways under the future (2030) plus project conditions, which is less than the 3 dB standard of significance. Therefore, the Project would not substantially increase the future noise environment and would result in a less-than-significant impact. (Draft EIR, pp. 5.5-29 to 5.5-30; see also Draft EIR, Appendix E.)

b. **Finding**

The Planning Commission finds, based on the Final EIR and the whole record, that the Project will result in less than significant impacts to noise related to Project-related increase in traffic noise levels and cumulative noise impacts.

6. **Energy**

a. **Impacts**

Impact 5.6-1: Project impacts concerning wasteful, inefficient, or unnecessary consumption of energy: Although the Project would result in the consumption of large quantities of energy typical for a Project of this size, several design features of the Project would help manage the amount and efficiency of energy consumption and would ensure that the related consumption is not inefficient, wasteful or unnecessary nor place a significant demand on regional energy supplies. Pursuant to the California Building Standards Code and the Energy Efficiency Standards, the Building Department would review the design components of the Project's energy efficiency and conservation measures when the Project's building plans are submitted. The Project's sustainability features would exceed the Title 24 requirements, including the 2008 California Energy Efficiency Standards for Residential and Non-Residential Buildings. Therefore, the Project would have a less-than-significant impact regarding the wasteful, inefficient, or unnecessary consumption of energy. (Draft EIR, pp. 5.6-11 to 5.6-13; see also Final EIR RTC 5-39.)

Impact 5.6-2: Increased demand on electric and natural gas infrastructure: The Project would be expected to consume 1,784,601 KWh of electricity annually and 5,079,249 cubic feet of natural gas annually. California generates approximately 290,000 KWh hours of electricity each year and approximately 6,032 million cubic feet per day of natural gas. The Project's annual electricity and natural gas demand would be 0.000627 percent and 0.000395 percent, respectively, of California's consumption. Sacramento County annually consumes approximately 11,082 million KWh of electricity and 310.4 million therms of natural gas. The Project's annual electricity and natural gas demand would represent 0.016 percent and 0.016 percent of Sacramento County's consumption. The Project is within the planning area of the Northeast Area Specific Plan. The Northeast Area Specific Plan EIR states that existing utility lines are located within the Northeast Area Specific Plan planning area and it is not anticipated that the development of the planning area would result in any new impacts with regard to electric and natural gas infrastructure. The Project's contribution to electricity and natural gas demand would not generate the need for additional energy supply or require

substantial additional capacity. Therefore, because the required infrastructure is already in place to support connections to the Project, and because the applicant would be responsible for extending connections to existing infrastructures, the development of the Project would be expected to have a less-than-significant impact with regard to increased demand on existing natural gas and electric infrastructure. (Draft EIR, p. 5.6-13.)

Impact 5.6-3: Increased demand on transportation energy: The Project would provide a variety of retail services and attract consumers for the surrounding area and would generate approximately 6,536 trips to the Project site. However, Project generated vehicle trips would be re-routed trips from vehicles traveling to other retail/grocery uses in the area. The Project would reduce the length of local trips by providing a one-stop shopping destination. Therefore, the vehicular fuel consumption associated with the Project would not increase the demand for transportation energy and a less-than-significant impact would occur. (Draft EIR, pp. 5.6-13 to 5.6-14.)

Impact 5.6-4: Cumulative impacts related to increased energy consumption from the Project in combination with other projects in the region: The Project in combination with other projects would result in an increased demand on energy resources. Gas and electric service providers would be subject to increased pressure to supply additional energy resources, which could result in the need to expand existing facilities or to build new power plants. According to the 2030 General Plan EIR, the buildout of the General Plan by 2030 would increase the City's population by approximately 30,000 new residents, which would increase the demand for additional energy. The development of new residential, commercial, and industrial uses would contribute to the need for additional energy supplies and utility infrastructure. However, future development would occur in an area currently served with both adequate supplies of electricity and gas service and General Plan policies would help promote energy conservation measures within new development including the planting of shade trees and cool roofs for "cool communities" and encouraging energy efficient new developments. Other policies would encourage coordination between the City and local utility providers to promote education programs designed to increase awareness related to energy conservation measures. With implementation of energy policies, the 2030 General Plan EIR concluded that the development of the planning area would not result in adverse impacts related to adequate electric and natural gas infrastructure. Further, the Project would be subject to the minimum energy conservation requirements of Title 24 of the California Code of Regulations, which would serve to reduce the amount of energy resources needed to operate the Project as well as the provisions included in the 2030 General Plan Conservation Element. The Project applicant would also be required to fund the necessary infrastructure improvements to ensure that the Project receives adequate energy resources. Because other developments would also be required to comply with Title 24 and fund the construction of the necessary utility infrastructure improvements, cumulative energy impacts would be considered less-than-significant. (Draft EIR, p. 5.6-14.)

b. **Finding**

The Planning Commission finds, based on the Final EIR and the whole record, that the Project will result in less than significant impacts to energy related to wasteful, inefficient, or unnecessary consumption of energy by commercial uses; increased demand on electric and natural gas; increased demand on transportation energy; and cumulative impacts.

7. **Public Services**

a. **Impacts**

Impact 5.7-1: Increased demand for water supply and conveyance: Water supply in the City was 6,000 acre-feet per year (AFY) in 2005, and is projected to be 8,400 AFY in 2010. The current consumption rate in the City is 5,154 AFY, resulting in an excess supply of 3,246 AFY in 2010, and 846 AFY in 2005. Based on similar Walmart developments, a typical store would demand approximately 10,000 to 20,000 gallons of water per day, or 11.2 to 22.4 AFY. The consumption would be far less than the excess supply of 846 AFY in 2005, and the projected excess supply of 3,246 AFY projected in 2010. Also, as noted in the 2030 Galt General Plan EIR, the City plans to prepare a Water Service Master Plan to facilitate the construction of additional wells that would be required and obtain any additional water entitlements that may be required to facilitate the full buildout of the 2030 Galt General Plan. A Draft Water Supply Master Plan has been prepared and is anticipated to be adopted by Spring 2010. Therefore, adequate water capacity exists to serve the proposed project, and a less-than-significant impact would result. (Draft EIR, pp. 5.7-10 to 5.7-11; see also Final EIR p. 2-52.)

Impact 5.7-2: Increased demand for wastewater disposal and conveyance: The City's wastewater treatment plant ("WWTP") is currently prohibited by its National Pollutant Discharge Elimination System ("NPDES") permit from discharging treated secondary effluent into Laguna Creek during the dry season. Due to a lack of available land to dispose of secondary effluent, the NPDES restriction limits the capacity of the WWTP and the number of wastewater connections the City of Galt can provide for development. The WWTP has a capacity of 3.0 million gallons per day ("MGD") and is currently operating at 2.3 MGD. Based on the City's standards, the Project’s estimated wastewater flows would be 0.02 MGD. In addition, operation and maintenance of the wastewater collection system and the WWTP is funded through monthly utility fees and improvements; for example, expansion of the trunk line and expansions to increase the capacity of the WWTP are funded through development impact fees. The Project will be required to pay development impact fees to offset the increase in wastewater conveyance and demand associated with the construction of the Project. The Project would generate approximately 0.02 MGD and the WWTP has a capacity of 3.0 MGD and operates at 2.3 MGD. In addition, it should be noted that since the release of the Draft EIR, the City has acquired a new permit that allows year round discharge of up to 4.5 MGD, and tertiary treatment infrastructure is currently under construction. Therefore, adequate capacity exists to serve the site and the impacts associated with the Project would be less-than-significant. (Draft EIR, p. 5.7-11; see also Final EIR RTC 5-21.)

Impact 5.7-4: Impacts to solid waste disposal/recycling services: The Kiefer Landfill, which is the disposal site for the City's municipal waste, was expanded in 2008 and is anticipated to provide adequate solid waste disposal for approximately 64 years. In addition, the City of Galt has identified that adequate funding and adequate landfill capacity exists to serve waste collection needs. While the Project would contribute solid waste to existing conditions with landscape trimmings, food and packaging waste etc., California Waste Recovery Systems would be capable of providing standard solid waste and recycling services to the Project. In addition, the Galt 2030 General Plan EIR determined with implementation of solid waste reduction methods, the impacts from solid waste would be less-than-significant. Therefore, because the Project would be required to comply with all City of Galt solid waste policies and regulations, a less-than-significant impact to solid waste disposal and recycling services would occur. (Draft EIR, p. 5.7-13.)

Impact 5.7-6: Impacts to fire protection: The current impact fee structure for the provision of fire protection and emergency services is outdated and is not sufficient to meet the current demand of the Cosumnes Community Services District Fire Department ("CCSDFD"), however, the CCSDFD is in the process of creating an updated Master Plan that would include fire and emergency protection services to the City, which was recently added to the CCSDFD coverage area. While the CCSDFD staff does not currently have a firm adoption date in place for a new Master Plan, CCSDFD is currently in the process of updating the Capital Impact Fee structure which has been reviewed by City staff. A settlement agreement was made between the City and Cosumnes Community Services District ("CCSD") on November 18, 2008, which collects funds needed to ensure adequate fire protection services are available to support buildout of the General Plan. Therefore, because the Project will pay Capital Impact Fees, which will cover fire and emergency services, and the Project will be consistent with the 2030 General Plan and would not create additional demand for fire services than anticipated by the General Plan, and because the 2005 Community Facilities District ("CFD") collects revenue sufficient to ensure adequate fire protection services exist to serve the Project, a less-than-significant impact would occur. (Draft EIR, p. 5.7-15; see also Final EIR RTC 14-5, 14-6, 15-18.)

Impact 5.7-7: Impacts to school services and facilities: The Project would not result in the development of residential units and would not generate additional demand for school facilities within the City. In addition, the Project would be required to pay school development fees as required by the City. Therefore, the Project would have less-than-significant impacts to school services in the City. (Draft EIR, pp. 5.7-15 to 5.7-16.)

Impact 5.7-8: Impacts to park and recreation services and facilities: The City requires developers to provide for five acres of park for every 1,000 residents. Furthermore, as stated in the Galt General Plan, new development shall pay its fair share of the cost of providing new public services and/or the costs of expanding/upgrading existing facilities and services impacted by the new development. The Project would not result in the development of residential units and would not generate additional demand for park services and facilities within the City. Therefore, the Project would have a less-than-significant impact to the provision of park and recreation services and facilities. (Draft EIR, p. 5.7-16.)

Impact 5.7-9: Cumulative impacts: Because the Project site was anticipated for development in the 2030 General Plan, and the Project is consistent with the 2030 land use designation for the site, the Project wastewater generation was anticipated in the 2030 General Plan wastewater analysis and a less-than-significant impact would occur. Implementation of the Project would contribute to an increased demand for public services and utilities within the City. Public services and utilities for the City were evaluated in the 2030 General Plan, and the goals and policies included in the 2030 General Plan ensure that adequate public services and utilities will be available for buildout of the 2030 General Plan according to the current Land Use Diagram. The Project site is anticipated for development in the 2030 General Plan, and the Project would be consistent with the allowable uses and would not exceed the demand for public facilities and services analyzed in the 2030 General Plan. The Project-level contribution to the City's public service and utility needs would also be less-than-significant. With implementation of mitigation measures, the impacts related to police protection would be reduced to a less-than significant level (see below, Section IX.C.9). As a result, the Project's impacts related to public services would be less-than-significant. (Draft EIR, pp. 5.7-16 to 5.7-17.)

b. **Finding**

The Planning Commission finds, based on the Final EIR and the whole record, that the Project will result in less than significant impacts to public services related to increased demand for water supply and conveyance, increased demand for wastewater disposal and conveyance, solid waste disposal/recycling services, fire protection, school services, park and recreation services and facilities, and cumulative impacts.

8. **<u>Urban Decay</u>**

a. **Impacts**

Impact 5.8-1: The Project's competition with existing businesses in the primary and secondary market area and the Project's potential to result in urban decay:

- *Competition with existing businesses in the primary and secondary market area*

The retail sales leakage analysis shows that there is $50.2 million of attraction in the food sales category projected for 2011 in the combined primary and secondary market areas. This indicates that the City's food stores sales exceed the expected resident spending, and that the existing food stores are drawing shoppers from outside the primary and secondary market areas. The Project is estimated to cause sales diversions of up to $6.5 million in food sales in 2011, which represents 4.3 percent of existing retail sales for food stores in the City. This level of impact is relatively minor and should not lead to store closures. Moreover, the Project's grocery component will be relatively small (about 25,000 square feet) compared to a full-sized grocery store. The Galt Project will not offer the scale, selection, or variety of goods available at the two existing supermarkets in the City. Although existing grocery stores may

experience some temporary sales impacts from the introduction of the Project, new demand is likely to offset all of the estimated sales diversions within three years after the Project's projected first full year of operations in 2011. By 2014, approximately $7.6 million in new food store demand will be generated in the combined primary and secondary area from population growth during 2011-2014, which would more than cover the anticipated food store sales impacts. (Draft EIR, pp. 5.8-23 to 5.8-35; see also Draft EIR, Appendices G and H, and Final EIR RTC 5-51 to 5-63.)

- *Project's potential to cause urban decay*

The City's small retail market is stable with relatively low vacancy. Discussions with local real estate brokers and City officials indicate that the City and its surrounding areas have insufficient retail supply to meet existing retail demand in almost every major retail category. With the exception of food, the City is not likely to be negatively impacted by the Project because there are few existing retailers in the City that offer the types of goods that the Project will provide. Some grocery stores may experience negative sales impacts, but the development of the Project is not likely to lead to impacts large enough to cause grocery store closures. Furthermore, any sales diversion would likely be alleviated by population growth in the years immediately following the Project’s opening. While several vacancies exist in the downtown area, they are generally in older and outdated centers. Ongoing City efforts to revitalize the downtown district are likely to improve the downtown area in the coming years. Overall, the City's retail market is healthy and any vacancies that may occur have the potential to be successfully re-tenanted within a reasonable timeframe. However, if economic factors, such as the housing downturn, were to lead to slower than expected increases in population, then retail demand may be weaker and vacant retail space may take longer to absorb. While it is expected that the Project could result in some diverted food store sales, the level of this diversion is expected to be minor. Overall, due to the insufficient supply of retailers, the Project and other projects are anticipated to increase the retention of resident spending that currently leaks out of the City rather than compete with existing retailers for the same dollars. Therefore, the development of the Project is unlikely to result in urban decay, and a less-than-significant impact would occur. (Draft EIR, pp. 5.8-23 to 5.8-35; see also Draft EIR, Appendices G and H.)

Impact 5.8-3: Cumulative impacts to the primary market area leading to urban decay with additional retail sales which would compete with Project: At worst, $6.5 million in food store sales will be diverted away from existing primary market area retailers. There is sufficient leakage in other retail categories to support the related sales from the Project and other projects that will open by 2011. The sales impacts are entirely attributable to the Project and sales from other projects are not anticipated to result in any sales diversions in any retail category in the primary market area. Thus, in the cumulative scenario, the Project would not result in adverse impacts to retailers because although some stores would experience reduced sales in the short-term, these stores are expected to achieve stabilized sales within three years. Because a physical impact to the environment in the form of urban decay would thus not occur, the project would have a less-than-significant cumulative impact to the primary market area. (Draft EIR, pp. 5.8-43 to 5.8-50; see also Draft EIR, Appendices G and H.)

Impact 5.8-4: Cumulative impacts to City General Fund revenues and costs: The Project would generate a positive net fiscal impact on the City's General Fund. The addition of cumulative development in the City would not be expected to result in a substantial change to the projection, as additional commercial projects would be balanced by growth in the number of City residents. Furthermore, the 2030 Galt General Plan has designated land for commercial development consistent with ongoing efforts to maintain a positive fiscal balance for the City. The Project would provide a net fiscal benefit to the City, and other cumulative commercial development would also be expected to benefit the City through the provision of sales tax revenue. Therefore, a cumulative impact would not occur, thus, the Project would have a less-than-significant impact with regards to the standards of significance established for CEQA purposes. (Draft EIR, pp. 5.8-50 to 5.8-51; see also Draft EIR, Appendices G and H.)

b. **Finding**

The Planning Commission finds, based on the Final EIR and the whole record, that the Project will result in less than significant impacts to urban decay related to the Project's competition with existing businesses in the primary and secondary market area and the Project's potential to result in urban decay; City General Fund revenues and costs; cumulative impacts to the primary market area; and cumulative impacts to the City General Fund revenues and costs.

C. **Less Than Significant Impacts With Mitigation Incorporated**

The Final EIR determined that the Project has potentially significant environmental impacts in the areas discussed below. The Final EIR identified feasible mitigation measures to avoid or substantially reduce some or all of the environmental impacts in these areas. Based on the information and analyses set forth in the Final EIR, the Project impacts will be less than significant with identified feasible mitigation measures and design standards incorporated into the Project.

1. **Biological Resources**

a. *Impacts 5.0-1, 5.0-2 and 5.0-3: Impact to Tree-Nesting Birds, Burrowing Owls and Swainson's Hawk*

(1) **Impacts and Mitigation**

Implementation of the Project may impact tree-nesting birds, burrowing owls and Swainson's hawk. Mitigation Measures 5.0-1, 5.0-2 and 5.0-3 addresses these potential impacts and are as follows:

MM 5.0-1(a): Nesting migratory birds (non-raptor): If site disturbance is proposed by the project proponent during the non- nesting season (August 16 to Jan. 31), no additional action is required; however, if site disturbance is proposed by the project proponent during the nesting season (Feb. 1 to Aug. 15), the following shall be implemented: A preconstruction survey shall be conducted by a qualified wildlife biologist 15 days prior to the

start of project related activities. If nests of migratory birds are detected on-site, or within 100 feet of the site, the project proponent shall consult with CDFG to determine the size of a suitable buffer in which no new site disturbance is permitted until August 15, or the qualified biologist determines that the young are foraging independently, or the nest has been abandoned.

MM 5.0-1(b): Raptors: If construction is proposed during breeding season (March-August), a pre-construction raptor nest survey shall be conducted within 30 days prior to the beginning of construction activities by a qualified biologist in order to identify active nests in the project site vicinity. The results of the survey shall be submitted to CDFG and the Planning Department. If no active nests are found during the pre-construction survey, no further mitigation is required. If active nests are found, a quarter-mile (1320 feet) initial temporary nest disturbance buffer shall be established. If project related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season (approximately March 1 and September 1), then an on-site biologist/monitor experienced with raptor behavior shall be retained by the project proponent to monitor the nest, and shall along with the project proponent, consult with the CDFG to determine the best course of action necessary to avoid nest abandonment or take of individuals. Work may be allowed to proceed within the temporary nest disturbance buffer if raptors are not exhibiting agitated behavior such as defensive flights at intruders, getting up from a brooding position, or flying off the nest. The designated on-site biologist/monitor shall be on-site daily while construction related activities are taking place and shall have the authority to stop work if raptors are exhibiting agitated behavior. In consultation with the CDFG and depending on the behavior of the raptors, over time it may be determined that the on-site biologist/monitor may no longer be necessary due to the raptors' acclimation to construction related activities. Any trees containing nests that must be removed as a result of project implementation shall be removed during the non-breeding season (October to February), however the project proponent shall be responsible for offsetting the loss of any Swainson's hawk nesting trees. The extent of any necessary compensatory mitigation shall be determined by the project proponent in consultation with the CDFG. Past recommended mitigation for the loss of nesting trees has been at a ratio of three trees for each nest tree removed during the non-nesting season.

MM 5.0-1(c): Trees greater than six inches dbh planned for removal shall be removed between September 1 and March 1 (or as otherwise determined in consultation with CDFG) to ensure that active raptor nests are not removed as a result of construction related activities.

MM 5.0-2(a): The Staff Report on Burrowing Owl Mitigation, published by CDFG (1995), recommends pre-construction surveys shall be conducted to locate active burrowing owl burrows. Prior to issuance of grading permits, this preconstruction survey shall be conducted by a qualified biologist or ornithologist during both the wintering and nesting season, unless the species is detected on the first survey. If possible, the winter survey shall be conducted between December 1 and January 31 (when wintering owls are most likely to be present) and the nesting season survey should be conducted between April 15 and July 15 (the peak of breeding season). Surveys conducted from two hours before sunset to one hour after, or from one hour

before to two hours after sunrise, are preferable. The survey techniques shall be consistent with the Staff Report survey protocol and include a 260-foot-wide buffer zone surrounding the Project area. Repeat surveys should also be conducted not more than 30 days prior to initial ground disturbance to inspect for re-occupation and the need for additional protection measures. The survey(s) shall be paid by the applicant and approved by the City. If no burrowing owls are detected during preconstruction surveys, then no further mitigation is required. If burrowing owls are detected in preconstruction surveys, implementation of Mitigation Measure 5.0-2(b) (below) will be necessary.

MM 5.0-2(b): If active burrowing owl burrows are identified, Project activities shall not disturb the burrow during the nesting season (February 1–August 31) or until a qualified biologist has determined that the young have fledged or the burrow has been abandoned. A no disturbance buffer zone of 160-feet is required to be established around each burrow with an active nest until the young have fledged the burrow as determined by a qualified biologist.

MM 5.0-2(c): If destruction of the occupied burrow is unavoidable during the non-breeding season, September 1– January 31, passive relocation of the burrowing owls shall be conducted. Passive relocation involves installing a one-way door at the burrow entrance, encouraging owls to move from the occupied burrow. No permit is required to conduct passive relocation; however, this process shall be conducted by a qualified biologist and in consultation of and accordance with CDFG guidelines. In addition, to offset the loss of foraging and burrow habitat on the project site, a minimum of 6.5 acres of foraging habitat (calculated on a 300-ft foraging radius around the burrow) per pair or unpaired resident bird, shall be acquired and permanently protected at a location acceptable to the CDFG.

MM 5.0-2(d): If burrowing owls are identified on the project site, a mitigation plan shall be submitted to and approved by CDFG and the City of Galt, prior to the issuance of grading permits for the proposed project.

MM 5.0-3: Prior to the issuance of grading permits, the project proponent, in consultation with CDFG; shall mitigate for loss of foraging habitat at a ratio of one acre of suitable foraging habitat for every one acre utilized by the proposed project. Project proponents shall provide for the long-term endowment of compensatory mitigation lands by funding a management endowment (the interest on which shall be used for managing the mitigation lands) at a per acre rate (adjusted annually for inflation and varying interest rates).

(Draft EIR, pp. 5.0-1 to 5.0-5; see also Final EIR pp. 2-34 to 2-36 and RTC 22-2 to 22-6.)

(2) **Finding**

"Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures 5.0-1, 5.0-2 and

5.0-3, which have been required in or incorporated into the Project, will reduce the significant environmental impact to a less-than-significant level.

(3) **Facts in Support of Finding**

The following facts indicate that the identified impact will be reduced to a less-than-significant level. These facts are a summary of the facts contained in the administrative record as a whole and are not an exclusive recitation of the facts supporting the finding.

The Project site is currently covered by disturbed non-native annual grasslands, and contains several eucalyptus trees. The site is bordered by residential and commercial development on three sides, with open fields located across Twin Cities Road. Species that have the potential to occur on the Project site include; Swainson's hawk, Western burrowing owl, White-tailed kite, and Raptors (Birds of Prey; Falcons, Hawks, Owls, etc.). The Project site does not contain habitat suitable for any other protected species. Due to the extensive development surrounding the site, and the absence of waterways, the site is not considered to be a potential migratory corridor. However, open grasslands within the Project area constitute potential foraging habitat for Swainson's hawk, burrowing owl, white-tailed kite, and other federally protected migratory birds and raptors. In addition, the site contains potential nesting habitat for burrowing owls; and the eucalyptus trees are considered to be potential nesting habitat for migratory birds and protected raptors. Therefore, implementation of the Project would result in a potentially significant impact to biological resources. However, implementation of the above mitigation measures would reduce impacts to a less-than-significant level. It should be noted that California Department of Fish and Game reviewed the Draft EIR and suggested modifications to the mitigation measures, which have been incorporated. These facts support the City's finding. (Draft EIR, pp. 5.0-1 to 5.0-2; see also Final EIR RTC 22-2 to 22-6.)

2. **<u>Cultural Resources</u>**

a. *Impact 5.0-4: Impact to Cultural Resources*

(1) **Impacts and Mitigation**

Implementation of the Project may impact cultural resources. Mitigation Measure 5.0-4 addresses this potential impact and is as follows:

MM 5.0-4: Prior to the approval of the improvement plans, the Project's improvement plans shall include notes (per California Health & Safety Code, Section 7050.5, Government Code 27491, and Public Resource Code Section 5097.98) indicating that if historic and/or cultural resources, including human remains, are encountered during site grading or other site work, all such work shall be halted immediately within the area of discovery and the Project contractor shall immediately notify the Planning Department of the discovery. Additionally, the construction notes would indicate that in the event that human remains are discovered, the

Sacramento County Coroner shall be immediately notified, and if the remains are thought to be Native American, the Native American Heritage Commission shall be notified. In the case of an archeological, prehistoric, or historic discovery, the developer shall be required to retain the services of a qualified archaeologist as approved by the City for the purpose of recording, protecting, or curating the discovery as appropriate. The archaeologist shall be required to submit to the Planning Department for review and approval a report of the findings and method of curation or protection of the resources. Further grading or site work within the area of discovery shall not be allowed until the preceding steps have been taken. (Draft EIR, pp. 5.0-5 to 5.0-6.)

(2) **Finding**

"Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measure 5.0-4, which has been required in or incorporated into the Project, will reduce the significant environmental impact to a less-than-significant level.

(3) **Facts in Support of Finding**

The following facts indicate that the identified impact will be reduced to a less-than-significant level. These facts are a summary of the facts contained in the administrative record as a whole and are not an exclusive recitation of the facts supporting the finding.

The Project is located within a larger plan, the Northeast Area Specific Plan ("NEASP"). An environmental impact report ("EIR") was prepared for the NEASP. Information regarding cultural resources was conducted for the NEASP, and, because the Project is located within the study area, information and conclusions in the NEASP EIR would pertain to the Project site. Mitigation measures pertaining to cultural resources are generally carried forward from the NEASP EIR.

The NEASP EIR states that the Plains Miwok people lived in the Galt vicinity; however, camps would have primarily been located along waterways. The NEASP EIR concluded that evidence of cultural resources within the Plan Area does not exist; therefore, development of the Project site would not adversely affect known archaeological or paleontologicial resources. In addition, the Project site does not contain any structures; therefore, impacts to historical resources would not occur. Although paleontological and archeological resources are not known to exist within the Project vicinity, subsurface deposits of cultural resources, including human remains, could potentially exist on the Project site. Because the possibility exists for cultural resources, including human remains, to be discovered on-site, a potentially significant impact would occur. Implementation of the following mitigation measure would reduce the impact to a less-than-significant level. These facts support the City's finding. (Draft EIR, p. 5.0-5.)

3. **Geology and Soils**

a. *Impact 5.0-5: Project activities that result in the erosion of onsite soils*

(1) **Impacts and Mitigation**

Implementation of the Project may result in the erosion of onsite soils. Mitigation Measure 5.0-5 addresses this potential impact and is as follows:

MM 5.0-5: Prior to issuance of a grading permit, the Project applicant shall submit, for the review and approval of the City Engineer, an erosion control plan that will utilize standard construction practices to limit the erosion effects during construction of the Project and comply with the Stormwater Quality Design Manual for Sacramento and Placer regions. Measures could include, but are not limited to hydro-seeding; placement of erosion control measures within drainageways and ahead of drop inlets; the temporary lining (during construction activities) of drop inlets with "filter fabric" (a specific type of geotextile fabric); the placement of straw wattles along slope contours; directing subcontractors to a single designation "wash-out" location (as opposed to allowing them to wash-out in any location they desire); the use of silt fences; and the use of sediment basins and dust palliatives. (Draft EIR, pp. 5.0-6 to 5.0-7.)

(2) **Finding**

"Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measure 5.0-5, which has been required in or incorporated into the Project, will reduce the significant environmental impact to a less-than-significant level.

(3) **Facts in Support of Finding**

The following facts indicate that the identified impact will be reduced to a less-than-significant level. These facts are a summary of the facts contained in the administrative record as a whole and are not an exclusive recitation of the facts supporting the finding.

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone, nor is the site located in a Seismic Hazard Special Studies Zone for liquefaction which delineates areas of historical occurrence of liquefaction or local geological, geotechnical, and groundwater conditions indicating a potential for permanent ground displacement. Therefore, mitigation as defined in Public Resources Code Section 2693 would not be required. According to historical aerial photographs, a man-made, shallow drainage feature was present on-site until at least 1968. The feature had a southeast to northwest orientation, and crossed the central portion of the site. The feature was not visible in the 1976 aerial photograph. The site is

underlain by cohesive clays and clayey silts, and relatively dense granular clayey and silty sands. Groundwater is indicated to be deeper than 50 feet below the existing ground surface. Based on these conditions, the Geotechnical Engineering Report concluded that liquefaction and significant seismic settlement of soils beneath the site during seismic activities is unlikely. Laboratory tests on the near-surface soils indicated these materials possess a medium expansion potential. Therefore, the native soils would be capable of exerting significant expansion pressures on building foundations, interior floor slabs, and exterior flatwork with varying moisture contents. Furthermore, all structures would be required to be constructed to the standards of the Universal Building Code, which would ensure that ground-shaking would not result in substantial impacts to the Project.

Construction of the Project would involve excavation, the use of fill to raise building pad heights, and grading. Undocumented fill soils may be present in the area of the former drainage feature. Therefore, these soils would require overexcavation and recompaction to provide adequate support for the proposed improvements. As a result, Project activities would have the potential to result in the erosion of onsite soils. A substantial loss of topsoil would be considered a potentially significant impact. Implementation of the following mitigation measure would ensure that Project impacts relative to erosion would be less-than-significant. It should be noted that Mitigation Measures pertaining to Geology and Soils on the Project site are generally derived from the Geotechnical Engineering Report. These facts support the City's finding. (Draft EIR, p. 5.0-6.)

4. **Hazards and Hazardous Materials**

a. *Impact 5.0-6: Presence of the soil piles and potential for a well to be located on site*

(1) **Impacts and Mitigation**

Implementation of the Project may result in presence of soil piles and create the potential for a well to be located on the site. Mitigation Measures 5.0-6, 5.0-7 and 5.0-8 addresses these potential impacts and are as follows:

MM 5.0-6: If during removal of all on-site debris by the Project contractor, visual or olfactory evidence of potential soil contamination is observed, the Project applicant shall contact Wallace Kuhl (or other similarly qualified firm), the property owner, the City, and the Sacramento County Environmental Health Department for further assessment. If these parties determine that the items are not hazardous, they shall be removed and discarded in accordance with local standards at the expense of the applicant. If these parties determine that subsurface hazardous substances are located onsite, these substances shall be removed and the soil remediated to the satisfaction of the City of Galt and the Sacramento County Environmental Health Department, at the expense of the applicant.

MM 5.0-7: Prior to the issuance of a Grading Permit, the applicant shall retain a qualified consultant to verify the presence of a water well on-site. If a water well is not found on-site, no further action is necessary.

MM 5.0-8: If the presence of a water well is verified by a qualified consultant, prior to initiation of any ground disturbance activities within 50 feet of the well, the applicant shall hire a licensed well contractor to obtain a well abandonment permit from Sacramento County Environmental Health Department, and properly abandon the on-site well, per review and approval of the City Engineer and the Sacramento County Environmental Health Department.

(Draft EIR, pp. 5.0-8 to 5.0-9.)

(2) **Finding**

"Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures 5.0-6, 5.0-7 and 5.0-8, which have been required in or incorporated into the Project, will reduce the significant environmental impact to a less-than-significant level.

(3) **Facts in Support of Finding**

The following facts indicate that the identified impact will be reduced to a less-than-significant level. These facts are a summary of the facts contained in the administrative record as a whole and are not an exclusive recitation of the facts supporting the finding.

Historically the Project site has been used for agricultural purposes, though more recently the land has remained vacant and uncultivated. Within that period of time, soils from an unknown location have been dumped on the Project site. The soils do not contain elevated levels of pollutants or chemicals. However, the potential exists for soils within the piles to contain pollutants and/or concentrations of unknown substances which may be pollutants. In addition, the potential exists that an abandoned water well is located on the Project site. Review of agency records did not reveal evidence of documented hazardous materials contamination on or adjacent to the site. Regional hazardous materials to groundwater quality beneath or within one-half mile of the site were not identified, and data to suggest the presence of groundwater contaminants beneath the site were not encountered. One facility located within one-half mile of the site has a documented instance of an unauthorized hazardous materials release, but it is not considered a material hazardous threat to the Project site.

The site may contain an abandoned water supply well located in the southeastern section of the site. Review of the County files by Wallace-Kuhl and Associates, Inc. did not reveal an abandonment permit. In addition, review of the User Questionnaire did not reveal any records of the environmental cleanup liens or Activity and Use Limitations (AULs)

currently recorded against the site. The Phase I Environmental Assessment concluded that obvious indicators that point to the presence or likely presence of contamination at the site were not revealed.

When compared to naturally occurring arsenic concentrations in California, the reported values of all soil samples collected for the Project site contained arsenic concentrations below the 95th upper confidence limit of 11 mg/kg. The detected concentrations of arsenic ranged from <1.0 to 3.6 mg/kg. In addition, the arsenic levels in background samples from the site are representative of the shallow soil sample arsenic levels, and are below expected arsenic level in background shallow soil in California. Consequently, the levels of arsenic found at the site would not be expected to require further action based on site conditions and background levels.

Total chromium was detected in all of the composite soil samples collected from the site. The detected concentrations ranged from 28 to 55 mg/kg. The detected concentrations are below the comparative thresholds (PRGs). A CHHSL soil screening level for total chromium is not established. When compared to naturally occurring total chromium concentration in California, the reported values for the site are below or just above the 95th upper confidence limit of 50 mg/kg. Therefore, the levels of chromium found at the site would not be expected to require further action based on site conditions and background levels.

Motor oil was detected in five of the six composite stockpile soil samples. The detected concentrations ranged from 6.4 mg/kg to 90 mg/kg. The detected concentrations are below the comparative thresholds established cleanup levels and therefore, would not be expected to require further action based on site conditions and screening levels.

The levels of other analyses detected from the composite surface soil samples, composite stockpile soil samples, discrete surface soil samples, and discrete stockpile soil samples collected at the Project site are below the comparative thresholds (PRG, CHHSL, and/or DTSC established cleanup levels) and, therefore, would not be expected to require further action based on site conditions and screening levels.

The presence of the soil stockpiles and potential for a well to be located on site represent a potentially significant impact related to hazards. Implementation of the mitigation measures would ensure that Project impacts relative to hazards would be less-than-significant. It should be noted that Mitigation Measures pertaining to Hazards and Hazardous Materials on the Project site are generally derived from the Phase I Environmental Site Assessment and Limited Phase II Soil Investigation. These facts support the City's finding. (Draft EIR, pp. 5.0-7 to 5.0-8.)

5. **Aesthetics**

a. *Impact 5.2-2: Impacts associated with new sources of light and glare*

(1) **Impact and Mitigation**

Implementation of the Project may result in impacts associated with new sources of light and glare. Mitigation Measure 5.2-2 addresses this potential impact and is as follows:

MM 5.2-2: In conjunction with the submittal of Improvement Plans, the applicant shall submit a lighting plan for the review and approval of the Planning Department. The lighting plan shall indicate the provision of shielding for all light fixtures to avoid nighttime lighting spillover effects on adjacent land uses and nighttime sky conditions. In addition, the lighting plan shall address limiting light trespass and glare through the use of shielding and directional lighting methods including, but not limited to, fixture location, design, and height. The applicant shall implement the approved lighting plan in conjunction with development of the Project, for the review and approval of the Planning Department. (Draft EIR, p. 5.2-10.)

(2) **Finding**

"Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measure 5.2-2, which has been required in or incorporated into the Project, will reduce the significant environmental impact to a less-than-significant level.

(3) **Facts in Support of Finding**

The following facts indicate that the identified impact will be reduced to a less-than-significant level. These facts are a summary of the facts contained in the administrative record as a whole and are not an exclusive recitation of the facts supporting the finding.

The Project's parking lot would be illuminated with 15-foot light poles mounted on three-foot bases, and full directional cutoff lenses would be used to maintain a 0.0-foot candle outside the property line. (A foot-candle is approximated as the light a person would see within a six-inch radius around a candle lit in a dark room or area.) The light fixtures would be 400-watt metal halide. Because the Project site is currently undeveloped, the Project would create new sources of light and glare where none currently exist. The introduction of street lighting and lighting associated with retail uses in a currently undeveloped area would alter the existing unlit conditions in the area. While the types of lighting and the specific locations have not yet been determined, the Project would substantially increase the amount of light and glare in adjacent residential areas. Therefore, because the Project would introduce land uses and structures that

would contribute a substantial amount of new light or glare into an area that currently has minimal light or glare, the impact is considered potentially significant. Implementation of the following mitigation measure would reduce the above impact to a less-than-significant level. These facts support the City's finding. (Draft EIR, p. 5.0-10.)

6. **Transportation and Circulation**

a. *Impact 5.3-1: Impacts to surrounding intersections from construction-related traffic*

(1) **Impact and Mitigation**

Implementation of the Project may result in impacts to surrounding intersections from construction-related traffic. Mitigation Measure 5.3-1 addresses this potential impact and is as follows:

MM 5.3-1: Prior to issuance of grading permit and start of construction activities, the Project contractor shall submit a traffic control plan in compliance with City standards, which ensures adequate emergency access and circulation to neighboring properties during construction, for the review and approval of the City Engineer. The plan shall include detour routes, location of appropriate signage, and construction personnel to facilitate the safe flow of traffic. (Draft EIR, p. 5.3-28.)

(2) **Finding**

"Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measure 5.3-1, which has been required in or incorporated into the Project, will reduce the significant environmental impact to a less-than-significant level.

(3) **Facts in Support of Finding**

The following facts indicate that the identified impact will be reduced to a less-than-significant level. These facts are a summary of the facts contained in the administrative record as a whole and are not an exclusive recitation of the facts supporting the finding.

Trips to the site during construction would be necessary for delivery of materials, hauling of heavy equipment, and workers traveling to and from the site. Construction traffic would utilize the existing roadway facilities and be a temporary increase in traffic volumes. Excess construction traffic could create traffic impacts on the surrounding roadway network, which would be considered potentially significant. Implementation of the above mitigation measure would reduce the construction traffic impacts on Project area roadways to a less-than-significant level. These facts support the City's finding. (Draft EIR, p. 5.3-28.)

b. *Impact 5.3-2: Impacts to the surrounding intersections under Short Term Plus Project Conditions Improvements*

(1) **Impact and Mitigation**

Implementation of the Project may result in impacts to the surrounding intersections under Short Term Plus Project Conditions Improvements. Mitigation Measure 5.3-2 addresses this potential impact and is as follows:

MM 5.3-2(a): Twin Cities Road/East Stockton Boulevard and Twin Cities Road/West Stockton Boulevard:

Prior to building permit issuance, the applicant shall pay the TCIP fee, to the satisfaction of the City Public Works Department.

Or

Prior to the issuance of building permits, if adequate funding for development of the roundabout improvements is not available, the applicant shall show proof of payment of the difference to fund the improvements, for review and approval of the City Public Works Department.

MM 5.3-2(b): Twin Cities Road/Bergeron Road: Prior to approval of Improvement Plans, the applicant shall include on the plans, for the review and approval of the City Public Works Department, the following improvements to the Twin Cities Road/Bergeron Road intersection: construct a "pork chop" median or a raised median to prohibit the outbound left turns on Bergeron Road. Construction shall be complete prior to occupancy of the Project.

(Draft EIR, pp. 5.3-29 to 5.3-30; see also Final EIR pp. 2-37 to 2-38.)

(2) **Finding**

"Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures 5.3-2(a) and 5.3-2(b), which have been required in or incorporated into the Project, will reduce the significant environmental impact to a less-than-significant level.

(3) **Facts in Support of Finding**

The following facts indicate that the identified impact will be reduced to a less-than-significant level. These facts are a summary of the facts contained in the administrative record as a whole and are not an exclusive recitation of the facts supporting the finding.

Trips generated by the Project create an additional deficiency relative to the Short Term No Project scenario. Specifically, during the Short Term Plus Project scenario, the PM peak hour deficiencies at Twin Cities Road/West Stockton Boulevard and Twin Cities Road/East Stockton Boulevard remain at an unacceptable LOS F with the addition of project-generated trips. In addition, the Twin Cities Road/Bergeron Road intersection would operate at an unacceptable LOS E during the PM peak hour. These intersections were found to be operating at unacceptable LOS under Short Term No Project conditions, and the addition of Project traffic would increase the delay by more than five seconds. Therefore, a potentially significant impact would result in regard to the above intersections under the Short Term Plus Project scenario.

The City is currently in the process of preparing a Project Services Report-Project Report (PSR-PR) for the Twin Cities Road interchange interim improvements (Twin Cities Road/West Stockton Boulevard and Twin Cities Road/East Stockton Boulevard intersections) and funding has been identified. The improvement alternatives that are being considered within the PSR-PR include a roundabout at these intersections. The roundabout improvements are expected to be completed by Year 2013 with a 10-year design life. The roundabout will provide acceptable LOS conditions at these intersections. The above roundabout improvements are included within the *2009 Traffic Capital Improvement Program, Northeast Area, and Capital Facilities Fee (*2009 TCIP), which was adopted March 2, 2010. Because the roundabout improvements are in the adopted 2009 TCIP, payment of the appropriate 2009 TCIP fees would be required and would reduce the potential impacts to less-than-significant. However, if adequate funding for development of the roundabout is not available at the time of building permit issuance, the applicant would be responsible for paying the difference to fund the improvements. Implementation of the improvements identified in the above mitigation measure for the Twin Cities Road/Bergeron Road intersection would reduce the impacts to this intersection to a less-than-significant level. These facts support the City's finding. (Draft EIR, pp. 5.3-29 to 5.3-31; see also FEIR pp. 2-37 to 2-38 and RTC 5-65, 5-74 to 5-77, 14-3.)

c. *Impact 5.3-3: Impacts to the surrounding roadway segments under Short Term Plus Project Conditions Improvements*

(1) **Impact and Mitigation**

Implementation of the Project may result in impacts to the surrounding roadway segments under Short Term Plus Project Conditions Improvements. Mitigation Measure 5.3-3 addresses this potential impact and is as follows:

MM 5.3-3: Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the widening of Twin Cities Road to a four lane arterial (Phase 1), or other roadway widening configurations that would provide acceptable peak hour level of service operations, and eventually a six lane expressway (Phase 2) from Fermoy Way to Carillion Boulevard. If adequate funding for widening of Twin Cities Road to a four lane arterial (Phase 1), or other roadway widening configurations that would provide acceptable peak hour level of service

operations is not available, the applicant shall widen Twin Cities Road to four lanes from Fermoy Way to Carillion Boulevard or to a roadway widening configuration that would provide acceptable peak hour level of service operations. If constructed by the applicant, construction shall be complete prior to occupancy of the proposed project.

(2) **Finding**

"Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measure 5.3-3, which has been required in or incorporated into the Project, will reduce the significant environmental impact to a less-than-significant level.

(3) **Facts in Support of Finding**

The following facts indicate that the identified impact will be reduced to a less-than-significant level. These facts are a summary of the facts contained in the administrative record as a whole and are not an exclusive recitation of the facts supporting the finding.

Twin Cities Road east of Fermoy Way would remain operating deficiently at LOS F on a typical weekday for Short Term Plus Project conditions. This roadway segment was found to be operating at unacceptable LOS under Short Term No Project conditions, and the addition of Project traffic would increase the V/C at this location by more than five percent. Therefore, a potentially significant impact would result. The 2009 TCIP includes improving Twin Cities Road east of Fermoy Way to bring it to acceptable conditions. Improvements covered by the 2009 TCIP could include widening Twin Cities Road to a four lane arterial (Phase 1) or other roadway widening configurations that would provide acceptable peak hour level of service operations. If adequate funding is not available for such improvements, the applicant will have to widen Twin Cities Road to four lanes from Fermoy Way to Carillion Boulevard or to a roadway widening configuration that would provide acceptable peak hour level of service operations. Implementation of the mitigation measure would reduce the above impact to a less-than-significant level. These facts support the City's finding. (Draft EIR, p. 5.3-32; see also FEIR p. 2-38 and RTC 5-65, 14-3, 21-42.)

d. *Impact 5.3-9: Impacts to internal on-site circulation and emergency vehicle access*

(1) **Impact and Mitigation**

Implementation of the Project may result in impacts to internal on-site circulation and emergency vehicle access. Mitigation Measure 5.3-9 addresses this potential impact and is as follows:

MM 5.3-9: Prior to issuance of a building permit, the applicant shall submit the site plan to the CCSDFD for review and approval of the Project internal circulation and access design to ensure conformance with emergency vehicle turning radii. (Draft EIR, p. 5.3-36.)

(2) **Finding**

"Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measure 5.3-9, which has been required in or incorporated into the Project, will reduce the significant environmental impact to a less-than-significant level.

(3) **Facts in Support of Finding**

The following facts indicate that the identified impact will be reduced to a less-than-significant level. These facts are a summary of the facts contained in the administrative record as a whole and are not an exclusive recitation of the facts supporting the finding.

The site plan for the Project shows that the Project includes access from both Twin Cities Road and Fermoy Way, which is sufficient access for emergency services. Additionally, the final site plan shall conform to the requirements set forth by the City of Galt. However, Project access locations as currently displayed on the site plan would be required by the Galt Fire Protection District to meet the turning radii requirements for emergency vehicles. Therefore, a potentially significant impact would result. Implementation of the mitigation measure would reduce circulation and emergency vehicle access impacts to a less-than-significant level. These facts support the City's finding. (Draft EIR, pp. 5.3-35 to 5.3-36.)

e. *Impact 5.3-11: Impacts to the surrounding intersections under Year 2030 Plus Project conditions*

(1) **Impact and Mitigation**

The Project would contribute trips to intersections operating at unacceptable levels under Year 2030 Plus Project conditions. Several mitigation measures address this impact and are as follows:

MM 5.3-11(a): Twin Cities Road/Fermoy Way: Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the following Twin Cities Road/Fermoy Way intersection improvements:

<u>Northbound Approach</u>

- Widen to provide an additional left-turn lane

- One through lane
- Widen to provide an exclusive right-turn lane

Southbound Approach
- Widen to provide two right-turn lanes

Eastbound and Westbound Approaches
- Widen to provide an additional left-turn lane
- Widen to provide two additional through lanes

MM 5.3-11(b): Twin Cities Road/McKenzie Road: Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the following Twin Cities Road/ McKenzie Road intersection improvements:

Northbound and Southbound Approaches
- Construct a "pork chop" median or a raised median to prohibit the outbound left turns on northbound and southbound McKenzie Road

Eastbound and Westbound Approaches
- Widen to provide two additional through lanes

MM 5.3-11(c): Twin Cities Road/Carillion Boulevard: Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the following Twin Cities Road/Carillion Boulevard intersection improvements.

Northbound Approach
- Widen to provide an additional left-turn lane
- Re-stripe the northbound right only lane to a through-right lane and construct the receiving lane

Southbound Approach
- Widen to provide an additional left-turn lane
- Widen to provide an additional through lanes
- Widen to provide one right-turn lane

Eastbound Approach
- Widen to provide two additional through lanes
- Provide right turn overlap

Westbound Approach
- Widen to provide two additional through lanes

MM 5.3-11(d): Twin Cities Road/Marengo Road: Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the Twin Cities Road/Marengo Road intersection improvements:

<u>Northbound Approach</u>

- Widen to provide an additional left-turn lane

<u>Southbound Approach</u>

- Widen to provide one right-turn lane

<u>Eastbound and Westbound Approaches</u>

- Widen to provide an additional through lane
- Widen to provide an additional left-turn lane

MM 5.3-11(e): Twin Cities Road/Park Terrace Drive: Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the Twin Cities Road/Park Terrace Drive intersection improvements:

<u>Northbound and Southbound Approaches</u>

- Construct a "pork chop" median or a raised median to prohibit the outbound left turns on northbound and southbound Hauschildt Road

<u>Eastbound and Westbound Approaches</u>

- Widen to provide two additional through lanes

MM 5.3-11(f): Lake Park Avenue/Carillion Boulevard: Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the Lake Park Avenue/Carillion Boulevard intersection improvements:

- Widen the westbound Lake Park Avenue to allow for an exclusive left-turn lane and provide an acceleration lane for the outbound lefts from Lake Park Avenue. This acceleration lane can be accommodated by removing the landscaping, including curb and gutter.

MM 5.3-11(g): Lake Canyon Drive/Carillion Boulevard: Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the Lake Canyon Drive/Carillion Boulevard intersection improvements:

- Installation of a signal with protected phasing at the north-south approaches and permitted/split phasing at the east-west approaches. No intersection widening is recommended.

MM 5.3-11(h): Elk Hills Drive/Carillion Boulevard: Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the Elk Hills Drive/Carillion Boulevard intersection improvements:

- Installation of a signal with protected phasing at the north-south approaches and permitted/split phasing at the east-west approaches. No intersection widening is recommended.

MM 5.3-11(i)(a): Twin Cities Road/Project Driveway: Prior to approval of Improvement Plans, the applicant shall include on the plans, for the review and approval of the City Public Works Department, the following improvements to the Twin Cities Road/Project Driveway intersection: construct a "pork chop" median or a raised median to prohibit the outbound left turns on northbound Project Driveway Approach (left turns into the project site from Twin Cities Road shall be allowed). Improvements shall be completed prior to occupancy.

MM 5.3-11(i)(b): Twin Cities Road/Project Driveway: Prior to building permit issuance, the applicant shall pay the TCIP fee toward the widening of Twin Cities Road, east of Fermoy Way to a six-lane expressway.

MM 5.3-11(j): Raley's Driveway/Fermoy Way: Prior to approval of Improvement Plans, the applicant shall include on the plans, for the review and approval of the City Public Works Department, the following improvements to the Twin Raley's Driveway/Fermoy Way intersection, and the improvements shall be completed prior to occupancy:

- All (Four) Way Stop Control
- Widen the northbound and southbound Fermoy Way to provide an exclusive left turn lane

or

- Actuated Traffic Signal

(Draft EIR, pp. 5.3-36 to 5.3-45; see also FEIR pp. 2-40 to 2-48 and RTC 2-4, 5-82, 14-3.)

(2) **Finding**

"Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures 5.3-11(a) to 5.3-11(j), which have been required in or incorporated into the Project, will reduce the significant

environmental impact to a less-than-significant level. (Draft EIR, pp. 5.3-36 to 5.3-45; FEIR pp. 2-40 to 2-48.)

(3) **Facts in Support of Finding**

The following facts indicate that the identified impact will be reduced to a less-than-significant level. These facts are a summary of the facts contained in the administrative record as a whole and are not an exclusive recitation of the facts supporting the finding.

The above intersections would operate at an unacceptable level under the Year 2030 No Project conditions, and the addition of Project traffic would result in a significant impact at the intersections. The improvements identified in Mitigation Measures 5.3-11(a) through 5.3-11(j) would reduce the impacts at these intersections to less-than-significant levels as shown in Draft EIR Table 5.3-19. These improvements are included in the 2009 TCIP, which was adopted March 2, 2010 (with the exception of the improvements for the Raley's Driveway/Fermoy Way interchange, which the applicant will be required to construct prior to occupancy). The 2009 TCIP is a reasonable, enforceable program that is sufficiently tied to the actual mitigation of the traffic impacts at issue. Therefore, payment of the 2009 TCIP fee, as required by the mitigation measures, would guarantee that the needed improvements will be constructed and the impacts will be reduced to a less-than-significant level. These facts support the City's finding. (Draft EIR, pp. 5.3-36 to 5.3-45; see also FEIR pp. 2-40 to 2-48 and RTC 2-4, 5-82, 14-3.)

f. *Impact 5.3-12: Impacts to the surrounding roadway segments under Cumulative Year 2030 Plus Project conditions.*

(1) **Impact and Mitigation**

The Project would contribute to unacceptable roadway operations along Twin Cities Road, east of Fermoy Way. Mitigation Measure 5.3-12 addresses this impact and is as follows:

MM 5.3-12: Implement Mitigation Measure 5.3-11(i)(b). (Draft EIR, pp. 5.3-45 to 5.3-46.)

(2) **Finding**

"Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measure 5.3-12, which has been required in or incorporated into the Project, will reduce the significant environmental impact to a less-than-significant level. (Draft EIR, pp. 5.3-45 to 5.3-46.)

(3) **Facts in Support of Finding**

Widening of Twin Cities Road from Fermoy Way to Marengo Road to a six lane expressway would reduce the above impact to a less-than-significant level as shown in Draft EIR Table 5.3-21. This improvement is included in the recently-adopted 2009 TCIP. Therefore, a guarantee can be made that the needed improvement will be constructed and payment of the fee would reduce the impact to a less-than-significant level. (Draft EIR, pp. 5.3-45 to 5.3-46.)

7. **Air Quality and Climate Change**

a. *Impact 5.4-1: Construction-related impacts resulting in temporary increases in particulate matter levels in the immediate vicinity of the Project site*

(1) **Impact and Mitigation**

Implementation of the Project may result in construction-related impacts resulting in temporary increases in particulate matter levels in the immediate vicinity of the Project site. Mitigation Measure 5.4-1 addresses this potential impact and is as follows:

MM 5.4-1: The Project applicant shall ensure that emissions from all off-road diesel-powered equipment used on the Project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired by the developer immediately, and SMAQMD shall be notified by the developer within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made by the developer at least weekly, and a monthly summary of the visual survey results shall be submitted by the developer to the City Planning Department throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supersede other SMAQMD or State rules or regulations. Prior to issuance of a grading permit, the applicant/developer shall incorporate the following measures into the construction contract documents, which shall be submitted for the review and approval of the City Engineer:

- Apply water, chemical stabilizer/suppressant, or vegetative cover to disturbed areas, including storage piles that are not being actively used for construction purposes, as well as any portions of the construction site that remain inactive for longer than 3 months;

- Water exposed surfaces sufficient to control fugitive dust emissions during demolition, clearing, grading, earth-moving, or excavation operations. Actively disturbed areas should be kept moist at all times;

- Cover all vehicles hauling dirt, sand, soil or other loose material or maintain at least two feet of freeboard in accordance with the requirements of California Vehicle Code Section 23114;

- Limit or expeditiously remove the accumulation of project-generated mud or dirt from adjacent public streets at least once every 24 hours when construction operations are occurring; and

- Limit onsite vehicle speeds on unpaved surfaces to 15 mph, or less.

(Draft EIR, pp. 5.4-29 to 5.4-30.)

(2) **Finding**

"Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measure MM 5.4-1, which has been required in or incorporated into the Project, will reduce the significant environmental impact to a less-than-significant level.

(3) **Facts in Support of Finding**

The following facts indicate that the identified impact will be reduced to a less-than-significant level. These facts are a summary of the facts contained in the administrative record as a whole and are not an exclusive recitation of the facts supporting the finding.

Construction activities related to the Project would generate air pollutants during construction including, but not limited to, dust from grading and infrastructure improvements. Dust from construction activities can cause impacts both locally and regionally. The dry climate of the area during the summer months, combined with the fine, silty soils of the region, creates a high potential for dust generation. According to the SMAQMD's Guide to Air Quality Assessment in Sacramento County, the Project exceeds the CEQA significant threshold of 50 micrograms per cubic meter. Unmitigated fugitive dust (PM_{10}) emissions would result in exceedance of particulate standards, which would result in a potentially significant impact. According to SMAQMD's Guide to Air Quality Assessment in Sacramento County, implementation of the mitigation measures would reduce Project fugitive particulate matter impacts to a less-than-significant level. Appendix B of SMAQMD's Guide to Air Quality Assessment in Sacramento County provides recommended mitigation measures that are dependent on the size of the Project site and maximum disturbed area at any given time. If the appropriate measures are employed, it can be assumed that Project impacts from fugitive dust would be mitigated to a less-than-significant level. These facts support the City's finding. (Draft EIR, p. 5.4-29.)

8. **Noise**

a. *Impact 5.5-1: Construction-related noise impacts*

(1) **Impact and Mitigation**

Implementation of the Project may result in construction-related noise impacts. Mitigation Measure 5.5-1 addresses this potential impact and is as follows:

MM 5.5-1(a): Construction activities shall comply with the City of Galt Noise Ordinance and shall be limited to the hours set forth below:

Monday-Friday	*6:00 AM to 8:00 PM*
Saturday and Sunday	*7:00 AM to 8:00 PM*

These criteria shall be included in the grading plan submitted by the applicant/developer for review and approval of the Public Works Department prior to issuance of grading permits. Exceptions to allow expanded construction activities shall be reviewed on a case-by-case basis as determined by the Chief Building Official and/or City Engineer.

MM 5.5-1(b): Construction activities shall adhere to the requirements of the City of Galt with respect to hours of operation, muffling of internal combustion engines, and other factors that affect construction noise generation and its effects on noise-sensitive land uses. Prior to issuance of grading permits, these criteria shall be included in the grading plan submitted by the applicant/developer for the review and approval of the Public Works Department.

MM 5.5-1(c): During construction, the applicant/developer shall designate a disturbance coordinator and conspicuously post this person's number around the Project site and in adjacent public spaces. The disturbance coordinator will receive all public complaints about construction noise disturbances and will be responsible for determining the cause of the complaint, and implement feasible measures to be taken to alleviate the problem. The disturbance coordinator shall report all complaints and corrective measures taken to the Community Development Director.

MM 5.5-1(d): The Project soundwalls shall be constructed as early as feasible in the Project construction timeline to mitigate construction noise. The Project soundwalls are expected to reduce construction noise levels by 5 to 10 dB.

MM 5.5-1(e): A temporary soundwall a minimum of 8 feet in height shall be erected along the south property line to shield demolition and construction activities associated with construction of new soundwalls. The soundwall shall be an appropriate acoustical barrier, such as a hanging curtain with an STC rating of 27, or higher, and should not have any gaps or openings around the edges. Plywood is not recommended.

(Draft EIR, pp. 5.5-18 to 5.5-19.)

(2) **Finding**

"Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measure MM 5.5-1(a) to 5.5-1(e), which have been required in or incorporated into the Project, will reduce the significant environmental impact to a less-than-significant level.

(3) **Facts in Support of Finding**

The following facts indicate that the identified impact will be reduced to a less-than-significant level. These facts are a summary of the facts contained in the administrative record as a whole and are not an exclusive recitation of the facts supporting the finding.

During the construction phases of the Project, noise from construction activities would add to the noise environment in the immediate Project vicinity. Construction activities would be temporary in nature and are anticipated to occur during normal daytime working hours. Noise would also be generated during the construction phase by increased truck traffic on area roadways. A significant Project-generated noise source would be truck traffic associated with transport of heavy materials and equipment to and from the construction site. This noise increase would be of short duration, and would likely occur primarily during daytime hours.

Construction activities are conditionally exempt from the Noise Ordinance during certain hours. Construction activities are exempt from the noise standard from 6 AM to 8 PM Monday through Friday, and from 7 AM to 8 PM on Saturdays and Sundays. Most of the building construction would occur at distances of 60 feet or greater from the nearest residences. Construction noise associated with parking lots and soundwalls would be similar to noise that would be associated with public works projects, such as a roadway widening or paving projects. Once soundwalls are installed, they provide approximately 5 to 10 dB of noise reduction during construction activities, which is a substantial reduction in overall construction noise levels. Pursuant to the calculations performed by the noise consultant, the proposed soundwall could provide up to an 11 dB reduction in construction noise levels; however, for a conservative estimate, a reduction within the range of 5 to 10 dB is assumed. A range is provided due to the fact that construction activities could occur anywhere on-site (i.e., noise levels from activities taking place closer to the soundwall would not be reduced as much as noise levels from activities taking place farther from the soundwall). The Project soundwalls would be constructed as early as feasible in the overall Project construction timeline.

Demolition of the existing eight-foot-tall soundwall would require the use of impact equipment, such as jack hammers, within approximately 30 feet of the nearest sensitive receptors. At this distance, noise levels are predicted to be approximately 93 dB $L_{max,}$ which would cause a significant increase over existing ambient noise levels and could be a significant source of annoyance to adjacent residences.

Although construction activities are temporary in nature and would likely occur during normal daytime working hours, construction-related noise could result in sleep interference at existing noise-sensitive land uses in the vicinity of the construction if construction activities were to occur outside the normal daytime hours. Therefore, impacts resulting from noise levels temporarily exceeding the threshold of significance due to construction would be considered potentially significant. Implementation of the mitigation measures would reduce the above impact to a less-than-significant level. These facts support the City's finding. (Draft EIR, pp. 5.5-16 to 5.5-18; see also Draft EIR, Appendix I.)

b. *Impact 5.5-2: Impacts related to vibration associated with construction activities*

(1) **Impact and Mitigation**

Implementation of the Project may result in impacts related to vibration associated with construction activities. Mitigation Measure 5.5-2 addresses this potential impact and is as follows:

See MM 5.5-1(b) and 5.5-1(c). (Draft EIR, p. 5.5-19.)

(2) **Finding**

"Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures MM 5.5-1(b) and 5.5-1(c), which have been required in or incorporated into the Project, will reduce the significant environmental impact to a less-than-significant level.

(3) **Facts in Support of Finding**

The following facts indicate that the identified impact will be reduced to a less-than-significant level. These facts are a summary of the facts contained in the administrative record as a whole and are not an exclusive recitation of the facts supporting the finding.

The primary vibration-generating activities associated with the project would occur when the infrastructure such as grading, utilities, and parking lots are constructed. Sensitive receptors are located immediately east and south, which could be impacted by construction related vibrations, especially vibratory compactors/rollers. Construction activities would be temporary in nature and would likely occur during normal daytime working hours. The types of construction vibration impact include human annoyance and building structural damage. Human annoyance occurs when construction vibration rises significantly above the threshold of perception. Building damage can take the form of cosmetic or structural. Construction vibrations are not predicted to exceed safe thresholds at adjacent sensitive receptors. However, extended use of vibratory equipment in close proximity to residential

receptors could be a source of annoyance. Because construction activities would result in periods of elevated vibration levels, this impact is considered potentially significant. Implementation of the mitigation measures would reduce the above impact to a less-than-significant level. These facts support the City's finding. (Draft EIR, pp. 5.5-19 to 5.5-20; see also Draft EIR, Appendix I.)

c. *Impact 5.5-4: Expose existing receptors to on-site noise levels exceeding applicable noise standards*

(1) **Impact and Mitigation**

Implementation of the Project may result in impacts related to vibration associated with construction activities. Mitigation Measure 5.5-4 addresses this potential impact and is as follows:

MM 5.5-4(a): Prior to the issuance of a building permit, the plans shall show 12-foot soundwalls to be constructed along the east and south property lines of the site and a 20-foot soundwall shall be constructed along the south side of the Project loading dock, as shown on Figure 5.5-3, for the review and approval of the Community Development Director and the City Engineer. The 20-foot barrier should completely shield the front of truck engines and cabs from view of the adjacent residential uses. The barrier should be constructed of a Sono-Con Exterior Acoustical Panel System which incorporates both sound transmission blocking and sound absorption blocking capabilities to minimize sound reflections in the truck well. Product information for the recommended barrier product is attached. Acoustically similar barriers may be used, but they should be reviewed by an acoustical consultant prior to construction. Soundwalls shall be constructed with a rough, split face CMU block or acoustical sound absorbing block to minimize reflections between the soundwalls and the Walmart building façade. Smooth block walls should be avoided, unless heavily landscaped.

MM 5.5-4(b): Prior to the issuance of a building permit, the plans shall show that rooftop mechanical equipment shall be shielded from view, as specified in the City of Galt Zoning Ordinance, for the review and approval of the Community Development Director. Additionally, rooftop refrigeration equipment shall be shielded through the use of rooftop mechanical noise barriers in the direction of residential uses.

MM 5.5-4(c): As a condition of approval, loading and delivery activities, including fork lift usage, shall be limited to daytime hours (7:00 AM to 10:00 PM), as specified in the City of Galt Zoning Ordinance.

MM 5.5-4(d): Truck idling and refrigeration truck deliveries shall be prohibited at the vendor delivery service area.

MM 5.5-4(e): During daytime (7:00 AM to 10:00 PM) parking lot cleaning in the main parking lot, a 30-foot setback from the eastern property line shall be maintained for mechanical parking lot cleaning.

MM 5.5-4(f): As a condition of approval, mechanical sweeping shall be limited to daytime hours (7:00 AM to 10:00 PM), as specified in the City of Galt Zoning Ordinance.

(Draft EIR, pp. 5.5-26 to 5.5-27.)

(2) **Finding**

"Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measure MM 5.5-4, which has been required in or incorporated into the Project, will reduce the significant environmental impact to a less-than-significant level.

(3) **Facts in Support of Finding**

The following facts indicate that the identified impact will be reduced to a less-than-significant level. These facts are a summary of the facts contained in the administrative record as a whole and are not an exclusive recitation of the facts supporting the finding.

Residential developments exist south, east, and north of the Project property line. In most cases, the rear yards of the residences abut the site and are separated with an eight-foot-tall barrier. The east and south residences are considered the sensitive receptors for on-site operational noise from various sources discussed below.

- Truck Circulation Noise

The Project would add six to eight trucks per day to the existing truck traffic. Based on the Project site plan, truck circulation would occur clockwise on the site along the eastern property line from Twin Cities Road to the south property line towards Fermoy Way. The truck circulation route at the south side of the Walmart store would vary from approximately 35 to 43 feet from the center of the route to the south residential property line. The predicted L_{eq} at the nearest residential property line is 58.9 dB L_{eq} and 77.9 L_{max}, which would exceed the City's 50 dB L_{eq} daytime exterior noise level standard and the City's 45 dB L_{eq} nighttime noise level standard. The predicted 77.9 dB L_{max} truck circulation noise level would exceed the City of Galt daytime 70 dB L_{max} and nighttime 65 dB L_{max} exterior noise level standards.

Where truck circulation will occur at the 35 foot setback distance, truck circulation noise levels could be approximately 0.9-1.2 dB higher due to the closer distance. However, because trucks would be closer to the sound wall, the sound wall performance is expected to increase by approximately 0.2 dB. Therefore, the potential increase in noise levels is 0.7-1.0 dB higher than those in the Environmental Noise Assessment and Draft EIR. Predicted noise levels for truck circulation would be 49 dB L_{eq} and 68 dB L_{max}. These noise levels are still

1-2 dB less than the City's 50 dB L_{eq} and 70 dB L_{max} exterior noise level standards. Therefore, the conclusion in the Draft EIR would not change.

Where truck circulation will occur at the 43 foot setback distance, truck circulation noise levels could be approximately 0.5-0.6 dB quieter due to the further distance. However, because trucks would be slightly further from the sound wall, the sound wall performance is expected to decrease by approximately 0.4 dB. Therefore, the potential change in noise levels is -0.1 to -0.2 dB quieter than those in the Environmental Noise Assessment and Draft EIR. Therefore, the conclusion in the Draft EIR would not change.

- Loading Dock Noise

The primary noise sources associated with the loading dock area are heavy trucks stopping (air brakes), backing into the loading dock, pulling out of the loading dock (revving engines), unloading activities inside the trucks, and engine idling. Loading dock noises are not believed to consist of "simple tones" or recurring impulsive noises. The Project loading dock configuration would locate the loading docks approximately 85 feet measured from the property lines of the closest residential uses to the south and the center of the loading dock area. At 85 feet, loading dock noise exposure is anticipated to be 62.3 dB L_{eq} and 81.3 dB L_{max}, not accounting for existing soundwalls. The anticipated 62.3 dB L_{eq} loading dock noise level would exceed the City of Galt's 50 dB L_{eq} daytime exterior noise level standard and the City's 45 dB L_{50} nighttime noise level standard. In addition, the anticipated 81.3 dB L_{max} loading dock noise level exceeds the City's daytime 70 dB L_{max} and nighttime 65 dB L_{max} exterior noise level standards.

- Refrigeration Truck Noise

Three of the daily semi-truck deliveries would be refrigerated trucks. Based upon noise level data collected for refrigerated semi-trucks, noise levels from a refrigerated diesel semi are predicted to be 70 dB at a distance of 50 feet. It is expected that the refrigeration truck may idle for up to an hour during unloading activities. Assuming that unloading activities occur at the loading dock, noise levels at the residential property line to the south would be 65.4 dB L_{eq}. The predicted 65.4 dB L_{eq} refrigeration truck noise level would exceed the City of Galt's 50 dB L_{eq} daytime exterior noise level standard and the City's 45 dB L_{50} nighttime noise level standard.

- Delivery Service Area

Approximately five vendor truck deliveries could occur during the peak hour at the vendor delivery door. The primary noise sources associated with vendor deliveries consist of doors opening and closing, use of a hand truck, brief removal of merchandise, and movement of personnel. Typical vendor arrivals or departures produced a Sound Exposure Level (SEL) of 76 dB at a distance of 50 feet. The typical L_{max} level due to a vendor truck delivery was measured to be 70 dB at a distance of 50 feet. The approximate distance from the vendor delivery area to the nearest property line is 50 feet. The L_{eq} at the nearest residential

property line is 50.2 dB L_{eq} and 70.0 dB L_{max}. The predicted 50.2 dB L_{eq} vendor delivery noise level would exceed the City of Galt's 50 dB L_{eq} daytime exterior noise level standard and the City's 45 dB L_{eq} nighttime noise level standard. The predicted 70.0 dB L_{max} vendor delivery noise levels would comply with the City of Galt's daytime 70 dB L_{max} exterior noise standard, but would exceed the City's nighttime 65 dB L_{max} exterior noise level standard.

- Fork Lift Usage at Pallet Area

Fork lift circulation around the bale and pallet area/loading dock is anticipated to occur within an average distance of 90 feet of the south property line. The proposed bale and pallet recycling area would be along the south property line of the Project site, which would be approximately 30 feet from the nearest residential property line. At this distance, the maximum noise levels would be 75.5 dB L_{max}. The anticipated 46.8 dB L_{eq} fork lift noise level would comply with the City of Galt 50 dB L_{eq} daytime exterior noise level standard but would exceed the City's 45 dB L_{eq} nighttime noise level standard. In addition, the anticipated 75.5 dB L_{max} fork lift noise level exceeds the City of Galt daytime 65 dB L_{max} and nighttime 60 dB L_{max} exterior noise level standards, after application of the 5 dB tonal/impulsive penalty for backup alarms.

- Mechanical Equipment Noise

Mechanical equipment noise sources from the Project site would be from the main building and the Garden Center. The Project would include a rooftop HVAC system and cold food storage mechanical equipment. The rooftop equipment is not anticipated to generate noise levels that would exceed 45 dB L_{eq} at distances beyond 60 feet from the store building façade with the inclusion of City of Galt Zoning Ordinance shielding requirements and mechanical noise barriers. The nearest residential property lines would be located 60 feet from the Project building façade. Therefore, no additional noise reduction measures would be required to comply with the City's 50 dB L_{eq} exterior noise level standard. Noise from the garden center ventilation systems would be located approximately 240 feet from the nearest residential property line. At 240 feet, hourly noise levels would be 43.4 dB L_{eq}, which is below the City's 50 dB L_{eq} daytime and 45 dB L_{eq} nighttime exterior threshold.

- Garden Center Paging System

As noted above, the paging system would need to generate sound levels that exceed ambient noise levels in the garden center by approximately 10 dB, or more. In order to do this, the system would be expected to generate noise levels of approximately 70-75 dB throughout the Garden Center. The center of the garden center is located approximately 300 feet from the nearest residential property line to the south. At this distance, noise levels from the garden center paging system are predicted to be 61 dB L_{max}. The predicted 61 dB L_{max} paging system noise level would comply the City of Galt's daytime 65 dB L_{max} noise level standard, but exceeds the City's nighttime 60 dB L_{max} exterior noise level standard, after application of the 5 dB voice penalty for the paging system.

- Trash Compaction Noise

The nearest trash compactor would be located 50 feet from the residential property line to the south. Noise levels generated by the trash compactor are expected to result in an hourly average noise level of 43.2 dB L_{eq} and a maximum noise level of 55.0 dB L_{max}. The predicted 43.2 dB L_{eq} noise level would comply with the City of Galt's 50 dB L_{eq} daytime exterior noise level standard and 45 dB L_{eq} nighttime noise level standard. The predicted 55.0 dB L_{max} noise level would comply with the City of Galt's daytime 70 dB L_{max} and nighttime 65 dB L_{max} exterior noise level thresholds.

- Parking Lot Noise

Maximum noise levels from parking lot activities are typically 63 dB L_{max} at a distance of 50 feet. The center of the closest parking spaces are proposed to be located at a distance of approximately 15 feet from the nearest residential property line to the east and 115 feet to the north. At these distances, maximum noise levels are predicted to be 73.5 dB L_{max} to the east and 55.8 dB L_{max} to the north. The predicted 73.5 dB L_{max} parking lot noise level exceeds the City of Galt daytime 70 dB L_{max} and nighttime 65 dB L_{max} exterior noise level standards.

Mechanical parking lot sweeping/vacuuming noise levels from parking lot cleaning are approximately 62 dB L_{eq} and 71 dB L_{max} at a distance of 100 feet from the center of the parking lot cleaning activities, which is approximately 250 feet from the nearest residential property line to the east. Parking lot sweeping in the main parking lot would be shielded by the intervening Walmart building for the residential uses to the south.

Individual parking lot sweeper passbys would occur within approximately 15-20 feet of the adjacent residential property line to the east and 30 feet from the property line to the south. At these distances, maximum noise levels would be approximately 87.5 dB L_{max} at the east property line and 81.5 dB L_{max} at the south property line. The predicted 53.6 dB L_{eq} noise level would exceed the City of Galt's daytime 50 dB L_{eq} and nighttime 45 dB L_{eq} noise level thresholds. The predicted 87.5 dB L_{max} and 81.5 dB L_{max} noise levels would exceed with City of Galt's daytime 70 dB L_{max} and nighttime 65 dB L_{max} exterior noise level thresholds.

The Project would generate noise levels from each of these on-site activities which would exceed the City's noise standards at existing residential uses. As discussed above, the operational activities that would exceed the noise thresholds include truck circulation, loading dock activities, fork lift usage, HVAC system/rooftop cold food storage mechanical equipment, and parking lot activities. Therefore, development of the Project would result in a potentially significant impacts related to noise. Implementation of the mitigation measures would reduce the above operational noise impacts to a less-than-significant level. These facts support the City's finding. (Draft EIR, pp. 5.5-22 to 5.5-26; see also Final EIR p. 2-50 and RTC 5-25, 5-28, 5-42 to 5-45, 5-120 to 5-165.)

d. *Impact 5.5-5: Expose sensitive receptors to noise-related sleep disturbances*

(1) **Impact and Mitigation**

Implementation of the Project may expose sensitive receptors to noise-related sleep disturbances. Mitigation Measure 5.5-5 addresses this potential impact and is as follows:

See Mitigation Measures 5.5-4(b), (c), (e), and (f). (Draft EIR, p. 5.5-29.)

(2) **Finding**

"Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measures MM 5.5-4(b), (c), (e), and (f), which have been required in or incorporated into the Project, will reduce the significant environmental impact to a less-than-significant level.

(3) **Facts in Support of Finding**

The following facts indicate that the identified impact will be reduced to a less-than-significant level. These facts are a summary of the facts contained in the administrative record as a whole and are not an exclusive recitation of the facts supporting the finding.

Based upon noise measurements conducted of parking lot sweepers, a parking lot sweeper passby is expected to generate a sound exposure level of 81 dB SEL at a distance of 100 feet. It is assumed that typical parking lot sweeping would require approximately four passbys near each residential property line. Assuming, an average passby distance of 60 feet during nighttime hours, the average SEL at the adjacent sensitive receptors would be 85.4 dB SEL.

Based upon the ANSI procedure calculation, the probability of behavioral awakenings from mechanical parking lot sweeping is 3 percent, assuming residents have their windows closed, and 4 percent with windows open. Noise levels at second floor receptors are generally 2 to 3 dB louder and don't receive shielding from soundwalls. Therefore, the predicted parking lot sweeper SEL would be 88.4 dB SEL at second floor receptors. The probability of behavioral awakenings from mechanical parking lot sweeping is 5 percent, assuming residents have their windows closed, and 8 percent with windows open at second floor receptors.

The nighttime cleaning of parking lots has the potential to result in a probability of sleep disturbance ranging from three to eight percent at adjacent sensitive receptors, depending on whether occupants have their windows open or closed, and whether the receptor is located at the first or second floor level. In addition, loading and unloading activities,

as well as the operation of rooftop mechanical equipment, could result in sleep disturbances, if the activities were performed during nighttime hours. Therefore, the Project would have a potentially significant impact associated with exposing sensitive receptors to noise-related sleep disturbances. Implementation of the mitigation measures would reduce the above operational noise impacts to a less-than-significant level. These facts support the City's finding. (Draft EIR, p. 5.5-29.)

9. **Public Services**

a. *Impact 5.7-3: Impacts related to hydrology, water quality, and stormwater drainage*

(1) **Impact and Mitigation**

Implementation of the Project may cause impacts related to hydrology, water quality, and stormwater drainage. Mitigation Measure 5.7-3 addresses this potential impact and is as follows:

MM 5.7-3(a): Prior to the issuance of building permits, the developer shall obtain and comply with the NPDES general construction permit including the submittal of a Notice of Intent (NOI) and associated fee to the SWRCB and the preparation of a Storm Water Pollution Prevention Plan (SWPPP) that includes both construction stage and permanent storm water pollution prevention practices to be submitted to the City Engineer for review.

MM 5.7-3(b): The Project shall utilize runoff reduction and source control measures consistent with adopted Stormwater Quality Design Manual to the maximum extent practicable and to the satisfaction of the City Engineer.

MM 5.7-3(c): Prior to issuance of grading permits, the applicant shall develop and submit a stormdrain model to analyze the existing stormdrain system and a Drainage Master Plan to the City Engineer for review and approval. The Drainage Master Plan shall describe how on-site draining systems will be designed to compensate for the reduced water absorption capacity of the site and to prevent flooding of adjacent properties. The Plan must ensure that all stormwater entering or originating within the project site shall be conveyed, without diversion of the watershed, to the nearest adequate, natural watercourse, or adequate man-made drainage facility. The Drainage Master Plan shall implement BMPs to control quality of stormwater runoff. The project applicant shall comply with all of the requirements of the new MS4 permit as detailed in the Water Quality Planning and Design Principles Water Quality Planning and Design Principles, Low Impact Strategies, and the Stormwater Quality Design Manual for Sacramento and South Placer Regions.

(Draft EIR, pp. 5.7-1 to 5.-12; see also Final EIR pp. 2-52 to 2-53 and RTC 1-3, 5-11.)

(2) **Finding**

"Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measure MM 5.7-3, which has been required in or incorporated into the Project, will reduce the significant environmental impact to a less-than-significant level.

(3) **Facts in Support of Finding**

The following facts indicate that the identified impact will be reduced to a less-than-significant level. These facts are a summary of the facts contained in the administrative record as a whole and are not an exclusive recitation of the facts supporting the finding.

The Project site is located on a relatively flat parcel that is located outside of the 100-year floodplain on lands that have been previously designated for development in the Galt General Plan and Northeast Area Specific Plan. Due to the topography and location of the site flooding, tsunamis, mudslides, and seiches do not represent potential hazards. The Project would cover the majority of the Project site with impervious surfaces, which would reduce the potential for the rainwater to recharge the groundwater aquifer. However, the Project site is bordered on three sides by existing development, has been designated for development in City planning documents, and would route stormwater flows to a regional detention facility.

The Project is largely a developed site covered by pavement, walks, and a building. An on-site drainage system will be designed to drain to proprietary water quality facilities that will treat stormwater runoff at one or more locations. This design will be augmented by the use of grassy swales where areas of the parking lot can be directed so as to reduce either the size or number of water quality vaults within the system.

The Project site has been designated for development in the General Plan. However, implementation of the Project would largely cover the site with impervious surfaces which would result in increased stormwater runoff. The existing stormwater infrastructure may not be adequate to accommodate the increase in stormwater runoff. Furthermore, runoff from the site during construction, and from the parking lots and roadways following construction could result in the release of water pollutants in excess of State standards. Therefore, implementation of the Project would have a potentially significant impact related to hydrology, water quality, and stormwater drainage. Implementation of the following mitigation measures would reduce the above impact to a less-than-significant level. These facts support the City's finding. (Draft EIR, pp. 5.7-11 to 5.7-12; see also Final EIR pp. 2-52 to 2-53 and RTC 1-3, 5-11.)

b. *Impact 5.7-5: Impacts to police services*

(1) **Impact and Mitigation**

Implementation of the Project may cause impacts to police services. Mitigation Measure 5.7-5 addresses this potential impact and is as follows:

MM 5.7-5: Prior to issuance of a building permit, the applicant shall submit a public safety plan for review and approval of the Police Chief including, but not limited to, the following:

- Hours of operation shall be limited from 5:00 AM to 12:00 AM.
- Ensure adequate store security, including, but not limited to, the following:
    - Wal-Mart shall employ sufficient store security to address security and safety concerns both inside and outside the store including at least one security officer to patrol the parking lots during hours of operation.
    - Video surveillance shall be required both inside the store and at exterior locations.
    - Recordings for all cameras shall be maintained for a minimum of 60 days. The recordings shall be available for police inspection on demand.
    - The store security plan shall be submitted for review and approval of the Chief of Police to ensure that all conditions are met in terms of policy/procedures, adequate personnel on duty during hours of operation, and adequate video surveillance.
    - Allow for periodic site inspections and compliance reviews by police staff.
- Include as a Project condition of approval a requirement prohibiting camping in the parking lot.
- Prior to issuance of a Certificate of Occupancy in regards to response protocol, the applicant shall work with the Galt Police Department to develop a response protocol that pre-determines, to the extent possible, when the police should be called for incidents occurring at the store. The applicant shall incorporate the response

protocols into the store security plan for review and approval of the Police Chief, and train appropriate store personnel on this protocol.

- Prior to issuance of a building permit, the applicant shall submit a site plan check to the Police Chief for review and approval. The site plan shall include, but not limited to, the placement of cameras, lighting, vegetation, traffic and pedestrian patterns, and other pre-construction details.

(Draft EIR, pp. 5.7-14 to 5.7-15; see also Final EIR p. 2-53 and RTC 16-2 to 16-11.)

(2) **Finding**

"Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).) Mitigation Measure MM 5.7-5, which has been required in or incorporated into the Project, will reduce the significant environmental impact to a less-than-significant level.

(3) **Facts in Support of Finding**

The following facts indicate that the identified impact will be reduced to a less-than-significant level. These facts are a summary of the facts contained in the administrative record as a whole and are not an exclusive recitation of the facts supporting the finding.

Police protection services for the Project would be provided from the Galt Police headquarters at 455 Industrial Drive, located approximately 2.4 miles from the Project site. As stated in Chapter 3, Project Description, of this Draft EIR the Project would have a plainclothes security patrol inside the store, as well as regular associate and security patrols of the parking area. In addition, the Project would have an internal closed circuit camera system. The *Police Services Impact Report* determined that with development of the proposed project, the workload for the Galt Police Department would increase by approximately 462 hours, or one-third of an officer. It should be noted that the *Police Services Impact Report* determined that police officials from the other jurisdictions used in the analysis reported that crimes originating at Walmart do not spill over into nearby residential neighborhoods. The *Police Services Impact Report* determined that with implementation of mitigation measures, the Project would not significantly increase the workload of the Galt Police Department, nor generate sufficient crime and other public safety concerns to impact the quality of life in the surrounding community.

The City of Galt recently passed Measure "R," which is a half-cent sales tax increase that generates revenue to be used for police services. Based on projected sales revenue for the proposed project, approximately $228,701 per year would be generated by the operation of the Project to police services. As shown in Table 5.8-19, in Chapter 5.8, Urban Decay, of this EIR total sales tax generated by the Project would be $52,269,297. Approximately

$6,529,065 would be food sales, which is not a taxable item and was therefore subtracted from the total. The difference is $45,740,241, which was then multiplied by one-half cent, which equals $228,701.

Because the Project would generate revenue sufficient to support police services for the site, a less-than-significant impact would occur. However, adequate police services may be impeded when responding to a call on the site, based on operational activities and site design. Therefore, overall, a potentially significant impact would result in regard to police services. Implementation of the following mitigation measures would reduce the above impact to a less-than-significant level. These facts support the City's finding. (Draft EIR, pp. 5.7-13 to 5.7-14; see also Final EIR p. 2-53 and RTC 16-2 to 16-11.)

D. Significant Environmental Impacts That Cannot be Mitigated to a Less-than-significant Level

The following significant impacts would not be mitigated to a less-than-significant level, even with the implementation of the identified mitigation measures set forth below. No mitigation is feasible that would mitigate this impact to a less-than-significant level. The City has determined that the impact identified below is acceptable because of overriding economic, social or other considerations, as described in the Statement of Overriding Considerations. As required by CEQA, a Statement of Overriding Considerations is presented in Section XI below in addition to these findings.

1. <u>Aesthetics</u>

a. *Impact 5.2-3: Cumulative Impacts.*

(1) Impact and Mitigation

The Project, in combination with other projects, would result in long-term impacts to the visual character of the region. There are no feasible mitigation measures that would reduce this impact to a level of less than significant. (Draft EIR, pp. 5.2-10 to 5.2-11.)

(2) Finding

There are no feasible mitigation measures that would substantially lessen the severity of the significant effect or reduce that effect to a less-than-significant level. Therefore, the impact would remain significant and unavoidable.

(3) Facts in Support of Finding

As stated in the *Galt General Plan Update: 2030 EIR*, buildout of the 2030 General Plan, with which the Project is consistent, would result in the permanent alteration of the visual character of the City of Galt’s Sphere of Influence from a more rural setting to a setting that is characterized by suburban or urban uses (i.e., residences, shopping centers, etc.). In

addition, increased sources of light and glare would be associated with buildout of the General Plan. Despite consistency with the policies and implementation programs found in the General Plan, in conjunction with adopted State, County, and City regulations to enhance the City of Galt's current community character and preserve open space, implementation of the Project would result in an incremental contribution to significant cumulative impacts to the existing visual identity and character of the City.

State and local regulations, such as the State Scenic Highway guidelines, could mitigate some potential cumulative impacts along scenic corridors by preserving views and open space land. However, buildout of the 2030 General Plan, including the Project, combined with the overall growth trends in San Joaquin and Sacramento Counties would contribute to cumulatively considerable aesthetic impacts and thus a significant and unavoidable cumulative impact to aesthetics would result.

The *Galt General Plan Update: 2030 EIR* concluded that cumulative impacts related to degrading the existing visual character of the City in combination with other projects in the Galt area would be significant and unavoidable. Because the Project is consistent with the 2030 General Plan, the Project's cumulative impact to visual resources in the City and surrounding areas would be considered significant and unavoidable.

(Draft EIR, pp. 5.2-10 to 5.2-11.)

(4) **Statement of Overriding Considerations**

The Planning Commission has found that the Project benefits outweigh the significant unavoidable impacts of the Project. The full discussion can be found in the "Statement of Overriding Considerations" (Section XI).

As explained above, the Project would be consistent with the policies and implementation programs found in the General Plan, in conjunction with adopted State, County, and City regulations, to enhance the City of Galt's current community character and preserve open space. Nonetheless, the Project, in combination with development anticipated at buildout of the General Plan, would result in the permanent alteration of the visual character of the City from a more rural setting to a setting that is characterized by suburban or urban uses. Nevertheless, the City recognizes that there are no feasible mitigation measures available to reduce this impact to a less-than-significant level and, therefore, the impact remains significant and unavoidable. (Draft EIR, pp. 5.2-10 to 5.2-11.)

2. **Transportation and Circulation**

a. *Impact 5.3-13: Year 2030 Plus Project Freeway Conditions*

(1) **Impact and Mitigation**

The Project would contribute to unacceptable conditions on the SR 99 southbound, south of Twin Cities Road, mainline segment. There are no feasible mitigation measures that would reduce this impact to a level of less than significant. (Draft EIR, pp. 5.3-46 to 5.3-48.)

(2) **Finding**

There are no feasible mitigation measures that would substantially lessen the severity of the significant effect or reduce that effect to a less-than-significant level. Therefore, the impact would remain significant and unavoidable.

(3) **Facts in Support of Findings**

As presented in Draft EIR Table 5.3-22, the southbound freeway mainline south of Twin Cities Road is projected to operate at unacceptable LOS E during the PM peak hour, and the addition of the Project traffic would increase the density by more than five percent. Therefore, the Project's impact would be potentially significant at this location. Widening of southbound SR 99, south of Twin Cities Road, to add an additional lane (4th lane), would reduce the impact to a less-than-significant level, as shown in Draft EIR Table 5.3-24. It would not, however, be lawful for the City to require the Project to fund the full cost of this widening, which is necessitated by other projects as well as the Project. (CEQA Guidelines § 15126.4(a)(4) (requiring mitigation measures to be consistent with applicable constitutional principles and mandates that the mitigation measure must be "roughly proportional" to the project's impact).) In this case, widening the freeway mainline segment for the Project's traffic impact on a mainline segment already operating at unacceptable levels cannot be considered roughly proportional and cannot be legally imposed. Accordingly, mitigation is not proposed requiring the applicant to make this improvement.

Furthermore, a funding mechanism to implement the above regional improvement is not identified in any regional or local program. Therefore, there is no guarantee that the needed improvement will be constructed. Both the CEQA Guidelines and case law have held that an “actual plan for mitigation” must exist in order for fee payments to fully mitigate for a project’s impacts. In this case, no such plan exists for this freeway mainline segment; therefore, the residual significance of this impact is significant and unavoidable. These facts support the City’s finding.

(Draft EIR, pp. 5.3-46 to 5.3-48.)

(4) Statement of Overriding Considerations

The Planning Commission has found that the Project benefits outweigh the significant unavoidable impacts of the Project. The full discussion can be found in the "Statement of Overriding Considerations" (Section XI).

As noted above, unacceptable operations on this freeway mainline segment would largely be attributable to other projects and the Project alone would not trigger unacceptable operations. The City makes an extensive effort to avoid significant impacts to transportation. Nevertheless, the City recognizes that there are no feasible mitigation measures available to reduce this impact to a less-than-significant level and, therefore, the impact remains significant and unavoidable.

X. Feasibility of Mitigation Measures Proposed in Comments on the Draft EIR

During the public comment period, the City received comments suggesting additional mitigation measures. As explained in the Final EIR (Responses to Comments), most of these suggestions were found to be inappropriate because they were duplicative, did not address the impact, or were infeasible. Some measures were changed per comments, but the changes were insignificant and did not alter the level of significance determination or accompanying analysis. The Planning Commission commends its staff for their careful consideration of all of the lengthy public comments received and particularly its careful evaluation of the proposed mitigation measures. The Commission agrees with staff's analysis in all respects.

Throughout this entire process, the Commission and staff have remained cognizant of the legal obligation under CEQA to substantially lessen or avoid significant environmental effects to the extent feasible. The City recognizes, moreover, that comments frequently offer thoughtful suggestions regarding how a commenter believes that a particular mitigation measure can be modified, changed significantly, or added, in order to more effectively, in the commenter's eyes, reduce the severity of environmental effects. The City is also cognizant, however, that, with the exception of new language included in the Final EIR, the mitigation measures in the Draft EIR intended to avoid, minimize, rectify, reduce, compensate for, or substantially lessen significant environmental effects of the Project represents the fruit of extensive staff and consultant experience in countless projects. Thus, in considering proposed changes to mitigation measures, the City, in determining whether to accept such language, either in whole or in part, has considered the following factors, among others: (i) whether the proposed language relates to a significant and unavoidable environmental effect of the Project, or instead relates to an effect that can already be mitigated to less-than-significant levels; (ii) whether the proposed language represents a clear improvement, from an environmental standpoint, over the draft language that a commenter seeks to replace; (iii) whether the proposed language would essentially duplicate language already in place elsewhere within the mitigation measures identified for the Project; (iv) whether the proposed language appears to be feasible from an economic, technical, legal, or other standpoint; (v) whether the proposed language is consistent with the Project objectives.

As is evident from the specific responses given to specific suggestions, City staff and consultants spent large amounts of time carefully considering and weighing proposed mitigation measures. In no instance did the City fail to take seriously a suggestion made by a commenter or fail to appreciate the effort that went into the formulation of suggestions.

For instance, one commenter stated that the Draft EIR should study the issue of installing solar panels on the expanded Walmart store and that the City of Galt should require the Project to incorporate the panels. (See Final EIR, Comments 5-110, 5-116.) The CARB Scoping Plan, the CAPCOA white paper, and the Attorney General's Office do not mandate that new projects install photovoltaic systems, but rather allow the lead agencies to determine which strategies are most appropriate on a case-by-case basis. It should be noted that technology can only provide a small percentage of the store's electrical needs and is only economically feasible in the short term. Requiring solar panels would be inconsistent with CEQA's requirement that mitigation measures be roughly proportional to the impacts of the project. Moreover, there are more effective ways to promote non-carbon energy. For instance, PG&E, which is the existing energy provider to the Walmart store, is subject to the terms of AB 32's Renewable Portfolio Standards and, therefore, must obtain 33% of its energy from renewable resources. By staying on the grid and implementing energy efficiency measures, the Project may achieve as much, if not more, greenhouse gas reductions than through installation of solar panels. (Final EIR, pp. 3-273 to 3-275.)

XI. **Statement of Overriding Considerations**

Pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15093, the Planning Commission has balanced the economic, legal, social, technological, and other benefits of the proposed Galt Walmart Project against the significant and unavoidable impact associated with the proposed Project, and has adopted all feasible mitigation measures. The Planning Commission has also examined potentially feasible alternatives to the Project, none of which are feasible. The Planning Commission hereby adopts and makes the following Statement of Overriding Considerations regarding the significant and unavoidable impact of the Project and the anticipated economic, legal, social, technological, and other benefits of the Project.

A. **Significant and Unavoidable Impacts**

Based on information contained in the Record and in the EIR, the Planning Commission has determined that the Project would result in significant and unavoidable impacts on aesthetics and transportation and circulation. (Draft EIR, pp. 4-3 to 4-4; see also Final EIR pp. 2-36 to 2-48.)

B. **Finding**

The Planning Commission has considered all potentially feasible mitigation measures to substantially lessen or avoid the Project’s significant and unavoidable impacts. The

Commission finds that there are no feasible mitigation measures that would reduce the identified impacts. The Commission finds that it is not feasible to mitigate this Project impact.

The Planning Commission has also considered all potentially feasible alternatives to the Project. The Planning Commission finds that there are no feasible alternatives that would reduce the above significant and unavoidable impacts to a less-than-significant level.

The Project's impacts discussed above, therefore, remain significant and unavoidable.

C. **Overriding Considerations**

After review of the entire administrative record, including, but not limited to, the Final EIR, the staff report, applicant submittals, and the oral and written testimony and evidence presented at public hearings, the Planning Commission finds that specific economic, legal, social, technological and other anticipated benefits of the Project outweigh the significant and unavoidable impacts, and therefore justify the approval of this Project notwithstanding the identified significant and unavoidable impacts. (Pub. Resources Code, § 21081; CEQA Guidelines, § 15093.) The benefits are addressed in detail in Section XI.D below.

The Planning Commission specifically adopts and makes this Statement of Overriding Considerations that this Project has eliminated or substantially lessened all significant effects on the environment where feasible (including the incorporation of feasible mitigation measures), and finds that the remaining significant unavoidable impacts of the Project, which are described above in Section XI.A, are acceptable because the benefits of the Project set forth below in Section XI.D outweigh it. The Planning Commission finds that each of the overriding considerations expressed as benefits and set forth below in Section XI.D constitutes a separate and independent ground for such a finding. Any one of the reasons for approval cited below is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the Planning Commission will stand by its determination that each individual reason is sufficient by itself. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this Section XI, and in the documents found in the Record of Proceedings, as defined in Section III.

D. **Benefits of the Project**

The Planning Commission has considered the EIR, the public record of proceedings on the proposed Project and other written materials presented to and prepared by the City, as well as oral and written testimony received, and does hereby determine that implementation of the Project as specifically provided in the Project documents would result in the following substantial public benefits:

1. ***The Project Would Generate Sales Tax Revenue For the City.***

The sales generated by the Project would generate greater sales tax revenues for the City than would otherwise be generated by the site. These revenues would go to the City's General Fund, which is the primary funding source for the construction, operation and maintenance of a number of essential City services, programs and facilities including fire and police services, recreation programs, transit operations, library services, public infrastructure such as water and sanitary sewer service, and administrative functions, among other things.

2. ***The Project Would Create Diverse Employment Opportunities For City Residents.***

The Project would generate additional employment opportunities, including temporary construction jobs as well approximately 200 new permanent full-time and part-time jobs. The majority of the permanent jobs could be filled by existing local residents. Consequently, it is reasonably expected that the City and its residents would enjoy the economic and social benefits from added employment opportunities offered by the Project.

3. ***The Project Would Provide a High-Quality Development Design.***

The Project would provide high-quality architectural features and design elements. Architectural features such as trellises, awnings, canopies and articulated detailing will be used to accentuate the entrance spaces. The front elevation will feature a gently curving trellis structure and a seating area under a shade tree. The Project will also include a point of community engagement through the creation of the Clock Tower Plaza at the intersection of Twin Cities Road and Fermoy Way. The architecture of the tower complements the seating and landscaping of the plaza, as well as the architecture of the store by using similar design elements.

4. ***The Project Would Utilize High-Quality Building Materials.***

The Project would use high-quality materials to provide a building that meets or exceeds architectural design requirements. For instance, the iconic central wall identity element will consist of a floating secondary "green wall" system clad with Trespa "Meteon," a high-pressure resin panel system made of recycled wood and paper products, designed and manufactured to preserve the environment. The building will also include a generous amount of stucco and cultured stone veneer.

5. ***The Project Would Feature Numerous Energy Conserving Measures.***

The Project would incorporate numerous energy-conserving features. For instance, the store would include features such as the following: energy efficient HVAC units, central energy management, a dehumidifying system, a film on the freezer doors that combats condensation, waste heat capture, white roofs, non-PVC roofs, skylights with computer-controlled daylight sensors, night dimming, T-8 fluorescent lamps and electronic ballasts, "low mercury" lamps, occupancy sensors, LED signage illumination, integrally colored concrete

floors, recycled materials, sensor-activated low flow bathroom sinks, high-efficiency urinals, and ozone-friendly refrigerants.

6. ***The Project Would Provide Abundant Landscaping.***

The Project's landscape design would provide adequate screening, shade, delineation of space, and accents and focal points. The entire length of street frontage along Twin Cities Road and Fermoy Way will have 20-foot landscape setbacks. A new enhanced community space is proposed at the corner of Twin Cities Road and Fermoy Way. This element is composed of a round plaza setting with a clock tower at the center, surrounded by plantings and seating areas.

7. ***The Project Would Provide Quality Goods and Services Desired By City Residents.***

The Project would provide quality grocery goods and services to the Project area and surrounding neighborhoods. For example, although Walmart is a national retailer, it specifically tailors the merchandising mix of its individual stores in order to meet the demands and needs of the surrounding area.

8. ***The Project Would Increase Retail Activity in the Project Area.***

The Project could draw additional retailers to the area, thereby increasing retail activity in the Project area. The addition of a Walmart store tends to attract smaller retailers providing their own special services and goods. These smaller retailers see the benefit of locating near a Walmart store due to the increased customer activity in the area. This could benefit the surrounding area.

9. ***The Project Would Be a Good Member of the Community.***

Walmart will be an active corporate member of the community. Walmart is anticipated to take a role in assisting schools, non-profits, and important community efforts in the City.

10. ***The Project Would Contribute to and Fund Needed Infrastructure Improvements.***

The Project would contribute to needed transportation infrastructure improvements by paying the recently-adopted 2009 TCIP.

E. **Determination and Adoption of Statement of Overriding Considerations**

The Planning Commission has weighed the economic, legal, social, technological, and other benefits of the proposed Project, as set forth above in Section XI.D, against the

significant unavoidable impacts of the Project identified in the EIR (and discussed above in Section XI.A).

The Planning Commission hereby determines that those benefits outweigh the risks and adverse environmental impacts of the Project, and further determines that the Project's significant unavoidable impacts are acceptable.

Accordingly, the Planning Commission adopts the Statement of Overriding Considerations, recognizing that significant unavoidable impacts will result from implementation of the Project. Having (i) adopted all feasible mitigation measures, as discussed in the Environmental Impact Report; (ii) rejected alternatives to the Project, as discussed in the Environmental Impact Report; and (iii) recognized the significant unavoidable impacts of the Project, the Planning Commission hereby finds that each of the separate benefits of the proposed Project, as stated herein, is determined to be unto itself an overriding consideration, independent of other benefits, that warrants approval of the Project and outweighs and overrides its significant unavoidable impacts, and thereby justifies the approval of the Galt Walmart Project.

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1. In accordance with section 15082 of the CEQA Guidelines, the City prepared a Notice of Preparation ("NOP") of an Environmental Impact Report and filed it with the Office of Planning and Research ("OPR") on April 4, 2008. The NOP was circulated to the public, local and state agencies, and other interested parties to solicit comments on the Project. A public scoping meeting was held to further address concerns. Environmental issues and alternatives raised by comments received on the NOP during the public review period were considered for inclusion in the EIR. 3

2. The Draft EIR was circulated for public review on December 10, 2009. Copies of the Draft EIR were available at the City offices and the local public library. In addition, the Draft EIR was made available on the City's website and Project information was made available in PDF format or on CD by request.....3

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7. Copies of the Final EIR were sent to the commenting responsible agencies. All other commenters received notice with instructions for accessing the Final EIR. The Final EIR was also made available at the City offices and the local public library. In addition, the Final EIR was made available on the City's website. 4

8. Pursuant to Public Resources Code section 21092.5, the City provided a written response in the form of the Final EIR to all public agencies commenting on the Draft EIR, 10 days prior to certifying the EIR. 4

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EXHIBIT B

2 ERRATA TO REVISIONS TO THE DEIR TEXT

The FEIR included a typo in the DEIR circulation dates and Planning Commission meeting dates, as well as a typographical error in reference to an appendix. These typographical errors are corrected in this Errata to Revisions to the DEIR Text.

In addition, the DEIR concluded that some traffic impacts would be reduced to less-than-significant provided that the improvements were included in the City Traffic Capital Improvement Program (TCIP). However, because the TCIP was not adopted, the impacts were found to be significant and unavoidable. The TCIP was adopted on March 2, 2010, after the release of the DEIR. As noted in Revisions to the DEIR Text (Chapter 2 of the FEIR) and Responses to Comments (Chapter 3 of the FEIR), the significant and unavoidable conclusions are now less-than-significant given the adoption of the TCIP and an enforceable program to ensure that the mitigation is implemented. While the conclusions and mitigation measures were shown as updated in the technical DEIR chapters, the summary chapter conclusions were not included in the Revisions to the DEIR Text chapter of the FEIR. Therefore, for clarification purposes, the following additional text revisions to the summary chapters based upon the adoption of the TCIP are included.

1. INTRODUCTION AND LIST OF COMMENTERS

Page 1-1 of Chapter 1, Introduction and List of Commenters, of the Final EIR included a typographical error regarding the DEIR circulation dates and the Planning Commission meeting date. The last paragraph of page 1-1 is hereby revised to read:

> The City of Galt used the following methods to solicit public input on the DEIR: a Notice of Preparation (NOP) for the DEIR was released for a 30-day review from April 4, 2008 to May 5, 2008. In addition, a public scoping meeting was held on April 23, 2008 for further discussion and comments regarding the DEIR. A Notice of Availability of the DEIR was distributed from December 10, 2009 to January ~~02~~ 25, 2010 to applicable public agencies, responsible agencies, and interested individuals. In addition, a public meeting before the Planning Commission was held on January ~~01~~ 14, 2010 in order to receive verbal comments on the DEIR. Copies of the document were made available at the public counter of the City of Galt Planning Department, located at 495 Industrial Drive, Galt, California, 95632.

The correction is for clarification purposes only and does not change the conclusions of the DEIR.

2. EXECUTIVE SUMMARY

The second full paragraph on page 2-3 of Chapter 2, Executive Summary, of the DEIR is hereby revised as follows:

> The Transportation and Circulation chapter concludes that implementation of the proposed project would result in potentially significant project-specific impacts to the following: surrounding intersections from construction-related traffic; surrounding intersections under Short Term Plus Project Conditions; surrounding roadway segments under Short Term Plus Project Conditions; and internal on-site circulation and emergency vehicle access. However, with implementation of the mitigation measures in the Draft EIR, the impacts would be reduced to less-than-significant levels. Impacts to the surrounding intersections under Cumulative Year 2030 Base Plus Project Conditions~~;~~ and the surrounding roadway segments under Cumulative Year 2030 Base Plus Project Conditions~~; and surrounding freeway under Cumulative Year 2030 Base Plus Project Conditions~~ were also found to be less-than-significant due to adoption of the updated TCIP ~~and unavoidable because feasible mitigation does not currently exist~~. Impacts to the surrounding freeway under Cumulative Year 2030 Base Plus Project Conditions were found to be significant and unavoidable. The Draft EIR concludes that impacts to freeway operations under Short Term Plus Project Conditions, cut-through traffic, pedestrian circulation, transit facilities, bicycle facilities, project-related parking, and cumulative cut-through traffic would be less-than-significant.

This change is for clarification purposes and does not change the analysis presented in the DEIR or FEIR.

4. ALTERNATIVES

The first full paragraph on page 4-4 of Chapter 4, Alternatives, of the DEIR is hereby revised as follows:

- ***Transportation and Circulation.*** The proposed project would result in increased traffic volumes. Intersections, roadway segments, and freeway operations would operate at unacceptable levels under both short-term and long-term scenarios. Therefore, project-level and cumulative traffic impacts would be potentially significant. Impacts to surrounding intersections, surrounding roadway segments would also be less-than-significant.~~, and t~~The surrounding freeway under Cumulative Year 2030 Base Plus Project conditions would be significant and unavoidable.

This change is for clarification purposes and does not change the conclusions identified in the alternatives discussion in the DEIR.

5.3 TRANSPORTATION AND CIRCULATION

Page 2-36 of the Final EIR included an incorrect appendix reference. Page 2-36 of the Final EIR is hereby revised as follows:

> The second sentence of the first paragraph of Chapter 5.3, Transportation and Circulation, of the DEIR is hereby revised as follows:
>
> > The information is based on traffic movement counts, traffic projections, and technical analyses conducted for this EIR by Omni-Means, Ltd. (See Appendix C~~ED~~).

This change is for clarification purposes and does not alter any of the conclusions in the DEIR.

6. CEQA CONSIDERATIONS

The second full paragraph on page 6-5 of Chapter 6, CEQA Considerations, of the DEIR is hereby revised as follows:

> **Transportation and Circulation**
>
> The Transportation and Circulation chapter indicates that the proposed project would result in potentially significant cumulative impacts to ~~surrounding intersections, roadway segments, and freeway segments under the Cumulative Year 2030 Base Plus Project Conditions. The following intersections would operate at an unacceptable LOS under the Cumulative Year 2030 Base Plus Project Conditions; Twin Cities Road/Fermoy Way, Twin Cities Road/McKenzie Road, Twin Cities Road/Carillion Boulevard, Twin Cities Road/Marengo Boulevard, Twin Cities Road/Park Terrace Drive, Lake Park Avenue/Carillion Boulevard, Lake Canyon Drive/Carillion Boulevard, Elk Hills Drive/Carillion Boulevard, Twin Cities Road/Project Driveway, and Raley's Driveway/Fermoy Way. Furthermore, Twin Cities Road, east of Fermoy Way roadway segment will remain operating deficiently at LOS F for typical weekday conditions with added project trips. This roadway segment was found to operate at an unacceptable LOS F under the Year 2030 No Project conditions, and the addition of project traffic would increase the V/C at this roadway segment by more than five percent, resulting in a potentially significant impact. In addition, the~~ SR 99 southbound, south of Twin Cities Road freeway mainline segment, which would increase in density by more than five percent, which would cause a potentially significant impact. ~~It should be noted that the above improvements are not included in the current 2006 TCIP. At this time a guarantee cannot be made that the needed improvements will be constructed and~~ Feasible mitigation measures do not exist; therefore the impact would remain significant and unavoidable.

This change reflects the adoption of the new TCIP as described in the Response to Comments and Revisions to the DEIR Text chapters of the FEIR.

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4 MITIGATION MONITORING PLAN

4.0 Introduction

Section 15097 of the California Environmental Quality Act (CEQA) requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a "mitigated negative declaration" or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring Plan (MMP) for the Walmart project. The project as approved includes mitigation measures. The intent of the MMP is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Environmental Impact Report (EIR) for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMP shall be funded by the applicant.

4.1 Compliance Checklist

The MMP contained herein is intended to satisfy the requirements of CEQA as they relate to the EIR for the Walmart project prepared by the City of Galt. This MMP is intended to be used by City staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMP were developed in the EIR prepared for the proposed project.

The Walmart EIR presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA as a measure that:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments.

The intent of the MMP is to ensure the effective implementation and enforcement of adopted mitigation measures and permit conditions. The MMP will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by the City of Galt. The table attached to this report identifies the mitigation measure, the monitoring action for the mitigation measure, the responsible party for the monitoring action, and timing of the monitoring action. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMP. The City of Galt will be responsible for ensuring compliance.

During construction of the project, the City will assign an inspector who will be responsible for field monitoring of mitigation measure compliance. The inspector will report to the City Planning Department and will be thoroughly familiar with permit conditions and the MMP. In addition, the inspector will be familiar with construction contract requirements, construction schedules, standard construction practices, and mitigation techniques. In order to track the status of mitigation measure implementation, field-monitoring activities will be documented on compliance monitoring report worksheets. The time commitment of the inspector will vary depending on the intensity and location of construction. Aided by the attached table, the inspector will be responsible for the following activities:

- On-site, day-to-day monitoring of construction activities;
- Reviewing construction plans and equipment staging/access plans to ensure conformance with adopted mitigation measures;
- Ensuring contractor knowledge of and compliance with the MMP;
- Verifying the accuracy and adequacy of contract wording;
- Having the authority to require correction of activities that violate mitigation measures, securing compliance with the MMP;
- Acting in the role of contact for property owners or any other affected persons who wish to register observations of violations of project permit conditions or mitigation. Upon receiving any complaints, the inspector shall immediately contact the construction representative. The inspector shall be responsible for verifying any such observations and for developing any necessary corrective actions in consultation with the construction representative and the City of Galt;
- Obtaining assistance as necessary from technical experts in order to develop site-specific procedures for implementing the mitigation measures; and
- Maintaining a log of all significant interactions, violations of permit conditions or mitigation measures, and necessary corrective measures.

4.2 Mitigation Monitoring Plan

The following table indicates the mitigation measure number, the impact the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
5.0 Introduction to the Analysis					
5.0-1	Biological Resources	<u>Tree-Nesting Birds</u> *5.0-1(a)* *Nesting migratory birds (non-raptor) – If site disturbance is proposed by the project proponent during the non- nesting season (August 16 to Jan. 31), no additional action is required; however, if site disturbance is proposed by the project proponent during the nesting season (Feb. 1 to Aug. 15), the following shall be implemented: A preconstruction survey shall be conducted by a qualified wildlife biologist 15 days prior to the start of project related activities. If nests of migratory birds are detected on-site, or within 100 feet of the site, the project proponent shall consult with CDFG to determine the size of a suitable buffer in which no new site disturbance is permitted until August 15, or the qualified biologist determines that the young are foraging independently, or the nest has been abandoned.*	CDFG City Planning Department	Prior to site disturbance during the nesting season and 15 days prior to the start of project related activities	
		5.0-1 (b) *Raptors – If construction is proposed during breeding season (March-August), a pre-construction raptor nest survey shall be conducted within 30 days prior to the beginning of construction activities*	CDFG City Planning Department	Prior to construction during breeding season and within 30 days	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		by a qualified biologist in order to identify active nests in the project site vicinity. The results of the survey shall be submitted to CDFG and the Planning Department. If no active nests are found during the pre-construction survey, no further mitigation is required. If active nests are found, a quarter-mile (1320 feet) initial temporary nest disturbance buffer shall be established. If project related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season (approximately March 1 and September 1), then an on-site biologist/monitor experienced with raptor behavior shall be retained by the project proponent to monitor the nest, and shall along with the project proponent, consult with the DFG to determine the best course of action necessary to avoid nest abandonment or take of individuals. Work may be allowed to proceed within the temporary nest disturbance buffer if raptors are not exhibiting agitated behavior such as defensive flights at intruders, getting up from a brooding position, or flying off the nest. The designated on-site biologist/monitor shall be on-site daily while construction related activities are taking place and shall have the authority		prior to the beginning of construction activities	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		to stop work if raptors are exhibiting agitated behavior. In consultation with the DFG and depending on the behavior of the raptors, over time it may be determined that the on-site biologist/monitor may no longer be necessary due to the raptors' acclimation to construction related activities. Any trees containing nests that must be removed as a result of project implementation shall be removed during the non-breeding season (October to February), however the project proponent shall be responsible for offsetting the loss of any Swainson's hawk nesting trees. The extent of any necessary compensatory mitigation shall be determined by the project proponent in consultation with the DFG. Past recommended mitigation for the loss of nesting trees has been at a ratio of three trees for each nest tree removed during the non-nesting season.			
		5.0-1(c) *Trees greater than six inches dbh planned for removal shall be removed between September 1 and March 1 (or as otherwise determined in consultation with CDFG) to ensure that active raptor nests are not removed as a result of construction related activities.*	City Planning Department	At the time of tree removal	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		Burrowing Owls *5.0-2(a)* *The Staff Report on Burrowing Owl Mitigation, published by CDFG (1995), recommends pre-construction surveys shall be conducted to locate active burrowing owl burrows. Prior to issuance of grading permits, this preconstruction survey shall be conducted by a qualified biologist or ornithologist during both the wintering and nesting season, unless the species is detected on the first survey. If possible, the winter survey shall be conducted between December 1 and January 31 (when wintering owls are most likely to be present) and the nesting season survey should be conducted between April 15 and July 15 (the peak of breeding season). Surveys conducted from two hours before sunset to one hour after, or from one hour before to two hours after sunrise, are preferable. The survey techniques shall be consistent with the Staff Report survey protocol and include a 260-foot-wide buffer zone surrounding the project area. Repeat surveys should also be conducted not more than 30 days prior to initial ground disturbance to inspect for re-occupation and the need for additional protection measures. The*	CDFG City Planning Department	Prior to issuance of grading permits	

MITIGATION MONITORING PLAN WALMART						
Impact Number	**Impact**		**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
			survey(s) shall be paid by the applicant and approved by the City. If no burrowing owls are detected during preconstruction surveys, then no further mitigation is required. If burrowing owls are detected in preconstruction surveys, implementation of Mitigation Measure 5.0-2(b) (below) will be necessary.			
		5.0-2(b)	*If active burrowing owl burrows are identified, project activities shall not disturb the burrow during the nesting season (February 1–August 31) or until a qualified biologist has determined that the young have fledged or the burrow has been abandoned. A no disturbance buffer zone of 160-feet is required to be established around each burrow with an active nest until the young have fledged the burrow as determined by a qualified biologist.*	CDFG City Planning Department	Prior to project activities during the nesting season (February 1–August 31)	
		5.0-2(c)	*If destruction of the occupied burrow is unavoidable during the non-breeding season, September 1– January 31, passive relocation of the burrowing owls shall be conducted. Passive relocation involves installing a one-way door at the burrow entrance, encouraging owls to move from the occupied burrow. No permit is required to conduct passive*	CDFG City Planning Department	Prior to the destruction of a burrow occupied by a burrowing owl	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		relocation; however, this process shall be conducted by a qualified biologist and in consultation of and accordance with CDFG guidelines. In addition, to offset the loss of foraging and burrow habitat on the project site, a minimum of 6.5 acres of foraging habitat (calculated on a 300-ft foraging radius around the burrow) per pair or unpaired resident bird, shall be acquired and permanently protected at a location acceptable to the CDFG.			
		5.0-2(d) *If burrowing owls are identified on the project site, a mitigation plan shall be submitted to and approved by CDFG and the City of Galt, prior to the issuance of grading permits for the proposed project.*	CDFG City Planning Department	Prior to the issuance of grading permits	
		<u>Swainson's Hawk</u>			
		5.0-3 *Prior to the issuance of grading permits, the project proponent, in consultation with CDFG; shall mitigate for loss of foraging habitat at a ratio of one acre of suitable foraging habitat for every one acre utilized by the proposed project. Project proponents shall provide for the long-term endowment of compensatory mitigation lands by funding a management endowment (the*	CDFG City Planning Department	Prior to the issuance of grading permits	

MITIGATION MONITORING PLAN WALMART						
Impact Number	**Impact**		**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
			interest on which shall be used for managing the mitigation lands) at a per acre rate (adjusted annually for inflation and varying interest rates).			
	Cultural Resources	*5.0-4*	*Prior to the approval of the improvement plans, the project's improvement plans shall include notes (per California Health & Safety Code, Section 7050.5, Government Code 27491, and Public Resource Code Section 5097.98) indicating that if historic and/or cultural resources, including human remains, are encountered during site grading or other site work, all such work shall be halted immediately within the area of discovery and the project contractor shall immediately notify the Planning Department of the discovery. Additionally, the construction notes would indicate that in the event that human remains are discovered, the Sacramento County Coroner shall be immediately notified, and if the remains are thought to be Native American, the Native American Heritage Commission shall be notified. In the case of an archeological, prehistoric, or historic discovery, the developer shall be required to retain the services of a qualified archaeologist as approved by the City for the purpose of recording,*	City Planning Department Sacramento County Coroner Native American Heritage Commission	Prior to the approval of improvement plans	

MITIGATION MONITORING PLAN WALMART						
Impact Number	**Impact**		**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
			protecting, or curating the discovery as appropriate. The archaeologist shall be required to submit to the Planning Department for review and approval a report of the findings and method of curation or protection of the resources. Further grading or site work within the area of discovery shall not be allowed until the preceding steps have been taken.			
	Geology and Soils	*5.0-5*	*Prior to issuance of a grading permit, the project applicant shall submit, for the review and approval of the City Engineer, an erosion control plan that will utilize standard construction practices to limit the erosion effects during construction of the proposed project and comply with the Stormwater Quality Design Manual for Sacramento and Placer regions. Measures could include, but are not limited to:* • *Hydro-seeding;* • *Placement of erosion control measures within drainageways and ahead of drop inlets;* • *The temporary lining (during construction activities) of drop inlets with "filter fabric" (a specific type of geotextile fabric);*	City Engineer	Prior to issuance of a grading permit	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		• *The placement of straw wattles along slope contours;* • *Directing subcontractors to a single designation "wash-out" location (as opposed to allowing them to wash-out in any location they desire);* • *The use of silt fences; and* • *The use of sediment basins and dust palliatives.*			
	Hazards and Hazardous Materials	*5.0-6* *If during removal of all on-site debris by the project contractor, visual or olfactory evidence of potential soil contamination is observed, the project applicant shall contact Wallace Kuhl (or other similarly qualified firm), the property owner, the City, and the Sacramento County Environmental Health Department for further assessment. If these parties determine that the items are not hazardous, they shall be removed and discarded in accordance with local standards at the expense of the applicant. If these parties determine that subsurface hazardous substances are located onsite, these substances shall be removed and the soil remediated to the satisfaction of the City of Galt and the Sacramento County Environmental Health Department, at the expense of the applicant.*	City Public Works Department Sacramento County Environmental Health Department	During removal of all on-site debris	

MITIGATION MONITORING PLAN WALMART						
Impact Number	**Impact**	**Mitigation Measure**		**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		5.0-7	*Prior to the issuance of a grading permit, the applicant shall retain a qualified consultant to verify the presence of a water well on-site. If a water well is not found on-site, no further action is necessary.*	City Engineer	Prior to issuance of a grading permit	
		5.0-8	*If the presence of a water well is verified by a qualified consultant, prior to initiation of any ground disturbance activities within 50 feet of the well, the applicant shall hire a licensed well contractor to obtain a well abandonment permit from Sacramento County Environmental Health Department, and properly abandon the on-site well, per review and approval of the City Engineer and the Sacramento County Environmental Health Department.*	Sacramento County Environmental Health Department City Engineer	Prior to initiation of any ground disturbance activities within 50 feet of a well	
5.2 Aesthetics						
5.2-2	Impacts associated with new sources of light and glare.	*5.2-2*	*In conjunction with the submittal of Improvement Plans, the applicant shall submit a lighting plan for the review and approval of the Planning Department. The lighting plan shall indicate the provision of shielding for all light fixtures to avoid nighttime lighting spillover effects on adjacent land uses and nighttime sky conditions. In addition, the lighting plan shall address limiting light*	City Planning Department	In conjunction with the submittal of improvement plans	

MITIGATION MONITORING PLAN WALMART						
Impact Number	**Impact**		**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
			trespass and glare through the use of shielding and directional lighting methods including, but not limited to, fixture location, design, and height. The applicant shall implement the approved lighting plan in conjunction with development of the proposed project, for the review and approval of the Planning Department.			
5.3 Transportation and Circulation						
5.3-1	Impacts to surrounding intersections from construction-related traffic.	*5.3-1*	*Prior to issuance of grading permit and start of construction activities, the project contractor shall submit a traffic control plan in compliance with City standards, which ensures adequate emergency access and circulation to neighboring properties during construction, for the review and approval of the City Engineer. The plan shall include detour routes, location of appropriate signage, and construction personnel to facilitate the safe flow of traffic.*	City Engineer	Prior to issuance of grading permits and start of construction activities	
5.3-2	Impacts to the surrounding intersections under Short Term Plus Project Conditions Improvements.	*5.3-2(a)*	*Prior to building permit issuance, the applicant shall pay the TCIP fee, to the satisfaction of the City Public Works Department.* *Or*	City Public Works Department	Prior to building permit issuance	

MITIGATION MONITORING PLAN WALMART						
Impact Number	**Impact**		**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
			Prior to the issuance of building permits, if adequate funding for development of the roundabout improvements is not available, the applicant shall show proof of payment of the difference to fund the improvements, for review and approval of the City Public Works Department.			
		5.3-2(b)	*Prior to approval of Improvement Plans, the applicant shall include on the plans, for the review and approval of the City Public Works Department, the following improvements to the Twin Cities Road/Bergeron Road intersection: construct a "pork chop" median or a raised median to prohibit the outbound left turns on Bergeron Road. Construction shall be complete prior to occupancy of the proposed project.*	City Public Works Department	Prior to approval of Improvement Plans	
5.3-3	Impacts to the surrounding roadway segments under Short Term Plus Project Conditions Improvements.	*5.3-3*	*Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the widening of Twin Cities Road to a four lane arterial (Phase 1), or other roadway widening configurations that would provide acceptable peak hour level of service operations, and eventually a six lane expressway (Phase 2) from Fermoy Way to Carillion Boulevard. If adequate funding for widening of Twin Cities Road*	City Public Works Department	Prior to building permit issuance	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		to a four lane arterial (Phase 1), or other roadway widening configurations that would provide acceptable peak hour level of service operations is not available, the applicant shall widen Twin Cities Road to four lanes from Fermoy Way to Carillion Boulevard or to a roadway widening configuration that would provide acceptable peak hour level of service operations. If constructed by the applicant, construction shall be complete prior to occupancy of the proposed project.			
5.3-9	Impacts to internal on-site circulation and emergency vehicle access.	*5.3-9* *Prior to issuance of a building permit, the applicant shall submit the site plan to the Cosumnes Community Services District Fire District (CCSDFD) for review and approval of the project internal circulation and access design to ensure conformance with emergency vehicle turning radii.*	Cosumnes Community Services District Fire District	Prior to issuance of a building permit	
5.3-11	Impacts to the surrounding intersections under Year 2030 Plus Project conditions.	*Twin Cities Road/Fermoy Way* *5.3-11(a)* *Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the following Twin Cities Road/Fermoy Way intersection improvements:*	City Public Works Department	Prior to building permit issuance	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		<u>Northbound Approach</u> • *Widen to provide an additional left-turn lane* • *One through lane* • *Widen to provide an exclusive right-turn lane* *<u>Southbound Approach</u>* • *Widen to provide two right-turn lanes* *<u>Eastbound and Westbound Approaches</u>* • *Widen to provide an additional left-turn lane* • *Widen to provide two additional through lanes* *Twin Cities Road/McKenzie Road* *5.3-11(b) Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the following Twin Cities Road/ McKenzie Road intersection improvements:* *<u>Northbound and Southbound Approaches</u>* • *Construct a "pork chop" median or a raised median to prohibit the outbound left turns on northbound and southbound*	City Public Works Department	Prior to building permit issuance	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		McKenzie Road *<u>Eastbound and Westbound Approaches</u>* • *Widen to provide two additional through lanes* *Twin Cities Road/Carillion Boulevard* *5.3-11(c) Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the following Twin Cities Road/Carillion Boulevard intersection improvements.* *<u>Northbound Approach</u>* • *Widen to provide an additional left-turn lane* • *Re-stripe the northbound right only lane to a through-right lane and construct the receiving lane* *<u>Southbound Approach</u>* • *Widen to provide an additional left-turn lane* • *Widen to provide an additional through lane* • *Widen to provide one right-turn lane*	City Public Works Department	Prior to building permit issuance	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		<u>Eastbound Approach</u> • *Widen to provide two additional through lanes* • *Provide right turn overlap* *<u>Westbound Approach</u>* • *Widen to provide two additional through lanes* *Twin Cities Road/Marengo Road* *5.3-11(d) Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the Twin Cities Road/Marengo Road intersection improvements:* *<u>Northbound Approach</u>* • *Widen to provide an additional left-turn lane* *<u>Southbound Approach</u>* • *Widen to provide one right-turn lane* *<u>Eastbound and Westbound Approaches</u>* • *Widen to provide an additional through lane* • *Widen to provide an additional left-turn lane*	City Public Works Department	Prior to building permit issuance	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		Twin Cities Road/Park Terrace Drive *5.3-11(e) Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the Twin Cities Road/Park Terrace Drive intersection improvements:* *<u>Northbound and Southbound Approaches</u>* • *Construct a "pork chop" median or a raised median to prohibit the outbound left turns on northbound and southbound Hauschildt Road* *<u>Eastbound and Westbound Approaches</u>* • *Widen to provide two additional through lanes*	City Public Works Department	Prior to building permit issuance	
		Lake Park Avenue/Carillion Boulevard *5.3-11(f) Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the Lake Park Avenue/Carillion Boulevard intersection improvements:* • *Widen the westbound Lake Park Avenue to allow for an exclusive*	City Public Works Department	Prior to building permit issuance	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		left-turn lane and provide an acceleration lane for the outbound lefts from Lake Park Avenue. This acceleration lane can be accommodated by removing the landscaping, including curb and gutter.			
		Lake Canyon Drive/Carillion Boulevard *5.3-11(g) Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the Lake Canyon Drive/Carillion Boulevard intersection improvements:* • *Installation of a signal with protected phasing at the north-south approaches and permitted/split phasing at the east-west approaches. No intersection widening is recommended.*	City Public Works Department	Prior to building permit issuance	
		Elk Hills Drive/Carillion Boulevard *5.3-11(h) Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the Elk Hills*	City Public Works Department	Prior to building permit issuance	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		Drive/Carillion Boulevard intersection improvements: • *Installation of a signal with protected phasing at the north-south approaches and permitted/split phasing at the east-west approaches. No intersection widening is recommended.*			
		Twin Cities Road/Project Driveway	City Public Works Department	Prior to approval of Improvement Plans	
		5.3-11(i)(a) Prior to approval of Improvement Plans, the applicant shall include on the plans, for the review and approval of the City Public Works Department, the following improvements to the Twin Cities Road/Project Driveway intersection: construct a "pork chop" median or a raised median to prohibit the outbound left turns on northbound Project Driveway Approach (left turns into the project site from Twin Cities Road shall be allowed). Improvements shall be completed prior to occupancy.			
		5.3-11(i)(b) Prior to building permit issuance, the applicant shall pay the TCIP fee toward the widening of Twin Cities Road, east of Fermoy Way to a six-lane expressway.	City Public Works Department	Prior to building permit issuance	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		Raley's Driveway/Fermoy Way *5.3-11(j)* *Prior to approval of Improvement Plans, the applicant shall include on the plans, for the review and approval of the City Public Works Department, the following improvements to the Twin Raley's Driveway/Fermoy Way intersection:* • *All (Four) Way Stop Control* • *Widen the northbound and southbound Fermoy Way to provide an exclusive left turn lane* *Or* • *Actuated Traffic Signal* *Improvements shall be completed prior to occupancy.*	City Public Works Department	Prior to approval of improvement plans Improvements completed prior to occupancy	
5.3-12	Impacts to the surrounding roadway segments under Cumulative Year 2030 Plus Project Conditions.	*5.3-12* *Implement Mitigation Measure 5.3-11(i)(b).*	See Mitigation Measure 5.3-11(i)(b)	See Mitigation Measure 5.3-11(i)(b)	
5.4 Air Quality					
5.4-1	Construction-related impacts resulting in temporary increases in	*5.4-1* *The project applicant shall ensure that emissions from all off-road diesel-powered equipment used on the project*	SMAQMD	Prior to issuance of a grading permit	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
	particulate matter levels in the immediate vicinity of the project site.	*site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired by the developer immediately, and SMAQMD shall be notified by the developer within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made by the developer at least weekly, and a monthly summary of the visual survey results shall be submitted by the developer to the City Planning Department throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supercede other SMAQMD or State rules or regulations.* *Prior to issuance of a grading permit, the applicant/developer shall incorporate the following measures into the construction contract documents, which shall be*	City Planning Department City Engineer	and Throughout the duration of the project	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		submitted for the review and approval of the City Engineer: • *Apply water, chemical stabilizer/suppressant, or vegetative cover to disturbed areas, including storage piles that are not being actively used for construction purposes, as well as any portions of the construction site that remain inactive for longer than 3 months;* • *Water exposed surfaces sufficient to control fugitive dust emissions during demolition, clearing, grading, earth-moving, or excavation operations. Actively disturbed areas should be kept moist at all times;* • *Cover all vehicles hauling dirt, sand, soil or other loose material or maintain at least two feet of freeboard in accordance with the requirements of California Vehicle Code Section 23114;* • *Limit or expeditiously remove the accumulation of project-generated mud or dirt from adjacent public streets at least once every 24 hours when*			

MITIGATION MONITORING PLAN WALMART						
Impact Number	**Impact**	**Mitigation Measure**		**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
			construction operations are occurring; and • *Limit onsite vehicle speeds on unpaved surfaces to 15 mph, or less.*			
5.5 Noise						
5.5-1	Construction-related noise impacts.	*5.5-1(a)*	*Construction activities shall comply with the City of Galt Noise Ordinance and shall be limited to the hours set forth below:* *Monday-Friday* *6:00 AM to 8:00 PM* *Saturday and Sunday* *7:00 AM to 8:00 PM* *These criteria shall be included in the grading plan submitted by the applicant/developer for review and approval of the Public Works Department prior to issuance of grading permits. Exceptions to allow expanded construction activities shall be reviewed on a case-by-case basis as determined by the Chief Building Official and/or City Engineer.*	City Public Works Department Chief Building Official City Engineer	Prior to issuance of grading permits and During construction	
		5.5-1(b)	*Construction activities shall adhere to the requirements of the City of Galt with respect to hours of operation, muffling of*	City Public Works Department	Prior to issuance of grading permits	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		internal combustion engines, and other factors that affect construction noise generation and its effects on noise-sensitive land uses. Prior to issuance of grading permits, these criteria shall be included in the grading plan submitted by the applicant/developer for the review and approval of the Public Works Department.		and During construction	
		5.5-1(c) *During construction, the applicant/developer shall designate a disturbance coordinator and conspicuously post this person's number around the project site and in adjacent public spaces. The disturbance coordinator will receive all public complaints about construction noise disturbances and will be responsible for determining the cause of the complaint, and implement feasible measures to be taken to alleviate the problem. The disturbance coordinator shall report all complaints and corrective measures taken to the Community Development Director.*	Community Development Director	During construction	
		5.5-1(d) *The project soundwalls shall be constructed as early as feasible in the project construction timeline to mitigate construction noise. The project*	City Public Works Department	During construction	

MITIGATION MONITORING PLAN WALMART						
Impact Number	**Impact**		**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
			soundwalls are expected to reduce construction noise levels by 5 to 10 dB.			
		5.5-1(e)	*A temporary soundwall a minimum of 8 feet in height shall be erected along the south property line to shield demolition and construction activities associated with construction of new soundwalls. The soundwall shall be an appropriate acoustical barrier, such as a hanging curtain with an STC rating of 27, or higher, and should not have any gaps or openings around the edges. Plywood is not recommended.*	City Public Works Department	During construction	
5.5-2	Impacts related to vibration associated with construction activities.	*5.5-2*	*Implement Mitigation Measures 5.5-1(b) and 5.5-1(c).*	See Mitigation Measures 5.5-1(b) and 5.5-1(c)	Mitigation Measures 5.5-1(b) and 5.5-1(c)	
5.5-4	Expose existing receptors to on-site noise levels exceeding applicable noise standards.	*5.5-4(a)*	*Prior to the issuance of a building permit, the plans shall show 12-foot soundwalls to be constructed along the east and south property lines of the site and a 20-foot soundwall shall be constructed along the south side of the project loading dock, as shown on Figure 5.5-3, for the review and approval of the Community Development Director and the City Engineer. The 20-foot barrier should completely shield the front of truck engines and cabs from view of the adjacent residential uses. The barrier*	Community Development Director City Engineer	Prior to the issuance of a building permit	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		should be constructed of a Sono-Con Exterior Acoustical Panel System which incorporates both sound transmission blocking and sound absorption blocking capabilities to minimize sound reflections in the truck well. Product information for the recommended barrier product is attached. Acoustically similar barriers may be used, but they should be reviewed by an acoustical consultant prior to construction. Soundwalls shall be constructed with a rough, split face CMU block or acoustical sound absorbing block to minimize reflections between the soundwalls and the Walmart building façade. Smooth block walls should be avoided, unless heavily landscaped.			
		5.5-4(b) *Prior to the issuance of a building permit, the plans shall show that rooftop mechanical equipment shall be shielded from view, as specified in the City of Galt Zoning Ordinance, for the review and approval of the Community Development Director. Additionally, rooftop refrigeration equipment shall be shielded through the use of rooftop mechanical noise barriers in the direction of residential uses.*	Community Development Director	Prior to the issuance of a building permit	

MITIGATION MONITORING PLAN WALMART						
Impact Number	**Impact**	**Mitigation Measure**		**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		5.5-4(c)	*As a condition of approval, loading and delivery activities, including fork lift usage, shall be limited to daytime hours (7:00 AM to 10:00 PM), as specified in the City of Galt Zoning Ordinance.*	Community Development Director	During project operation	
		5.5-4(d)	*Truck idling and refrigeration truck deliveries shall be prohibited at the vendor delivery service area.*	Community Development Director	During project operation	
		5.5-4(e)	*During daytime (7:00 AM to 10:00 PM) parking lot cleaning in the main parking lot, a 30-foot setback from the eastern property line shall be maintained for mechanical parking lot cleaning.*	Community Development Director	During project operation	
		5.5-4(f)	*As a condition of approval, mechanical sweeping shall be limited to daytime hours (7:00 AM to 10:00 PM), as specified in the City of Galt Zoning Ordinance.*	Community Development Director	During project operation	
5.5-5	Expose sensitive receptors to noise-related sleep disturbances.	*5.5-5*	*Implement Mitigation Measures 5.5-4(b), (c), (e), and (f).*	See Mitigation Measures 5.5-4(b), (c), (e), and (f)	See Mitigation Measures 5.5-4(b), (c), (e), and (f)	
5.7 Public Services						
5.7-3	Impacts related to hydrology, water quality, and stormwater drainage.	*5.7-3(a)*	*Prior to the issuance of building permits, the developer shall obtain and comply with the NPDES general construction permit including the submittal of a Notice*	SWRCB City Engineer	Prior to the issuance of building permits	

MITIGATION MONITORING PLAN WALMART						
Impact Number	**Impact**		**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
			of Intent (NOI) and associated fee to the SWRCB and the preparation of a Storm Water Pollution Prevention Plan (SWPPP) that includes both construction stage and permanent storm water pollution prevention practices to be submitted to the City Engineer for review.			
		5.7-3(b)	*The project shall utilize runoff reduction and source control measures consistent with adopted Stormwater Quality Design Manual to the maximum extent practicable and to the satisfaction of the City Engineer.*	City Engineer	Prior to the issuance of grading permits	
		5.7-3(c)	*Prior to issuance of grading permits, the applicant shall develop and submit a stormdrain model to analyze the existing stormdrain system and a Drainage Master Plan to the City Engineer for review and approval. The Drainage Master Plan shall describe how on-site draining systems will be designed to compensate for the reduced water absorption capacity of the site and to prevent flooding of adjacent properties. The Plan must ensure that all stormwater entering or originating within the project site shall be conveyed, without diversion of the watershed, to the nearest adequate, natural watercourse, or adequate man-*	City Engineer	Prior to issuance of grading permits	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		made drainage facility. The Drainage Master Plan shall implement BMPs to control quality of stormwater runoff. The project applicant shall comply with all of the requirements of the new MS4 permit as detailed in the Water Quality Planning and Design Principles Water Quality Planning and Design Principles, Low Impact Strategies, and the Stormwater Quality Design Manual for Sacramento and South Placer Regions.			
5.7-5	Impacts to police services.	*5.7-5* *Prior to issuance of a building permit, the applicant shall submit a public safety plan for review and approval of the Police Chief including, but not limited to, the following:* • *Hours of operation shall be limited from 5:00 AM to 12:00 AM.* • *Ensure adequate store security, including, but not limited to, the following:* o *Wal-Mart shall employ sufficient store security to address security and safety concerns both inside and outside the store including at least one security officer to patrol the parking lots during hours of operation.* o *Video surveillance shall be*	Police Chief	Prior to issuance of a building permit	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		required both inside the store and at exterior locations. o *Recordings for all cameras shall be maintained for a minimum of 60 days. The recordings shall be available for police inspection on demand.* o *The store security plan shall be submitted for review and approval of the Chief of Police to ensure that all conditions are met in terms of policy/procedures, adequate personnel on duty during hours of operation, and adequate video surveillance.* o *Allow for periodic site inspections and compliance reviews by police staff.* • *Include as a project condition of approval a requirement prohibiting camping in the parking lot.* • *Prior to issuance of a Certificate of Occupancy in regards to response protocol, the applicant shall work with the Galt Police Department to develop a response protocol that pre-determines, to the extent possible, when the police should be called for incidents occurring at the store.*			

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		The applicant shall incorporate the response protocols into the store security plan for review and approval of the Police Chief, and train appropriate store personnel on this protocol. • *Prior to issuance of a building permit, the applicant shall submit a site plan check to the Police Chief for review and approval. The site plan shall include, but not limited to, the placement of cameras, lighting, vegetation, traffic and pedestrian patterns, and other pre-construction details.*			

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ATTACHMENT 2

RESOLUTION NO. 2010___(PC)

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GALT, CALIFORNIA, APPROVING THE CONDITIONAL USE PERMIT, DETERMINING CONSISTENCY WITH THE BIG BOX ORDINANCE, AND GRANTING THE APPEAL OF THE NOTICE OF DECISION ON THE SITE PLAN FOR THE WALMART PROJECT

WHEREAS, Walmart, a retail business, has requested a Conditional Use Permit to construct and operate a Walmart store of up to 137,277 square feet and ancillary site improvements at the southeast corner of Twin Cities Road and Fermoy Way, located in the City of Galt (APN: 148-0074-058); and

WHEREAS, the subject property is in the Commercial General Plan land use designation and Highway Commercial zoning district; and

WHEREAS, the project is defined as a Discount Superstore retail business which is a conditionally permitted use in the Highway Commercial (HC) zoning district; and

WHEREAS, Chapter 18.38 of the Galt Municipal Code requires that the project meet certain architectural and site design standards and compliance with said standards shall be reviewed by the Architectural Review Committee; and

WHEREAS, the Architectural Review Committee held a duly noticed public meeting on February 22, 2010 to review the project and recommended approval of the architecture and site design details to the Planning Commission; and

WHEREAS, in accordance with Section 18.68.030 of the Galt Municipal Code, the Community Development Director issued a Notice of Decision conditionally approving the site plan and design review for the Walmart Project on March 10, 2010; and

WHEREAS, the applicant filed an appeal of the conditions of the Notice of Decision on March 12, 2010 which was considered by the Planning Commission on March 25, 2010; and

WHEREAS, an Environmental Impact Report (EIR) was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA); and

WHEREAS, in compliance with Public Resources Code §21080.4, a Notice of Preparation ("NOP") was prepared by the City of Galt and was distributed to the State Clearinghouse of the Office of Planning and Research, responsible agencies and other interested parties on April 4, 2008 announcing the City's intent to prepare an Environmental Impact Report for the Walmart Project (Project), and to provide interested agencies and the general public an opportunity to express their concerns regarding the potential environmental effects of the Project; and

WHEREAS, a scoping meeting for the Draft EIR was held on April 23, 2008; and

WHEREAS, the Draft Environmental Impact Report (SCH# 2008042024) was advertised for a public review period commencing December 10, 2009 and ending January 25, 2010 at 5:00 p.m; and

WHEREAS, the Planning Commission of the City of Galt held a duly noticed public meeting on January 14, 2010 to accept public comments on the Draft EIR; and

WHEREAS, the Planning Commission of the City of Galt held a duly noticed public hearing on March 25, 2010 to consider the certification of the Final Environmental Impact Report and Mitigation Monitoring and Reporting Program (MMRP) as well as approval of the Conditional Use Permit application, consistency with the Big Box Ordinance and the appeal of the Notice of Decision on the site plan and design review; and;

WHEREAS, the Planning Commission, using their independent judgment, reviewed the Final Environmental Impact Report, Mitigation Monitoring and Reporting Program (MMRP), and all evidence in the record related to the proposed project including the staff report, public testimony, and all evidence presented both orally and in writing; and

WHEREAS, the Final EIR was certified by the Planning Commission as set forth in Resolution 2010___(PC) providing a basis for project approval and imposition of conditions.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Galt, California, hereby makes the following findings:

A. The Planning Commission, at the public hearing on March 25, 2010, reviewed the Conditional Use Permit application and all evidence in the record related to the proposed project including the staff report, public testimony, and all evidence presented both orally and in writing.

B. The Planning Commission finds that the project is consistent with the goals and policies of the General Plan and the Northeast Area Specific Plan as further detailed in the staff report for this project hereby incorporated herein in full by reference.

C. The Planning Commission has determined that the project is consistent with the purpose of the HC zoning district.

D. The Planning Commission has determined that the project is listed as a use subject to a conditional use permit in the HC zoning district.

E. The Planning Commission has determined that the project will not be materially detrimental to the health, safety, or welfare of the public or to property and residents in the vicinity.

F. The Planning Commission has determined that the project is suitable for the site and is compatible with neighboring uses.

G. The Planning Commission has determined that the project's architecture and site design is consistent with the design standards set forth in Galt Municipal Code Chapter 18.38 for Big Box Retail Stores.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Galt, California, hereby (1) approves the Conditional Use Permit for Walmart, subject to the conditions set forth in Exhibit A, (2) determines that the project is consistent with the Big Box Ordinance, and (3) grants the appeal of the Community Development Director's Notice of Decision on the Site Plan and Design Review, and approves the Site Plan and Design, subject to conditions, as set forth in Exhibit C.

The Planning Commission Secretary shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED AND ADOPTED by the Planning Commission of the City of Galt, California, this 25th day of March, 2010, upon motion by Commissioner _____ seconded by Commissioner _____, by the following vote, to wit:

AYES:	Commissioners:
NOES:	Commissioners:
ABSTAIN:	Commissioners:
ABSENT:	Commissioners:

_____
Planning Commission Chair, City of Galt

ATTEST:

_____
Planning Commission Secretary, City of Galt

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Exhibit A to Attachment 2 Resolution 2010-____ (PC)
Walmart Project
Conditional Use Permit
March 25, 2010
(31 Conditions plus Mitigation Monitoring and Reporting Program)

#	CONDITION OF APPROVAL	SCHEDULE / DUE:	RESPONSIBLE ENFORCEMENT	COMPLETED DATE
1.	Approval of this Conditional Use Permit is for the operation of a Discount Superstore of up to 137,277 square feet as generally described in the Environmental Impact Report and Planning Commission staff report for the Walmart Project (dated 3-25-10).	N/A	Community Development Department	
2.	The development for which this use permit has been granted must commence and be diligently pursued to completion within one (1) year of the approval of the use permit. If the development has not commenced or been diligently pursued to completion within one (1) year, the approval shall automatically expire. Prior to the expiration of the permit, the applicant may apply for a single one (1) year extension.	Building Permit	Community Development Department	
3.	Building permit issuance will be determined by sewage treatment plant capacity.	Building Permit	Building Official / City Engineer	
4.	All costs for complying with these conditions of approval, unless otherwise noted, are the responsibility of the Owner/Developer/Successors in Interest (ODS).	All phases of review and approvals	ODS	
5.	The project shall be in substantial compliance with the site plan, building elevations and related construction details as included in the official file and approved by the Galt Planning Department.	Building Permit	Community Development Department	
6.	Noncompliance with the conditions of approval may result in the revocation of the use permit as provided in Section 18.52.080 of the Galt Municipal Code.	All phases of review and approvals	Community Development Department	
7.	The ODS shall comply with all applicable state and local laws, rules, ordinances and regulations during the construction and operation of the facility.	All phases of review and approvals	ODS	
8.	Grant right-of-way on Twin Cities Road for the indicated public improvements and construct and install public improvements to the satisfaction of the City Engineer in accordance with City Standards.	Improvement Plans/Building Permit	City Engineer	
9.	Meet requirements of SMUD and Pacific Gas & Electric Company regarding facilities, including any easements.	Improvement Plans/Building Permit	Utilities	
10.	The ODS shall obtain approval of improvement plans from the Galt Public Works Department including, but not limited to, Fermoy Way and Twin Cities Road frontage improvements and stormwater	Improvement Plans/Building Permit	City Engineer	

#	CONDITION OF APPROVAL	SCHEDULE / DUE:	RESPONSIBLE ENFORCEMENT	COMPLETED DATE
	drainage plans that comply with acceptable methods of stormwater detention/treatment pursuant to the Sacramento Stormwater Quality Partnership's development standards and guidelines http://www.sacramentostormwater.org/SSQP/development.asp .			
11.	The project shall be required to de-annex from the Northeast Area Landscaping and Lighting Maintenance District (LLD) and will be required to create a new LLD or modify the existing LLD #3 to include commercial properties and to have inflationary factors, acceptable to the City of Galt, included in the assessment.	Prior to Building Permit	Public Works	
12.	At the time of Building Permit, the ODS shall pay all City development impact fees applicable as of January 1, 2010 at the rates in effect on January 1, 2010.	Building Permit	Community Development Department	
13.	All civil engineering plans are required to be submitted in an electronic format. When plans are ready for final signature, it is required that the engineering firm submits an electronic copy of the complete plan as it appears in the approved printed plans with addresses. One copy shall be delivered to the CCSD Fire Department and two copies to the Galt Planning Department (one copy will be transmitted to Public Works). All electronic formats will be submitted on Windows/DOS formatted CD. E-mail copies will not be accepted at this time. The electronic submittal shall include all supporting drawing files and all drawing files pertaining to the project, including XREFs. The digital submittal shall be in the following format: DWG (applies to Autocad drawing file) any AutoCAD DWG version is accepted.	Improvement Plans/Building Permit	City Engineer CCSD Fire Community Development Department	
14.	The project shall be subject to Sacramento Metropolitan Air Quality Management District rules and regulations in effect at the time of construction and operation. A complete listing is available at www.airquality.org or by calling 916-874-4800. Evidence of compliance shall be provided prior to issuance of a certificate of occupancy.	On-going Certification of Occupancy	Public Works Department	
15.	The ODS shall comply with the requirements of the State Water Resources Control Board for coverage under the Storm Water General Permit and the Construction Storm Water General Permit during construction. The facility will also be required to have a Storm Water Pollution Prevention Plan (SWPPP) prepared and on-site as part of the General	Improvement Plans/Building Permit	City Engineer	

#	CONDITION OF APPROVAL	SCHEDULE / DUE:	RESPONSIBLE ENFORCEMENT	COMPLETED DATE
	Permit requirements. The required Notice of Intent to the State Board can be found at http://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.shtml for the General Permit. The NOI for the Construction General Permit can be found at: http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml.			
16.	The ODS shall obtain approval of landscape plans prepared in accordance with the Galt Landscape Manual and Chapter 18.68 and 18.36 of the Galt Municipal Code and the State Model Water Efficiency landscape Ordinance (AB1881) or City of Galt equivalent ordinance if adopted prior to submittal of plans. Three (3) sets of plans shall be submitted along with the Project Review Checklist from the Landscape Manual and a deposit of $500 used to pay the City's contract Landscape Architect for review services. The deposit must be replenished if the review fees exceed the deposit. All unused fees will be refunded. Landscape/irrigation plans shall address appropriate landscaping in all of the identified areas on the site plan including the shade tree requirements in the parking lot. In addition, the landscape plans shall address the bio swales, if proposed for stormwater treatment. If the approved landscape plans differ from the site plan sheet, the contractor shall prepare new site plan sheets for City approval and attach them to the construction sets to minimize confusion in the field.	Prior to Building Permit	Community Development Department	
17.	The ODS shall install landscape irrigation per approved landscape plans.	Construction	Community Development Department	
18.	ODS must prepare a waste diversion plan to recycle at least 50% of the materials generated for discard by this project during the construction phase. The waste diversion and recycling plan shall use best management practices in order to achieve the recycling target. The plan shall be subject to City Planning Department review and approval prior to building permit approval. All Haul tags must be submitted to the City on a regular basis.	Prior to occupancy	Community Development Department	

#	CONDITION OF APPROVAL	SCHEDULE / DUE:	RESPONSIBLE ENFORCEMENT	COMPLETED DATE
19.	All areas owned by Walmart, including the clock tower area and the landscape buffer between the south wall and the Emerald Village subdivision shall be maintained in good order. Maintenance includes keeping the property in good condition and repair on a daily basis including removing trash and debris from adjacent sidewalks, driveways, parking areas and landscaping as needed, sweeping adjacent sidewalks and driveways, weeding and pruning all landscaping.	Operational	Community Development Department Code Enforcement	
19.	The store shall be open for business only between 5 a.m. and 12 a.m. The project must adhere to the Big-Box Ordinance Guidelines, which prohibit delivery and loading between the hours of 10:00 p.m. and 7:00 a.m.	Operational	Community Development Department Code Enforcement	
20.	All pallets and other like debris shall be stored in the enclosed "bale and pallet" storage area identified on the site plan.	Operational	Community Development Department Code Enforcement	
21.	Outdoor Seasonal Displays are limited to the space indicated for such use indicated on the Site Plan (Feb. 2010). Other locations for outdoor seasonal display items must be approved by the Planning Department. Outdoor seasonal displays shall be limited to a period of twenty six weeks during any calendar year which twenty-six (26) weeks may be utilized continuously or in intervals as determined by the ODS. The seasonal display area should be screened from public view by decorative screening to be approved by the Planning Department. The use of chain link is prohibited.	Operational	Community Development Department Code Enforcement	
22.	The ODS shall implement a shopping cart retrieval program to limit stray shopping carts in the City. ODS shall provide a management program to the Community Development Department for review and approval.	Prior to Building Permit	Community Development Department	
23.	No overnight camping (between the hours of 12:00 a.m. and 5:00 a.m.) shall be allowed on the site. Signs alerting potential campers shall be placed at the project site in locations acceptable to the Community Development Department.	Operational	Community Development Department Code Enforcement	
24.	This project was approved with the incorporation of certain design features to reduce greenhouse gas emissions and satisfy the City's obligation to reduce global warming impacts. Consequently, the following conditions are imposed to ensure that these features are maintained into the future:	Ongoing	Building Department Community Development	

#	CONDITION OF APPROVAL	SCHEDULE / DUE:	RESPONSIBLE ENFORCEMENT	COMPLETED DATE
	Any future re-roof or roof system replacement on the building shall meet equivalent or greater energy efficiency requirements than the "white" single ply membrane roof proposed. The exterior security lighting shall be High Intensity Discharge or more efficient lighting type. Any substantial change to the interior lighting, as determined by the City of Galt, shall be designed to exceed energy efficiency requirements in place at the time of installation. Any changes to the HVAC Units shall be equal to or exceed the efficiency of the proposed 12.7 (average) EER rating. Any changes to the energy management system shall be equal to or exceed the efficiency of the system at the time of original installation. All internally illuminated building signage will use light emitting diodes (“LED”) lighting or equal energy efficient technology.		Department	
25.	The project must provide some decorative features, at a minimum split face 8” block maximum, pilasters with 30’ minimum spacing, and decorative cap to wall facing residential. Color pallet shall be neutral. All walls shall be smooth grout finished and scored on both sides. ODS is required to contact owners with lots adjacent to the proposed east and south masonry walls at least two weeks prior to construction of said walls offering them an opportunity to remove their fences to allow for proper finishing and scoring of the walls on the non-project side. ODS shall send certified mail letter and allow thirty (30) days for fence removal. The City shall be copied on all letters.	Building Permit	Building Department Community Development Department	
26.	If wheel stops are installed in the parking lot they must be 4” in height rather than standard 6”.	Building Permit Certificate of Occupancy	Building Department Community Development Department	

#	CONDITION OF APPROVAL	SCHEDULE / DUE:	RESPONSIBLE ENFORCEMENT	COMPLETED DATE
27.	Walmart will be required to provide additional parking if it constructs the larger option of 137,277 square feet and uses the 22 parking spaces as a seasonal display area. The site is currently required to provide 503 parking spaces and is showing 531. The required parking will increase to 519 if the larger option is built.	Operational (if seasonal display area is used)	Community Development Department	
28.	Signage for the site shall be in compliance with the City of Galt sign regulations and approved by the Planning Department and shall be LED or more efficient.	Sign Permit	Building Department Community Development Department	
29.	The owner must submit a hazardous materials inventory to the Cosumnes Community Services District Fire Department, using their approved format, and provide a copy of the transmittal and inventory to the Community Development Department.	Building Permit	CCSD Fire Community Development Department	
30.	The facility shall comply with the City of Galt Municipal Code, Chapter 8.40 Exterior Noise Standards.	Ongoing during construction	Code Enforcement and Building Inspector	
31.	All Mitigation Measures included in the adopted EIR for this project, and for which a Mitigation Monitoring and Reporting Plan is attached hereto, shall be satisfied in accordance with the time frames noted for each measure.	All Phases	Community Development Department	

Mitigation Monitoring and Reporting Program Attached

4 MITIGATION MONITORING PLAN

4.0 Introduction

Section 15097 of the California Environmental Quality Act (CEQA) requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a "mitigated negative declaration" or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring Plan (MMP) for the Walmart project. The project as approved includes mitigation measures. The intent of the MMP is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Environmental Impact Report (EIR) for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMP shall be funded by the applicant.

4.1 Compliance Checklist

The MMP contained herein is intended to satisfy the requirements of CEQA as they relate to the EIR for the Walmart project prepared by the City of Galt. This MMP is intended to be used by City staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMP were developed in the EIR prepared for the proposed project.

The Walmart EIR presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA as a measure that:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments.

The intent of the MMP is to ensure the effective implementation and enforcement of adopted mitigation measures and permit conditions. The MMP will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by the City of Galt. The table attached to this report identifies the mitigation measure, the monitoring action for the mitigation measure, the responsible party for the monitoring action, and timing of the monitoring action. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMP. The City of Galt will be responsible for ensuring compliance.

During construction of the project, the City will assign an inspector who will be responsible for field monitoring of mitigation measure compliance. The inspector will report to the City Planning Department and will be thoroughly familiar with permit conditions and the MMP. In addition, the inspector will be familiar with construction contract requirements, construction schedules, standard construction practices, and mitigation techniques. In order to track the status of mitigation measure implementation, field-monitoring activities will be documented on compliance monitoring report worksheets. The time commitment of the inspector will vary depending on the intensity and location of construction. Aided by the attached table, the inspector will be responsible for the following activities:

- On-site, day-to-day monitoring of construction activities;
- Reviewing construction plans and equipment staging/access plans to ensure conformance with adopted mitigation measures;
- Ensuring contractor knowledge of and compliance with the MMP;
- Verifying the accuracy and adequacy of contract wording;
- Having the authority to require correction of activities that violate mitigation measures, securing compliance with the MMP;
- Acting in the role of contact for property owners or any other affected persons who wish to register observations of violations of project permit conditions or mitigation. Upon receiving any complaints, the inspector shall immediately contact the construction representative. The inspector shall be responsible for verifying any such observations and for developing any necessary corrective actions in consultation with the construction representative and the City of Galt;
- Obtaining assistance as necessary from technical experts in order to develop site-specific procedures for implementing the mitigation measures; and
- Maintaining a log of all significant interactions, violations of permit conditions or mitigation measures, and necessary corrective measures.

4.2 Mitigation Monitoring Plan

The following table indicates the mitigation measure number, the impact the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
5.0 Introduction to the Analysis					
5.0-1	Biological Resources	<u>Tree-Nesting Birds</u> *5.0-1(a)* *Nesting migratory birds (non-raptor) – If site disturbance is proposed by the project proponent during the non- nesting season (August 16 to Jan. 31), no additional action is required; however, if site disturbance is proposed by the project proponent during the nesting season (Feb. 1 to Aug. 15), the following shall be implemented: A preconstruction survey shall be conducted by a qualified wildlife biologist 15 days prior to the start of project related activities. If nests of migratory birds are detected on-site, or within 100 feet of the site, the project proponent shall consult with CDFG to determine the size of a suitable buffer in which no new site disturbance is permitted until August 15, or the qualified biologist determines that the young are foraging independently, or the nest has been abandoned.*	CDFG City Planning Department	Prior to site disturbance during the nesting season and 15 days prior to the start of project related activities	
		5.0-1 (b) *Raptors – If construction is proposed during breeding season (March-August), a pre-construction raptor nest survey shall be conducted within 30 days prior to the beginning of construction activities*	CDFG City Planning Department	Prior to construction during breeding season and within 30 days	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		by a qualified biologist in order to identify active nests in the project site vicinity. The results of the survey shall be submitted to CDFG and the Planning Department. If no active nests are found during the pre-construction survey, no further mitigation is required. If active nests are found, a quarter-mile (1320 feet) initial temporary nest disturbance buffer shall be established. If project related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season (approximately March 1 and September 1), then an on-site biologist/monitor experienced with raptor behavior shall be retained by the project proponent to monitor the nest, and shall along with the project proponent, consult with the DFG to determine the best course of action necessary to avoid nest abandonment or take of individuals. Work may be allowed to proceed within the temporary nest disturbance buffer if raptors are not exhibiting agitated behavior such as defensive flights at intruders, getting up from a brooding position, or flying off the nest. The designated on-site biologist/monitor shall be on-site daily while construction related activities are taking place and shall have the authority		prior to the beginning of construction activities	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		to stop work if raptors are exhibiting agitated behavior. In consultation with the DFG and depending on the behavior of the raptors, over time it may be determined that the on-site biologist/monitor may no longer be necessary due to the raptors' acclimation to construction related activities. Any trees containing nests that must be removed as a result of project implementation shall be removed during the non-breeding season (October to February), however the project proponent shall be responsible for offsetting the loss of any Swainson's hawk nesting trees. The extent of any necessary compensatory mitigation shall be determined by the project proponent in consultation with the DFG. Past recommended mitigation for the loss of nesting trees has been at a ratio of three trees for each nest tree removed during the non-nesting season.			
		5.0-1(c) *Trees greater than six inches dbh planned for removal shall be removed between September 1 and March 1 (or as otherwise determined in consultation with CDFG) to ensure that active raptor nests are not removed as a result of construction related activities.*	City Planning Department	At the time of tree removal	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		Burrowing Owls *5.0-2(a)* *The Staff Report on Burrowing Owl Mitigation, published by CDFG (1995), recommends pre-construction surveys shall be conducted to locate active burrowing owl burrows. Prior to issuance of grading permits, this preconstruction survey shall be conducted by a qualified biologist or ornithologist during both the wintering and nesting season, unless the species is detected on the first survey. If possible, the winter survey shall be conducted between December 1 and January 31 (when wintering owls are most likely to be present) and the nesting season survey should be conducted between April 15 and July 15 (the peak of breeding season). Surveys conducted from two hours before sunset to one hour after, or from one hour before to two hours after sunrise, are preferable. The survey techniques shall be consistent with the Staff Report survey protocol and include a 260-foot-wide buffer zone surrounding the project area. Repeat surveys should also be conducted not more than 30 days prior to initial ground disturbance to inspect for re-occupation and the need for additional protection measures. The*	CDFG City Planning Department	Prior to issuance of grading permits	

MITIGATION MONITORING PLAN WALMART						
Impact Number	**Impact**		**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
			survey(s) shall be paid by the applicant and approved by the City. If no burrowing owls are detected during preconstruction surveys, then no further mitigation is required. If burrowing owls are detected in preconstruction surveys, implementation of Mitigation Measure 5.0-2(b) (below) will be necessary.			
		5.0-2(b)	*If active burrowing owl burrows are identified, project activities shall not disturb the burrow during the nesting season (February 1–August 31) or until a qualified biologist has determined that the young have fledged or the burrow has been abandoned. A no disturbance buffer zone of 160-feet is required to be established around each burrow with an active nest until the young have fledged the burrow as determined by a qualified biologist.*	CDFG City Planning Department	Prior to project activities during the nesting season (February 1–August 31)	
		5.0-2(c)	*If destruction of the occupied burrow is unavoidable during the non-breeding season, September 1– January 31, passive relocation of the burrowing owls shall be conducted. Passive relocation involves installing a one-way door at the burrow entrance, encouraging owls to move from the occupied burrow. No permit is required to conduct passive*	CDFG City Planning Department	Prior to the destruction of a burrow occupied by a burrowing owl	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		relocation; however, this process shall be conducted by a qualified biologist and in consultation of and accordance with CDFG guidelines. In addition, to offset the loss of foraging and burrow habitat on the project site, a minimum of 6.5 acres of foraging habitat (calculated on a 300-ft foraging radius around the burrow) per pair or unpaired resident bird, shall be acquired and permanently protected at a location acceptable to the CDFG.			
		5.0-2(d) *If burrowing owls are identified on the project site, a mitigation plan shall be submitted to and approved by CDFG and the City of Galt, prior to the issuance of grading permits for the proposed project.*	CDFG City Planning Department	Prior to the issuance of grading permits	
		<u>Swainson's Hawk</u>			
		5.0-3 *Prior to the issuance of grading permits, the project proponent, in consultation with CDFG; shall mitigate for loss of foraging habitat at a ratio of one acre of suitable foraging habitat for every one acre utilized by the proposed project. Project proponents shall provide for the long-term endowment of compensatory mitigation lands by funding a management endowment (the*	CDFG City Planning Department	Prior to the issuance of grading permits	

MITIGATION MONITORING PLAN WALMART						
Impact Number	**Impact**		**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
			interest on which shall be used for managing the mitigation lands) at a per acre rate (adjusted annually for inflation and varying interest rates).			
	Cultural Resources	*5.0-4*	*Prior to the approval of the improvement plans, the project's improvement plans shall include notes (per California Health & Safety Code, Section 7050.5, Government Code 27491, and Public Resource Code Section 5097.98) indicating that if historic and/or cultural resources, including human remains, are encountered during site grading or other site work, all such work shall be halted immediately within the area of discovery and the project contractor shall immediately notify the Planning Department of the discovery. Additionally, the construction notes would indicate that in the event that human remains are discovered, the Sacramento County Coroner shall be immediately notified, and if the remains are thought to be Native American, the Native American Heritage Commission shall be notified. In the case of an archeological, prehistoric, or historic discovery, the developer shall be required to retain the services of a qualified archaeologist as approved by the City for the purpose of recording,*	City Planning Department Sacramento County Coroner Native American Heritage Commission	Prior to the approval of improvement plans	

MITIGATION MONITORING PLAN WALMART						
Impact Number	**Impact**		**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
			protecting, or curating the discovery as appropriate. The archaeologist shall be required to submit to the Planning Department for review and approval a report of the findings and method of curation or protection of the resources. Further grading or site work within the area of discovery shall not be allowed until the preceding steps have been taken.			
	Geology and Soils	*5.0-5*	*Prior to issuance of a grading permit, the project applicant shall submit, for the review and approval of the City Engineer, an erosion control plan that will utilize standard construction practices to limit the erosion effects during construction of the proposed project and comply with the Stormwater Quality Design Manual for Sacramento and Placer regions. Measures could include, but are not limited to:* • *Hydro-seeding;* • *Placement of erosion control measures within drainageways and ahead of drop inlets;* • *The temporary lining (during construction activities) of drop inlets with "filter fabric" (a specific type of geotextile fabric);*	City Engineer	Prior to issuance of a grading permit	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		• *The placement of straw wattles along slope contours;* • *Directing subcontractors to a single designation "wash-out" location (as opposed to allowing them to wash-out in any location they desire);* • *The use of silt fences; and* • *The use of sediment basins and dust palliatives.*			
	Hazards and Hazardous Materials	*5.0-6* *If during removal of all on-site debris by the project contractor, visual or olfactory evidence of potential soil contamination is observed, the project applicant shall contact Wallace Kuhl (or other similarly qualified firm), the property owner, the City, and the Sacramento County Environmental Health Department for further assessment. If these parties determine that the items are not hazardous, they shall be removed and discarded in accordance with local standards at the expense of the applicant. If these parties determine that subsurface hazardous substances are located onsite, these substances shall be removed and the soil remediated to the satisfaction of the City of Galt and the Sacramento County Environmental Health Department, at the expense of the applicant.*	City Public Works Department Sacramento County Environmental Health Department	During removal of all on-site debris	

MITIGATION MONITORING PLAN WALMART						
Impact Number	**Impact**	**Mitigation Measure**		**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		5.0-7	*Prior to the issuance of a grading permit, the applicant shall retain a qualified consultant to verify the presence of a water well on-site. If a water well is not found on-site, no further action is necessary.*	City Engineer	Prior to issuance of a grading permit	
		5.0-8	*If the presence of a water well is verified by a qualified consultant, prior to initiation of any ground disturbance activities within 50 feet of the well, the applicant shall hire a licensed well contractor to obtain a well abandonment permit from Sacramento County Environmental Health Department, and properly abandon the on-site well, per review and approval of the City Engineer and the Sacramento County Environmental Health Department.*	Sacramento County Environmental Health Department City Engineer	Prior to initiation of any ground disturbance activities within 50 feet of a well	
5.2 Aesthetics						
5.2-2	Impacts associated with new sources of light and glare.	*5.2-2*	*In conjunction with the submittal of Improvement Plans, the applicant shall submit a lighting plan for the review and approval of the Planning Department. The lighting plan shall indicate the provision of shielding for all light fixtures to avoid nighttime lighting spillover effects on adjacent land uses and nighttime sky conditions. In addition, the lighting plan shall address limiting light*	City Planning Department	In conjunction with the submittal of improvement plans	

MITIGATION MONITORING PLAN WALMART						
Impact Number	**Impact**		**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
			trespass and glare through the use of shielding and directional lighting methods including, but not limited to, fixture location, design, and height. The applicant shall implement the approved lighting plan in conjunction with development of the proposed project, for the review and approval of the Planning Department.			
5.3 Transportation and Circulation						
5.3-1	Impacts to surrounding intersections from construction-related traffic.	*5.3-1*	*Prior to issuance of grading permit and start of construction activities, the project contractor shall submit a traffic control plan in compliance with City standards, which ensures adequate emergency access and circulation to neighboring properties during construction, for the review and approval of the City Engineer. The plan shall include detour routes, location of appropriate signage, and construction personnel to facilitate the safe flow of traffic.*	City Engineer	Prior to issuance of grading permits and start of construction activities	
5.3-2	Impacts to the surrounding intersections under Short Term Plus Project Conditions Improvements.	*5.3-2(a)*	*Prior to building permit issuance, the applicant shall pay the TCIP fee, to the satisfaction of the City Public Works Department.* *Or*	City Public Works Department	Prior to building permit issuance	

MITIGATION MONITORING PLAN WALMART						
Impact Number	**Impact**		**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
			Prior to the issuance of building permits, if adequate funding for development of the roundabout improvements is not available, the applicant shall show proof of payment of the difference to fund the improvements, for review and approval of the City Public Works Department.			
		5.3-2(b)	*Prior to approval of Improvement Plans, the applicant shall include on the plans, for the review and approval of the City Public Works Department, the following improvements to the Twin Cities Road/Bergeron Road intersection: construct a "pork chop" median or a raised median to prohibit the outbound left turns on Bergeron Road. Construction shall be complete prior to occupancy of the proposed project.*	City Public Works Department	Prior to approval of Improvement Plans	
5.3-3	Impacts to the surrounding roadway segments under Short Term Plus Project Conditions Improvements.	*5.3-3*	*Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the widening of Twin Cities Road to a four lane arterial (Phase 1), or other roadway widening configurations that would provide acceptable peak hour level of service operations, and eventually a six lane expressway (Phase 2) from Fermoy Way to Carillion Boulevard. If adequate funding for widening of Twin Cities Road*	City Public Works Department	Prior to building permit issuance	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		to a four lane arterial (Phase 1), or other roadway widening configurations that would provide acceptable peak hour level of service operations is not available, the applicant shall widen Twin Cities Road to four lanes from Fermoy Way to Carillion Boulevard or to a roadway widening configuration that would provide acceptable peak hour level of service operations. If constructed by the applicant, construction shall be complete prior to occupancy of the proposed project.			
5.3-9	Impacts to internal on-site circulation and emergency vehicle access.	*5.3-9* *Prior to issuance of a building permit, the applicant shall submit the site plan to the Cosumnes Community Services District Fire District (CCSDFD) for review and approval of the project internal circulation and access design to ensure conformance with emergency vehicle turning radii.*	Cosumnes Community Services District Fire District	Prior to issuance of a building permit	
5.3-11	Impacts to the surrounding intersections under Year 2030 Plus Project conditions.	*Twin Cities Road/Fermoy Way* *5.3-11(a)* *Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the following Twin Cities Road/Fermoy Way intersection improvements:*	City Public Works Department	Prior to building permit issuance	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		<u>Northbound Approach</u> • *Widen to provide an additional left-turn lane* • *One through lane* • *Widen to provide an exclusive right-turn lane* *<u>Southbound Approach</u>* • *Widen to provide two right-turn lanes* *<u>Eastbound and Westbound Approaches</u>* • *Widen to provide an additional left-turn lane* • *Widen to provide two additional through lanes* *Twin Cities Road/McKenzie Road* *5.3-11(b) Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the following Twin Cities Road/ McKenzie Road intersection improvements:* *<u>Northbound and Southbound Approaches</u>* • *Construct a "pork chop" median or a raised median to prohibit the outbound left turns on northbound and southbound*	City Public Works Department	Prior to building permit issuance	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		McKenzie Road *<u>Eastbound and Westbound Approaches</u>* • *Widen to provide two additional through lanes* *Twin Cities Road/Carillion Boulevard* *5.3-11(c) Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the following Twin Cities Road/Carillion Boulevard intersection improvements.* *<u>Northbound Approach</u>* • *Widen to provide an additional left-turn lane* • *Re-stripe the northbound right only lane to a through-right lane and construct the receiving lane* *<u>Southbound Approach</u>* • *Widen to provide an additional left-turn lane* • *Widen to provide an additional through lane* • *Widen to provide one right-turn lane*	City Public Works Department	Prior to building permit issuance	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		<u>Eastbound Approach</u> • *Widen to provide two additional through lanes* • *Provide right turn overlap* *<u>Westbound Approach</u>* • *Widen to provide two additional through lanes* *Twin Cities Road/Marengo Road* *5.3-11(d) Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the Twin Cities Road/Marengo Road intersection improvements:* *<u>Northbound Approach</u>* • *Widen to provide an additional left-turn lane* *<u>Southbound Approach</u>* • *Widen to provide one right-turn lane* *<u>Eastbound and Westbound Approaches</u>* • *Widen to provide an additional through lane* • *Widen to provide an additional left-turn lane*	City Public Works Department	Prior to building permit issuance	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		Twin Cities Road/Park Terrace Drive *5.3-11(e) Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the Twin Cities Road/Park Terrace Drive intersection improvements:* *<u>Northbound and Southbound Approaches</u>* • *Construct a "pork chop" median or a raised median to prohibit the outbound left turns on northbound and southbound Hauschildt Road* *<u>Eastbound and Westbound Approaches</u>* • *Widen to provide two additional through lanes*	City Public Works Department	Prior to building permit issuance	
		Lake Park Avenue/Carillion Boulevard *5.3-11(f) Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the Lake Park Avenue/Carillion Boulevard intersection improvements:* • *Widen the westbound Lake Park Avenue to allow for an exclusive*	City Public Works Department	Prior to building permit issuance	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		left-turn lane and provide an acceleration lane for the outbound lefts from Lake Park Avenue. This acceleration lane can be accommodated by removing the landscaping, including curb and gutter.			
		Lake Canyon Drive/Carillion Boulevard *5.3-11(g) Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the Lake Canyon Drive/Carillion Boulevard intersection improvements:* • *Installation of a signal with protected phasing at the north-south approaches and permitted/split phasing at the east-west approaches. No intersection widening is recommended.*	City Public Works Department	Prior to building permit issuance	
		Elk Hills Drive/Carillion Boulevard *5.3-11(h) Prior to building permit issuance, the applicant shall pay the TCIP fee, for the review and approval of the City Public Works Department, towards the Elk Hills*	City Public Works Department	Prior to building permit issuance	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		Drive/Carillion Boulevard intersection improvements: • *Installation of a signal with protected phasing at the north-south approaches and permitted/split phasing at the east-west approaches. No intersection widening is recommended.*			
		Twin Cities Road/Project Driveway	City Public Works Department	Prior to approval of Improvement Plans	
		5.3-11(i)(a) Prior to approval of Improvement Plans, the applicant shall include on the plans, for the review and approval of the City Public Works Department, the following improvements to the Twin Cities Road/Project Driveway intersection: construct a "pork chop" median or a raised median to prohibit the outbound left turns on northbound Project Driveway Approach (left turns into the project site from Twin Cities Road shall be allowed). Improvements shall be completed prior to occupancy.			
		5.3-11(i)(b) Prior to building permit issuance, the applicant shall pay the TCIP fee toward the widening of Twin Cities Road, east of Fermoy Way to a six-lane expressway.	City Public Works Department	Prior to building permit issuance	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		Raley's Driveway/Fermoy Way *5.3-11(j)* *Prior to approval of Improvement Plans, the applicant shall include on the plans, for the review and approval of the City Public Works Department, the following improvements to the Twin Raley's Driveway/Fermoy Way intersection:* • *All (Four) Way Stop Control* • *Widen the northbound and southbound Fermoy Way to provide an exclusive left turn lane* *Or* • *Actuated Traffic Signal* *Improvements shall be completed prior to occupancy.*	City Public Works Department	Prior to approval of improvement plans Improvements completed prior to occupancy	
5.3-12	Impacts to the surrounding roadway segments under Cumulative Year 2030 Plus Project Conditions.	*5.3-12* *Implement Mitigation Measure 5.3-11(i)(b).*	See Mitigation Measure 5.3-11(i)(b)	See Mitigation Measure 5.3-11(i)(b)	
5.4 Air Quality					
5.4-1	Construction-related impacts resulting in temporary increases in	*5.4-1* *The project applicant shall ensure that emissions from all off-road diesel-powered equipment used on the project*	SMAQMD	Prior to issuance of a grading permit	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
	particulate matter levels in the immediate vicinity of the project site.	*site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired by the developer immediately, and SMAQMD shall be notified by the developer within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made by the developer at least weekly, and a monthly summary of the visual survey results shall be submitted by the developer to the City Planning Department throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supercede other SMAQMD or State rules or regulations.* *Prior to issuance of a grading permit, the applicant/developer shall incorporate the following measures into the construction contract documents, which shall be*	City Planning Department City Engineer	and Throughout the duration of the project	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		submitted for the review and approval of the City Engineer: • *Apply water, chemical stabilizer/suppressant, or vegetative cover to disturbed areas, including storage piles that are not being actively used for construction purposes, as well as any portions of the construction site that remain inactive for longer than 3 months;* • *Water exposed surfaces sufficient to control fugitive dust emissions during demolition, clearing, grading, earth-moving, or excavation operations. Actively disturbed areas should be kept moist at all times;* • *Cover all vehicles hauling dirt, sand, soil or other loose material or maintain at least two feet of freeboard in accordance with the requirements of California Vehicle Code Section 23114;* • *Limit or expeditiously remove the accumulation of project-generated mud or dirt from adjacent public streets at least once every 24 hours when*			

MITIGATION MONITORING PLAN WALMART						
Impact Number	**Impact**	**Mitigation Measure**		**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
			construction operations are occurring; and • *Limit onsite vehicle speeds on unpaved surfaces to 15 mph, or less.*			
5.5 Noise						
5.5-1	Construction-related noise impacts.	*5.5-1(a)*	*Construction activities shall comply with the City of Galt Noise Ordinance and shall be limited to the hours set forth below:* *Monday-Friday* *6:00 AM to 8:00 PM* *Saturday and Sunday* *7:00 AM to 8:00 PM* *These criteria shall be included in the grading plan submitted by the applicant/developer for review and approval of the Public Works Department prior to issuance of grading permits. Exceptions to allow expanded construction activities shall be reviewed on a case-by-case basis as determined by the Chief Building Official and/or City Engineer.*	City Public Works Department Chief Building Official City Engineer	Prior to issuance of grading permits and During construction	
		5.5-1(b)	*Construction activities shall adhere to the requirements of the City of Galt with respect to hours of operation, muffling of*	City Public Works Department	Prior to issuance of grading permits	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		internal combustion engines, and other factors that affect construction noise generation and its effects on noise-sensitive land uses. Prior to issuance of grading permits, these criteria shall be included in the grading plan submitted by the applicant/developer for the review and approval of the Public Works Department.		and During construction	
		5.5-1(c) *During construction, the applicant/developer shall designate a disturbance coordinator and conspicuously post this person's number around the project site and in adjacent public spaces. The disturbance coordinator will receive all public complaints about construction noise disturbances and will be responsible for determining the cause of the complaint, and implement feasible measures to be taken to alleviate the problem. The disturbance coordinator shall report all complaints and corrective measures taken to the Community Development Director.*	Community Development Director	During construction	
		5.5-1(d) *The project soundwalls shall be constructed as early as feasible in the project construction timeline to mitigate construction noise. The project*	City Public Works Department	During construction	

MITIGATION MONITORING PLAN WALMART						
Impact Number	**Impact**		**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
			soundwalls are expected to reduce construction noise levels by 5 to 10 dB.			
		5.5-1(e)	*A temporary soundwall a minimum of 8 feet in height shall be erected along the south property line to shield demolition and construction activities associated with construction of new soundwalls. The soundwall shall be an appropriate acoustical barrier, such as a hanging curtain with an STC rating of 27, or higher, and should not have any gaps or openings around the edges. Plywood is not recommended.*	City Public Works Department	During construction	
5.5-2	Impacts related to vibration associated with construction activities.	*5.5-2*	*Implement Mitigation Measures 5.5-1(b) and 5.5-1(c).*	See Mitigation Measures 5.5-1(b) and 5.5-1(c)	Mitigation Measures 5.5-1(b) and 5.5-1(c)	
5.5-4	Expose existing receptors to on-site noise levels exceeding applicable noise standards.	*5.5-4(a)*	*Prior to the issuance of a building permit, the plans shall show 12-foot soundwalls to be constructed along the east and south property lines of the site and a 20-foot soundwall shall be constructed along the south side of the project loading dock, as shown on Figure 5.5-3, for the review and approval of the Community Development Director and the City Engineer. The 20-foot barrier should completely shield the front of truck engines and cabs from view of the adjacent residential uses. The barrier*	Community Development Director City Engineer	Prior to the issuance of a building permit	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		should be constructed of a Sono-Con Exterior Acoustical Panel System which incorporates both sound transmission blocking and sound absorption blocking capabilities to minimize sound reflections in the truck well. Product information for the recommended barrier product is attached. Acoustically similar barriers may be used, but they should be reviewed by an acoustical consultant prior to construction. Soundwalls shall be constructed with a rough, split face CMU block or acoustical sound absorbing block to minimize reflections between the soundwalls and the Walmart building façade. Smooth block walls should be avoided, unless heavily landscaped.			
		5.5-4(b) *Prior to the issuance of a building permit, the plans shall show that rooftop mechanical equipment shall be shielded from view, as specified in the City of Galt Zoning Ordinance, for the review and approval of the Community Development Director. Additionally, rooftop refrigeration equipment shall be shielded through the use of rooftop mechanical noise barriers in the direction of residential uses.*	Community Development Director	Prior to the issuance of a building permit	

MITIGATION MONITORING PLAN WALMART						
Impact Number	**Impact**	**Mitigation Measure**		**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		5.5-4(c)	*As a condition of approval, loading and delivery activities, including fork lift usage, shall be limited to daytime hours (7:00 AM to 10:00 PM), as specified in the City of Galt Zoning Ordinance.*	Community Development Director	During project operation	
		5.5-4(d)	*Truck idling and refrigeration truck deliveries shall be prohibited at the vendor delivery service area.*	Community Development Director	During project operation	
		5.5-4(e)	*During daytime (7:00 AM to 10:00 PM) parking lot cleaning in the main parking lot, a 30-foot setback from the eastern property line shall be maintained for mechanical parking lot cleaning.*	Community Development Director	During project operation	
		5.5-4(f)	*As a condition of approval, mechanical sweeping shall be limited to daytime hours (7:00 AM to 10:00 PM), as specified in the City of Galt Zoning Ordinance.*	Community Development Director	During project operation	
5.5-5	Expose sensitive receptors to noise-related sleep disturbances.	*5.5-5*	*Implement Mitigation Measures 5.5-4(b), (c), (e), and (f).*	See Mitigation Measures 5.5-4(b), (c), (e), and (f)	See Mitigation Measures 5.5-4(b), (c), (e), and (f)	
5.7 Public Services						
5.7-3	Impacts related to hydrology, water quality, and stormwater drainage.	*5.7-3(a)*	*Prior to the issuance of building permits, the developer shall obtain and comply with the NPDES general construction permit including the submittal of a Notice*	SWRCB City Engineer	Prior to the issuance of building permits	

MITIGATION MONITORING PLAN WALMART						
Impact Number	**Impact**		**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
			of Intent (NOI) and associated fee to the SWRCB and the preparation of a Storm Water Pollution Prevention Plan (SWPPP) that includes both construction stage and permanent storm water pollution prevention practices to be submitted to the City Engineer for review.			
		5.7-3(b)	*The project shall utilize runoff reduction and source control measures consistent with adopted Stormwater Quality Design Manual to the maximum extent practicable and to the satisfaction of the City Engineer.*	City Engineer	Prior to the issuance of grading permits	
		5.7-3(c)	*Prior to issuance of grading permits, the applicant shall develop and submit a stormdrain model to analyze the existing stormdrain system and a Drainage Master Plan to the City Engineer for review and approval. The Drainage Master Plan shall describe how on-site draining systems will be designed to compensate for the reduced water absorption capacity of the site and to prevent flooding of adjacent properties. The Plan must ensure that all stormwater entering or originating within the project site shall be conveyed, without diversion of the watershed, to the nearest adequate, natural watercourse, or adequate man-*	City Engineer	Prior to issuance of grading permits	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		made drainage facility. The Drainage Master Plan shall implement BMPs to control quality of stormwater runoff. The project applicant shall comply with all of the requirements of the new MS4 permit as detailed in the Water Quality Planning and Design Principles Water Quality Planning and Design Principles, Low Impact Strategies, and the Stormwater Quality Design Manual for Sacramento and South Placer Regions.			
5.7-5	Impacts to police services.	*5.7-5* *Prior to issuance of a building permit, the applicant shall submit a public safety plan for review and approval of the Police Chief including, but not limited to, the following:* • *Hours of operation shall be limited from 5:00 AM to 12:00 AM.* • *Ensure adequate store security, including, but not limited to, the following:* o *Wal-Mart shall employ sufficient store security to address security and safety concerns both inside and outside the store including at least one security officer to patrol the parking lots during hours of operation.* o *Video surveillance shall be*	Police Chief	Prior to issuance of a building permit	

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		required both inside the store and at exterior locations. o *Recordings for all cameras shall be maintained for a minimum of 60 days. The recordings shall be available for police inspection on demand.* o *The store security plan shall be submitted for review and approval of the Chief of Police to ensure that all conditions are met in terms of policy/procedures, adequate personnel on duty during hours of operation, and adequate video surveillance.* o *Allow for periodic site inspections and compliance reviews by police staff.* • *Include as a project condition of approval a requirement prohibiting camping in the parking lot.* • *Prior to issuance of a Certificate of Occupancy in regards to response protocol, the applicant shall work with the Galt Police Department to develop a response protocol that pre-determines, to the extent possible, when the police should be called for incidents occurring at the store.*			

MITIGATION MONITORING PLAN WALMART					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		The applicant shall incorporate the response protocols into the store security plan for review and approval of the Police Chief, and train appropriate store personnel on this protocol. • *Prior to issuance of a building permit, the applicant shall submit a site plan check to the Police Chief for review and approval. The site plan shall include, but not limited to, the placement of cameras, lighting, vegetation, traffic and pedestrian patterns, and other pre-construction details.*			

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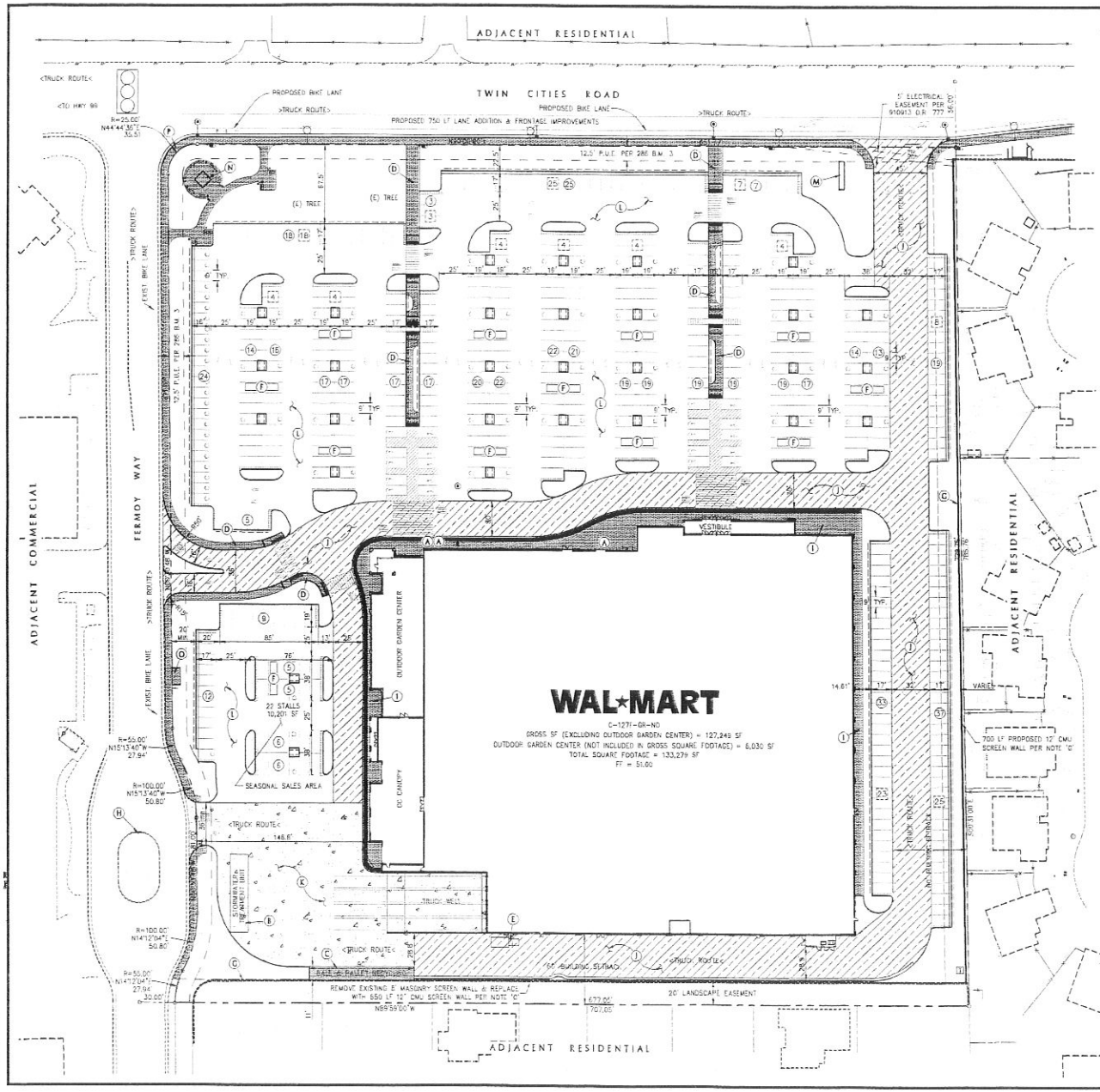
EXHIBIT B



SITE PLAN NOTES

(A) PROPOSED LOCATION OF BICYCLE PARKING – SEVEN BIKE RIBBON RACK
(B) PROPOSED LOCATION OF STORMWATER TREATMENT UNIT
(C) PROPOSED 12'x45' BALE & PALLET RECYCLING AREA
(D) PROPOSED PEDESTRIAN ACCESS (MINIMUM 5' WIDE)
(E) PROPOSED TRASH COMPACTOR
(F) PROPOSED CART CORRAL
(G) PROPOSED 12' SPLIT FACE CMU SCREEN WALL WITH PILASTERS AT 30' ON CENTER AND A DECORATIVE CAP
(H) PROPOSED 'NO TRUCK ROUTE' SIGN FOR SOUTH BOUND
(I) PROPOSED STANDARD DUTY (SIDEWALK) CONCRETE PAVEMENT
(J) PROPOSED HEAVY DUTY ASPHALT PAVEMENT
(K) PROPOSED HEAVY DUTY CONCRETE PAVEMENT
(L) PROPOSED STANDARD DUTY ASPHALT PAVEMENT
(M) PROPOSED MONUMENT SIGN
(N) PROPOSED SITE AMENITIES/FOCAL POINT
(O) PROPOSED BUS STOP PAD WITH CITY STANDARD AMENITIES
(P) PROPOSED SAC. COUNTY STD. HC RAMP 4-238

LEGEND FOR PROPOSED IMPROVEMENTS

- PROPOSED BUILDING
- PROPOSED TYPE E CURB
- PROPOSED TYPE A CURB & GUTTER
- (22) PROPOSED PARKING SPACE ROW COUNT
- [2] DESIGNATED ASSOCIATE PARKING SPACE COUNT
- (F) CART CORRAL
- (I) STANDARD DUTY (SIDEWALK) CONCRETE PAVEMENT
- (J) HEAVY DUTY ASPHALT PAVEMENT
- (K) HEAVY DUTY CONCRETE PAVEMENT
- (L) STANDARD DUTY ASPHALT PAVEMENT

1 inch = 40 ft.

SITE DATA

MAJOR RETAIL:	11.26± AC
LAND USE CLASSIFICATION:	COMMERCIAL
ZONING CLASSIFICATION:	(HC) HIGHWAY COMMERCIAL
LOCAL JURISDICTION:	CITY OF GALT, CA
FLOOD ZONE CLASSIFICATION:	ZONE X (AREAS DETERMINED TO BE OUTSIDE OF THE 500-YEAR FLOOD PLAIN) PER FEMA FIRM PANEL NO 060264 0001 C, DATED AUGUST 16, 1995.

BUILDING DATA

GROSS BUILDING AREA:	127,249 SF
OUTDOOR GARDEN CENTER:	6,030 SF
TOTAL STORE AREA:	133,279 SF
BUILDING SETBACKS REQD:	20' LANDSCAPE SETBACK ALONG FRONTAGE 60' BUILDING SETBACK SIDE & REAR
BUILDING HEIGHT:	
MAXIMUM BY CODE	50'
WAL-MART SUPERCENTER	30' ±
BUILDING COVERAGE:	
WAL-MART STORE	26% ±

CODE REQUIRED PARKING

INDOOR GARDEN AREA – 5,390 SQUARE FEET AT 1 PER 500	11 SPACES
OUTDOOR GARDEN – 6,030 SQUARE FEET AT 1 PER 1500	4 SPACES
GROCERY AREA – 24,991 SQUARE FEET AT 1 PER 250	100 SPACES
REMAINDER RETAIL AREA – 96,850 SQUARE FEET AT 1 PER 250	388 SPACES
133,279 TOTAL SQUARE FEET – TOTAL CODE REQUIRED PARKING	503 SPACES

PROPOSED PARKING

STANDARD SPACES	428 SPACES
COMPACT SPACES	83 SPACES
ACCESSIBLE SPACES	20 SPACES
TOTAL PROPOSED PARKING	531 SPACES

PARKING RATIO = 3.98/1,000 SF

1. PROPOSED PARKING TOTAL DOES NOT INCLUDE 24 SPACES OCCUPIED BY CART CORRALS.
2. PARKING LAYOUT MEETS LOCAL REQUIREMENTS.
3. PARKING SHOWN UTILIZES ONLY 90° PARKING SPACES.
   TYPICAL DIMENSIONS:
   STANDARD: WIDTH: 9' DEPTH: 19'
   COMPACT: WIDTH: 8' DEPTH: 17'
   TWO WAY AISLES: 25' MIN

Dowcet & Associates, Inc.
1025 Creekside Ridge Drive, Suite 175
Roseville, CA 95678
Phone: (916) 780-2005 Fax: (780-2015
www.dowcetandassociates.com
Austin, TX • Northwest, WA • Roseville, CA • Corona, TX

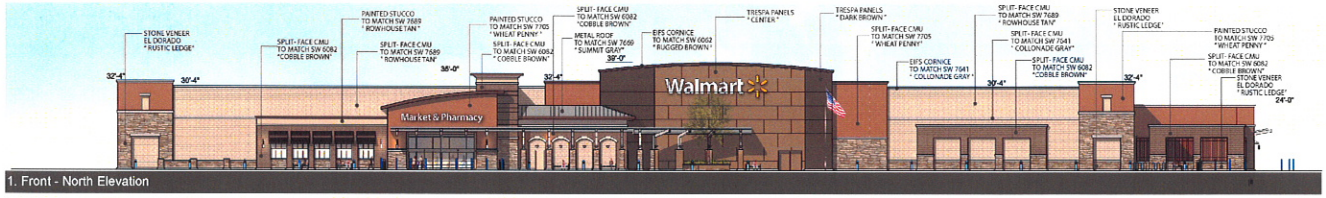
WAL-MART STORE #5231-02
TWIN CITIES ROAD, GALT, CALIFORNIA
WAL-MART STORES, INC.
BENTONVILLE, AR

CONCEPTUAL SITE PLAN

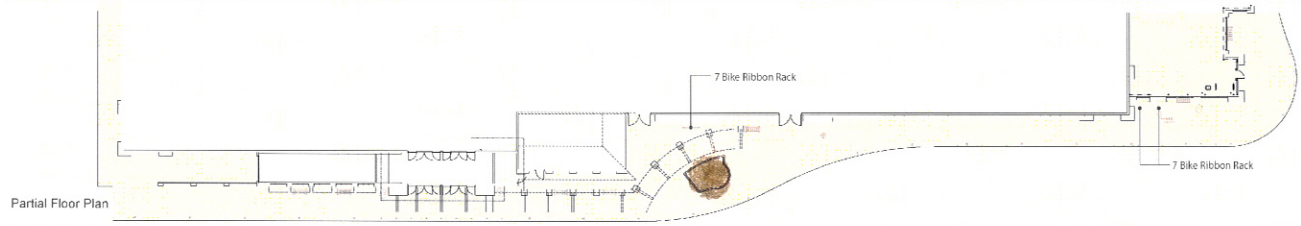
Scale: 1" = 40'
Designed by: RVP
Drawn by: RVP
Reviewed by: REC
Plot Date: 02-16-2010

SHEET
P-1
OF 1

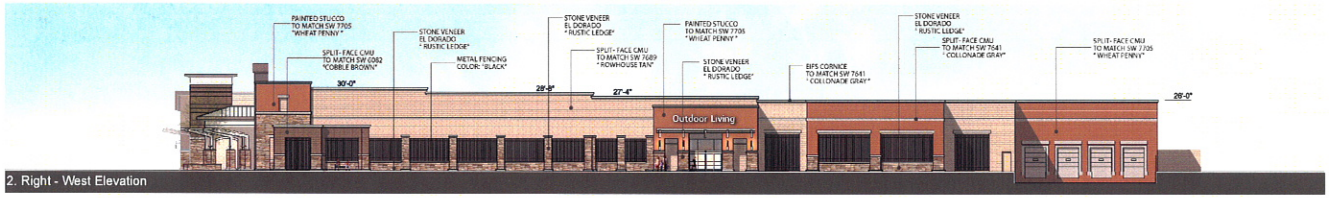
Project No.: 001-412



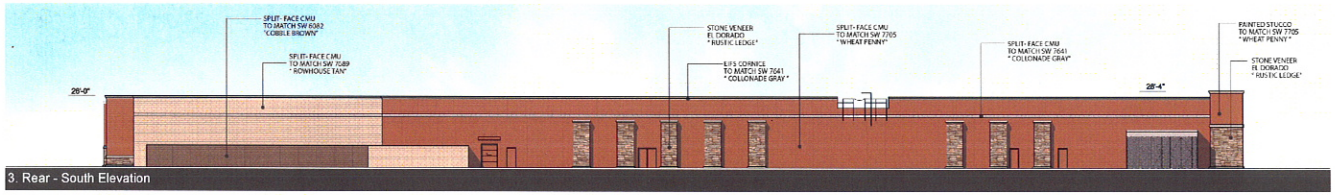
1. Front - North Elevation



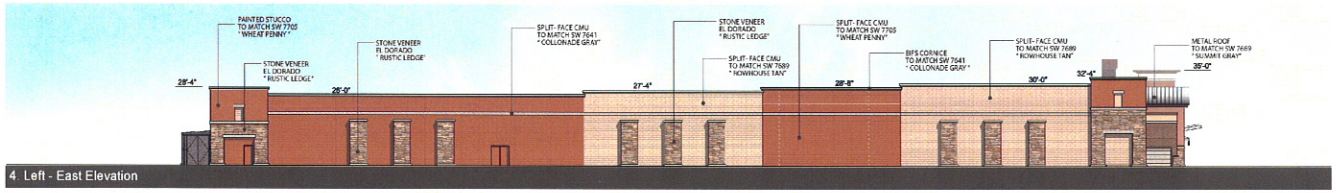
Partial Floor Plan



2. Right - West Elevation

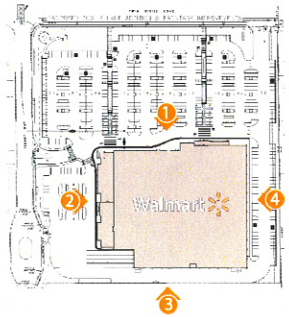


3. Rear - South Elevation



4. Left - East Elevation

Key Plan



Note: Elevations are subject to final approval by the City.

Note: Due to individual computer monitors and printer limitations, colors seen here may not accurately reflect true colors. To confirm the color choices, refer to actual coordinated samples.

0 16 32 48 64

Perkowitz+Ruth ARCHITECTS

Client: Walmart

Project: Galt, California
Store # 5231-02

Exterior Elevations

February 10, 2010

A-2.0

08.315 111N FLEX

Note: Due to individual computer monitors and printer limitations, colors seen here may not accurately reflect true colors. To confirm the color choices, refer to actual color/material board.

Note: Elevations are subject to final approval by the City.

Perkowitz+Ruth ARCHITECTS

Client: Walmart

Project: Galt, California
Store # 5231-02

Perspective
February 08, 2010

A-3.0
05 315 111N FLEX

Note: Due to individual computer monitors and printer limitations, colors seen here may not accurately reflect true colors. To confirm the color choices, refer to actual color/material board.

Note: Elevations are subject to final approval by the City.

Perkowitz+Ruth ARCHITECTS

Client: Walmart

Project: Galt, California
Store # 5231-02

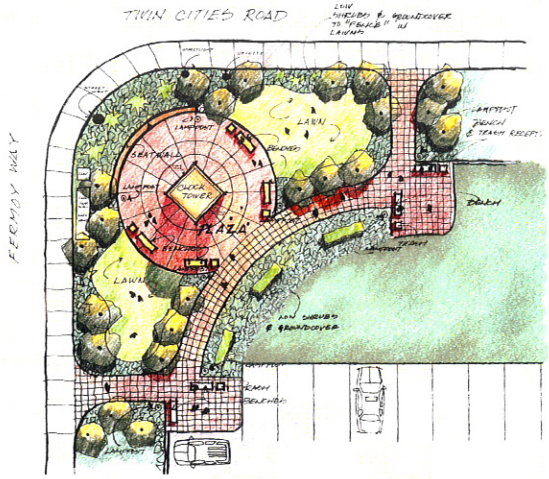
Perspective

February 09, 2010

A-3.1

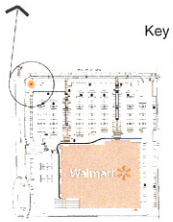
05 315 111N FLEX

ClockTower Perspective



Clock Tower Plaza Plan

Key Plan



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Elevations are subject to final approval by the City

0 16 32 48 64

Perkowitz+Ruth ARCHITECTS

Client: Walmart

Project: Galt, California
Store # 5231-02

Clock Tower Perspective and Location Plan
February 09 2010

A-3.2
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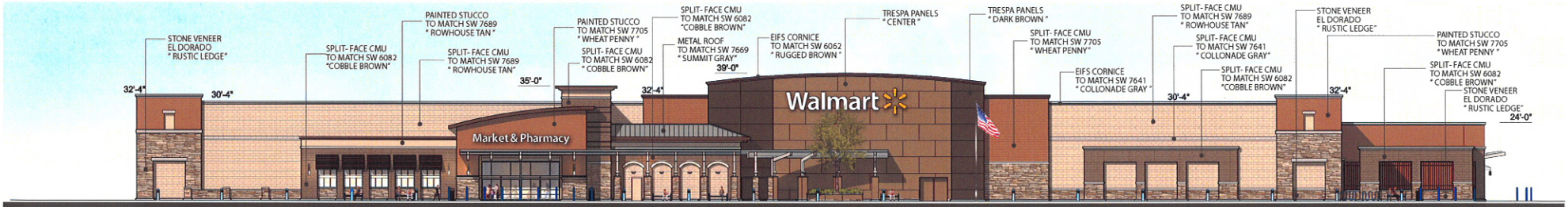
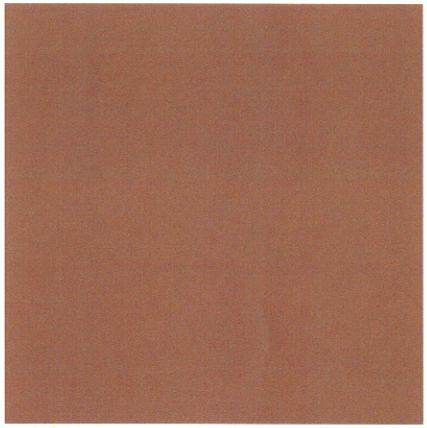
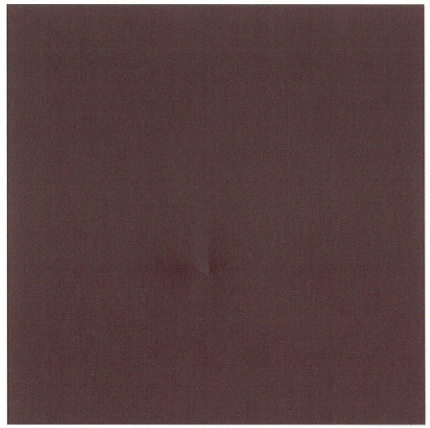


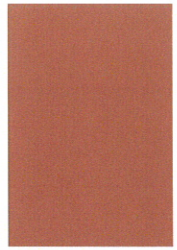
1. Front - North Elevation



Trespa Panel Wall System
" Center Color"



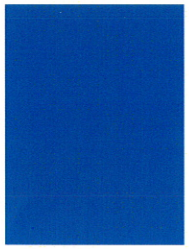
Trespa Panel Wall System
" Dark Brown Color"



SW 7705 "Wheat Penny"

SW 7689 "Row House Tan"

SW 7669 "Summit Gray"



SW 6796 " Blue Plate"

SW 6082 "Cobble Brown"

SW 7641 "Collonade Gray"

SW 6062 "Rugged Brown"

El Dorado Stone - Rustic Ledge
Color : "Sawtooth"

Note: Due to individual computer monitors and printer limitations, colors seen here may not accurately reflect true colors.
To confirm the color choices, refer to actual color/material board.

Elevations subject to final approval by the City.

Perkowitz + Ruth
ARCHITECTS
Long Beach, CA (562)628-8000 www.pranchitects.com

Client
Walmart

Project
Galt, California
Store # 5231-02

Material Board
Conceptual
February 10, 2010

MB
05.315 111N FLEX

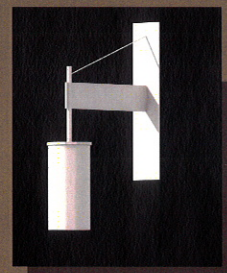
AMENITIES

** Although the manufacturer may change, amenities will be comparable to what is shown.

WAUSAU WASTE CONTAINER
ACTUAL COLOR TO BE BLUE

GARDCO BOLLARD
ACTUAL COLOR TO BE BLUE

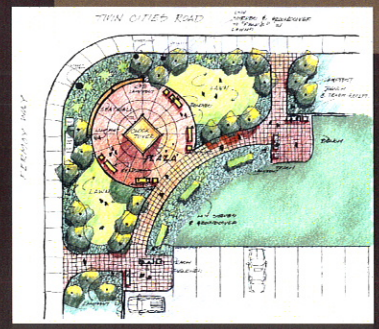
WAUSAU BICYCLE RACK
ACTUAL COLOR TO BE BLACK



LSI WALL LIGHT FIXTURE

WAUSAU METAL BENCH
ACTUAL COLOR TO BE BLUE

CLOCK TOWER PERSPECTIVE



CLOCK TOWER PLAZA PLAN

LSI AREA LIGHTING

Perkowitz+Ruth ARCHITECTS

Client: Walmart

Project: Galt, California
Store # 5231-02

SCALE: N.T.S.

Amenities Board

February 09, 2010

AB

Legend:

- General Merchandise Sales Area
- Seasonal/indoor Garden Sales
- Grocery Sales Area
- Grocery Support Area
- Retail Tenant Area
- Stockroom/Recieving Area
- Ancilliary Area
- Outdoor Center Area

Perkowitz+Ruth ARCHITECTS

Client: Walmart

Project: Galt, California
Store # 5231-02

SCALE: N.T.S.

Department Plan

February 09 2010

A-1.1

EXHIBIT C

NOTICE OF DECISION

DATE: March 10, 2010

TO: Tim Page, Doucet + SGI

FROM: Curt Campion, Galt Community Development Director

RE: Site Plan and Design Review Application for Proposed Wal-Mart Store Located at Southeast Corner of Twin Cities Road and Fermoy Way
(APN # 148-0074-058)

INTRODUCTION

On September 6, 2007, Wal-Mart Stores Inc. ("Applicant"), submitted an application for site plan and design review of a proposed retail store located on the southeast corner of Twin Cities Road and Fermoy Way ("Project") in accordance with Chapter 18.68 of the Galt Municipal Code ("Code"). Chapter 18.68 provides that all commercial developments requiring a building permit shall be subject to site plan and design review.

The site plan and design review application for the Project was subsequently amended by the Applicant on several occasions to incorporate recommendations made by members of the City's Planning Department relating to the City's building and design requirements. The documents that comprise the Applicant's final application are dated as follows: February 2010 and are attached hereto as Exhibit A ("Final Application").

Section 18.68.030 of the Code provides the Community Development Director ("Director") shall approve or conditionally approve a site plan and design review application, if he finds the proposed project to be in full compliance with the requirements of Chapter 18.68.030.

The Director hereby conditionally approves the Applicant's Final Application for site plan and design review of the proposed Project based upon the following findings and upon compliance with the conditions described below.

FINDINGS

1. The location and position of uses and buildings on the site as depicted in the Final Application is an appropriate use of space on the site and is compatible with the surrounding vicinity.

2. The exterior building design, including construction materials and color, as depicted in the Final Application is compatible with the surrounding neighborhood.

3. The Galt Police Department has determined that the Final Application provides security equipment and procedures sufficient to reasonably ensure public safety.

4. The Final Application provides exterior lighting sufficient to illuminate the entire site.

5. The Final Application provides that all storm drainage facilities will be placed underground in conformance with City standards.

6. The Final Application provides that all utility distribution facilities (including but not limited to electric (34 kilovolt), communication, and cable television lines) installed in and for the purpose of supplying service will be placed underground, except equipment appurtenant to underground facilities, such as surface-mounted transformers, pedestal-mounted terminal boxes, meter cabinets, and concealed ducts. The applicant for the Project will make the necessary arrangements with the utility companies involved in the installation of said facilities.

7. The Final Application complies with the parking and loading requirements contained in Chapter 18.36 of the Code.

8. The Final Application complies with the recyclable materials collection requirements contained in Section 18.36.120 of the Code.

9. The Project is located in the Northeast Area Specific Plan area and the Final Application complies with the Northeast Area Specific Plan requirements for commercial development occurring within the area.

10. Site plan and design review pursuant to Chapter 18.68 of the Code is a non-discretionary and as such is not subject to environmental review pursuant to the California Environmental Quality Act. *See GMC 18.52.030; CEQA Guideline 15060(c)(1).*

CONDITIONS OF APPROVAL

A site plan and design review application may be conditionally approved to include terms and conditions as deemed necessary or appropriate by the Director to affect the purpose of the City's Zoning Code. *See GMC 18.68.040*

The Applicant's site plan and design review Final Application for the Project is conditionally approved subject to compliance with the following conditions:

1. All storm drainage facilities will be placed underground in conformance with City standards.

2. All utility distribution facilities (including but not limited to electric (34 kilovolt), communication, and cable television lines) installed in and for the purpose of supplying service will be placed underground, except equipment appurtenant to underground facilities, such as surface-mounted transformers, pedestal-mounted terminal boxes, meter cabinets, and concealed ducts. The Applicant will make the necessary arrangements with the utility companies involved in the installation of said facilities.

3. The Project shall comply with the provisions of the Galt Landscape Manual.

4. The Project shall be reviewed for compliance with the City's Big Box Retail Design Standards by the Architectural Review Committee in accordance with the provisions of Chapter 18.38 of the Code. On February 22, 2010, the Architectural Review Committee held a public meeting to consider the Project's compliance with the City's Big Box Retail Design Standards. The Architectural Review Committee determined that the Project complies with the City's Big Box Retail Design Standards and recommended that the Planning Commission approve the Project.

5. Approval of the Final Application for site plan and design review pursuant to Chapter 18.68 is contingent upon the approval or conditional approval of a use permit for the Project in accordance with the provisions of Chapter 18.80 of the Code within twelve (12) months. If a use permit for the Project is not approved or conditionally approved within the specified time period, then site plan approval shall be automatically deemed revoked.

6. Approval of the Final Application for site plan and design review pursuant to Chapter 18.68 is contingent upon the certification of the EIR associated with the use permit for the Project.

7. The Project shall comply with applicable provisions found in other titles of the Code and all other applicable City policies, regulations, standards and specifications that are in effect upon the date of issuance of a building permit.

8. The conditions of approval of any use permit subsequently issued by the City are hereby incorporated into this Notice of Decision as conditions of approval of the site plan. In the event of an inconsistency between the terms or condition of this Notice of Decision and the terms or conditions of any use permit issued by the City, the terms and conditions of the use permit shall govern the Project.

9. Conditional approval of the Applicant's Final Application for site plan and design review shall not provide the Applicant with any vested right to proceed with development of the Project. The right to proceed with development of the Project is contingent upon approval or conditional approval of a use permit, certification of the EIR for the project, and receipt of a building permit.

10. The Project shall be constructed ~~in accordance~~ in substantial conformance with the Final Application and other documents referenced above in this Notice of Decision.

APPEAL PROCESS

This Notice of Decision may be appealed by any interested person within fourteen (14) calendar days of the issuance of the Notice of Decision. Appeal may be made by filing a written notice of appeal with the Community Development Director prior to the time the Notice of Decision becomes final. *See GMC 18.52.030.*

TIME FOR COMMENCEMENT AND COMPLETION OF DEVELOPMENT

The Applicant shall commence and diligently pursue to completion development of the Project in accordance with the timeframe provided for in any use permit that is issued by the City.

PL0558 CD

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ATTACHMENT 3

ARCHITECTURAL REVIEW COMMITTEE

Walmart
Perkowitz and Ruth Architects
Staff Report
February 22, 2010; 5:30 p.m.

Project Data

Project Location	Southeast corner of Twin Cities Road and Fermoy Way
Applicant:	Walmart Architectural package by: Perkowitz and Ruth Architects 111 W. Ocean Blvd., 21st Floor Long Beach, CA 90802 Don Fukumoto [562] 628-8000
Zoning:	Highway Commercial (HC)

Summary

The applicant is proposing to build a 133,279 square feet free standing Walmart retail store at the southeast corner of Twin Cities Road and Fermoy Way. The applicant has requested that the City review and approve up to 137,277 square feet (approximately 3 percent greater than the overall square footage) for the store to provide flexibility as the project progresses. The project site is immediately east of the Galt Village Commercial Center which includes the Raley's grocery store. Section 18.38.020 of the Galt Municipal Code (GMC) requires all new retail establishments with single tenant space of 50,000 square feet or greater to comply with design standards set forth in Chapter 18.38 of the GMC (Big Box Ordinance). Section 18.38.020 also states that the Architectural Review Committee (ARC) shall determine compliance with the design standards.

However, the Galt Municipal Code, and in particular, Title 18 (Zoning) does not contain any formal process for interpretation of the ordinance provisions. The City Attorney, in administratively interpreting the provisions of Section 18.38.020, has advised City staff that the Architectural Review Committee referenced in Section 18.38.020 shall have the same membership as the Residential Architectural Review Committee (two City Council members and one Planning Commissioner) referenced in Section 18.24.025 of the Galt Municipal Code, and any determinations of the Architectural Review Committee, pursuant to Section 18.38.020 are recommendations that are advisory to the Planning Commission. The City Council approved the City Attorney's interpretation at its meeting on February 2, 2010.

In addition to the design standards, the Big Box Ordinance also requires a Community Impact Analysis, Economic/Fiscal Impact Analysis, Crime Analysis, and an Urban Decay Analysis. These studies are included in the project Environmental Impact Report. The Draft Environmental Impact Report (DEIR) comment period concluded on January 25, 2010. Staff is working with the environmental consultant to prepare

responses to the comments received. Once the comments are addressed staff will bring the project to the Planning Commission for certification of the Final Environmental Impact Report and consideration of the Conditional Use Permit (CUP).

The proposed Walmart store is 133,279 square feet on an 11.26 acre lot. The building is oriented toward Twin Cities Road with vehicle access points on Twin Cities Road and Fermoy Way. It includes:

- ✓ 24,999 square feet of grocery sales area.
- ✓ 5,390 square feet of indoor garden area
- ✓ 6,030 square feet of outdoor garden area

The purpose of this ARC meeting is to determine conformance with the design criteria in the Big Box Ordinance, and make a recommendation to the Planning Commission. It is not to recommend approval or denial of the project. The Planning Commission will make a determination on the Conditional Use Permit request at a scheduled public hearing.

Big Box Retail Design Standards

The following analysis describes how the Walmart elevations propose to comply with the Big Box design criteria as set forth in the Galt Municipal Code Section 18.38.030. The specific Municipal Code design criterion is followed by a description, in bold lettering, of how the design addresses the requirement.

A. Aesthetic character.

1. Façades and exterior walls.

a. Façades greater than 100 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three percent of the length of the façade and extending at least 20 percent of the length of the façade. No uninterrupted length of any façade shall exceed 100 horizontal feet.

The Twin Cities Road elevation is 411' long. 3% of that length is 12'4". It is required to have 20% or 83'4" of the elevation project or recede 12'4". There is a total of 135' which meets this requirement. Projections on this elevation vary from 21' and 12'8".

The Fermoy Way elevation is 329' long. 3% of that length is 9'11". It is required to have 20% or 65'9" of the elevation project or recede 9'11". There is a total projected area of 181' meeting this requirement. The projections vary from 41' and 43'.

There is no unadorned wall on either elevation. The longest section of wall without an architectural element is 30'8" (Twin Cities elevation) and it is broken up vertically by a contrasting color split-face CMU band and a decorative cornice.

b. Ground floor façades that face public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than 60 percent of their horizontal length.

The Twin Cities Road elevation is 411' long. 60% of that length is 247'. 351' has

arcades, windows, entry areas, awnings, towers and trellises.

The Fermoy Way elevation is 329' long. 60% of that length is 197'4". 257' has an arcade, fenced openings, entry areas, trellis, tower, decorative stone and metal fence.

2. Small retail stores. Where large retail establishments contain additional separately-owned stores that occupy less than 30,000 square feet of gross floor area, with separate, exterior customer entrances, the street level façade of such stores shall be transparent above the walkway grade for no less than 50 percent of the horizontal length of the building façade of such additional stores.

Not applicable.

3. Detail features. Building façades must include:

a. A repeating pattern that includes no less than three (3) of the following typical elements:

i. Color change;

The submitted design uses a repeating color pallet with at least 5 different colors. The base of the building will "Dromedary Camel" (beige) the entry way and corner canopies will be "Wheat Penny" (brown) wall sections will be "Row House Tan", and accent colors will "Cobble Brown" and "Summit Grey".

ii. Texture change;

Textures include stucco, split-face CMU, matte finish decorative wall panels, cultured stone, metal roofing and painted decorative iron fencing.

iii. Material module change;

Material module changes of stucco, CMU, cultured stone, 5' x 10' wall panels, roof panels and vertical metal fencing.

iv. An expression of architectural or structural bays through a change in plane no less than 12 inches in width, such as an offset, reveal or projecting rib;

Both elevations use many columns and pilasters as architectural expression of either real or decorative structures. They are at least 12" in width.

iv. A specific architectural element proposed by the applicant's architect that is acceptable to the Planning Commission.

Features of the design that the Planning Commission may find acceptable include, the use of decorative tower elements, an awning covered window wall element, an arcade, a columned trellis structure, an arched top identity wall, and painted decorative fencing,

Note: At least one of the elements listed in items (i), (ii), or (iii) above shall be repeated horizontally. All elements shall repeat at intervals of no more than 30 feet, either horizontally or vertically.

The stone veneer wall bottoms, cornices, horizontal moldings and decorative masonry pilasters repeat at a variety of intervals under 30 feet horizontally.

4. Roofs. Roofs shall have no less than two (2) of the following features:

a. Parapets concealing flat roofs and rooftop equipment, such as HVAC units from public view. The average height of such parapets shall not exceed fifteen percent (15%) of the height of the supporting wall and such parapets shall not at any point exceed one-third of the height of the supporting wall. Such parapets shall feature three-dimensional cornice treatment;

There are screening parapets on all of the walls. They average more then 15% of the wall height or they would not screen the roof-top equipment. The parapets are reduced as much as possible to still accomplish the screening. If they were reduced it could result in exposed roof mounted equipment. The project still meets the requirements of Section 4 by conforming to the other elements in this section. The requirement is two from this category.

b. Overhanging eaves, extending no less than three feet past the supporting walls;

The hipped roof element has a three foot eave overhang.

c. Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to one foot of vertical rise for every three feet of horizontal run and less than or equal to one foot of vertical rise for every one foot of horizontal run;

There is a hipped roof element with a 4/12 roof slope meeting this requirement.

d. Three or more roof slope planes;

There are three sloped roof planes.

e. A specific architectural element proposed by the applicant's architect that is acceptable to the Planning Director and the Planning Commission.

Elements of the roof design that the Planning Commission may find acceptable include, the use of curved roof shapes on major building elements.

5. Materials and colors.

a. Predominant exterior building materials shall be of high quality material, including, but not limited to, brick, sandstone, other native stone, and tinted/textured concrete masonry units;

The exterior materials include split-face CMU, cultured stone, stucco, manufactured wall panels and metal roofing.

b. Façade colors shall be low reflectance, subtle, neutral, or earth tone colors. The use of high-intensity colors, metallic colors, black or fluorescent colors shall be prohibited.

The color palette is low reflectance, subtle, neutral, earth tones.

c. Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be an acceptable feature for building trim or accent areas.

The metal roofing is gray and the fence is black. There is no neon tubing used for trim.

d. Exterior building materials shall not include smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels.

No smooth face concrete masonry units, tilt-up concrete units or pre-fabricated steel wall panels are used.

B. Entryways.

1. Each large retail establishment on a site shall have clearly defined, highly visible customer entrances featuring no less than five (5) of the following:

a. Canopies or porticos;

The entrance has a canopy.

b. Overhangs;

The entry has a five foot overhang.

c. Recesses/projections;

The doors are recessed three feet.

d. Arcades;

Arcades are on both sides of the entry.

e. Raised corniced parapets over the door;

Not provided.

f. Peaked roof forms;

Not provided.

g. Arches;

There are arches adjoining the entry.

h. Outdoor patios;

There is a nearby patio and tree covered seating area integrated into the clock tower area.

i. Display windows;

Not provided.

j. Architectural details such as tile work and moldings which are integrated into the building structure and design;

There are many architectural elements incorporated into the entry area including decorative molding on the curved roof element and stone veneer on the entryway columns.

k. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting;

Not provided.

l. A specific architectural element proposed by the applicant's architect that is acceptable to the Planning Director and Planning Commission;

Features of the entryway design that the Planning Commission may find is the architectural tower element.

m. Where additional stores will be located in the large retail establishment, each such store may have at least one exterior customer entrance, which shall conform to the above requirements.

No additional store entrances for other retailers are included.

C. Site design and relationship to surrounding community.

1. Entrances. All sides of a large retail establishment that directly face an abutting public street shall feature at least one customer entrance. Where a large retail establishment directly faces more than two abutting public streets, this requirement shall apply only to two sides of the building, including the side of the building facing the primary street, and another side of the building facing a second street. Movie theaters are exempt from this requirement.

The main customer entry faces Twin Cities Road. An additional customer entryway, in the garden area, faces Fermoy Way.

2. Parking. See Chapter 18.36 (Parking) for relevant parking provisions.

The Walmart project is providing 531 parking spaces*. This exceeds the requirement of 503 set forth in Section 18.36 of the GMC. The following is a breakdown of the project parking requirement:

Indoor Garden Area	**5,390 square feet at 1 per 500**	**11 spaces**
Outdoor Garden	**6,030 square feet at 1 per 1500**	**4 spaces**
Grocery area	**24,999 square feet at 1 per 250**	**100 spaces**
Remainder retail area	**96,860 square feet at 1 per 250***	**388 spaces**
	133,279 total square feet	**503 required spaces**

*** The Walmart project does not meet the City's definition of shopping center, and the total retail square footage, less indoor garden, outdoor garden and grocery areas, is less than 100,000 square feet. Therefore, the remainder retail square footage is calculated at 1 space per 250 square feet.**

In addition, the revised site plan is showing a seasonal display area that uses 22 parking spaces. This drops the provided parking count to 509 spaces, which still exceeds the 503 required spaces. However, if Walmart decides to construct the larger square feet option (137,277) then Walmart will be required to meet parking requirements for the additional area. The additional store area will require up to 16 extra spaces. This will bring the required parking count to 519 spaces. The site cannot accommodate the potential growth area and the full size of the seasonal display area in the parking lot. This will be addressed in the Conditional Use Permit.

3. Back sides. The minimum rear setback for any building façade shall be thirty-five feet from the nearest property line. Where the façade faces adjacent residential uses, an earthen berm or decorative wall, no less than six feet in height, containing at a minimum native trees planted at intervals of twenty feet on center, or in clusters or clumps, shall be provided. The Galt Landscape Manual shall also apply to properly buffer the proposed use from existing residential uses.

The rear setback, adjacent to Emerald Village Senior II, is 60 feet, which exceeds the 35 foot requirement. In addition, a 12' wall and a 20 foot landscape buffer on the residential side of the wall are included in the rear setback. There is a 90 foot setback on the east side of the building adjacent to Rancho Son Jon residential subdivision. This includes a 12 foot wall and a 10 foot landscape median. A row of trees will be planted in the landscape median.

4. Vehicular, pedestrian and bicycle connectivity. The site design must provide direct connections and safe street crossings to adjacent land uses and existing and proposed public transportation facilities and bikeways.

The project includes two pedestrian access points from Twin Cities Road into the site, and two pedestrian access points from Fermoy Way. There is an existing bike lane on Fermoy Way and one will be installed on Twin Cities Road as part of the project requirements.

5. Central features and community space. Each retail establishment subject to these standards shall contribute to the establishment or enhancement of community and public spaces by providing at least two of the following: patio/seating area, pedestrian plaza with benches, window shopping walkway, outdoor playground area, kiosk area, water feature, self-supporting street clock, or other such deliberately shaped area and/or a focal feature or amenity that, in the judgment of the Planning Commission, adequately enhances such community and public spaces. Any such areas shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscape.

The project meets this objective with the clock tower plaza at the corner of Twin Cities Road and Fermoy Way. Amenities include a working clock tower with design to match the main building, bench seating, decorative paved areas, lawn area, and landscape areas.

6. Delivery/loading operations. No delivery, loading, trash removal or compaction, or other such operations shall be permitted between the hours of 10:00 p.m. and 7:00 a.m., unless the applicant submits evidence that noise abatement strategies between all areas for such operations effectively reduce noise emissions to a level of 45 dB, as measured at the lot line of any adjoining property. (Also see Chapter 18.36, Parking).

Noise abatement includes the construction of 12' walls on the east and south property lines separating the project from the residential areas. A more detailed study, and mitigation, is contained in the project EIR. Part of this mitigation is limiting delivery, loading, trash removal and compaction, and other such operations between the hours of 10:00 p.m. and 7:00 a.m. The project will be required to adhere to the City's noise ordinance found in Chapter 8.40 of the GMC.

7. Lighting. The applicant shall provide exterior lighting sufficient to illuminate the entire site. Such lighting shall be directed and shielded in such a manner as to prevent illumination of neighboring properties to as reasonable an extent as possible.

Light levels are kept to a minimum, less than .025 foot candles outside the property line and most cases at 0 foot candles outside the property line (nearby residential). This is accomplished by the use of directional cutoff lighting fixtures and light poles less than 18 feet to eliminate light spill over into the adjacent residential areas.

8. Signage. See Chapter 18.60 (Signs) for applicable sign provisions.

The project will be required to submit a permit for all signs.

9. Landscaping. See the Galt Landscape Manual for applicable landscaping provisions.

The project will be required to submit a detailed landscape plan.

Enclosures: Walmart Design Package

PL0424-10 1

City of Galt
Community Development Department
Building – Planning - Redevelopment
495 Industrial Drive ~ Galt, CA 95632
209-366-7200 (Bldg.) - 209-366-7230 (Planning) - 209-744-1642 Fax

MEMORANDUM

TO: **Honorable Chairperson and Planning Commissioners**

FROM: Curt Campion, Community Development Director CC

DATE: March 25, 2010

SUBJECT: General Plan Annual Report

Recommendation:

That the Planning Commission review the City of Galt 2030 Galt General Plan Annual Report: 2009, comment and direct staff to make any needed modifications to the report and then by motion recommend that the City Council accept said report and direct staff to submit said report to the Governor's Office of Planning and Research and the Department of Housing and Community Development in accordance with Government Code §65400.

Discussion:

Government Code §65400 requires that all cities and counties submit to their legislative bodies an annual report on the status of the General Plan, including progress and implementation. A copy of this progress report must also be sent to the Governor's Office of Planning and Research, as well as the Department of Housing and Community Development.

The intent of the statute is to ensure that General Plans direct land use decisions and remains an effective guide for future development. Because the role of the General Plan is to act as a "constitution" for the long term physical development of the community and because it is required to be updated periodically to reflect current circumstances, it is important that local planning agencies review the General Plan and its implementation.

The first section of the report is related to the overall General Plan and the various elements. The second part of the report shows progress in meeting regional housing needs followed by the description of the Sphere of Influence Boundary Amendment which was submitted last year, as well as redevelopment activities, City accomplishments for 2009 and the status report on the implementation of various General Plan policies by element.

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City of Galt
2030 Galt General Plan
Annual Report: 2009

City Council

Randy Shelton, Mayor
Barbara Payne, Mayor Pro Tem
Darryl Clare, Councilmember
Donald Haines, Councilmember
Andrew Meredith, Councilmember

Jason Behrmann, City Manager

Planning Commission

Marylou Powers, Chairperson
LeeAnn McFaddin, Vice Chairperson
Sherry Daley
Jim Pellandini
Marc Yates
Eugene Davenport, Alternate

Community Development Department

Curt Campion, Community Development Director

Cathy Kulm, Planning Commission Secretary

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Introduction

Government Code Section 65400 (b) (1) requires the City to file an annual report addressing the status of the General Plan and progress made toward implementation of its goals, policies, and programs, including progress in meeting its share of regional housing needs and efforts to remove governmental constraints to the maintenance, improvement, and development of housing. The annual report requires presentation to the City Council for review and acceptance. A copy of the annual report is required by and provided to the Office of Planning and Research and the Department of Housing and Community Development by April 1 of each year.

This annual report covers the calendar year January 1 to December 31, 2009.

Acceptance Date

The 2009 Annual General Plan Progress Report was reviewed by the Planning Commission on _____ and accepted by the City Council on _____.

Planning Division

> *"The Legislature finds and declares that California's land is an exhaustible resource, not just a commodity, and is essential to the economy, environment and general well-being of the people of California. It is the policy of the state and the intent of the Legislature to protect California's land resource, to insure its preservation and use in ways which are economically and socially desirable in an attempt to improve the quality of life in California." Government Code Section 65030*

To this end, the Planning Division plans for and promotes reasonable, productive, and safe long-term uses of the land, which fosters economic and environmental prosperity.

Planning Division activities include preparing and administering the City's General Plan and Zoning Ordinance, processing amendments, conducting environmental reviews, preparing specific plans, reviewing subdivisions and development proposals, informing the public of the City's land use policies and development ordinances, processing annexation requests, and providing demographic and census information.

Planning Commission's Activities

The Planning Commission has authority over planning and zoning matters as set forth by City Code and State law. The Planning Commission makes recommendations to the City Council regarding general plan amendments, zone changes, planned developments, and amendments to the Zoning and Subdivision Ordinances. The Commission may approve, conditionally approve, or deny applications for tentative subdivision maps, development plans, architectural plans, conditional use permits, and variances. The latter items are reviewed by the City Council only on appeal. The Commission also performs review of environmental documents in accordance with California Environmental Quality Act (CEQA) in conjunction with review of applications.

The Planning Division provides staff support to the Planning Commission. Routine tasks include the scheduling of meetings, preparing agendas, posting hearing notices, preparing staff reports and recommendations, and preparing minutes. Planning Division staff provides environmental review as required under the California Environmental Quality Act (CEQA) and land use analysis, and prepares staff reports for the Planning Commission and City Council.

During the 2009 annual report period, the Planning Commission reviewed: two Text Amendments, two Zone Changes, two Architectural Reviews, three Conditional Use Permits, two Tentative Subdivision Maps, four Categorical Exemptions, three Mitigated Negative Declarations, one Minor Use Permit and one Specific Plan Amendment.

Status of General Plan

Each element of the General Plan was completed according to the General Plan Guidelines developed and adopted by the Governor's Office of Planning and Research. The City Council adopted the City of Galt's General Plan on April 7, 2009. The General Plan consists of ten elements. Adoption of the General Plan in 2009 culminated a five year period during which the City worked with the General Plan Advisory Committee, Planning Commission, and the City Council to update the General Plan. This process involved over 50 public meetings during this timeframe.

Table 1. General Plan Elements

Element	Date of Adoption or Major Revision	Comment
Land Use	4/7/09	
Circulation	4/7/09	
Housing	6/5/03	The City is currently updating the Housing Element.
Economic Development	4/7/09	
Public Facilities and Services	4/7/09	
Conservation and Open Space	4/7/09	
Historic Resources	4/7/09	
Noise	4/7/09	
Safety and Seismic	4/7/09	
Community Character	4/7/09	

LAND USE ELEMENT – Adoption Date: April 7, 2009

This part is the most familiar of all of the policy chapters in the General Plan. It contains the Land Use and Circulation Diagram that prescribes uses for all of the Planning Area and describes standards for each of the land use designations shown on Diagram (page 6). The element defines a series of goals, policies, and implementation measures related to the following topics:

- Overall City Growth and Expansion
- New Development
- Downtown
- Residential Growth
- Commercial, Mixed-Use, and Public/Quasi-Public Development
- Office Professional Development
- Industrial Development
- Agriculture, Open Space, and Parks
- Environmental Justice
- General Plan Maintenance

It is important that the users of this Policy Document understand that the goals, policies, standards**,** and implementation programs described in Part II are as important, if not more so, than the Land Use and Circulation Diagram in representing the City's land use and development policy. Accordingly, any development proposals or review thereof must consider this Policy Document as a whole, rather than focusing solely on the Land Use and Circulation Diagram or on particular policies and programs.

The Land Use and Circulation Diagram includes 13 land use designations falling within two major categories: residential and nonresidential.

Pending Amendments: River Oaks 3 – Tentative Subdivision Project

CIRCULATION ELEMENT – Adoption Date: April 7, 2009

The General Plan addresses several transportation issues that are critical to the continued development of Galt. The Land Use and Circulation Diagram (page 6) depicts the proposed circulation system. This circulation system is represented on the diagram as a set of roadway classifications that have been developed to guide Galt's long-range planning and programming. Roadways are systematically classified based on the linkages they provide and their function, both of which reflect their importance to the land use pattern, traveler, and general welfare.

Major improvements to the roadway system include the widening of State Route 99; improvements and realignments of major State Route 99 overpasses and on- and off-ramps; and new north-south extensions of Carillion Boulevard, Marengo Road, and Industrial Drive; and new east-west extensions of Walnut Avenue, Simmerhorn Road, Boessow Road. The Land Use and Circulation Diagram and related policies also call for the widening and improvement of Twin Cities Road through the Planning Area.

In addition to addressing future roadway plans and improvements, the Circulation Element contains goals, policies, and implementation programs related to the following issues:

- City Street System
- Freeways and Highways
- Residential Streets
- Automobile Parking
- Transit Facilities and Services
- Non-Motorized Transportation
- Airports
- Complete Streets

Pending Amendments: None.

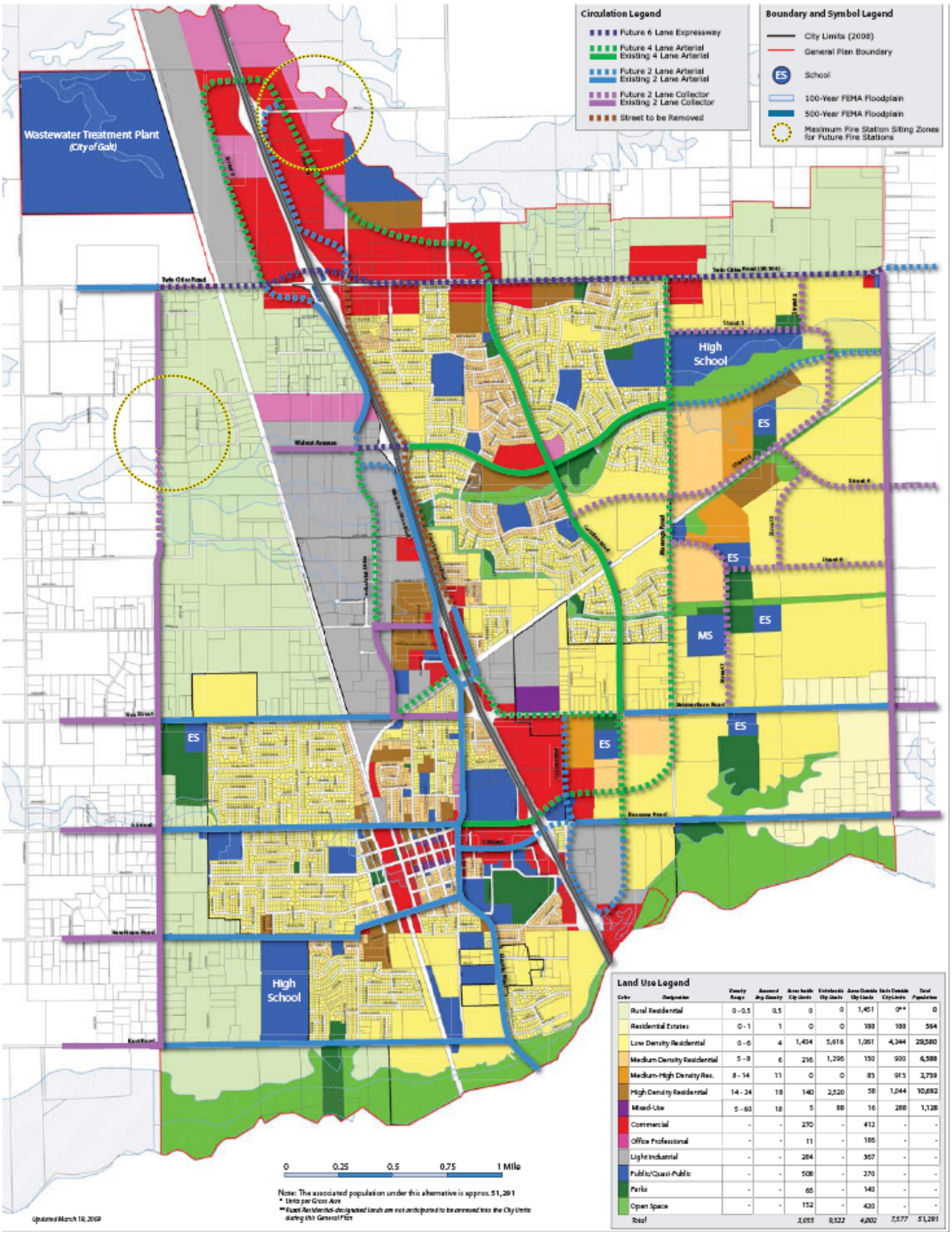
CONSERVATION AND OPEN SPACE ELEMENT– Adoption Date: April 7, 2009

Galt's environmental resources (water, vegetation, wildlife, and open space) contribute to the city's economy and are important elements in the quality of life of Galt's residents. These natural resources exist in limited quality and are at risk of destruction or degradation through continued urban development. The General Plan seeks to balance the need for growth with the need for conservation and enhancement of the area's natural resources, frequently in cooperation with other agencies. This chapter addresses the following topics:

- Water Resources
- Fish and Wildlife Habitat
- Vegetation
- Agriculture, Open Space, and Natural Resource Preservation
- Air Quality–General
- Air Quality–Transportation
- Global Warming and Energy Conservation

Pending Amendments: None.

2030 Galt General Plan Land Use Map



PUBLIC FACILITIES & SERVICES ELEMENT – Adoption Date: April 7, 2009

This chapter addresses how to provide public facilities and services needed to adequately serve development within the General Plan. While the development of detailed plans for facilities and services is beyond the purview of the General Plan, this chapter does establish a framework for guiding planning decisions related to facility development and service provision. The general emphasis of the policies and programs is on ensuring the provision and maintenance of adequate services, while discouraging unnecessary, wasteful, or inefficient extension of existing systems or development of new facilities. This chapter contains goals, policies, and implementation programs related to the following facilities and services:

- Public Facilities and Services Funding
- Water Supply, Treatment, and Delivery
- Wastewater Collection, Treatment, Disposal, and Reuse
- Stormwater Drainage
- Solid Waste Collection and Disposal
- Law Enforcement
- Fire Protection and Emergency Medical Services
- Parks and Recreational Open Space
- Education
- Childcare
- Gas and Electric Services
- Information Technology

Pending Amendments: None.

COMMUNITY CHARACTER ELEMENT – Adoption Date: April 7, 2009

This chapter establishes qualitative urban design goals and policies which reinforce communitywide concepts depicting a framework of neighborhoods, corridors, and landmarks. Community design integrates diverse development concepts at an array of levels. From the overall city to neighborhoods and districts to streetscape and structure design, the goals and policies presented in this element provide for the visual pattern of land uses and circulation.

Key issues include the maintenance and enhancement of the quality of life in Galt by providing an overall theme of Galt as an urban city in the midst of a rural and open space landscape, establishing well-designed and inviting gateways and corridors in the city, providing the framework for the protection of Galt's Downtown and its historical assets, and preserving and enhancing Galt's trees.

The Community Character Element contains goals, policies, and implementation programs related to the following issues:

- Overall Community Design
- Gateways and Community Corridors
- Downtown
- Trees

Pending Amendments: None.

ECONOMIC DEVELOPMENT ELEMENT – Adoption Date: April 7, 2009

This chapter addresses key economic development issues relating to the maintenance and enhancement of Galt's quality of life by retaining and encouraging the expansion of existing industries and businesses in the community; encouraging the development of new industries and businesses in the community thereby creating new jobs for Galt residents; and preserving and enhancing the rich historic character

Economic development is about planning for a community where businesses can thrive and attract wealth, provide jobs and income growth for local residents, generate revenue for local government, and revitalize existing neighborhoods. The policies in this chapter will help Galt to identify its role within the regional economy and position the community to benefit from economic opportunities as they arise. This includes targeting the types of businesses that the community wants to attract and retain, ensuring that resources are available for the labor force to improve its occupational skills, and creating a business climate that makes the community attractive for business location and expansion.

This chapter addresses the following topics:

- Retail Attraction and Development
- Downtown Development
- Industrial and Office Attraction and Development
- Business Retention and Expansion
- Workforce Development

Pending Amendments: None.

NOISE ELEMENT – Adoption Date: April 7, 2009

A feature of Galt's small-town character and quality of life is its relatively quiet atmosphere. Noise results from many sources, including road traffic, railroad operations, aircraft, and industrial activities. Exposure to excessive noise has often been cited as a health problem, not so much in terms of actual physiological damage such as hearing impairment, but more in terms of general well-being and contributing to undue stress and annoyance.

This chapter contains goals, policies, and implementation measures on the following topic:

- Noise

Pending Amendments: None.

SAFETY AND SEISMIC ELEMENT – Adoption Date: April 7, 2009

Many of the health and safety risks associated with development can be avoided through location-specific decisions made at the planning stages of development, while others may be lessened through the use of mitigation measures in the planning and land use regulation process. This chapter outlines the City's strategy for ensuring the maintenance of a healthy and safe physical environment in Galt, and contains goals, policies, and implementation measures related to the following topics:

- General Health and Safety
- Seismic and Geologic Hazards
- Flood Hazards

- Fire Hazards
- Hazardous Materials
- Rail Corridors

Pending Amendments: None.

HISTORIC RESOURCES ELEMENT – Adoption Date: April 7, 2009

Galt has a rich historic heritage, and many significant historic buildings, events, and artifacts reflect its past. Downtown Galt in particular includes over twenty-five historically-significant buildings. The General Plan sets the framework for a comprehensive program to foster historic preservation efforts in Galt through a systematic program, community education, and coordination within the City and with historic preservation groups. This chapter contains goals, policies, and implementation measures related to the following topics:

- Historic Preservation
- Economic Incentives for Historic Preservation
- Historic Preservation Education and Awareness
- Archeological Resources

Pending Amendments: None.

HOUSING ELEMENT – Adoption Date: June 5, 2003

The Housing Element identifies and analyzes existing and projected housing needs and includes a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element is required to identify adequate sites for housing, including rental housing, factory-built housing, and mobilehomes, and to make adequate provisions for the existing and projected needs of all economic segments of the community.

HCD Compliance Date: September 15, 2003

Amendments: None.

Pending Update: In 2007, the City Council awarded a contract for preparation of an update to the General Plan Housing Element to EDAW. It is anticipated that this update will be complete in the spring of 2010.

REGIONAL HOUSING NEEDS ALLOCATION (RHNA)

In accordance with Government Code (Section 65584), the Sacramento Area Council of Governments (SACOG) adopted the Regional Housing Needs Allocation (RHNA) Plan in Sept. 2001. For the seven year period of the plan (2000-2007), the City of Galt was allocated 2,162 households in the RHNA Plan. Table 2 provides the housing need allocation for the City, classified by income level, as identified in the RHNA Plan.

Table 2. City of Galt RHNA By Income Level 2000-2007

Total Units	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income
2,162	489	349	398	926

Source: Sacramento Area Council of Governments (SACOG). Regional Housing Needs Allocation (RHNA) Plan, 2000-2007 – Final Sept. 2001.

Table 3 provides the 2009 maximum household income limits for Sacramento County (very low-, low-, moderate-and above-moderate) as determined by the California Department of Housing and Community Development and derived from the U.S. Department of Housing and Urban Development. Although household incomes vary considerably throughout Sacramento County, the City is required to use countywide California Department of Housing and Community Development income limits to evaluate housing affordability.

Table 3. 2009 Sacramento County Maximum Household Income Limits

Income Level	Household Size				
	1 Person	2 Person	3 Person	4 Person	5 Person
Very Low Income	25,500	29,100	32,750	36,400	39,300
Lower Income	40,800	46,600	52,450	58,250	62,900
Median Income	50,950	58,250	65,500	72,800	78,600
Moderate Income	61,150	69,900	78,600	87,350	94,350

Source: California Department of Housing and Community Development (Based on the 2009 median family income of $72,800 for Sacramento County).

Table 4 shows the number of dwelling units added in calendar year 2009. A total of 3 units were added.

Table 4. Units Completed in 2009 By Income Level

Total Housing Units Added	Very Low-Income	Low-Income	Moderate Income	Above Moderate-Income
3		1	1	1

State law requires the annual report to include " . . . the progress in meeting its share of regional housing needs . . ." for monitoring the effectiveness of the implementation programs of the Housing Element of the General Plan.

Table 5 provides a tabulation of Galt's regional fair share allocation within the RHNA and the City's overall progress in meeting its share of the projected regional housing needs for the various income levels. The City added 1,542 new housing units from 2000 through 2007 and 53 new housing units in 2008 and 2009. This represents approximately 71.3 percent of the City's Regional Housing Needs Allocation as set forth in the RHNA for the period of 2000-2007, and 73.7 percent including 2008 and 2009.

Table 5
Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Income Level		RHNA Allocation by Income Level	2000 Year 1	2001 Year 2	2002 Year 3	2003 Year 4	2004 Year 5	2005 Year 6	2006 Year 7	2007 Year 8	2008 Year 9	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very low	Deed Restricted	489			20							20	400
	Non-deed restricted		1	56	12							69	
Low	Deed Restricted	349	2	1					26		1	30	118
	Non-deed restricted		67	23	92	12	5		2			201	
Moderate	Deed Restricted	398							28			28	-182
	Non-deed restricted		96	126	156	36	73	44	3		18	552	
Above Moderate		926	2	5	35	11	199	97	182	130	32	693	233
Total RHNA by COG			168	211	315	59	277	141	241	130	51	1,593	569
Total Units ► ► ►													
Remaining Need for RHNA Period ► ► ► ► ►													569

Sphere of Influence Boundary Amendments

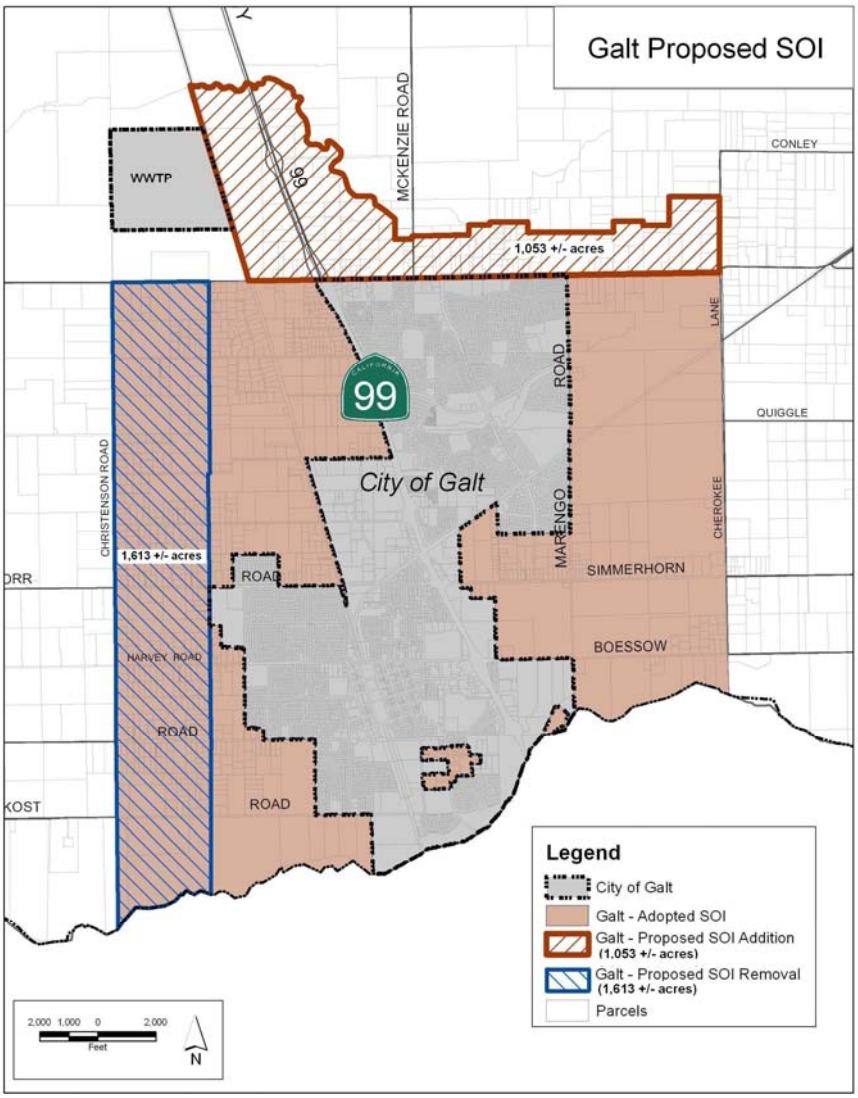
The City of Galt submitted an application to the Sacramento Local Agency Formation Commission (LAFCo) to amend the Sphere of Influence (SOI) on July 20, 2009. The application is consistent with the newly adopted 2030 Galt General Plan.

As part of this application submission, City staff prepared a Municipal Services Review (MSR), which was submitted with the SOI application.

The amended SOI application requests approximately 1,053 acres be added to the SOI on lands north of Twin Cities Road from Cherokee Road on the east to the U.P.R.R. mainline to the west. The northern boundary generally follows Skunk Creek between the eastern and western margins noted above. (ee diagram below.)

A simultaneous detachment of approximately 1,613 acres is also proposed. The detached area is located between Sargent and Christensen Roads and from Twin Cities Road south to the County boundary.

The amended SOI would allow for future annexation and urbanization to the City of Galt.



Redevelopment Activities

The City of Galt established the Redevelopment Agency, pursuant to Redevelopment Law, in 1983 and created the Galt Redevelopment Project Area. The City Council declared itself the Agency and assumed all the rights, powers, duties and privileges vested in a redevelopment agency. The City amended the redevelopment project area in 2007. This amendment extended the expiration date of the project area and expanded its boundaries.

Commercial Revitalization:

Odd Fellows Building Rehabilitation Project

The Galt Redevelopment Agency partnered with D&S Development for the rehabilitation of the historic Odd Fellows building. The building, located at 201 4th Street, is in the City's Downtown Revitalization and Historic Preservation Specific Plan Area (DRHPSP). The building is listed on the National Register of Historic Places and the City of Galt's list of historic sites. The building was in poor shape and contributing to blighting conditions. In addition, the City, and Agency, has targeted this area for renovation. The improvement of the building will help eliminate blight and is consistent with the City's specific plan for the area and the Redevelopment Agency's 5 Year Implementation Plan. In conjunction with other revitalization projects in the area it is hoped that a renewed interest in the historic area will generate enough interest so that a vibrant commercial center could emerge.

Façade Improvement Program

The Galt Redevelopment Agency initiated a Façade Improvement Program (FIP) in October of 2007. The program was created to help eliminate blighting conditions and preserve and restore the Downtown and Old Town Business District by providing incentives to stimulate investment in high quality building improvements.

Through this program, the Redevelopment Agency shares the costs of improving building exteriors promoting joint public/private action and investment which will complement and enhance other Agency downtown revitalization efforts. The FIP provides matching grants up to $15,000 for commercial property and business owners in the DRHPSP area.

Program activity in FY 2008-2009 included the completion of one (1) FIP project for a total of $5,250.

Activity for the year includes the following:

812 C Street (Brewster House) - The Brewster House is listed on the National Register of Historic Places and the City of Galt's list of historic sites. The FIP project included a matching grant of **$5,250**. The project was completed in **December 2008**.

408/412 C Street, 416 C Street & 305 4th Street - The buildings are located on the corner of C and 4th Street. The buildings are listed on the City of Galt's list of historic sites. The project was started in July of 2009 and is expected to be completed in early 2010.

227-241 S. Lincoln Way - The buildings are located on the east side of Lincoln Way between A and C Streets. The application was received in September of 2008. The project has not yet started.

253-257 S. Lincoln Way – The buildings are located on the northeast corner of Lincoln Way and C Street. The intersection is considered the heart of Galt as it is the crossroads of the City's two main thoroughfares. The application was received in March 2009. The project has not yet started.

232 S. Lincoln Way – The project is located on the west side of Lincoln Way across from the aforementioned projects. The application was received in June 2009. The project has not yet started.

Affordable Housing Development Progress

Galt is also making significant progress in its affordable housing objectives, utilizing State HOME funds and Redevelopment Agency Housing Set-Aside funds.

Affordable Housing Activities:

Galt Place

The Galt Redevelopment Agency partnered with and entered into an agreement (December 2008) with CFY Development, Inc, for the construction of Galt Place, a mixed use affordable senior housing project. The project will be located on a 1± acre property at the southeast corner of 4th and D Street in the City of Galt's Downtown area. The project will consist of one three story building. The ground floor contains commercial space, tenant common areas and parking. The second and thirds floors are comprised of the senior apartments. There will be a total of 81 apartments, 64 one bedroom and 17 two bedroom apartments. One apartment will be used for a live in manager unit. The remaining 80 will be restricted to those meeting age and income restrictions.

The building will face 4th, D and E Streets. Primary pedestrian access for tenants will be from D Street although there will be access points off of 4th Street. Commercial access will be from 4th, D Street and E Street. All parking will be accessed from the alley and E Street. In addition to providing affordable units, the project helps support the overall redevelopment goal of improving the older downtown area. The project is expected to break ground in the beginning of 2010.

Galt Housing Rehabilitation Loan Program

The Galt Housing Rehabilitation Program is available to low income owner/occupants and to investors who own rental property that is occupied by a low income household(s). The property must be within the Target Area or be specifically approved by the City. The dwelling unit must be in need of repairs to correct health and safety hazards. Funds may be approved for a room/bathroom addition only if it will correct certain overcrowding conditions as defined in the program guidelines.

The program allows for a range of financing options that will provide the most benefit to the homeowner while protecting the City/Agency and recirculating funds to the extent possible for other rehabilitation loans. In general, the total indebtedness against the property cannot exceed 95% of the after rehabilitation value. Loans will not be approved for less than $5,000 (due to cost of processing) and the maximum amount shall not exceed $50,000 unless there are exceptional circumstances and the loan to value ratio is not exceeded. The following is a summary of the programs options:

All projects are reviewed and approved by the Loan Review Committee (LRC). The LRC is comprised of two City of Galt Department Heads (currently the Finance Director and the Community Development Director) and a member of the community at large with working experience in housing loans (currently the Manager of local Union Bank).

GALT HOUSING REHABILITATION PROGRAM PROJECT LIST - FISCAL YEAR 2008/2009

Address	Amount	Type	Income Category	Date
127 Oak Avenue	5,000	Grant	Low	7/28/08
820 N. Lincoln. #61	5,000	Grant	Very Low	7/28/08
604 Pringle Ave. #127	2,795	Grant	Very Low	7/28/08
604 Pringle Ave #24	2,495	Grant	Very Low	7/28/08
604 Pringle Ave. #8	4,195	Grant	Very Low	7/28/08
604 Pringle Ave. #105	5,000/1,510	Grant	Very Low	7/28/08-11/12/08
628 Myrtle Ave.	2,282	Grant	Low	11/12/08
604 Pringle Ave. #119	4,650	Grant	Very Low	11/12/08
604 Pringle Ave. #53	5,000	Grant	Very Low	3/25/09
604 Pringle Ave. #15	2,260	Grant	Very Low	3/25/09
604 Pringle Ave. #2	3,800	Grant	Very Low	3/25/09

Total 2008/2009 Grants	$43,987
Total 2008/2009 Loans	0
Total 2008/2009 Program Expenditures	$43,987

Habitat for Humanity Project

The Redevelopment Agency partnered with Habitat for Humanity for the construction of two (2) income restricted for sale homes. In 2005 the Agency donated a single parcel of land to the project. Habitat for Humanity completed a lot split and construction of the homes. The Agency entered into a Housing Affordability Covenants Conditions and Restrictions Agreement with the first home owner, located at 719 Simons St., in May 2008. The second home was completed in July 2009 and the Agency entered into a Housing Affordability Covenants Conditions and Restrictions Agreement with the home owner, located at 725 Simons St., in Oct. 2009 (2009-2010 reporting year).

City of Galt 2009 Accomplishments

Some of the highlights of this year's accomplishments include:

- Adoption of the 2030 Galt General Plan, April 2009
- Development of the Carillion Corners Retail Center hosting Tractor Supply, Rite Aid Drugs, and other smaller retail users totaling 48,700 sq. ft. in the first phase of development.
- Opening of Kentucky Fried Chicken/Long John Silvers fast food restaurant, 3,066 sq. ft.
- Renovation of the Galt Stop and Shop Center, 28,598 sq. ft.
- Opening of the Community Resources Charter School, 4,410 sq. ft.
- Submission of application for the Galt Sphere of Influence Amendment and completion of the Municipal Services Review Report.
- FY 2008-2009, the City made 26 requests for State and Federal grants and other appropriation requests and received 2.2 million dollars.
- Began Walker Park, Phase 1 construction.
- Began Lincoln Way Parking Lot construction.
- Secured $1 million from Caltrans for Twin Cities interchange – initiated design.
- Substantially completed WWTP Effluent Pipeline construction.
- Awarded contracts for WWTP Upgrade and equipment purchase.
- Began design for Live Oak Lift Station and Force Main Replacement.

- Completed arsenic treatment improvements at Industrial, Carillion and Fumasi wells.
- Completed Pistol Range Master Plan.
- Began Twin Cities Road/Carillion Blvd. Traffic Signal Improvements.
- Completed Safe Routes to School Pedestrian Safety Improvements.
- Completed electronic gate upgrade at the Municipal Services Center.
- Completed paving work for Union Pacific Railroad street crossings.
- Coordinated with Galt Joint Union High School District to open Liberty Ranch High School.
- Completed GASB34 infrastructure valuation in-house (for first time).
- Installed downtown way-finding signs.
- Completed 800 MGZ radio tower, installation of new dispatch stations, increased grant funding from Sacramento County OA.
- Upgrade to evidence room, in compliance with best practices audit done 3 years ago. Alarms added to storage area, key pad added to outer door, new tracking software implemented, new bar coding scanner acquired, regular purging begun and now on track monthly, random internal audit conducted with all items located and found to be in their proper storage areas.
- Development and implementation of Measure R budget during mid year budget cycle.
- Hiring and training of six new officers.
- Established a private property graffiti removal process funded from Measure R.
- Increased focus on drug cases and drug arrests.
- Digital Records – although we started our digital records process before last year, we have worked to scan documents going backward. We are currently at 2001 and hope to finish with 2000; thereby giving us 10 years of information in LaserFische. This was a big project considering our part-time budget was cut.
- Shred-It – held two Shred-It events free for the citizens of Galt. In the last event, Oct. 2009, we quadrupled our number of citizens participating from the event in the spring of 2009.
- Finance implemented an Interactive Voice Response (IVR) system allowing our customers to access utility information and make credit card payments over the telephone.
- Finance began implementation of online payments which is estimated to be available in early 2010.

General Plan Implementation Schedule Progress

The City's progress in accomplishing the implementation measures set forth in the General Plan are depicted in Appendix A.

APPENDIX A

LAND USE

Implementation Programs	Status
LU-A: Sphere of Influence The City should request that the Sacramento Local Agency Formation Commission (LAFCO) modify Galt's sphere of influence consistent with the long-term growth plans reflected in the General Plan.	In July 2009, the City submitted an application to amend the SOI consistent with the 2030 General Plan. Additionally, staff prepared and submitted the Municipal Services Review Study (MSR) to accompany the application.
LU-B: Habitat Conservation Plan The City should work with Sacramento County to identify and protect critical species habitat as shown in the proposed South Sacramento County Habitat Conservation Plan (SSHCP).	The City continues to work with Sacramento County and other participating agencies in the preparation of the SSHCP.
LU-C: Landscape and Lighting District The City should explore the use of a citywide Landscape and Lighting District and other programs to fund landscape maintenance.	In May 2005, the City established Lighting, Landscaping and Maintenance District #3, which provides a funding mechanism addressing this policy for new development.
LU-D: Annual General Plan Reviews The City Council should review the General Plan annually, focusing principally on actions undertaken in the previous year to carry out the implementation programs of the plan.	This report fulfills this program.
LU-E: Major General Plan Reviews The City should conduct a major review of the General Plan, including the General Plan Policy Document and Existing Conditions Report, beginning every ten years from the date of final approval of this General Plan, and should revise it as deemed necessary.	The City will conduct reviews as suggested.
LU-F: Ordinance Consistency The City should review and amend, as necessary, applicable ordinances, regulations, and plans referenced herein to ensure consistency with the General Plan. These shall include, but not be limited to, the Park Master Plan, Bicycle and Pedestrian Plan, Landscape Manual, and Building Code.	Reviews for consistency with the 2030 General Plan have begun. The Draft Park Master Plan is consistent with the General Plan. Other ordinances and policies will be reviewed, revised and amended as necessary.
LU-G: Downtown Revitalization and Improvement The City should work with Downtown business and property owners to continue revitalization efforts via private property improvements and programs.	The Downtown Revitalization and Historic Preservation Committee meets periodically to review projects for consistency. Staff updates necessary policies periodically to address changed conditions. Staff actively engages property and business owners, encouraging revitalization of property.
LU-H: Zoning Ordinance and Zoning Map Consistency The City shall review and amend, as necessary, the Zoning Ordinance and Zoning Map to ensure consistency with the General Plan.	This program is anticipated to be funded in the FY 09-10 budget.

CIRCULATION ELEMENT

Implementation Programs	Status
C-A: Capital Improvements Financing Plan and Development Fees The City shall update its Long-Term Capital Improvement Program (CIP) to include all new facilities identified in the General Plan with appropriate funding mechanism such as assessment districts and/or grants. The City shall subsequently update the CIP's five-year implementation plan as deemed appropriate.	In coordination with the completion of the 2030 General Plan, City staff undertook a comprehensive update of the CIP consistent with the General Plan. It is anticipated that is update and fee adjustment will be complete in March/April, 2010.
C-B: Park-n-Ride The City shall investigate opportunities for new Park-n-Ride facilities as part of ongoing development project review, during design of new highway interchanges, and major street improvement projects, and during the annual review of the Transit Budget.	Ongoing as part of new project submissions or City initiated projects.
C-C: Bike and Pedestrian Master Plan The City should update the Bike and Pedestrian Master Plan every five years to maintain eligibility for grant funding. The plan shall also be updated to address the issues noted in the policies.	The City anticipates undertaking an update of this plan in 2010 contingent upon budget approval.
C-D: Transit Planning The City will work with local transit service providers to improve transit in the City.	The City continues to work cooperatively with South County Transit.
C-E: Sidewalk Maintenance and ADA Program The City should maintain and inventory of City sidewalks and continue implementation of ADA compliance plans and periodic maintenance of sidewalks via the CIP funding program.	The City maintains an inventory of facilities in need of ADA compliance. This inventory is referenced annually for the sidewalk replacement, reconstruction and new construction program.

CONSERVATION ELEMENT

Implementation Programs	Status
COS-A: Annual Review The City should annually review General Plan goals, policies, and implementation programs and identify City priorities and any quantifiable objectives that should be addressed for the upcoming fiscal year.	This report fulfills this measure.
COS-B: Flood Protection Ordinance The City should monitor and update the flood protection ordinance to assure adequate flood controls.	New construction is evaluated regarding flood protection consistent with State, Federal and local laws.

COS-C: Aquifer Monitoring The City should prepare and regularly update a Water Supply Master Plan to monitor any activities that may degrade the aquifers of Cosumnes River, Laguna Creek, Skunk Creek, and Dry Creek and affect City water supplies.	The City anticipates including this task in the update of the Urban Water Management Plan in 2010, contingent upon budget approval.
COS-D: Visual Accessibility of Floodplains The City should include in the floodplain ordinance a requirement for direct roadway access of the entire length of any particular stream (perennial or intermittent) and associated floodplain section being developed (both sides). This should include an explanation of the nexus between the requirement and the impact of development.	This policy will dictate development standards until such time as the floodplain or subdivision ordinance is amended to further implement this policy.
COS-E: Infill Development Priority The City should adopt incentives for implementing infill development near job centers and transportation nodes. Incentives can include, but are not limited to, building permit fee waiver, parking standard reductions, etc.	This may be addressed in the update of the Zoning Ordinance.
COS-F: City Fleet Vehicles The City should adopt a program for the phased replacement of City fleet vehicles with low-emission technology vehicles, as appropriate.	No formal program has been established as of this report. The City made its first purchase of a hybrid vehicle in 2009.
COS-G: Support Energy Conservation Legislation The City shall support legislation that promotes cleaner industry, lowest emission technology vehicles, and more efficient-burning engines and fuels.	The City does support low emission technologies and efficient fuels.
COS-H: City Facilities The City should upgrade existing City facilities so that energy use can be derived from sustainable energy sources by 2020. This can include, but is not limited to, the installation of solar panels or by purchasing electricity from service providers that use renewable energy sources.	The City submitted a grant proposal through the CEC for installation of solar panels to offset costs for the Police Dept. The City is currently investigating purchasing power from a solar energy provided in attempts to reduce our carbon footprint.
COS-I: Energy Efficiency The City should encourage new housing units be constructed to meet and/or exceed LEED Certified energy efficiency standards.	As new development is proposed, the City will encourage such efficiency standards.
COS-J: Energy Conservation Features The City shall coordinate with utility providers to provide City residents with information on a variety of energy conservation features including tree planting programs, energy efficient development, and increased use of renewable energy sources.	In conjunction with SMUD, the City utility provider, several grant applications have been submitted to CEC for this purpose. Additionally, the City is a member of the California FIRST Program which provides financing for a variety of energy conservation measures for both residential and non-residential structures.
COS-K: Greenhouse Gas Emissions Reduction Plan The City will prepare and adopt a Greenhouse Gas Emissions Reduction Plan.	This project will be undertaken when funds are budgeted.

COS-L: Green Construction The City shall amend the municipal code as necessary to remove barriers to green construction.	As barriers are identified, appropriate review and subsequent action will be taken.

PUBLIC FACILITIES & SERVICES ELEMENT

Implementation Programs	Status
PFS-A: Infrastructure Master Plans The City shall prepare, annually review, and update every five years a Water Master Plan, Wastewater Master Plan, Storm Drainage Master Plan, and Pavement Management Plan.	The City has either prepared these Plans or is in the process of having them completed. Regular reviews and updates will occur.
PFS-B: Capital Improvement Program The City shall annually review and update the Capital Improvement Program.	Ongoing and compliant.
PFS-C: Development Fee Schedule The City shall prepare development fee schedules based on the Capital Improvement Program.	Regular updates are ongoing and compliant.
PFS-D: Water Supply Alternatives Study The City shall conduct a study of future water supply alternatives to determine the most appropriate long-term water supply to serve Galt.	The City will address this issue in the update of the Urban Water Management Plan in 2010, contingent upon budget approval.
PFS-E: Water Management Plan The City shall update the Water Management Plan to include fire protection needs, water conservation, management measures, and monitoring as required by State law.	The City anticipates undertaking an update of the Urban Water Management Plan in 2010, contingent upon budget approval. The City is also participating in preparation of a South Sacramento County Groundwater Management Plan.
PFS-F: Ground Water Protection Response Plan If the results from PFS-E indicate an imbalance between safe groundwater and project water requirements, the City should develop a response plan to address the imbalance, including an appropriate mix of water conservation measures, reuse, surface water supplements, and other water management techniques.	If needed, the City will address this issue in the update of the Urban Water Management Plan in 2010, contingent upon budget approval. The City is also participating in preparation of a South Sacramento County Groundwater Management Plan.
PFS-G: Stormwater Management Plan The City shall prepare, periodically update, and implement on an ongoing basis a Stormwater Management Plan in coordination with other member agencies.	Ongoing and compliant.

PFS-H: Stormwater and Flood Protection Ordinance The City shall prepare and adopt a Stormwater and Flood Protection Ordinance to implement the updated Storm Drainage and Flood Protection Master Plan to address stormwater runoff and flood protection.	Upon completion of the Storm Drain Master Plan, an evaluation will be undertaken to determine the necessity of such an ordinance.
PFS-I: Public Safety Services Master Plan The City shall update the Public Safety Services Master Plan for police services based on future development trends.	Like all other Master Plans, periodic updates occur as needed.
PFS-J: New Fire Substations The City shall work with the Cosumnes Community Services District Fire Department to identify and site new fire stations in accordance with the "maximum fire station siting zones" identified on the Land Use and Circulation Diagram (Figure LU-1).	Upon request, the City and CSD Fire Dept. will work cooperatively on this project as all others.
PFS-K: Park and Recreation Master Plan The City shall update the park and recreation master plan as necessary to outline facility needs and funding mechanisms.	The Draft Parks & Recreation Master Plan will be presented to the City Council in the Spring of 2010 for review, comment and adoption.
PFS-L: Technology Coordinator The City shall designate a Technology Coordinator, within a City department or agency, with responsibility for oversight over communitywide information technology infrastructure development.	This measure was accomplished with the hiring of an IT Coordinator in 2007.
PFS-M: Telecommunications Program The City shall develop and expand telecommunications programs at City Hall.	This is an ongoing process within budget constraints.

COMMUNITY CHARACTER ELEMENT

Implementation Programs	Status
CC-A: Existing Neighborhoods The City shall continue proactive code enforcement and nuisance abatement programs to ensure that existing neighborhoods remain attractive and free of public nuisances. To this end, the City shall work collaboratively with homeowners associations and other community groups to address nuisances, eliminate blight, and ensure that community aesthetic standards are maintained. The City shall also identify infrastructure deficiency needs of existing neighborhoods and incorporate repair and improvement costs into the Capital Improvement Program.	For 2009, Code Enforcement investigated 403 potential violations, of these, 255 cases were proactive and closed 403 cases during the same period.

CC-B: Signage The City shall revise the sign provisions in the Zoning Ordinance to require replacement of non-conforming or non-operational signs.	Will be addressed in the Zoning Ordinance update to be undertaken in 2010, pending budget approval.
CC-C: Public Art The City shall adopt an Art in Public Places Ordinance.	Will be addressed as work load permits and priorities are established.
CC-D: Downtown Design Guidelines The City shall continue to enforce and periodically review and update as necessary the design guidelines of the Downtown Revitalization and Historic Preservation Specific Plan.	The Downtown Revitalization and Historic Preservation Committee meets periodically to review projects for consistency. Staff updates necessary policies periodically to address changed conditions.
CC-E: Tree Selection The City shall immediately prepare an informational addendum to the Galt Landscape Manual to encourage selection of tree species with low biogenic emissions and discourage those species with high emissions and to provide a list of trees in each category. In the longer term, the City shall conduct a comprehensive update of the Galt Landscape Manual and include a section on biogenic tree emissions.	The Air Quality Management District has provided a list of low biogenic species to include with our landscape/irrigation application package. A formal addendum to the Landscape Manual will occur as work load permits.
CC-F: Master Landscape and Lighting District Plan The City shall prepare a Master Landscape and Lighting District to finance the maintenance of natural areas in new developments or provide an alternative financing mechanism.	In May 2005, the City established Lighting, Landscaping and Maintenance District #3, which provides a funding mechanism addressing this police for new development.
CC-G: Enhance Visual Quality The City should work to improve visual quality of rail corridors and major road corridors in the city.	As new projects are considered for approval, appropriate consideration will be given toward visual enhancements.

ECONOMIC DEVELOPMENT ELEMENT

Implementation Programs	Status
ED-A: City Staff Participation The City should dedicate staff resources to economic development activities and identify ways to improve upon existing initiatives. The role of City staff should include business assistance, business recruitment, participation in regional economic development initiatives, coordination with regional labor force development agencies, promoting Galt as a business location, coordinating funding resources, business outreach, and participation with local business associations.	The City will continue to implement the strategies outlined in the City Economic Development Roadmap policy document, April 2008. This policy document focuses on four specific goals; 1) improving jobs/housing balance, 2) business retention, expansion, and attraction, 3) achieve competitive advantage and maintain a quality community, and 4) provide a business friendly climate.

ED-B: Sales Tax Trend Tracking The City should use audits of its sales tax data to track taxable sales growth by industry category. This data can be used to track retail store sales, as well as identify non-retail businesses that generate sales tax from point-of-sale transactions. This information would also be used to prioritize the business outreach program, and provide comparison data for fiscal analyses.	The City has retained the services of The HDL Companies to assist the City of Galt in analyzing sales activity and the subsequent reporting of sales tax. Information is received and reviewed on a quarterly basis.
ED-C: Targeted Marketing Message The City shall develop specific marketing messages for different industry sectors, based on Galt's strengths, local and regional market positions, and future growth opportunities. Local-serving sectors would focus on Galt's location along State Route 99, the significant unmet local spending demand, and future spending growth. Export-oriented industry prospects would focus on available sites, the attributes of the local workforce, and growth prospects from Galt's proximity to regional economic centers around Sacramento and Stockton.	The City will continue to implement the strategies development in the City Economic Development Roadmap policy document, April 2008. This policy document focuses on four specific goals; 1) improving jobs/housing balance, 2) business retention, expansion, and attraction, 3) achieve competitive advantage and maintain a quality community, and 4) provide a business friendly climate.
ED-D: Business Attraction The City should Implement and prioritize business attraction initiatives in the categories identified in Goals ED-1.3, 3.3, and 3.4. This can include the development of an overall Economic Development Strategy.	The City will continue to implement the strategies development in the City Economic Development Roadmap policy document, April 2008. This policy document focuses on four specific goals; 1) improving jobs/housing balance, 2) business retention, expansion, and attraction, 3) achieve competitive advantage and maintain a quality community, and 4) provide a business friendly climate.
ED-E: Vacancy and Parcel Tracking The City should track and continually update available land parcels. This information should be matched up with any individual business needs identified through business outreach.	A Vacant Land Inventory is currently maintained by the Community Development Dept. and made available to interested parties.

ED-F: Funding Resources The City should continue to identify funding resources and apply for those resources for which the City of Galt qualifies. Outside funding resource that City can consider include the following: ▪ Federal transportation funds (TEA 3 Funding Programs) ▪ CA Business, Transportation, & Housing Agency and CA Environmental Protection Agency ▪ California Infrastructure and Economic Development Bank: Infrastructure State Revolving Fund ▪ Economic Development Administration: Public Works Grants ▪ US Department of Agriculture Rural Development: Community Facilities Grants and Loans ▪ US Environmental Protection Agency: Brownfields Assessment, Revolving Loan Fund, and Clean-up Grants ▪ California Statewide Communities Development Authority ▪ State Transportation Improvement Program (STIP)	The City actively competes in various state and federal grant and other appropriation requests. During the FY 2008-2009, the City made 26 application requests for a variety of City purposes and projects. As a result, the City received over $2.2 million in total funding.
ED-G: Supplier Business Attraction The City should refine business attraction targets to include business-to-business suppliers, potentially including material distributors, service providers, and component manufacturing.	The City will continue to implement the strategies development in the City Economic Development Roadmap policy document, April 2008. This policy document focuses on four specific goals; 1) improving jobs/housing balance, 2) business retention, expansion, and attraction, 3) achieve competitive advantage and maintain a quality community, and 4) provide a business friendly climate.
ED-H: Employment Trend Tracking The City should consider dedicating staff resources to tracking employment and payroll trends. The U.S. Census ZIP Code Business Patterns can be used for tracking aggregate employment trends. In order to systematically track employment by detailed industry category, the City should request a custom data run from the California Employment Development Department, and continue to update this data on an annual basis. This data will also include wage and salary data, which can be used to track income growth by industry.	The City will continue to implement the strategies development in the City Economic Development Roadmap policy document, April 2008. This policy document focuses on four specific goals; 1) improving jobs/housing balance, 2) business retention, expansion, and attraction, 3) achieve competitive advantage and maintain a quality community, and 4) provide a business friendly climate.

ED-I: Existing Business Outreach The City should establish and implement a business outreach program that prioritizes businesses and/or industry sectors that constitute the most prominent sources for jobs and fiscal revenue in Galt. The outreach entails making initial contact with the local facility manager, and where applicable, making higher level corporate contacts. The outreach process would identify business climate issues, and future plans for the business, allowing time for the City to respond. Also use the outreach process to ensure that businesses that generate sales tax revenue are designating Galt as the point-of-sale location.	The City will continue to implement the strategies development in the City Economic Development Roadmap policy document, April 2008. This policy document focuses on four specific goals; 1) improving jobs/housing balance, 2) business retention, expansion, and attraction, 3) achieve competitive advantage and maintain a quality community, and 4) provide a business friendly climate.
ED-J: Business Climate Improvement The City should proactively use the business outreach process to identify priorities for business climate improvement, including issues such as the approval process and permitting, the quality of public services, infrastructure issues, public spaces, quality of life issues, labor force preparedness, business costs, and the quality and cost of business space. Once priorities are identified, the City can apply resources to addressing any identified weaknesses.	The City will continue to implement the strategies development in the City Economic Development Roadmap policy document, April 2008. This policy document focuses on four specific goals; 1) improving jobs/housing balance, 2) business retention, expansion, and attraction, 3) achieve competitive advantage and maintain a quality community, and 4) provide a business friendly climate.
ED-K: Rapid Response to Major Business Needs The City should assign staff and personnel from appropriate agencies to a “rapid response” team that will respond to changing needs for large employers in Galt and coordinate efforts with the Sacramento Area Commerce and Trade Organization. A rapid response approach entails having a designated team of city officials, and representatives from regional workforce development, business retention, and other agencies available to respond quickly in case of a major event that affects the local labor force, such as a large employer coming to or leaving the community, a significant facility expansion, or a change in facility operations that necessitates retraining the existing workforce.	The City will continue to implement the strategies development in the City Economic Development Roadmap policy document, April 2008. This policy document focuses on four specific goals; 1) improving jobs/housing balance, 2) business retention, expansion, and attraction, 3) achieve competitive advantage and maintain a quality community, and 4) provide a business friendly climate.
ED-L: Job Training The City should work with education providers, workforce investment boards, and other public agencies and private job training providers to develop and refine job training programs that meet the needs of private industry and prospective businesses seeking to locate in Galt. The City shall continue to assess these programs and make necessary adjustments in terms of how well they respond to the needs of local businesses and the degree to which they improve the employment prospects and skill sets for participating workers.	The City will continue to implement the strategies development in the City Economic Development Roadmap policy document, April 2008. This policy document focuses on four specific goals; 1) improving jobs/housing balance, 2) business retention, expansion, and attraction, 3) achieve competitive advantage and maintain a quality community, and 4) provide a business friendly climate.

ED-M: Job Training Agencies in Galt The City should identify opportunities to locate job training sites in Galt. Most of the existing job training and business assistance resources are based in Sacramento. Other agencies serving San Joaquin County residents are primarily based out of Stockton. If a major facility development or expansion can be attracted to Galt, opportunities should be explored to base any resultant job training activities within Galt.	The 2030 Galt General Plan provides for expanded industrial, commercial and office professional site development opportunities. Many of the locations are adjacent Highway 99 and provide good visibility and access desirable for such uses.

NOISE ELEMENT

Implementation Programs	Status
N-A: EIR Guidelines The City should incorporate noise mitigation requirements into the citywide Environmental Impact Report (EIR) guidelines.	When the City adopts local guidelines, noise analysis will be a component.
N-B: Noise-Impacted Areas Overlay Zone The City should update the Zoning Ordinance to include the "Noise-Impacted" overlay designation for areas within the city exposed to existing or projected exterior noise levels exceeding 60 db Ldn/CNEL or the Noise Level Performance Standards in Table N-1.	Such an analysis is desirable, but will be subject to budgetary constraints.

SAFETY AND SEISMIC ELEMENT

Implementation Programs	Status
SS-A: Uniform Address System The City shall continue to implement a Uniform Address System.	This is an ongoing process.
SS-B: Unreinforced Masonry Structures Inventory The City shall complete an inventory of non-single family unreinforced masonry structures.	Staff surveys such structures as opportunities arise. Inventories will be maintained or suggested by this measure.
SS-C: Sacramento County Hazardous Waste Management Plan The City should continue to implement the County's Hazardous Waste Management Plan.	This program is ongoing.
SS-D: Use, Production, or Transport of Hazardous Materials and Wastes The City should develop siting and enforcement criteria for businesses that use, produce, or transport hazardous materials and wastes.	In conjunction with CSD Fire Dept., the City currently reviews projects on a case by case basis. Enforcement criteria are based on existing State and local laws, ordinances, policies and rules.

HISTORIC ELEMENT

Implementation Programs	Status
HRE-A: Façade Improvement Loan/Grant Program The City should consider establishing a façade improvement loan/grant program to improve the appearance of commercial structures. Special consideration should be given to historic structures and structures within the boundaries of the Downtown Revitalization and Historic Preservation Specific Plan (DRHPSP) that contribute to the aesthetic appearance of the Downtown area.	The City first adopted the Façade Improvement Program (FIP) in October 2007. The FIP focuses on properties located in the DRHPSP area. The FIP was amended in December 2009, allowing additional funding opportunities for on and offsite public improvements as needed.
HRE-B: Preservation Plan The City should develop a Historic Preservation Plan.	As resources are available, consideration will be given to complete this project.
HRE-C: Incentives for Historic Preservation The City should pursue establishing a Mills Act tax relief program, building permit fee reduction or waiver, and/or other programs to provide an incentive to property owners for the preservation and maintenance of historic structures and the revitalization of the Downtown commercial district.	The Façade Improvement Program and Housing Rehabilitation Program further implement this program.
HRE-D: Federal and State Grants The City should pursue Federal and State grants for historic preservation projects involving public-private partnerships, including HOME, Community Development Block Grant (CDBG), and Transportation Enhancement Activities (TEA) grant applications, where appropriate.	The City actively competes in various state and federal grant and other appropriation requests. During the FY 2008-2009, the City made 26 application requests for a variety of City purposes and projects. As a result, the City received over $2.2 million in total funding.

HOUSING ELEMENT

Implementation Programs	Status
NOTE: The Housing Element is currently being updated on a separate track from the rest of the General Plan. Once the Housing Element is updated and adopted, implementation programs will be included here. For more information on the Housing Element Update please visit the City's website at: ***http://www.ci.galt.ca.us/***	

Appendix B

State Income Limits for 2009

County	Income Category	Number of Persons in Household 1	2	3	4	5	6	7	8
Napa County	Extremely Low	17,200	19,650	22,100	**24,550**	26,500	28,500	30,450	32,400
Area Median Income:	Very Low Income	28,650	32,700	36,800	**40,900**	44,150	47,450	50,700	54,000
81,800	Lower Income	44,800	51,200	57,600	**64,000**	69,100	74,250	79,350	84,500
	Median Income	57,250	65,450	73,600	**81,800**	88,350	94,900	101,450	108,000
	Moderate Income	68,700	78,500	88,350	**98,150**	106,000	113,850	121,700	129,550
Nevada County	Extremely Low	14,550	16,600	18,700	**20,750**	22,400	24,050	25,750	27,400
Area Median Income:	Very Low Income	24,200	27,650	31,100	**34,550**	37,300	40,100	42,850	45,600
69,100	Lower Income	38,700	44,250	49,750	**55,300**	59,700	64,150	68,550	73,000
	Median Income	48,350	55,300	62,200	**69,100**	74,650	80,150	85,700	91,200
	Moderate Income	58,050	66,300	74,600	**82,900**	89,550	96,150	102,800	109,450
Orange County	Extremely Low	19,550	22,300	25,100	**27,900**	30,150	32,350	34,600	36,850
Area Median Income:	Very Low Income	32,550	37,200	41,850	**46,500**	50,200	53,950	57,650	61,400
86,100	Lower Income	52,100	59,500	66,950	**74,400**	80,350	86,300	92,250	98,200
	Median Income	60,250	68,900	77,500	**86,100**	93,000	99,900	106,750	113,650
	Moderate Income	72,300	82,650	92,950	**103,300**	111,550	119,850	128,100	136,350
Placer County	Extremely Low	15,300	17,500	19,650	**21,850**	23,600	25,350	27,100	28,850
Area Median Income:	Very Low Income	25,500	29,100	32,750	**36,400**	39,300	42,200	45,150	48,050
72,800	Lower Income	40,800	46,600	52,450	**58,250**	62,900	67,550	72,250	76,900
	Median Income	50,950	58,250	65,500	**72,800**	78,600	84,450	90,250	96,100
	Moderate Income	61,150	69,900	78,600	**87,350**	94,350	101,350	108,300	115,300
Plumas County	Extremely Low	12,850	14,700	16,500	**18,350**	19,800	21,300	22,750	24,200
Area Median Income:	Very Low Income	21,400	24,500	27,550	**30,600**	33,050	35,500	37,950	40,400
61,200	Lower Income	34,250	39,150	44,050	**48,950**	52,850	56,800	60,700	64,600
	Median Income	42,850	48,950	55,100	**61,200**	66,100	71,000	75,900	80,800
	Moderate Income	51,400	58,750	66,100	**73,450**	79,350	85,200	91,100	96,950
Riverside County	Extremely Low	14,000	16,000	18,000	**20,000**	21,600	23,200	24,800	26,400
Area Median Income:	Very Low Income	23,300	26,650	29,950	**33,300**	35,950	38,650	41,300	43,950
64,500	Lower Income	37,300	42,650	47,950	**53,300**	57,550	61,850	66,100	70,350
	Median Income	45,150	51,600	58,050	**64,500**	69,650	74,800	80,000	85,150
	Moderate Income	54,200	61,900	69,650	**77,400**	83,600	89,800	96,000	102,150
Sacramento County	Extremely Low	15,300	17,500	19,650	**21,850**	23,600	25,350	27,100	28,850
Area Median Income:	Very Low Income	25,500	29,100	32,750	**36,400**	39,300	42,200	45,150	48,050
72,800	Lower Income	40,800	46,600	52,450	**58,250**	62,900	67,550	72,250	76,900
	Median Income	50,950	58,250	65,500	**72,800**	78,600	84,450	90,250	96,100
	Moderate Income	61,150	69,900	78,600	**87,350**	94,350	101,350	108,300	115,300
San Benito County	Extremely Low	16,850	19,300	21,700	**24,100**	26,050	27,950	29,900	31,800
Area Median Income:	Very Low Income	28,150	32,150	36,200	**40,200**	43,400	46,650	49,850	53,050
80,400	Lower Income	44,800	51,200	57,600	**64,000**	69,100	74,250	79,350	84,500
	Median Income	56,300	64,300	72,350	**80,400**	86,850	93,250	99,700	106,150
	Moderate Income	67,550	77,200	86,850	**96,500**	104,200	111,950	119,650	127,400
San Bernardino County	Extremely Low	14,000	16,000	18,000	**20,000**	21,600	23,200	24,800	26,400
Area Median Income:	Very Low Income	23,300	26,650	29,950	**33,300**	35,950	38,650	41,300	43,950
64,500	Lower Income	37,300	42,650	47,950	**53,300**	57,550	61,850	66,100	70,350
	Median Income	45,150	51,600	58,050	**64,500**	69,650	74,800	80,000	85,150
	Moderate Income	54,200	61,900	69,650	**77,400**	83,600	89,800	96,000	102,150

Note: See instructions/example on last page to determine income limit for households larger than 8 persons

Appendix C

Home Prices Affordable to

Designated Income Categories 2009

Income Category[1]	Affordable Home Price Range[2]			Home Type and Family Size	
Extremely Low:	under	-	$58,950		
Very Low:	$58,951	-	$98,250	1 Bedroom Home	
Low:	$98,251	-	$157,200	Family of 3	
Moderate:	$157,201	-	$235,800	Annual Median Income:	**$65,500**
Above Moderate:	over		$235,800		
Extremely Low:	under	-	$65,520		
Very Low:	$65,521	-	$109,200	2 Bedroom Home	
Low:	$109,201	-	$174,720	Family of 4	
Moderate:	$174,721	-	$262,080	Annual Median Income:	**$72,800**
Above Moderate:	over		$262,080		
Extremely Low:	under	-	$70,740		
Very Low:	$70,741	-	$117,900	3 Bedroom Home	
Low:	$117,901	-	$188,640	Family of 5	
Moderate:	$188,641	-	$282,960	Annual Median Income:	**$78,600**
Above Moderate:	over		$282,960		
Extremely Low:	under	-	$81,225		
Very Low:	$81,226	-	$135,375	4 Bedroom Home	
Low:	$135,376	-	$216,600	Family of 7	
Moderate:	$216,601	-	$324,900	Annual Median Income:	**$90,250**
Above Moderate:	over		$324,900		
Extremely Low:	under	-	$91,710		
Very Low:	$91,711	-	$152,850	5 Bedroom Home	
Low:	$152,851	-	$244,560	Family of 9	
Moderate:	$244,561	-	$366,840	Annual Median Income:	**$101,900**
Above Moderate:	over		$366,840		

[1] Extremely Low Income: less than 30% of area median income
Very Low Income: 30-50% of area median income
Low Income: 50-80% of area median income
Moderate Income: 80-120% of area median income
Above Moderate: over 120% of area median income

[2] Based on the generalized formula that a home is considered affordable if the sales price is no more than 3 times the family's annual income.

Home Prices Affordable to

Designated Income Categories 2008

Income Category[1]	Affordable Home Price Range[2]			Home Type and Family Size	
Extremely Low:	under	-	$57,510		
Very Low:	$57,511	-	$95,850	1 Bedroom Home	
Low:	$95,851	-	$153,360	Family of 3	
Moderate:	$153,361	-	$230,040	Annual Median Income:	**$63,900**
Above Moderate:	over		$230,040		
Extremely Low:	under	-	$63,900		
Very Low:	$63,901	-	$106,500	2 Bedroom Home	
Low:	$106,501	-	$170,400	Family of 4	
Moderate:	$170,401	-	$255,600	Annual Median Income:	**$71,000**
Above Moderate:	over		$255,600		
Extremely Low:	under	-	$69,030		
Very Low:	$69,031	-	$115,050	3 Bedroom Home	
Low:	$115,051	-	$184,080	Family of 5	
Moderate:	$184,081	-	$276,120	Annual Median Income:	**$76,700**
Above Moderate:	over		$276,120		
Extremely Low:	under	-	$79,200		
Very Low:	$79,201	-	$132,000	4 Bedroom Home	
Low:	$132,001	-	$211,200	Family of 7	
Moderate:	$211,201	-	$316,800	Annual Median Income:	**$88,000**
Above Moderate:	over		$316,800		
Extremely Low:	under	-	$89,460		
Very Low:	$89,461	-	$149,100	5 Bedroom Home	
Low:	$149,101	-	$238,560	Family of 9	
Moderate:	$238,561	-	$357,840	Annual Median Income:	**$99,400**
Above Moderate:	over		$357,840		

[1] Extremely Low Income: less than 30% of area median income
Very Low Income: 30-50% of area median income
Low Income: 50-80% of area median income
Moderate Income: 80-120% of area median income
Above Moderate: over 120% of area median income

[2] Based on the generalized formula that a home is considered affordable if the sales price is no more than 3 times the family's annual income.

Home Prices Affordable to

Designated Income Categories 2007

Income Category[1]	Affordable Home Price Range[2]			Home Type and Family Size	
Extremely Low:	under	-	$54,450		
Very Low:	$54,451	-	$90,750	1 Bedroom Home	
Low:	$90,751	-	$145,200	Family of 3	
Moderate:	$145,201	-	$217,800	Annual Median Income:	**$60,500**
Above Moderate:	over		$217,800		
Extremely Low:	under	-	$60,480		
Very Low:	$60,481	-	$100,800	2 Bedroom Home	
Low:	$100,801	-	$161,280	Family of 4	
Moderate:	$161,281	-	$241,920	Annual Median Income:	**$67,200**
Above Moderate:	over		$241,920		
Extremely Low:	under	-	$65,340		
Very Low:	$65,341	-	$108,900	3 Bedroom Home	
Low:	$108,901	-	$174,240	Family of 5	
Moderate:	$174,241	-	$261,360	Annual Median Income:	**$72,600**
Above Moderate:	over		$261,360		
Extremely Low:	under	-	$74,970		
Very Low:	$74,971	-	$124,950	4 Bedroom Home	
Low:	$124,951	-	$199,920	Family of 7	
Moderate:	$199,921	-	$299,880	Annual Median Income:	**$83,300**
Above Moderate:	over		$299,880		
Extremely Low:	under	-	$84,690		
Very Low:	$84,691	-	$141,150	5 Bedroom Home	
Low:	$141,151	-	$225,840	Family of 9	
Moderate:	$225,841	-	$338,760	Annual Median Income:	**$94,100**
Above Moderate:	over		$338,760		

[1] Extremely Low Income: less than 30% of area median income
Very Low Income: 30-50% of area median income
Low Income: 50-80% of area median income
Moderate Income: 80-120% of area median income
Above Moderate: over 120% of area median income

[2] Based on the generalized formula that a home is considered affordable if the sales price is no more than 3 times the family's annual income.

Home Prices Affordable to

Designated Income Categories 2006

Income Category[1]	Affordable Home Price Range[2]			Home Type and Family Size	
Very Low:	$53,011	-	$88,350	1 Bedroom Home	
Low:	$88,351	-	$141,360	Family of 3	
Moderate:	$141,361	-	$212,040	Annual Median Income:	**$58,900**
Above Moderate:	over		$212,040		
Very Low:	$58,861	-	$98,100	2 Bedroom Home	
Low:	$98,101	-	$156,960	Family of 4	
Moderate:	$156,961	-	$235,440	Annual Median Income:	**$65,400**
Above Moderate:	over		$235,440		
Very Low:	$63,541	-	$105,900	3 Bedroom Home	
Low:	$105,901	-	$169,440	Family of 5	
Moderate:	$169,441	-	$254,160	Annual Median Income:	**$70,600**
Above Moderate:	over		$254,160		
Very Low:	$72,991	-	$121,650	4 Bedroom Home	
Low:	$121,651	-	$194,640	Family of 7	
Moderate:	$194,641	-	$291,960	Annual Median Income:	**$81,100**
Above Moderate:	over		$291,960		
Very Low:	$82,441	-	$137,400	5 Bedroom Home	
Low:	$137,401	-	$219,840	Family of 9	
Moderate:	$219,841	-	$329,760	Annual Median Income:	**$91,600**
Above Moderate:	over		$329,760		

[1] Very Low Income: 30-50% of area median income
Low Income: 50-80% of area median income
Moderate Income: 80-120% of area median income
Above Moderate: over 120% of area median income

[2] Based on the generalized formula that a home is considered affordable if the sales price is no more than 3 times the family's annual income.

Home Prices Affordable to

Designated Income Categories 2005

Income Category[1]	Affordable Home Price Range[2]			Home Type and Family Size	
Very Low:	$51,931	-	$86,550	1 Bedroom Home	
Low:	$86,551	-	$138,480	Family of 3	
Moderate:	$138,481	-	$207,720	Annual Median Income:	**$57,700**
Above Moderate:	over		$207,720		
Very Low:	$57,691	-	$96,150	2 Bedroom Home	
Low:	$96,151	-	$153,840	Family of 4	
Moderate:	$153,841	-	$230,760	Annual Median Income:	**$64,100**
Above Moderate:	over		$230,760		
Very Low:	$62,326	-	$103,875	3 Bedroom Home	
Low:	$103,876	-	$166,200	Family of 5	
Moderate:	$166,201	-	$249,300	Annual Median Income:	**$69,250**
Above Moderate:	over		$249,300		
Very Low:	$71,551	-	$119,250	4 Bedroom Home	
Low:	$119,251	-	$190,800	Family of 7	
Moderate:	$190,801	-	$286,200	Annual Median Income:	**$79,500**
Above Moderate:	over		$286,200		
Very Low:	$80,731	-	$134,550	5 Bedroom Home	
Low:	$134,551	-	$215,280	Family of 9	
Moderate:	$215,281	-	$322,920	Annual Median Income:	**$89,700**
Above Moderate:	over		$322,920		

[1] Very Low Income: 30-50% of area median income
Low Income: 50-80% of area median income
Moderate Income: 80-120% of area median income
Above Moderate: over 120% of area median income

[2] Based on the generalized formula that a home is considered affordable if the sales price is no more than 3 times the family's annual income.

Home Prices Affordable to

Designated Income Categories 2004

Income Category[1]	Affordable Home Price Range[2]			Home Type and Family Size	
Very Low:	$51,931	-	$86,550	1 Bedroom Home	
Low:	$86,551	-	$138,480	Family of 3	
Moderate:	$138,481	-	$207,720	Annual Median Income:	**$57,700**
Above Moderate:	over		$207,720		
Very Low:	$57,691	-	$96,150	2 Bedroom Home	
Low:	$96,151	-	$153,840	Family of 4	
Moderate:	$153,841	-	$230,760	Annual Median Income:	**$64,100**
Above Moderate:	over		$230,760		
Very Low:	$62,326	-	$103,875	3 Bedroom Home	
Low:	$103,876	-	$166,200	Family of 5	
Moderate:	$166,201	-	$249,300	Annual Median Income:	**$69,250**
Above Moderate:	over		$249,300		
Very Low:	$71,551	-	$119,250	4 Bedroom Home	
Low:	$119,251	-	$190,800	Family of 7	
Moderate:	$190,801	-	$286,200	Annual Median Income:	**$79,500**
Above Moderate:	over		$286,200		
Very Low:	$80,731	-	$134,550	5 Bedroom Home	
Low:	$134,551	-	$215,280	Family of 9	
Moderate:	$215,281	-	$322,920	Annual Median Income:	**$89,700**
Above Moderate:	over		$322,920		

[1] Very Low Income: 30-50% of area median income
Low Income: 50-80% of area median income
Moderate Income: 80-120% of area median income
Above Moderate: over 120% of area median income

[2] Based on the generalized formula that a home is considered affordable if the sales price is no more than 3 times the family's annual income.

Home Prices Affordable to Designated Income Categories 2003

Income Category[1]	Affordable Home Price Range[2]	Home Type and Family Size
Very Low:	under -$80,700	1 Bedroom Home Family of 3 Median Income: $53,800/yr
Low:	$80,700 - $129,150	
Moderate:	$129,151 - $193,800	
Above Moderate:	over $193,800	
Very Low:	under -$87,000	2 Bedroom Home Family of 4 Median Income: $59,800/yr
Low:	$87,000 - $143,550	
Moderate:	$143,551 - $215,250	
Above Moderate:	over $215,250	
Very Low:	under -$96,900	3 Bedroom Home Family of 5 Median Income: $64,600/yr
Low:	$96,900 - $154,950	
Moderate:	$154,951 - $232,500	
Above Moderate:	over $232,500	
Very Low:	under - $111,300	4 Bedroom Home Family of 7 Median Income: $74,150/yr
Low:	$111,300 - $177,900	
Moderate:	$177,901 - $266,850	
Above Moderate:	over $266,850	
Very Low:	under -$122,700	5 Bedroom Home Family of 9 Median Income: $83,750/yr
Low:	$122,700 - $201,000	
Moderate:	$201,001 - $301,350	
Above Moderate:	over $301,350	

[1] Very Low Income: less than 50% of area median income
Low Income: 50-80% of area median income
Moderate Income: 80-120% of area median income
Above Moderate: over 120% of area median income

[2] Based on the generalized formula that a home is considered affordable if the sales price is no more than 3 times the family's annual income.

Home Prices Affordable to Designated Income Categories 2002

Income Category[3]	Affordable Home Price Range[4]	Home Type and Family Size
Very Low:	under - $77,325	1 Bedroom Home Family of 3 Median Income: $51,550/yr
Low:	$77,325-$123,600	
Moderate:	$123,601-$185,400	
Above Moderate:	over $185,400	
Very Low:	under - $85,950	2 Bedroom Home Family of 4 Median Income: $57,300/yr
Low:	$85,950-$137,520	
Moderate:	$137,521-$206,280	
Above Moderate:	over $206,280	
Very Low:	under - $92,850	3 Bedroom Home Family of 5 Median Income: $61,900/yr
Low:	$92,850- $148,560	
Moderate:	$148,561-$222,840	
Above Moderate:	over $222,840	
Very Low:	under - $106,575	4 Bedroom Home Family of 7 Median Income: $71,050/yr
Low:	$106,575-$170,520	
Moderate:	$170,521-$255,780	
Above Moderate:	over $255,780	
Very Low:	under - $120,375	5 Bedroom Home Family of 9 Median Income: $80,250/yr
Low:	$120,375-$192,600	
Moderate:	$192,601-$288,900	
Above Moderate:	over $288,900	

[3] Very Low Income: less than 50% of area median income
Low Income: 50-80% of area median income
Moderate Income: 80-120% of area median income
Above Moderate: over 120% of area median income

[4] Based on the generalized formula that a home is considered affordable if the sales price is no more than 3 times the family's annual income.

Home Prices Affordable to Designated Income Categories 2001

Income Category[1]	Affordable Home Price Range[2]	Home Type and Family Size
Very Low:	under - $84,468	2 Bedroom Home Family of 4 Median Income: $56,312/yr
Low:	$84,468 - $135,149	
Moderate:	$135,150 - $202,723	
Above Moderate:	over $202,723	
Very Low:	under - $91,218	3 Bedroom Home Family of 5 Median Income: $60,812/yr
Low:	$91,218 - $145,950	
Moderate:	$145,951 - $218,923	
Above Moderate:	over $218,923	
Very Low:	under $104,719	4 Bedroom Home Family of 7 Median Income: $69,813/yr
Low:	$104,719 - $167,550	
Moderate:	$167,551 - $251,327	
Above Moderate:	over $251,327	
Very Low:	under $118,226	5 Bedroom Home Family of 9 Median Income: $78,818/yr
Low:	$118,226 - $189,162	
Moderate:	$189,163 - $283,745	
Above Moderate:	over $283,745	

[1]Very Low Income: less than 50% of area median income
Low Income: 50-80% of area median income
Moderate Income: 80-120% of area median income
Above Moderate: over 120% of area median income

[2]Based on the generalized formula that a home is considered affordable if the sales price is no more than 3 times the family's annual income.

Home Prices Affordable to Designated Income Categories 2000

Income Category[1]	Affordable Home Price Range[2]	Home Type and Family Size
Very Low:	under - $79,313	2 Bedroom Home Family of 4 Median Income: $52,875/yr
Low:	$79,313 - $126,900	
Moderate:	$126,901 - $190,350	
Above Moderate:	over $190,350	
Very Low:	under - $87,563	3 Bedroom Home Family of 5 Median Income: $58,375/yr
Low:	$87,563 - $140,100	
Moderate:	$140,101 - $210,150	
Above Moderate:	over $210,150	
Very Low:	under $98,438	4 Bedroom Home Family of 7 Median Income: $65,625/yr
Low:	$98,438 - $157,500	
Moderate:	$157,501 - $236,250	
Above Moderate:	over $236,250	
Very Low:	under $111,064	5 Bedroom Home Family of 9 Median Income: $74,043/yr
Low:	$111,064 - $177,702	
Moderate:	$177,703 - $266,555	
Above Moderate:	over $266,555	

[1]Very Low Income: less than 50% of area median income
Low Income: 50-80% of area median income
Moderate Income: 80-120% of area median income
Above Moderate: over 120% of area median income

[2]Based on the generalized formula that a home is considered affordable if the sales price is no more than 3 times the family's annual income.