



**AGENDA**  
**REGULAR PLANNING COMMISSION MEETING**  
**COUNCIL CHAMBERS, 380 CIVIC DRIVE, GALT**  
**THURSDAY, JANUARY 13, 2011, 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: Dees, Morris, Pellandini, McFaddin, Rodriguez

**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.

**ELECTION OF OFFICERS:** Pursuant to Galt Municipal Code, Chapter 2.28, Section 2.28.050, election of a Planning Commission Chairman and Vice Chairman shall be conducted at the first regular meeting of the following year after a general municipal election.

**INFORMATION/CONSENT CALENDAR**

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

**PUBLIC HEARING**

- (7) 1. **SUBJECT:** Time Extension Request for the Walmart Project Site Plan and Design Review Approval, and Conditional Use Permit

**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 2011-\_\_ (PC) approving the Time Extension Request for Walmart Project Site Plan and Design Review Approval, and Conditional Use Permit

**DEPARTMENT REPORTS -**

The 2011 Planners Institute is scheduled for March 9<sup>th</sup> – 11<sup>th</sup> in Pasadena. The Commission's travel budget is \$4,000 and the estimated cost for each attendee is approximately \$1,300 (which includes registration, airfare, 2-night hotel stay, mileage and meals); therefore, the Commission needs to designate which commissioners (up to 3) would like to attend. Registration deadline is Feb. 11<sup>th</sup>, however the Planning Commission secretary would need to know by Jan. 27<sup>th</sup> in order to make the necessary arrangements.

**COMMUNICATIONS**

**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, CA  
October 14, 2010, 6:30 p.m.**

The meeting was called to order at 6:32 p.m. by Vice Chairperson McFaddin. Commissioners present: Daley, Pellandini, McFaddin, and Yates. Davenport arrived a few minutes late. Chairperson Powers resigned to serve on the City Council.

Staff members present: Community Development Director Campion, Senior Planner Erias, Senior Civil Engineer Forrest, City Attorney Rudolph, and PC Secretary Kulm.

**PUBLIC COMMENTS** – **None.**

### **INFORMATION/CONSENT CALENDAR**

1. **SUBJECT:** Minutes of the May 13, 2010 meeting.  
**ACTION:** Daley moved to approve the consent calendar; second by Pellandini. Motion was unanimously carried by those Commissioners present. (Daley, Pellandini, McFaddin, Yates, Davenport)

### **PUBLIC HEARING**

1. **SUBJECT:** RIVER OAKS 3B GENERAL PLAN AMENDMENT, NORTHEAST AREA SPECIFIC PLAN AMENDMENT, REZONE, VESTING TENTATIVE SUBDIVISION MAP AND ARCHITECTURAL REVIEW PROJECT

**RECOMMENDATION:** If the Planning Commission wishes to recommend approval of the project, the motions listed below should be adopted:

- 1) Recommend that the City Council adopt Resolution 2010-\_\_\_ approving the Initial Study, Mitigated Negative Declaration and adopting the Mitigation Monitoring and Reporting Program for the River Oaks 3B Project; and
- 2) Recommend that City Council adopt Resolution 2010-\_\_\_\_\_ approving the proposed amendment to the City's General Plan to change the land use designation from Low Density Residential to Medium Density Residential and amend the Northeast Area Specific Plan to change the land use designation from R1-B (SP) Intermediate Density – Single Family to R2 (SP) Medium Density – Single Family; and
- 3) Recommend that City Council introduce Ordinance 2010-\_\_\_ approving the proposed Rezone for the River Oaks 3 Project from Single-family Residential, Intermediate Density (R1B-PD with 8,000 square foot minimum lot size) to Residential, Medium Density (R2-PD with 5,500 sq. ft. minimum lot size) including the proposed architectural drawings for the future homes for the project. (The PD suffix stands for "Planned Development." This combining zone district requires that the developer obtain approval of the proposed floor plans and building elevations from Planning Commission/City Council); and
- 4) Approve Resolution 2010-\_\_\_PC conditionally approving the Vesting Tentative Subdivision Map for River Oaks 3B.

Erias explained that there were some modifications and additions made to the staff report and were handed out to the commission at the start of the meeting. The revisions and additions are as follows:

Rather than the 4' sidewalk and 8' bike path mentioned on page 7 of the staff report a 10' multi use path will be installed. Condition number 26 was revised to show this change. The map on the slide shows the pathway.

The City Council Ordinance was amended to include a condition requiring the applicant to pay all applicable fees at the time of building permit.

The numbering sequence in the Conditions of Approval (COA) has changed due to the added new conditions.

COA #26 requires including the PUC for consultation when making the improvements to the RR crossing on Marengo.

COA #27 includes a revision to the 10' multi-use path. It also clarifies that the path and the landscaping in Deadman's Gulch will be installed at Phase 3.

COA #38 was amended to require dedication of Lots B and C at Phase 3 rather than Phase 2.

COA #63 was added at the request of the Air District. It basically requires the installation of the energy efficiency measures as described the MND.

There were minor language changes to COA #1, which is the condition requiring payment of fees.

Erias continued with the staff report and powerpoint presentation.

Vice chairperson McFaddin opened the public hearing.

Price Walker, representative for Elliott Homes, thanked staff for working with them to get the project to the Commission. Mr. Walker noted that they had received approval from the Architectural Review Committee and held a neighborhood meeting with the surrounding home owners. Mr. Walker explained that Elliott Homes has been in the Galt area for over 20 years and built approximately 1,000 homes. He said that in 2004, the NEASP was amended to take light industrial to residential and that's when River Oaks 3 was approved. Mr. Walker commented on the state of economy and noted that Elliott Homes feels it is appropriate to build smaller, more affordable homes. Mr. Walker would like to amend COA #74 so that the Norbury crossing is deferred to Phase 4 of the project. Also, Elliott Homes would like to build at least 30 homes in Phase 3 before completion of the public improvements, excluding the Norbury crossing. He asked that the Commission consider the technical aspects rather than the emotional issues. McFaddin asked when the project would begin, Mr. Walker said the earliest would be mid 2011, but probably closer to 2012. McFaddin also asked how many of the lots are 5,500 sq. ft. Mr. Walker replied that the majority of them are 5,500 sq. ft. Davenport expressed concern with prolonging the infrastructure to later in the project. Daley asked if the lots could be sold later to another home builder. Campion explained that yes it could be sold; however, the architectural design is tied to this rezone only and another builder would either have to build the same exact homes approved or submit for another rezone. Mr. Walker said it is definitely not the intent of Elliott Homes to sell the lots. Yates expressed concern regarding the impact to the school system.

Roger Humphrey, 913 Cottrell Ct., noted that he had purchased his home with the understanding that the surrounding lots would be similar in size. He expressed a concern that the smaller homes would be purchased more for rentals rather than family homes. Mr. Humphrey also noted that with the smaller lots, recreational vehicles would be parked on the streets which in turn would impede rescue vehicles.

Kathy Barnhart, 901 Cottrell Ct., expressed concern regarding the reduced size of the homes, which could decrease her property value and the size of the home does not fit with the rest of the neighborhood. Ms. Barnhart said that when she purchased her home she was told the homes in the surrounding neighborhood would be the same size and any changes would be unethical.

Patrick O’Flaherty, 1068 Elk Hills Dr., noted that his objections include: lack of privacy in rear yard due two-story homes being built (the development was originally planned with only single story homes), homes are not that great, no benefit to citizens – only the developer. Mr. O’Flaherty also commented that many of the existing homes sold for close to a half million dollars with the understanding that the homes and lots would remain similar to what they purchased.

Brian Graham, 724 Killebrew Way, said Elliott Homes is undercutting the current property owners by producing smaller homes at lower prices.

Kathy Walker, 728 Killebrew Way, is upset that Elliott Homes is breaking their promise regarding lot size and lower prices. Ms. Walker is also concerned that with more density, comes more traffic and safety issues on the streets.

Gary Aratoli, 1071 Elk Hills Dr., expressed the same feelings as previous speakers and stated that his frustration with the builder is that they plan to use the same carpenters, plumbers, etc. especially because he is party to a construction defect lawsuit against Elliott Homes. Mr. Aratoli also does not like that Elliott Homes is proposing to delay the public improvements. Who benefits from that? What happens if the economy gets worse in the middle of the project with no improvements? Mr. Aratoli does not want the Norbury crossing.

Anabel Morris, 1023 Seaver Ct., said she purchased her home in 2007 and knew they were paying a little more for the home but agreed to it because of the promises made by Elliott Homes. Ms. Morris expressed concern about loss of property value if smaller lots and smaller homes are built around her current location.

Shannon Franklin, 1064 Elk Hills Dr., expressed concern about the completion of Norbury and the potential problems 80 additional homes would create, i.e., excess traffic and impact to the schools, police and fire.

Faith Harper, 1023 Ambrogio Way, noted she had submitted a letter to the Planning Department and it was the last page of the staff report (Attachment 3). Ms. Harper expressed concern regarding the “content of the soil and the geology affect of these homes” as noted in the Initial Study Checklist. Additional concerns are: lower prices, restrictions to potential buyers because of small homes, impact to schools and traffic congestion. There is an immediate need for a traffic signal at Carillion across from Ambrogio.

Jerry Gonzaga, 732 Killebrew Way, thanked Chris Erias for being at the meeting with Elliott Homes and the community. Mr. Gonzaga expressed concern that Elliott Homes had been working on this plan for approximately one year and didn’t inform the homeowners. Mr. Gonzaga noted that they would have liked some discussion with Elliott Homes regarding the proposed plan. Mr. Gonzaga said that when he bought his home, Elliott told them they would not de-value their homes and that they (Elliott) would do whatever they could to maintain the value. However, Elliott just sold the same model purchased by Mr.

Gonzaga for \$130,000 less. Mr. Gonzaga submitted a petition to the Commission indicating objection to the project. Mr. Gonzaga also said that he had emailed Elliott regarding the possibility of slowing the process down and meeting with the community members. He was told that they were moving forward and had already talked to two council members and one commissioner who had approved the architectural stuff. He asked the Commission to take into account that the homeowners in this area are a “community”.

Amelia Schendel, 735 Griffey Way, asked the Commission what vision they want for Galt. Does Galt want to be like Natomas & Elk Grove or do we want a different feel.

Bruce Morris, 1023 Seaver Court, expressed concerns about building smaller homes and increased traffic. Mr. Morris suggested that a lighted crosswalk or signaled intersection be installed on Carillion Blvd. and Ambrogio.

Cynthia Kozlowski, 887 Norbury Way, expressed concerns regarding the already decreased value of her home going even lower if smaller homes are built. She also discussed the dangers of the blind intersection at Elk Hills and Norbury. Ms. Kozlowski said that Elliott has done this type of thing before ~ change from one type of housing to a smaller, less expensive type of housing near Doradell. Elliott Homes had indicated that the housing approved in her neighborhood was a set design and would not change.

James Schendel, 735 Griffey Way, commented that Elliott made promises and believes that there is a lack of ethics from Elliott Homes.

Roger Humphrey, 913 Cottrell Ct., expressed concerns about the sewer and water system.

Patrick O’Flaherty, 1068 Elk Hills Dr., wanted to point out that the Commission has a fiduciary duty to the public to protect the people that have lived in the community. The Commission needs to hold the developer to the commitments and promises on paper to the homeowners.

Jerry Gonzaga, 732 Killebrew Way, explained that Elliott Homes recently closed a home purchase on the 11<sup>th</sup> (Sept. or Oct.) and it was not disclosed to the buyer that Elliott planned to build a different product than presented.

Rex Adams, resident of Galt, noted that if the current homeowners had known Elliott’s intent to finish the subdivision in smaller homes, most would not have purchased their homes. Mr. Adams also expressed a concern regarding the traffic and sewer issues that may arise.

Lorraine Graham, 724 Killebrew, explained that she paid top dollar for her home because she was assured that the neighborhood would remain as promised.

Don Walker, 728 Killebrew, moved to this neighborhood because of the promises regarding larger homes and no two story homes. Mr. Walker expressed a concern regarding the traffic issues. He also thanked the Commission for allowing the public to speak.

Cynthia Kozlowski, 887 Norbury Way, said that while she was at the podium, her boyfriend overheard the Elliott representative make the comment “they didn’t develop Grizzly Hollow” (which was mentioned earlier). Ms. Kozlowski said that Elliott did originally own that land and sold it to a low-income developer.

James Schendel, 735 Griffey Way, wanted to reiterate the potential traffic issues at the Ambrogio and Carillion intersection.

Carol Humphrey, 913 Cottrell Ct., expressed concern regarding the water pressure in the community.

Price Walker, representative for Elliott Homes, commented that the concerns raised regarding technical services (traffic, sewer, water, safety etc.) were handled by experts the City hired through the various “studies”. All the technical studies came to the conclusion that this project will not have negative impacts. Mr. Walker explained he was glad that the resident corrected the statements about Grizzly Hollow, he said it was something they were not very much a part of and not proud of. In terms of the home values, everyone has been affected. Elliott still thinks this is the right thing to do and feels bad that people have said they are unethical. Mr. Walker stated that Elliott is an ethical builder and builds good homes. Mr. Walker asked the Commission look at the merits of this project, i.e., SACOG Blueprint, in a non-emotional way but more as a technical project.

Vice chairperson McFaddin closed the public hearing.

Sherry Daley, thanked the community for coming out to speak. Ms. Daley said that the economy should not drive this project. Daley believes that the market is not just looking at smaller homes and that larger homes are also in demand. Daley also made reference to the densities approved in the General Plan and adhering to them. She also commented that the last developer who came to the Commission requesting a higher density and smaller homes was turned down.

Gene Davenport, thanked the community for coming. He explained that he lives within the community and loves Galt. Davenport acknowledged that the economy has affected everyone, but it’s not fair for Elliott Homes to come to the Commission and ask for changes to the General Plan. He went on to say that although he is not in favor of granting all the requests made by Elliott Homes, he believes they are entitled to some relief if the City can help provide that. Davenport also asked Elliott Homes how they could ask the Commission to not be emotional because they all live in the Galt community. Davenport said he is in favor of the original plan approved for Elliott and if they want to change it, they will need to come back with something that fits more within the neighborhood.

Davenport also touched on the comment made earlier by a resident indicating that Elliott had already spoke with two council members and one planning commissioner and that that were going ahead with the process. McFaddin asked for clarification. A member of the audience said that he received an email from Mr. Walker indicating that they had gone through the architectural review process. McFaddin explained that Elliott Homes did meet with the Architectural Review Committee (ARC) and only the elevations were approved. She also explained that no other decisions were made.

Marc Yates, said that promises are promises.

Jim Pellandini, said he is not in favor of smaller homes and that the homes will not be built for at least a year or two and the economy could change by then.

Leeann McFaddin noted the following: Ambrosio and Carillion intersection is ridiculous, Galt needs larger homes, businesses are not coming here because we don’t have a sustainable income, other items needing clarification include, traffic, two story homes, etc. McFaddin stated she is not willing to go forward until at the least the neighborhood has been satisfied or tries to work with the developer.

At this point there was much inaudible discussion in the audience.

Vice chairperson McFaddin re-opened the public hearing.

Don Walker said that the community is willing to work with the developer.

Jerry Gonzanga, wanted to say that he did not mean to imply there was any wrong doing by the Planning Commission, City Council or Elliott representatives.

Vice chairperson McFaddin closed the public hearing.

**ACTION:** Davenport moved that the Planning Commission’s recommendation to the City Council be against the approval of the Initial Study, Mitigated Negative Declaration and adopting the Mitigation Monitoring and Reporting Program for the River Oaks 3B Project; **and** recommend to the city council against the approval of the proposed amendment to the City’s General Plan to change the land use designation from Low Density Residential to Medium Density Residential and amend the Northeast Area Specific Plan to change the land use designation from R1-B (SP) Intermediate Density – Single Family to R2 (SP) Medium Density – Single Family; **and further** recommend that the City Council be against the proposed Rezone for the River Oaks 3 Project from Single-family Residential, Intermediate Density (R1B-PD with 8,000 square foot minimum lot size) to Residential, Medium Density (R2-PD with 5,500 sq. ft. minimum lot size) including the proposed architectural drawings for the future homes for the project; seconded by Yates. Motion was unanimously carried by those Commissioners present. (Daley, Pellandini, McFaddin, Yates, Davenport).

**ACTION:** Davenport moved that the Planning Commission deny approval of the Vesting Tentative Subdivision Map for River Oaks 3B on the grounds that the proposed map is not consistent with the applicable General and Specific Plans, the design or improvement of the subdivision is not consistent with the applicable General and Specific Plans, most directly, the site is not physically suitable for the proposed density of development and the site is not physically suitable for the type of development; seconded by Yates. Motion was unanimously carried by those Commissioners present. (Daley, Pellandini, McFaddin, Yates, Davenport).

**ACTION:** Davenport moved in accordance with Counsel’s two recommendations noted above; second by Yates. Motion was unanimously carried by those Commissioners present. (Daley, Pellandini, McFaddin, Yates, Davenport).

Meeting adjourned at 8:45 p.m.

Respectfully submitted by

Cathy Kulm, Commission Secretary

P.C. Meeting: January 13, 2011

Prepared By: Chris Erias, Senior Planner

Reviewed By: Sandra Kiriou, Principal Planner

**CITY OF GALT**  
**PLANNING COMMISSION**  
**STAFF REPORT**

**Title:** Time Extension Request for the Walmart Project Site Plan and Design Review Approval and Conditional Use Permit

**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 Shopping Center zoned Highway Commercial

**Environmental Status:**

An Environmental Impact Report (EIR) was completed for the Walmart Project. The Planning Commission certified it at its meeting on March 25, 2010. However, the Planning Commission decision was appealed to the City Council. The City Council denied the appeal and upheld the Planning Commission's decision at the April 20, 2010 City Council meeting. The Council decision to certify the EIR was legally challenged by the Galt Citizens for Sensible Planning on May 17, 2010 and is currently in litigation. It was heard in court on December 10, 2010. The judge has yet to render a decision and has 90 days to decide.

The time extension request is not a project under CEQA pursuant to Section 15060 (c) (2); “The activity will not result in a direct or reasonably foreseeable indirect physical change in the environment.” All impacts associated with the Walmart Project were analyzed in the project EIR. The time extension request does not impose additional impacts therefore it does not require further study.

**Recommendation:**

That the Planning Commission adopt Resolution 2011-\_\_ (PC) approving the Time Extension Request for Walmart Project Site Plan and Design Review Approval and Conditional Use Permit

**Background**

Walmart was issued a Notice of Decision (NOD) on March 10, 2010 by the City of Galt Community Development Director. The NOD granted Site Plan and Design Review approval for the Walmart Project. The applicant appealed 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 wished to change the wording from “in accordance” to “in substantial compliance”. At its meeting on March 25, 2010, the Planning Commission granted, on a 4-1 vote, the appeal of the Community Development Director’s Notice of Decision and approved the Site Plan and Design Review; approved the Walmart Conditional Use Permit (CUP); determined Compliance with the Big Box Ordinance; and certified the Final Environmental Impact Report.

The Planning Commission’s approvals and certification of the FEIR were then appealed to the City Council by opponents of the project. The City Council upheld the Planning Commission’s decisions on a 3-2 vote on April 20, 2010. The City Council certification of the FEIR was then legally challenged by the Galt Citizens for Sensible Planning on May 17, 2010.

The legal action by the group has delayed Walmart’s ability to move forward on the development of the project. Consequently, the project could not commence and be diligently pursued to completion within one year in accordance with Condition Number 2 of the CUP and the time limits of the NOD. As a result Walmart is seeking extensions of the approvals.

**Project Description**

Walmart received a CUP to operate a retail discount supercenter of up to 137,277 square feet located at the southeast corner of Twin Cities Road and Fermoy Way. The CUP imposes specific conditions on the project. For example, one of the conditions permits the store to operate 7 days a week from the hours of 5:00 AM to 12:00 AM. Another condition of the CUP stipulates that Walmart had one year to commence and proceed with development of the project.

Condition Number 2 of the CUP states:

*“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.”*

The time limits for commencing and proceeding with the project in the NOD refer back to the same time limits imposed in the CUP. The following is the time limit language in the NOD:

*“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.”*

As noted above, Walmart has been unable to proceed with the development of the project within the one year time frame to initiate development due to litigation. It is unknown at this time when court action against the project will cease. Even if the current ruling is in favor of Walmart, appeals of the decision could further delay the project. In order to ensure that the CUP and Site Plan and Design Review approvals will not expire pursuant to language in Condition 2, Walmart is seeking a formal time extension of the approvals. The City’s intent was that the time limits would commence from the point the project is legally able to move forward, so to avoid future confusion, the City proposes to amend Condition Number 2 for the Walmart Project so that the time limits are held in abeyance while the project is in litigation. The following language is proposed to be added to Condition 2:

*“The time limits applicable to this permit, as specified in Galt Municipal Code sections 18.68.040 (B) and 18.80.040 (B), are tolled until the court issues a final decision in the pending litigation, Galt Citizens for Sensible Planning, et al. v. City of Galt, et al., Sacramento Superior Court Case No. 34-2010-8000054, and the applicable appeal period has expired or any appeals relating to this litigation have been decided, whichever occurs first. The development of this project shall commence and be diligently pursued to completion within one (1) year, and 98 days from the completion of the above-referenced litigation.”*

The additional 98 days represents the timeframe remaining from tonight until April 20, 2011, which was the original one year expiration date.

A copy of the conditions, including the above amendment, is attached as Exhibit A to the Planning Commission Resolution. The new language is shown in bold print in Condition 2. There are no other changes requested as part of this request.

### **Attachments**

Resolution 2011- \_\_\_\_ (PC) Approving the Walmart Project Site Plan and Design Review, and Conditional Use

Permit Time Extension Request

Exhibit A – Amended Conditional Use Permit Conditions

**RESOLUTION NO. 2011-\_\_\_\_PC**

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF GALT, CALIFORNIA, APPROVING THE  
TIME EXTENSION REQUEST FOR THE  
SITE PLAN AND DESIGN REVIEW APPROVAL AND CONDITIONAL USE PERMIT  
FOR THE GALT WALMART PROJECT  
AND FURTHER AMENDING THE CONDITIONS OF APPROVAL  
RELATED TO COMMENCEMENT OF DEVELOPMENT**

**WHEREAS**, Walmart submitted an application to the City of Galt to operate a Discount Superstore of up to 137,277 square feet at the southeast corner of Twin Cities Road and Fermoy Way, located in the City of Galt (APN: 148-0074-058); and

**WHEREAS**, the City of Galt Community Development Director approved the Project Site Plan and Design Review and issued a Notice of Decision on March 10, 2010 which was appealed by the applicant to the Planning Commission; and

**WHEREAS**, the applicant appealed the wording of Condition 10 of the NOD, which read, "The Project shall be constructed in accordance with the Final Application and other documents referenced above in this Notice of Decision." The applicant wished to change the wording from "in accordance" to "in substantial compliance"; and

**WHEREAS**, the Planning Commission approved the Walmart Conditional Use Permit (CUP), granted the appeal of the Community Development Director's Notice of Decision on Site Plan and Design Review, and certified the project Final Environmental Impact Report (FEIR) at its meeting on March 25, 2010; and

**WHEREAS**, the Planning Commission's decisions were appealed to the City Council by the Galt Citizens for Sensible Planning, opponents of the project; and

**WHEREAS**, the City Council denied the appeal and upheld the Planning Commission's decision and approved the Walmart Conditional Use Permit (CUP), granted the appeal of the Community Development Director's Notice of Decision on Site Plan and Design Review, and certified the Final Environmental Impact Report at its meeting on April 20, 2010; and

**WHEREAS**, the City Council's decision at the April 20, 2010 meeting would have been final at the end of a 14 day appeal period but the Project Environmental Impact Report (EIR) was legally challenged by the Galt Citizens for Sensible Planning on May 17, 2010; and

**WHEREAS**, Walmart has not been able to comply with the time limits imposed for the Project as set forth in the CUP (Condition Number 2), and for the Site Plan and Design Review approvals as noted in the Notice of Decision, due to litigation; and

**WHEREAS**, Walmart wished to ensure that the appeal of the project will not expire while litigation is ongoing so they requested a time extension; and

**WHEREAS**, the Planning Commission of the City of Galt held a duly noticed public hearing on January 13, 2011 to consider the time extension request for the Site Plan and Design Review approval and CUP; and

**WHEREAS**, an Environmental Impact Report (EIR) was certified for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) and there are no proposed changes that would necessitate further review under CEQA; and

**WHEREAS**, the Planning Commission, using their independent judgment, reviewed the time extension request 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

**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 January 13, 2011, reviewed the Time Extension Request for the Site Plan and Design Review, and 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 Time Extension Request for the Site Plan and Design Review, and Conditional Use Permit and the proposed amendment of Condition 2 (Exhibit A) for the Walmart project is consistent with the approved Conditional Use Permit, and consistent with the Notice of Decision approving the Walmart Site Plan and Design Review, and consistent with the Galt Municipal Code sections 18.68.040 (B) and 18.80.040 (B) as further detailed in the staff report for this project incorporated herein in full by reference.

C. The Planning Commission finds that the Time Extension Request for the Site Plan and Design Review, and Conditional Use Permit and Amendment of Condition 2 does not necessitate further review of the certified Walmart Final Environmental Impact Report (SCH# 20008042024) under CEQA.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Planning Commission of the City of Galt, California, hereby approves the time extension request for the Walmart project Site Plan and Design Review, and Conditional Use Permit.

**PASSED AND ADOPTED** by the Planning Commission of the City of Galt, California, this 13th day of January, 2011, upon a motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, by the following roll call vote, to wit:

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

\_\_\_\_\_  
Planning Commission Chair, City of Galt

ATTEST:

\_\_\_\_\_  
Planning Commission Secretary, City of Galt

Exhibit A to Resolution 2011- \_\_\_\_ (PC)  
Walmart Project  
Conditional Use Permit  
January 13, 2011  
(33 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.  <b>The time limits applicable to this permit, as specified in Galt Municipal Code sections 18.68.040(B) and 18.80.040(B), are tolled until the court issues a final decision in the pending litigation, Galt Citizens for Sensible Planning, et al. v. City of Galt, et al., Sacramento Superior Court Case No. 34-2010-80000546, and the applicable appeal period has expired or any appeals relating to this litigation have been decided, whichever occurs first. The development of this project shall commence and be diligently pursued to completion within one (1) year and 98 days from the completion of the above-referenced litigation</b>	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	

#	CONDITION OF APPROVAL	SCHEDULE / DUE:	RESPONSIBLE ENFORCEMENT	COMPLETED DATE
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 drainage plans that comply with acceptable methods of stormwater detention/treatment pursuant to the Sacramento Stormwater Quality Partnership's development standards and guidelines <a href="http://www.sacramentostormwater.org/SSQP/development.asp">http://www.sacramentostormwater.org/SSQP/development.asp</a> .	Improvement Plans/Building Permit	City Engineer	
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	On-going	Public Works	

#	CONDITION OF APPROVAL	SCHEDULE / DUE:	RESPONSIBLE ENFORCEMENT	COMPLETED DATE
	and regulations in effect at the time of construction and operation. A complete listing is available at <a href="http://www.airquality.org">www.airquality.org</a> or by calling 916-874-4800. Evidence of compliance shall be provided prior to issuance of a certificate of occupancy.	Certification of Occupancy	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 Permit requirements. The required Notice of Intent to the State Board can be found at <a href="http://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.shtml">http://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.shtml</a> for the General Permit. The NOI for the Construction General Permit can be found at: <a href="http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml">http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml</a> .	Improvement Plans/Building Permit	City Engineer	
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	

#	CONDITION OF APPROVAL	SCHEDULE / DUE:	RESPONSIBLE ENFORCEMENT	COMPLETED DATE
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	
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	
20.	The store shall be open for business (maximum hours the store to be open to the public in a calendar day) only between 5 a.m. and 12:00 midnight. 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	
21.	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	
22.	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	
23.	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	

#	CONDITION OF APPROVAL	SCHEDULE / DUE:	RESPONSIBLE ENFORCEMENT	COMPLETED DATE
24.	<p>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.</p>	Operational	<p>Community Development Department Code Enforcement</p>	
25.	<p>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:</p> <p>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.</p> <p>The exterior security lighting shall be High Intensity Discharge or more efficient lighting type.</p> <p>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.</p> <p>Any changes to the HVAC Units shall be equal to or exceed the efficiency of the proposed 12.7 (average) EER rating.</p> <p>Any changes to the energy management system shall be equal to or exceed the efficiency of the system at the time of original installation.</p> <p>All internally illuminated building signage will use light emitting diodes (“LED”) lighting or equal energy efficient technology.</p> <p>The store will include a dehumidifying system that allows the Walmart to operate the store at a higher temperature, use less energy, and allow the refrigeration system to operate more efficiently.</p> <p>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.</p> <p>The grocery area will capture waste heat from the on-site refrigeration equipment to heat water for the kitchen prep areas of the store. This represents energy</p>	Ongoing	<p>Building Department Community Development Department</p>	

#	CONDITION OF APPROVAL	SCHEDULE / DUE:	RESPONSIBLE ENFORCEMENT	COMPLETED DATE
	<p>savings of over 165 million BTUs per year.</p> <p>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.</p> <p>Walmart will dim interior lighting to approximately 65 percent illumination during the late night hours.</p> <p>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.</p> <p>And include the water conservation features, recycling efforts, and poured concrete as mentioned in the “Sustainability Features” Section of Chapter 3 of the Draft EIR</p>			
26.	<p>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.</p>	Building Permit	Building Department  Community Development Department	

#	CONDITION OF APPROVAL	SCHEDULE / DUE:	RESPONSIBLE ENFORCEMENT	COMPLETED DATE
27.	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	
28.	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	
29.	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	
30.	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	
31.	The facility shall comply with the City of Galt Municipal Code, Chapter 8.40 <u>Exterior Noise Standards</u> .	Ongoing during construction	Code Enforcement and Building Inspector	
32.	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	
33.	Install pedestrian safety measures at the pedestrian crosswalk on Fermoy Way at Young Court. Improvements must be approved by the City Engineer.	Improvement Plans	City Engineer	

Mitigation Monitoring and Reporting Program Attached

# 4

## MITIGATION MONITORING PLAN

### 4.0 INTRODUCTION

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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

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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**

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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
<b>5.0 Introduction to the Analysis</b>					
5.0-1	Biological Resources	<u>Tree-Nesting Birds</u>  5.0-1(a) <i>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.</i>	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) <i>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</i>	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
		<p><i>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</i></p>		<p>prior to the beginning of construction activities</p>	

MITIGATION MONITORING PLAN WALMART					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>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.</i></p>			
		<p>5.0-1(c) <i>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.</i></p>	City Planning Department	At the time of tree removal	

MITIGATION MONITORING PLAN WALMART					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><u>Burrowing Owls</u></p> <p>5.0-2(a) <i>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</i></p>	<p>CDFG City Planning Department</p>	<p>Prior to issuance of grading permits</p>	

MITIGATION MONITORING PLAN WALMART					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>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.</i></p>			
		<p>5.0-2(b) <i>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.</i></p>	<p>CDFG City Planning Department</p>	<p>Prior to project activities during the nesting season (February 1–August 31)</p>	
		<p>5.0-2(c) <i>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</i></p>	<p>CDFG City Planning Department</p>	<p>Prior to the destruction of a burrow occupied by a burrowing owl</p>	

MITIGATION MONITORING PLAN WALMART					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>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.</i></p> <p>5.0-2(d) <i>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.</i></p> <p><u>Swainson's Hawk</u></p> <p>5.0-3 <i>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</i></p>	<p>CDFG City Planning Department</p> <p>CDFG City Planning Department</p>	<p>Prior to the issuance of grading permits</p> <p>Prior to the issuance of grading permits</p>	

MITIGATION MONITORING PLAN WALMART					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<i>interest on which shall be used for managing the mitigation lands) at a per acre rate (adjusted annually for inflation and varying interest rates).</i>			
	Cultural Resources	5.0-4 <i>Prior to the approval of the improvement plans, the project's improvement plans shall include notes (per California Health &amp; 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,</i>	City Planning Department Sacramento County Coroner Native American Heritage Commission	Prior to the approval of improvement plans	

<b>MITIGATION MONITORING PLAN WALMART</b>					
<b>Impact Number</b>	<b>Impact</b>	<b>Mitigation Measure</b>	<b>Monitoring Agency</b>	<b>Implementation Schedule</b>	<b>Sign-off</b>
		<i>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.</i>			
	Geology and Soils	<p>5.0-5 <i>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:</i></p> <ul style="list-style-type: none"> <li>• <i>Hydro-seeding;</i></li> <li>• <i>Placement of erosion control measures within drainageways and ahead of drop inlets;</i></li> <li>• <i>The temporary lining (during construction activities) of drop inlets with “filter fabric” (a specific type of geotextile fabric);</i></li> </ul>	City Engineer	Prior to issuance of a grading permit	

MITIGATION MONITORING PLAN WALMART					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<ul style="list-style-type: none"> <li>• The placement of straw wattles along slope contours;</li> <li>• Directing subcontractors to a single designation “wash-out” location (as opposed to allowing them to wash-out in any location they desire);</li> <li>• The use of silt fences; and</li> <li>• The use of sediment basins and dust palliatives.</li> </ul>			
	Hazards and Hazardous Materials	<p>5.0-6</p> <p><i>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.</i></p>	<p>City Public Works Department</p> <p>Sacramento County Environmental Health Department</p>	During removal of all on-site debris	

<b>MITIGATION MONITORING PLAN WALMART</b>					
<b>Impact Number</b>	<b>Impact</b>	<b>Mitigation Measure</b>	<b>Monitoring Agency</b>	<b>Implementation Schedule</b>	<b>Sign-off</b>
		<p>5.0-7 <i>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.</i></p> <p>5.0-8 <i>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.</i></p>	<p>City Engineer</p> <p>Sacramento County Environmental Health Department</p> <p>City Engineer</p>	<p>Prior to issuance of a grading permit</p> <p>Prior to initiation of any ground disturbance activities within 50 feet of a well</p>	
<b>5.2 Aesthetics</b>					
5.2-2	Impacts associated with new sources of light and glare.	<p>5.2-2 <i>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</i></p>	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
		<i>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.</i>			
5.3 Transportation and Circulation					
5.3-1	Impacts to surrounding intersections from construction-related traffic.	5.3-1 <i>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.</i>	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) <i>Prior to building permit issuance, the applicant shall pay the TCIP fee, to the satisfaction of the City Public Works Department.</i>  <i>Or</i>	City Public Works Department	Prior to building permit issuance	

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Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>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.</i></p> <p>5.3-2(b) <i>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.</i></p>	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.	<p>5.3-3 <i>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</i></p>	City Public Works Department	Prior to building permit issuance	

<b>MITIGATION MONITORING PLAN WALMART</b>					
<b>Impact Number</b>	<b>Impact</b>	<b>Mitigation Measure</b>	<b>Monitoring Agency</b>	<b>Implementation Schedule</b>	<b>Sign-off</b>
		<i>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.</i>			
5.3-9	Impacts to internal on-site circulation and emergency vehicle access.	5.3-9 <i>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.</i>	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.	<i>Twin Cities Road/Fermoy Way</i> 5.3-11(a) <i>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:</i>	City Public Works Department	Prior to building permit issuance	

MITIGATION MONITORING PLAN WALMART					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><u>Northbound Approach</u></p> <ul style="list-style-type: none"> <li>Widen to provide an additional left-turn lane</li> <li>One through lane</li> <li>Widen to provide an exclusive right-turn lane</li> </ul> <p><u>Southbound Approach</u></p> <ul style="list-style-type: none"> <li>Widen to provide two right-turn lanes</li> </ul> <p><u>Eastbound and Westbound Approaches</u></p> <ul style="list-style-type: none"> <li>Widen to provide an additional left-turn lane</li> <li>Widen to provide two additional through lanes</li> </ul> <p><i>Twin Cities Road/McKenzie Road</i></p> <p>5.3-11(b) <i>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:</i></p> <p><u>Northbound and Southbound Approaches</u></p> <ul style="list-style-type: none"> <li>Construct a “pork chop” median or a raised median to prohibit the outbound left turns on northbound and southbound</li> </ul>	City Public Works Department	Prior to building permit issuance	

MITIGATION MONITORING PLAN WALMART					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>McKenzie Road</i></p> <p><u><i>Eastbound and Westbound Approaches</i></u></p> <ul style="list-style-type: none"> <li>• <i>Widen to provide two additional through lanes</i></li> </ul> <p><i>Twin Cities Road/Carillion Boulevard</i></p> <p>5.3-11(c) <i>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.</i></p> <p><u><i>Northbound Approach</i></u></p> <ul style="list-style-type: none"> <li>• <i>Widen to provide an additional left-turn lane</i></li> <li>• <i>Re-stripe the northbound right only lane to a through-right lane and construct the receiving lane</i></li> </ul> <p><u><i>Southbound Approach</i></u></p> <ul style="list-style-type: none"> <li>• <i>Widen to provide an additional left-turn lane</i></li> <li>• <i>Widen to provide an additional through lane</i></li> <li>• <i>Widen to provide one right-turn lane</i></li> </ul>	City Public Works Department	Prior to building permit issuance	

MITIGATION MONITORING PLAN WALMART					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><u>Eastbound Approach</u></p> <ul style="list-style-type: none"> <li>Widen to provide two additional through lanes</li> <li>Provide right turn overlap</li> </ul> <p><u>Westbound Approach</u></p> <ul style="list-style-type: none"> <li>Widen to provide two additional through lanes</li> </ul> <p><i>Twin Cities Road/Marengo Road</i></p> <p>5.3-11(d) <i>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:</i></p> <p><u>Northbound Approach</u></p> <ul style="list-style-type: none"> <li>Widen to provide an additional left-turn lane</li> </ul> <p><u>Southbound Approach</u></p> <ul style="list-style-type: none"> <li>Widen to provide one right-turn lane</li> </ul> <p><u>Eastbound and Westbound Approaches</u></p> <ul style="list-style-type: none"> <li>Widen to provide an additional through lane</li> <li>Widen to provide an additional left-turn lane</li> </ul>	City Public Works Department	Prior to building permit issuance	



MITIGATION MONITORING PLAN WALMART					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>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.</i></p> <p><i>Lake Canyon Drive/Carillion Boulevard</i></p> <p>5.3-11(g) <i>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:</i></p> <ul style="list-style-type: none"> <li><i>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.</i></li> </ul> <p><i>Elk Hills Drive/Carillion Boulevard</i></p> <p>5.3-11(h) <i>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</i></p>	<p>City Public Works Department</p> <p>City Public Works Department</p>	<p>Prior to building permit issuance</p> <p>Prior to building permit issuance</p>	

MITIGATION MONITORING PLAN WALMART					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>Drive/Carillion Boulevard intersection improvements:</i></p> <ul style="list-style-type: none"> <li><i>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.</i></li> </ul> <p><i>Twin Cities Road/Project Driveway</i></p> <p><i>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.</i></p> <p><i>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.</i></p>	<p>City Public Works Department</p> <p>City Public Works Department</p>	<p>Prior to approval of Improvement Plans</p> <p>Prior to building permit issuance</p>	

<b>MITIGATION MONITORING PLAN WALMART</b>					
<b>Impact Number</b>	<b>Impact</b>	<b>Mitigation Measure</b>	<b>Monitoring Agency</b>	<b>Implementation Schedule</b>	<b>Sign-off</b>
		<p><i>Raley's Driveway/Fermoy Way</i></p> <p>5.3-11(j) <i>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:</i></p> <ul style="list-style-type: none"> <li>• <i>All (Four) Way Stop Control</i></li> <li>• <i>Widen the northbound and southbound Fermoy Way to provide an exclusive left turn lane</i></li> </ul> <p><i>Or</i></p> <ul style="list-style-type: none"> <li>• <i>Actuated Traffic Signal</i></li> </ul> <p><i>Improvements shall be completed prior to occupancy.</i></p>	City Public Works Department	<p>Prior to approval of improvement plans</p> <p>Improvements completed prior to occupancy</p>	
5.3-12	Impacts to the surrounding roadway segments under Cumulative Year 2030 Plus Project Conditions.	5.3-12 <i>Implement Mitigation Measure 5.3-11(i)(b).</i>	See Mitigation Measure 5.3-11(i)(b)	See Mitigation Measure 5.3-11(i)(b)	
<b>5.4 Air Quality</b>					
5.4-1	Construction-related impacts resulting in temporary increases in	5.4-1 <i>The project applicant shall ensure that emissions from all off-road diesel-powered equipment used on the project</i>	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.	<p><i>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.</i></p> <p><i>Prior to issuance of a grading permit, the applicant/developer shall incorporate the following measures into the construction contract documents, which shall be</i></p>	<p>City Planning Department City Engineer</p>	<p>and Throughout the duration of the project</p>	

MITIGATION MONITORING PLAN WALMART					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>submitted for the review and approval of the City Engineer:</i></p> <ul style="list-style-type: none"> <li>• <i>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;</i></li> <li>• <i>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;</i></li> <li>• <i>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;</i></li> <li>• <i>Limit or expeditiously remove the accumulation of project-generated mud or dirt from adjacent public streets at least once every 24 hours when</i></li> </ul>			

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Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>construction operations are occurring; and</i></p> <ul style="list-style-type: none"> <li>• <i>Limit onsite vehicle speeds on unpaved surfaces to 15 mph, or less.</i></li> </ul>			
5.5 Noise					
5.5-1	Construction-related noise impacts.	<p>5.5-1(a) <i>Construction activities shall comply with the City of Galt Noise Ordinance and shall be limited to the hours set forth below:</i></p> <p><i>Monday-Friday 6:00 AM to 8:00 PM Saturday and Sunday 7:00 AM to 8:00 PM</i></p> <p><i>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.</i></p> <p>5.5-1(b) <i>Construction activities shall adhere to the requirements of the City of Galt with respect to hours of operation, muffling of</i></p>	<p>City Public Works Department</p> <p>Chief Building Official</p> <p>City Engineer</p>	<p>Prior to issuance of grading permits</p> <p>and</p> <p>During construction</p>	
		<p>5.5-1(b) <i>Construction activities shall adhere to the requirements of the City of Galt with respect to hours of operation, muffling of</i></p>	<p>City Public Works Department</p>	<p>Prior to issuance of grading permits</p>	

MITIGATION MONITORING PLAN WALMART					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>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.</i></p>		<p>and During construction</p>	
		<p>5.5-1(c) <i>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.</i></p>	<p>Community Development Director</p>	<p>During construction</p>	
		<p>5.5-1(d) <i>The project soundwalls shall be constructed as early as feasible in the project construction timeline to mitigate construction noise. The project</i></p>	<p>City Public Works Department</p>	<p>During construction</p>	

<b>MITIGATION MONITORING PLAN WALMART</b>					
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		<p><i>soundwalls are expected to reduce construction noise levels by 5 to 10 dB.</i></p> <p>5.5-1(e) <i>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.</i></p>	City Public Works Department	During construction	
5.5-2	Impacts related to vibration associated with construction activities.	5.5-2 <i>Implement Mitigation Measures 5.5-1(b) and 5.5-1(c).</i>	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) <i>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</i>	Community Development Director  City Engineer	Prior to the issuance of a building permit	

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Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>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.</i></p> <p>5.5-4(b) <i>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.</i></p>	Community Development Director	Prior to the issuance of a building permit	

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<b>Impact Number</b>	<b>Impact</b>	<b>Mitigation Measure</b>	<b>Monitoring Agency</b>	<b>Implementation Schedule</b>	<b>Sign-off</b>
		5.5-4(c) <i>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.</i>	Community Development Director	During project operation	
		5.5-4(d) <i>Truck idling and refrigeration truck deliveries shall be prohibited at the vendor delivery service area.</i>	Community Development Director	During project operation	
		5.5-4(e) <i>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.</i>	Community Development Director	During project operation	
		5.5-4(f) <i>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.</i>	Community Development Director	During project operation	
5.5-5	Expose sensitive receptors to noise-related sleep disturbances.	5.5-5 <i>Implement Mitigation Measures 5.5-4(b), (c), (e), and (f).</i>	See Mitigation Measures 5.5-4(b), (c), (e), and (f)	See Mitigation Measures 5.5-4(b), (c), (e), and (f)	
<b>5.7 Public Services</b>					
5.7-3	Impacts related to hydrology, water quality, and stormwater drainage.	5.7-3(a) <i>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</i>	SWRCB City Engineer	Prior to the issuance of building permits	

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		<p><i>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.</i></p>			
		<p>5.7-3(b) <i>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.</i></p>	City Engineer	Prior to the issuance of grading permits	
		<p>5.7-3(c) <i>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-</i></p>	City Engineer	Prior to issuance of grading permits	

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Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<i>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.</i>			
5.7-5	Impacts to police services.	<p>5.7-5 <i>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:</i></p> <ul style="list-style-type: none"> <li>• <i>Hours of operation shall be limited from 5:00 AM to 12:00 AM.</i></li> <li>• <i>Ensure adequate store security, including, but not limited to, the following:</i> <ul style="list-style-type: none"> <li>○ <i>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.</i></li> <li>○ <i>Video surveillance shall be</i></li> </ul> </li> </ul>	Police Chief	Prior to issuance of a building permit	

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		<p><i>required both inside the store and at exterior locations.</i></p> <ul style="list-style-type: none"> <li>○ <i>Recordings for all cameras shall be maintained for a minimum of 60 days. The recordings shall be available for police inspection on demand.</i></li> <li>○ <i>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.</i></li> <li>○ <i>Allow for periodic site inspections and compliance reviews by police staff.</i></li> <li>● <i>Include as a project condition of approval a requirement prohibiting camping in the parking lot.</i></li> <li>● <i>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.</i></li> </ul>			

MITIGATION MONITORING PLAN WALMART					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>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.</i></p> <ul style="list-style-type: none"> <li>• <i>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.</i></li> </ul>			