

October 9, 2023 – City Council Regular Meeting – 7:00 p.m.



City Council Chamber
390 Towne Centre Drive
Lathrop, California
(209) 941-7200
www.ci.lathrop.ca.us

City Council

Sonny Dhaliwal, Mayor
Paul Akinjo, Vice Mayor
Minnie Diallo
Diane Lazard
Jennifer Torres-O'Callaghan

City Staff

Stephen Salvatore, City Manager
Salvador Navarrete, City Attorney
Michael King, Assistant City Manager
Thomas Hedegard, Deputy City Manager
Teresa Vargas, Government Services
Director / City Clerk
Brad Taylor, City Engineer
Tony Fernandes, Information Systems Director
Cari James, Finance Director
Juliana Burns, Human Resources Director
Rick Caguiat, Community Development
Director
Todd Sebastian, Parks, Recreation and
Maintenance Services Director
Stephen Sealy, Interim Chief of Police

General Order of Business

1. Preliminary
 - Call to Order
 - Closed Session
 - Roll Call
 - Invocation
 - Pledge of Allegiance
 - Announcements by Mayor/City Mgr.
 - Informational Items
 - Declaration of Conflict of Interest
2. Presentations
3. Citizen's Forum
4. Consent Calendar
5. Scheduled Items
 - Public Hearings
 - Appeals
 - Referrals and Reports from Commissions and Committees
 - All Other Staff Reports and/or Action Items
 - Study Sessions
6. Council Communications
7. Adjournment

Order of Discussion

Generally, the order of discussion after introduction of an item by the Mayor will include comments and information by staff followed by City Council questions and inquiries. The applicant, or their authorized representative, or interested residents, may then speak on the item; each speaker may only speak once to each item. At the close of public discussion, the item will be considered by the City Council and action taken.

Consent Calendar

Items on the Consent Calendar are considered routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or interested resident so requests, in which case the item will be removed from the Consent Calendar and considered separately.



October 9, 2023 – Regular Meeting Agenda – 7:00 p.m.



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See Reverse

IMPORTANT NOTICE REGARDING THIS MEETING

This public meeting will be conducted in person; all members of the City Council will attend in person. Members of the public are welcomed in person. This meeting will also be available for public participation by teleconference via ZoomGov at the following link:

<https://www.zoomgov.com/j/1616066264?pwd=ZIRoYXhDVzRFWHEzcE8waHI3OUdLZz09>

- ✦ During the meeting, those joining by ZoomGov, will be allowed to speak prior to the close of public comment on an item. If you are using this method, please "raise the hand" feature to inform the City Clerk (meeting host) you wish to speak on the matter. Please ensure your computer speaker and microphone are fully functional.
- ✦ For audio / calling in only, dial: +1 (669) 254-5252 or +1 (669) 216-1590
 - To request to speak (same as the "raise hand" feature) press *9 / When the City Clerk calls your name, press *6 to unmute.
- ✦ Meeting Webinar ID: 161 606 6264 / Passcode: 782222
- ✦ If you are not able to attend the meeting in person or virtually - Public comment/questions will be accepted by email to City Clerk Teresa Vargas at website_cco@ci.lathrop.ca.us or by calling (209) 941-7230
- ✦ Questions or comments must be submitted by 4:00 p.m., on the day of the meeting.
- ✦ To address City Council in person, please submit a purple card to the City Clerk indicating name, address, and number of the item upon which a person wishes to speak.

Council Meetings are live-streamed (with Closed Captioning) on Comcast Cable Channel 97, and on the City Council Webpage: <https://www.ci.lathrop.ca.us/citycouncil/page/live-stream>

Addressing the Council

Any person may speak once on any item under discussion by the City Council after receiving recognition by the Mayor. Purple speaker cards will be available prior to and during the meeting. To address City Council, a card must be submitted to the City Clerk indicating name, address and number of the item upon which a person wishes to speak. When addressing the City Council, please walk to the lectern located in front of the City Council. State your name and address. In order to ensure all persons have the opportunity to speak, a time limit will be set by the Mayor for each speaker (see instructions on speaker form). In the interest of time, each speaker may only speak once on each individual agenda item; please limit your comments to new material; do not repeat what a prior speaker has said. If you challenge the nature of a proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.

Citizen's Forum

Any person desiring to speak on a matter, which is not scheduled on this agenda, may do so under the Citizen's Forum section. Please submit your purple speaker card to the City Clerk prior to the commencement of Citizen's Forum, or submit your request to speak via the "raise hand" feature in ZoomGov. Only those who have submitted speaker cards, or have expressed an interest to speak, prior to the conclusion of Citizen's Forum will be called upon to speak. Please be aware the California Government Code prohibits the City Council from taking any immediate action on an item, which does not appear on the agenda, unless the item meets stringent statutory requirements. The Mayor will limit the length of your presentation (see instructions on speaker form) and each speaker may only speak once on this agenda item. Please note, the Council Chamber has limited occupancy due to social distancing.

To leave a voice message for all Councilmembers simultaneously, dial (209) 941-7230. To send an e-mail for Councilmembers simultaneously email: citycouncil@ci.lathrop.ca.us. This City Council Agenda and meeting materials can be accessed by computer or any smart device at: <https://www.ci.lathrop.ca.us/meetings>

General Information

For reports citing supplemental documents relating to specific agenda items, these are available for review in the City Clerk's Office. This agenda was posted at the following locations: City Hall, Community Center, Generations Center, Senior Center, and the Lathrop-Manteca Fire District "J" Street and Somerston Parkway Offices. The meetings of the Lathrop City Council are broadcast on Lathrop Comcast Cable Television Channel 97 and live streamed on the City's website.

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility and/or accommodations to this meeting. [28 CFR 35.102-35.104 ADA Title II] Interested persons must request the accommodation at least 2 working days in advance of the meeting by contacting the City Clerk at (209) 941-7230. Information about the City or items scheduled on the Agenda may be referred to:

Teresa Vargas, MMC
Government Services Director / City Clerk
390 Towne Centre Drive
Lathrop, CA 95330
Telephone: (209) 941-7230



**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, OCTOBER 9, 2023
7:00 P.M.
COUNCIL CHAMBER, CITY HALL
390 Towne Centre Drive
Lathrop, CA 95330**

AGENDA

PLEASE NOTE: There will be no Closed Session. The Regular Meeting will begin at 7:00 p.m.

1. PRELIMINARY

- 1.1 CALL TO ORDER
- 1.2 ROLL CALL
- 1.3 INVOCATION
- 1.4 PLEDGE OF ALLEGIANCE
- 1.5 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER
- 1.6 INFORMATIONAL ITEM(S) – None
- 1.7 DECLARATION OF CONFLICT(S) OF INTEREST

2. PRESENTATIONS

- 2.1 INTRODUCTION PROCLAMATION HONORING NATIONAL HISPANIC HERITAGE MONTH
- 2.2 QUARTERLY ECONOMIC DEVELOPMENT PRESENTATION

3. CITIZEN'S FORUM

Any person desiring to speak on a matter, which is not scheduled on this agenda, may do so under Citizen's Forum. Please submit a purple speaker card to the City Clerk prior to the commencement of Citizen's Forum. Only those who have submitted speaker cards, or have expressed an interest to speak, prior to the conclusion of Citizen's Forum will be called upon to speak. Please be aware the California Government Code prohibits the City Council from taking any immediate action on an item, which does not appear on the agenda, unless the item meets stringent statutory requirements. The City Council can, however, allow its members or staff to briefly (no more than five (5) minutes) respond to statements made, to ask questions for clarification, make a brief announcement or report on his or her own activities. (See California Government Code Section 54954.2(a)). Unless directed otherwise by a

majority of the City Council, all questions asked and not answered at the meeting will be responded to in writing within 10 business days. ALL PUBLIC COMMENTS MUST BE MADE IN COMPLIANCE WITH THE LATHROP CITY COUNCIL HANDBOOK OF RULES AND PROCEDURES!

4. CONSENT CALENDAR

Items on the Consent Calendar are considered routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless the Mayor, Councilmember, or citizen so requests, in which event the item will be removed from the Consent Calendar and considered separately.

- 4.1 **WAIVING OF READING OF ORDINANCES AND RESOLUTIONS**
Waive the Reading in Full of Ordinances and Resolutions on Agenda and Adopt by Reading of Title Only, Unless Otherwise Requested by the Mayor or a Councilmember
- 4.2 **APPROVAL OF MINUTES**
Approve Minutes for the Regular Council Meeting of August 14, 2023
- 4.3 **SECOND READING AND ADOPTION OF ORDINANCE 23-448 OF THE CITY COUNCIL OF THE CITY OF LATHROP AMENDING TITLE 2 "ADMINISTRATION AND PERSONNEL", CHAPTER 2.36 "PURCHASING SYSTEM", SECTION 2.36.110 "EXCEPTIONS TO PURCHASING PROCEDURES AND LIMITS"**
Waive Full Reading and Adopt Ordinance 23-448 Amending Title 2, Chapter 2.36 "Purchasing System", Section 2.36.110 "Exceptions To Purchasing Procedures and Limits" by Adding a New Section ("D") to Allow Cooperative Purchasing Agreements
- 4.4 **TREASURER'S REPORT FOR JUNE 2023**
Approve Quarterly Treasurer's Report for June 2023
- 4.5 **PLANNING FEE WAIVER REQUEST BY THRIVE CHURCH (TUP-23-105)**
Adopt Resolution Waiving the Temporary Use Permit Application Processing and Document Retention Fees for the Thrive Church, in the Combined Amount of \$392
- 4.6 **APPROVE 2023 FACILITY FEE WAIVER REQUEST FOR LATHROP LITTLE LEAGUE**
Adopt Resolution Approving a Facility Fee Waiver Request from Lathrop Little League for the Use of Scott Brooks Gymnasium on October 20, 2023 from 10:00 a.m. to 10:00 p.m. for a Registration Night Event
- 4.7 **APPROVE 2023 FACILITY FEE WAIVER REQUEST FOR LIFT UP YOUR HEAD THERAPEUTIC GROUP HOMES, INC.**
Adopt Resolution Approving a Facility Fee Waiver Request from Lift Up Your Head Therapeutic Group Homes, Inc. for the Use of the Lathrop

Senior Center on December 16, 2023 from 10:00 a.m. to 7:00 p.m. to Host a Christmas Luncheon

- 4.8 APPROVE THE NAMING OF NEW CITY PARK
Adopt Resolution Naming the New Acres Community Neighborhood Park after Missionary Minnie Lee Cotton
- 4.9 APPROVE CONTRACT WITH HOLT OF CALIFORNIA INC. FOR CITYWIDE GENERATOR AND FIRE PUMP MAINTENANCE AND APPROVE BUDGET AMENDMENT
Adopt Resolution Approving a Contract with Holt of California Inc. for Citywide Generator and Fire Pump Maintenance and Approve Budget Amendment
- 4.10 APPROVE CONTRACT CHANGE ORDER NO. 31 WITH DAVID SILVA, DBA SILVA LANDSCAPE FOR LANDSCAPE IRRIGATION SYSTEMS MAINTENANCE SERVICES AND APPROVE BUDGET AMENDMENT
Adopt Resolution Approving Contract Change Order No. 31 with David Silva, dba Silva Landscape for Landscape Irrigation Systems Maintenance Services and Approve Budget Amendment
- 4.11 APPROVE APPOINTMENT OF A PUBLIC MEMBER TO THE SAN JOAQUIN AREA FLOOD CONTROL AGENCY BOARD OF DIRECTORS
Adopt Resolution Appointing a Public Member to the San Joaquin Area Flood Control Agency Board of Directors and to the Enhanced Infrastructure Financing District Public Financing Authority
- 4.12 APPROVE PURCHASE AND INSTALLATION OF SWARCO MCCAIN, INC. PRODUCTS FOR CITY-WIDE TRAFFIC SYSTEMS AND SAFETY UPGRADES PROJECT, CIP PS 23-01 AND APPROVE BUDGET AMENDMENT
Adopt Resolution Approving the Purchase and Installation of Swarco McCain Inc. Products for the Citywide Traffic Systems and Safety Upgrades Project, CIP PS 23-01 and Approve Budget Amendment
- 4.13 AWARD CONSTRUCTION CONTRACT TO DSS COMPANY DBA KNIFE RIVER CONSTRUCTION FOR CONSTRUCTION OF LOUISE AVENUE AND MCKINLEY AVENUE INTERSECTION IMPROVEMENTS, CIP PS 15-02 AND APPROVE BUDGET AMENDMENT
Adopt Resolution to Award a Construction Contract to DSS Company dba Knife River Construction for Construction of Louise Avenue and McKinley Avenue Intersection Improvements, CIP PS 15-02 and Approve Budget Amendment
- 4.14 AWARD CONSTRUCTION CONTRACT TO DIRT DYNASTY, INC. FOR CONSTRUCTION OF SIDEWALK INFILL AT "J" STREET AND 5TH STREET INTERSECTION, CIP PS 23-09

Adopt Resolution to Award a Construction Contract to Dirt Dynasty, Inc. for Construction of Sidewalk Infill at "J" Street and 5th Street Intersection, CIP PS 23-09

- 4.15 ACCEPT PUBLIC IMPROVEMENTS WITH ASSOCIATED CONDITIONS FOR STANFORD PLACE, SPARTAN WAY AT CENTRAL PACIFIC, AND PHASE 1D PARK IMPROVEMENTS FROM LATHROP LAND ACQUISITION, LLC, LOCATED WITHIN THE CLSP AREA, AND APPROVE BUDGET AMENDMENT AND CHANGE ORDERS FOR MAINTENANCE

Adopt Resolution Accepting Public Improvements with Associated Conditions for Stanford Place, Spartan Way at Central Pacific, and Phase 1D Park Improvements from Lathrop Land Acquisition, LLC, Located within the CLSP Area, and Approving Budget Amendment and Change Orders for Maintenance

- 4.16 CREATE CIP PK 24-26, EAGLE'S LANDING PARK, APPROVE REIMBURSEMENT AGREEMENT WITH D.R. HORTON, AND APPROVE BUDGET AMENDMENT FOR NEIGHBORHOOD PARK WITHIN TRACT 4151

Adopt Resolution Creating CIP PK 24-26, Eagle's Landing Park, Approving Reimbursement Agreement with D.R. Horton, and Approving Budget Amendment for Neighborhood Park within Tract 4151

RIVER ISLANDS DEVELOPMENT CONSENT ITEM(S)

- 4.17 RESCIND PREVIOUS APPROVAL AND APPROVE MODIFIED FINAL MAP FOR TRACT 4131 VILLAGE "KK" AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 75 LOTS WITHIN OLD RIVER DISTRICT OF RIVER ISLANDS

Adopt Resolution Rescinding Previous Approval and Approving Modified Final Map for Tract 4131 Village "KK" within the Old River District, Totaling 75 Multi-Family Lots, and Subdivision Improvement Agreement with River Islands Stage 2B, LLC

- 4.18 APPROVE FINAL MAP, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 95 LOTS IN TRACT 4130 VILLAGE "II" WITHIN OLD RIVER DISTRICT OF RIVER ISLANDS

Adopt Resolution Approving Final Map for Tract 4130 Village "II" within the Old River District, Totaling 95 Single Family Lots, and Subdivision Improvement Agreement with River Islands Stage 2B, LLC

- 4.19 APPROVE FINAL MAP, CFD ANNEXATION, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 29 LOTS IN TRACT 4173 VILLAGE 41 UNIT 1 WITHIN LAKE HARBOR WEST DISTRICT OF RIVER ISLANDS

Adopt Resolution Approving Final Map for Tract 4173 Village 41 Unit 1 within the Lake Harbor West District, Totaling 29 Single Family Lots, Annexation into CFD 2023-1, and Subdivision Improvement Agreement with River Islands Development Area 1, LLC

5. SCHEDULED ITEMS

(Please Note - A discussion item was noticed for a Public Hearing to consider an ordinance to amend the Lathrop Municipal Code Title 2 (Administration and Personnel), Chapter 2.04 (City Council), Section 2.04.020 (Compensation of City Council), to increase City Council Compensation in Accordance with new Senate Bill 329 (Dodd). This item is being pulled by staff, this item will not be presented, there is no current action requested at this time.)

5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER THE GENERAL PLAN AND ZONING CONSISTENCY PROJECT (TA-23-93)

City Council to Consider the Following:

1. Hold a Public Hearing; and
2. Adopt Resolution to Find the Project Exempt from Further Environmental Review Pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183.
3. Adopt Resolution to Amend the Mossdale Landing and Mossdale Landing South Urban Design Concepts (UDC's) for Consistency with the 2022 Lathrop General Plan Update.
4. First Reading and Introduction of an Ordinance to Amend the Lathrop Zoning Map, Modify Title 10 (Vehicles and Traffic) of the Lathrop Municipal Code, and Adopt Various Amendments to Title 17 (Zoning) of the Lathrop Municipal Code for Consistency with the 2022 Lathrop General Plan Update

5.2 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER THE CENTRAL LATHROP SPECIFIC PLAN PHASE 2 AMENDMENT AND CODE TEXT AMENDMENT NO. TA-23-104

City Council to Consider the Following:

1. Hold a Public Hearing;
2. Adopt Resolution to Find the Project Exempt from Further Environmental Review Pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183; and
3. First Reading and Introduction of an Ordinance to Approve the Central Lathrop Specific Plan (CLSP) Phase 2 Amendment and Code Text Amendment to Modify Chapter 17.62, Central Lathrop Zoning Districts to add Article 6, IL-CL: Limited Industrial Zoning Districts and Modify Section 17.62.120 B of the Lathrop Municipal Code

5.3 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER CONDITIONAL USE PERMIT NO. CUP-23-08 AND SITE PLAN REVIEW NO. SPR-23-09 FOR THE ASHLEY FURNITURE PROJECT

City Council to Consider the Following:

1. Hold a Public Hearing;
2. Adopt Resolution to Find the Project Exempt from Further Environmental Review Pursuant to Public Resources Code Section

21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183; and

3. Adopt Resolution to Approve a Conditional Use Permit and Site Plan Review for the Ashley Furniture Project to Allow for the Construction of an Approximately 1.5 Million Square Foot Concrete Tilt-Up Building Located within the Central Lathrop Specific Plan Phase 2 Area

- 5.4 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ADOPTING AN ORDINANCE AMENDING THE LATHROP MUNICIPAL CODE TITLE 12 "STREETS, SIDEWALKS AND PUBLIC PLACES", CHAPTER 12.12 "IMPROVEMENTS AND DEDICATIONS", SECTION 12.12.060 "IMPROVEMENTS TO EXISTING BUILDINGS"

City Council to Consider the Following Items:

1. Hold a Public Hearing; and
2. First Reading and Introduction of an Ordinance Amending Title 12 "Streets, Sidewalks and Public Places", Chapter 12.12 "Improvements and Dedications", Section 12.12.060 "Improvements to Existing Buildings" to Modify the Language to Require Frontage Improvements Upon Addition of Improvements to Existing Sites

- 5.5 REVIEW AND CONSIDER TRAFFIC SAFETY ENHANCEMENT OPTIONS FOR RIVER ISLANDS PARKWAY AT THE INTERSECTIONS OF BOSCH AVENUE AND IMPERIAL DRIVE, CIP PS 24-07

Council to Consider Options for Traffic Safety Enhancement for River Islands Parkway at the Intersections of Bosch Avenue and Imperial Drive, CIP PS 24-07

- 5.6 CITY COUNCIL DISCUSSION REGARDING REGULATION AND PERMIT OPTIONS FOR HOOKAH LOUNGE

City Council to Discuss and Provide Staff Direction as to Whether to Prepare an Ordinance for Review by the Planning Commission and Subsequent Consideration of the City Council, for Regulation and Permit Options for Hookah Lounge Establishments

- 5.7 FISCAL YEAR (FY) 2022-23 YEAR-END BUDGET REPORT AND RELATED AMENDMENTS AND AMENDMENTS TO THE FISCAL YEAR 2023-24 BUDGET

Adopt Resolution Approving the FY 2022-23 Year-End Report and Related Budget Amendments and Amending the FY 2023-24 Budget

6. COUNCIL COMMUNICATIONS

- 6.1 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)

- *Central Valley Executive Committee/LOCC (Akinjo/Diallo)*
- *Council of Governments (Lazard/Diallo)*

- *Integrated Waste Management Solid Waste Division (Akinjo/Torres-O'Callaghan)*
- *Reclamation District 17 Joint Powers Authority (Salvatore)*
- *San Joaquin Partnership Board of Directors (Salvatore)*
- *San Joaquin County Commission on Aging (Vacancy)*
- *San Joaquin Valley Air Pollution Control District (Akinjo/Dhaliwal)*
- *Water Advisory Board (Torres-O'Callaghan/Lazard)*
- *Tri Valley-San Joaquin Valley Regional Rail Authority (Akinjo)*
- *San Joaquin Area Flood Control Agency (Akinjo/Lazard/Torres-O'Callaghan)*
- *LAFCo (Diallo)*

6.2 MAYOR & COUNCILMEMBER COMMENT(S)

7. ADJOURNMENT

/Teresa Vargas/

Teresa Vargas, MMC
Government Services Director
City Clerk

**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, AUGUST 14, 2023
7:00 P.M.
COUNCIL CHAMBER, CITY HALL
390 Towne Centre Drive
Lathrop, CA 95330**

MINUTES

PLEASE NOTE: There was no Closed Session. The Regular Meeting commenced at 7:00 p.m.

1. PRELIMINARY

1.1 CALL TO ORDER – Vice Mayor Akinjo called the meeting to order at 7:00 p.m.

1.2 ROLL CALL Present: Vice Mayor Akinjo; Councilmembers
Diallo, Lazard, and Torres-O’Callaghan

Absent: Mayor Dhaliwal

1.3 INVOCATION – Pastor Don Britton, Grace Community Church, provided the invocation.

1.4 PLEDGE OF ALLEGIANCE – Pastor Don Britton led the pledge of allegiance.

1.5 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER

City Manager Stephen Salvatore announced that Item 5.1 would be pulled off the agenda; staff to analyze the information further and agendaize the matter to a future meeting.

1.6 INFORMATIONAL ITEM(S) – None

1.7 DECLARATION OF CONFLICT(S) OF INTEREST

Councilmember Lazard declared a conflict of interest with Item 4.21, due to her employment with Dell’Osso Farms. Councilmember Diallo declared a conflict of interest Item 4.21, due to an agreement with the River Islands Development. City Clerk Teresa Vargas announced that Item 4.21 would be moved to the next regular City Council meeting due to lack of quorum.

2. PRESENTATIONS

2.1 PRESENTATION OF ARTWORK DONATION FROM JIM, SANDY AND VANESSA GATTO TO THE CITY OF LATHROP FOR THE JOYCE GATTO ART GALLEY AT CITY HALL

Jim and Sandy Gatto presented the City Council with a piece of artwork painted by the dearly departed Joyce Gatto, titled the "The Pink Lady". Sandy Gatto provided the meaningful background story behind the painting of the "The Pink Lady" artwork. Bennie Gatto commented on the matter and expressed his late wife's affection for the arts and the Lathrop community. The City Council expressed their gratitude and sentiments to the Gatto family.

2.2 PROCLAMATION DECLARING AUGUST AS NATIONAL BREASTFEEDING AWARENESS MONTH

Councilmember Torres-O'Callaghan provided the presentation to Director of Patient Education & Programs Erin Garcia with the Community Medical Centers.

2.3 INTRODUCTION OF NEW EMPLOYEES

Finance Director Cari James introduced new Finance Department employee Christopher Hathcox, Customer Services Representative.

Police Chief Ray Bechler introduced new Police Department employees Chantal Ezell, Police Officer, Vatche Tatarian, Police Officer, and Ranjit Dosanjh, Community Services Supervisor. Lieutenant Tracie Shea was not available for introduction.

Assistant City Manager Michael King introduced new Public Works Department employee Dominic Maraspini, Maintenance Services Supervisor.

2.4 POLICE DEPARTMENT PRESENTATION REGARDING PRIORITY ONE CALL TYPES AND UPDATED RESPONSE TIMES

Police Chief Bechler provided an informational presentation regarding priority one call types and related response times for the months of June and July. A question and answer period ensued throughout the presentation. Christina Laughlin (zoom speaker) commented on the matter, requested additional information related to the dispatching of domestic violence calls.

3. CITIZEN'S FORUM

Gavin Cline (in person speaker), Legislative Representative for Congress Member John Duarte, provided an overview of various legislative updates and activities for California's 13th District. Margaret Luevano (in person speaker) expressed concern with the completed Lathrop Road roadway improvements and the existing configurations of her driveway. City Manager Stephen Salvatore provided additional information, and requested coordination from Ms. Luevano on obtaining the Property Access Agreement to perform repairs. City Council consensus directed staff to bring back an item for consideration of repairs to Ms. Luevano's driveway. Jack Sagisi and Emerson Castillo (in person speakers) representing United Bacarreños of America expressed appreciation to the City Council for their participation in the cultural event honoring the sister city relationship with Bacarra, Ilocos Norte, Philippines, held July 22, 2023. City Clerk Teresa Vargas announced public comment letter submitted by Christina Laughlin requesting information regarding the Police Department K9 program.

4. CONSENT CALENDAR

On a motion by Vice Mayor Akinjo, seconded by Councilmember Lazard, the City Council approved the Consent Calendar, Items 4.1 through 4.20, by the following roll call vote, unless otherwise indicated:

Ayes:	Diallo, Lazard, Torres- O'Callaghan and Akinjo
Noes:	None
Absent:	Dhaliwal
Abstain:	None

4.1 WAIVING OF READING OF ORDINANCES AND RESOLUTIONS

Waived the reading in full of ordinances and resolutions on agenda and adopt by reading of title only, unless otherwise requested by the Mayor or a Councilmember.

4.2 APPROVAL OF MINUTES

Approved Minutes for the Special Meeting of June 13, 2023 and Special Meeting of June 14, 2023.

4.3 SECOND READING AND ADOPTION OF ORDINANCE 23-447 OF THE CITY COUNCIL OF THE CITY OF LATHROP TO IMPLEMENT A COMMUNITY CHOICE AGGREGATION PROGRAM TO PROVIDE ELECTRIC SERVICES IN THE CITY OF LATHROP

Waived full reading and adopted **Ordinance 23-447** implementing a Community Choice Aggregation Program to provide electric services in the City Of Lathrop.

4.4 COMPLETE ANNUAL PERFORMANCE REVIEW PROCESS FOR CITY MANAGER AND CITY ATTORNEY

Adopted **Resolution 23-5341** approving Amendment No. 4 to the City Manager Employment Agreement, and Amendment No. 3 to the City Attorney Employment Agreement.

4.5 DECLARE CERTAIN VEHICLES AND EQUIPMENT SURPLUS PROPERTY AND AUTHORIZE THEIR DISPOSAL

Adopted **Resolution 23-5342** declaring certain vehicles and equipment surplus property and authorizing their disposal.

4.6 APPROVE PURCHASES OF A DUMP TRUCK & VARIOUS HEAVY CONSTRUCTION EQUIPMENT

Adopted **Resolution 23-5343** approving the purchases of a dump truck & various heavy construction equipment.

4.7 APPROVE WRITE-OFF OF UNCOLLECTIBLE UTILITY AND MISCELLANEOUS CUSTOMER ACCOUNTS FOR FISCAL YEAR 2022-23

Pulled by Vice Mayor Akinjo. A question and answer period ensued. Finance Director Cari James provided the information.

Adopted **Resolution 23-5344** approving Adopt Resolution to Approve Write-Off of Uncollectible Utility and Miscellaneous Accounts for Fiscal Year (FY) 2022-23

4.8 APPROVE 2023 FACILITY FEE WAIVER REQUEST FOR THE LATHROP LIONS CLUB

Adopted **Resolution 23-5345** approving a Facility Fee Waiver Request from the Lathrop Lions Club for the Use of a Valverde Park Shelter on October 21, 2023 to host a Breast Cancer Walk.

4.9 APPROVE ADDITIONAL INDUSTRIAL SOLID WASTE LICENSE FOR FISCAL YEAR 2023-24

Pulled by Vice Mayor Akinjo. A question and answer period ensued. Parks, Recreation and Maintenance Services Director Todd Sebastian provided the information.

Adopted **Resolution 23-5346** approving an Annual Industrial Solid Waste License for Tony & Sons Trucking for Fiscal Year 2023-24.

- 4.10 APPROVE AMENDMENT NO. 1 WITH MIG INC. TO UPDATE THE ADA SELF-EVALUATION AND TRANSITION PLAN

Adopted **Resolution 23-5347** approving Amendment No. 1 with MIG Inc. to update the ADA Self- Evaluation and Transition Plan.

- 4.11 APPROVE FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 95 LOTS IN TRACT 4151 WITHIN THE MOSSDALE VILLAGE AREA

Adopted **Resolution 23-5348** approving Final Map for Tract 4151 within the Mossdale Village Area, totaling 95 single-family lots and Subdivision Improvement Agreement with D.R. Horton BAY, Inc.

- 4.12 APPROVE AMENDMENT NO. 1 WITH LDA PARTNERS, INC. FOR THE LATHROP POLICE DEPARTMENT PROPERTY AND EVIDENCE BUILDING, CIP GG 21-13 CORP YARD IMPROVEMENTS

Pulled by Vice Mayor Akinjo. A question and answer period ensued. City Engineer Brad Taylor provided the information.

Adopted **Resolution 23-5349** approving Amendment No. 1 with LDA Partners, Inc., for the Lathrop Police Department Property and Evidence Building, CIP GG 21-13 Corp Yard Improvements.

- 4.13 APPROVE PROFESSIONAL SERVICES AGREEMENT WITH LDA PARTNERS, INC. FOR THE LATHROP ANIMAL CENTER, CIP GG 23-11

Pulled by Vice Mayor Akinjo. A question and answer period ensued. City Engineer Brad Taylor provided the information.

Adopted **Resolution 23-5350** approving Professional Services Agreement with LDA Partners, Inc., for design and construction services for the Lathrop Animal Center, CIP GG 23-11.

- 4.14 RATIFY AMENDMENT NO. 2 WITH CAROLLO ENGINEERS, INC. FOR AQUIFER STORAGE AND RECOVERY, CIP PW 22-36

Adopted **Resolution 23-5351** ratifying Amendment No. 2 with Carollo Engineers, Inc., for the Aquifer and Storage Recovery Project, CIP PW 22-36.

- 4.15 RATIFY CITY MANAGER APPROVAL OF AGREEMENTS WITH AXON ENTERPRISE, INC., FOR THE PURCHASE OF TEN (10) AXON IN-CAR VIDEO SOLUTIONS AND PURCHASE OF EIGHT (8) ADDITIONAL OFFICER SAFETY PLAN 7 BUNDLES FOR THE POLICE DEPARTMENT

Adopted **Resolution 23-5352** ratifying Agreements with Axon Enterprise, Inc., for the purchase of ten (10) Axon fleet in-car video solution and its supporting information, services and training, and purchase of eight (8) additional officer safety plan 7 bundles for the Police Department.

- 4.16 ACCEPT FUNDING FROM LOCAL AGENCY TECHNICAL ASSISTANCE GRANT AWARD, CREATE CIP GG 24-24 FOR BROADBAND INFRASTRUCTURE, APPROVE RELATED BUDGET AMENDMENT, AND RATIFY AN AGREEMENT WITH MAGELLAN BROADBAND FOR THE DEVELOPMENT OF A MASTER PLAN FOR BROADBAND INFRASTRUCTURE

Pulled by Vice Mayor Akinjo. A question and answer period ensued. Information Systems Director Tony Fernandes provided the information.

Adopted **Resolution 23-5353** accepting grant funding from the Local Agency Technical Assistance Grant Award, creating CIP GG 24-24 for Broadband Infrastructure, approving budget amendment, and ratifying an Agreement with Magellan Broadband for the development of a Master Plan for Broadband Infrastructure.

- 4.17 ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY DIRT DYNASTY, INC. FOR THE LATHROP AND HARLAN ROAD INTERSECTION IMPROVEMENTS, CIP PS 21-06

Adopted **Resolution 23-5354** accepting public improvements constructed by Dirt Dynasty, Inc. for the Lathrop Road and Harlan Road intersection improvements, CIP PS 21-06, authorizing the filing of a Notice of Completion, and releasing contract retention and Performance and Payment Bonds.

- 4.18 AWARD CONSTRUCTION CONTRACT TO GEORGE REED, INC., FOR CONSTRUCTION OF CLASS II BIKEWAYS TO ACE STATION, CIP PS 22-18 AND APPROVE BUDGET AMENDMENT

Pulled by Vice Mayor Akinjo. A question and answer period ensued. City Engineer Brad Taylor provided the information.

Adopted **Resolution 23-5355** awarding Construction Contract to George Reed, Inc., for construction of Class II Bikeway to Ace Station, CIP PS 22-18, and approve budget amendment.

- 4.19 AWARD SERVICE CONTRACT TO ALL STEEL FENCE, INC. FOR GATE PREVENTATIVE MAINTENANCE AND EMERGENCY ON-CALL GATE & FENCE REPAIR SERVICES WITH AND APPROVE BUDGET AMENDMENT

Adopted **Resolution 23-5356** awarding Service Contract to All Steel Fence, Inc., for fence and gate preventative maintenance and emergency on-call gate and fence repair services, and approving budget amendment.

- 4.20 CREATE CIP GG 24-25 CITY FACILITIES FENCING IMPROVEMENTS, AWARD A CONSTRUCTION CONTRACT TO ALL STEEL FENCE, INC., AND APPROVE BUDGET AMENDMENT

Adopted **Resolution 23-5357** creating CIP GG 24-25 City Facilities Fencing Improvements, awarding Construction Contract to All Steel Fence, Inc., and approving budget amendment.

RIVER ISLANDS DEVELOPMENT CONSENT ITEM(S)

Under Item 1.7, City Clerk Teresa Vargas announced that Item 4.21 would be moved to the next regular City Council meeting due to lack of quorum. No action taken on Item 4.21.

- 4.21 APPROVE THE REVISED RIVER ISLANDS PHASE TWO PARKS AND OPEN SPACE MASTER PLAN

Adopt Resolution Approving the Revised River Islands Phase Two Parks and Open Space Master Plan

CEQA STATUS: The Proposed Project Falls within the Scope of the Previously Certified Subsequent Environmental Impact Report (SEIR) (SCH No. 1993112027) for the River Islands at Lathrop Phase Two Project; Therefore, No Further Environmental Review Is Required In Accordance With The California Environmental Quality Act

5. SCHEDULED ITEMS

Under Item 1.5, City Manager Stephen Salvatore announced that Item 5.1 would be pulled off the agenda; staff to analyze the information further and agendize the matter to a future meeting. No action taken on Item 5.1.

- 5.1 PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER THE USE OF AN AUTOMATED ENFORCEMENT SYSTEM IN THE CITY OF LATHROP PURSUANT TO SECTION 21455 OF THE CALIFORNIA VEHICLE CODE
City Council to Consider the Following:
1. Hold a Public Hearing; and

2. Public Hearing (Published Notice) to Consider the Use of an Automated Enforcement System in the City of Lathrop Pursuant to Section 21455 of the California Vehicle Code

5.2 ESTABLISH DROUGHT TOLERANT LANDSCAPING GRANT GUIDELINES

Deputy City Manager Thomas Hedegard provided the presentation regarding an income-based drought tolerant landscaping grant utilizing American Rescue Plan Act (ARPA) funds. The presentation also included information on grant award guidelines and application process. A question and answer period ensued throughout the presentation. Community Development Director Rick Caguiat provided additional information.

On a motion by Councilmember Diallo, seconded by Councilmember Torres-O'Callaghan, the City Council adopted **Resolution 23-5358** establishing a Drought Tolerant Landscaping Grant Program and Guidelines for Residential Properties in the City of Lathrop, by the following roll call vote, unless otherwise indicated:

Ayes:	Diallo, Lazard, Torres- O'Callaghan and Akinjo
Noes:	None
Absent:	Dhaliwal
Abstain:	None

6. COUNCIL COMMUNICATIONS

- 6.1 MAYOR DHALIWAL REFERRAL: Set Application Deadline for Appointment of One (1) Representative to the San Joaquin County Commission on Aging with Term Ending June 30, 2026, due to Unexpired Term Vacancy

City Clerk Teresa Vargas provided an overview. City Council consensus directed the City Clerk to set the application deadline to August 31, 2023, for appointment consideration during the September City Council Regular Meeting.

- 6.2 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S)

Councilmember Diallo and Torres-O'Callaghan reported their attendance to a 2x2 meeting with Manteca Unified School District representatives; topics discussed included students attending schools outside of Lathrop, school bussing and transportation for students from the Central Lathrop development area, test scores, School Resource Officers, and new schools for the City of Lathrop. Vice Mayor Akinjo reported his attendance to a recent San Joaquin Area Flood Control Agency Board of Directors meeting.

6.3 MAYOR & COUNCILMEMBER COMMENT(S)

City Manager Stephen Salvatore recognized employees Cathy Long and Liliana Espinoza and contract employee Mariah Walty for their work with social media announcements promoting dog adoptions. Councilmembers thanked those in attendance. Vice Mayor Akinjo encouraged adoptions of shelter animals in need of a permanent home. Councilmember Torres-O'Callaghan expressed appreciation to staff for their work on dog adoptions and the end of summer community event.

7. **ADJOURNMENT** – There being no further business, Vice Mayor Akinjo adjourned the meeting 8:58 p.m.

A handwritten signature in black ink, appearing to read 'Teresa Vargas', is written over a horizontal line.

Teresa Vargas, MMC
Government Services Director
City Clerk

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ITEM 4.3

CITY MANAGER'S REPORT OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

ITEM: **SECOND READING AND ADOPTION OF ORDINANCE 23-448 OF THE CITY COUNCIL OF THE CITY OF LATHROP AMENDING TITLE 2, CHAPTER 2.36 "PURCHASING SYSTEM", SECTION 2.36.110 "EXCEPTIONS TO PURCHASING PROCEDURES AND LIMITS" BY ADDING A NEW SECTION ("D") TO ALLOW COOPERATIVE PURCHASING AGREEMENTS**

RECOMMENDATION: **Waive Full Reading and Adopt Ordinance 23-448 Amending Title 2, Chapter 2.36 "Purchasing System", Section 2.36.110 "Exceptions To Purchasing Procedures And Limits" By Adding A New Section ("D") To Allow Cooperative Purchasing Agreements**

RECOMMENDED ACTION:

The City Council to conduct a second reading and adopt Ordinance 23-448 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP AMENDING TITLE 2, CHAPTER 2.36 "PURCHASING SYSTEM", SECTION 2.36.110 "EXCEPTIONS TO PURCHASING PROCEDURES AND LIMITS" BY ADDING A NEW SECTION ("D") TO ALLOW COOPERATIVE PURCHASING AGREEMENTS

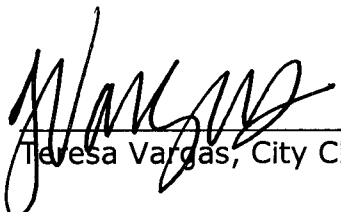
SUMMARY:

On September 11, 2023, the City Council approved the introduction and first reading of the subject Ordinance by the following vote:

AYES:	Akinjo, Diallo, Lazard, Torres-O'Callaghan, and Dhaliwal
NOES:	None
ABSTAIN:	None
ABSENT:	None

The Ordinance will take effect 30 days after adoption.

SUBMITTED BY:



Tevesa Vargas, City Clerk

9/28/23

Date

ORDINANCE NO. 23-448

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP AMENDING TITLE 2, CHAPTER 2.36 "PURCHASING SYSTEM", SECTION 2.36.110 "EXCEPTIONS TO PURCHASING PROCEDURES AND LIMITS" BY ADDING A NEW SECTION ("D") TO ALLOW COOPERATIVE PURCHASING AGREEMENTS

WHEREAS, Cooperative purchasing agreements allow staff to timely procure goods, material and services while also meeting state and local government purchasing procedures; and

WHEREAS, Cooperative purchasing is the process of combining the buying power of multiple agencies to negotiate and purchase goods and services at lower prices. The idea behind this procurement method is that the City would not need to conduct its own competitive bidding process since one has already been conducted by an agency that follows strict government purchasing guidelines; and

WHEREAS, the City currently utilizes the California Multiple Award Schedule (CMAS) program to purchase fleet vehicles and heavy equipment, which is statutorily allowed by California Government Code § 54205; however, this program's selection of goods and services is somewhat limited; and

WHEREAS, California Government Code (GC) §§ 54202-54203, require local agencies to adopt an ordinance establishing policies and procedures, including bidding regulations, governing purchases of supplies and equipment by the local agency; and

WHEREAS, a Notice of Public Hearing was advertised in the Manteca Bulletin on August 30th, 2023; and

WHEREAS, staff requests that City Council hold a public hearing, consider all information and public testimony and, if determined to be appropriate, adopt an Ordinance amending Lathrop Municipal Code Title 2 "Administration and Personnel", Chapter 2.36 "Purchasing System", Section 2.36.110 "Exceptions to purchasing procedures and limits" by adding a new section ("D") to allow the City to utilize cooperative purchasing agreements; and

WHEREAS, this will give the City Manager, as the Purchasing Officer, the authority, where advantageous to the city, to use cooperative purchasing agreements approved by the City Council, to purchase supplies, equipment, and non-professional services through legal contracts of other government jurisdictions, or public agencies without separate competitive bidding by the city.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lathrop does hereby ordain as follows:

Note: additions are shown below in underline font.

Section 1.

Title 2 of the Lathrop Municipal Code, "Administration and Personnel" is hereby amended by amending Chapter 2.36 "Purchasing System", Section 2.36.110 "Exceptions to purchasing procedures and limits", to incorporate the changes as follows:

CHAPTER 2.36 PURCHASING SYSTEM

2.36.110 Exceptions to purchasing procedures and limits.

A. The contracting of service from other governmental agencies, sole source purchases and professional services shall be exempt from bidding procedures.

B. The contracting for the purchase of any item less than seventy-five thousand dollars (\$75,000.00), exclusive of sales or use tax, shipping, handling or delivery charges from other governmental agencies, sole source purchases, or from the Office of Procurement, Department of General Services of the state of California shall be exempt from the bidding procedures.

C. For any exemption to the procedures set forth in this chapter, the department head responsible for the purchase shall certify in writing to the purchasing officer the reason for the exemption claimed.

D. Without complying with the requirements of Sections 2.36.050, 2.36.060, and 2.36.140, the purchasing officer may participate in, use, sponsor, conduct or administer a cooperative purchasing agreement for the procurement of any supplies, equipment, or service with one or more public procurement units in accordance with an agreement entered into between the participants. Such cooperative purchasing may include, but is not limited to, joint or multiparty contracts between public procurement units and open-ended state and/or federal public procurement unit contracts which are made available to the city.

Section 2.

This Ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3. Severability.

If any section, subsequent subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance.

The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

Section 4. Effective Date.

This Ordinance shall take legal effect 30 days from and after the date of its passage.

Section 5. Publication.

Within fifteen days of the adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance, to be published in full accordance with Section 36933 of the Government Code.

THIS ORDINANCE was introduced at a meeting of the City Council of the City of Lathrop on the 11th day of September, 2023, and was **PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Lathrop on the ____ day of ____ 2023, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk

Salvador Navarrete, City Attorney

Quarterly Treasurer Report

June 2023

This report presents a detailed discussion of the City's fund balances and investment portfolio as of June 30, 2023. It includes all investments managed by the City on its own behalf as well as the City's Trustees. The report provides information on cash flows, broken down by both investment manager (City or Trustee) and by percentage allocation within the portfolio.

As of June 30, 2023, the investment portfolio was in compliance with all state laws and the City's Investment Policy.

Current Portfolio Summary

As directed by the Investment Policy adopted by City Council, City staff strives to attain three primary goals with the City's investments as follows (in order of priority):

1. Safety – Preservation of the principal of invested funds
2. Liquidity – Ability to liquidate one or more of the City's investments if unexpected expenditures arise
3. Return – Attainment of a market rate of return

The majority of the portfolio is invested in the Local Agency Investment Fund (LAIF), which is administered by the California State Treasurer's office. LAIF provides the City with an investment vehicle with yields that are slightly greater than U.S. Treasuries (T-bills) with a 2-year maturity or less. LAIF is a high quality investment in terms of safety, liquidity, and yield. Additionally, LAIF is an "On Demand" account; meaning funds may be withdrawn upon with 1 day notice, representing maximum liquidity.

In addition to LAIF, the City holds investments in Money Market Mutual Funds, Nonnegotiable Certificates of Deposit, and State and Local Government Securities (SLGS). These investments are prudent investment choices and are included in the City's Investment Policy as allowable investments.

Each investment mentioned above has a specific maturity date. However, much of the portfolio is On Demand. The short weighted average maturity provides the City with a great deal of liquidity during this period of heightened economic uncertainty and period of moderate investment yields. This liquidity places the City in a position to invest in longer term maturity investments once interest rates begin to stabilize toward their historical norms; overall macroeconomic indicators signal solid and consistent growth in future years.

The following table (Table: 1) provides a summary of the City's cash and investments, by holding party, based on recorded value as of June 30, 2023 compared with the prior quarter:

Table 1				
	March 31, 2023		June 30, 2023	
Holding Party	Fund Amounts (1)	% of Portfolio	Fund Amounts (1)	% of Portfolio
Investments/Cash held by the City	\$193,821,638	71%	\$214,368,607	73%
Investments held by Trustees	77,498,845	29%	77,571,626	27%
TOTAL	\$271,320,483	100%	\$291,940,233	100%

(1) Small variances are due to the summation and rounding of multiple figures to the nearest whole dollar

Please see the following pages (Tables: 2 through 5) for a more detailed analysis of transactional additions and reductions due to cash flow needs, debt service payments, and maturities/rollovers of certain investments.

Revenues arrived during the quarter, per City staff expectations, are as follows: utility payments, property tax, franchise fees, sales tax (including Measure C), developer billing fees, grant reimbursements, building permit fees, plan check fees, and Transient Occupancy Tax (TOT).


Significant payables paid out during the quarter include:

- I. Nonrecurring Expenditure Debt Service Payments, Capital Improvement Projects – General Government, Parks, Streets, Water, and Wastewater
- II. Recurring Expenditures
 - a. Contractual – Park & Street Landscaping, and Wastewater Treatment Services
 - b. Intergovernmental payments – South San Joaquin Irrigation District (Surface Water Contract), Lathrop Manteca Fire District, City of Manteca (Wastewater Contract)

Quarterly Economic Update

According to the latest projections from PFM Asset Management; In Q2, U.S. economic conditions were characterized by a myriad of financial headlines: (1) investors contended with ongoing recession risks; (2) regional bank concerns; (3) the Federal Reserve's (Fed) historic pace of interest rate hikes; (4) stubbornly high inflation; and (5) a debt ceiling impasse in Washington. U.S. inflation, as measured by the consumer price index (CPI), has fallen from 6.5% year-over-year (YoY) at the beginning of the year to just 3.0% as of June as monthly gains have moderated. The Fed followed up the two 25 basis point (bps) hikes in Q1 with one more 25 bp hike at the May meeting, bringing the overnight rate to a target range of 5% to 5.25%. At the June FOMC meeting, the Fed paused hiking, breaking the string of consecutive meetings with an increase at 10. The "hawkish pause" was accompanied by new Fed projections (the so called "dot plot") which indicated the expectation for two more 25 bp rate hikes in the remaining part of calendar year 2023, underscoring the Fed's vigilance in fighting inflationary pressures. The U.S. labor market remained strong and tight in Q2. Over the second quarter, the U.S. economy added 732,000 new jobs. But, the strength of the labor market has moderated slightly, as weekly unemployment claims have risen, the number of job openings has fallen from record highs, and the labor force participation rate reached a post-pandemic high of 62.6%. Locally, the San Joaquin Valley area experienced an increase in unemployment rates (San Joaquin County: 6.1%; City of Lathrop: 7.2%).

I certify that all of the investments reported herein are in accordance with the "City of Lathrop Investment Policy" adopted on November 14, 2022, with the Government Code, and other contractual agreements. I further certify the investments reported herein provide for the ability of the City to meet cash flow needs for the next six months.


 Stephen J. Salvatore
 City Manager

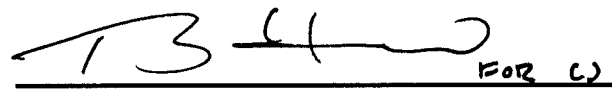

 Cari James
 Director of Finance

TABLE: 2
CITY OF LATHROP
Summary of All Investments
As of June 30, 2023

City Held Investments	Recorded Value	Current Yield	Percent of Portfolio	Market Value
Local Agency Investment Fund	\$ 74,871,002	3.150%	45.07%	\$ 74,871,002
Wells Fargo Money Market Mutual Funds	\$ 2,976,780	4.650%	1.79%	\$ 2,976,780
California Asset Management Program	\$ 10,694,379	5.240%	6.44%	\$ 10,694,379
Total Investments Held by the City (1)	\$ 88,542,162	3.453%	53.30%	\$ 88,542,161

Trustee Held Investments	Recorded Value	Current Yield	Percent of Portfolio	Market Value
US Bank	\$ 3,893,578	4.430%	2.34%	\$ 3,893,578
UMB Bank	\$ 1,269,740	4.430%	0.76%	\$ 1,269,740
Union Bank	\$ -	0.000%	0.00%	\$ -
SJ County Pooled Funds	\$ 135,471	0.260%	0.08%	\$ 135,471
PFM Asset Management	\$ 71,783,716	2.530%	43.21%	\$ 71,783,716
PNC Bank	\$ 489,121	0.090%	0.29%	\$ 489,121
Total Investments Held by Trustees (2)	\$ 77,571,626	2.637%	46.70%	\$ 77,571,626

Total City & Trustee Held Investments & Cash	Recorded Value	Current Yield	Percent of Portfolio	Market Value
Investments Held by the City and Trustees	\$ 166,113,788	3.072%	100.00%	\$ 166,113,787
Cash in Checking Accounts - Recorded Value	\$ 125,826,445			
Total Cash and Investments	\$ 291,940,233			

One month benchmark for U.S. Treasuries: 5.19%

Three month benchmark for U.S. Treasuries: 5.31%

Notes:

(1) See Table: 4 for detailed investments held by the City.

(2) See Table: 5 for detailed investments held by Trustees.

TABLE: 3
CITY OF LATHROP
Investments Cash Flow Analysis
As of June 30, 2023

Investments Held by the City	Prior Month Recorded Value	Purchased (Buy)	Redeemed (Sell)	Current Month Recorded Value
Local Agency Investment Fund (1)	\$ 74,871,002	-	-	\$ 74,871,002
Wells Fargo Money Market Mutual Funds (2)	\$ 2,965,193	11,588	-	\$ 2,976,780
California Asset Management Program	\$ 10,648,487	45,892	-	\$ 10,694,379
Total Investments Held by the City	\$ 88,484,682	57,480	-	\$ 88,542,161

Investments Held by Trustees	Prior Month Recorded Value	Purchased (Buy)	Redeemed (Sell)	Current Month Recorded Value
PNC Bank	\$ 489,121	-	-	\$ 489,121
SJ County Pooled Funds	\$ 135,471	-	-	\$ 135,471
UMB Bank	\$ 1,265,427	4,313	-	\$ 1,269,740
US Bank (3)	\$ 3,582,887	1,557,797	(1,247,107)	\$ 3,893,578
PFM Asset Management	\$ 71,615,684	5,677,532	(5,509,500)	\$ 71,783,716
Total Investments Held by Trustees	\$ 77,088,590	\$ 7,239,643	\$ (6,756,607)	\$ 77,571,626

Total Cash in Checking Accounts Held by the City (2)	\$ 122,380,623	13,950,263	(10,504,441)	\$ 125,826,445
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Total Cash and Investments Held by the City and Trustees	\$ 287,953,895	\$ 21,247,386	\$ (17,261,048)	\$ 291,940,233
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Notes:

- (1) LAIF interest income is paid quarterly (Mar/Jun/Sept/Dec) and received in the following month (Apr/Jul/Oct/Jan).
- (2) Property Tax, Sales Tax, Building permit revenue, TOT, Developer payments, and Utility payments; nonrecurring expenses paid during the month: General government, Parks, Streets, Wastewater, and Water CIPs; also, recurring expenses: Park & street landscape maintenance, and water treatment services; lastly, intergovernmental payments and transfers: SSJID SCSWSP O & M expenses.
- (3) Interest earnings from BlackRock Liquidity Funds T-Funds 30 Day Yield 4.430%, debt service payments.

TABLE: 4
CITY OF LATHROP
Investments Held by City - Detail
As of June 30, 2023

Agency (Broker)	Investment Description	Coupon Rate	Yield to Maturity	Purchase Date	Maturity Date	Market Value (No Accruals)	Recorded Value
Local Agency Investment Fund							
	Money Market Fund City Acct No. 98-39-437	N/A	3.150%	Varies	On Demand	74,871,002	74,871,002
						\$ 74,871,002	\$ 74,871,002
Wells Fargo Mutual Funds							
	Money Market Mutual Fund City Acct No. 12641627	N/A	4.650%	Varies	On Demand	2,976,780	2,976,780
						\$ 2,976,780	\$ 2,976,780
Calforina Asset Management Program							
	Liquidity Account No. 6084-001	N/A	5.240%	Varies	On Demand	10,694,379	10,694,379
						\$ 10,694,379	\$ 10,694,379
TOTAL INVESTMENTS HELD BY CITY							\$ 88,542,161
							\$ 88,542,162

TABLE: 5
CITY OF LATHROP
Investments Held by Trustee - Detail
As of June 30, 2023

Investment Description	Acct Number	CUSIP	Current Yield	Purchase Date	Maturity Date	Value	Recorded Value
Investments Held by US Bank							
03-1 Series 2015 - Mossdale Village Assessment District							
Mossdale Village Assessment Dist. No. 03-1 Series 2015 - Redemption Fund	6712138601		4.430%	10/18/05	On Demand	\$ 5,248	\$ 5,248
Mossdale Village Assessment Dist. No. 03-1 Series 2005/2015 - Reserve Fund	6712138602		4.430%	10/18/05	On Demand	\$ 242,961	\$ 242,961
2000 North Harlan Improvement District 99-01							
Money Market - Reserve Account	6711651103		4.430%	7/12/00	On Demand	\$ -	\$ -
Money Market - Redemption Account	6711651101		4.430%	7/12/00	On Demand	\$ -	\$ -
2003-2A Lathrop CFD							
Money Market- Interest Account	6711720001		4.430%	12/12/03	On Demand	\$ 6,131	\$ 6,131
Money Market-Reserve Account	6711722000		4.430%	12/12/03	On Demand	\$ -	\$ -
LAIF - Interest Account	6711720002		3.150%	03/19/03	On Demand	\$ 700,806	\$ 700,806
CDPH/CDWR - SRF Loan							
Agreement Account	6711908800		4.430%	12/22/10	On Demand	\$ 302,720	\$ 302,720
Agreement Account - Reserve Fund	6711908801		4.430%	12/22/10	On Demand	\$ 617,023	\$ 617,023
2013-1 Mossdale Village							
2013-1 Refunding Improvement Bonds	6712076900		4.430%	10/01/13	On Demand	\$ -	\$ -
2013-1 Refunding Improvement Bonds	6712076901		4.430%	10/01/13	On Demand	\$ 90	\$ 90
2013-1 Refunding Improvement Bonds	6712076903		4.430%	10/01/13	On Demand	\$ 978,625	\$ 978,625
2013-1 Special Tax Bonds							
2013-1 Mossdale Special Tax	6712076801		4.430%	10/01/13	On Demand	\$ 0	\$ 0
2013-1 Mossdale Special Tax	6712076803		4.430%	10/01/13	On Demand	\$ -	\$ -
2013-1 Mossdale Special Tax	6712076804		4.430%	10/01/13	On Demand	\$ 273,630	\$ 273,630
2013-1 Mossdale Special Tax	6712076806		4.430%	10/01/13	On Demand	\$ -	\$ -
2015 Crossroads Series B							
2015 Crossroads Series B - LOIB RDP	6712138801		4.430%	09/01/15	On Demand	\$ 113	\$ 113
2015 Crossroads Series B - LOIB Reserve	6712138803		4.430%	09/01/15	On Demand	\$ 765,820	\$ 765,820
2015 Crossroads Series B - Cost of Issuance	6712138804		4.430%	09/01/15	On Demand	\$ -	\$ -
2015 Crossroads Series B - Improvements	6712138805		4.430%	09/01/15	On Demand	\$ 409	\$ 409
2015 Crossroads Series B - COI Custodian Agreement	6712198801		4.430%	09/01/15	On Demand	\$ -	\$ -
Total Investments Held by Trustee - US Bank						\$ 3,893,578	\$ 3,893,578
Investments Held by PNC Bank by Account							
2012 Water Loan (Refunding of 2000 Water COPs)							
Certificate of Deposit - Reserve Fund			0.090%	5/22/19		\$ 489,121	\$ 489,121
Total Investments Held by Trustee -Pacific Premier Bank						\$ 489,121	\$ 489,121

TABLE: 5
CITY OF LATHROP
Investments Held by Trustee - Detail
As of June 30, 2023

Investment Description	Acct Number	CUSIP	Current Yield	Purchase	Maturity Date	Value	Recorded Value
Investments Held by UMB Bank by Account							
<i>2006-1 Central Lathrop Phase I Infrastructure CFD</i>							
Special Tax Fund	141226.1			09/12/06	On Demand	\$ -	\$ -
Interest Fund	141226.2			09/12/06	On Demand	\$ -	\$ -
Principal	141226.3			08/26/10	On Demand	\$ -	\$ -
Redemption	141226.4			08/26/10	On Demand	\$ -	\$ -
TTEE Fee & Comp Exp	141226.5			09/12/06	On Demand	\$ -	\$ -
Reserve Fund	141226.6			09/12/06	On Demand	\$ -	\$ -
Improvement Fund	141226.7			09/12/06	On Demand	\$ -	\$ -
<i>2018-1 Central Lathrop CFD</i>							
Improvement Area 1 - Admin Expense Reserve Fund	149232.1		4.430%	02/01/19	On Demand	\$ 41,342	\$ 41,342
Other Improvement Areas - Admin Expense Reserve Fund	149232.2		4.430%	02/01/19	On Demand	\$ 167,943	\$ 167,943
Improvement Area 1 - Principal Account	149232.3		4.430%	02/01/19	On Demand	\$ 25,267	\$ 25,267
Improvement Area 1 - Redemption Account	149232.4		4.430%	02/01/19	On Demand	\$ -	\$ -
Improvement Area 1 - Interest Account	149232.5		4.430%	02/01/19	On Demand	\$ -	\$ -
Improvement Area 1 - Admin Expense Account	149232.6		4.430%	02/01/19	On Demand	\$ 11,734	\$ 11,734
Improvement Area 1 - Reserve Fund	149232.7		4.430%	02/01/19	On Demand	\$ 221,597	\$ 221,597
Improvement Area 1 - Surplus Fund	149232.8		4.430%	02/01/19	On Demand	\$ -	\$ -
Improvement Area 2 - Principal Account	149265.1		4.430%	02/01/19	On Demand	\$ 17,687	\$ 17,687
Improvement Area 2 - Redemption Account	149265.2		4.430%	02/01/19	On Demand	\$ -	\$ -
Improvement Area 2 - Interest Account	149265.3		4.430%	02/01/19	On Demand	\$ -	\$ -
Improvement Area 2 - Admin Expense Account	149265.4		4.430%	02/01/19	On Demand	\$ 13,457	\$ 13,457
Improvement Area 2 - Reserve Fund	149265.5		4.430%	02/01/19	On Demand	\$ 166,157	\$ 166,157
Improvement Area 2 - Surplus Fund	149265.6		4.430%	02/01/19	On Demand	\$ -	\$ -
Improvement Area 3 - Principal Account	149267.1		4.430%	02/01/19	On Demand	\$ 32,847	\$ 32,847
Improvement Area 3 - Redemption Account	149267.2		4.430%	02/01/19	On Demand	\$ -	\$ -
Improvement Area 3 - Interest Account	149267.3		4.430%	02/01/19	On Demand	\$ -	\$ -
Improvement Area 3 - Admin Expense Account	149267.5		4.430%	02/01/19	On Demand	\$ 11,851	\$ 11,851
Improvement Area 3 - Reserve Fund	149267.6		4.430%	02/01/19	On Demand	\$ 367,698	\$ 367,698
Improvement Area 3 - Surplus Fund	149267.7		4.430%	02/01/19	On Demand	\$ -	\$ -
Improvement Area 4 - Principal Account	149268.1		4.430%	02/01/19	On Demand	\$ 10,000	\$ 10,000
Improvement Area 4 - Redemption Account	149268.2		4.430%	02/01/19	On Demand	\$ -	\$ -
Improvement Area 4 - Interest Account	149268.3		4.430%	02/01/19	On Demand	\$ -	\$ -
Improvement Area 4 - Admin Expense Account	149268.4		4.430%	02/01/19	On Demand	\$ 14,233	\$ 14,233
Improvement Area 4 - Reserve Fund	149268.5		4.430%	02/01/19	On Demand	\$ 96,646	\$ 96,646
Improvement Area 4 - Surplus Fund	149268.6		4.430%	02/01/19	On Demand	\$ -	\$ -
Improvement Area 5 - Principal Account	149269.1		4.430%	02/01/19	On Demand	\$ 5,053	\$ 5,053
Improvement Area 5 - Redemption Account	149269.2		4.430%	02/01/19	On Demand	\$ -	\$ -
Improvement Area 5 - Interest Account	149269.3		4.430%	02/01/19	On Demand	\$ -	\$ -
Improvement Area 5 - Admin Expense Account	149269.4		4.430%	02/01/19	On Demand	\$ 10,995	\$ 10,995

TABLE: 5
CITY OF LATHROP
Investments Held by Trustee - Detail
As of June 30, 2023

Investment Description	Acct Number	CUSIP	Current Yield	Purchase Date	Maturity Date	Value	Recorded Value
Improvement Area 5 - Reserve Fund	149269.5		4.430%	02/01/19	On Demand	\$ 55,232	\$ 55,232
Improvement Area 5 - Surplus Fund	149269.6		4.430%	02/01/19	On Demand	\$ -	\$ -
2018-2 Central Lathrop CFD							
Special Tax Fund	149261.1		4.430%	02/01/19	On Demand	\$ -	\$ -
Surplus Fund	149261.2		4.430%	02/01/19	On Demand	\$ -	\$ -
Total Investments Held by Trustee - UMB Bank							\$ 1,269,740
Investments Held by San Joaquin County by Account							
Sanitary Sewer Assessment District #1							
Pooled Funds - Redemption Account	SI CO FUND # 57961		0.260%	10/1/87	On Demand	\$ 135,471	\$ 135,471
Total Investments Held by Trustee -San Joaquin County							\$ 135,471
Investments Held by PFM Asset Management by Account							
PFM Asset Management							
Money Market Fund	20260109			AAAmm		\$ 33,749	\$ 33,749
US Treasury Bond / Note							
US Treasury Notes	912828X70		2.000%	05/01/17	04/30/24	\$ 388,812	\$ 388,812
US Treasury Notes	91282CCG4		0.250%	06/15/21	06/15/24	\$ 476,016	\$ 476,016
US Treasury Notes	91282CCG4		0.250%	06/15/21	06/15/24	\$ 618,820	\$ 618,820
US Treasury Notes	91282CCG4		0.250%	06/15/21	06/15/24	\$ 952,031	\$ 952,031
US Treasury Notes	912828XX3		2.000%	06/30/17	06/30/24	\$ 1,934,062	\$ 1,934,062
US Treasury Notes	91282CCL3		0.375%	07/15/21	07/15/24	\$ 379,875	\$ 379,875
US Treasury Notes	91282CCL3		0.375%	07/15/21	07/15/24	\$ 522,328	\$ 522,328
US Treasury Notes	91282CCT6		0.375%	08/15/21	08/15/24	\$ 307,480	\$ 307,480
US Treasury Notes	91282CCT6		0.375%	08/15/21	08/15/24	\$ 614,961	\$ 614,961
US Treasury Notes	912828D56		2.375%	08/15/14	08/15/24	\$ 2,419,141	\$ 2,419,141
US Treasury Notes	9128282U3		1.875%	08/31/17	08/31/24	\$ 4,803,906	\$ 4,803,906
US Treasury Notes	91282CCX7		0.375%	09/15/21	09/15/24	\$ 212,063	\$ 212,063
US Treasury Notes	91282CCX7		0.375%	09/15/21	09/15/24	\$ 306,313	\$ 306,313
US Treasury Notes	91282CCX7		0.375%	09/15/21	09/15/24	\$ 306,313	\$ 306,313
US Treasury Notes	91282CCX7		0.375%	09/15/21	09/15/24	\$ 471,250	\$ 471,250
US Treasury Notes	91282CDB4		0.625%	10/15/21	10/15/24	\$ 306,160	\$ 306,160
US Treasury Notes	912828YM6		1.500%	10/31/19	10/31/24	\$ 380,562	\$ 380,562
US Treasury Notes	91282CDH1		0.750%	11/15/21	11/15/24	\$ 587,793	\$ 587,793
US Treasury Notes	91282CDH1		0.750%	11/15/21	11/15/24	\$ 940,469	\$ 940,469
US Treasury Notes	912828YV6		1.500%	11/30/19	11/30/24	\$ 308,547	\$ 308,547
US Treasury Notes	91282CFX4		4.500%	11/30/22	11/30/24	\$ 1,459,328	\$ 1,459,328
US Treasury Notes	91282CDN8		1.000%	12/15/21	12/15/24	\$ 305,855	\$ 305,855
US Treasury Notes	91282CDN8		1.000%	12/15/21	12/15/24	\$ 305,855	\$ 305,855
US Treasury Notes	91282CDS7		1.125%	01/15/22	01/15/24	\$ 329,109	\$ 329,109

TABLE: 5
CITY OF LATHROP
Investments Held by Trustee - Detail
As of June 30, 2023

Investment Description	Acct Number	CUSIP	Current Yield	Purchase	Maturity Date	Value	Recorded Value
US Treasury Notes		91282CD57	1.125%	01/15/22	01/15/24	\$ 963,820	\$ 963,820
US Treasury Notes		91282CDZ1	1.500%	02/15/22	02/15/25	\$ 448,355	\$ 448,355
US Treasury Notes		91282CED9	1.750%	03/15/22	03/15/25	\$ 472,891	\$ 472,891
US Treasury Notes		91282CED9	1.750%	03/15/22	03/15/25	\$ 5,674,687	\$ 5,674,687
US Treasury Notes		91282CGU9	3.875%	03/31/23	03/31/25	\$ 5,539,649	\$ 5,539,649
US Treasury Notes		9128284M9	2.875%	04/30/18	04/30/25	\$ 962,813	\$ 962,813
US Treasury Notes		91282CEQ0	2.750%	05/15/22	05/15/25	\$ 696,340	\$ 696,340
US Treasury Notes		91282CEQ0	2.750%	05/15/22	05/15/25	\$ 696,340	\$ 696,340
US Treasury Notes		91282CEQ0	2.750%	05/15/22	05/15/25	\$ 3,841,875	\$ 3,841,875
US Treasury Notes		91282CEY3	3.000%	07/15/22	07/15/25	\$ 650,531	\$ 650,531
US Treasury Notes		91282CEY3	3.000%	07/15/22	07/15/25	\$ 698,719	\$ 698,719
US Treasury Notes		91282CEY3	3.000%	07/15/22	07/15/25	\$ 1,782,938	\$ 1,782,938
US Treasury Notes		91282CFE6	3.125%	08/15/22	08/15/25	\$ 48,289	\$ 48,289
US Treasury Notes		91282CFE6	3.125%	08/15/22	08/15/25	\$ 700,191	\$ 700,191
US Treasury Notes		91282CFK2	3.500%	09/15/22	09/15/25	\$ 778,250	\$ 778,250
US Treasury Notes		91282CFK2	3.500%	09/15/22	09/15/25	\$ 1,045,773	\$ 1,045,773
US Treasury Notes		91282CFP1	4.250%	10/15/22	10/15/25	\$ 716,844	\$ 716,844
US Treasury Notes		91282CFP1	4.250%	10/15/22	10/15/25	\$ 1,038,188	\$ 1,038,188
US Treasury Notes		91282CFW6	4.500%	11/15/22	11/15/25	\$ 746,133	\$ 746,133
US Treasury Notes		91282CFW6	4.500%	11/15/22	11/15/25	\$ 1,392,781	\$ 1,392,781
US Treasury Notes		91282CGA3	4.000%	12/15/22	12/15/25	\$ 984,375	\$ 984,375
US Treasury Notes		91282CGA3	4.000%	12/15/22	12/15/25	\$ 2,460,938	\$ 2,460,938
US Treasury Notes		91282CGE5	3.875%	01/15/23	01/15/26	\$ 686,984	\$ 686,984
US Treasury Notes		91282CGE5	3.875%	01/15/23	01/15/26	\$ 760,590	\$ 760,590
US Treasury Notes		91282CGE5	3.875%	01/15/23	01/15/26	\$ 785,125	\$ 785,125
US Treasury Notes		91282CGL9	4.000%	02/15/23	02/15/26	\$ 935,453	\$ 935,453
US Treasury Notes		91282CGL9	4.000%	02/15/23	02/15/26	\$ 984,688	\$ 984,688
US Treasury Notes		91282CGL9	4.000%	02/15/23	02/15/26	\$ 1,427,797	\$ 1,427,797
US Treasury Notes		9128286F2	2.500%	02/28/19	02/28/26	\$ 2,132,578	\$ 2,132,578
US Treasury Notes		91282CGV7	3.750%	04/15/23	04/15/26	\$ 73,418	\$ 73,418
US Treasury Notes		91282CHB0	3.625%	05/15/23	05/15/26	\$ 1,317,094	\$ 1,317,094
US Treasury Notes		91282CHH7	4.125%	06/15/23	06/15/26	\$ 569,160	\$ 569,160
US Treasury Subtotal:						\$ 61,650,656	\$ 61,650,656

TABLE: 5
CITY OF LATHROP
Investments Held by Trustee - Detail
As of June 30, 2023

Investment Description	Acct Number	CUSIP	Current Yield	Purchase Date	Maturity Date	Value	Recorded Value
Supra-national Agency Bond / Note							
Int'l BK Recon And Dev Note		459058JM6	0.250%	11/17/20	11/24/23	\$ 308,697	\$ 308,697
Int'l BK Recon And Dev Note		45906M3C3	2.250%	03/29/22	03/28/24	\$ 282,975	\$ 282,975
Inter-American Devel BK Corporate Notes		4581X0DZ8	0.500%	09/23/21	09/23/24	\$ 438,218	\$ 438,218
						\$ 1,029,890	\$ 1,029,890
Supra-National Agency Subtotal							
Federal Agency Bond/Note							
Fannie Mac Notes		3137EAEY1	0.125%	10/16/20	10/16/23	\$ 467,931	\$ 467,931
Fannie Mae Notes		3135G06H1	0.250%	11/25/20	11/27/23	\$ 426,200	\$ 426,200
Fannie Mac Notes		3137EAF2	0.250%	12/04/20	12/04/23	\$ 523,456	\$ 523,456
Federal Home Loan Banks Notes		3130ARHG9	2.125%	03/25/22	02/28/24	\$ 587,344	\$ 587,344
Federal Home Loan Banks Notes		3130ASME6	3.000%	07/08/22	07/08/24	\$ 209,899	\$ 209,899
Federal Home Loan Banks Notes (Callable)		3130AMVD1	0.420%	06/17/21	09/17/24	\$ 704,729	\$ 704,729
Federal Home Loan Banks Notes		3130AV7L0	5.000%	03/03/23	02/28/25	\$ 1,266,220	\$ 1,266,220
Federal Home Loan Banks Notes		3130AWER7	4.625%	0/9/23	06/06/25	\$ 883,990	\$ 883,990
Fannie Mac Notes (Callable)		3134GXM35	3.600%	08/05/22	08/01/25	\$ 701,357	\$ 701,357
Federal Home Loan Banks Notes (Callable)			1.000%	03/23/21	03/23/26	\$ 1,406,588	\$ 1,406,588
Federal Home Loan Banks Notes (Callable)			1.110%	07/30/21	07/27/26	\$ 1,416,892	\$ 1,416,892
						\$ 8,594,606	\$ 8,594,606
Federal Agency Subtotal:							
Interest							
Accrued Interest						\$ 474,815	\$ 474,815
Total Investments Held by Trustee -PFM Asset Management						\$ 71,783,716	\$ 71,783,716
Total Investments Held by Trustees						\$ 77,571,626	\$ 77,571,626

ITEM 4.5

CITY MANAGER'S REPORT OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

ITEM: PLANNING FEE WAIVER REQUEST BY THRIVE CHURCH (TUP-23-105)

RECOMMENDATION: Adopt Resolution Waiving the Temporary Use Permit Application Processing and Document Retention Fees for Thrive Church, in the Combined Amount of \$392

SUMMARY:

Thrive Church will be hosting their annual "Love Our City Fall Fest" event on October 28, 2023 at their Lathrop location (17201 S. Manthey Road). The event will take place outdoors in the church parking lot, which is shared amongst the businesses in the Mossdale Landing Business Park along Manthey Road and Golden Valley Parkway.

Thrive Church has submitted a letter (Attachment 2) requesting the City waive the Temporary Use Permit (TUP) application processing fee of \$382, and the document retention fee of \$10 (\$392) for the event.

BACKGROUND:

Thrive Church submitted a Temporary Use Permit application for their annual 2023 Fall Harvest event. The event included amenities for guests, included rides and inflatables as well as carnival booths, games, and pre-packaged candy for kids of all ages. The event hours were from 4:00 P.M. to 6:00 P.M. This was a free event that provided activities for the community to participate in and enjoy.

Last year, the City approved a TUP, permitting a similar event held at the same location. The City has consistently approved various community events for Thrive Church since 2016. The City Council has approved similar requests from non-profit groups that sponsored events for the community. The \$392, includes both application processing and document retention fees.

REASON FOR RECOMMENDATION:

Staff recommends the City Council adopt a resolution to waive the Temporary Use Permit Application and Document Retention Fees, and make findings that the fee waiver supports a public benefit to the community, and that the amount of the fee waiver is de-minimis in nature, and is not subsidized by other facility fees.

**CITY MANAGER'S REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
THRIVE CHURCH FEE WAIVER**

PAGE 2

FISCAL IMPACT:

The requested fee waiver is \$392.

ATTACHMENTS:

1. Resolution Approving the Fee Waiver Request
2. Applicant Fee Waiver Request Letter
3. Event description w/site plans for TUP-23-105

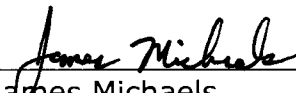
**CITY MANAGER'S REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
THRIVE CHURCH FEE WAIVER**

PAGE 3

APPROVALS:


for Trent DaDalt
Assistant Planner

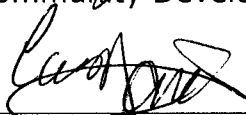
9/21/23
Date


James Michaels
Senior Planner

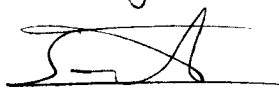
9/21/2023
Date


Rick Caguiat
Community Development Director

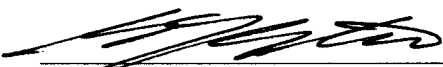
9/21/23
Date


Cari James
Finance Director

9/22/2023
Date


Salvador Navarrete
City Attorney

9.22.2023
Date


Stephen Salvatore
City Manager

9.27.23
Date

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP TO WAIVE THE TEMPORARY USE PERMIT APPLICATION PROCESSING AND DOCUMENT RETENTION FEES FOR THE THRIVE CHURCH 2023 FALL HARVEST FESTIVAL EVENT IN THE COMBINED AMOUNT OF \$392

WHEREAS, on October 9, 2023, the City Council of the City of Lathrop considered a request by Thrive Church to waive the \$382 Temporary Use Permit Fee and the \$10 Document Retention Fee for one (1) event held on October 28, 2023 at the Thrive Church location in Lathrop; and

WHEREAS, the Thrive Church has planned and organized community events annually and has provided the citizens of Lathrop and neighboring areas a place to celebrate the fall season.

NOW, THEREFORE, BE IT RESOLVED, that the City Council finds that this request provides a public benefit to the community, and that the amount of the request is de minimis in nature and not subsidized from other facility fees.

BE IT FURTHER RESOLVED, that in view of the direct public benefit provided by the Thrive Church Fall Harvest Festival event within the City of Lathrop, the City Council of the City of Lathrop does hereby waive the Temporary Use Permit Application Fee in the amount of \$382 and Document Retention Fee in the amount of \$10 for a total of \$392.

PASSED AND ADOPTED this 9th day of October 2023, by the following vote:

AYES:

NOES:

ABSENT:

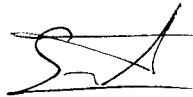
ABSTAIN:

SONNY DHALIWAL, MAYOR

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney



May 25, 2023

City of Lathrop – Community Development Department

Planning Division

390 Towne Centre Drive

Lathrop, CA 95330

Subject: Waiver Request

To Whom it may concern,

This letter is to request a fee waiver for the Love Our City: Fall Fest at Thrive Church in Lathrop on October 28th, 2023 from 3:00pm – 7:00pm.

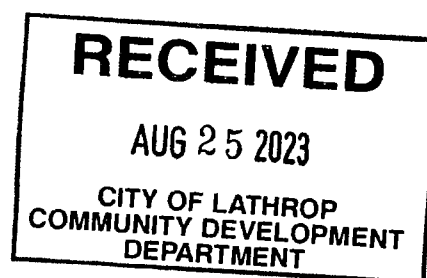
Thrive Church would like to formally ask that the inspection fee be waived for the following reasons:

- We are a non-profit organization providing an event open to the people of Lathrop.
- This event will be free of charge for all who attend.
- This event will be a safe gathering for families looking to celebrate the Fall season with fun and games.

Thank you for your consideration and we eagerly wait for your response.

Sincerely,

Teresa M. Coronado
Thrive Church Executive Administrator





ATTACHMENT " 3 "

August 29,

MEMO

TO: City of Lathrop Public Works
FROM: Thrive Church in Lathrop
DATE: August 29th, 2023

OBJECTIVE:

To procure TUP for Love Our City Fall Fest, October 28, 2023

EVENT PROFILE:

On October 28th, 2023, Thrive Church will be hosting a Harvest Festival free of charge for the community in Lathrop. Families looking for a safe environment to celebrate the Fall season will find multiple booths provided with games and pre-packaged candy for children of all ages. Booths and games will be inaccessible to any vehicle traffic to ensure the safety of all those attending and participating. Thrive Church anticipates up to 1200 attendees throughout the evening from 4:00p.m. – 6:00p.m. with the security team and staff ensuring the fun and safety of this event.

PROGRAM INFORMATION:

Saturday, October 28th, 2023 4:00p.m. – 6:00p.m.
Thrive church
17261 S. Manthey Rd.
Lathrop, CA 95330

EVENT PLANNER:

Teresa Coronado / Administrator
Thrive Church
501c3 Non-Profit, Tax ID #050281956
E: Teresa@thrivelathrop.com
M: 209-888-4626

TRAFFIC PLAN:

Booths and games will be sectioned off by cones with security to enforce the boundaries to see that no vehicles pass through during this event. All common area parking spaces (with approval of neighbors) will be open to the public along with 14 handicapped spaces sectioned with signs. Staff and security team will be present to control the flow of traffic.

Thank you for your time, dedication, and support in helping Thrive Church ensure a safe and compliant event this 2023. We anticipate your response.

Sincerely,

Teresa M. Coronado / Thrive Church Executive Administrator

209.888.4626 * 17261 S. Manthey Road, Lathrop CA 95330 * www.thrivelathrop.com



ITEM 4.6

CITY MANAGER'S REPORT OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

**ITEM: APPROVE 2023 FACILITY FEE WAIVER
REQUEST FOR LATHROP LITTLE LEAGUE**

**RECOMMENDATION: Adopt a Resolution Approving a Facility Fee
Waiver request from Lathrop Little League for
the use of Scott Brooks Gymnasium on October
20, 2023 from 10:00 a.m. to 10:00 p.m. for a
Registration Night Event**

SUMMARY:

Review and consider adoption of a resolution approving a facility fee waiver request from Lathrop Little League for the use of Scott Brooks Gymnasium in accordance with the City of Lathrop Fee Waiver Policy. Council approved a fee waiver request from the Lathrop Little League at the November 14, 2022 Regular Meeting. Lathrop Little League submitted a new facility fee waiver request for the use of Scott Brooks Gymnasium on October 20, 2023 from 10:00 a.m. to 10:00 p.m. for a Registration Night Event with an anticipated attendance of 100 participants.

The Parks and Recreation Commission voted at their October 5, 2023 meeting to recommend City Council approval of the fee waiver request and found the request to be of public benefit, de minimis in nature and not subsidized from other facility fees.

BACKGROUND:

Staff received a request for a fee waiver that meets the requirements of the Fee Waiver Policy, from a local organization for the use of a City facility to support their activities. Lathrop Little League is a local non-profit providing enriching youth programming that promotes sportsmanship, teamwork, and leadership skills through the game of baseball. Lathrop Little League submitted a facility fee waiver for the use of Scott Brooks Gymnasium on October 20, 2023 from 10:00 a.m. to 10:00 p.m. for a Registration Night Event with an anticipated attendance of 100 participants in the amount of \$1,200.54 which includes both the cost of the facility and staffing.

RECOMMENDATION:

Staff recommends Council find the requested waiver provides a public benefit to the community and the amount of the request is de minimis in nature and not subsidized from other facility fees, and approve the Facility Fee Waiver requested by Lathrop Little League.

**CITY MANAGER'S REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
LATHROP LITTLE LEAGUE FEE WAIVER**

PAGE 2

FISCAL IMPACT:

The fees associated with the facility fee waiver request total \$1,200.54.

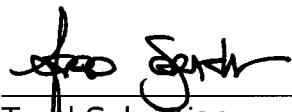
ATTACHMENTS:

- A. Resolution approving a Facility Fee Waiver request from Lathrop Little League for the use of Scott Brooks Gymnasium on October 20, 2023 from 10:00 a.m. to 10:00 p.m. for a Registration Night Event
- B. Fee Waiver Calculations

**CITY MANAGER'S REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
LATHROP LITTLE LEAGUE FEE WAIVER**

PAGE 3

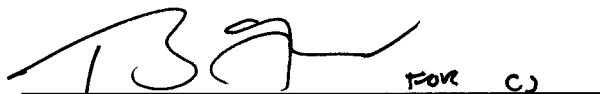
APPROVALS:



Todd Sebastian
Director of Parks, Recreation and Maintenance Services

9.28.23

Date

 FOR C.J.

Cari James
Finance Director

9/28/2023

Date



Salvador Navarrete
City Attorney

9.27.2023

Date



Stephen J. Salvatore
City Manager

10.2.23

Date

RESOLUTION NO. 23 -

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP
APPROVING A FACILITY FEE WAIVER REQUEST FROM LATHROP LITTLE
LEAGUE FOR THE USE OF SCOTT BROOKS GYMNASIUM ON OCTOBER 20,
2023 FROM 10:00 A.M TO 10:00 P.M. FOR A REGISTRATION NIGHT EVENT**

WHEREAS, the City received a facility fee waiver request from Lathrop Little League in accordance with the City of Lathrop Fee Waiver Policy; and

WHEREAS, Lathrop Little League submitted a facility fee waiver request for the use of use of Scott Brooks Gymnasium on October 20, 2023 from 10:00 a.m. to 10:00 p.m. for a Registration Night Event with an anticipated attendance of 100 participants, and

WHEREAS, the Parks and Recreation Commission voted at their October 5, 2023 meeting to recommend City Council approval of the fee waiver request and found the request to be of public benefit, de minimis in nature and not subsidized from other facility fees.

NOW, THEREFORE, BE IT RESOLVED, that by the City Council of the City of Lathrop finds the request to be of public benefit, de minimis in nature and not subsidized from other facility fees and does hereby approve the Facility Fee Waiver for Lathrop Little League for the use of use of Scott Brooks Gymnasium on October 20, 2023 from 10:00 a.m. to 10:00 p.m. for a Registration Night Event with an anticipated attendance of 100 participants in the amount of \$1,200.54 which includes both the cost of the facility and staffing.

The foregoing resolution was passed and adopted this 9th day of October 2023, by the following vote:

AYES:

NOES:

ABSENT:

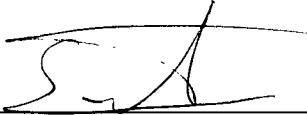
ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney

<u>Lathrop Little League</u>					
Fee Calculations for 2023 Request for Use of Facilities					
<u>Facility</u>	<u>Month Rqstd</u>	<u>Dates Requested</u>	<u>Purpose</u>	<u>Rate/Day</u>	<u>Total Price</u>
Scott Brooks Gymnasium	October	10/20/2023	Registration Night	\$ 640.00	\$ 640.00
TOTAL					\$640.00

<u>City of Lathrop Staffing</u>					
Fee Calculations for 2023 Request Staff Time Associated with Fee Waiver Request					
<u>Event</u>	<u>Title</u>	<u>Hourly Rate</u>	<u>Hrs Rqstd</u>		
Registration Night	Administrative	\$ 34.22	1		\$ 34.22
	Recreation Leader (2)	\$ 21.93	12		\$ 526.32
TOTAL					\$560.54
					\$1,200.54

ITEM 4.7

CITY MANAGER'S REPORT OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

ITEM: **APPROVE 2023 FACILITY FEE WAIVER
REQUEST FOR LIFT UP YOUR HEAD
THERAPEUTIC GROUP HOMES, INC**

RECOMMENDATION: **Adopt a Resolution Approving a Facility Fee
Waiver request from Lift Up Your Head
Therapeutic Group Homes, Inc. for the use of
the Lathrop Senior Center on December 16,
2023 from 10:00 a.m. to 7:00 p.m. to host a
Christmas Luncheon**

SUMMARY:

Review and consider adoption of a resolution approving a facility fee waiver request from Lift Your Head Up Therapeutic Group Homes, Inc. for the use of the Lathrop senior Center in accordance with the City of Lathrop Fee Waiver Policy. Lift Your Head Up Therapeutic Group Homes, Inc. submitted a facility fee waiver request for the use of the Lathrop Senior Center on December 16, 2023 from 10:00 a.m. to 7:00 p.m. to host a Christmas Luncheon supporting the youth of Lathrop with an estimated attendance of 80 participants.

The Parks and Recreation Commission voted at their October 5, 2023 meeting to recommend City Council approval of the fee waiver request and found the request to be of public benefit, de minimis in nature and not subsidized from other facility fees.

BACKGROUND:

Staff received a request for a fee waiver that meets the requirements of the Fee Waiver Policy, from a local organization for the use of a City facility to support their activities. Lift Your Head Up Therapeutic Group Homes, Inc is a local non-profit providing support and a safe structured environment that fosters a culture of positivity, self-advocacy, growth, and self-sufficiency to at-risk youth. Lift Your Head Up Therapeutic Group Homes, Inc. submitted a facility fee waiver request for the use of the Lathrop Senior Center on December 16, 2023 from 10:00 a.m. to 7:00 p.m. to host a Christmas Luncheon supporting the youth of Lathrop with an estimated attendance of 80 participants in the amount of \$865.10 which includes both the cost of the facility and staffing.

RECOMMENDATION:

Staff recommends Council find the requested waiver provides a public benefit to the community and the amount of the request is de minimis in nature and not subsidized from other facility fees, and approve the Facility Fee Waiver requested by Lift Your Head Up Therapeutic Group Homes, Inc.

FISCAL IMPACT:

The fees associated with the facility fee waiver request total \$865.10.

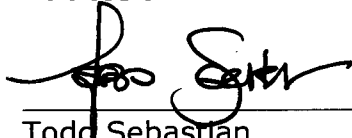
ATTACHMENTS:

- A. Resolution approving a Facility Fee Waiver request from Lift Your Head Up Therapeutic Group Homes, Inc. submitted a facility fee waiver request for the use of the Lathrop Senior Center on December 16, 2023 from 10:00 a.m. to 7:00 p.m. to host a Christmas Luncheon
- B. Fee Waiver Calculations

CITY MANAGER'S REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
LIFT UP YOUR HEAD THERAPEUTIC GROUP HOMES, INC. FEE WAIVER

PAGE 3

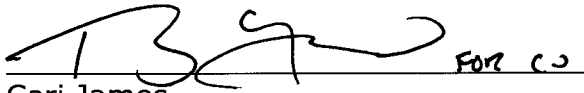
APPROVALS:



Todd Sebastian
Director of Parks, Recreation and Maintenance Services

9.18.23

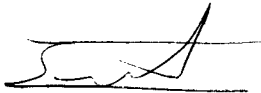
Date

 For CO

Cari James
Finance Director

9/28/2023

Date



Salvador Navarrete
City Attorney

9.21.2023

Date



Stephen J. Salvatore
City Manager

10.2.23

Date

RESOLUTION NO. 23 -

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP
APPROVING A FACILITY FEE WAIVER REQUEST FROM LIFT UP YOUR HEAD
THERAPEUTIC GROUP HOMES, INC. ON DECEMBER 16, 2023 FROM 10:00
A.M. TO 7:00P.M. TO HOST A CHRISTMAS LUNCHEON**

WHEREAS, the City received a facility fee waiver request from Lift Your Head Up Therapeutic Group Homes, Inc in accordance with the City of Lathrop Fee Waiver Policy; and

WHEREAS, Lift Your Head Up Therapeutic Group Homes, Inc. submitted a facility fee waiver request for the use of the Lathrop Senior Center on December 16, 2023 from 10:00 a.m. to 7:00 p.m. to host a Christmas Luncheon with an estimated attendance of 80 participants; and

WHEREAS, the Parks and Recreation Commission voted at their October 5, 2023 meeting to recommend City Council approval of the fee waiver request and found the request to be of public benefit, de minimis in nature and not subsidized from other facility fees.

NOW, THEREFORE, BE IT RESOLVED, that by the City Council of the City of Lathrop finds the request to be of public benefit, de minimis in nature and not subsidized from other facility fees and does hereby approve the Facility Fee Waiver for Lift Your Head Up Therapeutic Group Homes, Inc. for the use of the Lathrop Senior Center on December 16, 2023 from 10:00 a.m. to 7:00 p.m. to host a Christmas Luncheon with an estimated attendance of 80 participants in the amount of \$865.10 which includes both the cost of the facility and staffing.

The foregoing resolution was passed and adopted this 9th day of October 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney

<u>Lift Up Your Head Therapeutic Group Homes Inc.</u>					
Fee Calculations for 2023 Request for Use of Facilities					
<u>Facility</u>	<u>Month Rqstd</u>	<u>Dates Requested</u>	<u>Purpose</u>	<u>Rate/Day</u>	<u>Total Price</u>
Lathrop Community Center	December	12/16/2023	Christmas Luncheon	\$ 480.00	\$ 480.00
TOTAL					\$480.00

<u>City of Lathrop Staffing</u>				
Fee Calculations for 2023 Request Staff Time Associated with Fee Waiver Request				
<u>Event</u>	<u>Title</u>	<u>Hourly Rate</u>	<u>Hrs Rqstd</u>	
Cultural Event	Recreation Leader (2)	\$ 21.93	8	\$ 350.88
Cultural Event	Administrative	\$ 34.22	1	\$ 34.22
TOTAL				\$385.10

\$865.10

**CITY MANAGER'S REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING****ITEM: APPROVE THE NAMING OF NEW CITY PARK****RECOMMENDATION: Adopt a Resolution Naming the New Acres
Community Neighborhood Park after
Missionary Minnie Lee Cotton**

SUMMARY:

The Parks and Recreation Commission typically reviews and makes recommendations on approving the names of City parks; however, the October 5, 2023 Commission meeting was canceled due to lack quorum. In order to move forward with the proposed naming of one of the city's newest neighborhood parks, staff requests that the City Council adopt a resolution to name the neighborhood park within the New Acres Community Neighborhood as Missionary Minnie Lee Cotton Park.

BACKGROUND:

In the early 1940's, Missionary Minnie Lee Cotton and her late husband, Reverend Maurice Cotton Sr., were one of the first African American families to set roots in Lathrop. Upon their arrival in Lathrop, diversity was almost nonexistent; however, they immediately began working to improve their new community. Along with her husband, Missionary Minnie Lee Cotton played a pivotal role in opening both the first and second African-American churches in the City. Serving as the Assistant State Supervisor for the Church of God in Christ for many years, her efforts brought recognition to Lathrop, as Highlight Church was the first nationally recognized church in Lathrop within the Church of God in Christ organization.

Through their ministries, several community outreach programs were established. Such examples include the 4th Sunday Community Feedings, Work Placement Programs, Clothing Giveaways, and the most popular this day, the Holiday Turkey Basket Drive. Through her dedication, hard work, love for others, and giving her all to the Ministry, a pathway was established for many of the African Americans who now call Lathrop home.

Missionary Minnie Lee Cotton is a mother of nine children, six girls and three boys. To date, six of the nine children are still Lathrop residents. She is a grandmother to 28 grandchildren and 14 great grandchildren, which, two live in Lathrop and see her daily. Missionary Minnie Lee Cotton is amazed at all the great work and diversity now within the Lathrop community.

RECOMMENDATION:

Adopt a Resolution Approving the Naming the New Acres Community Neighborhood Park after Missionary Minnie Lee Cotton.

FISCAL IMPACT:

No fiscal impact.

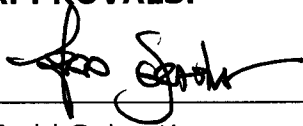
ATTACHMENTS:

- A. A Resolution of the City Council of the City of Lathrop approving the Naming New Acres Community Neighborhood Park after Missionary Minnie Lee Cotton.
- B. Park Location Map

**CITY MANAGER'S REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING**

PAGE 3

APPROVALS:



Todd Sebastian
Director of Parks, Recreation, and Maintenance

10.2.23

Date

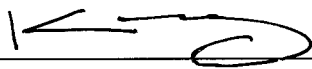


For C3

Cari James
Director of Finance

10/03/2023

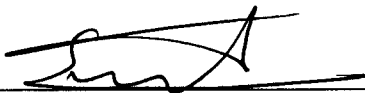
Date



Michael King
Assistant City Manager

10.2.2023

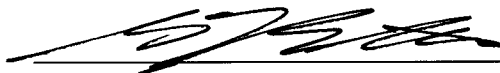
Date



Salvador Navarrete
City Attorney

10.2.2023

Date



Stephen J. Salvatore
City Manager

10.4.23

Date

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP TO APPROVE THE NAMING OF THE NEW ACRES COMMUNITY NEIGHBORHOOD PARK AFTER MISSIONARY MINNIE LEE COTTON

WHEREAS, at the October 11, 2021 City of Lathrop City Council meeting, City Council approved the creation of Capital Improvement Project (CIP) PK 22-34 Shilling Avenue Park Project; and

WHEREAS, at the October 10, 2022 City of Lathrop City Council meeting, City Council approved the conceptual design of Shilling Avenue Park Project and related budget amendments; and

WHEREAS, the Parks and Recreation Commission typically reviews and makes recommendations on approving the names of City parks; however, the October 5, 2023 Commission meeting was canceled due to lack quorum

WHEREAS, the proposed named Missionary Minnie Lee Cotton Park located is an approximate 1-acre park site; and

WHEREAS, for 80 years Missionary Minnie Lee Cotton has been focused on making a difference in the Lathrop community; and

WHEREAS, Missionary Minnie Lee Cotton has established several community outreach programs including the 4th Sunday Community Feedings, Work Placement Programs, Clothing Giveaways, and the Holiday Turkey Basket Drive; and

WHEREAS, Missionary Minnie Lee Cotton is both supportive and excited at the proposal of the Shilling Avenue Park Project in the New Acres neighborhood being named in her honor.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lathrop does hereby approve the naming of the Shilling Avenue Park Project in the New Acres neighborhood as Missionary Minnie Lee Cotton Park, as detailed in the park location map attached to the staff report.

The foregoing resolution was passed and adopted this 9th day of October, 2023, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney

Parcel 19605020

Lowest Parcel Identification Number	19605020
Parcel Identification Number	LATHROP CITY OF
First Owner Name	
Second Owner Name	
Postal Address	390 TOWNE CENTRE DR
Postal City	LATHROP
Postal State	CA
Postal Zip 5	95330
Postal Zip +4	-935
Land Value	0.00
APN	19605020
Situs Street Number	14469
Situs Street Direction	
Situs Street Name	REVEREND MAURICE COTTON
Situs Street Type	DR
Situs Street City	LATHROP
Situs State	CA
Situs ZIP	95330
Parcel Acres	1.00



ITEM 4.9

CITY MANAGER'S REPORT OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

ITEM: **APPROVE CONTRACT WITH HOLT OF CALIFORNIA INC. FOR CITYWIDE GENERATOR AND FIRE PUMP MAINTENANCE AND APPROVE BUDGET AMENDMENT**

RECOMMENDATION: **Adopt Resolution Approving a Contract with Holt of California Inc. for Citywide Generator and Fire Pump Maintenance and Approve Budget Amendment**

SUMMARY:

The City of Lathrop is responsible for the operation and maintenance of various facilities across the City that are critical to the health, safety and well-being of the citizens. These facilities include, but are not limited to, City Hall, Corporation Yard, Police Station, utility pump stations, the water treatment plant, and water storage tanks with fire pumps. A key factor in the reliability of these facilities is having a source of backup electrical power, which is often provided by large-scale diesel generators. These generators and fire pumps require annual routine maintenance to ensure proper operation and to extend their useful life.

Staff obtained proposals from three (3) qualified vendors for citywide generator and fire pump maintenance services. Staff requests Council approve a contract with Holt of California, Inc. (Holt) for an amount of \$121,453.

Sufficient funds were not included in the adopted FY 2023-24 approved budget; therefore, staff also requests City Council approve a budget amendment as outlined in the fiscal impact section.

BACKGROUND:

The City of Lathrop is responsible for the operation and maintenance of various facilities across the City that are critical to the health, safety and wellbeing of our residents. These facilities include, but are not limited to, City Hall, Corporation Yard, Police Station, utility pump stations, water treatment plant and water storage tanks with fire pumps. A key factor in the reliability of these facilities is having a source of backup power, which is often provided by large-scale diesel generators. Currently, there are approximately 50 facilities City-wide with a generator and/or a fire pump.

These generators and fire pumps require annual routine maintenance to ensure proper operation and maximize their service life. City staff perform basic maintenance tasks such as regular startup, battery replacement, and fueling; however, additional maintenance services are typically required, which usually consist of a combination of the following:

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

APPROVE CONTRACT WITH HOLT FOR CITYWIDE GENERATOR AND FIRE PUMP MAINTENANCE AND APPROVE BUDGET AMENDMENT

OPERATIONAL & FUNCTIONAL REVIEW OF CRITICAL COMPONENTS

- Inspect engine cooling fan & fan drives for excessive wear or shaft wobble
- Check all pulleys, belt tensioners, slack adjusters & idler pulleys for travel, wear & overall condition
- Inspect / lubricate drive bearings, gear or belt drives, and other shaft connecting hardware
- Inspect the fueling system, including ignition, tank levels, hoses, components and fittings
- Inspect batteries, terminals, wiring, and charging levels
- Inspect the control system and transfer switches

LUBRICATION OIL & FILTRATION SERVICE

- Change engine oil
- Change oil, fuel, and water filters
- Post lube services operations of genset (unloaded) at rated temperature

RESISTIVE LOAD BANK TEST

- Connect engine to load bank device and operate at the full design capacity
- Prevents "wet stacking" which occurs when an engine is frequently run without reaching sufficient operating temperature.

Staff requested proposals from four (4) vendors and received three (3) complete proposals, as summarized in Table 1 below:

Table 1: Summary of Proposals

Contractor	Total
Holt of California, Inc.	\$121,453
Cummins, Inc.	\$142,687
Collicut Energy	\$143,680

Staff reviewed and evaluated the proposals and determined that Holt provided the lowest proposal. Staff requests Council approve a contract with Holt for \$121,453.

REASON FOR RECOMMENDATION:

Routine maintenance on backup generators and fire pumps will ensure proper operation and extend lifespan. In addition, preventative maintenance on fire pumps is a requirement of the National Fire Protection Association (NFPA), the National Electrical Code (NEC), the Office of Statewide Health Planning and Development (OSHPD), the Life Safety Code, and the Joint Commission.

FISCAL IMPACT:

The cost of the contract with Holt for the Citywide Generator and Fire Pump Maintenance is \$121,453 and the contract term period is from October 9, 2023 – June 30, 2024.

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

APPROVE CONTRACT WITH HOLT FOR CITYWIDE GENERATOR AND FIRE PUMP MAINTENANCE AND APPROVE BUDGET AMENDMENT

Sufficient funds were not included in the adopted FY 2023-2024 budget. Therefore, a budget amendment is necessary, as detailed below:

Fund	Increase Fund Appropriation	FY 2023-24
General Fund	1010-30-05-420-25-00	\$2,586
General Fund	1010-40-50-420-25-00	\$2,290
General Fund	1010-30-20-420-25-00	\$2,529
Storm Drain - Spec. Fund	2510-50-20-420-75-00	\$2,178
Crossroads Storm Drain	2500-50-21-420-75-00	\$4,715
Mossdale CFD Fund	2570-50-63-420-75-00	\$18,397
South Lathrop CFD 2019-1 Fund	2670-50-55-420-75-00	\$4,723
CLSP Services CFD 2019-2	2680-50-55-420-75-00	\$14,620
Water Fund	5620-50-50-420-75-00	\$33,795
MWQCF Collection System Fund	6010-50-30-420-75-00	\$9,615
CTF-MBR Sewer Fund	6080-50-34-420-75-00	\$22,849
Stonebridge Drain & Lighting	2560-50-61-420-75-00	\$3,155
Total		\$121,453

ATTACHMENTS:

- A. Resolution Approving a Contract with Holt of California Inc. for Citywide Generator and Fire Pump Maintenance and Approving Budget Amendment
- B. Contract with Holt of California Inc. for Citywide Generator and Fire Pump Maintenance

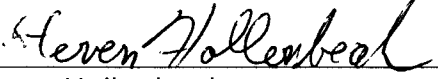
CITY MANAGER'S REPORT

PAGE 4

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING


APPROVE CONTRACT WITH HOLT FOR CITYWIDE GENERATOR AND FIRE PUMP MAINTENANCE AND APPROVE BUDGET AMENDMENT

APPROVALS:




Steven Hollenbeak
Assistant Engineer

10.4.23
Date



Tony Fernandes
Information Systems Director

10.4.23
Date




Cari James
Director of Finance

10/04/2023
Date




Michael King
Assistant City Manager

10-4-2023
Date



Salvador Navarrete
City Attorney

10.3.2023
Date



Stephen J. Salvatore
City Manager

10.4.23
Date

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING A CONTRACT WITH HOLT OF CALIFORNIA INC. FOR CITYWIDE GENERATOR AND FIRE PUMP MAINTENANCE AND APPROVE BUDGET AMENDMENT

WHEREAS, the City of Lathrop is responsible for the operation and maintenance of various facilities across the City that are critical to the health, safety and wellbeing of our residents; and

WHEREAS, these facilities include, but are not limited to, City Hall, Corporation Yard, Police Station, utility pump stations, water treatment plant and water storage tanks with fire pumps; and

WHEREAS, a key factor in the reliability of these facilities is having a source of backup power and this is often accomplished by large-scale diesel generators; and

WHEREAS, generators and the fire pumps require annual routine maintenance to ensure proper operation and to extend their useful life; and

WHEREAS, staff requested proposals from four (4) vendors and received three (3) complete proposals, as summarized in Table 1 below:

Table 1: Summary of Proposals

Contractor	Total
Holt of California, Inc.	\$121,453
Cummins, Inc.	\$142,687
Collicut Energy	\$143,680

; and

WHEREAS, staff reviewed and evaluated the proposals and determined that Holt provided the lowest proposal; and

WHEREAS, sufficient funds were not included in the adopted FY 2023-24 approved budget; and

WHEREAS, therefore, staff also requests City Council approve the following budget amendment, as detailed below in table 1:

Table 1

Fund	Increase Fund Appropriation	FY 2023-24
General Fund	1010-30-05-420-25-00	\$2,586
General Fund	1010-40-50-420-25-00	\$2,290
General Fund	1010-30-20-420-25-00	\$2,529
Storm Drain - Spec. Fund	2510-50-20-420-75-00	\$2,178
Crossroads Storm Drain	2500-50-21-420-75-00	\$4,715
Mossdale CFD Fund	2570-50-63-420-75-00	\$18,397
South Lathrop CFD 2019-1 Fund	2670-50-55-420-75-00	\$4,723
CLSP Services CFD 2019-2	2680-50-55-420-75-00	\$14,620
Water Fund	5620-50-50-420-75-00	\$33,795
MWQCF Collection System Fund	6010-50-30-420-75-00	\$9,615
CTF-MBR Sewer Fund	6080-50-34-420-75-00	\$22,849
Stonebridge Drain & Lighting	2560-50-61-420-75-00	\$3,155
Total		\$121,453

NOW, THEREFORE, BE IT RESOLVED, City Council of the City of Lathrop hereby approves a contract for \$121,452.50 with Holt of California Inc. for Citywide Generator and Fire Pump Maintenance; and

BE IT FURTHER RESOLVED, that the City Council of the City of Lathrop also approves a budget amendment as detailed above.

The foregoing resolution was passed and adopted this 9th day of October, 2023 by the following vote of the City Council, to wit:

AYES:

NOES:

ABSTAIN:

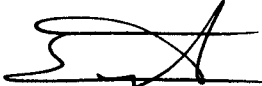
ABSENT:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

**SERVICE CONTRACT BETWEEN THE CITY OF LATHROP
AND HOLT OF CALIFORNIA**

FOR CITYWIDE GENERATOR AND FIRE PUMP MAINTENANCE

THIS SERVICE CONTRACT (hereinafter "Contract") is made on **October 9, 2023**, by and between the **City of Lathrop**, a municipal corporation of the State of California (hereinafter "City") and **Holt of California**. (hereinafter "Contractor"), whose Taxpayer Identification Number is 68-0421094.

For and in consideration of the following covenants, terms and conditions, City and Contractor (the parties) agree:

SCOPE OF WORK

Contractor agrees on **Citywide Generator and Fire Pump Maintenance** in accordance with the scope of work and fee proposal provided by the Contractor, attached hereto as Exhibit "A" and incorporated herein by reference. Contractor agrees to diligently perform these services in accordance with the upmost standards of its profession and to City's satisfaction.

CONTRACT PRICE

The City agrees to pay and the Contractor agrees to accept, in full payment for the work above agreed to be done based on time and materials basis not to exceed **\$121,452.50** set forth in Exhibit "A", for **Citywide Generator and Fire Pump Maintenance**.

EFFECTIVE DATE AND TERM

The effective date of this Service Contract is **October 9, 2023**, and it shall be completed no later than **June 30, 2024**.

PERMITS; COMPLIANCE WITH LAW

The Contractor shall, at its expense, obtain all necessary permits, licenses, easements, etc., for the construction of the project, give necessary notices, pay all fees required by law, and comply with all laws, ordinances, rules and regulations relating to the work and to the preservation of the public health and safety.

INSPECTION BY CITY

The Contractor shall at all times maintain proper facilities and provide safe access for inspection by the City to all parts of the work, and to the shops wherein the work is in preparation. Where the Specifications require work to be specially tested or approved, it shall not be tested or covered up without timely, written approval by the City. Should any such work be covered up without such notice, approval, or consent, it must, if required by City, be uncovered for examination at the Contractor's expense.

NOTICE

Any notice from one party to the other under the Contract shall be in writing and shall be dated and signed by the party giving such notice or by a duly authorized representative of such party.

SERVICE CONTRACT – CITY OF LATHROP AND HOLT OF CALIFORNIA FOR CITYWIDE GENERATOR AND FIRE PUMP MAINTENANCE

Any such notice shall not be effective for any purpose whatsoever unless served in the following manner.

- (a) If the notice is given to the City, by personal delivery thereof to the City's Director of Public Works, or by depositing the same in the United States mail, enclosed in a sealed envelope, addressed to the City's Director of Public Works, postage prepaid and certified;
- (b) If the notice is given to the Contractor, by personal delivery thereof to said Contractor or to its duly authorized representative at the site of the project, or by depositing the same in the United States mail, enclosed in a sealed envelope, addressed to the Contractor at the address set forth in the Contractor's Bid postage prepaid and certified; or
- (c) If the notice is given to the surety or any other person, by personal delivery to such surety or other person, or by depositing the same in the United States mail, enclosed in a sealed envelope, addressed to such surety or other person, as the case may be, at the address of such surety or person last communicated by it to the party giving the notice, postage prepaid and certified.

ACCIDENT PREVENTION

Precaution shall be exercised at all times for the protection of persons (including employees) and property.

The safety provisions of applicable laws, building and construction codes shall be observed. Machinery, equipment, and other hazards shall be guarded or eliminated in accordance with the safety provisions of the Construction Safety Orders issued by the Occupational Safety and Health Standards Board of the State of California.

CONTRACTOR'S WARRANTY

The City shall not, in any way or manner, be answerable or suffer loss, damage, expense or liability for any loss or damage that may happen to said building, work, or equipment or any part thereof, or in, on, or about the same during its construction and before acceptance. Contractor unqualifiedly warrants all work and materials to be free of defects whether performed or installed by it or by any subcontractor or supplier in the project which is the subject of this Contract.

APPRENTICES

- (d) The Contractor's attention is directed to the provisions of Sections 1777.5, 1777.6, and 1777.7 of the California Labor Code concerning employment of apprentices by the Contractor or any subcontractor under him. In addition, Contractor shall obtain a certificate of apprenticeship before employing any apprentice pursuant to Sections 1777.5, 1777.6 and 1777.7 of the California Labor Code.
- (e) Information relative to apprenticeship standards, wage schedules, and other requirements may be obtained from the Director of Industrial Relations, ex officio the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.

SERVICE CONTRACT – CITY OF LATHROP AND HOLT OF CALIFORNIA FOR CITYWIDE GENERATOR AND FIRE PUMP MAINTENANCE

- (f) Knowing violations of Section 1777.5 will result in forfeiture not to exceed one hundred dollars (\$100) for each calendar day of non-compliance pursuant to Section 1777.7.

HOURS OF WORK

Eight (8) hours of work in any calendar day shall constitute a legal day's work. The Contractor and each subcontractor shall forfeit, as penalty to the City, twenty-five dollars (\$25) for each worker employed in the execution of work on the Project by the Contractor or any subcontractor under him for each calendar day during which such worker is required or permitted to work more than eight (8) hours in any one calendar day and forty (40) hours in any calendar week in violation of the provisions of the Labor Code, and in particular, Section 1810 to Section 1815, thereof, inclusive, except that work performed by employees of the Contractor and his subcontractors in excess of eight hours per day at not less than one and one half times the basic rate of pay, as provided in Labor Code section 1815.

PAYROLL RECORDS

Pursuant to Labor Code section 1776, as amended from time to time, the Contractor and each subcontractor shall keep records showing the name, address, social security number, work classification, straight time and overtime hours paid each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker or other employee employed by him or her in connection with the work.

The certified payroll records shall be on forms provided by the Division of Labor Standards Enforcement or shall contain the same information as the forms provided by the Division.

The payroll records shall be certified and shall be available for inspection at all reasonable hours at the principal office of the Contractor on the following basis:

- (g) A certified copy of the employee's payroll records shall be made available for inspection or furnished to such employee or his or her authorized representative on request.
- (h) A certified copy of all payroll records shall be made available for inspection or furnished upon request, or as required by Labor Code section 1771.7 to the City, the Division of Labor Standards Enforcement and the Division of Apprenticeship Standards of the Department of Industrial Relations.
- (i) A certified copy of all payroll records shall be made available upon request to the public for inspection or copies thereof made; provided, however, that if request by the public shall be made through either the City, the Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement, if as requested, payroll records have been provided pursuant to paragraph (b), the requesting party shall, prior to being provided the records, reimburse the cost of preparation by the Contractor, subcontractors and the entity through which the request was made. The public shall not be given access to such records at the principal office of the Contractor.

The Contractor shall file a certified copy of the payroll records with the entity that requested such records within ten (10) calendar days after receipt of a written request.

SERVICE CONTRACT – CITY OF LATHROP AND HOLT OF CALIFORNIA FOR CITYWIDE GENERATOR AND FIRE PUMP MAINTENANCE

Any copy of records made available for inspection as copies and furnished upon request to the public or the City, the Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement, shall be marked or obliterated in such a manner as to prevent disclosure of an individual's name, address, and social security number. The name and address of the Contractor or any subcontractor performing work on the Project shall not be marked or obliterated.

The Contractor shall inform the City of the location of the payroll records, including the street address, city and county, and shall, within five (5) calendar days, provide a notice of a change of location and address.

In the event of noncompliance with the requirements of this section, the Contractor shall have ten (10) calendar days in which to comply subsequent to receipt of written notice specifying in what respects the Contractor must comply with this section. Should noncompliance still be evident after such ten (10) calendar day period, the Contractor shall, as a penalty to the City, forfeit twenty-five dollars (\$25) for each calendar day, or portion thereof, for each worker until strict compliance is effectuated.

Upon the request of the Division of Labor Standards Enforcement, such penalties shall be withheld from payments due Contractor.

PREVAILING WAGES

- (j) The Contractor is aware of the requirements of California Labor Code Sections 1720 *et seq.* and 1770 *et seq.*, as well as California Code of Regulations, Title 8, section 16000 *et seq.* ("Prevailing Wage Laws") which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects. Since this Contract involves an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and since the total compensation is \$1,000 or more, Contractor agrees to fully comply with such Prevailing Wage Laws. The Contractor shall obtain a copy of the prevailing rates of per diem wages applicable to the work to be performed by subcontractors from the website of the Division of Labor Statistics and Research of the Department of Industrial Relations located at <http://www.dir.ca.gov/dlsr/PWD/index.htm>. In the alternative, the City shall provide Contractor with a copy of the prevailing rates of per diem wages applicable to the work to be performed by subcontractors. Contractor shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to perform work on the Project available to interested parties upon request, and shall post copies at the Contractor's principal place of business and at the Project site.

Contractor shall defend, indemnify and hold the City, its elected officials, officers, employees and agents free and harmless from any claims, liabilities, costs, penalties or interest arising out of any failure or alleged failure to comply with the Prevailing Wage Laws.

- (k) The Contractor and each subcontractor shall forfeit as a penalty to the City not more than fifty dollars (\$50) for each calendar day, or portion thereof, for each worker paid less than the stipulated prevailing rate for any work done by him, or by any subcontract under him, in violation of the provisions of the California Labor Code.

SERVICE CONTRACT – CITY OF LATHROP AND HOLT OF CALIFORNIA FOR CITYWIDE GENERATOR AND FIRE PUMP MAINTENANCE

The difference between such stipulated prevailing wage rate and the amount paid to each worker for each calendar day or portion thereof for which each worker was paid less than the stipulated prevailing wage rate shall be paid to each worker by the Contractor.

INSURANCE

On or before beginning any of the services or work called for by any term of this Agreement, CONTRACTOR, at its own cost and expense, shall carry, maintain for the duration of the Agreement, and provide proof thereof that is acceptable to the CITY the insurance specified in subsections (a) through (c) below with insurers and under forms of insurance satisfactory in all respects to the CITY. CONTRACTOR shall not allow any subcontractor to commence work on any subcontract until all insurance required of the CONTRACTOR has also been obtained for the subcontractor. Verification of this insurance shall be submitted and made part of this Agreement prior to execution.

- (a) Workers' Compensation. CONTRACTOR shall, at CONTRACTOR'S sole cost and expense, maintain Statutory Workers' Compensation Insurance and Employer's Liability Insurance for any and all persons employed directly or indirectly by CONTRACTOR. Said Statutory Workers' Compensation Insurance and Employer's Liability Insurance shall be provided with limits of not less than one million dollars (\$1,000,000). In the alternative, CONTRACTOR may rely on a self-insurance program to meet these requirements provided that the program of self-insurance complies fully with the provisions of the California Labor Code. The insurer, if insurance is provided, or the CONTRACTOR, if a program of self-insurance is provided, shall waive all rights of subrogation against the CITY for loss arising from work performed under this Agreement.
- (b) Commercial General and Automobile Liability Insurance. CONTRACTOR, at CONTRACTOR'S own cost and expense, shall maintain commercial general and automobile liability insurance for the period covered by this Agreement in an amount not less than one million dollars per occurrence (\$1,000,000), combined single limit coverage for risks associated with the work contemplated by this Agreement. If Commercial General Liability Insurance or an Automobile Liability form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit. Such coverage shall include but shall not be limited to, protection against claims arising from bodily and personal injury, including death resulting therefrom, and damage to property resulting from activities contemplated under this Agreement, including the use of owned and non-owned automobiles.

Coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001 (ed. 11/88) and Insurance Services Office Automobile Liability form CA 0001 (ed. 12/90) Code 1 (any auto).

Each of the following shall be included in the insurance coverage or added as an endorsement to the policy:

SERVICE CONTRACT – CITY OF LATHROP AND HOLT OF CALIFORNIA FOR CITYWIDE GENERATOR AND FIRE PUMP MAINTENANCE

- (i) CITY, its officers, employees, and volunteers are to be covered as insured with respect to each of the following: liability arising out of activities performed by or on behalf of CONTRACTOR, products and completed operations of CONTRACTOR; premises owned, occupied or used by CONTRACTOR. The coverage shall contain no special limitations on the scope of protection afforded to CITY, its officers, employees, agents, or volunteers.
 - (ii) The insurance shall cover on an occurrence or an accident basis, and not on a claim made basis.
 - (iii) An endorsement must state that coverage is primary insurance and that no other insurance affected by the CITY will be called upon to contribute to a loss under the coverage.
 - (iv) Any failure of CONTRACTOR to comply with reporting provisions of the policy shall not affect coverage provided to CITY and its officers, employees, agents, and volunteers.
 - (v) Insurance is to be placed with California-admitted insurers with a Best's rating of no less than A: VII.
 - (vi) Notice of cancellation or non-renewal must be received by CITY at least thirty days prior to such change.
- (c) Deductibles and Self-Insured Retentions. CONTRACTOR shall disclose the self-insured retentions and deductibles before beginning any of the services or work called for by any term of this Agreement. During the period covered by this Agreement, upon express written authorization of CITY Manager, CONTRACTOR may increase such deductibles or self-insured retentions with respect to CITY, its officers, employees, agents, and volunteers. The CITY Manager may condition approval of an increase in deductible or self-insured retention levels upon a requirement that CONTRACTOR procure a bond guaranteeing payment of losses and related investigations, claim administration, and defense expenses that is satisfactory in all respects to each of them.
- (d) Notice of Reduction in Coverage. In the event that any coverage required under subsections (a), (b), or (c) of this section of the Agreement is reduced, limited, or materially affected in any other manner, CONTRACTOR shall provide written notice to CITY at CONTRACTOR'S earliest possible opportunity and in no case later than five days after CONTRACTOR is notified of the change in coverage.
- (e) In addition to any other remedies CITY may have if CONTRACTOR fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, CITY may, at its sole option:
- (i) Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;

SERVICE CONTRACT – CITY OF LATHROP AND HOLT OF CALIFORNIA FOR CITYWIDE GENERATOR AND FIRE PUMP MAINTENANCE

- (ii) Order CONTRACTOR to stop work under this Agreement or withhold any payment which becomes due to CONTRACTOR hereunder, or both stop work and withhold any payment, until CONTRACTOR demonstrates compliance with the requirements hereof;
- (iii) Terminate this Agreement.

Exercise of any of the above remedies, however, is an alternative to other remedies CITY may have and is not the exclusive remedy for CONTRACTOR'S breach.

INDEMNIFICATION

Contractor agrees to protect, defend, indemnify and hold City, its City Council members, officers, employees, engineer, and consultants harmless from and against any and all claims, demands, liabilities, losses, damages, costs, expenses, liens, penalties, suits, or judgments, arising in whole or in part, directly or indirectly, at any time from any injury to or death of persons or damage to property as a result of the willful or negligent act or omission of Contractor, or which results from Contractor's noncompliance with any Law respecting the condition, use, occupation or safety of the Project site, or any part thereof, or which arises from Contractor's failure to do anything required under this Contract or for doing anything which Contractor is required not to do under this Contract, or which arises from conduct for which any Law imposes strict liability on Contractor in the performance of or failure to perform the terms and conditions of this Contract, except as may arise from the sole willful or negligent act or omission of City or any of its City Council members, officers, employees.

This indemnification shall extend to any and all claims, demands, or liens made or filed by reason of any construction, renovation, or remodeling work performed by Contractor under this Contract at any time during the term of this Contract, or arising thereafter.

SEVERABILITY

Nothing contained in the Contract shall be construed so as to require the commission of any act contrary to law. Should a conflict arise between any provision contained herein and any present or future statute, law, ordinance or regulation contrary to which the parties have no legal right to contract or act, the latter shall prevail and the provision of this Contract which is affected shall be curtailed and limited but only to the extent necessary to bring it within the requirements of the law. If such curtailment or limitation is not possible, the affected provision shall be of no force and effect. Except as aforesaid, such illegality shall not affect the validity of this Contract.

COMPLETE AGREEMENT

This Contract supersedes any and all agreements, either oral or in writing, between the Parties with respect to the subject matter herein.

Each party to this Contract acknowledges that no representation by any party which is not embodied herein or any other agreement, statement, or promise not contained in this Contract shall be valid and binding.

SERVICE CONTRACT – CITY OF LATHROP AND HOLT OF CALIFORNIA FOR CITYWIDE GENERATOR AND FIRE PUMP MAINTENANCE

INTERPRETATION

- (l) The parties hereto acknowledge and agree that each has been given the opportunity to independently review this Contract with legal counsel, and/or has the requisite experience and sophistication to understand, interpret and agree to the particular language of the provisions of the Contract.
- (m) In the event of a controversy or dispute between the parties concerning the provisions herein, this document shall be interpreted according to the provisions herein and no presumption shall arise concerning the draftsmanship of such provision.

APPLICABLE LAW

- (n) The parties hereto understand and agree that the terms of this Contract, and its Exhibits, have been negotiated and executed within the State of California and shall be governed by and construed under the laws of the State of California.
- (o) In the event of a dispute concerning the terms of this Contract, the parties hereto expressly agree that the venue for any legal action shall be with the appropriate court in the County of San Joaquin, State of California.

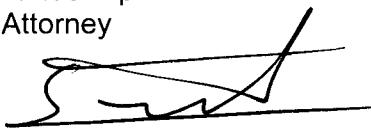
SIGNATURES

The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Agreement on behalf of the respective legal entities of the CONSULTANT and the CITY. This agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

**SERVICE CONTRACT – CITY OF LATHROP AND HOLT OF CALIFORNIA FOR CITYWIDE
GENERATOR AND FIRE PUMP MAINTENANCE**

Approved as to Form:

City of Lathrop
City Attorney



Salvador Navarrete

10.3.2023

Date

Recommended for Approval:

City of Lathrop
Assistant City Manager

Michael King

Date

Approved By:

City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

Stephen Salvatore
City Manager

Date

Contractor:

Holt of California
PO Box 100001
Sacramento, CA 95813

Fed ID # **68-0421094**
Lathrop Business License # **41700**

Signature

Date

Print Name and Title



3850 Channel Drive West Sacramento, CA 95691-3443, or PO Box X - Sacramento, CA 95813

October 3, 2023

City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

Holt of California is pleased to provide you with a proposal for a **1-Year** Planned Maintenance service for your emergency generator sets and fire pumps. Holt provides maintenance services in accordance with the National Fire Protection Association (NFPA), the National Electrical Code (NEC), the Office of Statewide Health Planning and Development (OSHPD), the Life Safety Code, and the Joint Commission.

In addition to your **1-Year Planned Maintenance Services**, Holt of California also recommends having a **two (2) hour, Resistive Load Bank Test** performed, in conjunction with your annual P.M. service, to maintain compliance with the NFPA 99 and NFPA 110 standards. This test will help prevent a condition known as "wet stacking", which is the presence of carbon or unburned fuel in the exhaust system and is required in applications not meeting section 6-4.2 of the NFPA 110 code.

<u>Lawt, Kohler,</u>	<u>Model # 900kw</u>	<u>S/N: 2F106</u>
Annual Level 2 PM Service		\$2,292.03
Annual 2-hour Load Bank Service		\$2,016.30
<u>Well# 6, Olympian,</u>	<u>Model # 100kw</u>	<u>S/N: 2013022</u>
Annual Level 2 PM Service		\$1,159.33
Annual 2-hour Load Bank Service		\$ 820.37
<u>Well #7, Caterpillar,</u>	<u>Model # 3208</u>	<u>S/N: 29A02329</u>
Annual Level 2 PM Service		\$1,159.33
Annual 2-hour Load Bank Service		\$ 820.37
<u>Well# 8, Onan,</u>	<u>Model # 150kw</u>	<u>S/N: A920442585</u>
Annual Level 2 PM Service		\$1,284.57
Annual 2-hour Load Bank Service		\$ 970.24
<u>Well #9, Onan</u>	<u>Model # 150kw</u>	<u>S/N: H930516510</u>
Annual Level 2 PM Service		\$1,284.57
Annual 2-hour Load Bank Service		\$ 970.24

City of Lathrop**Page 2 of 6**

<u>Well #10, Generac (ladder needed)</u>	<u>Model # 250kw</u>	<u>S/N: 9757736</u>
Annual Level 2 PM Service		\$1,601.00
Annual 2-hour Load Bank Service		\$1,374.20
<u>Well #21, Generac (ladder needed)</u>	<u>Model # 350kw</u>	<u>S/N: 2076408</u>
Annual Level 2 PM Service		\$1,665.30
Annual 2-hour Load Bank Service		\$1,474.20
<u>Booster Station # 1, Generac,</u>	<u>Model # 125kw</u>	<u>S/N: 2020023</u>
Annual Level 2 PM Service		\$1,151.49
Annual 2-hour Load Bank Service		\$ 734.10
<u>Booster Station # 1, Cummins, Fire Pump</u>	<u>Model # 4BT-3.9</u>	<u>S/N: 44167360</u>
Annual Level 2 PM Service		\$1,362.00
<u>Booster Station #2, Cummins, Fire Pump</u>	<u>Model # 6BTA5.9</u>	<u>S/N: 44838951</u>
Annual Level 2 PM Service		\$1,362.00
<u>Booster Station # 3, Onan,</u>	<u>Model # 125kw</u>	<u>S/N: G990942975</u>
Annual Level 2 PM Service		\$1,268.89
Annual 2-hour Load Bank Service		\$ 734.10
<u>Booster Station # 3, Caterpillar, Fire Pump</u>	<u>Model # 3306</u>	<u>S/N: 64Z28302</u>
Annual Level 2 PM Service		\$1,362.00
<u>Booster Station #4, Kohler, (ladder needed)</u>	<u>Model # 400kw</u>	<u>S/N: 2084562</u>
Annual Level 2 PM Service		\$1,738.66
Annual 2-hour Load Bank Service		\$1,310.57
<u>Booster Station #6, Generac,</u>	<u>Model# 600kw</u>	<u>S/N: 2093588</u>
Annual Level 2 PM Service		\$2,254.00
Annual 2-hour Load Bank Service		\$1,625.00
<u>Gateway, Cummins</u>	<u>Model # C100 D6C</u>	<u>S/N: A220026609</u>
Annual Level 2 PM Service		\$1,159.33
Annual 2-hour Load Bank Service		\$ 708.72
<u>Harlan Waster Water, Generac, (ladder needed)</u>	<u>Model # 100kw</u>	<u>S/N: 3002018847</u>
Annual Level 2 PM Service		\$1,357.56
Annual 2-hour Load Bank Service		\$ 807.84
<u>McKinley Sewer, Kohler,</u>	<u>Model # 100kw</u>	<u>S/N: PE4045L190570</u>
Annual Level 2 PM Service		\$1,258.44
Annual 2-hour Load Bank Service		\$ 708.72

City of Lathrop
Page 3 of 6

<u>Mossdale Sewer, Kohler,</u>	<u>Model # 80kw</u>	<u>S/N: P44045H344864</u>
Annual Level 2 PM Service		\$ 966.32
Annual 2-hour Load Bank Service		\$ 688.42
<u>River Islands WWPS, Generac, A</u>	<u>Model # 500kw</u>	<u>S/N: 2016109579</u>
Annual Level 2 PM Service		\$1,780.78
Annual 2-hour Load Bank Service		\$1,158.32
<u>River Islands WWPS, Generac, B</u>	<u>Model # 500kw</u>	<u>S/N: 2016109581</u>
Annual Level 2 PM Service		\$1,780.78
Annual 2-hour Load Bank Service		\$1,158.32
<u>River Islands 2A, Generac, (ladder needed)</u>	<u>Model # 100kw</u>	<u>S/N: 3002018851</u>
Annual Level 2 PM Service		\$1,357.56
Annual 2-hour Load Bank Service		\$ 807.84
<u>River Islands Temp, Caterpillar,</u>	<u>Model # C4.4</u>	<u>S/N: GLD01622</u>
Annual Level 2 PM Service		\$ 966.32
Annual 2-hour Load Bank Service		\$ 668.12
<u>Woodfield, Kohler,</u>	<u>Model # 50kw</u>	<u>S/N: 33H3GMJC0001</u>
Annual Level 2 PM Service		\$ 966.32
Annual 2-hour Load Bank Service		\$ 668.12
<u>O Street Sewer, Katolight,</u>	<u>Model # 215kw</u>	<u>S/N: 127533-0606</u>
Annual Level 2 PM Service		\$1,269.05
Annual 2-hour Load Bank Service		\$ 924.56
<u>Lathrop Yard, Kohler,</u>	<u>Model # 80kw</u>	<u>S/N: PE4045T208182</u>
Annual Level 2 PM Service		\$ 966.32
Annual 2-hour Load Bank Service		\$ 688.42
<u>Lathrop Yard, Kohler,</u>	<u>Model # 200kw</u>	<u>S/N: 0685474</u>
Annual Level 2 PM Service		\$1,269.05
Annual 2-hour Load Bank Service		\$ 909.34
<u>Community Center, Doosan</u>	<u>Model # 400kw</u>	<u>S/N: 495888UIADH14</u>
Annual Level 2 PM Service		\$1,368.17
Annual 2-hour Load Bank Service		\$1,160.70
<u>Crossroads #1, Caterpillar,</u>	<u>Model # 3406</u>	<u>S/N: 6TB12082</u>
Annual Level 2 PM Service		\$1,571.78

City of Lathrop
Page 4 of 5

<u>Crossroads #2, Caterpillar,</u>	<u>Model # 3406</u>	<u>S/N: 6TB12083</u>
Annual Level 2 PM Service		\$1,571.78
<u>Crossroads #3, Caterpillar,</u>	<u>Model # 3406</u>	<u>S/N: 6TB12094</u>
Annual Level 2 PM Service		\$1,571.78
<u>Crossroads Trans Station, Caterpillar,</u>	<u>Model # C32</u>	<u>S/N: JSJ03317</u>
Annual Level 2 PM Service		\$2,276.35
Annual 2-hour Load Bank Service		\$1,523.72
<u>Crossroads Trans Station, Cat, (ladder needed) Model # 3412</u>		<u>S/N: BCW00786</u>
Annual Level 2 PM Service		\$2,171.85
Annual 2-hour Load Bank Service		\$1,523.72
<u>Crossroads Trans Station,</u>	<u>Model # 180kw</u>	<u>S/N: 355374</u>
Annual Level 2 PM Service		\$1,263.67
Annual 2-hour Load Bank Service		\$ 889.04
<u>Pump Station, Kohler #M1</u>	<u>Model # 500kw</u>	<u>S/N: 2078558</u>
Annual Level 2 PM Service		\$1,874.51
Annual 2-hour Load Bank Service		\$1,622.83
<u>Pump Station, Generac #M2</u>	<u>Model # 230kw</u>	<u>S/N: 2079823</u>
Annual Level 2 PM Service		\$1,274.12
Annual 2-hour Load Bank Service		\$1,051.44
<u>Pump Station, Kohler #M3</u>	<u>Model # 800kw</u>	<u>S/N: 2057094</u>
Annual Level 2 PM Service		\$2,380.85
Annual 2-hour Load Bank Service		\$2,224.68
<u>Pump Station, Kohler #M5</u>	<u>Model # 500kw</u>	<u>S/N: 2081704</u>
Annual Level 2 PM Service		\$1,874.51
Annual 2-hour Load Bank Service		\$1,622.83
<u>Pump Station, Katolight #M6</u>	<u>Model # 750kw</u>	<u>S/N: 121266-1006</u>
Annual Level 2 PM Service		\$2,297.25
Annual 2-hour Load Bank Service		\$2,173.93
<u>Stanford Crossing #1, Generac,</u>	<u>Model # 600kw</u>	<u>S/N: 2092489</u>
Annual Level 2 PM Service		\$2,254.00
Annual 2-hour Load Bank Service		\$1,401.00

City of Lathrop
Page 5 of 6

<u>Stanford Crossing #2, Generac,</u>	<u>Model # 600kw</u>	<u>S/N: 2093589</u>
Annual Level 2 PM Service		\$2,254.00
Annual 2-hour Load Bank Service		\$1,401.00
<u>Stanford Crossing #3, Generac,</u>	<u>Model # 600kw</u>	<u>S/N: 2092490</u>
Annual Level 2 PM Service		\$2,254.00
Annual 2-hour Load Bank Service		\$1,401.00
<u>Stanford Crossing #4, Generac,</u>	<u>Model # 600kw</u>	<u>S/N: 2092488</u>
Annual Level 2 PM Service		\$2,254.00
Annual 2-hour Load Bank Service		\$1,401.00
<u>Stonebridge Storm, Generac, (ladder needed) Model # 250kw</u>		<u>S/N: 2078907</u>
Annual Level 2 PM Service		\$1,686.41
Annual 2-hour Load Bank Service		\$1,468.20
<u>South Lathrop, Generac,</u>	<u>Model # 800kw</u>	<u>S/N: 3004476954</u>
Annual Level 2 PM Service		\$2,498.18
Annual 2-hour Load Bank Service		\$2,224.68
<u>City Hall, Caterpillar,</u>	<u>Model # C9</u>	<u>S/N: RG300284</u>
Annual Level 2 PM Service		\$1,514.31
Annual 2-hour Load Bank Service		\$1,071.74
<u>Lathrop Police Dept, Cummins,</u>	<u>Model# C175 D6D</u>	<u>S/N: D200755005</u>
Annual Level 2 PM Service		\$1,269.05
Annual 2-hour Load Bank Service		\$1,020.99
<u>Total Annual cost for PM Services</u>		<u>\$121,452.50</u>

Prices mentioned do not include applicable taxes, repairs outside the scope of the Planned Maintenance services or overtime premiums.

This PM Agreement includes a 5% Parts and Labor discount through Caterpillar's contract #120617-CAT with Source well Program and additional 5% through Holt of California.

Warranty Term:

Holt of California's warranty term is (12) months for workmanship and (12) months for Parts.

EXCLUSIONS AND/OR LIMITATIONS:

Indemnification:

Holt of California's responsibility in this agreement is limited to equipment's inspection as outlined in the attached "Detailed Description of Service Levels", and as modified accordingly within this agreement. Holt of California does not guarantee the detection or the replacement of worn components, the proper operation of the equipment in the event of a power failure, or any other circumstances outside the control of Holt of California. The Customer agrees to indemnify Holt of California and its officers, agents, or representatives from all claims and causes of action, which may arise directly or indirectly out of the failure of the equipment, or any part thereof, service by Holt of California.

TERM AGREEMENT:

This service agreement is valid from **October 9, 2023**, through **June 30, 2024**, and may be canceled at any time with thirty- (30) day written notice by either party. Without a signed agreement, this offer is valid for sixty- (60) days, after which pricing and/or terms may be adjusted accordingly.

We appreciate the opportunity to be of service to you. If you have any questions, please feel free to contact Bonnie Terry (916) 416-2921 or by email: bterry@holtca.com

By signing below, Holt of California agrees to provide the above-mentioned services at the pricing listed. **The City of Lathrop** agrees to the terms mentioned herein and hereby authorizes commencement of services.

Bonnie Terry
Product Support Representative
Power Systems Division
HOLT OF CALIFORNIA
Cell: (916) 416-2921
Office/After-hours: (916) 373-4155

Date

Representative
City of Lathrop

Date



Detailed Scope of Services

Level 1 PM (Recommended Semi-annual or Quarterly)

1.0 GENERAL

- 1.1 Visual inspection of the overall condition of the generating set for foreign objects, loose or broken fittings, guards, and other components.

2.0 AIR INDUCTION AND EXHAUST SYSTEM

- 2.1 Air Service Indicator - Inspection and notation of the reading on service indicator (if applicable).
- 2.2 Air Filter – Visual inspection (replace when required at an additional cost).
- 2.3 Air Inlet System – Inspection of piping/ducting for damage, loose connections and inspect for proper louver or inlet air fan operation (if applicable).
- 2.4 Turbocharger – Visual inspection for signs of wet stacking, exhaust leakage or external damage.
- 2.5 Exhaust Manifold – Inspection for damage, lose or missing hardware and evidence of wet stacking and exhaust leaks.
- 2.6 Exhaust Silencer/After treatment – Visual inspection of overall condition, wet stacking, exhaust leaks, loose, broken and missing fasteners, and after treatment high back pressure alarms (if applicable). Check for proper rain cap operation or exhaust fan operation.

3.0 COOLING SYSTEM

- 3.1 Radiator/Heat Exchanger – Visual inspection for leaks, damage and debris. Inspect louvers for proper operation (if applicable).
- 3.2 Coolant – Inspect for proper level, conditioner level, proper freeze point, and visual inspection for color quality. Inspect radiator cap for signs of leaking, damage and deteriorating sealing gasket.
- 3.3 Hoses and Connections – Visually inspect hoses and connections for leaks, bulging, collapsing and damaged clamps.
- 3.4 Fan Drive Assembly – Check for proper operation (no slipping) while engine is running and check for signs of slipping on adjacent components. Inspect fan belt for proper tightness and for any wear cracks.
- 3.5 Jacket Water Heater – Check and record temperature and check upper hose for hardening. Insure circulation is adequate throughout the engine.
- 3.6 Water Pump – Visual inspection for coolant leaks out of flanges and weep holes.
- 3.7 Temperature Thermostats (regulators) – Infrared analysis before and after the regulators prior to starting engine to check for signs of open thermostats. Run engine and record engine coolant temperature after cooling system has stabilized.

4.0 FUEL SYSTEM

- 4.1 Fuel Lines and Connections – Inspect for leaks and condition of hoses (if applicable).
- 4.2 Governor – Inspection of controls and linkage for proper operation (if applicable).
- 4.3 Fuel Filters (primary and secondary) - Inspect for leaks and external damage. Inspect water trap bowls on primary filters for water and sediment (if Applicable).
- 4.4 Day Tank – Check and record fuel level. Visual inspection for leaks and test operation of the transfer pump (if applicable).
- 4.5 Main Fuel Tank – Check and record fuel level. Visual inspection for damage, fuel leaks and signs of water entry (if applicable).
- 4.6 Engine Fuel Priming Pump – Inspect for leaks (if applicable).
- 4.7 Fuel Pressure – Check fuel pressure while engine is running and record if an external gauge is present.

5.0 LUBE OIL SYSTEM

- 5.1 Oil Level – Check for proper oil level and contamination of oil on level gauge. Check for external oil leaks.
- 5.2 Oil Pressure – Check and record engine oil pressure while engine is running if an external gauge exists.
- 5.3 Crankcase Breather – Visual inspection for damage leaks and excessive blow-by while the engine is running.
- 5.4 Oil Sampling – Obtain oil sample for laboratory analysis; TBN check for extended oil change intervals (if applicable).

6.0 ENGINE STARTING SYSTEM

- 6.1 Batteries – Maintain electrolyte level, clean and tighten post connections as needed, Battery analyzer test and record voltage drop while engine is cranking for lead acid battery's.
- 6.2 Battery Charger – Verify proper float and boost operation, adjust float to match battery type where applicable, and inspect for loose and deteriorated wiring.
- 6.3 Starter Motor – Verify connections are tight and clean. While cranking listen for abnormal engagement and cranking noises.
- 6.4 Charging Alternator – Check belts for looseness and deterioration, record DC voltage during engine operation and record maximum amperage output; compare with specifications.

7.0 CONTROL PANEL

- 7.1 Start Controls – Check manual/auto start switch for proper operation. Check automatic start function and return to the “auto” position after testing; record position of manual/auto switch after testing (if applicable).
- 7.2 Metering – Verify that the voltage and engine parameter gauges function while engine is operating, record the readings of each after engine operation has stabilized (if applicable).
- 7.3 Emergency stop – Test for proper operation and annunciation; return switch to run position and record switch position after testing (if applicable).
- 7.4 Remote Annunciator – Lamp test to check for presence of DC voltage and correct lamp operation (if applicable).
- 7.5 Control panel-operation and test.
- 7.6 Safety Shutdowns – Test for proper safety shutdown operation and annunciation (if applicable).

8.0 GENERATOR MECHANICAL (if applicable)

- 8.1 Space Heaters – Check for proper operation (if applicable).
- 8.2 Generator – visual inspection of generator for foreign material, dirt, and grease/oil accumulation.
- 8.3 Vibration Isolators – Check for proper adjustment and condition of mounting hardware. Visual inspection of generator set for movement while starting.
- 8.4 Main Circuit Breaker – Open and close circuit breaker; record breaker position after testing.

9.0 AUTOMATIC TRANSFER SWITCH (if applicable) - (inspection includes one ATS) (Only perform this service if unit has had an Arc flash study)

- 9.1 Monitor source voltage indicators while engine is running.
- 9.2 Perform visual inspection of inside the ATS, with proper personal protective clothing on, and check for hot spots with infrared thermometer if proper ACR flash study has been performed.
- 9.3 With customer approval, perform building load test and observe ATS operation until engine cool down and shutdown sequence occurs.

Level 2 PM (includes items listed in Level 1 PM. Recommended annually)

3.0 COOLING SYSTEM

- 3.8 Coolant – Obtain coolant sample for level two laboratory analysis.
- 3.9 Radiator Cap – Pressure test radiator cap for proper operation
- 3.10 Radiator – Pressure test radiator (if applicable).

4.0 FUEL SYSTEM

- 4.8 Fuel – Obtain fuel sample from main tank for laboratory analysis
- 4.9 Filters – Replace engine fuel filters (if applicable).

5.0 LUBE OIL SYSTEM

- 5.7 Oil – Replace engine oil and record level after engine testing (unless approved for extended intervals)
- 5.8 Filters – Replace engine oil filters.

6.0 STARTING SYSTEM

- 6.8 Magnetic Pickup Sensor – Remove sensor and clean. Reinstall sensor and set to the proper depth. Record voltage output while engine is running (if applicable).
- 6.9 Starter Motor - On units with multiple starters verify each starter operates properly.

8.0 GENERATOR MECHANICAL (if applicable)

- 8.8 Exciter/PMG – Check and record exciter clearance if accessible.
- 8.9 Conductors – Check AC conductors for insulation damage within the marshaling box.
- 8.10 Fan – Check for broken fan blades and foreign debris.
- 8.11 Bearing – Lubricate generator bearings (if applicable).

Cooling System Service (Recommended every three years)

2.0 AIR INDUCTION AND EXHAUST SYSTEM

- 2.7 Separate Circuit Aftercooler (if applicable) – Drain coolant and flush the aftercooler system with fresh water (or chemicals if applicable). Replenish aftercooler system with a new NGEC coolant and purge air from system when full.

3.0 COOLING SYSTEM

- 3.11 Coolant – Drain coolant, and flush with fresh water (or chemicals if applicable). Replenish cooling system with a new NGEC coolant and purge system of air when full.
- 3.12 Hoses and Connections – Replace all cooling system hoses including jacket water heater hoses; for all connections using worm-gear clamps replace clamps as needed.
- 3.13 Fan Belts – Replace engine fan belts; after final operational check the unit to verify belt tension.
- 3.14 Temperature Thermostats – Replace engine cooling system thermostats and seals.

6.0 ENGINE STARTING SYSTEM

- 6.10 Charging Alternator – Replace alternator belt(s).

7.0 REPLACE BATTERIES

Resistive – Resistive/Reactive Load Bank Testing (Recommended annually)

11.0 RESISTIVE / REACTIVE LOAD BANK TEST

11.1 Connect load bank to generator output

11.2 Start engine and record baseline readings (Engine: Oil Pres, Water temp, Fuel pressure, RPM, D.C. Voltage, & Exhaust temp.)

Generator: A.C. Voltages across all phases, Amperage @ each phase, Frequency, Power, Power Factor, & Ambient temp.)

11.3 Apply load to generator at required levels and at required intervals. Monitor unit and recording readings at required intervals for duration of load bank test.

11.4 Complete Load Bank Data Sheet and provide copy to customer.

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ITEM 4.10

CITY MANAGER'S REPORT OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

ITEM: **APPROVE CONTRACT CHANGE ORDER NO. 31 WITH DAVID SILVA, DBA SILVA LANDSCAPE FOR LANDSCAPE IRRIGATION SYSTEMS MAINTENANCE SERVICES AND APPROVE BUDGET AMENDMENT**

RECOMMENDATION: **Adopt Resolution Approving Contract Change Order No. 31 with David Silva, dba Silva Landscape for Landscape Irrigation Systems Maintenance Services and Approve Budget Amendment**

SUMMARY:

David Silva, dba Silva Landscape (Silva Landscape) has maintained the landscape and provided minor repairs to irrigation systems for City-owned parks and streetscapes (Landscape) since 2017. City staff currently provides oversight for major repairs to the irrigation systems for the Landscape. As the City continues to accept public landscaping, consolidating all irrigation maintenance into one source will minimize the costs and maximize the results associated with this maintenance.

In response to staff request, Silva Landscape has provided a proposal of \$9,500 per month (\$114,000 annually) to provide all irrigation oversight and repair services previously performed by City staff.

Staff requests that Council adopt a resolution approving Contract Change Order (CCO) No. 31 (Attachment "B") with Silva Landscape to provide the subject services. Sufficient funds for CCO 31 were not allocated in the approved FY 2023-24 budget; therefore, staff also requests City Council approve a budget amendment as outlined in the fiscal impact section.

BACKGROUND:

On September 1, 2017, City Council approved the award of a service contract to Silva Landscape for maintenance of the Landscape and the portion of associated irrigation systems including lateral lines and spray and bubbler heads.

City staff provides ultimate oversight, flow adjustments, and maintenance for the upstream remainder of the irrigation systems, including but not limited to main lines, valves and manifolds, controllers, backflow preventers and booster pumps. These tasks are described in further detail in the Bid Specifications of this contract's Scope of Work in section C. *Specific Park and Streetscape Maintenance Services - 1.1 Irrigation.*

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING**APPROVE CCO NO. 31 WITH DAVID SILVA, DBA SILVA LANDSCAPE FOR LANDSCAPE IRRIGATION SYSTEMS MAINTENANCE SERVICES AND APPROVE BUDGET AMENDMENT**

The requested services contemplated by CCO No. 31 were not part of the original bid specification, the contract for which was awarded to Silva Landscape on September 1, 2017 and will expire on June 30, 2024. As the City continues accepting parks and landscape, the need for irrigation maintenance is increasing. Timely and unified preventive maintenance and repair of irrigation components minimizes expenses by optimizing water use and reducing the incidence of replacing dead plant material. As the current structure of these services requires the City's input in conjunction with Silva Landscape, improvements to efficiency of this operation could be achieved by permitting Silva Landscape to maintain the entire irrigation system rather than share this task with the City.

Therefore, City staff requested a proposal from Silva Landscape for maintenance and landscape irrigation services. Silva Landscape provided a quote for the addition to their existing contract of all irrigation maintenance tasks currently performed by City staff in the amount of \$9,500 per month. Details of the proposed services include but not limited to;

- Adjusting the water volume and timing of irrigation
- Maintaining and repairing all automated valve controllers, wiring, valves and manifold assemblies, backflow prevention devices and main lines
- Preventive adjustments to irrigation not included in the weekly action items
- Focus on improving efficiency of irrigation during hot weather months
- Focus on replacement of Calsense irrigation components with City-provided components during cold weather months

Therefore, staff requests City Council adopt a resolution approving CCO No. 31 with Silva Landscape for the provision of Landscape irrigation maintenance services for \$9,500 per month through the end of the existing contract term, June 30, 2024. The services contemplated by CCO No. 31 will be incorporated into the contract specifications for Landscape maintenance the next time this contract is let to public bidding.

Staff also requests City Council approve a budget amendment as detailed below.

REASON FOR RECOMMENDATION:

The proposed services will unify under one contractor the provision of maintenance services for the irrigation systems for all the Landscape. This unification will improve water use efficiency and reduce the frequency of repairs, and therefore reduce the costs to purchase water and replace dead plant material.

FISCAL IMPACT:

The monthly cost of proposed CCO No. 31 is \$9,500, and would require annual funding for each of the next two fiscal years as summarized in Table 1, below.

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

APPROVE CCO NO. 31 WITH DAVID SILVA, DBA SILVA LANDSCAPE FOR LANDSCAPE IRRIGATION SYSTEMS MAINTENANCE SERVICES AND APPROVE BUDGET AMENDMENT

Table 1: Contract Cost Budget Summary

Monthly Cost	FY 2023-24 (8 month term)	FY 2024-25 (12 month term)
\$9,500	\$76,000	\$114,000

Sufficient funds for this amendment were not allocated in the approved FY 2023-24 budget; therefore, staff requests City Council approve a budget amendment as summarized, below:

Fund	Increase Appropriation	FY 2023-24	FY 2024-25
General Fund	1010-30-05-420-27-00	\$169	\$254
General Fund	1010-30-10-420-27-00	\$267	\$401
General Fund	1010-30-10-420-32-00	\$3,495	\$5,243
General Fund	1010-40-30-420-27-00	\$331	\$496
Measure C - Essential City Services Fund	1060-19-10-420-32-00	\$2,821	\$4,231
Streets Fund	2080-50-10-420-27-00	\$362	\$543
Streets Trees Fund	2080-50-11-420-27-00	\$2,733	\$4,099
Storm Drain - Spec. Ben Fund	2510-50-20-420-27-00	\$406	\$608
Storm Drain - Spec. Ben, Fund	2510-50-20-420-32-00	\$607	\$911
Woodfield Landscape Fund	2530-50-62-420-32-00	\$1,192	\$1,787
Stonebridge Landscape Fund	2550-50-60-420-27-00	\$4,897	\$7,346
Stonebridge Landscape Fund	2550-50-60-420-32-00	\$286	\$429
Stonebridge Drain and Lighting Fund	2560-50-60-420-32-00	\$1,502	\$2,252
Mossdale CFD Fund	2570-50-63-420-27-00	\$14,550	\$21,824
Mossdale Landscape and Lighting Fund	2580-50-64-420-32-00	\$15,311	\$22,966
Historic Lathrop CFD Fund	2630-50-65-420-27-00	\$119	\$178
Historic Lathrop CFD Fund	2630-50-65-420-32-00	\$312	\$467
South Lathrop CFD 2019-1 Fund	2670-50-55-420-27-00	\$1,070	\$1,605
Lathrop Gateway Business Park CFD 2021-1 Fund	2672-50-55-420-27-00	\$351	\$526
CLSP Services CFD 2019-2	2680-50-55-420-27-00	\$14,241	\$21,362
CLSP Services CFD 2019-2	2680-50-64-420-32-00	\$9,511	\$14,267
Water Fund	5620-50-50-420-27-00	\$150	\$224
MWQCF Collection System Fund	6010-50-30-420-27-00	\$28	\$42
CTF-MBR Sewer Fund	6080-50-34-420-27-00	\$1,301	\$1,951

ATTACHMENTS:

- A. Resolution Approving Proposed Contract Change Order No. 31 with David Silva dba Silva Landscape
- B. Contract Change Order No. 31 with David Silva dba Silva Landscape

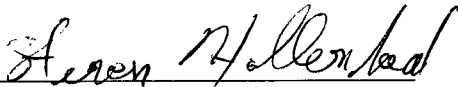
CITY MANAGER'S REPORT

PAGE 4

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

APPROVE CCO NO. 31 WITH DAVID SILVA, DBA SILVA LANDSCAPE FOR LANDSCAPE IRRIGATION SYSTEMS MAINTENANCE SERVICES AND APPROVE BUDGET AMENDMENT

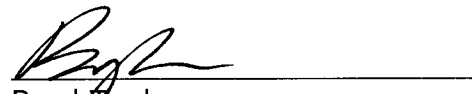
APPROVALS:


Steven Hollenbeak
Assistant Engineer

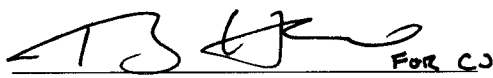
9.25.23
Date


Ken Reed
Senior Construction Manager

9-25-23
Date


Brad Taylor
City Engineer

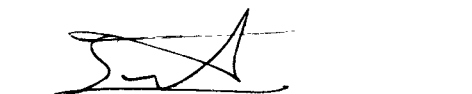
9/26/2023
Date


Cari James
Director of Finance

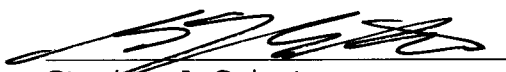
9/27/2023
Date


Michael King
Assistant City Manager

9-27-2023
Date


Salvador Navarrete
City Attorney

9.26.2023
Date


Stephen J. Salvatore
City Manager

10.4.23
Date

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING CONTRACT CHANGE ORDER NO. 31 WITH DAVID SILVA, DBA SILVA LANDSCAPE FOR LANDSCAPE IRRIGATION SYSTEMS MAINTENANCE SERVICES AND APPROVING BUDGET AMENDMENT

WHEREAS, on September 1, 2017, City Council approved the award of a Service contract to David Silva, dba Silva Landscape (Silva Landscape) for maintenance of landscape and downstream sections of irrigation for the City's parks and streetscapes; and

WHEREAS, City staff currently performs all adjustments to controllers and maintains and repairs all irrigation components upstream of lateral lines; and

WHEREAS, to optimize irrigation system performance and minimize costs, all landscape irrigation maintenance services should be performed by one entity; and

WHEREAS, the services contemplated by Contract Change Order (CCO) No. 31 were not included in the original contract specifications for the contract awarded to Silva Landscape on September 1, 2017 and which will expire on June 30, 2024 ; and

WHEREAS, staff requested and Silva Landscape provided a proposal of \$9,500 per month for the additional landscape irrigation maintenance services; and

WHEREAS, staff requests City Council adopt a resolution approving CCO No. 31 with Silva Landscape for the provision of landscape irrigation maintenance and repair services currently performed by City staff for all City-owned parks and streetscape for \$9,500 per month; and

WHEREAS, as sufficient funds for this amendment were not allocated in the approved FY 2023-24 budget, staff requests City Council approve a budget amendment as follows:

Fund	Increase Appropriation	FY 2023-24	FY 2024-25
General Fund	1010-30-05-420-27-00	\$169	\$254
General Fund	1010-30-10-420-27-00	\$267	\$401
General Fund	1010-30-10-420-32-00	\$3,495	\$5,243
General Fund	1010-40-30-420-27-00	\$331	\$496
Measure C - Essential City Services Fund	1060-19-10-420-32-00	\$2,821	\$4,231
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CLSP Services CFD 2019-2	2680-50-64-420-32-00	\$9,511	\$14,267
Water Fund	5620-50-50-420-27-00	\$150	\$224
MWQCF Collection System Fund	6010-50-30-420-27-00	\$28	\$42
CTF-MBR Sewer Fund	6080-50-34-420-27-00	\$1,301	\$1,951

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lathrop does hereby adopt a resolution approving Contract Change Order No. 31 with David Silva, dba Silva Landscape for additional irrigation system maintenance services for all City-owned parks and streetscape for \$9,500 per month.

BE IT FURTHER RESOLVED, that the City Council of the City of Lathrop does hereby approve a budget amendment as detailed above.

The foregoing resolution was passed and adopted this 9th day of October, 2023 by the following vote of the City Council, to wit:

AYES:

NOES:

ABSTAIN:

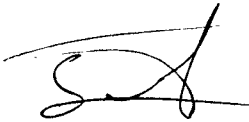
ABSENT:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

CHANGE ORDER NO. 31

Monthly Fee – Landscape Irrigation Systems Maintenance
Services

City of Lathrop

CONTRACT CHANGE ORDER NO. 31
MONTHLY FEE – Landscape Irrigation Systems Maintenance

Contractor: David Silva DBA Silva Landscape

Address: PO Box 607
Patterson, CA 95363

Change Order Date October 9, 2023

Contract Execution Date: September 1, 2017

Notice to Proceed Date: August 29, 2017

This contract change order augments or changes the following:

Pursuant to the provisions of the Contract Specifications and proposal attached as **Exhibit A**, you are hereby directed to make the herein described changes to the specifications and scope of work contracted for within the terms of the agreement between the **City of Lathrop** and **David Silva DBA Silva Landscape** dated **September 1, 2017**.

I. CHANGES IN THE SPECIFICATIONS

- A. Add to Contract Specifications, Section 01000 *SCOPE OF WORK – C. SPECIFIC PARK AND STREETSCAPE MAINTENANCE SERVICES* sub-section 1.23, below:

1.23 Irrigation Maintenance Services – Additional Tasks

Contractor shall take responsibility for and perform all day to day operations for the maintenance, repair and performance of all park and streetscape irrigation components and systems for sites within Contractor's current contract, including main lines, station valves and manifold assemblies, Calsense and all other irrigation timers / controllers, low voltage irrigation wiring, backflow prevention devices, main valves and booster pumps.

Contractor shall be responsible for all adjustments to flow rate from station valves and controllers.

Contractor shall supply all labor involved in this work and the City will supply materials necessary.

Contractor shall receive weekly reports provided by a City of Lathrop representative and make all adjustments indicated as necessary in these reports in a timely manner. Contractor shall make field adjustments not necessarily noted in the weekly reports to address anticipated or observed problems.

During the peak irrigation months (approx.. May through October), Contractor shall concentrate on water budgets and adjustments.

CHANGE ORDER NO. 31

**Monthly Fee – Landscape Irrigation Systems Maintenance
Services**

City of Lathrop

During periods of reduced irrigation (approx. November through April), Contractor shall coordinate with the City on installing City-supplied new controllers to replace designated CalSense controllers.

II. ADDITION(S) TO CONTRACT

Monthly Fee – Landscape Irrigation Maintenance Supervision	\$9,500/mo.
MONTHLY FEE COST FROM CHANGE ORDER NO. 31 (MONTHLY FEE)	\$9,500/mo.

ORIGINAL CONTRACT AMOUNT (MONTHLY FEE)	\$57,214.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 1 (MONTHLY FEE)	\$13,900.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 5 (MONTHLY FEE)	\$985.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 8 (MONTHLY FEE)	\$1,850.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 11 (MONTHLY FEE)	\$425.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 14 (MONTHLY FEE)	\$3,500.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 15 (MONTHLY FEE)	\$8,500.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 23 (MONTHLY FEE)	\$465.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 25 (MONTHLY FEE)	\$250.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 26 (MONTHLY FEE)	\$825.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 27 (MONTHLY FEE)	\$625.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 28 (MONTHLY FEE)	\$675.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 29 (MONTHLY FEE)	\$450.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 30 (MONTHLY FEE)	\$3,725.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 31 (MONTHLY FEE)	\$9,500.00
TOTAL REVISED MONTHLY CONTRACT AMOUNT	\$102,889.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 2 (ONE TIME FEE)	\$14,989.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 3 (ONE TIME FEE)	\$22,800.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 4 (ONE TIME FEE)	\$3,200.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 6 (ONE TIME FEE)	\$11,400.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 7 (ONE TIME FEE)	\$1,780.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 9 (ONE TIME FEE)	\$2,200.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 10 (ONE TIME FEE)	\$950.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 12 (ONE TIME FEE)	\$3,800.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 13 (ONE TIME FEE)	\$925.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 16 (ONE TIME FEE)	\$1,200.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 17 (ONE TIME FEE)	\$2,400.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 18 (ONE TIME FEE)	\$1,650.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 19 (ONE TIME FEE)	\$2,400.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 20 (ONE TIME FEE)	\$2,200.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 21 (ONE TIME FEE)	\$1,300.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 22 (ONE TIME FEE)	\$1,200.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 24 (ONE TIME FEE)	\$4,500.00
TOTAL ONE-TIME ADDITIONS TO CONTRACT AMOUNT	\$78,900.00

(END OF CHANGES)

CHANGE ORDER NO. 31

**Monthly Fee – Landscape Irrigation Systems Maintenance
Services**

City of Lathrop

DESCRIPTION OF WORK

See **Sec. II. ADDITION(S) TO CONTRACT**. The contractor will provide all labor, material, equipment and perform all incidental tasks as necessary to complete the change order.

TIME OF COMPLETION

The work is to begin as soon as Notice to Proceed is received, and run throughout the duration of the contract.

RELEASE AND WAIVER

Acceptance of this Contract Change Order constitutes a full and final resolution of all pending disputes between City and Contractor regarding scope of work and payment for work. Contractor accepts this Contract Change Order as full payment for all work performed to date and hereafter to be performed, up to and including Contract Change Order No. 31. Contractor releases and discharges City from any and all claims, demands, damages, actions and causes of actions and causes of action for injuries, damages or losses, whether known or unknown, foreseen or unforeseen, arising directly from Contractor's work on this contract. Contractor expressly waives the provisions of California Civil Code, Section 1542, which reads as follows:

A general release does not extend to claims which the Creditor does not know or suspect to exist in his favor at time of executing the release, which if known by him must have materially affected his settlement with the debtor.

EXHIBITS

A: Proposal #2042 from Silva Landscape


(END OF SECTION)

CHANGE ORDER NO. 31

Monthly Fee – Landscape Irrigation Systems Maintenance
Services

City of Lathrop

Approved As
To Form:



Salvador Navarrete
City Attorney
City of Lathrop

9-26-2023
Date

Recommended
By:

Michael King
Assistant City Manager
City of Lathrop

Date

Approved By:

Stephen J. Salvatore
City Manager
City of Lathrop

Date

Accepted By
Contractor:

David Silva dba Silva Landscape

Date

Print Name and Title

EXHIBIT A



Silva Landscape
Po Box 607
Patterson, CA 95363 US
(925) 413-3192
david.silvalandscape@gmail.com

Estimate

ADDRESS

City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

ESTIMATE # 2042

DATE 08/08/2023

DESCRIPTION

Irrigation Control Proposal

SERVICES

AMOUNT

Silva Landscape will take responsibility of day to day operations of the entire irrigation controller system and will make all necessary adjustments needed to insure the needs of the landscape are met

9,500.00

Silva Landscape will receive weekly report provided by a City of Lathrop representative and make all adjustments needed from these reports in a timely manner

Silva Landscape will also make necessary adjustments identified in the field but not noted in the reports.

During the peak irrigation months we will concentrate on water budgets and adjustments, during slower periods of irrigation needs we will work with the City installing the replacements of the CalSense system with City supplied new controllers

Silva Landscape will supply all labor involved in this work and City of Lathrop will supply all materials necessary.

Monthly - \$9,500

Approved by _____

TOTAL

\$9,500.00

Accepted By

Accepted Date

ITEM 4.11

CITY MANAGER'S REPORT OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

ITEM: **APPROVE APPOINTMENT OF A PUBLIC MEMBER TO THE SAN JOAQUIN AREA FLOOD CONTROL AGENCY BOARD OF DIRECTORS**

RECOMMENDATION: **Adopt Resolution Appointing a Public Member to the San Joaquin Area Flood Control Agency Board of Directors and to the Enhanced Infrastructure Financing District Public Financing Authority**

SUMMARY:

In July 2022, the City Council adopted the Enhanced Infrastructure Financing District ("EIFD") and associated Public Financing Authority ("PFA"). These entities were established to finance the construction and/or acquisition of capital improvements planned to provide an Urban Level of Flood Protection ("ULOP") for the Mossdale Tract.

There is currently an open vacancy for a Public Member on San Joaquin Area Flood Control Agency Board of Directors, the Mossdale EIFD and associated PFA. The EIFD PFA is responsible for governing the Mossdale Tract Enhanced Infrastructure Financing District, as outlined in Government Code 53398.50 - 55398.88.

The unscheduled vacancy is due to Mr. Morowit's resignation in November 2022 from SJAFCA's Board of Directors, EIFD and associated PFA. Mr. Morowit was elected to the Manteca City Council, which meant he could not hold both positions. According to our agreement with SJAFCA, all agencies need to approve the Public Member. SJAFCA conducted a recruitment process and in-person interviews, and Mr. Steve DeBrum was selected as the Public Member by SJAFCA's Board of Directors. His term will be two years, pending approval from all SJAFCA member agencies and other Affected Taxing entities for the PFA.

Staff recommends Council approve a resolution appointing City of Manteca's appointment of Mr. Steve DeBrum, as Public Member to SJAFCA's Board of Directors and to the EIFD PA, both for a term of two years.

BACKGROUND:

Senate Bill 5 (SB5), and related companion bills, created a new requirement for certain land use decisions made by cities and counties in the California Central Valley. Prior to approving discretionary land use decisions for non-residential projects, and prior to approving ministerial land use decisions (building permits) for new residential buildings in areas that don't have an Urban Level of Flood Protection (ULOP), land use agencies are required to make findings related to the provision of 200-year ULOP.

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING**APPROVE APPOINTMENT OF A PUBLIC MEMBER TO THE SAN JOAQUIN AREA FLOOD CONTROL AGENCY BOARD OF DIRECTORS**

In January 2022, the City Council adopted a Resolution of Intention to participate in the EIFD and associated PFA established to finance the construction and/or acquisition of capital improvements planned to provide an ULOP for the Mossdale Tract. In July 2022, the City Council adopted a resolution approving the Mossdale Tract EIFD Infrastructure Financing Plan.

The Mossdale Tract Area EIFD has four (4) affected taxing entities , the City of Lathrop, the City of Manteca, the City of Stockton, and San Joaquin County ("Affected Taxing Entities"); thus, the PFA governing body consists of eight (8) members from the respective Affected Taxing Entities and two (2) Public Members, for a total of ten (10) members; the initial selection of the Public Membership was completed by the City of Lathrop as part of its initial action.

For administrative efficiency and consistent oversight of the Mossdale Tract ULOP program, staff supported SJAFCA's recommendation to have PFA membership overlap as much as possible with the SJAFCA Board of Directors membership. The existing City of Manteca appointed SJAFCA Board Members were appointed to the PFA.

Because SJAFCA's Board of Directors has one Public Member, one of the two Public Members of the PFA selected by Lathrop was Mike Morowit, at that time a former City of Manteca Councilmember, who then occupied the Public Member position on the SJAFCA Board; the other Public Member selected by the City of Lathrop was Mr. Steve Dresser, a former Lathrop City Councilmember and former SJAFCA Board Member. With the successful election of Mr. Morowit to the Manteca City Council in November 2022, Mr. Morowit had to resign from the Public Member position on the SJAFCA Board and related PFA.

According to the City of Lathrop approved Resolution No. 22-5019, Section 8 "G," Public Members will be initiated by the legislative bodies of other Participating Entities in alphabetical order. Lathrop appointed Mr. Morowit as the first Public Member of the SJAFCA Board and the PFA. As a result, the City of Manteca is responsible for selecting the next public board member to replace Mr. Morowit.

Therefore, staff recommends Council approve a resolution approving the City of Manteca's appointment of Mr. Steve DeBrum, as Public Member to SJAFCA's Board of Directors and to the EIFD and associated PFA, both for a term of two years.

REASON FOR RECOMMENDATION:

The PFA governing body consists of eight (8) members from the respective ATEs and two (2) Public Members, for a total of ten (10) members. Approving the appointment of Mr. DeBrum would enable Mr. Steve DeBrum to fill the currently vacant Public Member seat on the Board of the EIFD PFA.

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

**APPROVE APPOINTMENT OF A PUBLIC MEMBER TO THE SAN JOAQUIN AREA
FLOOD CONTROL AGENCY BOARD OF DIRECTORS**

FISCAL IMPACT:

None.

ATTACHMENTS:

- A. Resolution Appointing a Public Member to the San Joaquin Area Flood Control Agency Board of Directors and to the Enhanced Infrastructure Financing District Public Financing Authority

CITY MANAGER'S REPORT

PAGE 4

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING


**APPROVE APPOINTMENT OF A PUBLIC MEMBER TO THE SAN JOAQUIN AREA
FLOOD CONTROL AGENCY BOARD OF DIRECTORS**

APPROVALS:



Brad Taylor
City Engineer

9/28/2023
Date



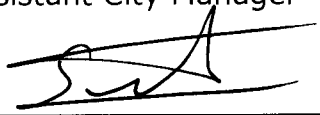
Cari James
Director of Finance

9/29/2023
Date



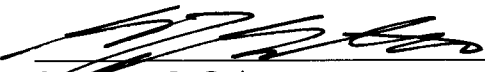
Michael King
Assistant City Manager

9-29-2023
Date



Salvador Navarrete
City Attorney

9.28.2023
Date



Stephen J. Salvatore
City Manager

10.4.23
Date

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPOINTING A PUBLIC MEMBER TO THE SAN JOAQUIN AREA FLOOD CONTROL AGENCY BOARD OF DIRECTORS AND TO THE ENHANCED INFRASTRUCTURE FINANCING DISTRICT PUBLIC FINANCING AUTHORITY

WHEREAS, in January 2022, the City Council adopted a Resolution of Intention to participate in the Mossdale Tract Enhanced Infrastructure Financing District and associated Public Financing Authority established to finance the construction and/or acquisition of capital improvements planned to provide an ULOP for the Mossdale Tract; and

WHEREAS, in July 2022, the City Council adopted a Resolution approving the Mossdale Tract Enhanced Infrastructure Financing District; and

WHEREAS, the Mossdale Tract Enhanced Infrastructure Financing District is governed by a Public Financing Authority, the Board of Directors (SJAFCA), as outlined in Government Code 53398.50 - 55398.88; and

WHEREAS, there is currently an open vacancy for a Public Member on San Joaquin Area Flood Control Agency Board of Directors, the Mossdale Tract EIFD and associated PFA; and

WHEREAS, the unscheduled vacancy is due to Mr. Morowit's resignation in November 2022 from SJAFCA Board of Directors, EIFD and associated PFA. Mr. Morowit was elected to the Manteca City Council, which meant he could not hold both positions; and

WHEREAS, according to the City of Lathrop approved Resolution No. 22-5019, Section 8 "G," Public Members will be initiated by the legislative bodies of other Participating Entities in alphabetical order. Lathrop appointed Mr. Morowit as the first Public Member of the SJAFCA Board and the PFA. As a result, the City of Manteca is responsible for selecting the next public board member to replace Mr. Morowit; and

WHEREAS, SJAFCA conducted a recruitment process and in-person interviews, and Mr. Steve DeBrum was selected as the Public Member by SJAFCA's Board of Directors. His term will be two years, pending approval from all SJAFCA member agencies and other Affected Taxing entities for the PFA.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Lathrop hereby supports the appointment by the City of Manteca's of Mr. Steve DeBrum, as Public Member to SJAFCA's Board of Directors and to the EIFD PFA, both for a term of two years.

PASSED AND ADOPTED by the City Council of the City of Lathrop this 9th day of October 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

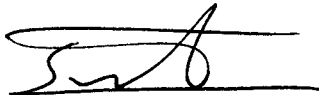
ABSENT:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

ITEM 4.12

CITY MANAGER'S REPORT OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

ITEM: APPROVE PURCHASE AND INSTALLATION OF SWARCO MCCAIN, INC. PRODUCTS FOR CITY-WIDE TRAFFIC SYSTEMS AND SAFETY UPGRADES PROJECT, CIP PS 23-01 AND APPROVE BUDGET AMENDMENT

RECOMMENDATION: Adopt Resolution Approving the Purchase and Installation of Swarco McCain Inc. Products for the City-Wide Traffic Systems and Safety Upgrades Project, CIP PS 23-01 and Approve Budget Amendment

SUMMARY:

On July 11, 2022, Council approved the creation of Capital Improvement Project (CIP) PS 23-01 for City-Wide Traffic Systems and Safety Upgrades Project for various upgrades that will maintain and improve the reliability, safety and function of various traffic control devices in the City. Staff received a quote from Swarco McCain, Inc. (Swarco) for nine (9) Flex ATC Traffic Signal Controllers (Flex ATC Controller) with installation as shown in Attachment "B".

Staff requests Council approve the purchase of the Flex ATC Controllers for a total cost of \$36,298.31. Sufficient funds were not budgeted in the approved FY 23-24 budget; therefore, staff request Council also approve a budget amendment in the amount of \$100,000 from the General Fund Street Repair Reserves (1010). The remaining funds after the purchase of the controllers will be utilized for other products to advance the project goals of CIP PS 23-01.

BACKGROUND:

On July 11, 2022 Council approved the creation of CIP PS 23-01 for City-Wide Traffic Systems and Safety Upgrades. These upgrades include the replacement of obsolete traffic controllers, installation of video and radar detection systems, communication upgrades, and safety upgrades including guard rails, signs, striping and bicycle facilities. A component of this Project is to improve the traffic signal technology throughout the City to promote mobility, safety and visibility.

City Standards require new signal installations to be equipped with a Flex ATC Controller. The City currently maintains and operates 24 traffic signals and all but 9 of these signals have a Flex ATC Controller. These nine (9) traffic signals are equipped with older models, such as the McCain 2070E Controller, which as compared to the Flex ATC Controller are less reliable, lack connectivity and functionality, and will be unsupported by the manufacturer in the near future.

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING**APPROVE PURCHASE AND INSTALLATION OF SWARCO MCCAIN, INC. PRODUCTS FOR CITY-WIDE TRAFFIC SYSTEMS AND SAFETY UPGRADES PROJECT, CIP PS 23-01 AND APPROVE BUDGET AMENDMENT**

Installation of the nine (9) Flex ATC Controllers will ensure that all traffic signals in the City have the same capability, reliability and ability to connect through the City's network for remote timing, maintenance, alerts, data and visibility.

Staff received a quote from Swarco for nine (9) Flex ATC Controllers with installation in the amount of \$36,298.31 as shown in Attachment "B". This product is proprietary; therefore, Swarco has provided a Sole Source Documentation, included as Attachment "C".

Staff requests Council approve the purchase of the Flex ATC Controllers for a total cost of \$36,298.31. Sufficient funds were not budgeted in the approved FY 23-24 budget; therefore, staff request Council also approve a budget amendment in the amount of \$100,000 from the General Fund Street Repair Reserves (1010). The remaining funds after the purchase of the controllers will be utilized for other products to advance the goals of CIP PS 23-01.

RECOMMENDATION:

A component of the City-Wide Traffic Systems and Safety Upgrade Project is to upgrade the traffic signal technology throughout the City, which will help improve traffic flow and level of service.

FISCAL IMPACT:

The purchase of the Swarco products listed in Attachment "B" has a cost of \$36,298.31. Sufficient funds were not budgeted in the approved FY 23-24 budget; therefore, staff request Council also approve a budget amendment in the amount of \$100,000 from the General Fund Street Repair Reserves (1010):

Increase Transfer Out 1010-9900-990-9010		\$100,000
Increase Transfer In 3310-9900-393-0000	PS 23-01	\$100,000
Increase Expenditures 3310-8000-430-37-00 (Materials)	PS 23-01	\$100,000
Decrease Reserve 1010-251-03-00		\$100,000

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

APPROVE PURCHASE AND INSTALLATION OF SWARCO MCCAIN, INC. PRODUCTS FOR CITY-WIDE TRAFFIC SYSTEMS AND SAFETY UPGRADES PROJECT, CIP PS 23-01 AND APPROVE BUDGET AMENDMENT

ATTACHMENTS:

- A. Resolution Approving the Purchase and Installation of Swarco McCain Inc. Products for the City-Wide Traffic Systems and Safety Upgrades Project, CIP PS 23-01 and Approve Budget Amendment
- B. Quote – Swarco, Inc.
- C. Sole Source Letter – Swarco, Inc.

CITY MANAGER'S REPORT

PAGE 4

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

APPROVE PURCHASE AND INSTALLATION OF SWARCO MCCAIN, INC. PRODUCTS FOR CITY-WIDE TRAFFIC SYSTEMS AND SAFETY UPGRADES PROJECT, CIP PS 23-01 AND APPROVE BUDGET AMENDMENT

APPROVALS:



Brad Taylor
City Engineer

9/29/2023
Date



Tony Fernandes
Information Systems Director

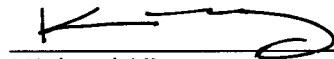
9-29-2023
Date



Cari James
Finance Director

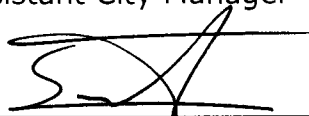
FOR CS

10/02/2023
Date



Michael King
Assistant City Manager

10.2.2023
Date



Salvador Navarrete
City Attorney

10.2.2023
Date



Stephen J. Salvatore
City Manager

10.4.23
Date

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING THE PURCHASE AND INSTALLATION OF SWARCO MCCAIN INC. PRODUCTS FOR THE CITY-WIDE TRAFFIC SYSTEMS AND SAFETY UPGRADES PROJECT, CIP PS 23-01 AND APPROVE BUDGET AMENDMENT

WHEREAS, on July 11, 2022 Council approved the creation of Capital Improvements Project (CIP) PS 23-01 for City-Wide Traffic Systems and Safety Upgrades; and

WHEREAS, a component of this project is to improve the traffic signal technology throughout the City to promote mobility, safety and visibility; and

WHEREAS, City Standards require new signal installations to be equipped with a Flex ATC Controller. The City currently maintains and operates 24 traffic signals and all but 9 of these signals have a Flex ATC Controller; and

WHEREAS, these nine (9) traffic signals are equipped with older models such as the McCain 2070E Controller, which, as compared to the Flex ATC Controller are less reliable, lack connectivity and functionality, and will be unsupported by the manufacturer in the near future; and

WHEREAS, staff received a quote from Swarco McCain, Inc. (Swarco) for nine (9) Flex ATC Controllers with installation in the amount of \$36,298.31; and

WHEREAS, this product is proprietary; therefore, Swarco has provided a Sole Source Documentation, as shown in the City Manager's Report dated, October 9, 2023; and

WHEREAS, staff requests Council approve the purchase of the Flex ATC Controllers for a total cost of \$36,298.31; and

WHEREAS, sufficient funds were not budgeted in the approved FY 23-24 budget; therefore, staff request Council also approve a budget amendment in the amount of \$100,000 from the General Fund Street Repair Reserves (1010) as follows. The remaining funds after the purchase of the controllers will be utilized for other products to advance the project goals of CIP PS 23-01

Increase Transfer Out		
1010-9900-990-9010		\$100,000
Increase Transfer In		
3310-9900-393-0000	PS 23-01	\$100,000
Increase Expenditures		
3310-8000-430-37-00 (Materials)	PS 23-01	\$100,000

Decrease Reserve
1010-251-03-00

\$100,000

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lathrop does hereby approve the purchase of the Swarco McCain, Inc. Products listed in Attachment "B" of the City Manager's Report dated, October 9, 2023 for an amount of \$36,298.31; and

BE IT FURTHER RESOLVED, that City Council of the City of Lathrop does hereby approve a budget amendment transferring funds from the Street Reserve Fund (1010) to the Streets CIP Fund (3310) as detailed above.

The foregoing resolution was passed and adopted this 9th day of October, 2023, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney



ATTACHMENT
"B"

QUOTATION

Quote #: JLP080923C
Agency: Lathrop City of
Job Name: Flex
Bid Date: 8/9/23

Estimator: Jennifer Phelan
(760)734-5050
jennifer.phelan@swarco.com

Bid Item	Qty	Description	Price	Extension
	9	FLEX RACK MOUNT CONTROLLER, WIFI, CALTRANS WITH OMNI INTERSECTION CONTROL SOFTWARE	\$3,708.64	\$33,377.76
		Harlan Road/Stonebridge Lane Lathrop Road/McKinley Avenue River Islands Parkway/McKee Boulevard Golden Valley Parkway/Spartan/Lathrop Golden Valley Parkway/Stanford Crossing Yosemite Avenue/Glacier Street Harlan Road/J Street Yosemite Avenue/McKinley Avenue Yosemite Avenue/D'Arcy Parkway		
		8.75% TAX *subject to change		\$2,920.55
		Reference Total		\$36,298.31

Prices firm for 90 days. Freight included. Add sales tax.

Sale is subject to Swarco's standard terms and conditions.

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or legally privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited.

If you received this in error, please contact the sender and delete the material from any computer.

Brad Taylor
City of Lathrop
390 Towne Centre Dr
Lathrop, CA 95330

September 28, 2023

Subject: Sole Source

Dear Mr. Taylor,

Please be advised, that at this time, SWARCO McCain offers the FLeX Controller with OMNI Software as the sole source manufacturer, at a reasonable price.

The ATC FLeX controller represents the latest design in the Swarco McCain's ATC eX series of advanced transportation controllers, with a compact design offering speed and performance for any ATC, Caltrans or NEMA cabinet configuration.

We trust this information meets with your approval. Please do not hesitate to call/email if additional information is needed or if you have any questions or concerns. Thank you for the opportunity to supply your traffic equipment needs.

Sincerely,



Jennifer Phelan
Senior Account Manager
SWARCO McCain, Inc.
P: 760.734.5050
Jennifer.phelan@swarco.com

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ITEM 4.13

CITY MANAGER'S REPORT OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

ITEM: **AWARD CONSTRUCTION CONTRACT TO DSS COMPANY DBA KNIFE RIVER CONSTRUCTION FOR CONSTRUCTION OF LOUISE AVENUE AND MCKINLEY AVENUE INTERSECTION IMPROVEMENTS, CIP PS 15-02 AND APPROVE BUDGET AMENDMENT**

RECOMMENDATION: **Adopt Resolution to Award a Construction Contract to DSS Company dba Knife River Construction for Construction of Louise Avenue and McKinley Avenue Intersection Improvements, CIP PS 15-02 and Approve Budget Amendment**

SUMMARY:

On 2015, City Council approved Capital Improvement Project (CIP) PS 15-02 for Louise Avenue and McKinley Avenue Intersection Improvements (Project). The Project will widen Louise Avenue, modify lane configurations along McKinley Avenue and upgrade the existing traffic signal at the intersection.

The bid solicitation package with plans and specifications for the construction of the Project was advertised on August 14, 2023 in accordance with Bidding Procedures in California Public Contract Code (PCC) 22160 and Lathrop Municipal Code (LMC) 2.36.060. The City Clerk received and opened five (5) bids on August 30, 2023. Based on the review and evaluation of the bids, the lowest responsive and responsible bidder for construction of the Project was determined to be DSS Company dba Knife River Construction (Knife River) with a bid of \$2,720,377.40.

Staff requests City Council award a construction contract to Knife River for construction of the Project in the amount of \$2,720,377.40 and authorize a 10% construction contingency of \$272,038 for a total cost not to exceed \$2,992,416.

Staff is also requesting Council approve budget amendment transferring \$1,108,000 from the General Fund Street Repair Reserves (1010) and \$400,000 from the Local Transportation Fund (LTF) (2140) to the CIP Project Fund (3310) to fund the construction contract and a 10% contingency.

BACKGROUND:

City Council approved CIP PS 15-02 for intersection improvements at Louise Avenue and McKinley Avenue to install protected left-turns for both eastbound and westbound Louise Avenue. The intersection will be widened to accommodate exclusive left-turn lanes on all directions and to satisfy the Federal Highway Administration (FHA) Surface Transportation Assistance Act (STAA) truck route requirements for truck accessibility.

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING**AWARD CONSTRUCTION CONTRACT TO DSS COMPANY DBA KNIFE RIVER CONSTRUCTION FOR CONSTRUCTION OF LOUISE AVENUE AND MCKINLEY AVENUE INTERSECTION IMPROVEMENTS, CIP PS 15-02 AND APPROVE BUDGET AMENDMENT**

The bid solicitation package with plans and specifications for the construction of the Project was advertised on August 14, 2023 in accordance with Bidding Procedures in California PCC 22160 and LMC 2.36.060.

Five (5) bids were received; each determined to be responsive and responsible. The bid results are summarized in Table 1 below:

Table 1: Summary of Bid Results

Contractor	Base Bid
Knife River	\$ 2,720,377.40
Sinclair General Engineering Construction, Inc.	\$ 2,730,607.46
Dirt Dynasty, Inc.	\$ 2,944,000
George Reed, Inc.	\$ 3,351,322.04
United Pavement Maintenance, Inc.	\$ 3,612,527

Staff reviewed and evaluated the bids, and determined that the lowest responsive and responsible bidder is Knife River. Staff requests City Council adopt a resolution awarding a construction contract to Contractor for \$2,720,377.40.

Staff also requests City Council authorize a 10% construction contingency of \$272,038 and authorize staff to spend the contingency as necessary to achieve the goals of the Project for a total cost not to exceed \$2,992,416.

REASON FOR RECOMMENDATION:

Caltrans issued the Authorization to Proceed (E-76) that allows the project to use the awarded federal funding. With Environmental, Design, and Right-of-Way (ROW) phases completed, the Project is moving forward to Construction phase.

Pursuant to Council's approval on March 13, 2023, signal equipment has been purchased and will be installed by Knife River. The traffic signal will be upgraded to the current City of Lathrop Standards and the intersection will accommodate STAA truck route to nearby commercial businesses and warehouses.

FISCAL IMPACT:

The Project received \$400,000 of federal Congestion Mitigation and Air Quality (CMAQ) funds to construct the improvements. Additional funding is required to fund the proposed construction contract with Knife River for \$2,720,377.40 and a 10% construction contingency of \$272,038 is requested for a total cost not to exceed \$2,992,416. Staff is also requesting Council to approve related budget amendment transferring \$1,108,000 from the General Fund Street Repair Reserves (1010) and \$400,000 from the Local Transportation Fund (LTF) (2140) to the CIP Project Fund (3310) as follows:

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

**AWARD CONSTRUCTION CONTRACT TO DSS COMPANY DBA KNIFE RIVER
CONSTRUCTION FOR CONSTRUCTION OF LOUISE AVENUE AND MCKINLEY
AVENUE INTERSECTION IMPROVEMENTS, CIP PS 15-02 AND APPROVE
BUDGET AMENDMENT**

Decrease Street Reserves

1010-251-03-00		\$1,108,000
----------------	--	-------------

Increase Transfer Out

1010-9900-990-9010		\$1,108,000
--------------------	--	-------------

Increase Transfer Out

2140-9900-990-9010		\$400,000
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Increase Transfer In

3310-9900-393-0000	PS 15-02	\$1,508,000
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Increase Appropriation

3310-8000-420-1200	PS 15-02	\$1,508,000
--------------------	----------	-------------

ATTACHMENTS:

- A. Resolution to Award a Construction Contract to DSS Company dba Knife River Construction for Construction of Louise Avenue and McKinley Avenue Intersection Improvements, CIP PS 15-02 and Approve Budget Amendment
- B. Construction Contract with DSS Company dba Knife River Construction for Construction of Louise Avenue and McKinley Avenue Intersection Improvements, CIP PS 15-02

CITY MANAGER'S REPORT

PAGE 4

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

**AWARD CONSTRUCTION CONTRACT TO DSS COMPANY DBA KNIFE RIVER
CONSTRUCTION FOR CONSTRUCTION OF LOUISE AVENUE AND MCKINLEY
AVENUE INTERSECTION IMPROVEMENTS, CIP PS 15-02 AND APPROVE
BUDGET AMENDMENT**

APPROVALS:



Angel Abarca
Assistant Engineer

09 - 18 - 2023

Date



Ken Reed
Senior Construction Manager

9-18-2023

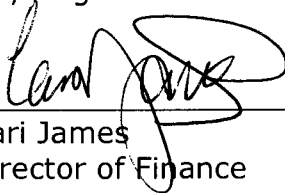
Date



Brad Taylor
City Engineer

9/19/2023

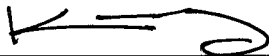
Date



Cari James
Director of Finance

9/22/2023

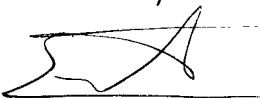
Date



Michael King
Assistant City Manager

9.21.2023

Date



Salvador Navarrete
City Attorney

9.21.2023

Date



Stephen J. Salvatore
City Manager

10.4.23

Date

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP TO AWARD A CONSTRUCTION CONTRACT TO DSS COMPANY DBA KNIFE RIVER CONSTRUCTION FOR CONSTRUCTION OF LOUISE AVENUE AND MCKINLEY AVENUE INTERSECTION IMPROVEMENTS, CIP PS 15-02 AND APPROVE BUDGET AMENDMENT

WHEREAS, on 2015, City Council approved Capital Improvement Project (CIP) PS 15-02 for Louise Avenue and McKinley Avenue Intersection Improvements (Project) to widen Louise Avenue, modify lane configurations along McKinley Avenue and upgrade the existing traffic signal at the intersection; and

WHEREAS, the bid solicitation package with plans and specifications for the construction of the Project was advertised on August 14, 2023 in accordance with Bidding Procedures in California Public Contract Code (PCC) 22160 and Lathrop Municipal Code (LMC) 2.36.060; and

WHEREAS, five (5) bids were received and opened on August 30, 2023; and

WHEREAS, upon review and evaluation of the bids, the lowest responsive and responsible bidder for the Project was determined to be DSS Company dba Knife River Construction (Knife River) with a bid of \$2,720,377.40; and

WHEREAS, staff is requesting City Council award a construction contract to Knife River for the construction of CIP PS 15-02 in the amount of \$2,720,377.40 and authorize a 10% construction contingency of \$272,038 for a total cost not to exceed \$2,992,416; and

WHEREAS, the Project was granted \$400,000 of federal Congestion Mitigation and Air Quality (CMAQ) funds to construct the improvements; and

WHEREAS, additional funding is required to fund the proposed construction contract with Knife River for \$2,720,377.40 and a 10% construction contingency of \$272,038 is requested for a total cost not to exceed \$2,992,416. Staff is also requesting Council approve budget amendment transferring \$1,108,000 from the General Fund Street Repair Reserves (1010) and \$400,000 from the Local Transportation Fund (LTF) (2140) to the CIP Project Fund (3310) as follows:

Decrease Street Reserves

1010-251-03-00	\$1,108,000
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Increase Transfer Out

1010-9900-990-9010	\$1,108,000
--------------------	-------------

Increase Transfer Out

2140-9900-990-9010	\$400,000
--------------------	-----------

<u>Increase Transfer In</u>		
3310-9900-393-0000	PS 15-02	\$1,508,000

<u>Increase Appropriation</u>		
3310-8000-420-1200	PS 15-02	\$1,508,000

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lathrop hereby approves a construction contract with Knife River for construction of Louise Avenue and McKinley Avenue Intersection Improvements, CIP PS 15-02 for a cost of \$2,720,377.40; and

BE IT FURTHER RESOLVED, that the City Council of the City of Lathrop hereby approves a 10% construction contingency of \$272,038 for a total cost not to exceed \$2,992,416 for construction of the Project and authorizes staff to spend up to this amount as necessary to accomplish the goals of the Project; and

BE IT FURTHER RESOLVED, that the City Council of the City of Lathrop hereby approves a budget amendment transferring \$1,508,000 from the General Fund Street Repair Reserves (1010) and \$400,000 from the Local Transportation Fund (LTF) (2140) to the CIP Project (3310) as detailed above.

The foregoing resolution was passed and adopted this 9th day of October 2023, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

CONSTRUCTION CONTRACT

This Contract, dated **October 9th 2023**, is entered into by and between the **City of Lathrop**, a municipal corporation of the State of California (City), and **DSS Company dba Knife River Construction** (Contractor), whose Taxpayer Identification Number is _____.

For and in consideration of the following covenants, terms and conditions, City and Contractor (the parties) agree:

1. Term. This Contract shall commence on, and be binding on the parties on, the date of execution of this Contract, and shall expire on the date of recordation of the Notice of Substantial Completion, or, if no such notice is required to be filed, on the date that final payment is made hereunder, subject to the earlier termination of this Contract.
2. General Scope of Project and Work. Construction Documents for **Louise Avenue and McKinley Avenue Intersection Improvements, CIP PS 15-02** (Project). Contractor shall furnish labor, services, materials and equipment in connection with the construction of the Project and complete the Work in accordance with the covenants, terms and conditions of this Contract to the satisfaction of City. The Project and Work is generally described as follows:

The scope of work includes, but is not limited to, installation of exclusive left turn lanes on all approaches and new signal equipment with controls. The improved intersection will provide a dedicated through lane, a combined through/right lane and a dedicated left-turn lane on Louise Avenue north and south bounds. On McKinley Avenue, the improved intersection will provide a combined through/right lane and a dedicated left-turn lane on each approach. Widening and required transitions will extend from the intersection limit lines along both frontages. The improved roadway sections will be restriped to delineate the reconfigured lanes, shoulders, crosswalks and directional arrows.

The work shall be **completed within 75 working days** following issuance of Notice to Proceed.

The Work shall be complete, and all appurtenant work, materials, and services not expressly shown or called for in the Construction Documents which may be necessary for the complete and proper construction of the Work in good faith shall be performed, furnished, and installed by the Contractor as though originally specified or shown. The Contractor will be compensated for work actual work performed in accordance with the unit prices and provisions contained in these Construction Documents.

Base Bid Total: \$2,720,377.40

3. Construction Documents. This Contract shall include the Construction Documents which are on file with Public Works Department and are hereby incorporated by reference (i.e. Project Specifications, Project Plans, addenda, performance bond, labor and materials bond, certification of insurance, workers compensation certification, and guaranty) and the Bid Documents submitted by Knife River on August 14, 2023. For the purposes of

construing, interpreting and resolving inconsistencies between the provisions of this Contract, these documents and the provisions thereof are set forth in the order of precedence described in Article 3 of the General Conditions.

4. Compensation. In consideration of Contractor's performance of its obligations hereunder, City shall pay to Contractor the amount set forth in Contractor's Bid in accordance with the provisions of this Contract and upon the receipt of written invoices and all necessary supporting documentation within the time set forth in the Construction Documents. Contractor hereby shall not be permitted to invoice the City nor accept compensation for work not yet complete. In no event, shall the Contractor be entitled to payment for work not included in the approved scope of work, a written task order, or change order signed by the City's Public Works Director prior to commencement of any work.
5. Insurance. On or before the Date of Execution, Contractor shall obtain and maintain the policies of insurance coverage described in Section 5.2 of the General Conditions on terms and conditions and in amounts as may be required by the City. City shall not be obligated to take out insurance on Contractor's personal property or the personal property of any person performing labor or services or supplying materials or equipment under the Project. Contractor shall furnish City with the certificates of insurance and with original endorsements affecting coverage required under this Contract on or before the Date of Execution. The certificates and endorsements for each insurance policy shall be signed by a person who is authorized by that insurer to bind coverage in its behalf. Proof of insurance shall be mailed to the Project Manager to the address set forth in Section 15 of this Contract.
6. Indemnification. Contractor agrees to protect, defend, indemnify and hold City, its City Council members, officers, employees, engineer, and construction manager harmless from and against any and all claims, demands, liabilities, losses, damages, costs, expenses, liens, penalties, suits, or judgments, arising in whole or in part, directly or indirectly, at any time from any injury to or death of persons or damage to property as a result of the willful or negligent act or omission of Contractor, or which results from Contractor's noncompliance with any Law respecting the condition, use, occupation or safety of the Project site, or any part thereof, or which arises from Contractor's failure to do anything required under this Contract or for doing anything which Contractor is required not to do under this Contract, or which arises from conduct for which any Law imposes strict liability on Contractor in the performance of or failure to perform the terms and conditions of this Contract, except as may arise from the sole willful or negligent act or omission of City or any of its City Council members, officers, employees. This indemnification shall extend to any and all claims, demands, or liens made or filed by reason of any construction, renovation, or remodeling work performed by Contractor under this Contract at any time during the term of this Contract, or arising thereafter.
7. Assumption of Risk. Contractor agrees to voluntarily assume any and all risk of loss, damage, or injury to the property of Contractor which may occur in, on, or about the Project site at any time and in any manner, excepting such loss, injury, or damage as may be caused by the sole willful or negligent act or omission of City or any of its City Council members, officers, or employees.
8. Waiver. The acceptance of any payment or performance, or any part thereof, shall not operate as a waiver by City of its rights under this Contract. A waiver by City of any breach

of any part or provision of this Contract by Contractor shall not operate as a waiver or continuing waiver of any subsequent breach of the same or any other provision, nor shall any custom or practice which may arise between the parties in the administration of any part or provision of this Contract be construed to waive or to lessen the right of City to insist upon the performance of Contractor in strict compliance with the covenants, terms and conditions of this Contract.

9. Compliance with Laws. Contractor shall comply with all Laws now in force or which may hereafter be in force pertaining to the Project and Work and this Contract, with the requirement of any bond or fire underwriters or other similar body now or hereafter constituted, with any discretionary license or permit issued pursuant to any Law of any public agency or official as well as with any provision of all recorded documents affecting the Project site, insofar as any are required by reason of the use or occupancy of the Project site, and with all Laws pertaining to nondiscrimination and affirmative action in employment and hazardous materials.

DEPARTMENT OF INDUSTRIAL RELATIONS- COMPLIANCE MONITORING UNIT

DIR Registration.

- a) Contractor and Subcontractor Compliance. Strict compliance with DIR registration requirements pursuant to Labor Code Section 1725.5 is a material obligation of the Contractor under the Contract Documents. The foregoing includes without limitation, compliance with DIR Registration requirements at all times during performance of the Work by the Contractor and all Subcontractors of any tier. The failure of the Contractor and all Subcontractors of every tier to be DIR registered at all times during the performance of the Work is the Contractor's default of a material obligation of the Contractor under the Contract Documents.
- b) No Subcontractor Performance of Work Without DIR Registration. No portion of the Work is permitted to be performed by a Subcontractor of any tier unless the Subcontractor is a DIR Registered contractor.
- c) Contractor Obligation to Verify Subcontractor DIR Registration Status. An affirmative and on-going obligation of the Contractor under the Contract Documents is the Contractor's verification that all Subcontractors, of all tiers, are at all times during performance of Work in full and strict compliance with DIR Registration requirements. The Contractor shall not permit or allow any Subcontractor of any tier to perform any Work without the Contractor's verification that all such Subcontractors are in full and strict compliance with DIR Registration requirements.
- d) Contractor Obligation to Request Substitution of Non-DIR Registered Subcontractor. If any Subcontractor identified in the Contractor's Subcontractor List submitted with the Contractor's proposal for the Work is not DIR Registered at the time of opening of proposals for the Work or if a Subcontractor's DIR registration lapses prior to or during a Subcontractor's performance of Work, the Contractor shall request the CITY's consent to substitute the non-DIR registered Subcontractor pursuant to Labor Code Section 1771.1(c)(3) and/ or Labor Code Section 1771.1(d).

Certified Payroll Records

- a) Compliance with Labor Code Section 1771.4 and 1776. A material obligation of the Contractor under the Contract Documents is: (i) the Contractor's strict compliance with the requirements pursuant to Labor Code Section 1771.4 and 1776 for preparation and submittal of Certified Payroll Records ("CPR"); and (ii) the Contractor's enforcement of CPR preparation and submittal for all Subcontractors of every tier.
- b) Express Condition Precedent to Payment of Contract Price. Strict compliance with CPR requirements established pursuant to Labor Code Section 1776 is an express condition precedent to the CITY's obligation to: (i) process any request for payment of any portion of the Contract Price; or (ii) to disburse any portion of the Contract Price to the Contractor. The Contractor shall demonstrate strict compliance with CPR preparation and submittal requirements by delivery to the CITY of electronic files or hard copies of all CPR's submitted by the Contractor and/ or Subcontractors for Work pursuant to Labor Code Section 1771.4 and 1776 concurrently with the submittal thereof to the Labor Commissioner. The CITY: (i) shall not be obligated to process or disburse any portion of the Contract Price; or (ii) shall not be deemed in default of the CITY's obligations under the Contract Documents unless the Contractor's demonstrates strict compliance with CPR preparation and submittal requirements.
- c) PWR Monitoring and Enforcement. During the Work pursuant to Labor Code Section 1771.4(a)(4), the Department of Industrial Relations shall monitor and enforce the obligation of the Construction and Subcontractors of every tier to pay the laborers performing any portion of the work the PWR established for the classification of work/ labor performed.

RECORD OF WAGES PAID: INSPECTION

Pursuant to Labor Code section 1776, Contractor stipulates to the following:

- a) Contractor and each subcontractor shall keep an accurate payroll record, showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by him or her in connection with the public work under the Facilities lease and Construction Provisions. Such records shall be on forms provided by the Division of Labor Standards Enforcement or shall contain the same information of such forms. The payroll records may consist of payroll data that are maintained as computer records, if printouts contain the same information as the forms provided by the division and the printouts are verified as specified in subdivision (a) of Labor Code section 1776.
- b) The payroll records enumerated under subdivision (a) shall be certified and shall be available for inspection at all reasonable hours at the principal office of Contractor on the following basis:

- (1) A certified copy of an employee's payroll record shall be made available for inspection or furnished to such employees or his or her authorized representative on request.
 - (2) A certified copy of all payroll records enumerated in subdivision (a) shall be made available for inspection or furnished upon request to a representative of the CITY, the Division of Labor Standards Enforcement, and Division of Apprenticeship Standards of the Department of Industrial Relations.
 - (3) A certified copy of all payroll records enumerated in subdivision (a) shall be made available upon request by the public for inspection or copies thereof. However, a request by the public shall be made through either the CITY, the Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement. If the requested payroll records have not been provided pursuant to paragraph (2), the requesting party shall, prior to being provided the records, reimburse the costs of preparation by Contractor, subcontractors, and the entity through which the request was made. The public shall not be given access to such records at the principal office of Contractor.
- c) Contractor shall file a certified copy of the records enumerated in subdivision (a) with the entity that requested such records within ten (10) days after receipt of the written request.
 - d) Any copy of records made available for inspection as copies and furnished upon request to the public or any public agency, by the CITY, the Division of Apprenticeship Standards, or the division of Labor Standards Enforcement shall be marked or obliterated in such a manner as to prevent disclosure of an individual's name, address and social security number. The name and address of contractor awarded the contract or performing the contract shall not be marked or obliterated.
 - e) Contractor shall inform the CITY of the location of the records enumerated under subdivision (a), including the street address, city, and county, and shall, within (5) working days, provide a notice of a change of location and address.
 - f) In the event of noncompliance with the requirements of this Article, Contractor shall have ten (10) days in which to comply subsequent to receipt of written notice specifying in what respects Contractor must comply with this Article. Should noncompliance still be evident after such 10-day period, Contractor shall pay a penalty of One- Hundred Dollars (\$100.00) to the CITY for each calendar day, or portion thereof, for each worker, until strict compliance is effectuated. Upon the request of the Division of Apprenticeship Standards or the Division of Labor Standards Enforcement, such penalties shall be withheld from the progress payment then due.

The responsibility for compliance with this Article shall rest upon Contractor.

10. Bonds. As a condition precedent to City's obligation to pay compensation to Contractor, and on or before the date of Execution, Contractor shall furnish to the Project Manager the Bonds as required under the Notice to Contractors.

11. Representations and Warranties. In the supply of any materials and equipment and the rendering of labor and services during the course and scope of the Project and Work, Contractor represents and warrants:
- (1) Any materials and equipment which shall be used during the course and scope of the Project and Work shall be vested in Contractor;
 - (2) Any materials and equipment which shall be used during the course and scope of the Project and Work shall be merchantable and fit to be used for the particular purpose for which the materials are required;
 - (3) Any labor and services rendered and materials and equipment used or employed during the course and scope of the Project and Work shall be free of defects in workmanship for a period of one (1) year after the recordation of the Notice of Substantial Completion, or, if no such notice is required to be filed, on the date that final payment is made hereunder;
 - (4) Any manufacturer's warranty obtained by Contractor shall be obtained or shall be deemed obtained by Contractor for and on behalf of City.
 - (5) Any information submitted by Contractor prior to the award of Contract, or thereafter, upon request, whether or not submitted under a continuing obligation by the terms of the Contract to do so, is true and correct at the time such information is submitted or made available to the City;
 - (6) Contractor has not colluded, conspired, or agreed, directly or indirectly, with any person in regard to the terms and conditions of Contractor's Bid, except as may be permitted by the Notice to Contractors;
 - (7) Contractor has the power and the authority to enter into this Contract with City, that the individual executing this Contract is duly authorized to do so by appropriate resolution, and that this Contract shall be executed, delivered and performed pursuant to the power and authority conferred upon the person or persons authorized to bind Contractor;
 - (8) Contractor has not made an attempt to exert undue influence with the Project Manager or any other person who has directly contributed to City's decision to award the Contract to Contractor;
 - (9) There are no unresolved claims or disputes between Contractor and City which would materially affect Contractor's ability to perform under the Contract;
 - (10) Contractor has furnished and will furnish true and accurate statements, records, reports, resolutions, certifications, and other written information as may be requested of Contractor by City from time to time during the term of this Contract;
 - (11) Contractor and any person performing labor and services under this Project is duly licensed as a contractor with the State of California as required by California Business & Professional Code Section 7028, as amended; and

- (12) Contractor has fully examined and inspected the Project site and has full knowledge of the physical conditions of the Project site.
12. Assignment. This Contract and the performance required hereunder is personal to Contractor, and it shall not be assigned by Contractor. Any attempted assignment shall be null and void.
13. Claims of Contractor. All claims pertaining to extra work, additional charges, or delays within the Contract Time or other disputes arising out of the Contract shall be submitted by Contractor in accordance with the General Conditions.
14. Audits by City. During the term of this Contract and for a period of not less than three (3) years after the expiration or earlier termination of this Contract, City shall have the right to audit Contractor's Project-related and Work-related writings and business records, as such terms are defined in California Evidence Code Sections 250 and 1271, as amended, during the regular business hours of Contractor, or, if Contractor has no such hours, during the regular business hours of City.
15. Notices. All contracts, agreements, appointments, approvals, authorizations, claims, demands, Change Orders, consents, designations, notices, offers, requests and statements given by either party to the other shall be in writing and shall be sufficiently given and served upon the other party if (1) personally served, (2) sent by the United States mail, postage prepaid, (3) sent by private express delivery service, or (4) in the case of a facsimile transmission, if sent to the telephone FAX number set forth below during regular business hours of the receiving party and followed with two (2) days by delivery of a hard copy of the material sent by facsimile transmission, in accordance with (1), (2) or (3) above. Personal service shall include, without limitation, service by delivery and service by facsimile transmission.

To City: City of Lathrop
City Clerk
390 Towne Centre Drive
Lathrop, CA 95330

(209) 941-7430
FAX: (209) 941-7449
ATTN: Senior Construction Manager

To Contractor: _____

Phone: _____

Fax: _____

ATTN: _____

16. Miscellaneous.

- (1) Bailee Disclaimer. The parties understand and agree that City does not purport to be Contractor's bailee, and City is, therefore, not responsible for any damage to the personal property of Contractor.
- (2) Consent. Whenever in this Contract the approval or consent of a party is required, such approval or consent shall be in writing and shall be executed by a person having the express authority to grant such approval or consent.
- (3) Controlling Law. The parties agree that this Contract shall be governed and construed by and in accordance with the Laws of the State of California.
- (4) Definitions. The definitions and terms are as defined in these specifications.
- (5) Force Majeure. Neither party shall be deemed to be in default on account of any delay or failure to perform its obligations under this Contract, which directly results from an Act of God or an act of a superior governmental authority.
- (6) Headings. The paragraph headings are not a part of this Contract and shall have no effect upon the construction or interpretation of any part of this Contract.
- (7) Incorporation of Documents. All documents constituting the Construction Documents described in Section 3 hereof and all documents which may, from time to time, be referred to in any duly executed amendment hereto are by such reference incorporated in this Contract and shall be deemed to be part of this Contract.
- (8) Integration. This Contract and any amendments hereto between the parties constitute the entire contract between the parties concerning the Project and Work, and there are no other prior oral or written contracts between the parties that are not incorporated in this Contract.
- (9) Modification of Contract. This Contract shall not be modified or be binding upon the parties unless such modification is agreed to in writing and signed by the parties.
- (10) Provision. Any contract, covenant, condition, clause, qualification, restriction, reservation, term or other stipulation in the Contract shall define or otherwise control, establish, or limit the performance required or permitted or to be required of or permitted by either party. All provisions, whether covenants or conditions, shall be deemed to be both covenants and conditions.
- (11) Resolution. Contractor shall submit with its Bid a copy of any corporate or partnership resolution or other writing, which authorizes any director, officer or other employee or partner to act for or on behalf of Contractor or which authorizes Contractor to enter into this Contract.
- (12) Severability. If a court of competent jurisdiction finds or rules that any provision of this Contract is void or unenforceable, the provisions of this Contract not so affected shall remain in full force and effect.

- (13) Status of Contractor. In the exercise of rights and obligations under this Contract, Contractor acts as an independent contractor and not as an agent or employee of City. Contractor shall not be entitled to any rights and benefits accorded or accruing to the City Council members, officers or employees of City, and Contractor expressly waives any and all claims to such rights and benefits.
- (14) Successors and Assigns. The provisions of this Contract shall inure to the benefit of, and shall apply to and bind, the successors and assigns of the parties.
- (15) Time of the Essence. Time is of the essence of this Contract and each of its provisions. In the calculation of time hereunder, the time in which an act is to be performed shall be computed by excluding the first Day and including the last. If the time in which an act is to be performed falls on a Saturday, Sunday, or any Day observed as a legal holiday by City, the time for performance shall be extended to the following Business Day.
- (16) Venue. In the event that suit is brought by either party hereunder, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of San Joaquin or in the United States District Court for the Eastern District of California.
- (17) Recovery of costs. The prevailing party in any action brought to enforce the terms of this Contract or arising out of this Contract, including the enforcement of the indemnity provision(s), may recover its reasonable costs, including reasonable attorney's fees, incurred or expended in connection with such action against the non-prevailing party.
- (18) Contractor and subcontractors must comply with all applicable standards, orders, or requirements issued under Section 306 of the Clean Air Act (42 USC 1857(h)), Section 508 of the Clean Water Act (33 USC 1368), Executive Order 11738, and Environmental Protection Agency Regulations at 40 CFR Part 15.
- (19) Contractors and subcontractors must comply with mandatory standards and policies relating to the energy efficiency which are contained in the State Energy Conservation Plan issued in compliance with the Energy Policy and Conservation ACT (Public Law 94-163, 89 stat 871).
- (20) The Contractor shall provide access to the site for the Environmental Protection Agency and its duly authorized representatives, and the City.
- (21) If during the course of construction evidence of deposit of historical or archaeological interest is found, the Contractor shall cease operation affecting the find and shall notify the City, who shall notify the EPA and the State Historic Preservation Officer. No further disturbance of the deposits shall ensue until the Contractor has been notified by the City that construction may proceed. The City will issue a notice to proceed only after the state official has surveyed the find and made a determination to the EPA and the City. Compensation to the contractor, if any, for lost time or changes in construction to avoid the find, shall be determined

in accordance with changed conditions or change order provisions of the Construction Documents.

- (22) Notice to Proceed. Prior to commencing work under this Contract, CONTRACTOR shall receive a written "Notice to Proceed" from CITY. A Notice to Proceed shall not be issued until all necessary bonds and insurances have been received. City shall not be obligated to pay CONTRACTOR for any services prior to issuance of the Notice to proceed.
- (23) Signatures. The individuals executing this Contract represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Contract on behalf of the respective legal entities of the CONTRACTOR and the CITY. This Contract shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.
- (24) This project is a public works project: Contractor shall comply with requirements of California Labor Code §1700 and following, and prevailing wages shall be paid for work performed on this project.
- (25) The statutory provisions for penalties for failing to comply with the State of California wage and labor laws be enforced, as well as that for failing to pay prevailing wages.

EXHIBITS:

EXHIBIT A: Contractor's Submitted Bid Item List

Certification of insurance, performance and payment bonds, and worker's compensation certification shall be furnished to the City by the Contractor after City Council's approval with resolution.


IN WITNESS WHEREOF, the parties have executed this Agreement on the date first above stated in Lathrop, California.

CONTRACTOR:

By: _____
Name: _____
Title: _____

CITY OF LATHROP

APPROVED AS TO FORM:

By:  _____
Salvador Navarrete, City Attorney

RECOMMENDED FOR APPROVAL:

By: _____
Michael King, Assistant City Manager

APPROVED:

By: _____
Stephen J. Salvatore, City Manager



Public Works Department

390 Towne Centre Dr. – Lathrop, CA 95330
 Phone (209) 941-7430 – fax (209) 941-7449
www.ci.lathrop.ca.us

ADDENDUM NO. 3 – August 28, 2023

Louise Ave and McKinley Ave Intersection Improvements
CIP PS 15-02

This addendum amends the Contract Drawings and Specifications for this project as follows:

- Below is the revised Bid Schedule changing the quantity of Bid Item No. 16 to 157 LF.

REVISED BID SCHEDULE

Bid Item	Description	Quantity	Units	Unit Price	Extended Price
1	Mobilization / Bonds / Insurance	1	LS	19,715.00	19,715.00
2	Traffic Control	1	LS	93,800.00	93,800.00
3	Erosion and Sediment Control Plan (ESCP)	1	LS	87,700.00	87,700.00
4	Sawcut and remove Existing HMA	77,782	SF	2.00	155,564.00
5	Adjust water valve covers and service box to finish grade	3	EA	1,400.00	4,200.00
6	Relocate water service box	1	EA	425.00	425.00
7	Install fire hydrant	1	EA	3,755.00	3,755.00
8	Traffic Signal Modifications and Improvements at Louise/ McKinley Ave (Labor Only)	1	LS	367,380.00	367,380.00
9	Construct PCC Curb Ramps	1	EA	2,900.00	2,900.00
10	Construct PCC Curb / Gutter, City Std. Detail R-11	60	LF	84.00	5,040.00
11	Construct PCC Sidewalk	365	SF	26.00	9,490.00
12	Install storm drain manhole (City Standard Detail D-22)	2	EA	8,025.00	16,050.00
13	Install new catch basin (Type "A")	1	EA	4,150.00	4,150.00
13B	Install new catch basin (Type "B")	11	EA	2,700.00	29,700.00
14	Install 15" Polypropylene storm lateral	38	LF	140.00	5,320.00
15	Construct 6" retaining curb around catch basin 14	1	LS	792.00	792.00
16	Install (6'x8') horizontal drain with 60" perforated HDPE	157	LF	843.00	132,351.00

17	Install (5'x8') horizontal drain with 48" perforated HDPE	412	LF	558.00	229,896.00
17B	Install (4'x10') horizontal drain with 30" perforated HDPE	206	LF	395.00	81,370.00
18	Construct shallow swale 4" max depth	500	LF	29.50	14,750.00
19	Place New HMA @ 9.5" Thick	5,900	TON	109.25	644,575.00
19B	Aggregate Base	4,340	CY	88.50	384,090.00
20	Place Microsurfacing	74,012	SF	0.60	44,407.20
21	Place 10" aggregate base shoulder backing	1	LS	56,000.00	56,000.00
22	Remove Existing Thermoplastic Markings and Striping	1	LS	30,200.00	30,200.00
23	Thermoplastic Striping - Caltrans Std. Pln. A20, Detail 9	2,751	LF	1.20	3,301.20
24	Thermoplastic Striping - Caltrans Std. Pln. A20, Detail 22	3,610	LF	2.30	8,303.00
25	Thermoplastic Striping - Caltrans Std. Pln. A20, Detail 27B	4,245	LF	1.40	5,943.00
26	Thermoplastic Striping - Caltrans Std. Pln. A20, Detail 32	880	LF	4.60	4,048.00
27	Thermoplastic Striping - Caltrans Std. Pln. A20, Detail 38	835	LF	2.40	2,004.00
28	Thermoplastic Striping - 12" White Line	885	LF	9.20	8,142.00
29	Thermoplastic Marking - Type I Arrow (24')	3	EA	604.00	1,812.00
30	Thermoplastic Marking - Type II (R) Arrow	6	EA	719.00	4,314.00
31	Thermoplastic Marking - Type III (L) Arrow	5	EA	789.00	3,945.00
32	Thermoplastic Marking - Type IV (L) Arrow	3	EA	144.00	432.00
33	Thermoplastic Marking - Pavement Legend (Signal, Ahead, Stop)	8	EA	316.25	2,530.00
34	Install Blue RPM @ fire hydrant	2	EA	29.00	58.00
35	Install New Chain Link Fence	1,090	LF	52.50	57,225.00
36	Relocate and Install new FH and ARV	3	EA	7,500.00	22,500.00

Total Bid: \$2,720,377.40

Total Bid In Words: Two Million Seven Hundred
Twenty Thousand Three Hundred
Seventy Seven Dollars and
Forty Cents

**CITY MANAGER'S REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING**

**ITEM: AWARD CONSTRUCTION CONTRACT TO DIRT
DYNASTY, INC. FOR CONSTRUCTION OF SIDEWALK
INFILL AT "J" STREET AND 5TH STREET
INTERSECTION, CIP PS 23-09**

**RECOMMENDATION: Adopt Resolution to Award a Construction Contract to
Dirt Dynasty, Inc. for Construction of Sidewalk Infill
at "J" Street and 5th Street Intersection, CIP PS 23-
09**

SUMMARY:

On November 14, 2022, City Council approved Capital Improvement Project (CIP) PS 23-09 for Sidewalk Infill at the "J" Street and 5th Street Intersection (Project) to construct westerly curb returns and install standardized American with Disabilities Act (ADA) ramps for pedestrian connectivity within the neighborhood and through the intersection. The Project also includes construction of new rolled and vertical curb, gutter and sidewalk improvements along "J" Street and 5th Street, installation of storm drainage improvements on 5th Street, and microsurfacing with new signing and striping on both road frontages.

The bid solicitation package with plans and specifications for the construction of the Project was advertised on August 29, 2023 in accordance with Bidding Procedures in California Public Contract Code (PCC) 22160 and Lathrop Municipal Code (LMC) 2.36.060. The City Clerk received and opened six (6) bids on September 21, 2023. Based on the review and evaluation of the bids, the lowest responsive and responsible bidder for construction of the Project was determined to be Dirt Dynasty, Inc. (Dirt Dynasty) with a bid of \$ 588,430.

Staff requests City Council award a construction contract to Dirt Dynasty for construction of the Project in the amount of \$ 588,430 and authorize a 10% construction contingency of \$58,843 for a total cost not to exceed \$647,273.

BACKGROUND:

The intersection of "J" Street and 5th Street is an all-way stop controlled intersection with curb returns only at the north and south of the easterly leg. The Project will construct the missing curb returns and install compliant ADA ramps.

New pavement surface will be installed on "J" Street from the centerline of 5th Street to 250 feet west of the intersection to accommodate parking, bike lanes and to connect to the existing curb and gutter on both sides of the road. Existing residential driveways will be reconstructed and transitioned to the new surface flow line.

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING**AWARD CONSTRUCTION CONTRACT TO DIRT DYNASTY, INC. FOR CONSTRUCTION OF SIDEWALK INFILL AT "J" STREET AND 5TH STREET INTERSECTION, CIP PS 23-09 AND APPROVE BUDGET AMENDMENT**

The bid solicitation package with plans and specifications for the construction of the Project was advertised on August 29, 2023 in accordance with Bidding Procedures in California PCC 22160 and LMC 2.36.060.

Six (6) bids were received; each determined to be responsive and responsible. The bid results are summarized in Table 1 below:

Table 1: Summary of Bid Results

Contractor	Base Bid
Dirt Dynasty, Inc.	\$ 588,429.10
United Pavement Maintenance, Inc.	\$ 588,789
Taylor Backhoe Service, Inc. dba TBS Contractors	\$ 608,854.21
GradeTech, Inc.	\$ 628,947.40
George Reed, Inc.	\$ 840,455.05
FBD Vanguard Construction, Inc.	\$ 854,309.50

Staff reviewed and evaluated the bids, and determined that the lowest responsive and responsible bidder is Dirt Dynasty. Staff requests City Council adopt a resolution awarding a construction contract to Contractor for \$ 588,430.

Staff also requests City Council authorize a 10% construction contingency of \$58,843 and authorize staff to spend the contingency as necessary to achieve the goals of the Project for a total cost not to exceed \$647,273.

REASON FOR RECOMMENDATION:

Construction is needed to match existing roadway pavement on "J" Street and provide sidewalk, curb, and gutter connectivity west of the 5th Street intersection. The Project will also provide on-street parking on both frontages of "J" Street and 5th Street. Pavement improvements will extend the road surface and provide smooth transition to residential driveways.

FISCAL IMPACT:

Funding for this project has been included in the Fiscal Year 2023/2024. Thus, no fiscal impacts are anticipated.

ATTACHMENTS:

- A. Resolution to Award a Construction Contract to Dirt Dynasty, Inc. for Construction of Sidewalk Infill at "J" Street and 5th Street Intersection, CIP PS 23-09
- B. Construction Contract with Dirt Dynasty, Inc. for Construction of Sidewalk Infill at "J" Street and 5th Street Intersection, CIP PS 23-09


CITY MANAGER'S REPORT

PAGE 3

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

**AWARD CONSTRUCTION CONTRACT TO DIRT DYNASTY, INC. FOR
CONSTRUCTION OF SIDEWALK INFILL AT "J" STREET AND 5TH STREET
INTERSECTION, CIP PS 23-09 AND APPROVE BUDGET AMENDMENT**

APPROVALS:



Angel Abarca
Assistant Engineer

09 - 21 - 2023
Date



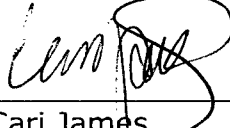
Ken Reed
Senior Construction Manager

9-21-2023
Date



Brad Taylor
City Engineer

9/21/2023
Date



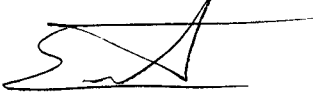
Cari James
Director of Finance

9/25/2023
Date



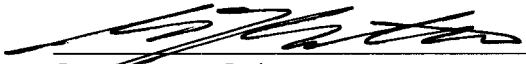
Michael King
Assistant City Manager

9-22-2023
Date



Salvador Navarrete
City Attorney

9.22-2023
Date



Stephen J. Salvatore
City Manager

10.4.23
Date

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP TO AWARD CONSTRUCTION CONTRACT TO DIRT DYNASTY, INC. FOR CONSTRUCTION OF SIDEWALK INFILL AT "J" STREET AND 5TH STREET INTERSECTION, CIP PS 23-09 AND APPROVE BUDGET AMENDMENT

WHEREAS, on November 14, 2022, City Council approved Capital Improvement Project (CIP) PS 23-09 for Sidewalk Infill at the "J" Street and 5th Street Intersection (Project) to construct westerly curb returns and install standardized American with Disabilities Act (ADA) ramps for pedestrian connectivity within the neighborhood and through the intersection; and

WHEREAS, the Project also includes construction of new rolled and vertical curb, gutter and sidewalk improvements along "J" Street and 5th Street, installation of storm drainage improvements on 5th St, and microsurfacing with new signing and striping on both road frontages; and

WHEREAS, the bid solicitation package with plans and specifications for the construction of the Project was advertised on August 29, 2023 in accordance with Bidding Procedures in California Public Contract Code (PCC) 22160 and Lathrop Municipal Code (LMC) 2.36.060; and

WHEREAS, the City Clerk received and opened six (6) bids on September 21, 2023; and

WHEREAS, upon review and evaluation of the bids, the lowest responsive and responsible bidder for the Project was determined to be Dirt Dynasty, Inc. (Dirt Dynasty) with a bid of \$ 588,430; and

WHEREAS, staff is requesting City Council award a construction contract to Dirt Dynasty for the construction of CIP PS 23-09 in the amount of \$ 588,430 and authorize a 10% construction contingency of \$58,843 for a total cost not to exceed \$647,273.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lathrop hereby approves a construction contract with Dirt Dynasty for construction of Sidewalk Infill at "J" Street and 5th Street Intersection, CIP PS 23-09, for a cost of \$ 588,430; and

BE IT FURTHER RESOLVED, that the City Council of the City of Lathrop hereby approves a 10% construction contingency of \$58,843 for a total cost not to exceed \$647,273 for construction of the Project and authorizes staff to spend up to this amount as necessary to accomplish the goals of the Project.

The foregoing resolution was passed and adopted this 9th day of October 2023, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSTAIN:

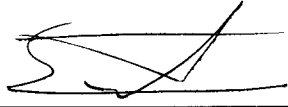
ABSENT:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

CONSTRUCTION CONTRACT

This Contract, dated **October 9, 2023**, is entered into by and between the **City of Lathrop**, a municipal corporation of the State of California (City), and **Dirt Dynasty, Inc.**, (Contractor), whose Taxpayer Identification Number is _____.

For and in consideration of the following covenants, terms and conditions, City and Contractor (the parties) agree:

1. **Term.** This Contract shall commence on, and be binding on the parties on, the date of execution of this Contract, and shall expire on the date of recordation of the Notice of Substantial Completion, or, if no such notice is required to be filed, on the date that final payment is made hereunder, subject to the earlier termination of this Contract.
2. **General Scope of Project and Work.** Construction Documents for **Sidewalk Infill at J St and 5th St Intersection, CIP PS 23-09** (Project). Contractor shall furnish labor, services, materials and equipment in connection with the construction of the Project and complete the Work in accordance with the covenants, terms and conditions of this Contract to the satisfaction of City. The Project and Work is generally described as follows:

The work to be performed under this contract is generally described as, but not necessarily limited to: construction of new rolled and vertical curb, gutter and sidewalk improvements along J St and 5th St, installation of storm drainage improvements on 5th St, and microsurfacing with new signing and striping along both project frontages.

The work shall be **completed within 50 working days** following issuance of Notice to Proceed.

The Work shall be complete, and all appurtenant work, materials, and services not expressly shown or called for in the Construction Documents which may be necessary for the complete and proper construction of the Work in good faith shall be performed, furnished, and installed by the Contractor as though originally specified or shown. The Contractor will be compensated for work actual work performed in accordance with the unit prices and provisions contained in these Construction Documents.

Base Bid Total: \$600,000 (Six-hundred thousand dollars and zero cents)

3. **Construction Documents.** This Contract shall include the Construction Documents which are on file with Public Works Department and are hereby incorporated by reference (i.e. Project Specifications, Project Plans, addenda, performance bond, labor and materials bond, certification of insurance, workers compensation certification, and guaranty) and the Bid Documents submitted by Dirt Dynasty, Inc., on September 21, 2023. For the purposes of construing, interpreting and resolving inconsistencies between the provisions of this Contract, these documents and the provisions thereof are set forth in the order of precedence described in Article 3 of the General Conditions.
4. **Compensation.** In consideration of Contractor's performance of its obligations hereunder, City shall pay to Contractor the amount set forth in Contractor's Bid in accordance with

the provisions of this Contract and upon the receipt of written invoices and all necessary supporting documentation within the time set forth in the Construction Documents. Contractor hereby shall not be permitted to invoice the City nor accept compensation for work not yet complete. In no event, shall the Contractor be entitled to payment for work not included in the approved scope of work, a written task order, or change order signed by the City's Public Works Director prior to commencement of any work.

5. Insurance. On or before the Date of Execution, Contractor shall obtain and maintain the policies of insurance coverage described in Section 5.2 of the General Conditions on terms and conditions and in amounts as may be required by the City. City shall not be obligated to take out insurance on Contractor's personal property or the personal property of any person performing labor or services or supplying materials or equipment under the Project. Contractor shall furnish City with the certificates of insurance and with original endorsements affecting coverage required under this Contract on or before the Date of Execution. The certificates and endorsements for each insurance policy shall be signed by a person who is authorized by that insurer to bind coverage in its behalf. Proof of insurance shall be mailed to the Project Manager to the address set forth in Section 15 of this Contract.
6. Indemnification. Contractor agrees to protect, defend, indemnify and hold City, its City Council members, officers, employees, engineer, and construction manager harmless from and against any and all claims, demands, liabilities, losses, damages, costs, expenses, liens, penalties, suits, or judgments, arising in whole or in part, directly or indirectly, at any time from any injury to or death of persons or damage to property as a result of the willful or negligent act or omission of Contractor, or which results from Contractor's noncompliance with any Law respecting the condition, use, occupation or safety of the Project site, or any part thereof, or which arises from Contractor's failure to do anything required under this Contract or for doing anything which Contractor is required not to do under this Contract, or which arises from conduct for which any Law imposes strict liability on Contractor in the performance of or failure to perform the terms and conditions of this Contract, except as may arise from the sole willful or negligent act or omission of City or any of its City Council members, officers, employees. This indemnification shall extend to any and all claims, demands, or liens made or filed by reason of any construction, renovation, or remodeling work performed by Contractor under this Contract at any time during the term of this Contract, or arising thereafter.
7. Assumption of Risk. Contractor agrees to voluntarily assume any and all risk of loss, damage, or injury to the property of Contractor which may occur in, on, or about the Project site at any time and in any manner, excepting such loss, injury, or damage as may be caused by the sole willful or negligent act or omission of City or any of its City Council members, officers, or employees.
8. Waiver. The acceptance of any payment or performance, or any part thereof, shall not operate as a waiver by City of its rights under this Contract. A waiver by City of any breach of any part or provision of this Contract by Contractor shall not operate as a waiver or continuing waiver of any subsequent breach of the same or any other provision, nor shall any custom or practice which may arise between the parties in the administration of any part or provision of this Contract be construed to waive or to lessen the right of City to

insist upon the performance of Contractor in strict compliance with the covenants, terms and conditions of this Contract.

9. Compliance with Laws. Contractor shall comply with all Laws now in force or which may hereafter be in force pertaining to the Project and Work and this Contract, with the requirement of any bond or fire underwriters or other similar body now or hereafter constituted, with any discretionary license or permit issued pursuant to any Law of any public agency or official as well as with any provision of all recorded documents affecting the Project site, insofar as any are required by reason of the use or occupancy of the Project site, and with all Laws pertaining to nondiscrimination and affirmative action in employment and hazardous materials.

DEPARTMENT OF INDUSTRIAL RELATIONS- COMPLIANCE MONITORING UNIT

DIR Registration.

- a) Contractor and Subcontractor Compliance. Strict compliance with DIR registration requirements pursuant to Labor Code Section 1725.5 is a material obligation of the Contractor under the Contract Documents. The foregoing includes without limitation, compliance with DIR Registration requirements at all times during performance of the Work by the Contractor and all Subcontractors of any tier. The failure of the Contractor and all Subcontractors of every tier to be DIR registered at all times during the performance of the Work is the Contractor's default of a material obligation of the Contractor under the Contract Documents.
- b) No Subcontractor Performance of Work Without DIR Registration. No portion of the Work is permitted to be performed by a Subcontractor of any tier unless the Subcontractor is a DIR Registered contractor.
- c) Contractor Obligation to Verify Subcontractor DIR Registration Status. An affirmative and on-going obligation of the Contractor under the Contract Documents is the Contractor's verification that all Subcontractors, of all tiers, are at all times during performance of Work in full and strict compliance with DIR Registration requirements. The Contractor shall not permit or allow any Subcontractor of any tier to perform any Work without the Contractor's verification that all such Subcontractors are in full and strict compliance with DIR Registration requirements.
- d) Contractor Obligation to Request Substitution of Non-DIR Registered Subcontractor. If any Subcontractor identified in the Contractor's Subcontractor List submitted with the Contractor's proposal for the Work is not DIR Registered at the time of opening of proposals for the Work or if a Subcontractor's DIR registration lapses prior to or during a Subcontractor's performance of Work, the Contractor shall request the CITY's consent to substitute the non-DIR registered Subcontractor pursuant to Labor Code Section 1771.1(c)(3) and/ or Labor Code Section 1771.1(d).

Certified Payroll Records

- a) Compliance with Labor Code Section 1771.4 and 1776. A material obligation of the Contractor under the Contract Documents is: (i) the Contractor's strict compliance with the requirements pursuant to Labor Code Section 1771.4 and 1776 for preparation and submittal of Certified Payroll Records ("CPR"); and (ii) the Contractor's enforcement of CPR preparation and submittal for all Subcontractors of every tier.
- b) Express Condition Precedent to Payment of Contract Price. Strict compliance with CPR requirements established pursuant to Labor Code Section 1776 is an express condition precedent to the CITY's obligation to: (i) process any request for payment of any portion of the Contract Price; or (ii) to disburse any portion of the Contract Price to the Contractor. The Contractor shall demonstrate strict compliance with CPR preparation and submittal requirements by delivery to the CITY of electronic files or hard copies of all CPR's submitted by the Contractor and/ or Subcontractors for Work pursuant to Labor Code Section 1771.4 and 1776 concurrently with the submittal thereof to the Labor Commissioner. The CITY: (i) shall not be obligated to process or disburse any portion of the Contract Price; or (ii) shall not be deemed in default of the CITY's obligations under the Contract Documents unless the Contractor's demonstrates strict compliance with CPR preparation and submittal requirements.
- c) PWR Monitoring and Enforcement. During the Work pursuant to Labor Code Section 1771.4(a)(4), the Department of Industrial Relations shall monitor and enforce the obligation of the Construction and Subcontractors of every tier to pay the laborers performing any portion of the work the PWR established for the classification of work/ labor performed.

RECORD OF WAGES PAID: INSPECTION

Pursuant to Labor Code section 1776, Contractor stipulates to the following:

- a) Contractor and each subcontractor shall keep an accurate payroll record, showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by him or her in connection with the public work under the Facilities lease and Construction Provisions. Such records shall be on forms provided by the Division of Labor Standards Enforcement or shall contain the same information of such forms. The payroll records may consist of payroll data that are maintained as computer records, if printouts contain the same information as the forms provided by the division and the printouts are verified as specified in subdivision (a) of Labor Code section 1776.
- b) The payroll records enumerated under subdivision (a) shall be certified and shall be available for inspection at all reasonable hours at the principal office of Contractor on the following basis:

- (1) A certified copy of an employee's payroll record shall be made available for inspection or furnished to such employees or his or her authorized representative on request.
 - (2) A certified copy of all payroll records enumerated in subdivision (a) shall be made available for inspection or furnished upon request to a representative of the CITY, the Division of Labor Standards Enforcement, and Division of Apprenticeship Standards of the Department of Industrial Relations.
 - (3) A certified copy of all payroll records enumerated in subdivision (a) shall be made available upon request by the public for inspection or copies thereof. However, a request by the public shall be made through either the CITY, the Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement. If the requested payroll records have not been provided pursuant to paragraph (2), the requesting party shall, prior to being provided the records, reimburse the costs of preparation by Contractor, subcontractors, and the entity through which the request was made. The public shall not be given access to such records at the principal office of Contractor.
- c) Contractor shall file a certified copy of the records enumerated in subdivision (a) with the entity that requested such records within ten (10) days after receipt of the written request.
 - d) Any copy of records made available for inspection as copies and furnished upon request to the public or any public agency, by the CITY, the Division of Apprenticeship Standards, or the division of Labor Standards Enforcement shall be marked or obliterated in such a manner as to prevent disclosure of an individual's name, address and social security number. The name and address of contractor awarded the contract or performing the contract shall not be marked or obliterated.
 - e) Contractor shall inform the CITY of the location of the records enumerated under subdivision (a), including the street address, city, and county, and shall, within (5) working days, provide a notice of a change of location and address.
 - f) In the event of noncompliance with the requirements of this Article, Contractor shall have ten (10) days in which to comply subsequent to receipt of written notice specifying in what respects Contractor must comply with this Article. Should noncompliance still be evident after such 10-day period, Contractor shall pay a penalty of One- Hundred Dollars (\$100.00) to the CITY for each calendar day, or portion thereof, for each worker, until strict compliance is effectuated. Upon the request of the Division of Apprenticeship Standards or the Division of Labor Standards Enforcement, such penalties shall be withheld from the progress payment then due.

The responsibility for compliance with this Article shall rest upon Contractor.

10. Bonds. As a condition precedent to City's obligation to pay compensation to Contractor, and on or before the date of Execution, Contractor shall furnish to the Project Manager the Bonds as required under the Notice to Contractors.

11. Representations and Warranties. In the supply of any materials and equipment and the rendering of labor and services during the course and scope of the Project and Work, Contractor represents and warrants:
- (1) Any materials and equipment which shall be used during the course and scope of the Project and Work shall be vested in Contractor;
 - (2) Any materials and equipment which shall be used during the course and scope of the Project and Work shall be merchantable and fit to be used for the particular purpose for which the materials are required;
 - (3) Any labor and services rendered and materials and equipment used or employed during the course and scope of the Project and Work shall be free of defects in workmanship for a period of one (1) year after the recordation of the Notice of Substantial Completion, or, if no such notice is required to be filed, on the date that final payment is made hereunder;
 - (4) Any manufacturer's warranty obtained by Contractor shall be obtained or shall be deemed obtained by Contractor for and on behalf of City.
 - (5) Any information submitted by Contractor prior to the award of Contract, or thereafter, upon request, whether or not submitted under a continuing obligation by the terms of the Contract to do so, is true and correct at the time such information is submitted or made available to the City;
 - (6) Contractor has not colluded, conspired, or agreed, directly or indirectly, with any person in regard to the terms and conditions of Contractor's Bid, except as may be permitted by the Notice to Contractors;
 - (7) Contractor has the power and the authority to enter into this Contract with City, that the individual executing this Contract is duly authorized to do so by appropriate resolution, and that this Contract shall be executed, delivered and performed pursuant to the power and authority conferred upon the person or persons authorized to bind Contractor;
 - (8) Contractor has not made an attempt to exert undue influence with the Project Manager or any other person who has directly contributed to City's decision to award the Contract to Contractor;
 - (9) There are no unresolved claims or disputes between Contractor and City which would materially affect Contractor's ability to perform under the Contract;
 - (10) Contractor has furnished and will furnish true and accurate statements, records, reports, resolutions, certifications, and other written information as may be requested of Contractor by City from time to time during the term of this Contract;
 - (11) Contractor and any person performing labor and services under this Project is duly licensed as a contractor with the State of California as required by California Business & Professional Code Section 7028, as amended; and

- (12) Contractor has fully examined and inspected the Project site and has full knowledge of the physical conditions of the Project site.
12. Assignment. This Contract and the performance required hereunder is personal to Contractor, and it shall not be assigned by Contractor. Any attempted assignment shall be null and void.
13. Claims of Contractor. All claims pertaining to extra work, additional charges, or delays within the Contract Time or other disputes arising out of the Contract shall be submitted by Contractor in accordance with the General Conditions.
14. Audits by City. During the term of this Contract and for a period of not less than three (3) years after the expiration or earlier termination of this Contract, City shall have the right to audit Contractor's Project-related and Work-related writings and business records, as such terms are defined in California Evidence Code Sections 250 and 1271, as amended, during the regular business hours of Contractor, or, if Contractor has no such hours, during the regular business hours of City.
15. Notices. All contracts, agreements, appointments, approvals, authorizations, claims, demands, Change Orders, consents, designations, notices, offers, requests and statements given by either party to the other shall be in writing and shall be sufficiently given and served upon the other party if (1) personally served, (2) sent by the United States mail, postage prepaid, (3) sent by private express delivery service, or (4) in the case of a facsimile transmission, if sent to the telephone FAX number set forth below during regular business hours of the receiving party and followed with two (2) days by delivery of a hard copy of the material sent by facsimile transmission, in accordance with (1), (2) or (3) above. Personal service shall include, without limitation, service by delivery and service by facsimile transmission.

To City: City of Lathrop
City Clerk
390 Towne Centre Drive
Lathrop, CA 95330

(209) 941-7430
FAX: (209) 941-7449
ATTN: Senior Construction Manager

To Contractor: _____

Phone: _____

Fax: _____

ATTN: _____

16. Miscellaneous.

- (1) Bailee Disclaimer. The parties understand and agree that City does not purport to be Contractor's bailee, and City is, therefore, not responsible for any damage to the personal property of Contractor.
- (2) Consent. Whenever in this Contract the approval or consent of a party is required, such approval or consent shall be in writing and shall be executed by a person having the express authority to grant such approval or consent.
- (3) Controlling Law. The parties agree that this Contract shall be governed and construed by and in accordance with the Laws of the State of California.
- (4) Definitions. The definitions and terms are as defined in these specifications.
- (5) Force Majeure. Neither party shall be deemed to be in default on account of any delay or failure to perform its obligations under this Contract, which directly results from an Act of God or an act of a superior governmental authority.
- (6) Headings. The paragraph headings are not a part of this Contract and shall have no effect upon the construction or interpretation of any part of this Contract.
- (7) Incorporation of Documents. All documents constituting the Construction Documents described in Section 3 hereof and all documents which may, from time to time, be referred to in any duly executed amendment hereto are by such reference incorporated in this Contract and shall be deemed to be part of this Contract.
- (8) Integration. This Contract and any amendments hereto between the parties constitute the entire contract between the parties concerning the Project and Work, and there are no other prior oral or written contracts between the parties that are not incorporated in this Contract.
- (9) Modification of Contract. This Contract shall not be modified or be binding upon the parties unless such modification is agreed to in writing and signed by the parties.
- (10) Provision. Any contract, covenant, condition, clause, qualification, restriction, reservation, term or other stipulation in the Contract shall define or otherwise control, establish, or limit the performance required or permitted or to be required of or permitted by either party. All provisions, whether covenants or conditions, shall be deemed to be both covenants and conditions.
- (11) Resolution. Contractor shall submit with its Bid a copy of any corporate or partnership resolution or other writing, which authorizes any director, officer or other employee or partner to act for or on behalf of Contractor or which authorizes Contractor to enter into this Contract.
- (12) Severability. If a court of competent jurisdiction finds or rules that any provision of this Contract is void or unenforceable, the provisions of this Contract not so affected shall remain in full force and effect.

- (13) Status of Contractor. In the exercise of rights and obligations under this Contract, Contractor acts as an independent contractor and not as an agent or employee of City. Contractor shall not be entitled to any rights and benefits accorded or accruing to the City Council members, officers or employees of City, and Contractor expressly waives any and all claims to such rights and benefits.
- (14) Successors and Assigns. The provisions of this Contract shall inure to the benefit of, and shall apply to and bind, the successors and assigns of the parties.
- (15) Time of the Essence. Time is of the essence of this Contract and each of its provisions. In the calculation of time hereunder, the time in which an act is to be performed shall be computed by excluding the first Day and including the last. If the time in which an act is to be performed falls on a Saturday, Sunday, or any Day observed as a legal holiday by City, the time for performance shall be extended to the following Business Day.
- (16) Venue. In the event that suit is brought by either party hereunder, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of San Joaquin or in the United States District Court for the Eastern District of California.
- (17) Recovery of costs. The prevailing party in any action brought to enforce the terms of this Contract or arising out of this Contract, including the enforcement of the indemnity provision(s), may recover its reasonable costs, including reasonable attorney's fees, incurred or expended in connection with such action against the non-prevailing party.
- (18) Contractor and subcontractors must comply with all applicable standards, orders, or requirements issued under Section 306 of the Clean Air Act (42 USC 1857(h)), Section 508 of the Clean Water Act (33 USC 1368), Executive Order 11738, and Environmental Protection Agency Regulations at 40 CFR Part 15.
- (19) Contractors and subcontractors must comply with mandatory standards and policies relating to the energy efficiency which are contained in the State Energy Conservation Plan issued in compliance with the Energy Policy and Conservation ACT (Public Law 94-163, 89 stat 871).
- (20) The Contractor shall provide access to the site for the Environmental Protection Agency and its duly authorized representatives, and the City.
- (21) If during the course of construction evidence of deposit of historical or archaeological interest is found, the Contractor shall cease operation affecting the find and shall notify the City, who shall notify the EPA and the State Historic Preservation Officer. No further disturbance of the deposits shall ensue until the Contractor has been notified by the City that construction may proceed. The City will issue a notice to proceed only after the state official has surveyed the find and made a determination to the EPA and the City. Compensation to the contractor, if any, for lost time or changes in construction to avoid the find, shall be determined

in accordance with changed conditions or change order provisions of the Construction Documents.

- (22) Notice to Proceed. Prior to commencing work under this Contract, CONTRACTOR shall receive a written "Notice to Proceed" from CITY. A Notice to Proceed shall not be issued until all necessary bonds and insurances have been received. City shall not be obligated to pay CONTRACTOR for any services prior to issuance of the Notice to proceed.
- (23) Signatures. The individuals executing this Contract represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Contract on behalf of the respective legal entities of the CONTRACTOR and the CITY. This Contract shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.
- (24) This project is a public works project: Contractor shall comply with requirements of California Labor Code §1700 and following, and prevailing wages shall be paid for work performed on this project.
- (25) The statutory provisions for penalties for failing to comply with the State of California wage and labor laws be enforced, as well as that for failing to pay prevailing wages.

EXHIBITS:

EXHIBIT A: Contractor's Submitted Bid Item List

Certification of insurance, performance and payment bonds, and worker's compensation certification shall be furnished to the City by the Contractor after City Council's approval with resolution.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date first above stated in Lathrop, California.

CONTRACTOR:

By: _____

Name: _____

Title: _____

CITY OF LATHROP

APPROVED AS TO FORM:

By:  _____

Salvador Navarrete, City Attorney

RECOMMENDED FOR APPROVAL:

By: _____

Michael King, Assistant City Manager

APPROVED:

By: _____

Stephen J. Salvatore, City Manager

SECTION 00300

SIDEWALK INFILL AT J ST AND 5TH ST INTERSECTION
CIP PS 23-09

BID PROPOSAL FORMS

SIDEWALK INFILL AT J ST AND 5TH ST INTERSECTION, CIP PS 23-09

BID SCHEDULE

BID ITEM	DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	EXTENDED TOTAL
1	Mobilization, Bonds & Insurance	1	LS	65,000.00	65,000.00
2	Traffic Control	1	LS	50,800.00	50,800.00
3	Erosion and Sediment Control Plan (ESCP)	1	LS	13,000.00	13,000.00
4	Construction Staking	1	LS	14,000.00	14,000.00
5	Clearing and Grubbing	1	LS	13,000.00	13,000.00
6	Remove existing Asphalt Pavement / Concrete	10,583	SF	1.80	19,049.40
7	Rough Grading	1	LS	75,000.00	75,000.00
8	Transition Fill Grading	1	LS	14,000.00	14,000.00
9	Transport Excess Volume to Corp Yard	1	LS	5,000.00	5,000.00
10	Remove 10" Storm line / Curb Inlet	1	LS	4,800.00	4,800.00
11	Install 12" Polypropylene Storm Drain Line	465	LF	89.00	41,385.00
12	Install Type 1 Curb Inlet	5	EA	5,500.00	27,500.00
13	Construct PCC Vertical Curb and Gutter	355	LF	40.00	14,200.00
14	Construct PCC Rolled Curb and Gutter	613	LF	41.00	25,133.00
15	Construct PCC ADA Curb Ramps	4	EA	2,000.00	8,000.00
16	Install Retaining Curb	8	LF	30.00	240.00
17	Construct 6" Vertical Curb for Ramp	34	LF	30.00	1,020.00
18	Construct PCC Sidewalk	4,850	SF	12.00	58,200.00
19	Reconstruct Residential Driveway on J St	1	EA	650.00	650.00
20	Transition Driveways at BOW	1,107	SF	12.00	13,284.00
21	Asphalt Pavement 5" AC	304	TON	150.00	45,600.00
22	Aggregate Base 9" AB Class II	924	TON	15.00	13,860.00
23	Install French Drain (3'x5')	2	EA	4,500.00	9,000.00
24	Place Microsurfacing	12,989	SF	1.80	23,380.20
25	Relocate Mailbox	3	EA	350.00	1,050.00

00300-2

SECTION 00300

SIDEWALK INFILL AT J ST AND 5TH ST INTERSECTION
CIP PS 23-09

BID PROPOSAL FORMS

26	Relocate Signs	4	EA	425.00	1,700.00
27	Relocate Water Service	1	EA	8,000.00	8,000.00
28	Remove Existing Thermoplastic Markings and Striping	1	LS	11,500.00	11,500.00
29	Thermoplastic Striping - 6" White Line Diagonal	75	LF	10.50	787.50
30	Thermoplastic Striping - 12" White Line	160	LF	12.50	2,000.00
31	Thermoplastic Striping - Caltrans Std. Pln. A20, Detail 22	295	LF	4.50	1,327.50
32	Thermoplastic Striping - Caltrans Std. Pln. A20, Detail 39	495	LF	2.10	1,039.50
33	Thermoplastic Striping - Caltrans Std. Pln. A20, Detail 39A	310	LF	2.10	651.00
34	Thermoplastic Marking - BIKE LANE plus Arrow	3	EA	210.00	630.00
35	8' STOP, AHEAD Legends, Speed Limit Pavement Markings	7	EA	650.00	4,550.00
36	Insert Blue RPM @ Fire Hydrant	2	EA	46.00	92.00

TOTAL BASE BID: \$ 588,429.10

TOTAL BASE BID IN WORDS: Five Hundred Eighty Eight Thousand,
Four Hundred Twenty Nine Dollars
And Ten Cents.

**CITY MANAGER'S REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING**

ITEM: **ACCEPT PUBLIC IMPROVEMENTS WITH ASSOCIATED CONDITIONS FOR STANFORD PLACE, SPARTAN WAY AT CENTRAL PACIFIC, AND PHASE 1D PARK IMPROVEMENTS FROM LATHROP LAND ACQUISITION, LLC, LOCATED WITHIN THE CLSP AREA, AND APPROVE BUDGET AMENDMENT AND CHANGE ORDERS FOR MAINTENANCE**

RECOMMENDATION: **Adopt Resolution Accepting Public Improvements with Associated Conditions for Stanford Place, Spartan Way at Central Pacific, and Phase 1D Park Improvements from Lathrop Land Acquisition, LLC, Located within the CLSP Area, and Approving Budget Amendment and Change Orders for Maintenance**

SUMMARY:

Lathrop Land Acquisition, LLC (Saybrook), the developer for the Central Lathrop Specific Plan (CLSP), has substantially completed the construction of Stanford Place, the Central Pacific Street and Spartan Way intersection, and the CLSP Phase 1-D Park as detailed in Table 1 below. The approximate value of the improvements proposed to be accepted is \$5,034,201.48, as shown in the GASB 34 Reports, included in Attachment "C". These improvements were inspected by staff and deemed complete to City specifications, by the City Engineer with the exception noted below for Stanford Place. The developer provided a one-year warranty bond based on 10% of the construction costs, as well as lien releases for the improvements being accepted. A Vicinity Map is included in Attachment "B".

Due to delays associated with Pacific Gas & Electric (PG&E) for the electrical and gas connections for Stanford Place, some portions of the construction are not complete. Therefore, staff recommends Council accept the public improvements for Stanford Place contingent on the completion of the items listed in Attachment "F".

Staff recommends City Council accept the completed improvements and approve budget amendments associated with landscape and light maintenance.

BACKGROUND:

On October 5, 2006, the City approved a Vesting Tentative Map (VTM) for Tract 3533 to create 62 parcels on 960 acres of land. On March 20, 2007, the City approved a VTM for Tract 3647 to subdivide a portion of Tract 3533 into 1,071 parcels on 190 acres of land.

OCTOBER 9, 2023, CITY COUNCIL REGULAR MEETING**ACCEPT PUBLIC IMPROVEMENTS WITH ASSOCIATED CONDITIONS FOR STANFORD PLACE, SPARTAN WAY AT CENTRAL PACIFIC, AND PHASE 1D PARK IMPROVEMENTS FROM LATHROP LAND ACQUISITION, LLC, LOCATED WITHIN THE CLSP AREA, AND APPROVE BUDGET AMENDMENT AND CHANGE ORDERS FOR MAINTENANCE**

On February 14, 2022, City Council approved Tract 4105, establishing 271 single-family lots. As required by the City's subdivision ordinance, the approved Tract 4105 included an SIA to guarantee specific public improvements associated with the final map. The construction of Phase 1D Park improvements is a requirement of the SIA for Tract 4105, and the work was completed under EP 22-145.

On March 13, 2023, City Council approved PM 22-09, establishing one commercial lot and one multi-family lot. As required by the City's subdivision ordinance, the approved PM 22-09 included an Offsite Improvement Agreement (OIA) to guarantee specific public improvements associated with the Parcel Map. The construction of Stanford Place is a requirement of the OIA for PM 22-09, and the work was completed under EP 23-37.

The requirements for the construction of the Central Pacific Street and Spartan Way intersection are listed in the Letter of Requirements for Phase 1A. Although the Letter of Requirements required a traffic signal, City staff, Lathrop Manteca Fire District, Lathrop Police, and the Manteca Unified School District stakeholders decided that a traffic signal is no longer needed, and the improvements listed in the GASB 34 Reports are sufficient. The work was completed under EP 23-79.

Due to delays associated with PG&E for the electrical and gas connections for Stanford Place, some portions of the construction are not complete. Therefore, staff recommends Council accept the public improvements contingent on the completion of the items listed in Attachment "F". Council acceptance of improvements contingent on completion will accelerate the construction of the commercial area of CLSP by allowing Saybrook to sell the land to developers quickly.

Saybrook has substantially completed the Phase 1D Neighborhood Park improvements in accordance with the SIA for Tract 4105. The work was completed under EP 22-145. The grass is still in its establishment period and will be maintained for 90 days by the Contractor after acceptance.

The securities for each of the improvements are detailed in Table 1 below. Upon acceptance of improvements by Council, these securities will be released except for the security for Stanford Place.

Table 1

Permit No.	Agreement Type	Map or Phase	Location Project Name	Bond No.	Bond Value
EP 2023-79	LOR	Phase 1A	Central Pacific Street and Spartan Way	Cash Deposit	\$500,000

OCTOBER 9, 2023, CITY COUNCIL REGULAR MEETING

ACCEPT PUBLIC IMPROVEMENTS WITH ASSOCIATED CONDITIONS FOR STANFORD PLACE, SPARTAN WAY AT CENTRAL PACIFIC, AND PHASE 1D PARK IMPROVEMENTS FROM LATHROP LAND ACQUISITION, LLC, LOCATED WITHIN THE CLSP AREA, AND APPROVE BUDGET AMENDMENT AND CHANGE ORDERS FOR MAINTENANCE

Permit No.	Agreement	Map / Phase	Location Project Name	Bond No.	Bond Value
EP 2023-37	OIA	PM 22-09 Phase 1-E	Stanford Place	PB01987300010	\$2,774,965
				PB01987300010	\$1,387,482.50
EP 2022-145	SIA	Tract 4105 Phase 1-D	Phase 1-D Neighborhood Park	PB01987300009	\$2,162,202.50
				PB01987300009	\$1,081,101.25

To guarantee the completion of the unfinished improvements for Stanford Place, Performance Bond No. PB01987300010 in the sum of \$2,774,965.00 and Labor & Materials No. PB01987300010 in the sum of \$1,387,482.50 will remain in place until the conditions listed in Attachment "F" are inspected by staff and deemed complete by the City Engineer. Upon completion the bonds will be released, and maintenance will begin.

Saybrook has provided one-year warranty bonds based on 10% of the construction cost, as well as a developer lien release and lien releases from the contractors. The warranty bonds are detailed in Table 2 below. Staff recommends the City Council accept the public improvements listed in the GASB 34 Report.

Table 2

Project Name	Contractor	Scope of Work	Bond Number	Bond Value
Central Pacific Street and Spartan Way	Teichert Construction	Intersection Improvement	070220395	\$39,797.30
Phase 1-D Neighborhood Park	Odyssey Environmental Services, Inc	Landscape Improvements	CAC721850	\$216,220.25

REASON FOR RECOMMENDATION:

Staff has inspected the improvements listed in the GASB 34 Reports and confirmed that the improvements have been completed in accordance with City specifications and deemed complete by the City Engineer with the exception noted below for Stanford Place.

OCTOBER 9, 2023, CITY COUNCIL REGULAR MEETING**ACCEPT PUBLIC IMPROVEMENTS WITH ASSOCIATED CONDITIONS FOR STANFORD PLACE, SPARTAN WAY AT CENTRAL PACIFIC, AND PHASE 1D PARK IMPROVEMENTS FROM LATHROP LAND ACQUISITION, LLC, LOCATED WITHIN THE CLSP AREA, AND APPROVE BUDGET AMENDMENT AND CHANGE ORDERS FOR MAINTENANCE**

Construction of the public improvements for Stanford Place are substantially complete and have been inspected by City staff to ensure conformance with the approved plans, excluding the items listed in Attachment "F".

Staff recommends City Council accept the completed Public Improvements listed in the GASB 34 Reports and accept the improvements for Stanford Place, contingent on the completion of items listed in Attachment "F". Saybrook has submitted lien releases and one-year maintenance bonds for the improvements being accepted with the exception of the improvements for Stanford Place.

FISCAL IMPACT:

The one-year warranty bond covers any repairs or replacements that become necessary during the one-year period, beginning with this acceptance, due to defective materials or workmanship in connection with the completed improvements. The City's Service Maintenance CFD 2019-02 has been established to help fund City maintenance and operating costs. The improvements listed in the GASB 34 Report detail the \$5,034,201.48 expended, and the City's maintenance costs will increase because of the additional improvements that have to be maintained.

The initial budget for CFD 2019-02 for CLSP was planned for gradual development. However, with the rate of development and rise in inflation costs, staff is asking for a budget amendment to cover the cost of maintenance for the improvement proposed to be accepted.

Staff is requesting Council approve a budget amendment as follows:

Fiscal Year 2023-2024Increase Appropriation (Trees & Landscaping)

2680-50-55-420-27-00	\$33,600
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Increase Appropriation (Street and Park Light Maintenance)

2680-50-55-420-31-00	\$431
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Fiscal Year 2024-2025Increase Appropriation (Trees & Landscaping)

2680-50-55-420-27-00	\$33,600
----------------------	----------

Increase Appropriation (Street and Park Light Maintenance)

2680-50-55-420-31-00	\$453
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Staff is also requesting City Council adopt resolution approving Contract Change Order (CCO) No. 32 with Dave Silva, dba Silva Landscape (Attachment "D") for the park maintenance service and CCO No. 8 with St. Francis Electric, LLC (Attachment "E") for the light maintenance service as outlined above.

OCTOBER 9, 2023, CITY COUNCIL REGULAR MEETING

ACCEPT PUBLIC IMPROVEMENTS WITH ASSOCIATED CONDITIONS FOR STANFORD PLACE, SPARTAN WAY AT CENTRAL PACIFIC, AND PHASE 1D PARK IMPROVEMENTS FROM LATHROP LAND ACQUISITION, LLC, LOCATED WITHIN THE CLSP AREA, AND APPROVE BUDGET AMENDMENT AND CHANGE ORDERS FOR MAINTENANCE

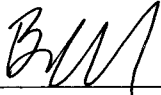
ATTACHMENTS:

- A. Resolution Accepting Public Improvements with Associated Conditions for Stanford Place, Spartan Way at Central Pacific, and Phase 1D Park Improvements from Lathrop Land Acquisition, LLC, Located within the CLSP Area, and Approving Budget Amendment and Change Orders for Maintenance
- B. Vicinity Maps
- C. GASB 34 Reports – CLSP Public Improvements
- D. Contract Change Order No. 32 with Dave Silva dba Silva Landscape
- E. Contract Change Order No. 8 with St. Francis Electric, LLC
- F. Conditions of Acceptance - Public Improvements for Stanford Place

CITY MANAGER'S REPORT
OCTOBER 9, 2023, CITY COUNCIL REGULAR MEETING
ACCEPT PUBLIC IMPROVEMENTS WITH ASSOCIATED CONDITIONS FOR
STANFORD PLACE, SPARTAN WAY AT CENTRAL PACIFIC, AND PHASE 1D
PARK IMPROVEMENTS FROM LATHROP LAND ACQUISITION, LLC, LOCATED
WITHIN THE CLSP AREA, AND APPROVE BUDGET AMENDMENT AND CHANGE
ORDERS FOR MAINTENANCE

PAGE 6


APPROVALS:



Bellal Nabizadah
Assistant Engineer

9/29/23

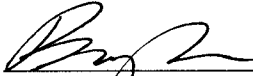
Date



Ken Reed
Senior Construction Manager

10-2-2023

Date



Brad Taylor
City Engineer

10/2/2023

Date




Cari James
Finance Director

For CS

10/02/2023

Date



Michael King
Assistant City Manager

10.2.2023

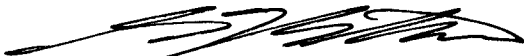
Date



Salvador Navarrete
City Attorney

10.2.2023

Date



Stephen J. Salvatore
City Manager

10.4.23

Date

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP ACCEPTING PUBLIC IMPROVEMENTS WITH ASSOCIATED CONDITIONS FOR STANFORD PLACE, SPARTAN WAY AT CENTRAL PACIFIC, AND PHASE 1D PARK IMPROVEMENTS FROM LATHROP LAND ACQUISITION, LLC, LOCATED WITHIN THE CLSP AREA, AND APPROVING BUDGET AMENDMENT AND CHANGE ORDERS FOR MAINTENANCE

WHEREAS, on October 5, 2006, the City approved a Vesting Tentative Map (VTM) for Tract 3533 to create 62 parcels on 960 acres of land. On March 20, 2007, the City approved a VTM for Tract 3647 to subdivide a portion of Tract 3533 into 1,071 parcels on 190 acres of land; and

WHEREAS, on February 14, 2022, City Council approved Tract 4105, establishing 271 single-family lots. As required by the City's subdivision ordinance, the approved Tract 4105 included a Subdivision Improvement Agreement (SIA) to guarantee specific public improvements associated with the final map. The construction of Phase 1D Park improvements is a requirement of the SIA for Tract 4105, and the work was completed under Encroachment Permit No. 2022-145 (EP 22-145); and

WHEREAS, on March 13, 2023, City Council approved Parcel Map 22-09 (PM 22-09), establishing one commercial lot and one multi-family lot. As required by the City's subdivision ordinance, the approved PM 22-09 included an Offsite Improvement Agreement (OIA) to guarantee specific public improvements associated with the Parcel Map. The construction of Stanford Place is a requirement of the OIA for PM 22-09, and the work was completed under Encroachment Permit No. 2023-37 (EP 23-37); and

WHEREAS, the requirements for the construction of the Central Pacific Street and Spartan Way intersection are listed in the Letter of Requirements for Phase 1A. Although the Letter of Requirements required a traffic signal, City staff, Lathrop Manteca Fire District, Lathrop Police, and the Manteca Unified School District stakeholders decided that a traffic signal is no longer needed, and the improvements listed in the GASB 34 Reports are sufficient. The work was completed under Encroachment Permit No. 2023-79 (EP 23-79); and

WHEREAS, due to delays associated with PG&E for the electrical and gas connections for Stanford Place, some portions of the construction are not complete. Therefore, staff recommends Council accept the public improvements contingent on the completion of the items listed in Attachment "F" of the City Manager's Report that accompanied this Resolution. Council acceptance of improvements contingent on completion will accelerate the construction of the commercial area of CLSP by allowing Saybrook to sell the land to developers quickly; and

WHEREAS, Saybrook has substantially completed the Phase 1D Neighborhood Park improvements in accordance with the SIA for Tract 4105. The work was completed under EP 22-145. The grass is still in its establishment period and will be maintained for 90 days by the Contractor after acceptance; and

WHEREAS, the securities for each of the improvements are detailed in Table 1 below. Upon acceptance of improvements by Council, these securities will be released except for the security for Stanford Place

Table 1

Encroachment Permit No.	Agreement	Map or Phase	Location/ Project Name	Bond No.	Bond Value
EP 2023-79	LOR	Phase 1A	Central Pacific Street and Spartan Way	Cash Deposit	\$500,000
EP 2023-37	OIA	PM 22-09 Phase 1-E	Stanford Place	PB01987300010	\$2,774,965
				PB01987300010	\$1,387,482.50
EP 2022-145	SIA	Tract 4105 Phase 1-D	Phase 1-D Neighborhood Park	PB01987300009	\$2,162,202.50
				PB01987300009	\$1,081,101.25

; and

WHEREAS, to guarantee the completion of the unfinished improvements for Stanford Place, Performance Bond No. PB01987300010 in the sum of \$2,774,965.00 and Labor & Materials No. PB01987300010 in the sum of \$1,387,482.50 will remain in place until the conditions listed in Attachment "F" of the City Manager's Report that accompanied this Resolution are inspected by staff and deemed complete by the City Engineer. Upon completion the bonds will be released, and maintenance will begin; and

WHEREAS, Lathrop Land Acquisition, LLC (Saybrook) has provided one-year warranty bonds based on 10% of the construction cost, as well as a developer lien release and lien releases from the contractors. The warranty bonds are detailed in Table 2 below. Staff recommends the City Council accept the public improvements listed in the GASB 34 Report

Table 2

Project Name	Contractor	Scope of Work	Bond Number	Bond Value
Central Pacific Street and Spartan Way	Teichert Construction	Intersection Improvement	070220395	\$39,797.30

Phase 1-D Neighborhood Park	Odyssey Environmental Services, Inc	Landscape Improvements	CAC721850	\$216,220.25
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; and

WHEREAS, staff has inspected the improvements listed in the GASB 34 Reports and confirmed that the improvements have been completed in accordance with City specifications and deemed complete by the City Engineer with the exception noted below for Stanford Place; and

WHEREAS, construction of the public improvements for Stanford Place are substantially complete and have been inspected by City staff to ensure conformance with the approved plans, excluding the items listed in Attachment "F" of the City Manager's Report that accompanies this Resolution; and

WHEREAS, staff recommends City Council accept the completed Public Improvements listed in the GASB 34 Reports and accept the improvements for Stanford Place contingent on the completion of items listed in Attachment "F" of the City Manager's Report that accompanied this Resolution; and

WHEREAS, Saybrook has submitted lien releases and one-year maintenance bonds for the improvements being accepted with the exception of the improvements for Stanford Place; and

WHEREAS, the City's maintenance costs will increase because of the additional improvements that have to be maintained. The City's Service Maintenance CFD 2019-02 has been established to help fund City maintenance and operating costs; and

WHEREAS, the initial budget for CFD 2019-02 for CLSP was planned for gradual development. However, with the rate of development and rise in inflation cost, staff request approval of a budget amendment to cover the cost of maintenance for the improvement proposed to be accepted; and

WHEREAS, staff is requesting Council to approve a budget amendment as follows:

Fiscal Year 2023-2024

Increase Appropriation (Trees & Landscaping)

2680-50-55-420-27-00 \$33,600

Increase Appropriation (Street and Park Light Maintenance)

2680-50-55-420-31-00 \$431

Fiscal Year 2024-2025

Increase Appropriation (Trees & Landscaping)

2680-50-55-420-27-00 \$33,600

Increase Appropriation (Street and Park Light Maintenance)

2680-50-55-420-31-00

\$453

; and

WHEREAS, staff is also requesting City Council adopt resolution approving Contract Change Order (CCO) No. 32 with Dave Silva, dba Silva Landscape (Attachment "D") for the park maintenance service and CCO No. 8 with St. Francis Electric, LLC (Attachment "E") for the light maintenance service as outlined above.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lathrop does hereby accept the public improvements from Lathrop Land Acquisition, LLC associated with EP 23-79, EP 22-145, listed in the GASB 34 Report included in Attachment "C" to the City Manager's Report that accompanies this Resolution, and SIA for Tract 4105; and

BE IT FURTHER RESOLVED, that the City Council of the City of Lathrop does hereby conditionally accept the public improvements from Lathrop Land Acquisition, LLC associated with EP 23-37 and OIA for PM 22-09 contingent on the items listed in attachment "F" to the City Manager's Report that accompanies this Resolution; and

BE IT FURTHER RESOLVED, that the City Council of the City of Lathrop does hereby approve the budget amendment as detailed above; and

BE IT FURTHER RESOLVED, that the City Council of the City of Lathrop does hereby approve Contract Change Order No. 32 with David Silva, dba Silva Landscape for park maintenance services and Contract Change Order No. 8 with St. Francis Electric, LLC for the light maintenance service.

PASSED AND ADOPTED by the City Council of the City of Lathrop this 9th day of October 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

APPROVED AS TO FORM:

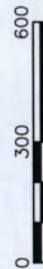


Salvador Navarrete, City Attorney

CENTRAL LATHROP SPECIFIC PLAN - SPARTAN WAY IMPROVEMENTS SITE MAP



NORTH



SCALE: 1"=300'

MACKEY & SOMPS
ENGINEERS PLANNERS SURVEYORS
25248.000 08.16.2023

ATTACHMENT

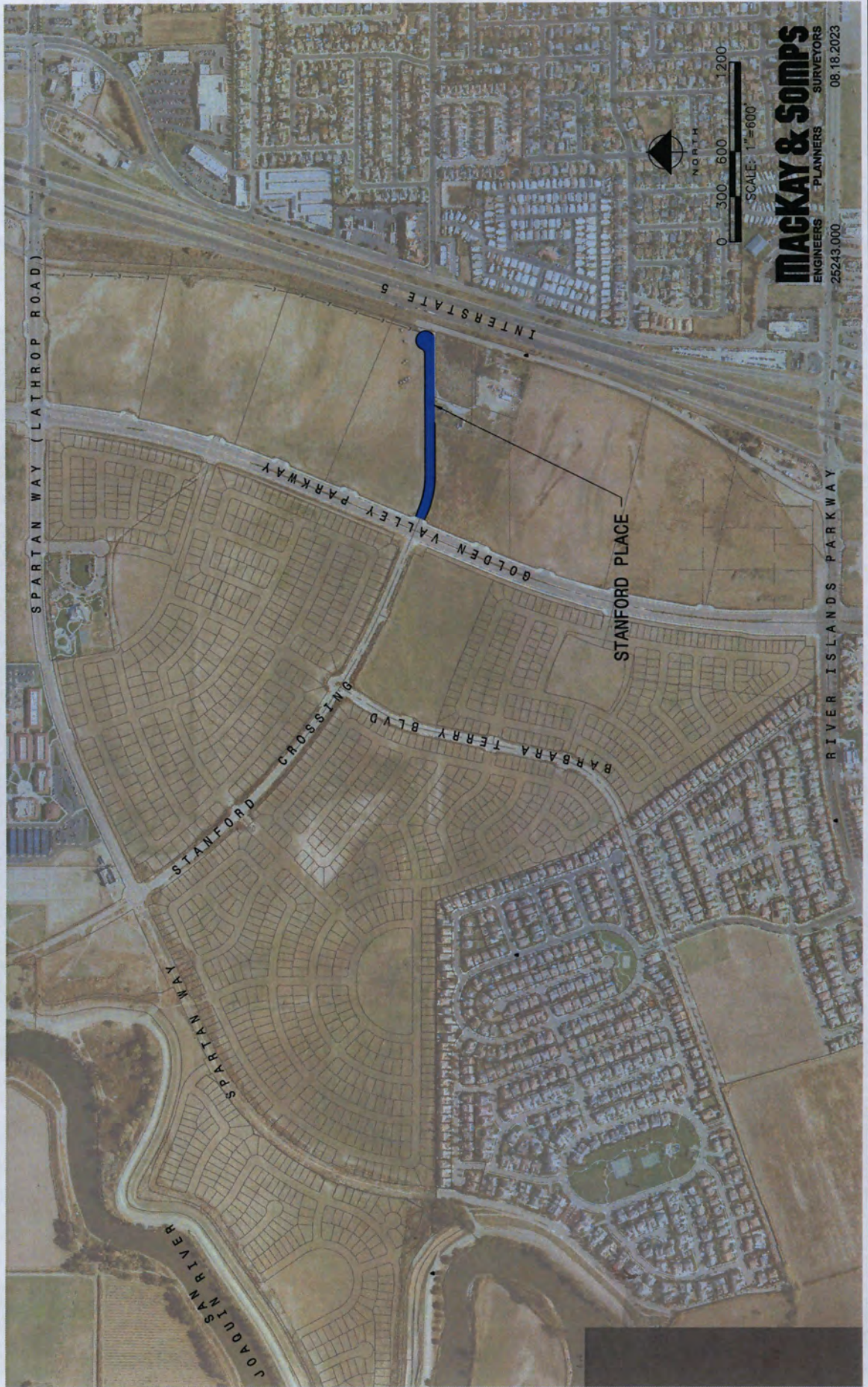
08-18-2023 10:20am Mike Brill P:\25248\DES\EXH-D\SPARTAN WAY MPS - SITE MAP.DWG

CENTRAL LATHROP SPECIFIC PLAN - SPARTAN WAY IMPROVEMENTS VICINITY MAP



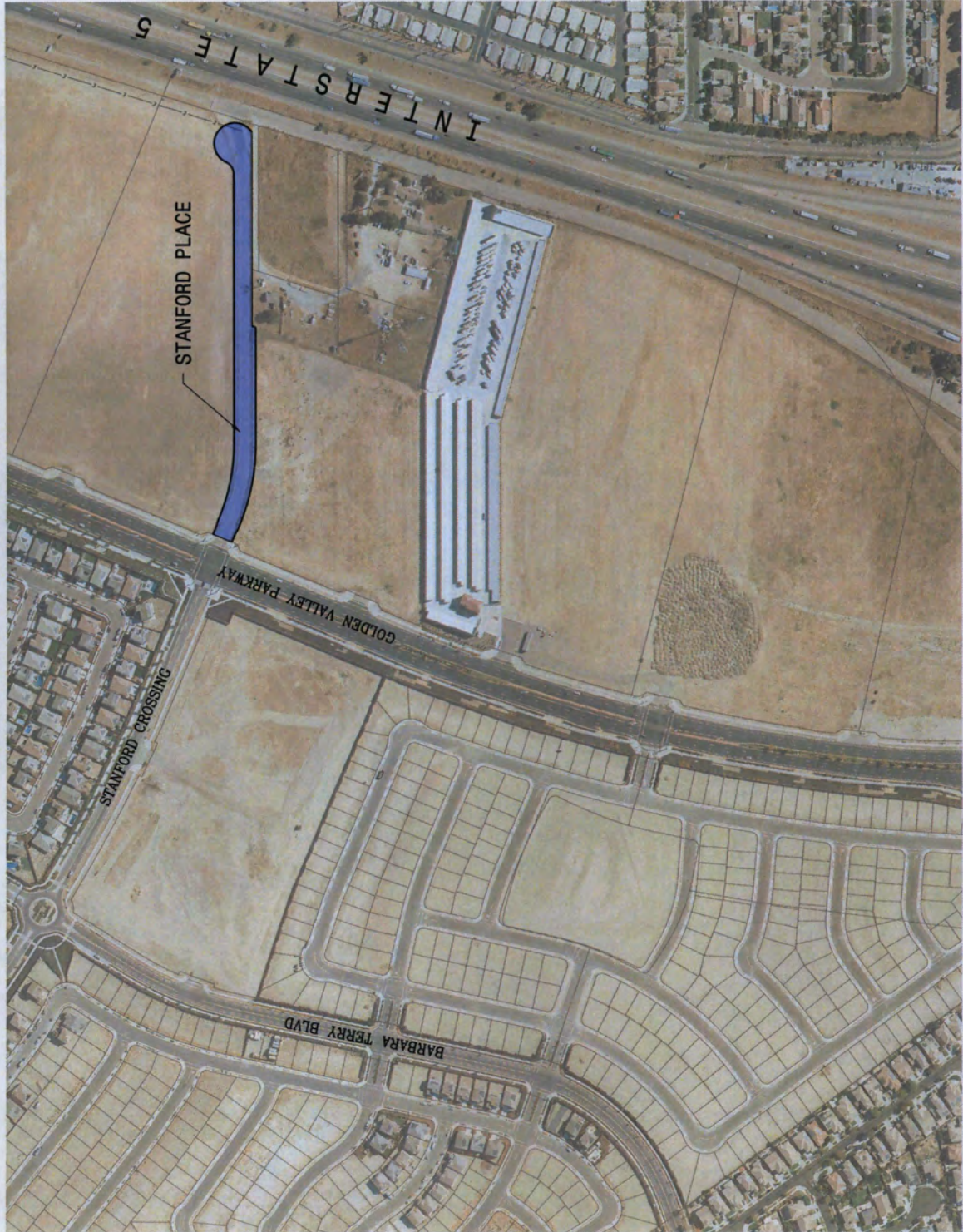
08-18-2023 10:14am Mike Brill P:\25248\000\EXH-D\SPARTAN WAY IMP - VICINITY MAP.DWG

CENTRAL LATHROP SPECIFIC PLAN - STANFORD PLACE VICINITY MAP



08-18-2023 9:42am Mike Brill P:\25243\DES\EXH-D\STANFORD PLACE - VICINITY MAP.DWG

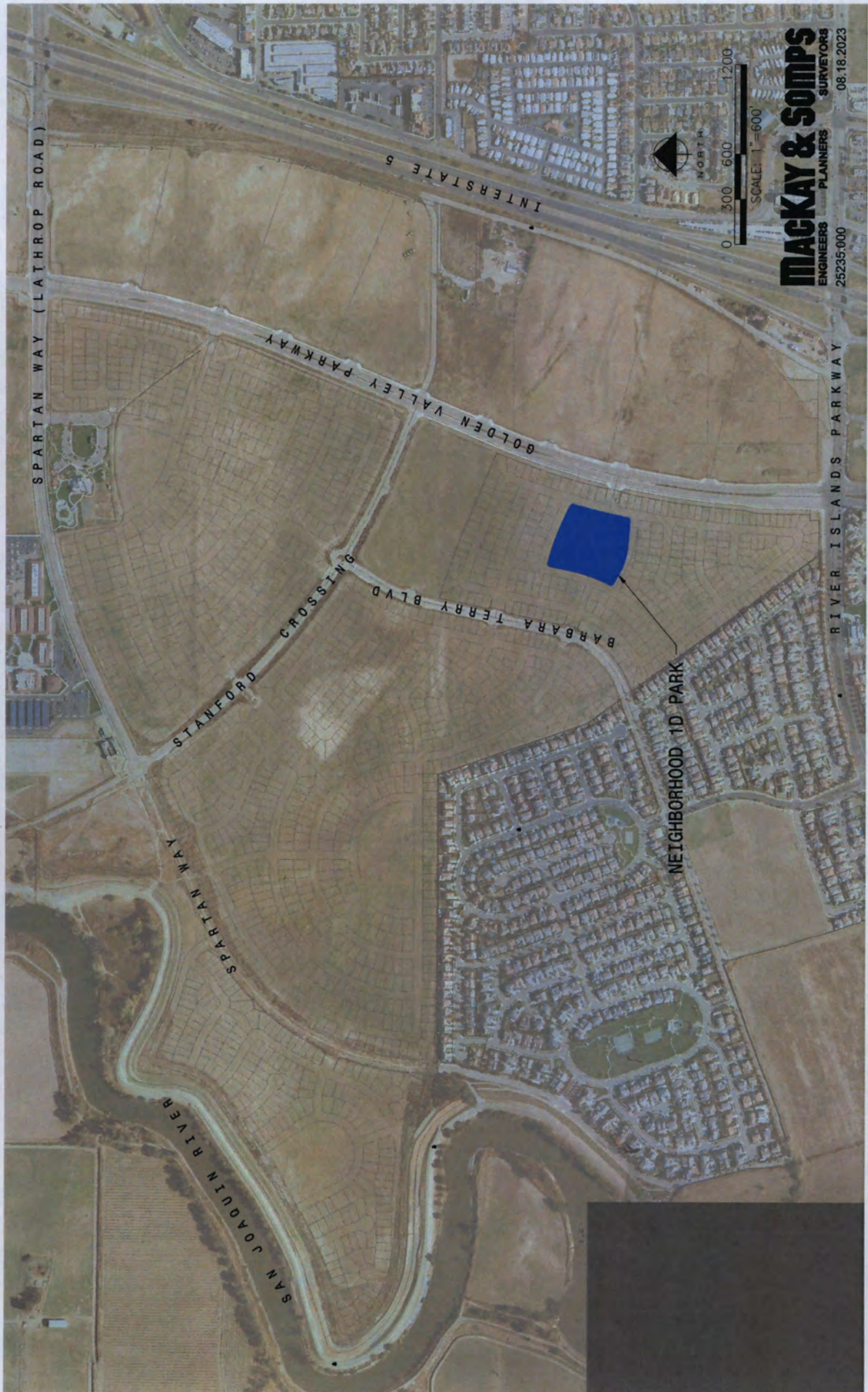
CENTRAL LATHROP SPECIFIC PLAN - STANFORD PLACE SITE MAP



0 300 600
SCALE: 1"=300'

MACKAY & SOMPS
ENGINEERS PLANNERS SURVEYORS
25243.000 08.16.2023

CENTRAL LATHROP SPECIFIC PLAN - TRACT 4105 - NEIGHBORHOOD 1D PARK VICINITY MAP

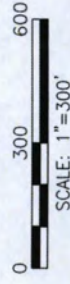


MACKAY & SOMPS
 ENGINEERS
 PLANNERS
 25235-000
 SURVEYORS
 08.18.2023

CENTRAL LATHROP SPECIFIC PLAN - TRACT 4105 - NEIGHBORHOOD 1D PARK SITE MAP



NORTH



SCALE: 1"=300'

MACKAY & SOMPS
ENGINEERS PLANNERS SURVEYORS
25235.000
08.16.2023

City of Lathrop
Project Acceptance
(GASB 34 Report)

9/26/2023
ATTACHMENT


Submitted By: Mackay & Soms - Jeff Matson

Date: 09/17/2023

Project: Tract 4105 - Spartan Way Intersection

Address: Intersection of Spartan Way and Central Pacific

SOFT COSTS		Unit Price	Amount
1	Inspection Fees (City of Lathrop)	\$25,424.50	\$25,424.50
2	Landscape Design (Gates)	\$17,700.00	\$17,700.00
3	Street Light Design (Power Systems Design Group)	\$4,750.00	\$4,750.00
4	Civil Engineering (Mackay & Soms)	\$59,659.86	\$59,659.86
5	Construction Staking (Mackay & Soms)	\$822.00	\$822.00
		Subtotal:	\$108,356.36

Item	Description	Unit	Qty	Unit Price	Amount
A	Demo				
1	Demo Concrete & Asphalt/LT	LS	1	\$36,250.00	\$36,250.00
				Subtotal:	\$36,250.00

B	Fine Grad, Rock and Pave				
1	3" AC/4" AB/10" LTB	SF	1,423	\$18.25	\$25,969.75
2	Signing & Striping	LS	1	\$20,500.00	\$20,500.00
3	Traffic Control	LS	1	\$44,000.00	\$44,000.00
4	Slurry Seal	SF	14,465	\$2.60	\$37,609.00
5	Adjust Survey Monument to Grade	EA	1	\$1,700.00	\$1,700.00
				Subtotal:	\$129,778.75

C	Concrete Work				
1	Vertical Curb	LF	624	\$55.00	\$34,320.00
2	Curb & Gutter	LF	13	\$58.00	\$754.00
3	Depressed Curb & Flush Curb	LF	131	\$55.00	\$7,205.00
4	Median Concrete	SF	946	\$22.00	\$20,812.00
				Subtotal:	\$63,091.00

D	Miscellaneous				
1	Relocate Electroliner	EA	3	\$6,675.00	\$20,025.00
2	Landscape & Irrigation	SF	7828	\$14.65	\$114,680.20
3	Erosion Control	LS	1	\$6,000.00	\$6,000.00
4	Adjust Water Valve to Grade	EA	1	\$750.00	\$750.00
5	Backfill Planters	SF	7828	\$3.50	\$27,398.00
				Subtotal:	\$168,853.20

Hard Cost Subtotal **\$397,972.95**
Softcost Total **\$108,356.36**

Total **\$506,329.31**

City of Lathrop
Project Acceptance
(GASB 34 Report)

Submitted By: Mackay & Soms - Jeff MatsonDate: 09/17/2023Project: Stanford Place WideningAddress: Stanford Place - East of Golden Valley Parkway

	SOFT COSTS	Unit Price	Amount
1	Inspection Fees (City of Lathrop)	\$63,319.50	\$63,319.50
2	Stanford Place Joint Trench (Smith Denison)	\$333,794.00	\$333,794.00
3	Stanford Place Construction (Teichert)	\$1,616,849.35	\$1,616,849.35
4	Civil Engineering (Mackay & Soms)	\$71,881.79	\$71,881.79
5	Construction Staking (Mackay & Soms)	\$32,963.64	\$32,963.64
6	Environmental Testing & Observation Services (Engeo)	\$56,284.39	\$56,284.39
		Subtotal:	\$2,175,092.67

Smith Denison

Item	Description	Unit	Qty	Unit Price	Amount
A	Trench and Backfill				
1	36"x63" s/w 81" paved	LF	527	\$45.00	\$23,715.00
2	36"x55" s/w 61" paved	LF	202	\$45.00	\$9,090.00
3	18"x45" s/w 45" paved	LF	120	\$19.00	\$2,280.00
4	24"x52" s/w 58" paved	LF	15	\$22.00	\$330.00
5	18"x31" s/w 37" paved	LF	54	\$19.00	\$1,026.00
6	18"x31" s/w 37" paved	LF	37	\$19.00	\$703.00
7	18"x22" s/w 40" paved	LF	125	\$19.00	\$2,375.00
8	Gas Bell Hole 6"x6'	EA	1	\$5,880.00	\$5,880.00
9	Gas Purge Points	EA	3	\$1,070.00	\$3,210.00
				Subtotal:	\$37,144.00

B	Vaults/Splice Boxes (Excavate Only)				
1	Pri. Box 4'6"x8'6"x6'0" IVT	EA	1	\$1,656.00	\$1,656.00
2	Sec. Box 17x30x18 Poly Conc	EA	1	\$167.00	\$167.00
3	3'0"x5'0" PTS-3660	EA	2	\$1,027.00	\$2,054.00
4	24"x36" B40	EA	2	\$152.00	\$304.00
5	PMI-9TT 74"x76" Polymer Pad	EA	2	\$695.00	\$1,390.00
6	36"x52" Conc. Pad	EA	1	\$693.00	\$693.00
				Subtotal:	\$6,264.00

C	Vaults/Splice Boxes (Supply and Install)				
1	Pri. Box 4'6"x8'6"x6'0" IVT	EA	1	\$16,624.00	\$16,624.00
2	Sec. Box 17x30x18 Poly Conc	EA	1	\$1,195.00	\$1,195.00
3	30"x48" PTS-3660	EA	2	\$7,030.00	\$14,060.00
4	CATV 24x36	EA	2	\$1,545.00	\$3,090.00
				Subtotal:	\$34,969.00

D	Conduit				
1	2" PG&E	LF	35	\$19.00	\$665.00
2	3" PG&E	LF	12	\$22.00	\$264.00
3	4" PG&E	LF	1022	\$14.00	\$14,308.00
4	6" PG&E	LF	1293	\$24.00	\$31,032.00
5	4" AT&T	LF	1833	\$11.00	\$20,163.00
6	2" CATV	LF	3037	\$6.00	\$18,222.00

Item	Description	Unit	Qty	Unit Price	Amount
A	Trench and Backfill				
				Subtotal:	\$84,654.00
E	Gas System				
1	Pipe, 4" IPS, PE 2708, SDR 11.5, 40" Sticks	LF	638	\$18.80	\$11,994.40
2	Pipe, 2" IPS, PE 2708, SDR 11, 500' Col	LF	89	\$14.40	\$1,281.60
3	6'x6' Bell Hole (See above)	EA	1	\$0.00	\$0.00
4	Locating Wire, AWG #10 Copper Wire, Yellow HMWPE (Inc)	LS	757	\$0.00	\$0.00
5	Tape, Warning, 6" Wide x 1000' (Inc)	LF	727	\$0.00	\$0.00
6	Locate & Mark Gas System (PG&E Requirement) (Inc)	LS	1	\$0.00	\$0.00
7	ETS Boxes	EA	3	\$577.00	\$1,731.00
				Subtotal:	\$15,007.00
F	Electric System				
1	Pad. Transf. 36"x52"	EA	1	\$3,209.00	\$3,209.00
2	Box Pad. Polymer, 74"x76"	EA	2	\$9,767.00	\$19,534.00
				Subtotal:	\$22,743.00
G	Primary/Secondary Cable				
1	Wire, #2 AWG Solid SD Copper (Supply) (Included)	LF	70	\$0.00	\$0.00
2	Wire, #2 AWG Solid SD Copper (Install) (Included)	LF	70	\$0.00	\$0.00
3	Splicing & Terminations (By others)	LS	0	\$0.00	\$0.00
				Subtotal:	\$0.00
H	Lighting System				
1	LUMAC 555-72W32LEDAK-G3-LE3W	EA	10	\$11,015.00	\$110,150.00
2	3-1/2 Splice Box	EA	12	\$762.00	\$9,144.00
3	3-1/2 Splice Box w/ Ground Rod and Fuse Kit	EA	0	\$0.00	\$0.00
4	3-1/2 Splice Box w/ Ground Fuse Kit @ Pole	EA	0	\$0.00	\$0.00
5	1-1/2" Conduit w/3 - #8 Cu. Wire (3W)	LF	0	\$0.00	\$0.00
6	1-1/2" Conduit w/2 - #8 Cu. Wire & Grd. (3WG)	LF	0	\$0.00	\$0.00
7	1-1/2" Conduit w/3 - #8 Cu. Wire & Grd. (4WG)	LF	0	\$0.00	\$0.00
8	1-1/2" Conduit Stub	LF	690	\$6.00	\$4,140.00
9	Street Light Wire	LF	1545	\$6.20	\$9,579.00
				Subtotal:	\$133,013.00
				Smith Denison Subtotal	\$333,794.00

Teichert

Item	Description	Unit	Qty	Unit Price	Amount
A	Demolition	LS	1	\$42,000.00	\$42,000.00
				Subtotal:	\$42,000.00
B	Grading/Street Sections				
1	Grading	LS	1	\$32,500.00	\$32,500.00
2	5" AC/4" AB	SF	51,779	\$4.70	\$243,361.30
3	Geogrid NX750	SF	57,553	\$0.85	\$48,920.05
4	Adjust Existing SDMH Frames	EA	3	\$1,325.00	\$3,975.00
5	Slurry Seal Intersection	SF	16,000	\$2.14	\$34,240.00
6	Striping & Signs	LS	1	\$30,500.00	\$30,500.00
				Subtotal:	\$393,496.35
C	Concrete				
1	Curb and Gutter	LF	2,113	\$28.00	\$59,164.00
2	Sidewalk	SF	20,460	\$6.75	\$138,105.00
3	Driveway	EA	2	\$9,500.00	\$19,000.00
4	Handicap Ramp	EA	4	\$1,300.00	\$5,200.00
				Subtotal:	\$221,469.00

Item	Description	Unit	Qty	Unit Price	Amount
A	Trench and Backfill				
D	Sanitary Sewer				
1	8" Sewer	LF	1245	\$164.00	\$204,180.00
2	6" Sewer Stub	EA	6	\$4,500.00	\$27,000.00
3	SSMH	EA	5	\$10,000.00	\$50,000.00
4	Drop SSMH	EA	1	\$12,000.00	\$12,000.00
5	Sewer Tie-In	EA	1	\$8,500.00	\$8,500.00
Subtotal:					\$301,680.00
E	Storm Drain				
1	15" Storm Drain Extensions	LF	18	\$200.00	\$3,600.00
2	SD Catch Basins	EA	3	\$4,800.00	\$14,400.00
Subtotal:					\$18,000.00
E	Domestic Water				
1	8" Water	LF	1416	\$135.00	\$191,160.00
2	8" Water Stub	EA	2	\$4,500.00	\$9,000.00
3	4" Water Stub	EA	3	\$4,000.00	\$12,000.00
4	8" Gate Valve	EA	6	\$3,200.00	\$19,200.00
5	4" Gate Valve	EA	3	\$2,800.00	\$8,400.00
6	Hydrant	EA	4	\$14,400.00	\$57,600.00
7	Blow Offs	EA	5	\$1,100.00	\$5,500.00
8	2" Water Service	EA	2	\$9,500.00	\$19,000.00
9	Connect to Existing Water	EA	1	\$9,500.00	\$9,500.00
Subtotal:					\$331,360.00
E	Raw Water				
1	6" Raw Water	LF	155	\$436.00	\$67,580.00
2	4" Raw Water	LF	50	\$63.00	\$3,150.00
3	6" Gate Valve	EA	1	\$2,300.00	\$2,300.00
4	RW Hydrant	EA	1	\$14,400.00	\$14,400.00
5	Blow Off-RW	EA	1	\$1,100.00	\$1,100.00
6	Connect To Existing-RW	EA	1	\$8,500.00	\$8,500.00
Subtotal:					\$97,030.00
E	Dewatering				
1	Dewatering	EA	1200	\$157.00	\$188,400.00
Subtotal:					\$188,400.00
E	Office Trailer				
1	Office Trailer (Double Wide w/ Bathroom)	MO	5	\$2,500.00	\$12,500.00
Subtotal:					\$12,500.00
E	Teichert Change Order				
1	Pacific Excavation Conduit Work	LS	1	\$10,200.00	\$10,200.00
2	Teichert 7% Mark Up	0.07	10200		\$714.00
Subtotal:					\$10,914.00
Teichert Subtotal					\$1,616,849.35
Softcost Total					\$224,449.32
Total					\$2,175,092.67

City of Lathrop
Project Acceptance
(GASB 34 Report)

Submitted By: Mackay & Soms - Jeff Matson Date: 09/17/2023

Project: Tract 4105 - Neighborhood Park Improvements

Address: Tract 4105 - Neighborhood 1D in the Central Lathrop Specific Plan

SOFT COSTS		Unit Price	Amount
1	Inspection Fees (City of Lathrop)	\$114,799.50	\$114,799.50
2	Civil Engineering (Mackay & Soms)	\$7,314.00	\$7,314.00
3	Construction Staking (Mackay & Soms)	\$10,773.50	\$10,773.50
4	Design (Gates)	\$57,690.00	\$57,690.00
Subtotal:			\$190,577.00

Item	Description	Unit	Qty	Unit Price	Amount
A	Park Construction				
1	Irrigation	LS	1	\$306,152.00	\$306,152.00
2	Irrigation Audit	EA	1	\$6,100.00	\$6,100.00
3	Landscape	LS	1	\$212,055.00	\$212,055.00
4	Root Barriers	LF	1,056	\$13.60	\$14,361.60
5	Steel Edging	LF	300	\$19.65	\$5,895.00
6	Dumor 443-82 Bronze Picnic Table	EA	5	\$10,327.00	\$51,635.00
7	Dumor 443-558-1 Bronze ADA Picnic Table	EA	1	\$9,153.00	\$9,153.00
8	Outdoor Creation 300A BBQ	EA	2	\$1,822.00	\$3,644.00
9	10145SM Drinking Fountain w/Pet Bowl Green	EA	1	\$10,486.00	\$10,486.00
10	Dumor 292 Bronze Bike Rack	EA	4	\$687.00	\$2,748.00
11	Dumor 157-325H-FTO Trash Receptacle	EA	4	\$3,686.00	\$14,744.00
12	Dumor 157-40-RC Bronze Recycling Receptacle	SF	4	\$3,415.00	\$13,660.00
13	DOGI-POT003L Dog Waste Station	SF	1	\$775.00	\$775.00
14	Plyometric Steps	SET	1	\$10,060.00	\$10,060.00
15	5-Shaped Jump Bar	EA	1	\$10,526.00	\$10,526.00
16	Exercise Bench	EA	1	\$9,825.00	\$9,825.00
17	Recycle Water Signage	EA	11	\$303.00	\$3,333.00
18	Concrete Mowband 6"x6" w/#3 Rebar	LF	161	\$35.65	\$5,739.65
19	Shade Structure	LS	1	\$206,663.00	\$206,663.00
20	Windmill	LS	1	\$73,275.00	\$73,275.00
21	2-5 & 5-12 Play Structures	LS	1	\$238,610.00	\$238,610.00
22	Safety Surface	SF	5,900	\$28.00	\$165,200.00
23	Split Rail Fence	LF	264	\$117.30	\$30,967.20
24	8' Chainlink Fencing	LF	350	\$150.85	\$52,797.50
25	Futsal Court Surfacing	SF	7,428	\$2.65	\$19,684.20
26	Futsal Court Goals	EA	2	\$3,540.00	\$7,080.00
27	(90) Day Maintenance	MONTHS	3	\$5,000.00	\$15,000.00
28	Flatwork/Sidewalks 6"	SF	14,243	\$15.65	\$222,902.95
29	Flatwork-Futsal Court 6"/4" AB	SF	7,388	\$20.95	\$154,778.60
30	12' SD Sanitite	LF	195	\$101.20	\$19,734.00
31	Drainage Inlet (Park)	EA	2	\$6,785.00	\$13,570.00
32	12x8x16 Split 2 Side Seat Walls w/Caps	LF	282	\$454.40	\$128,140.80
33	Trench & Backfill	LF	991	\$28.75	\$28,491.25
34	#5 Pull Splice Cox (Excavate, Supply & Install)	EA	2	\$920.00	\$1,840.00
35	9" Round Splice Box (Excavate, Supply & Install)	EA	11	\$673.00	\$7,403.00
36	1" SCH40 Conduit & Wire	LF	991	\$17.25	\$17,094.75
37	KAD LED Post Top Light	EA	2	\$7,631.00	\$15,262.00
38	KBD8 LED Bollard Light	EA	9	\$2,875.00	\$25,875.00
39	Final Connection of Booster Pump	EA	1	\$3,000.00	\$3,000.00
40	Water Meter (For Drinking Fountain Only)	LS	1	\$2,500.00	\$2,500.00
41	Bond Costs	LS	1	\$21,441.00	\$21,441.00
Subtotal:					\$2,162,202.50
				Hard Cost Subtotal	\$2,162,202.50
				Softcost Total	\$190,577.00
				Total	\$2,352,779.50

CHANGE ORDER NO. 32

Monthly Fee – Central Lathrop Phase 1D

City of Lathrop

CONTRACT CHANGE ORDER NO. 32
MONTHLY FEE – Central Lathrop 1D Park

Contractor: David Silva DBA Silva Landscape

Address: PO Box 607
Patterson, CA 95363

Change Order Date October 9, 2023

Contract Execution Date: September 1, 2017

Notice to Proceed Date: August 29, 2017

This contract change order augments or changes the following:

1) ADDITIONS TO CONTRACT

Pursuant to the provisions of the Contract Specifications and proposal attached as **Exhibit A**, you are hereby directed to make the herein described changes to the plans and specifications, and scope of work contracted for within the terms of the agreement between the **City of Lathrop** and **David Silva DBA Silva Landscape** dated **September 1, 2017**.

I. CHANGES IN THE SPECIFICATIONS

A. None

II. ADDITION(S) TO CONTRACT

Monthly Fee – Central Lathrop 1D Park	\$2,800/mo.
MONTHLY FEE COST FROM CHANGE ORDER NO. 32 (MONTHLY FEE)	\$2,800/mo.

ORIGINAL CONTRACT AMOUNT (MONTHLY FEE)	\$57,214.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 1 (MONTHLY FEE)	\$13,900.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 5 (MONTHLY FEE)	\$985.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 8 (MONTHLY FEE)	\$1,850.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 11 (MONTHLY FEE)	\$425.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 14 (MONTHLY FEE)	\$3,500.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 15 (MONTHLY FEE)	\$8,500.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 23 (MONTHLY FEE)	\$465.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 25 (MONTHLY FEE)	\$250.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 26 (MONTHLY FEE)	\$825.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 27 (MONTHLY FEE)	\$625.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 28 (MONTHLY FEE)	\$675.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 29 (MONTHLY FEE)	\$450.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 30 (MONTHLY FEE)	\$3,725.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 31 (MONTHLY FEE)	\$9,500.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 32 (MONTHLY FEE)	\$2,800.00
TOTAL REVISED MONTHLY CONTRACT AMOUNT	\$105,689.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 2 (ONE TIME FEE)	\$14,989.00

CHANGE ORDER NO. 32

Monthly Fee – Central Lathrop Phase 1D

City of Lathrop

TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 3 (ONE TIME FEE)	\$22,800.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 4 (ONE TIME FEE)	\$3,200.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 6 (ONE TIME FEE)	\$11,400.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 7 (ONE TIME FEE)	\$1,780.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 9 (ONE TIME FEE)	\$2,200.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 10 (ONE TIME FEE)	\$950.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 12 (ONE TIME FEE)	\$3,800.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 13 (ONE TIME FEE)	\$925.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 16 (ONE TIME FEE)	\$1,200.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 17 (ONE TIME FEE)	\$2,400.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 18 (ONE TIME FEE)	\$1,650.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 19 (ONE TIME FEE)	\$2,400.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 20 (ONE TIME FEE)	\$2,200.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 21 (ONE TIME FEE)	\$1,300.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 22 (ONE TIME FEE)	\$1,200.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 24 (ONE TIME FEE)	\$4,500.00
TOTAL ONE-TIME ADDITIONS TO CONTRACT AMOUNT	\$78,900.00

(END OF CHANGES)

DESCRIPTION OF WORK

See **Sec. II. ADDITION(S) TO CONTRACT**. The contractor will provide all labor, material, equipment and perform all incidental tasks as necessary to complete the change order.

TIME OF COMPLETION

The work is to begin as soon as Notice to Proceed is received, and run throughout the duration of the contract.

RELEASE AND WAIVER

Acceptance of this Contract Change Order constitutes a full and final resolution of all pending disputes between City and Contractor regarding scope of work and payment for work. Contractor accepts this Contract Change Order as full payment for all work performed to date and hereafter to be performed, up to and including Contract Change Order No. 31. Contractor releases and discharges City from any and all claims, demands, damages, actions and causes of actions and causes of action for injuries, damages or losses, whether known or unknown, foreseen or unforeseen, arising directly from Contractor's work on this contract. Contractor expressly waives the provisions of California Civil Code, Section 1542, which reads as follows:

A general release does not extend to claims which the Creditor does not know or suspect to exist in his favor at time of executing the release, which if known by him must have materially affected his settlement with the debtor.

EXHIBITS

A: Proposal #2046 from Silva Landscape

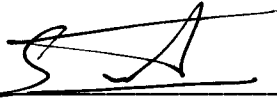
(END OF SECTION)

CHANGE ORDER NO. 32

Monthly Fee – Central Lathrop Phase 1D

City of Lathrop

Approved As
To Form:



Salvador Navarrete
City Attorney
City of Lathrop

10.2.2023
Date

Recommended
By:

Michael King
Assistant City Manager
City of Lathrop

Date

Approved By:

Stephen J. Salvatore
City Manager
City of Lathrop

Date

Accepted By
Contractor:

David Silva dba Silva Landscape

Date

Print Name and Title



Silva Landscape
 Po Box 607
 Patterson, CA 95363 US
 (925) 413-3192
 david.silvalandscape@gmail.com

Estimate

ADDRESS

City of Lathrop
 390 Towne Centre Drive
 Lathrop, CA 95330

ESTIMATE # 2046

DATE 09/15/2023

AREA

D-1 Park (in CLSP)

SERVICES

Monthly Maintenance to follow City of Lathrop specs

AMOUNT

2,800.00

Approved by _____

TOTAL

\$2,800.00

Accepted By

Accepted Date

CHANGE ORDER NO. 8

ATTACHMENT
" E "

**Electrical Traffic Control Devices and Lighting
Maintenance Services**

City of Lathrop

CONTRACT CHANGE ORDER NO. 8
Electrical Traffic Control Devices and Lighting Maintenance Services –
Central Lathrop 1D Park Lights and Stanford Place Street Lights

Contractor: St. Francis Electric, LLC

Address: 975 Carden Street
San Leandro, CA 94577

Change Order Date: October 9, 2023

Notice to Proceed Date: June 8, 2020

Contract Execution Date: June 8, 2020

This contract change order augments or changes the following:

- 1) ADDITIONS TO CONTRACT
 - a. 11 - Central Lathrop Phase 1-D Park Lights
 - b. 10 - Stanford Place Street Lights

Pursuant to the provisions of the original Contract Specifications and Schedule "A1" attached as **Exhibit A**, you are hereby directed to make the herein described changes to the contract rates within the terms of the agreement between the **City of Lathrop** and **St. Francis Electric, LLC** dated **June 8, 2020**.

I. CHANGES IN THE SPECIFICATIONS

NONE.

II. CHANGES TO CONTRACT

NO.	DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL
1	Routine Maintenance Annual Cost – City Facility Lighting Fixtures	11	EA	\$20.51	\$225.61
2	Routine Maintenance Annual Cost – Street Lights	10	EA	\$20.51	\$205.10
SUBTOTAL					\$430.71

COST OF CHANGE ORDER NO. 1 (ONE-TIME FEE)	\$25,595.00
COST OF CHANGE ORDER NO. 2 (ONE-TIME FEE)	\$34,240.00
COST OF CHANGE ORDER NO. 3 (ONE-TIME FEE)	\$1,600.00
COST OF CHANGE ORDER NO. 4 (ONE-TIME FEE)	\$12,615.00
COST OF CHANGE ORDER NO. 7 (ONE-TIME FEE)	\$72,778.27
TOTAL REVISED ONE-TIME ADDITIONS TO CONTRACT AMOUNT	\$146,828.27

ORIGINAL ANNUAL CONTRACT AMOUNT	\$62,420.00
REVISED ANNUAL CONTRACT AMOUNT AFTER CHANGE ORDER NO. 5	\$72,302.37
REVISED ANNUAL CONTRACT AMOUNT AFTER CHANGE ORDER NO. 6	\$75,917.49
REVISED ANNUAL CONTRACT AMOUNT AFTER CHANGE ORDER NO. 8	\$76,348.20

(END OF CHANGES)

CHANGE ORDER NO. 8

**Electrical Traffic Control Devices and Lighting
Maintenance Services**

City of Lathrop

TIME OF COMPLETION

The work is to begin as soon as Notice to Proceed is received, and run throughout the duration of the contract.

RELEASE AND WAIVER

Acceptance of this Contract Change Order constitutes a full and final resolution of all pending disputes between City and Contractor regarding scope of work and payment for work. Contractor accepts this Contract Change Order as full payment for all work performed to date and hereafter to be performed, up to and including Contract Change Order No. 7.

Contractor releases and discharges City from any and all claims, demands, damages, actions and causes of actions and causes of action for injuries, damages or losses, whether known or unknown, foreseen or unforeseen, arising directly from Contractor's work on this contract. Contractor expressly waives the provisions of California Civil Code, Section 1542, which reads as follows:

A general release does not extend to claims which the Creditor does not know or suspect to exist in his favor at time of executing the release, which if known by him must have materially affected his settlement with the debtor.

EXHIBITS

A: Schedule "A1" – Flatrate Maintenance Schedule FY 23-24

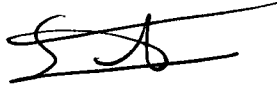
(END OF SECTION)

CHANGE ORDER NO. 8

Electrical Traffic Control Devices and Lighting
Maintenance Services

City of Lathrop

Approved As
To Form:



Salvador Navarrete
City Attorney
City of Lathrop

10.2.2023

Date

Recommended
By:

Michael King
Assistant City Manager
City of Lathrop

Date

Approved By:

Stephen J. Salvatore
City Manager
City of Lathrop

Date

Accepted By
Contractor:

St. Francis Electric, LLC

Date

Print Name and Title

EXHIBIT A
FY 23/24 RATE REVISION FOR 5% INCREASE
SCHEDULE "A1" – FLAT RATE MAINTENANCE SCHEDULE

Proposal Item No.	Description	Annual Quantity	Unit	Unit Price	Total Annual Amount
I.	Routine Maintenance: Traffic Signal System, including Safety Lights and Internally Illuminated Street Name Signs	23	Per Intersection Per Year	\$1,058.40	\$24,343.20
II.	Routine Maintenance: Street Light System	2,082	Per Location Per Year	\$20.51	\$42,694.53
III.	Routine Maintenance: City Facilities Lighting Fixtures	97	Per Light Fixture Per Year	\$20.51	\$1,989.13
IV.	Underground Service Alert – USA: (Dig Alert Service)	50*	Per USA ticket	\$137.81	\$6,890.63
Total Proposal Items (I, II, III, and IV) per year (written and numerical value), Base Proposal:					

* There are approximately 50 USAs performed each year. If more than 50 USAs are required within a contract term, the listed USA unit price will be charged for each USA performed (in excess of 50 USAs).



Public Works Department

390 Towne Centre Dr. – Lathrop, CA 95330
Phone (209) 941-7430 – fax (209) 941-7449
www.ci.lathrop.ca.us

Attachment F

Conditions of Acceptance of Public Improvements for Stanford Place

The following improvement plans, documents, and action items are required prior to acceptance by City Engineer:

- Cul-de-Sac barricade at eastern end of Stanford Place
- Gas tie-in at the intersection of Golden Valley Parkway and Stanford Place
- Electrical connection at the intersection of Spartan Way and Stanford Crossing
- Warranty Bond in the amount of 10% of the GASB 34 Report for Stanford Place
- Developer Lien Release for work done in Stanford Place
- Contractor Lien Release for work done in Stanford Place
- Mylar as-built set for improvements completed at Stanford Place

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ITEM 4.16

CITY MANAGER'S REPORT OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

ITEM: **CREATE CIP PK 24-26, EAGLE'S LANDING PARK, APPROVE REIMBURSEMENT AGREEMENT WITH D.R. HORTON, AND APPROVE A RELATED BUDGET AMENDMENT FOR NEIGHBORHOOD PARK WITHIN TRACT 4151**

RECOMMENDATION: **Adopt Resolution Creating CIP PK 24-26, Eagle's Landing Park, Approving Reimbursement Agreement with D.R. Horton, and Approving a Related Budget Amendment for Neighborhood Park Within Tract 4151**

SUMMARY:

D.R. Horton BAY, Inc. (DRH), the developer for the Eagle's Landing Neighborhood (Tract 4151), is required to construct a neighborhood park for Tract 4151 (Park) pursuant to the Subdivision Improvement Agreement (SIA) for Tract 4151 and the Mossdale Landing South Land Use Plan.

The City's General Plan mandates a specific park area based on the number of anticipated residents added by the project. However, the designated park size in the Mossdale Landing South Land Use Plan is notably larger than the park size required for this specific developer project.

Since the size of the park is significantly larger than required of the developer, DRH initially suggested limiting the Park amenities to offset the disproportional park area and reduce the cost to be more in line with the required park area. To maintain City park design standards, including amenities such as concrete paths, irrigated turf, rubberized play surfaces, and to maintain aesthetics considering the park's visibility from the future Golden Valley Parkway, staff recommends that Council approve CIP PK 24-26, a Reimbursement Agreement and a budget amendment to reimburse costs in excess of DRH's fair share up to \$1,250,000 to be funded from the Culture & Leisure Neighborhood Park Capital Facility Fee fund.

BACKGROUND:

On October 14, 2022, City Council approved the Vesting Tentative Map 22-100 (VTM-22-100) to create 85 residential lots and 3.5 acres of park on 19.98 acres of land. On June 6, 2023, the Community Development Director made a finding of substantial conformance for VTM-22-100, which increased the lot count from 85 to 95, reduced the park size by one (1) acre, and extended the "Street B" by approximately 120 feet.

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING**CREATE CIP PK 24-26, EAGLE'S LANDING PARK, APPROVE REIMBURSEMENT AGREEMENT WITH DR HORTON, AND APPROVE A RELATED BUDGET AMENDMENT FOR NEIGHBORHOOD PARK WITHIN TRACT 4151**

On August 14, 2023, City Council approved the Final Map for Tract 4151, establishing 95 single-family lots. Pursuant to the Lathrop Municipal Code Chapter 16.16, all final maps must include a SIA to guarantee specific offsite and onsite improvements. The construction of the Park improvements is a requirement of the SIA for Tract 4151 and the work is to be complete under an encroachment permit since the Park land was dedicated to the City with the 4151 Final Map.

The Mossdale Landing South Land Use Plan designates a park area that far exceeds DRH's project requirement outlined in the City's General Plan. Given the variance in park area and cost considerations, DRH has proposed to construct the entire park with minimal features to mitigate additional costs. However, the City's preference is to adhere to its established park design standards. These standards encompass essential amenities such as irrigated turf, rubberized play surfaces, enriched play structures, and thematic elements that mirror Lathrop's characteristic park offerings. Given the park's visibility from the future Golden Valley Parkway, a vital gateway to the River Islands Project and the Mossdale Area, prioritizing aesthetics is imperative. DRH has offered to construct the Park pursuant to City standards if the City agrees to reimburse DRH for the cost beyond their responsibility.

Therefore, staff requests Council create CIP PK 24-26, designated as Eagle's Landing Park, and approve a reimbursement agreement and a budget amendment transferring \$1,250,000 from the Culture & Leisure Capital Facility Fee to fund the excess costs of the proposed park enhancements.

A reimbursement agreement is necessary to clarify the conditions and expectations of potential reimbursement. Therefore, staff also requests Council approve the proposed Reimbursement Agreement (Attachment "B") which authorizes reimbursements to DRH for expenses incurred in excess \$1,233,854.61, but not to exceed a reimbursement amount of \$1,250,000. City shall reimburse DRH portion of the total cost as outlined in Attachment B upon completion of the Park to City Specification, dedication of such improvements to the City with lien releases and warranty bond, and City Council acceptance of the dedicated improvements.

DRH will provide a cost estimate for the Park and secure an encroachment permit. DRH will also provide the City a performance bond for the amount of 120% of the estimate. DRH will pay the entire costs of the Park to the contractors and provide proof of payment. City staff would then inspect the work, and if deemed complete by the City engineer and built to the current City's standards, request a warranty bond and lien releases from DRH. Upon receipt of the warranty bond and lien releases, staff will return to Council to request Council's acceptance of the subject public improvements and authorize distribution of the reimbursement.

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING**CREATE CIP PK 24-26, EAGLE'S LANDING PARK, APPROVE REIMBURSEMENT AGREEMENT WITH DR HORTON, AND APPROVE A RELATED BUDGET AMENDMENT FOR NEIGHBORHOOD PARK WITHIN TRACT 4151****REASON FOR RECOMMENDATION:**

The City standards for parks prioritize key features like irrigated turf, rubberized play areas, enhanced play structures, and thematic elements that reflect Lathrop's typical park offerings. This emphasis on aesthetics is crucial due to the park's visibility from the future Golden Valley Parkway, a significant gateway to the River Islands Project and the Mossdale Area. Therefore, staff is requesting Council approve reimbursement for the amount beyond what DRH is required to pay to improve the Park.

FISCAL IMPACT:

Staff also requests City Council approve a budget amendment transferring \$1,250,000 from the Culture & Leisure Capital Facility Fee (2260) to the CIP Project Fund (3010) as follows:

Increase Transfer Out
2260-9900-990-90-10

\$1,250,000

Increase Transfer In
3010-9900-393-00-00

PK 24-26

\$1,250,000

Increase Expense
3010-8000-440-50-00

PK 24-26

\$1,250,000

ATTACHMENTS:

- A. Resolution Creating CIP PK 24-26, Eagle's Landing Park, Approving Reimbursement Agreement with D.R. Horton and Budget Amendment
- B. Public Park Reimbursement Agreement with D.R. Horton BAY, Inc.
- C. Project Location Map – CIP PK 24-26, Eagle's Landing Park

CITY MANAGER'S REPORT

PAGE 4

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

CREATE CIP PK 24-26, EAGLE'S LANDING PARK, APPROVE REIMBURSEMENT AGREEMENT WITH DR HORTON, AND APPROVE A RELATED BUDGET AMENDMENT FOR NEIGHBORHOOD PARK WITHIN TRACT 4151

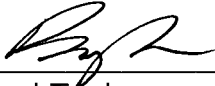
APPROVALS



Bellal Nabizadah
Assistant Engineer

9/27/23

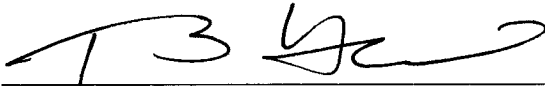
Date



Brad Taylor
City Engineer

9/28/2023

Date



Cari James
Finance Director

FOR C.J.

9/28/2023

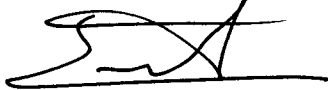
Date



Michael King
Assistant City Manager

9-28-2023

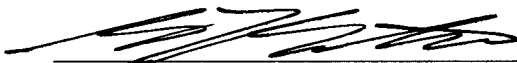
Date



Salvador Navarrete
City Attorney

9.27.2023

Date



Stephen J. Salvatore
City Manager

10-4-23

Date

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP CREATING CIP PK 24-26, EAGLE'S LANDING PARK, APPROVING PUBLIC PARK REIMBURSEMENT AGREEMENT WITH D.R. HORTON BAY, INC. AND APPROVING A RELATED BUDGET AMENDMENT FOR NEIGHBORHOOD PARK WITHIN TRACT 4151

WHEREAS, on October 14, 2022, City Council approved the Vesting Tentative Map 22-100 (VTM-22-100) to create 85 residential lots and 3.5 acres of park on 19.98 acres of land; and

WHEREAS, on June 6, 2023, the Community Development Director made a finding of substantial conformance for VTM-22-100, which increased the lot count from 85 to 95, reduced the park size by one (1) acre, and extended the "Street B" by approximately 120 feet; and

WHEREAS, on August 14, 2023, City Council approved the D.R. Horton BAY, Inc. (DRH) Final Map for Tract 4151, establishing 95 single-family lots. Pursuant to the Lathrop Municipal Code Chapter 16.16, all final maps must include a Subdivision Improvement Agreement (SIA) to guarantee specific offsite and onsite improvements; and

WHEREAS, the construction of the Neighborhood Park for Tract 4151 (Park) improvements is a requirement of the SIA for Tract 4151 and the work is to be complete under an encroachment permit; and

WHEREAS, the Mossdale Landing South Land Use Plan designates a park area that far exceeds the requirement outlined in the City's General Plan for DRH's project; and

WHEREAS, given the variance in park area and cost considerations, DRH has proposed constructing the entire park with minimal features to mitigate additional costs, however, the City's preference is to adhere to its established park design standards; and

WHEREAS, these standards encompass essential amenities such as irrigated turf, rubberized play surfaces, enriched play structures, and thematic elements that mirror Lathrop's characteristic park offerings. Given the park's visibility from the future Golden Valley Parkway, a vital gateway to the River Islands Project and the Mossdale Area, prioritizing aesthetics is imperative; and

WHEREAS, DRH has offered to construct the Park pursuant to City standards if the City will reimburse DRH for the cost beyond their responsibility; and

WHEREAS, staff requests Council create CIP PK 24-26, designated as Eagle's Landing Park; and

WHEREAS, Staff also requests City Council approve a budget amendment transferring \$1,250,000 from the Culture & Leisure Capital Facility Fee (2260) to the CIP Project Fund (3010) as follows:

Increase Transfer Out
2260-9900-990-90-10

\$1,250,000

Increase Transfer In
3010-9900-393-00-00

PK 24-26

\$1,250,000

Increase Expense
3010-8000-440-50-00
; and

PK 24-26

\$1,250,000

WHEREAS, staff further requests City Council approve the proposed Reimbursement Agreement with D.R. Horton BAY, Inc. for a cost to the City not to exceed \$1,250,000.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lathrop hereby creates Capital Improvement Project (CIP) PK 24-36, Eagle's Landing Park; and

BE IT FURTHER RESOLVED, that the City Council of the City of Lathrop also approves a budget amendment transferring \$1,250,000 from the Culture & Leisure Capital Facility Fee (2260) to the CIP Project Fund (3010) as detailed above; and

BE IT FURTHER RESOLVED, that the City Council of the City of Lathrop also approves the proposed Reimbursement Agreement with D.R. Horton BAY, Inc. to reimburse D.R. Horton BAY, Inc. up to \$1,250,000 upon Council acceptance of a fully improved 2.5 acre park as specified therein.

PASSED AND ADOPTED by the City Council of the City of Lathrop this 9th day of October 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

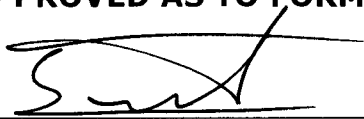
ABSENT:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

CITY OF LATHROP

PUBLIC PARK REIMBURSEMENT AGREEMENT WITH D.R. HORTON
BAY, INC. FOR CAPITAL IMPROVEMENT PROJECT (CIP) PK 24-26
EAGLE'S LANDING PARK

This Public Park Reimbursement Agreement Relating to CIP PK 24-26, Eagle's Landing Park ("**Agreement**") is made and entered into this **9th day of October, 2023** ("**Effective Date**") by and between the City of Lathrop, a municipal corporation of the State of California ("**City**"), and D.R. Horton Bay, Inc. ("**Developer**"). City and Developer may be collectively referred to herein as the "**Parties**" or individually as a "**Party**".

RECITALS

A. Lathrop Municipal Code (LMC) 3.22 provides a mechanism to reimburse developers for certain public improvements as detailed therein.

B. The "**Project**," as referenced in this Agreement, consists of constructing a neighborhood park for Tract 4151 pursuant to the subdivision improvements agreement (SIA) for Tract 4151, as show in **Exhibit A**.

C. The City's General Plan mandates a specific park area based on the number of residents, and the designated park size in the Mossdale Landing South Land Use Plan is notably larger.

D. Developer initially proposed limited park amenities to offset the disproportional park area and reduce the cost to be more relevant with the required park area. To maintain City park design standards, including amenities such as concrete paths, irrigated turf, rubberized play surfaces, and to maintain aesthetics given the park's visibility from the future Golden Valley Parkway, City Council approved CIP PK 24-26 and this Agreement to fund up to \$1,250,000 from the Culture & Leisure Capital Facility Fee for the additional amenities.

E. Developer will pay expenses for the Project and is entitled to a partial reimbursement from the City of Lathrop ("Reimbursement"). The purpose of this Agreement is to detail the mechanisms for the payment of Reimbursement to Developer only for those public improvements detailed in the approved plans for Encroachment Permit (E.P.) 2023-132.

F. Upon completion of the Project, the City agrees to pay a portion of the total Project expenses paid by Developer, with Reimbursement not to exceed \$1,250,000, as detailed in Section 2 of this Agreement.

NOW, THEREFORE, for good and valuable consideration, City and Developer agree as follows:

AGREEMENT

1. Recitals. The recitals set forth above are true and correct and made a part of this Agreement.

2. City and Developer Obligations.

(a) City Obligations:

- (i) City shall accept the subject public improvements from the Developer following Developer's satisfaction of all obligations as listed in Section 2(b) of this Agreement.
- (ii) City shall reimburse Developer for a portion of the total Project cost not to exceed \$1,250,000 following City's acceptance of the public improvements contemplated by this Agreement.

(b) Developer Obligations:

- (i) Developer has submitted Project plans and specifications to the City pursuant to LMC 3.22.010E as part of its application for E.P 2023-132.
- (ii) Developer has provided a Performance Bond and Certificate of Insurance required by E.P. 2023-132
- (iii) Developer will complete all construction of the Project in compliance with the approved plans for E.P. 2023-132.
- (iv) Developer shall provide reasonable documentation of the actual costs incurred (which may include, among others, unconditional lien releases, invoices, proof of payment, conformance with all applicable laws including but not limited to state requirements for prevailing wage and certified payroll, confirmation on letterhead from relevant contractor(s)/subcontractor(s) of payment, and/or any other reasonable documentation similar in detail and content as has been previously provided to City); City shall then have the right, but not the obligation, to reasonably review and audit said documentation, to the extent it determines reasonably appropriate, with any such audit being completed within thirty (30) days. No later than thirty (30) days of either (a) the receipt of said documentation, or (b) the completion of any audit.
- (v) Developer shall pay all costs required to complete improvements. After completion of Subsection (iv) of Section 2b of this Agreement, City shall reimburse expenses incurred in excess of \$1,233,854.61, but not to exceed a reimbursement amount of \$1,250,000.

3. Reimbursement.

(a) Timing of Reimbursement.

- (i) Timing of Reimbursement to Developer shall occur within a reasonable time after City Engineer's approval of the work pursuant to LMC 3.22.010 and acceptance of the public improvements detailed in the approved plans for E.P. 2023-132 by City Council pursuant to LMC 16.16.160. City is under no obligation to accept or reimburse for partial completion of public improvements. City shall deliver such Reimbursement to the address set forth in Section 10 below.

4. Term of Agreement; Termination.

- (a) This Agreement shall commence on the Effective Date and shall terminate on the sooner of (i) one year after the date of execution or (ii) when Developer has received Reimbursement.

5. Indemnification. Developer agrees to protect, defend, indemnify and hold City, its City Council members, officers, employees, engineer, and construction manager harmless from and against any and all claims, demands, liabilities, losses, damages, costs, expenses, liens, penalties, suits, or judgments, arising in whole or in part, directly or indirectly, at any time from any injury to or death of persons or damage to property as a result of the willful or negligent act or omission of Developer or its Contractors, or which results from Developer's noncompliance with any Law respecting the condition, use, occupation or safety of the Project site, or any part thereof, or which arises from conduct in the performance of or failure to perform the terms and conditions of this Agreement, except as may arise from the sole willful or negligent act or omission of City or any of its City Council members, officers, employees. This indemnification shall extend to any and all claims, demands, or liens made or filed by reason of any construction, renovation, or remodeling work performed by Developer under this Agreement at any time during the term of this Agreement, or arising thereafter.

6. Governing Law. This Agreement shall be governed by the laws of the State of California.

7. Binding Effect. This Agreement is for the benefit of and shall be binding upon both Parties and their respective successors, heirs, executors, administrators, permitted assigns and successors in interest.

8. Assignment. Not Applicable.

9. Notices. For purposes of this Agreement, "**notice**" means any notice, demand, request, or other communication to be provided under this Agreement. All notices shall be in writing and shall be sent to the below addresses or at such other addresses as either Party may later specify for that purpose. All notices required or permitted under this Agreement shall be

personally delivered or sent by registered or certified mail, return receipt requested, postage prepaid or by a nationally recognized overnight courier, such as FedEx or UPS, with charges prepaid for next business day delivery, addressed to the Parties as follows:

If to City: City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330
Attn: City Clerk
Email: [website cco@ci.lathrop.ca.us](mailto:cco@ci.lathrop.ca.us)

With a concurrent copy to: City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330
Attn: Salvador Navarrete, City Attorney
Email: snavarrete@ci.lathrop.ca.us

If to Developer: D.R. Horton BAY, Inc.
3000 Executive Parkway, Suite 100
San Ramon, CA 94588
Attn: Michael Mandell
Email: MDMandell@drhorton.com

The date of any notice shall be the date of receipt, provided that rejection or other refusal to accept or the inability to deliver because of a change in address of which no notice was given shall be deemed to constitute receipt of the notice sent. Either Party may change its address for notice by giving notice to the other Party in accordance with this Section 9.

10. Payments to Developer. All payments due to Developer hereunder shall be sent to the following address or at such other address (or wiring instructions) as Developer shall from time to time specify in writing to City:

D.R. Horton BAY, Inc.
3000 Executive Parkway, Suite 100
San Ramon, CA 94588
Attn: Michael Mandell

11. Amendments. Any modifications to this Agreement shall be in writing and signed by authorized representatives of both Parties.

12. Attorney's Fees and Venue. In the event of a dispute arising under this Agreement between the Parties, the prevailing Party shall be entitled to an award against the other Party of reasonable and actual attorney's fees and costs incurred in connection with the dispute. The venue for any litigation shall be in San Joaquin County, California.

13. Cumulative Rights; Waiver. The failure by either Party to exercise, or delay in exercising any rights under this Agreement, shall not be construed or deemed a waiver thereof, nor shall any single or partial exercise by either Party preclude any other or future exercise thereof or the exercise of any other right. Any waiver of any provision or any waiver of any breach of any

provision of this Agreement must be in writing, and any waiver by either Party of any breach of any provision of this Agreement shall not operate as or be construed as a waiver of any other breach of that provision or of any breach of any other provision of this Agreement.

14. Severability. If any provision of this Agreement is deemed by a court of competent jurisdiction to be invalid, illegal or unenforceable, such provision shall be deemed to be severed or deleted from this Agreement and the balance of this Agreement shall remain in full force and effect notwithstanding such invalidity, illegality or unenforceability.

15. Headings. All headings herein are inserted only for convenience and ease of reference and are not considered in the construction or interpretation of any provision of this Agreement.

16. Signing Authority. The individuals signing this Agreement represent and agree that they have full and actual authority to bind their respective Parties to this Agreement.

17. Entire Agreement. This Agreement constitutes the entire agreement between the Parties regarding its subject. This Agreement supersedes all proposals, oral and written, and all negotiations, conversations or discussions heretofore and between the Parties related to the subject matter of this Agreement.

18. No Third-Party Beneficiaries. There are no intended third-party beneficiaries of any right or obligation assumed by the Parties. In particular, and without limitation, no merchant builder or other purchaser of land from Developer shall have any right to enforce this Agreement.

19. Minor Modifications. Not applicable.

20. Counterparts; Electronic Signatures. This Agreement may be signed in counterparts, each of which shall constitute an original and which collectively shall constitute one instrument. Signatures may be given by facsimile, emailed PDF, or other electronic means with the same force and effect as signed, wet originals.

[Signatures to follow on next page]

IN WITNESS WHEREOF, City and Developer have executed this Agreement as of the Effective Date.

CITY:

CITY OF LATHROP,
A California municipal corporation

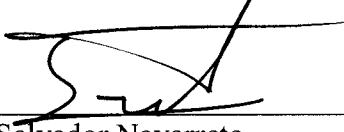
By: _____
Stephen J. Salvatore
City Manager

ATTEST:

City Clerk of and for the City
of Lathrop, State of California

By: _____
Teresa Vargas, City Clerk

**APPROVED AS TO FORM BY THE CITY OF
LATHROP CITY ATTORNEY:**

By:  _____
Salvador Navarrete
City Attorney

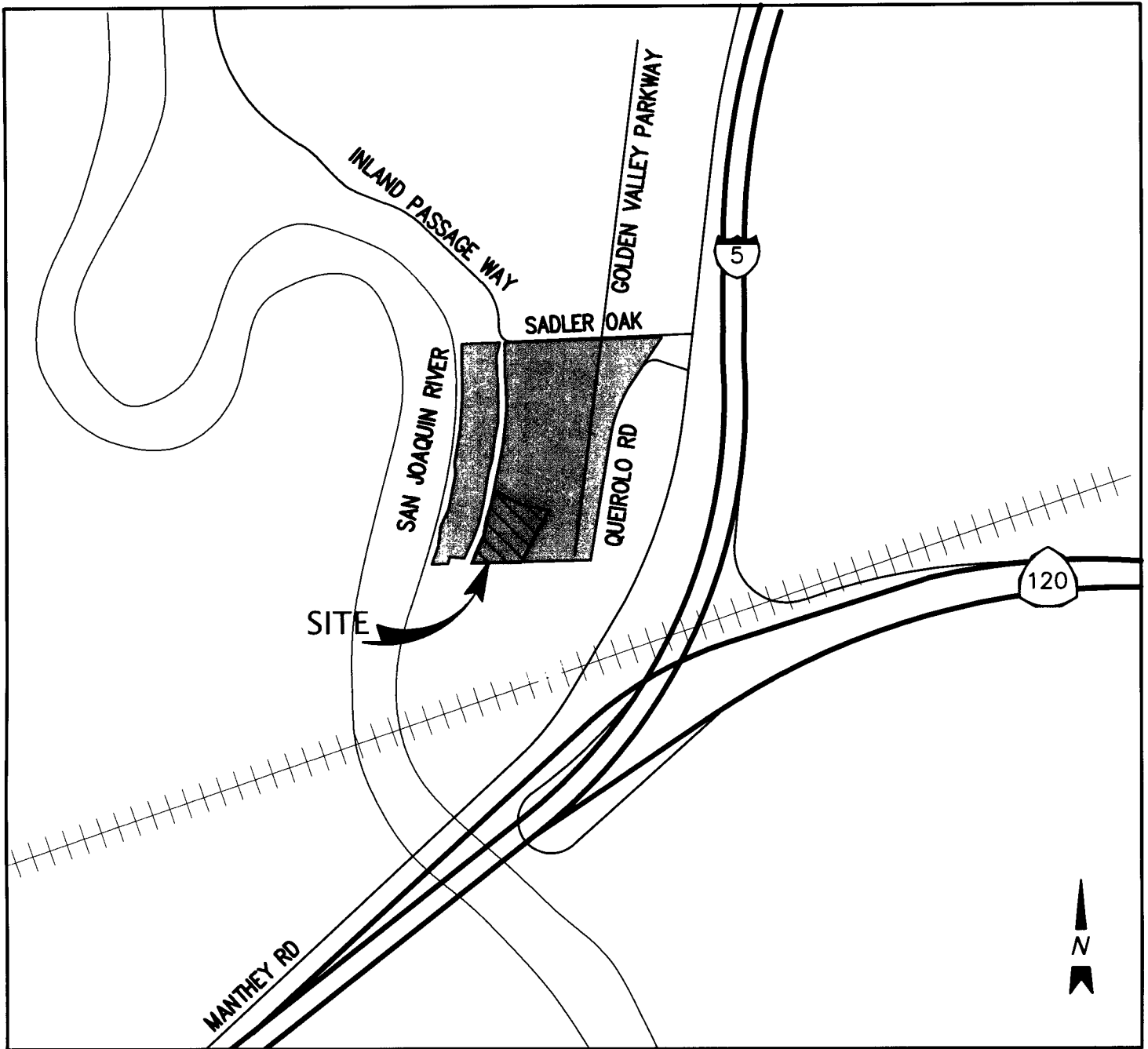
DEVELOPER:

D.R. Horton Bay, Inc.
a Delaware Corporation

By: _____
Chris Zaballos Date
Vice President

EXHIBIT A

DEPICTION OF PROJECT SITE



VICINITY MAP

NOT TO SCALE



KIER+WRIGHT

3350 Scott Boulevard, Building 22
Santa Clara, California 95054

Phone: (408) 727-6665
www.kierwright.com

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ITEM 4.17

CITY MANAGER'S REPORT OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

ITEM: **RESCIND PREVIOUS APPROVAL AND APPROVE MODIFIED FINAL MAP FOR TRACT 4131 VILLAGE "KK" AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 75 LOTS WITHIN OLD RIVER DISTRICT OF RIVER ISLANDS**

RECOMMENDATION: **Adopt Resolution Rescinding Previous Approval and Approving Modified Final Map for Tract 4131 Village "KK" within the Old River District, Totaling 75 Multi-Family Lots, and Subdivision Improvement Agreement with River Islands Stage 2B, LLC**

SUMMARY:

The proposed Final Map for Tract 4131 was modified from the previous version that was approved by Council on July 11, 2022 to accommodate an attached accessory dwelling unit for each lot. Van Daele Homes is proposing seventy-five (75) 50' x 68' multi-family lots and each lot will include a primary and a secondary dwelling unit. A Vicinity Map is included as Attachment "B".

Staff recommends that the City Council rescind the previous approval of the Final Map for Tract 4131 and approve the proposed modified Final Map Tract 4131, Village "KK" (Final Map), and a Subdivision Improvement Agreement (SIA), included as Attachment "C", with River Islands Stage 2B, LLC (hereinafter referred to as "River Islands"), by Resolution included as Attachment "A".

BACKGROUND:

The City of Lathrop City Council approved Vesting Tentative Map (VTM) 6716 on June 14, 2021. On August 4, 2021, Planning Commission approved a Neighborhood Design Plan (NDP) and Architectural Guidelines and Design Standards (AG/DS) for the Old River District, known as Stage 2B, within Phase 2 of the project. The land for the proposed Final Map is within the geographic boundaries of VTM 6716 and Stage 2B.

On July 11, 2022, Council approved the previous version of the Final Map for Tract 4131. However, the map was never recorded at the request of River Islands due to the previous homebuilder deciding to not purchase develop the site. Van Daele Homes is now proposing to modify the lots within Tract 4131 to accommodate both a primary and secondary dwelling unit. River Islands and staff request Council rescind its previous approval of the Final Map for Tract 4131 and approve the modified Final Map.

As required by the Lathrop Municipal Code Chapter 16.16, all final maps must include a SIA to guarantee specific offsite and onsite improvements. The total cost of the

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING**RESCIND PREVIOUS APPROVAL AND APPROVE MODIFIED FINAL MAP FOR TRACT 4131 VILLAGE "KK", AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 75 LOTS WITHIN OLD RIVER DISTRICT OF RIVER ISLANDS**

improvements for Tract 4131 is \$1,183,000, however, a large percentage of the improvements have already been constructed and therefore do not need to be guaranteed. Performance and labor & material securities have been provided with the SIA for Tract 4131 that guarantee the unfinished improvements in the amount of:

Unfinished Improvement Total:	\$202,900
Performance Security (Provided with Previous Approval) Bond No. 0799673	\$223,190
Labor & Materials Security (Provided with Previous Approval) Bond No.0799673	\$111,595

Acceptance of the public improvements will be processed by staff for council consideration at a later date and when the unfinished improvements are completed. Prior to acceptance, River Islands will be required to provide a one (1) year warranty bond.

Pursuant to Resolution 23-5259 dated April 10, 2023 Tract 4131 is within the boundaries of City of Lathrop Community Facilities District (CFD) 2023-1 and therefore does not need to be annexed. However, Tract 4131 will need to be annexed into the Island Reclamation District (RD) 2062 and River Islands Public Financing Authority (RIPFA) CFDs for maintenance purposes. Annexation into CFDs administered by RD 2062 and RIPFA is required as part of the escrow instructions prior to recording of the final map.

As a precondition to record the Final Map, River Islands must satisfy the Escrow Instructions, included as Attachment "D", by depositing necessary sums to guarantee the payment of all fees and providing required documents.

REASON FOR RECOMMENDATION:

River Islands will fulfill all of the requirements of the Lathrop Municipal Code Chapter 16.16 as listed below prior to recordation of map:

Documents	Status
1. Final Map ready for signature	Completed
2. Subdivision Improvement Agreement	Completed
3. Performance Security – Uncompleted Landscaping and Miscellaneous Improvements	Received
4. Labor and Materials Security – Uncompleted Landscaping and Miscellaneous Improvements	Received
5. Street Improvement, Landscape, Light & Joint Trench	Completed

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

RESCIND PREVIOUS APPROVAL AND APPROVE MODIFIED FINAL MAP FOR TRACT 4131 VILLAGE "KK", AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 75 LOTS WITHIN OLD RIVER DISTRICT OF RIVER ISLANDS

6.	Geotechnical Report	Completed
7.	Agreement for Backbone Improvements and Parks (Agreement for Dedication, Inspection and Guarantee of Streets and Public Improvements)	Completed
8.	Approval of 3 rd Amendment to Development Agreement that guarantees creation of CFD for City Maintenance and Shortfalls, and Guarantee of Developer CFDs for Developer/other public agency Maintenance	Completed
9.	Allocation of Water and Sewer capacity	Completed
10.	Recommendation for approval from Stewart Tract Design Review Committee	Completed
11.	Submitted Certificate of Insurance, Tax Letter	Completed
12.	Submitted Preliminary Guarantee of Title	Completed
13.	Escrow Instructions	Completed
Fees		Status
1.	Final Map plan check fee	Paid
2.	Improvement Plans - Plan check and inspection fees	Paid
3.	Sierra Club Settlement fee	To be paid in escrow

FISCAL IMPACT:

There is no fiscal impact to the City as all costs are covered by development fees and any shortfalls in the City's maintenance and operating costs are covered by the CFDs.

ATTACHMENTS:

- A. Resolution Rescinding Previous Approval and Approving Modified Final Map for Tract 4131 Village "KK" within the Old River District, Totaling 75 Multi-Family Lots, and Subdivision Improvement Agreement with River Islands Stage 2B, LLC
- B. Vicinity Map – Tract 4131 Village "KK"
- C. Subdivision Improvement Agreement between the City of Lathrop and River Islands Stage 2B, LLC, a Delaware limited liability company, for Tract 4131, Village "KK"
- D. Escrow Instructions for Final Map Tract 4131 Village "KK"
- E. Final Map – Tract 4131 Village "KK"

CITY MANAGER'S REPORT

PAGE 4

**OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
RESCIND PREVIOUS APPROVAL AND APPROVE MODIFIED FINAL MAP FOR
TRACT 4131 VILLAGE "KK", AND SUBDIVISION IMPROVEMENT
AGREEMENT FOR 75 LOTS WITHIN OLD RIVER DISTRICT OF RIVER
ISLANDS**

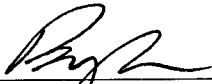
APPROVALS



Bellal Nabizadah
Assistant Engineer

9/26/23

Date



Brad Taylor
City Engineer

9/26/2023

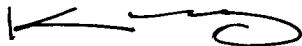
Date

 FOR C.J.

Cari James
Finance Director

9/26/2023


Date



Michael King
Assistant City Manager

9-27-2023

Date



Salvador Navarrete
City Attorney

9.26.2023

Date



Stephen Salvatore
City Manager

10.4.23

Date

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP RESCINDING PREVIOUS APPROVAL AND APPROVING MODIFIED FINAL MAP FOR TRACT 4131 VILLAGE "KK" WITHIN THE OLD RIVER DISTRICT, TOTALING 75 MULTI-FAMILY LOTS, AND SUBDIVISION IMPROVEMENT AGREEMENT WITH RIVER ISLANDS STAGE 2B, LLC

WHEREAS, the City of Lathrop City Council approved Vesting Tentative Map (VTM) 6716 on June 14, 2021; and

WHEREAS, on August 4, 2021, the City of Lathrop Planning Commission approved a Neighborhood Design Plan (NDP) and Architectural Guidelines and Design Standards (AG/DS) for the Old River District, known as Stage 2B, within Phase 2 of the project; and

WHEREAS, the land for the proposed modified Final Map for Tract 4131 "KK" (Tract 4131) is within the geographic boundaries of VTM 6716 and Stage 2B; and

WHEREAS, on July 11, 2022, Council approved the previous version of the Final Map for Tract 4131. However, the map was never recorded at the request of River Islands due to the previous homebuilder deciding to not purchase or develop the site. Van Daele Homes is now proposing to modify the lots within Tract 4131 to accommodate both a primary and secondary dwelling unit. River Islands and staff request council rescind its previous approval of Final Map and approve the modified Final Map; and

WHEREAS, as required by the Lathrop Municipal Code Chapter 16.16, all final maps must include a Subdivision Improvement Agreement (SIA) to guarantee specific offsite and onsite improvements; and

WHEREAS, River Islands Stage 2B, LLC (hereinafter referred to as "River Islands") provided performance and labor & material with the SIA for Tract 4131 that guarantee the unfinished improvements in the amount as follows:

Unfinished Improvement Total:	\$202,900
Performance Security (Provided with Previous Approval): Bond No. 0799673	\$223,190
Labor & Materials Security (Provided with Previous Approval): Bond No. 0799673	\$111,595

; and

WHEREAS, potential acceptance of the public improvements will be processed by staff for council consideration at a later date and when the unfinished improvements are completed and prior to acceptance, River Islands will be required to provide a one (1) year warranty bond; and

WHEREAS, pursuant to Resolution 23-5259 dated April 10, 2023 Tract 4131 is within the boundaries of City of Lathrop Community Facilities District (CFD) 2023-1 and therefore does not need to be annexed. However, Tract 4131 will need to be annexed into the Island Reclamation District (RD) 2062 and River Islands Public Financing Authority (RIPFA) CFDs for maintenance purposes. Annexation into CFDs administered by RD 2062 and RIPFA is required as part of the escrow instructions prior to recording of the final map; and

WHEREAS, River Islands must satisfy the Escrow Instructions, included as Attachment "D" to the City Manager's Report, by depositing necessary payments of all fees and required security to guarantee execution of the documents related to the SIA.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Lathrop hereby approves the following actions:

1. Rescind previous approval of Final Map dated July 11, 2022 for Tract 4131.
2. The modified Final Map for Tract 4131, as attached to the October 9, 2023 staff report, and is hereby approved as submitted for recordation with the San Joaquin County Assessor/Recorder/County Clerk Office.
3. Subdivision Improvement Agreement with River Islands Stage 2B, LLC, in substantially the form as attached to the October 9, 2023 staff report and authorize the City Manager to execute.

PASSED AND ADOPTED by the City Council of the City of Lathrop this 9th day of October 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

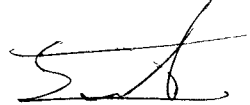
ABSENT:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

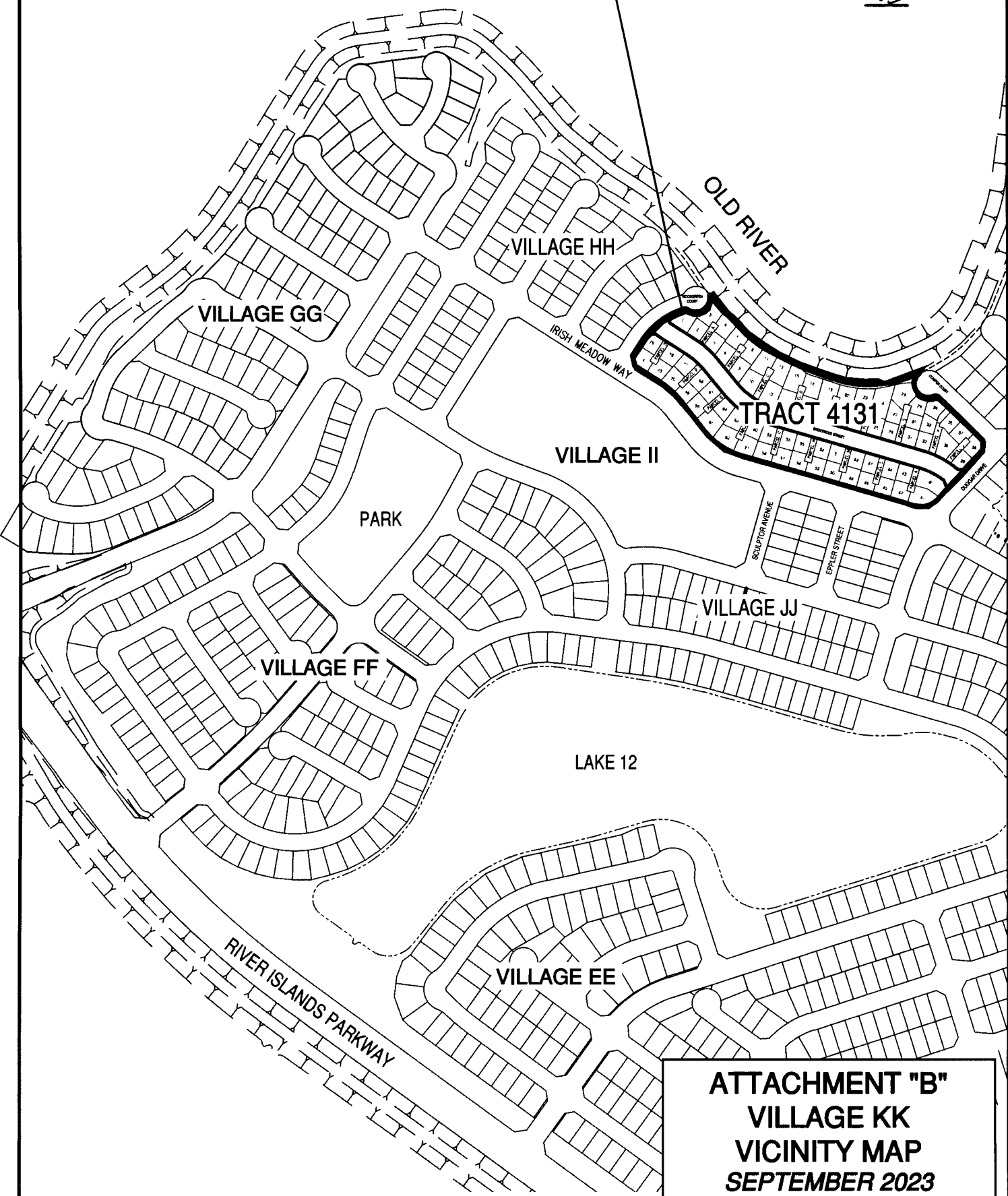
APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

VILLAGE KK BOUNDARY

ATTACHMENT
"B"



ATTACHMENT "B"
VILLAGE KK
VICINITY MAP
SEPTEMBER 2023

SUBDIVISION IMPROVEMENT AGREEMENT
BY AND BETWEEN THE CITY OF LATHROP AND
RIVER ISLANDS STAGE 2B, LLC, A DELAWARE LIMITED LIABILITY COMPANY
FOR TRACT 4131 VILLAGE "KK" 75 RESIDENTIAL LOTS

RECITALS

A. This Agreement is made and entered into this **9th day of October 2023**, by and between the **CITY OF LATHROP**, a municipal corporation of the State of California (hereinafter "CITY") and **River Islands Stage 2B, LLC**, a Delaware limited liability company, (hereinafter "SUBDIVIDER"). This Agreement supersedes the previous Tract 4131 Subdivision Improvement Agreement that was approved by City Council on July 11, 2022.

B. Pursuant to Division 2 of Title 7 of the Government Code of the State of California and the CITY's Subdivision Regulations (City of Lathrop, Code of Ordinances, Chapter 16), SUBDIVIDER is required to make dedications and improve Tract 4131 Stage 2B Village "KK" (Tract 4131). However, SUBDIVIDER has completed a significant portion of public infrastructure improvements associated with Tract 4131 located within the Old River District of River Islands Phase 2, which also includes major streets necessary to access the site. Performance and Labor & Material securities have been provided by SUBDIVIDER that guarantee the unfinished improvements for Tract 4131, in the amount shown in Section 8 of this Agreement.

C. SUBDIVIDER has completed a portion of the joint trench improvements for Tract 4131 and as noted in Recital B, security shall be required for the unfinished portion of these improvements, along with other required infrastructure associated with Tract 4131. Improvement plans, and street light plans have already been approved by the City. The street, sidewalk, underground utility, storm drainage, streetlight and joint trench improvements (hereinafter "Improvements") are substantially completed and minor improvements not yet constructed as part of the required infrastructure for Tract 4131 are required security as outlined in this Agreement is required.

NOW THEREFORE in consideration of CITY'S pending approval and acceptance of the Improvements upon their satisfactory completion, and in consideration of SUBDIVIDER'S construction of Improvements in strict accordance with the terms of this Agreement, all applicable laws, statutes, ordinances, rules and regulations currently in force and effect in CITY, the terms and conditions of which are incorporated herein by this reference, the parties hereto mutually covenant and agree as follows:

1. SUBDIVIDER shall complete construction of, or cause construction to be completed at its sole cost and expense, the Improvements for all of the lots within the Old River neighborhood, to the limits identified in Exhibit "A", including the public landscaping, streetlight and joint trench improvements. A Vicinity Map is included as Exhibit "B".

All improvements shall be constructed to the satisfaction and approval of the City Engineer, in a good and workmanlike manner in accordance with the above referenced improvement plans and specifications, the improvement standards and specifications of the CITY'S Department of Public Works, the applicable Ordinances of the City of Lathrop and the California Subdivision Map Act.

2. SUBDIVIDER shall complete the Improvements, including all deferred and unfinished improvements, prior to occupancy of the last home constructed in Tract 4131 that is conveyed to a private interest not associated with the transfer of title of Tract 4131 associated with the filing of Tract 4131 (homebuilder), prior to the completion and occupancy of the last production dwelling unit associated with Tract 4131, or October 9, 2023, whichever comes first. Such occupancy shall be documented by CITY in the form of a Certificate of Occupancy or Final Building Permit.

3. CITY, or its agent(s), shall, at any time during the progress of the Improvements, have free access thereto, and shall be allowed to examine the same and all material to be used therein. If the Improvements or any part thereof are not completed in strict compliance with the standards set forth in Paragraph 1 above, CITY may refuse to accept and may reject the defective Improvements and/or materials therein.

4. SUBDIVIDER shall secure the services of skilled personnel necessary to construct the Improvements. CITY is not skilled in these matters and relies upon the skill of the SUBDIVIDER to ensure that the construction of the Improvements is in the most skillful and durable manner.

5. CITY'S acceptance of the Improvements does not operate as a release of SUBDIVIDER from any guarantee hereunder.

6. SUBDIVIDER guarantees and warrants that the Improvements shall be constructed in compliance with the standards set forth in Paragraph 1 above, free from any defects in work or labor done, and from any defects in materials furnished. Further, SUBDIVIDER shall repair and maintain the Improvements in good condition and in accordance with CITY specifications for one (1) year after CITY'S acceptance of the Improvements. As required by this Agreement, prior to acceptance of the Improvements, SUBDIVIDER shall deposit with the City Engineer a Warranty Bond in the amount of \$118,300, equal to 10% of the estimated cost of the Improvements for the Tract 4131 entire area (\$1,183,000) as included in the Engineer's estimate attached to this Agreement as Exhibit "D", to insure SUBDIVIDER'S repair and warranty of the Improvements in accordance with the terms of this Agreement. The Warranty Bond shall be released at the end of the one year guarantee period, provided there are no claims against it are then outstanding.

7. If SUBDIVIDER, in whole or in part, abandons the Improvements, or unnecessarily or unreasonably delays construction of the Improvements, fails to complete construction of the Improvements within the time specified in this Agreement, or fails to repair.

Replace or reconstruct any defects, as set forth in Paragraph 6 above, CITY may, but is not required to, proceed to complete and/or repair, replace, or reconstruct the Improvements, either by itself or by contract for such service, and CITY may cause to be forfeited such portion of any security deposited therein as is necessary to cover the costs of completion, repair, replacement, or reconstruction incurred by CITY.

Once action is taken by CITY to complete, repair, replace and/or reconstruct the Improvements, SUBDIVIDER shall be responsible for all costs incurred by CITY, even if SUBDIVIDER subsequently completes the work.

The CITY shall have recourse against SUBDIVIDER for any and all amounts necessary to complete the obligations of SUBDIVIDER in the event the security (including but not limited to any Letter of Guarantee, Certificate of Deposit, cash, bond for performance, labor and materials and repair and maintenance, letter of credit or cash deposit) therefore is insufficient to pay such amounts. All administrative costs, including reasonable attorney's fees pursuant to Government Code Section 66499.4, incurred by the CITY, in addition to the costs of the improvements shall be a proper charge against the security and SUBDIVIDER. In the event it becomes necessary for CITY to bring an action to compel performance of this Agreement or to recover costs of completing such improvements, SUBDIVIDER shall pay reasonable attorney's fees, costs of suit and all other expenses of litigation incurred by CITY in connection therewith.

8. Because the Improvements are not entirely complete, the SUBDIVIDER is required to only post Performance or Labor & Materials bonds to guarantee the unfinished improvements associated with Tract 4131 as included and described in Exhibit "D" of this Agreement. Performance and Labor & Material securities have been provided in the amount shown in Table 1 below. SUBDIVIDER shall also comply with CITY'S insurance requirements set forth on Exhibit "C" attached hereto and incorporated herein.

Table 1 – Bond Values

Unfinished Improvement Total:	\$202,900
Performance Bond (Bond No. 0799673):	\$223,190
Labor & Materials Bond (Bond No. 0799673):	\$111,595

9. Any alteration(s) made to the plans and specifications, which are a part of this Agreement, or any provision of this Agreement shall not operate to release any surety or sureties from liability on any bond or bonds attached hereto and made a part thereof. The above referenced sureties hereby consent to such alterations and waive the provisions of California Civil Code Section 2819.

10. Neither the CITY nor any of its officers, employees or agents shall be liable to SUBDIVIDER, and/or SUBDIVIDER'S agents, contractors or subcontractors for any error or omission arising out of or in connection with any work to be performed under this Agreement.

11. Neither the CITY nor any of its officers, employees, or agents, shall be liable to the SUBDIVIDER or to any person, entity, or organization, for any injury or damage that may result to any person or property by or from any cause in, on, or about the subdivision of all or any part

of the land covered by this Agreement.

12. SUBDIVIDER hereby agrees to, and shall hold CITY, its elective and appointive boards, commissions, officers, agents and employees (collectively, "Indemnitees"), harmless from any liability for damage or claims which may arise from SUBDIVIDER and/or SUBDIVIDER'S contractors, subcontractors, agents, or employees' operations under this Agreement, whether such operations be by SUBDIVIDER or by any SUBDIVIDER contractors, subcontractors, or by any one or more persons directly or indirectly employed by, or acting as agent for, SUBDIVIDER or any of SUBDIVIDER'S contractors or subcontractors. SUBDIVIDER shall, at its own cost and expense, defend any and all actions, suits, or legal proceedings or any type that may be brought or instituted against CITY and indemnities on any claim or demand, of any nature whatsoever, and pay or satisfy any judgment that may be rendered against CITY and the Indemnitees in any such action, suit or legal proceedings, resulting from or alleged to have resulted from SUBDIVIDER'S performance or non-performance of his duties and obligations under this Agreement, or from the negligent act or omission of himself, his agents, contractors, representatives, servants or employees. The promises and Agreement to indemnify and hold harmless set forth in this section is not conditioned or dependent on whether or not any indemnity has prepared, supplied or approved any plan or specification in connection with this work or subdivision, whether or not any such indemnity has insurance or indemnification covering any of these matters. CITY does not, and shall not; waive any rights against SUBDIVIDER which it may have by reason of the aforesaid hold harmless agreement, because of the acceptance by CITY of any deposit with CITY by SUBDIVIDER. The aforesaid hold harmless agreement by SUBDIVIDER shall apply to all damages and claims for damages of every kind suffered, or alleged to have been suffered, by reason of any of the aforesaid operations referred to in this paragraph, regardless of whether or not CITY has prepared, supplied or approved of, plans and/or specifications for the subdivision.

13. Neither SUBDIVIDER nor any of SUBDIVIDER'S agents, contractors or subcontractors are, or shall be, considered to be agents of CITY in connection with the performance of SUBDIVIDER'S obligations under this Agreement.

14. Prior to acceptance of the Improvements by the City Council, the SUBDIVIDER shall be solely responsible for maintaining the quality of the Improvements, and maintaining safety at the project site. The SUBDIVIDER'S obligation to provide the Improvements shall not be satisfied until after the City Engineer has made a written determination that all obligations of the Agreement have been satisfied and all outstanding fees and charges have been paid, and the City Council has accepted the Improvements as complete. The CITY and SUBDIVIDER have formed Community Facilities Districts to finance maintenance and improvements. The CITY expects to preserve the ability to use future special taxes of the CFD for payment of the cost of acquisition of the Improvements, which may require that acceptance of improvements by CITY be subject to the provisions of an acquisition agreement to be entered into by the CITY and SUBDIVIDER providing that CITY expects to be paid or reimbursed acquisition costs through future CFD special taxes. SUBDIVIDER shall cooperate to facilitate such method of acquisition.

15. SUBDIVIDER shall pay service fees for the utility services from the time the Improvements are accepted by the CITY to the end of the fiscal year, or up to a one (1) year period, whichever is needed to ensure an opportunity for the Improvements to be included in the next fiscal year annual assessment.

16. SUBDIVIDER shall be responsible to sweep streets within the subdivision every two weeks as directed by the City Engineer, on all streets where lots are occupied and all streets providing access to occupied lots until the Improvements are accepted by the CITY.

17. SUBDIVIDER shall not assign this Agreement without the prior written consent of CITY. If such consent is given, the terms of this Agreement shall apply to and bind the heirs, successors, executors, administrators and assignees of SUBDIVIDER, and any heirs, successors, executors, administrators and assignees of the SUBDIVIDER and shall be jointly and severally liable hereunder.

18. The SUBDIVIDER shall, at the SUBDIVIDER'S expense, obtain and maintain all necessary permits and licenses for construction of the Improvements. Prior to the commencement of Improvement construction, the SUBDIVIDER shall obtain a City of Lathrop Business License. The SUBDIVIDER shall comply with all local, state and federal laws, whether or not said laws are expressly stated in this Agreement.

19. This Agreement and any amendments hereto comprise the entire understanding and agreement between the parties regarding the improvements to be constructed and dedications for Tract 4131.

20. The following miscellaneous provisions are applicable to this Agreement:

a. Controlling Law. The parties agree that this Agreement shall be governed and construed by and in accordance with the laws of the State of California.

b. Definitions. The definitions and terms are as defined in this Agreement.

c. Force Majeure. Neither party shall be deemed to be in default on account of any delay or failure to perform its obligations under this Agreement, which directly results from an Act of God or an act of a superior governmental authority.

d. Headings. The paragraph headings are not a part of this Agreement and shall have no effect upon the construction or interpretation of any part of this Agreement.

e. Incorporation of Documents. All documents referred to herein and all documents which may, from time to time, be referred to in any duly executed amendment hereto are by such reference incorporated herein and shall be deemed to be part of this Agreement.

f. Modification of Agreement. This Agreement shall not be modified or be binding upon the parties unless such modification is agreed to in writing and signed by the parties.

g. Severability. If a court of competent jurisdiction finds or rules that any provision of this Agreement is void or unenforceable, the provisions of this Agreement not so affected shall remain in full force and effect.

Subdivision Improvement Agreement (River Islands Stage 2B, LLC)
Tract 4131 Village "KK"

h. Successors and Assigns. Except as otherwise expressly provided herein, the provisions of this Agreement shall inure to the benefit of, and shall apply to and bind, the successors and assigns of the parties.

i. Time of the Essence. Time is of the essence of this Agreement and each of its provisions. In the calculation of time hereunder, the time in which an act is to be performed shall be computed by excluding the first Day and including the last. If the time in which an act is to be performed falls on a Saturday, Sunday or any Day observed as a legal holiday by CITY, the time for performance shall be extended to the following Business Day.

j. Venue. In the event either party brings that suit hereunder, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of San Joaquin.

ATTACHMENTS:

- EXHIBIT A FINAL MAP - TRACT 4131
- EXHIBIT B TRACT 4131 STAGE 2B VILLAGE "KK" AREA
- EXHIBIT C: CITY INSURANCE REQUIREMENTS
- EXHIBIT D: TRACT 4131 UNFINISHED IMPROVEMENTS AND FULL
IMPROVEMENTS COST ESTIMATE

Subdivision Improvement Agreement (River Islands Stage 2B, LLC)
Tract 4131 Village "KK"

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on this 9th day of October 2023, at Lathrop, California.


ATTEST: TERESA VARGAS
City Clerk of and for the City
of Lathrop, State of California

CITY OF LATHROP, a
municipal corporation of the
State of California

BY: _____
Teresa Vargas Date
City Clerk

BY: _____
Stephen J. Salvatore Date
City Manager

APPROVED AS TO FORM BY THE CITY OF LATHROP CITY ATTORNEY

BY:  _____ 9.26.2023
Salvador Navarrete Date
City Attorney

Subdivision Improvement Agreement (River Islands Stage 2B, LLC)
Tract 4131 Village "KK"

SUBDIVIDER

River Islands Stage 2B, LLC,
a Delaware limited liability company

BY: _____
Susan Dell'Osso
President

Subdivision Improvement Agreement (River Islands Stage 2B, LLC)
Tract 4131 Village "KK"

EXHIBIT "A"

FINAL MAP - TRACT 4131

OWNER'S STATEMENT

THE UNDERSIGNED, DOES HEREBY STATE THAT THEY ARE THE OWNERS OR HAVE SOME SECOND TITLE INTEREST IN THE LAND DELINEATED AND EMBRACED WITHIN THE EXTERIOR BOUNDARY LINE OF THE HEREBY DEDICATED MAP ENTITLED, "TRACT 4131, RIVER ISLANDS-STAGE 2B, VILLAGE KK", CITY OF LATROP, CALIFORNIA, CONSISTING OF ELEVEN (11) SHEETS, AND WE HEREBY CONSENT TO THE PREPARATION AND FILING OF THIS FINAL MAP IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, CALIFORNIA.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES:

1. TO THE CITY OF LATROP FOR PUBLIC RIGHT-OF-WAY PURPOSES, THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP AS BREATHTAKE STREET AS SHOWN ON THIS FINAL MAP.
2. TO THE CITY OF LATROP FOR ACCESS AND PUBLIC UTILITY PURPOSES, THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP AS PARCELS A THROUGH R AS SHOWN ON THIS FINAL MAP.
3. A NON-EXCLUSIVE EASEMENT TO THE CITY OF LATROP, TOGETHER WITH THE RIGHT TO CONSTRUCT, RECONSTRUCT, REPAIR AND MAINTAIN, PIPES, WELLS, CABLES, WIRES, AND CONDUITS AND THEIR APPURTENANCES UPON, OVER AND UNDER THE STRIPS OF LAND AS SHOWN ON THIS FINAL MAP DESIGNATED AS "P.U.E." (PUBLIC UTILITY EASEMENT).
4. A NON-EXCLUSIVE EASEMENT TO THE CITY OF LATROP FOR EMERGENCY VEHICLE ACCESS PURPOSES ACROSS THE STRIPS OF LAND AS SHOWN ON THIS FINAL MAP DESIGNATED AS "E.V.A.E." (EMERGENCY VEHICLE ACCESS EASEMENT).
5. A NON-EXCLUSIVE EASEMENT TO THE CITY OF LATROP, TOGETHER WITH THE RIGHT TO CONSTRUCT, RECONSTRUCT, REPAIR AND MAINTAIN, PIPES, WELLS, CABLES, WIRES, AND CONDUITS AND THEIR APPURTENANCES UPON, OVER AND UNDER THE STRIPS OF LAND AS SHOWN ON THIS FINAL MAP DESIGNATED AS "S.D.E." (STORM DRAIN EASEMENT).

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE FOR PUBLIC PURPOSES:

1. PARCELS T THROUGH W TO THE CITY OF LATROP FOR PURPOSES OF OPEN SPACE, LANDSCAPING, PUBLIC UTILITIES, FENCE MAINTENANCE, AND APPURTENANCES THEREOF, FOR THE BENEFIT OF THE PUBLIC, AS SHOWN ON THIS FINAL MAP.

TO ENSURE MUNICIPAL WATER SERVICES TO ALL LOTS SHOWN UPON THIS MAP, ALL GROUND WATER RIGHTS THAT THE UNDERSIGNED MAY HAVE WITHIN THE DISTINGUISHING BORDER UPON THIS MAP, HEREBY ARE DEDICATED TO THE CITY OF LATROP.

PARCELS A THROUGH R AS ACCESS LOTS WILL BE TRANSFERRED TO HOMEOWNERS ASSOCIATION BY SEPARATE DOCUMENT SUBSEQUENT TO THE RECORDING OF THIS FINAL MAP.

THE UNDERSIGNED DOES HEREBY RELINQUISH TO THE CITY OF LATROP ALL ABUTTERS RIGHT OF ACCESS TO LOTS 1, 2A, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 4F, 4G, 4H, 4I, 4J, 4K, 4L, 4M, 4N, 4O, 4P, 4Q, 4R, 4S, 4T, 4U, 4V, 4W, 4X, 4Y, 4Z, 5A, 5B, 5C, 5D, 5E, 5F, 5G, 5H, 5I, 5J, 5K, 5L, 5M, 5N, 5O, 5P, 5Q, 5R, 5S, 5T, 5U, 5V, 5W, 5X, 5Y, 5Z, 6A, 6B, 6C, 6D, 6E, 6F, 6G, 6H, 6I, 6J, 6K, 6L, 6M, 6N, 6O, 6P, 6Q, 6R, 6S, 6T, 6U, 6V, 6W, 6X, 6Y, 6Z, 7A, 7B, 7C, 7D, 7E, 7F, 7G, 7H, 7I, 7J, 7K, 7L, 7M, 7N, 7O, 7P, 7Q, 7R, 7S, 7T, 7U, 7V, 7W, 7X, 7Y, 7Z, 8A, 8B, 8C, 8D, 8E, 8F, 8G, 8H, 8I, 8J, 8K, 8L, 8M, 8N, 8O, 8P, 8Q, 8R, 8S, 8T, 8U, 8V, 8W, 8X, 8Y, 8Z, 9A, 9B, 9C, 9D, 9E, 9F, 9G, 9H, 9I, 9J, 9K, 9L, 9M, 9N, 9O, 9P, 9Q, 9R, 9S, 9T, 9U, 9V, 9W, 9X, 9Y, 9Z, 10A, 10B, 10C, 10D, 10E, 10F, 10G, 10H, 10I, 10J, 10K, 10L, 10M, 10N, 10O, 10P, 10Q, 10R, 10S, 10T, 10U, 10V, 10W, 10X, 10Y, 10Z, 11A, 11B, 11C, 11D, 11E, 11F, 11G, 11H, 11I, 11J, 11K, 11L, 11M, 11N, 11O, 11P, 11Q, 11R, 11S, 11T, 11U, 11V, 11W, 11X, 11Y, 11Z, 12A, 12B, 12C, 12D, 12E, 12F, 12G, 12H, 12I, 12J, 12K, 12L, 12M, 12N, 12O, 12P, 12Q, 12R, 12S, 12T, 12U, 12V, 12W, 12X, 12Y, 12Z, 13A, 13B, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, 13K, 13L, 13M, 13N, 13O, 13P, 13Q, 13R, 13S, 13T, 13U, 13V, 13W, 13X, 13Y, 13Z, 14A, 14B, 14C, 14D, 14E, 14F, 14G, 14H, 14I, 14J, 14K, 14L, 14M, 14N, 14O, 14P, 14Q, 14R, 14S, 14T, 14U, 14V, 14W, 14X, 14Y, 14Z, 15A, 15B, 15C, 15D, 15E, 15F, 15G, 15H, 15I, 15J, 15K, 15L, 15M, 15N, 15O, 15P, 15Q, 15R, 15S, 15T, 15U, 15V, 15W, 15X, 15Y, 15Z, 16A, 16B, 16C, 16D, 16E, 16F, 16G, 16H, 16I, 16J, 16K, 16L, 16M, 16N, 16O, 16P, 16Q, 16R, 16S, 16T, 16U, 16V, 16W, 16X, 16Y, 16Z, 17A, 17B, 17C, 17D, 17E, 17F, 17G, 17H, 17I, 17J, 17K, 17L, 17M, 17N, 17O, 17P, 17Q, 17R, 17S, 17T, 17U, 17V, 17W, 17X, 17Y, 17Z, 18A, 18B, 18C, 18D, 18E, 18F, 18G, 18H, 18I, 18J, 18K, 18L, 18M, 18N, 18O, 18P, 18Q, 18R, 18S, 18T, 18U, 18V, 18W, 18X, 18Y, 18Z, 19A, 19B, 19C, 19D, 19E, 19F, 19G, 19H, 19I, 19J, 19K, 19L, 19M, 19N, 19O, 19P, 19Q, 19R, 19S, 19T, 19U, 19V, 19W, 19X, 19Y, 19Z, 20A, 20B, 20C, 20D, 20E, 20F, 20G, 20H, 20I, 20J, 20K, 20L, 20M, 20N, 20O, 20P, 20Q, 20R, 20S, 20T, 20U, 20V, 20W, 20X, 20Y, 20Z, 21A, 21B, 21C, 21D, 21E, 21F, 21G, 21H, 21I, 21J, 21K, 21L, 21M, 21N, 21O, 21P, 21Q, 21R, 21S, 21T, 21U, 21V, 21W, 21X, 21Y, 21Z, 22A, 22B, 22C, 22D, 22E, 22F, 22G, 22H, 22I, 22J, 22K, 22L, 22M, 22N, 22O, 22P, 22Q, 22R, 22S, 22T, 22U, 22V, 22W, 22X, 22Y, 22Z, 23A, 23B, 23C, 23D, 23E, 23F, 23G, 23H, 23I, 23J, 23K, 23L, 23M, 23N, 23O, 23P, 23Q, 23R, 23S, 23T, 23U, 23V, 23W, 23X, 23Y, 23Z, 24A, 24B, 24C, 24D, 24E, 24F, 24G, 24H, 24I, 24J, 24K, 24L, 24M, 24N, 24O, 24P, 24Q, 24R, 24S, 24T, 24U, 24V, 24W, 24X, 24Y, 24Z, 25A, 25B, 25C, 25D, 25E, 25F, 25G, 25H, 25I, 25J, 25K, 25L, 25M, 25N, 25O, 25P, 25Q, 25R, 25S, 25T, 25U, 25V, 25W, 25X, 25Y, 25Z, 26A, 26B, 26C, 26D, 26E, 26F, 26G, 26H, 26I, 26J, 26K, 26L, 26M, 26N, 26O, 26P, 26Q, 26R, 26S, 26T, 26U, 26V, 26W, 26X, 26Y, 26Z, 27A, 27B, 27C, 27D, 27E, 27F, 27G, 27H, 27I, 27J, 27K, 27L, 27M, 27N, 27O, 27P, 27Q, 27R, 27S, 27T, 27U, 27V, 27W, 27X, 27Y, 27Z, 28A, 28B, 28C, 28D, 28E, 28F, 28G, 28H, 28I, 28J, 28K, 28L, 28M, 28N, 28O, 28P, 28Q, 28R, 28S, 28T, 28U, 28V, 28W, 28X, 28Y, 28Z, 29A, 29B, 29C, 29D, 29E, 29F, 29G, 29H, 29I, 29J, 29K, 29L, 29M, 29N, 29O, 29P, 29Q, 29R, 29S, 29T, 29U, 29V, 29W, 29X, 29Y, 29Z, 30A, 30B, 30C, 30D, 30E, 30F, 30G, 30H, 30I, 30J, 30K, 30L, 30M, 30N, 30O, 30P, 30Q, 30R, 30S, 30T, 30U, 30V, 30W, 30X, 30Y, 30Z, 31A, 31B, 31C, 31D, 31E, 31F, 31G, 31H, 31I, 31J, 31K, 31L, 31M, 31N, 31O, 31P, 31Q, 31R, 31S, 31T, 31U, 31V, 31W, 31X, 31Y, 31Z, 32A, 32B, 32C, 32D, 32E, 32F, 32G, 32H, 32I, 32J, 32K, 32L, 32M, 32N, 32O, 32P, 32Q, 32R, 32S, 32T, 32U, 32V, 32W, 32X, 32Y, 32Z, 33A, 33B, 33C, 33D, 33E, 33F, 33G, 33H, 33I, 33J, 33K, 33L, 33M, 33N, 33O, 33P, 33Q, 33R, 33S, 33T, 33U, 33V, 33W, 33X, 33Y, 33Z, 34A, 34B, 34C, 34D, 34E, 34F, 34G, 34H, 34I, 34J, 34K, 34L, 34M, 34N, 34O, 34P, 34Q, 34R, 34S, 34T, 34U, 34V, 34W, 34X, 34Y, 34Z, 35A, 35B, 35C, 35D, 35E, 35F, 35G, 35H, 35I, 35J, 35K, 35L, 35M, 35N, 35O, 35P, 35Q, 35R, 35S, 35T, 35U, 35V, 35W, 35X, 35Y, 35Z, 36A, 36B, 36C, 36D, 36E, 36F, 36G, 36H, 36I, 36J, 36K, 36L, 36M, 36N, 36O, 36P, 36Q, 36R, 36S, 36T, 36U, 36V, 36W, 36X, 36Y, 36Z, 37A, 37B, 37C, 37D, 37E, 37F, 37G, 37H, 37I, 37J, 37K, 37L, 37M, 37N, 37O, 37P, 37Q, 37R, 37S, 37T, 37U, 37V, 37W, 37X, 37Y, 37Z, 38A, 38B, 38C, 38D, 38E, 38F, 38G, 38H, 38I, 38J, 38K, 38L, 38M, 38N, 38O, 38P, 38Q, 38R, 38S, 38T, 38U, 38V, 38W, 38X, 38Y, 38Z, 39A, 39B, 39C, 39D, 39E, 39F, 39G, 39H, 39I, 39J, 39K, 39L, 39M, 39N, 39O, 39P, 39Q, 39R, 39S, 39T, 39U, 39V, 39W, 39X, 39Y, 39Z, 40A, 40B, 40C, 40D, 40E, 40F, 40G, 40H, 40I, 40J, 40K, 40L, 40M, 40N, 40O, 40P, 40Q, 40R, 40S, 40T, 40U, 40V, 40W, 40X, 40Y, 40Z, 41A, 41B, 41C, 41D, 41E, 41F, 41G, 41H, 41I, 41J, 41K, 41L, 41M, 41N, 41O, 41P, 41Q, 41R, 41S, 41T, 41U, 41V, 41W, 41X, 41Y, 41Z, 42A, 42B, 42C, 42D, 42E, 42F, 42G, 42H, 42I, 42J, 42K, 42L, 42M, 42N, 42O, 42P, 42Q, 42R, 42S, 42T, 42U, 42V, 42W, 42X, 42Y, 42Z, 43A, 43B, 43C, 43D, 43E, 43F, 43G, 43H, 43I, 43J, 43K, 43L, 43M, 43N, 43O, 43P, 43Q, 43R, 43S, 43T, 43U, 43V, 43W, 43X, 43Y, 43Z, 44A, 44B, 44C, 44D, 44E, 44F, 44G, 44H, 44I, 44J, 44K, 44L, 44M, 44N, 44O, 44P, 44Q, 44R, 44S, 44T, 44U, 44V, 44W, 44X, 44Y, 44Z, 45A, 45B, 45C, 45D, 45E, 45F, 45G, 45H, 45I, 45J, 45K, 45L, 45M, 45N, 45O, 45P, 45Q, 45R, 45S, 45T, 45U, 45V, 45W, 45X, 45Y, 45Z, 46A, 46B, 46C, 46D, 46E, 46F, 46G, 46H, 46I, 46J, 46K, 46L, 46M, 46N, 46O, 46P, 46Q, 46R, 46S, 46T, 46U, 46V, 46W, 46X, 46Y, 46Z, 47A, 47B, 47C, 47D, 47E, 47F, 47G, 47H, 47I, 47J, 47K, 47L, 47M, 47N, 47O, 47P, 47Q, 47R, 47S, 47T, 47U, 47V, 47W, 47X, 47Y, 47Z, 48A, 48B, 48C, 48D, 48E, 48F, 48G, 48H, 48I, 48J, 48K, 48L, 48M, 48N, 48O, 48P, 48Q, 48R, 48S, 48T, 48U, 48V, 48W, 48X, 48Y, 48Z, 49A, 49B, 49C, 49D, 49E, 49F, 49G, 49H, 49I, 49J, 49K, 49L, 49M, 49N, 49O, 49P, 49Q, 49R, 49S, 49T, 49U, 49V, 49W, 49X, 49Y, 49Z, 50A, 50B, 50C, 50D, 50E, 50F, 50G, 50H, 50I, 50J, 50K, 50L, 50M, 50N, 50O, 50P, 50Q, 50R, 50S, 50T, 50U, 50V, 50W, 50X, 50Y, 50Z, 51A, 51B, 51C, 51D, 51E, 51F, 51G, 51H, 51I, 51J, 51K, 51L, 51M, 51N, 51O, 51P, 51Q, 51R, 51S, 51T, 51U, 51V, 51W, 51X, 51Y, 51Z, 52A, 52B, 52C, 52D, 52E, 52F, 52G, 52H, 52I, 52J, 52K, 52L, 52M, 52N, 52O, 52P, 52Q, 52R, 52S, 52T, 52U, 52V, 52W, 52X, 52Y, 52Z, 53A, 53B, 53C, 53D, 53E, 53F, 53G, 53H, 53I, 53J, 53K, 53L, 53M, 53N, 53O, 53P, 53Q, 53R, 53S, 53T, 53U, 53V, 53W, 53X, 53Y, 53Z, 54A, 54B, 54C, 54D, 54E, 54F, 54G, 54H, 54I, 54J, 54K, 54L, 54M, 54N, 54O, 54P, 54Q, 54R, 54S, 54T, 54U, 54V, 54W, 54X, 54Y, 54Z, 55A, 55B, 55C, 55D, 55E, 55F, 55G, 55H, 55I, 55J, 55K, 55L, 55M, 55N, 55O, 55P, 55Q, 55R, 55S, 55T, 55U, 55V, 55W, 55X, 55Y, 55Z, 56A, 56B, 56C, 56D, 56E, 56F, 56G, 56H, 56I, 56J, 56K, 56L, 56M, 56N, 56O, 56P, 56Q, 56R, 56S, 56T, 56U, 56V, 56W, 56X, 56Y, 56Z, 57A, 57B, 57C, 57D, 57E, 57F, 57G, 57H, 57I, 57J, 57K, 57L, 57M, 57N, 57O, 57P, 57Q, 57R, 57S, 57T, 57U, 57V, 57W, 57X, 57Y, 57Z, 58A, 58B, 58C, 58D, 58E, 58F, 58G, 58H, 58I, 58J, 58K, 58L, 58M, 58N, 58O, 58P, 58Q, 58R, 58S, 58T, 58U, 58V, 58W, 58X, 58Y, 58Z, 59A, 59B, 59C, 59D, 59E, 59F, 59G, 59H, 59I, 59J, 59K, 59L, 59M, 59N, 59O, 59P, 59Q, 59R, 59S, 59T, 59U, 59V, 59W, 59X, 59Y, 59Z, 60A, 60B, 60C, 60D, 60E, 60F, 60G, 60H, 60I, 60J, 60K, 60L, 60M, 60N, 60O, 60P, 60Q, 60R, 60S, 60T, 60U, 60V, 60W, 60X, 60Y, 60Z, 61A, 61B, 61C, 61D, 61E, 61F, 61G, 61H, 61I, 61J, 61K, 61L, 61M, 61N, 61O, 61P, 61Q, 61R, 61S, 61T, 61U, 61V, 61W, 61X, 61Y, 61Z, 62A, 62B, 62C, 62D, 62E, 62F, 62G, 62H, 62I, 62J, 62K, 62L, 62M, 62N, 62O, 62P, 62Q, 62R, 62S, 62T, 62U, 62V, 62W, 62X, 62Y, 62Z, 63A, 63B, 63C, 63D, 63E, 63F, 63G, 63H, 63I, 63J, 63K, 63L, 63M, 63N, 63O, 63P, 63Q, 63R, 63S, 63T, 63U, 63V, 63W, 63X, 63Y, 63Z, 64A, 64B, 64C, 64D, 64E, 64F, 64G, 64H, 64I, 64J, 64K, 64L, 64M, 64N, 64O, 64P, 64Q, 64R, 64S, 64T, 64U, 64V, 64W, 64X, 64Y, 64Z, 65A, 65B, 65C, 65D, 65E, 65F, 65G, 65H, 65I, 65J, 65K, 65L, 65M, 65N, 65O, 65P, 65Q, 65R, 65S, 65T, 65U, 65V, 65W, 65X, 65Y, 65Z, 66A, 66B, 66C, 66D, 66E, 66F, 66G, 66H, 66I, 66J, 66K, 66L, 66M, 66N, 66O, 66P, 66Q, 66R, 66S, 66T, 66U, 66V, 66W, 66X, 66Y, 66Z, 67A, 67B, 67C, 67D, 67E, 67F, 67G, 67H, 67I, 67J, 67K, 67L, 67M, 67N, 67O, 67P, 67Q, 67R, 67S, 67T, 67U, 67V, 67W, 67X, 67Y, 67Z, 68A, 68B, 68C, 68D, 68E, 68F, 68G, 68H, 68I, 68J, 68K, 68L, 68M, 68N, 68O, 68P, 68Q, 68R, 68S, 68T, 68U, 68V, 68W, 68X, 68Y, 68Z, 69A, 69B, 69C, 69D, 69E, 69F, 69G, 69H, 69I, 69J, 69K, 69L, 69M, 69N, 69O, 69P, 69Q, 69R, 69S, 69T, 69U, 69V, 69W, 69X, 69Y, 69Z, 70A, 70B, 70C, 70D, 70E, 70F, 70G, 70H, 70I, 70J, 70K, 70L, 70M, 70N, 70O, 70P, 70Q, 70R, 70S, 70T, 70U, 70V, 70W, 70X, 70Y, 70Z, 71A, 71B, 71C, 71D, 71E, 71F, 71G, 71H, 71I, 71J, 71K, 71L, 71M, 71N, 71O, 71P, 71Q, 71R, 71S, 71T, 71U, 71V, 71W, 71X, 71Y, 71Z, 72A, 72B, 72C, 72D, 72E, 72F, 72G, 72H, 72I, 72J, 72K, 72L, 72M, 72N, 72O, 72P, 72Q, 72R, 72S, 72T, 72U, 72V, 72W, 72X, 72Y, 72Z, 73A, 73B, 73C, 73D, 73E, 73F, 73G, 73H, 73I, 73J, 73K, 73L, 73M, 73N, 73O, 73P, 73Q, 73R, 73S, 73T, 73U, 73V, 73W, 73X, 73Y, 73Z, 74A, 74B, 74C, 74D, 74E, 74F, 74G, 74H, 74I, 74J, 74K, 74L, 74M, 74N, 74O, 74P, 74Q, 74R, 74S, 74T, 74U, 74V, 74W, 74X, 74Y, 74Z, 75A, 75B, 75C, 75D, 75E, 75F, 75G, 75H, 75I, 75J, 75K, 75L, 75M, 75N, 75O, 75P, 75Q, 75R, 75S, 75T, 75U, 75V, 75W, 75X, 75Y, 75Z, 76A, 76B, 76C, 76D, 76E, 76F, 76G, 76H, 76I, 76J, 76K, 76L, 76M, 76N, 76O, 76P, 76Q, 76R, 76S, 76T, 76U, 76V, 76W, 76X, 76Y, 76Z, 77A, 77B, 77C, 77D, 77E, 77F, 77G, 77H, 77I, 77J, 77K, 77L, 77M, 77N, 77O, 77P, 77Q, 77R, 77S, 77T, 77U, 77V, 77W, 77X, 77Y, 77Z, 78A, 78B, 78C, 78D, 78E, 78F, 78G, 78H, 78I, 78J, 78K, 78L, 78M, 78N, 78O, 78P, 78Q, 78R, 78S, 78T, 78U, 78V, 78W, 78X, 78Y, 78Z, 79A, 79B, 79C, 79D, 79E, 79F, 79G, 79H, 79I, 79J, 79K, 79L, 79M, 79N, 79O, 79P, 79Q, 79R, 79S, 79T, 79U, 79V, 79W, 79X, 79Y, 79Z, 80A, 80B, 80C, 80D, 80E, 80F, 80G, 80H, 80I, 80J, 80K, 80L, 80M, 80N, 80O, 80P, 80Q, 80R, 80S, 80T, 80U, 80V, 80W, 80X, 80Y, 80Z, 81A, 81B, 81C, 81D, 81E, 81F, 81G, 81H, 81I, 81J, 81K, 81L, 81M, 81N, 81O, 81P, 81Q, 81R, 81S, 81T, 81U, 81V, 81W, 81X, 81Y, 81Z, 82A, 82B, 82C, 82D, 82E, 82F, 82G, 82H, 82I, 82J, 82K, 82L, 82M, 82N, 82O, 82P, 82Q, 82R, 82S, 82T, 82U, 82V, 82W, 82X, 82Y, 82Z, 83A, 83B, 83C, 83D, 83E, 83F, 83G, 83H, 83I, 83J, 83K, 83L, 83M, 83N, 83O, 83P, 83Q, 83R, 83S, 83T, 83U, 83V, 83W, 83X, 83Y, 83Z, 84A, 84B, 84C, 84D, 84E, 84F, 84G, 84H, 84I, 84J, 84K, 84L, 84M, 84N, 84O, 84P, 84Q, 84R, 84S, 84T, 84U, 84V, 84W, 84X, 84Y, 84Z, 85A, 85B, 85C, 85D, 85E, 85F, 85G, 85H, 85I, 85J, 85K, 85L, 85M, 85N, 85O, 85P, 85Q, 85R, 85S, 85T, 85U, 85V, 85W, 85X, 85Y, 85Z, 86A, 86B, 86C, 86D, 86E, 86F, 86G, 86H, 86I, 86J, 86K, 86L, 86M, 86N, 86O, 86P, 86Q, 86R, 86S, 86T, 86U, 86V, 86W, 86X, 86Y, 86Z, 87A, 87B, 87C, 87D, 87E, 87F, 87G, 87H, 87I, 87J, 87K, 87L, 87M, 87N, 87O, 87P, 87Q, 87R, 87S, 87T, 87U, 87V, 87W, 87X, 87Y, 87Z, 88A, 88B, 88C, 88D, 88E, 88F, 88G, 88H, 88I, 88J, 88K, 88L, 88M, 88N, 88O, 88P, 88Q, 88R, 88S, 88T, 88U, 88V, 88W, 88X, 88Y, 88Z, 89A, 89B, 89C, 89D, 89E, 89F, 89G, 89H, 89I, 89J, 89K, 89L, 89M, 89N, 89O, 89P, 89Q, 89R, 89S, 89T, 89U, 89V, 89W, 89X, 89Y, 89Z, 90A, 90B, 90C, 90D, 90E, 90F, 90G, 90H, 90I, 90J, 90K, 90L, 90M, 90N, 90O, 90P, 90Q, 90R, 90S, 90T, 90U, 90V, 90W, 90X, 90Y, 90Z, 91A, 91B, 91C, 91D, 91E, 91F, 91G, 91H, 91I, 91J, 91K, 91L, 91M, 91N, 91O, 91P, 91Q, 91R, 91S, 91T, 91U, 91V, 91W, 91X, 91Y, 91Z, 92A, 92B, 92C, 92D, 92E, 92F, 92G

J. DARRYL A. ALEXANDER, HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP OF "TRACT 4131, RIVER ISLANDS-STAGE 2B, VILLAGE KK", CITY OF LATHROP, CALIFORNIA, AND I AM SATISFIED THAT THIS FINAL MAP IS TECHNICALLY CORRECT.

DARRYL A ALEXANDER, P.L.S 5071
CONTACTING CITY SURVEYOR



THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBMERISUM MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF RIVER ISLANDS DEVELOPMENT, LLC ON SEPTEMBER 11, 2018. I HEREBY STATE ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE DECEMBER 31, 2023, AND THAT THE MONUMENTS ARE, OR THAT THEY WILL BE, SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED, UNMODIFIED, EXISTING TENTATIVE MAP.

DYLAN CRAWFORD. PLS NO 7788



RIGHT TO FARM LAWNDAVE. TITLE IS CHAPTER 15.480A. THE CITY OF LANHOP PERMITS OPERATION OF PROPERLY CONDUCTED AGRICULTURAL OPERATIONS WITHIN THE CITY LIMITS INCLUDING THOSE THAT UTILIZE CHEMICAL FERTILIZERS AND PESTICIDES; YOU ARE HEREBY NOTIFIED THAT THE PROPERTY YOU ARE PURCHASING MAY BE LOCATED CLOSE TO AGRICULTURAL LANDS AND PROPER USE OF AGRICULTURAL SUBJECTS AND PESTICIDES MAY BE DISCOMFORT ARISING FROM THE LAND USE AND PROPER USE OF AGRICULTURAL SUBJECTS AND PESTICIDES; AND FROM OTHER AGRICULTURAL ACTIVITIES INCLUDING BUT NOT LIMITED TO PLANTING, PLUMING, PRUNING, TRIMMING, WEEDING, HARVESTING, CROPPING, MAINTENANCE, WASTE DISPOSAL, PROTECTION OF CROPS, ROADSIDE CLEANUP, AND OTHER ACTIVITIES WHICH MAY CAUSE NOISE, VIBRATION, DUST, ODORS, AND PESTS. IT MAY BE NECESSARY THAT THIS PROPERTY MAY BE LOCATED ADJACENT TO AGRICULTURAL OPERATIONS OUTSIDE THE CITY'S JURISDICTION. CONSEQUENTLY, DEPENDING ON THE LOCATION OF YOUR PROPERTY, IT MAY BE NECESSARY THAT YOU BE PREPARED TO ACCEPT SUCH INCONVENIENCES OR DISCOMFORT AS NORMAL AND NECESSARY ASPECT OF LIVING IN AN AGRICULTURALLY ACTIVE REGION.

A SOLIS PROJECT ENTITLED "GEOCHEMICAL EXPLORATION, RIVER SLAMMOS PHASE 1, LANHOP, CALIFORNIA," REFERENCED AS PROJECT # 90044.5001.01 AND DATED JULY 29, 2005 HAS BEEN PREPARED FOR THIS PROJECT BY ENCO, INCORPORATED, JOSEPH J. TULLER, GEOL. NO. 7677, AND IS ON FILE WITH THE CITY OF LANHOP AND 21 INTERESTED PARTIES CONTAINING 1,008 ACRES, COMBINED WITH A TOTAL OF 3,335 ACRES, AND 21 INTERESTED PARTIES CONTAINING 1,008 ACRES, LESS THAN ONE HALF SECTION 36, TOWNSHIP 1N, RANGE 12N, AND 21 INTERESTED PARTIES INCLUDE 1678 ACRES, MORE OR LESS AS SHOWN ON THIS FINAL MAP RELEASE REFER TO THE AREA TABLE BELOW:

THE FOLLOWING REAL PROPERTY IS DEDICATED TO THE CITY OF LATHROP, IN FEE, BY RIVER ISLANDS STAGE 2B, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS FOLLOWS.

- 1) PARCELS T THROUGH W FOR PURPOSES OF OPEN SPACE, INCLUDING PUBLIC UTILITIES, FENCE MAINTENANCE, LANDSCAPING, AND APPURTENANCES THERETO, FOR THE BENEFIT OF THE PUBLIC, AS SHOWN ON THIS FINAL MAP.

THE CITY OF LATHROP SHALL RECONVEY THE PROPERTY TO THE SUBOWNER IF THE CITY MAKES A DETERMINATION THAT PURSUANT TO GOVERNMENT CODE SECTION 66477.5 THE SAME PURPOSE FOR WHICH THE PROPERTY WAS DEDICATED DOES NOT EXIST.

THE NON-EXCLUSIVE PUBLIC UTILITY EASEMENT FOR PUBLIC PURPOSES RECORDED MAY 21, 2021, AS DOCUMENT NUMBER 2021-088983, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, WITHIN TRACT 4131 IS BEING ABANDONED BY THIS FINAL MAP. PLEASE REFER TO THE CITY CLERK'S STATEMENT ON SHEET 1.

(R1) TRACT 4032, RIVER ISLANDS-STAGE 2B, LARGE LOT FINAL MAP, FILED OCTOBER 8, 2020, IN BOOK 43 OF MAPS AND PLATS, PAGE 142, S.J.C.R. (43 MAP 142)

(R2) TRACT 4089, RIVER ISLANDS-STAGE 2A, VILLAGE HH, FILED OCTOBER 29, 2021, IN BOOK 43 OF MAPS AND PLATS, PAGE 196, S.J.C.R. (43 MAP 196)

- (R3) TRACT 4052, RIVER ISLANDS-STAGE 2B, VILLAGE 301, FILED JANUARY 29, 2021, IN BOOK 43 OF MAPS AND PLATS, PAGE 157, S.J.C.R. (43 MAP 157)
- (R4) TRACT 4093, RIVER ISLANDS-STAGE 2A, VILLAGE 111, FILED AUGUST 11, 2021, IN BOOK 43 OF MAPS AND PLATS, PAGE 181, S.J.C.R. (43 MAP 181)

SUBSANT TO SECTION 66436 OF THE CALIFORNIA SUBDIVISION MAP ACT, THE SIGNATURES OF THE FOLLOWING PARTIES HAVE BEEN OMITTED.

RECLAIMED ISLANDS LAND COMPANY, RESERVATION FOR OIL, GAS, MINERALS, AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET, PER DOCUMENT NUMBER 2001-00046177, S.J.C.R.

LINE TABLE		
LINE	LOCATION	LENGTH
L1	H60202027	51.95
L2	L217402029	561.28
L3	L30812004	117.73
L4	L5724006	98.05
L5	L1223406	33.36
L6	L1451051	56.88
L7	L4901022	18.73
L8	H6842111	20.87
L9	H6756005	6.07
L10	H4814517	212.36
L11	H4814517	35.36
L12	H4345097	168.81
L13	L3323144	50.00
L14	L2226458	50.00
L15	L2226458	20.00

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	
C1	400.00	13'02.26"	95.69'	
C2	435.00	4'38.44"	35.02'	
C3	850.00	10'03.44"	148.28'	
C4	300.00	35'50.74"	187.66'	
C5	300.00	19'12.02"	100.53'	
C6	265.00	35'50.74"	165.76'	
C7	335.00	40'19.26"	112.26'	
C8	270.00	40'09.39"	188.25'	
C9	17'00	50'38.11"	15.02'	
C10	50.00	132'47.49"	115.89'	
C11	1102.00	3'31.15"	63.71'	
C12	120.00	7'10.16"	15.02'	
C13	80.00	5'15.01"	7.33'	
C14	5020.00	0'49.13"	71.88'	
C15	340.00	18'26.55"	109.48'	
C16	3315.00	0'38.55"	37.53'	
C17	1080.00	1'15.19"	225.70'	
C18	355.00	21'02.74"	130.36'	
C19	370.00	16'46.06"	108.28'	
C20	990.00	0'40.28"	11.65'	

CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C21	50.00	150°39'42"	131.48'
C22	17.00	66°14'06"	19.65'
C23	880.00	3°33'28"	54.64'
C24	89.00	70°22'34"	109.32'

TRACT 4131 AREA SUMMARY	
LOTS 1 THROUGH 75	5.94 AC±
STREET DEDICATIONS	1.68 AC±
PARCELS A - W	1.89 AC±
TOTAL	9.50 AC±

- BASED ON INFORMATION CONTAINED IN THE PRELIMINARY TITLE REPORT, ORDER NUMBER 1214021901-LR (VERSION 9), DATED JUNE 30, 2023, PROVIDED BY OLD REPUBLIC TITLE COMPANY.

LEGEND

- MEASURED AND RECORD DATA PER REFERENCE SHOWN
- 200.00' (R1)
- (R1)
- (M-W)
- (M-B)
- (M-CL INT)
- (M-BC)
- (BC-CL INT)
- (T)
- (B)
- BOUNDARY
- DOCUMENT NUMBER
- A.E.
- ACCESS EASEMENT
- EMERGENCY VEHICLE ACCESS EASEMENT
- P.U.E.
- L1/CI
- EASEMENT REFERENCE NUMBER
- ①

EASEMENTS

- ① STAGE 2B LEVEE EASEMENT IN FAVOR OF ISLAND RECLAMATION DISTRICT 2062 PER DA 2016-060085, S.J.C.R.

NOTES

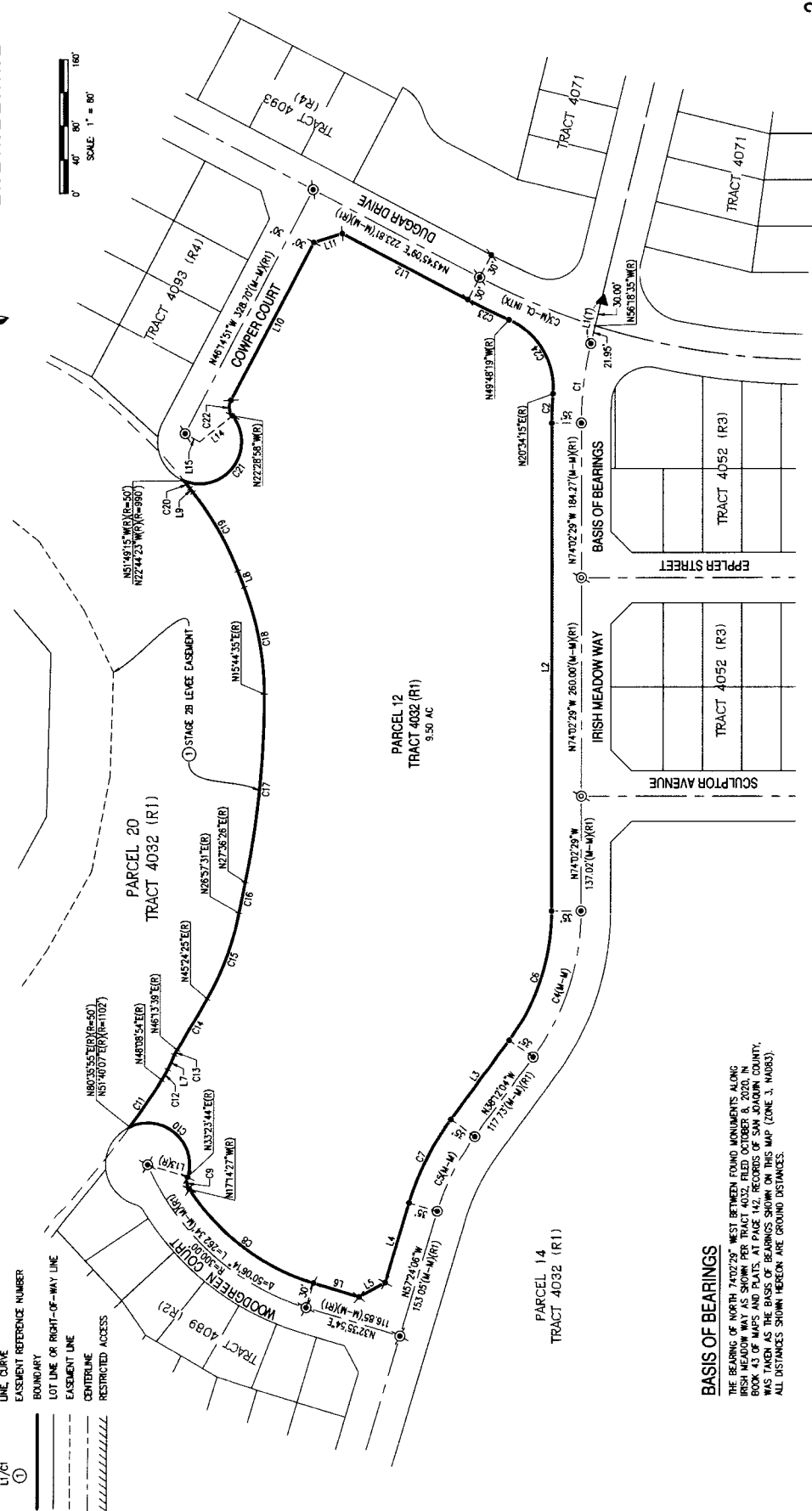
1. SEE SHEET 2 FOR REFERENCES.
2. SEE SHEET 7 FOR LINE AND CURVE TABLES.
3. SEE SHEET 5 FOR MONUMENTATION NOTES.

MONUMENTATION NOTES

- ⊗ FOUND MONUMENT PER (R2)
- ✕ FOUND 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" PER (R2)
- FOUND 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" PER (R1)
- ⊙ FOUND MONUMENT PER (R1)
- ✎ FOUND 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" PER (R4)
- ⊗ FOUND MONUMENT PER (R3)
- ⊗ FOUND MONUMENT PER (R4)
- ▲ FOUND 2-1/2" BRASS DISK STAMPED "PLS 7788" PER (R1)

TRACT 4131 RIVER ISLANDS - STAGE 2B VILLAGE KK

A PORTION OF RANCHO EL PESQUERO, BEING
A SUBDIVISION OF PARCEL 12 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



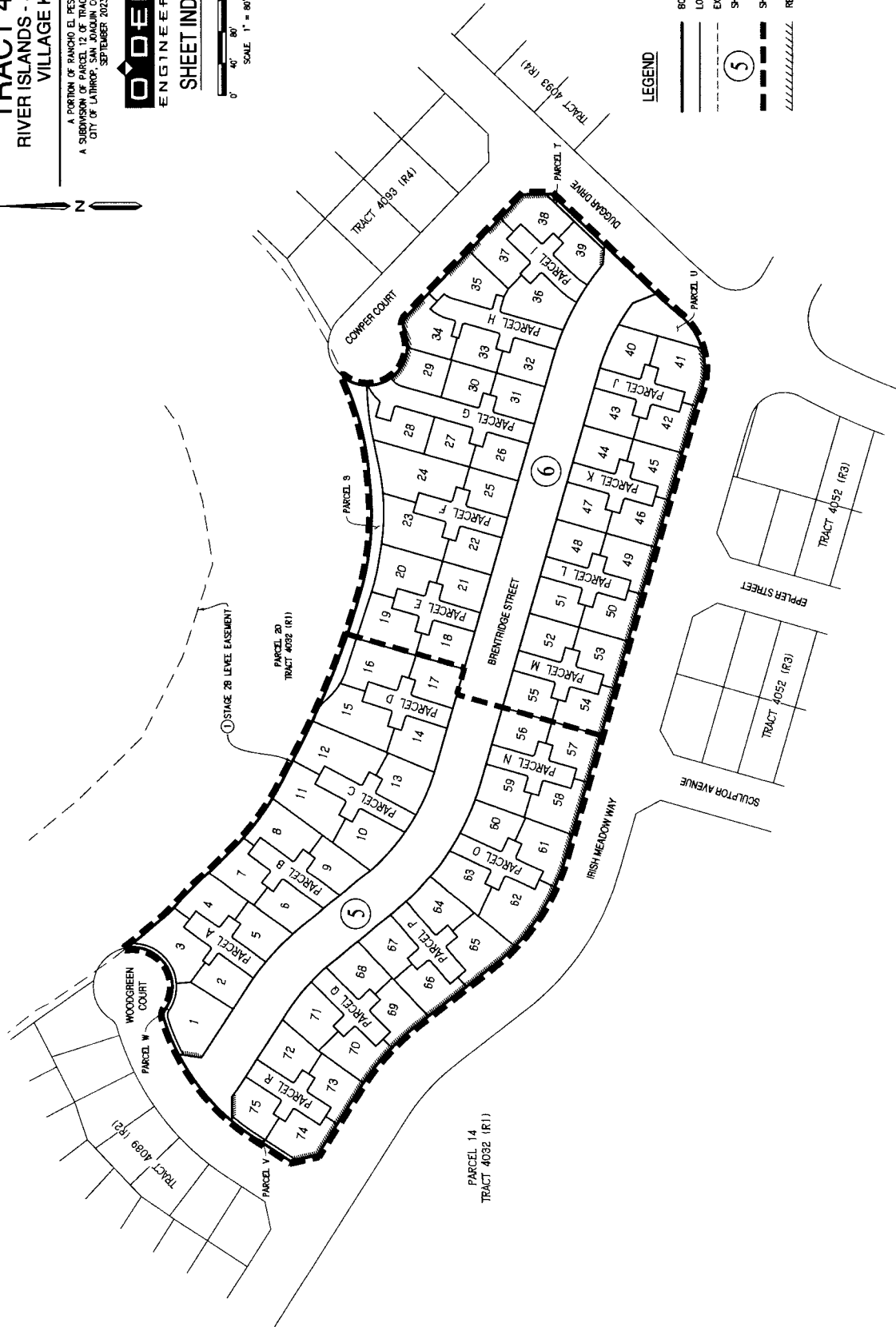
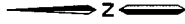
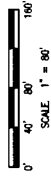
BASIS OF BEARINGS

THE BEARINGS OF NORTH 74°02'29\"/>

TRACT 4131 RIVER ISLANDS - STAGE 2B VILLAGE KK

A PORTION OF RANCHO EL PESQUERO, BEING
A SUBDIVISION OF PARCEL 12 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023

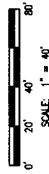
O'DELL
ENGINEERING
SHEET INDEX



- LEGEND**
- BOUNDARY
 - LOT LINE
 - EXISTING ROADWAY EASEMENT
 - SHEET NUMBER
 - SHEET LIMIT LINE
 - RESTRICTED ACCESS

TRACT 4131 RIVER ISLANDS - STAGE 2B VILLAGE KK

A PORTION OF RANCHO EL PESQUERO, BEING
A SUBDIVISION OF PARCEL 12 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023

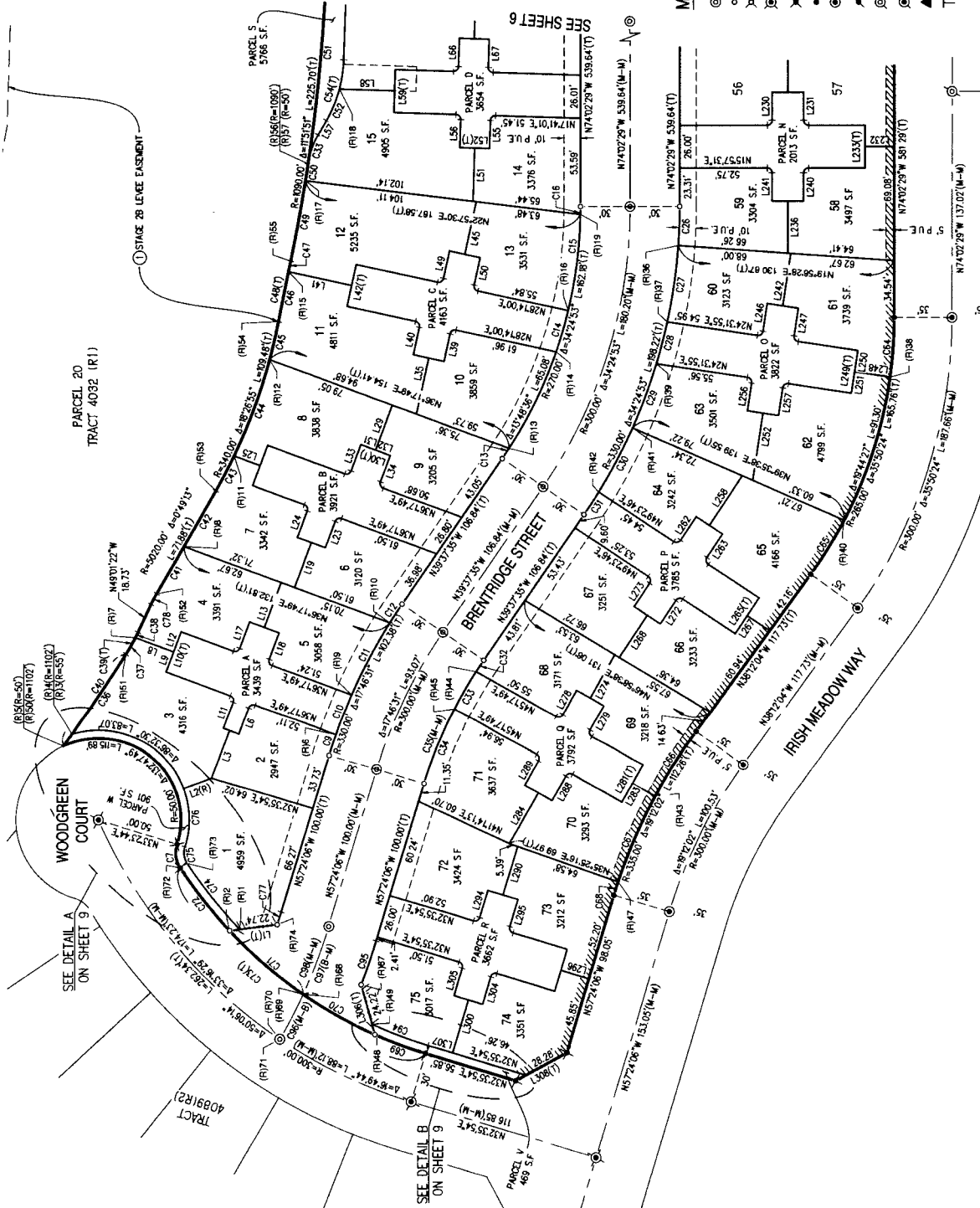


NOTES

1. SEE SHEET 2 FOR REFERENCES.
2. SEE SHEET 3 FOR BASIS OF BEARINGS AND LEGEND.
3. SEE SHEETS 7 AND 8 FOR LINE AND CURVE TABLES.
4. SEE SHEET 9, DETAIL "T", FOR MONUMENT LOCATIONS OF PARCELS A THROUGH R.
5. SEE SHEETS 10 AND 11 FOR PARCELS A THROUGH R DIMENSIONS.

MONUMENTATION NOTES

- SET STANDARD CITY OF LATHROP MONUMENT WELL STAMPED "PLS 7788"
- SET 3/4" IRON PIPE WITH CAP STAMPED "PLS 7788"
- ✕ 1.17" BRASS DISK STAMPED "PLS 7788", SET 1" ON PROPERTY LINE PROJECTION
- ⊗ FOUND MONUMENT PER (R2)
- ✕ FOUND 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" PER (R2)
- FOUND 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" PER (R1)
- ⊙ FOUND MONUMENT PER (R1)
- ✓ FOUND 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" PER (R4)
- ⊗ FOUND MONUMENT PER (R3)
- ⊗ FOUND MONUMENT PER (R4)
- ▲ FOUND 2-1/2" BRASS DISK STAMPED "PLS 7788" PER (R1)
- T SET 5/8" x 24" REBAR W/ PLASTIC PLUG "PLS 7788" FOR ALL REAR LOT CORNERS (UNLESS OTHERWISE NOTED). SET 3/4" IRON PIPE "PLS 7788" FOR ALL FRONT LOT CORNERS



SCULPTOR
AVENUE

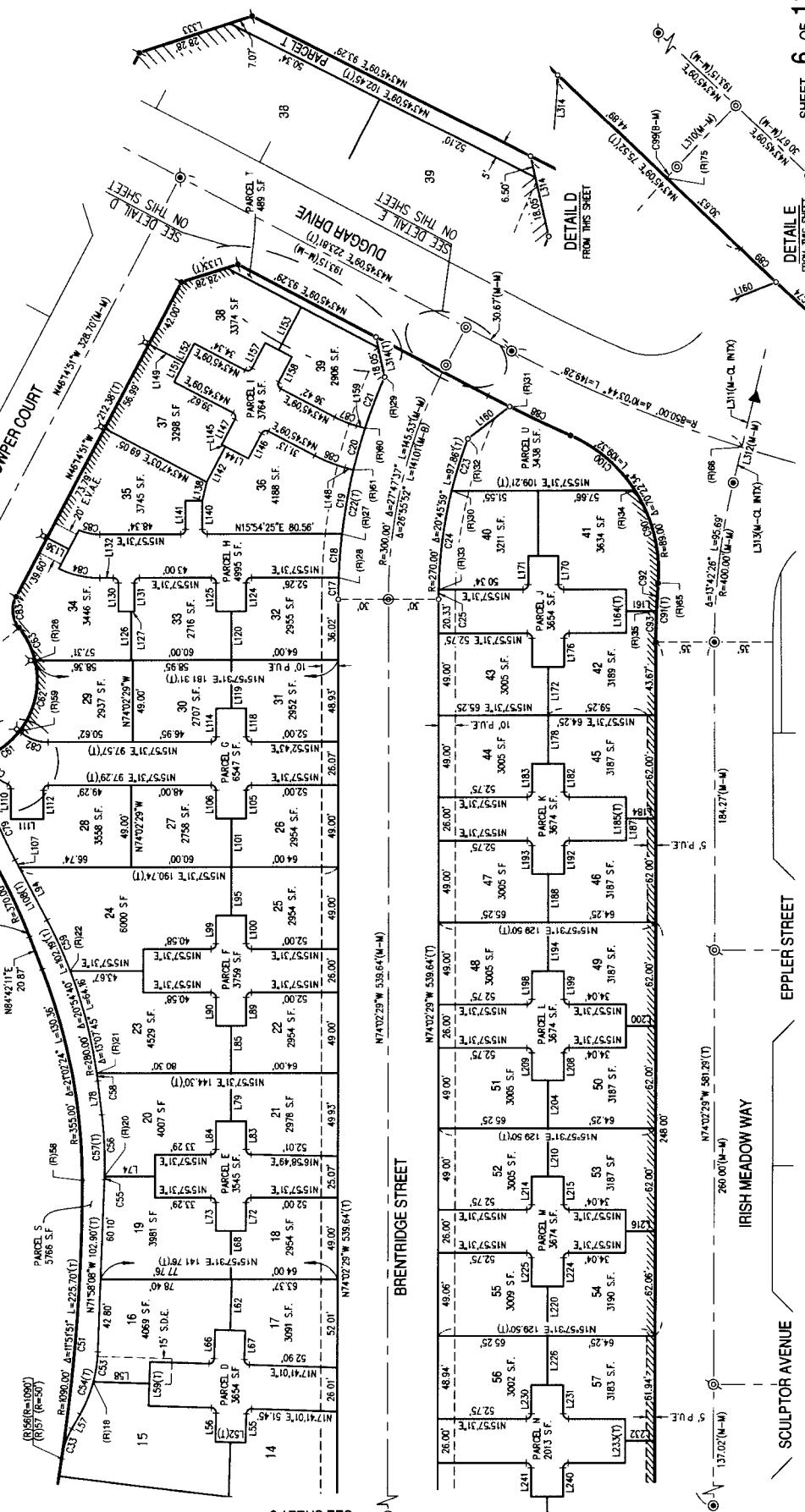
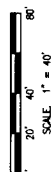
TRACT 4131 RIVER ISLANDS - STAGE 2B VILLAGE KK

A PORTION OF RANCHO EL PESQUERO, BEING
A SUBDIVISION OF PARCEL 12 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



NOTES

1. SEE SHEET 2 FOR REFERENCES.
2. SEE SHEET 3 FOR BASIS OF BEARINGS AND LEGEND.
3. SEE SHEET 7 FOR MONUMENT LOCATIONS OF PARCELS A THROUGH R.
4. SEE SHEETS 7 AND 8 FOR LINE AND CURVE TABLES.
5. SEE SHEET 9, DETAIL T, FOR MONUMENT LOCATIONS OF PARCELS A THROUGH R.
6. SEE SHEETS 10 AND 11 FOR PARCELS A THROUGH R DIMENSIONS.



LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N08°48'31"E	28.98'
L2	N04°34'14"W	18.04'
L3	N53°42'11"W	31.21'
L4	N36°17'49"E	10.00'
L5	N36°17'49"E	6.00'
L6	N53°42'11"W	17.00'
L7	N36°17'49"E	4.00'
L8	N36°17'49"E	24.76'
L9	N53°42'11"W	13.00'
L10	N53°42'11"W	26.00'
L11	N53°42'11"W	17.00'
L12	N53°42'11"W	13.00'
L13	N53°42'11"W	28.00'
L14	N36°17'49"E	19.00'
L15	N36°17'49"E	9.50'
L16	N36°17'49"E	9.50'
L17	N53°42'11"W	17.00'
L18	N53°42'11"W	17.00'
L19	N53°42'11"W	29.00'
L20	N36°17'49"E	18.00'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L41	N28°14'00"E	38.99'
L42	N61°46'00"W	26.00'
L43	N61°46'00"W	13.00'
L44	N61°46'00"W	13.00'
L45	N61°46'00"W	32.62'
L46	N28°14'00"E	19.00'
L47	N28°14'00"E	9.50'
L48	N28°14'00"E	9.50'
L49	N61°46'00"W	17.00'
L50	N61°46'00"W	17.00'
L51	N28°14'00"E	32.34'
L52	N17°41'01"E	19.00'
L53	N17°41'01"E	9.00'
L54	N17°41'01"E	9.00'
L55	N28°14'00"E	17.00'
L56	N28°14'00"E	13.00'
L57	N44°19'15"W	10.02'
L58	N17°42'02"E	33.45'
L59	N27°16'59"W	26.00'
L60	N27°16'59"W	13.25'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L61	N72°18'59"W	12.75'
L62	N72°18'59"W	30.08'
L63	N17°41'01"E	18.00'
L64	N17°41'01"E	9.00'
L65	N17°41'01"E	9.00'
L66	N72°18'59"W	17.00'
L67	N17°41'01"E	9.00'
L68	N74°02'29"W	29.00'
L69	N55°57'31"E	18.00'
L70	N55°57'31"E	9.00'
L71	N55°57'31"E	9.00'
L72	N74°02'29"W	17.00'
L73	N74°02'29"W	13.00'
L74	N55°57'31"E	30.23'
L75	N74°02'29"W	26.00'
L76	N74°02'29"W	13.00'
L77	N74°02'29"W	13.00'
L78	N60°56'11"W	20.34'
L79	N74°02'29"W	29.00'
L80	N55°57'31"E	18.00'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L101	N15°57'31"E	28.00'
L102	N15°57'31"E	18.00'
L103	N15°57'31"E	9.00'
L104	N15°57'31"E	9.00'
L105	N74°02'29"W	17.00'
L106	N74°02'29"W	17.00'
L107	N74°02'29"W	5.13'
L108	N74°02'29"W	40.83'
L109	N68°23'57"E	19.83'
L110	N74°02'29"W	18.28'
L111	N15°57'31"E	19.42'
L112	N74°02'29"W	17.21'
L113	N54°01'54"E	2.04'
L114	N74°02'29"W	17.00'
L115	N15°57'31"E	18.00'
L116	N15°57'31"E	9.00'
L117	N15°57'31"E	9.00'
L118	N74°02'29"W	17.00'
L119	N74°02'29"W	29.00'
L120	N74°02'29"W	29.00'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L121	N15°57'31"E	18.00'
L122	N15°57'31"E	9.00'
L123	N15°57'31"E	9.00'
L124	N74°02'29"W	17.00'
L125	N74°02'29"W	17.00'
L126	N74°02'29"W	28.00'
L127	N15°57'31"E	2.00'
L128	N15°57'31"E	7.50'
L129	N15°57'31"E	9.50'
L130	N74°02'29"W	17.00'
L131	N74°02'29"W	17.00'
L132	N15°57'31"E	8.08'
L133	N01°14'51"W	35.36'
L134	N46°14'51"W	26.03'
L135	N46°14'51"W	13.05'
L136	N43°36'54"E	14.75'
L137	N46°14'51"W	12.98'
L138	N60°29'11"W	11.39'
L139	N15°57'31"E	10.00'
L140	N74°02'29"W	17.00'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L141	N74°02'29"W	17.00'
L142	N46°14'51"W	24.03'
L143	N43°45'09"E	18.00'
L144	N43°45'09"E	15.49'
L145	N43°45'09"E	2.51'
L146	N46°14'51"W	17.00'
L147	N46°14'51"W	17.00'
L148	N31°42'11"E	5.36'
L149	N43°45'09"E	23.92'
L150	N46°14'51"W	26.00'
L151	N46°14'51"W	13.00'
L152	N46°14'51"W	13.00'
L153	N46°14'51"W	28.00'
L154	N43°45'09"E	9.08'
L155	N43°45'09"E	8.92'
L156	N46°14'51"W	17.00'
L157	N31°42'11"E	5.36'
L158	N46°14'51"W	17.00'
L159	N31°42'11"E	5.36'
L160	N21°32'41"W	31.52'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L181	N15°57'31"E	9.50'
L182	N74°02'29"W	17.00'
L183	N74°02'29"W	17.00'
L184	N15°57'31"E	17.71'
L185	N74°02'29"W	26.00'
L186	N74°02'29"W	13.00'
L187	N74°02'29"W	13.00'
L188	N74°02'29"W	29.00'
L189	N15°57'31"E	19.00'
L190	N15°57'31"E	9.50'
L191	N15°57'31"E	9.50'
L192	N74°02'29"W	17.00'
L193	N15°57'31"E	17.00'
L194	N74°02'29"W	29.00'
L195	N15°57'31"E	19.00'
L196	N15°57'31"E	9.50'
L197	N15°57'31"E	9.50'
L198	N74°02'29"W	17.00'
L199	N74°02'29"W	17.00'
L200	N15°57'31"E	17.71'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L221	N15°57'31"E	19.00'
L222	N15°57'31"E	9.50'
L223	N15°57'31"E	9.50'
L224	N74°02'29"W	17.00'
L225	N74°02'29"W	17.00'
L226	N74°02'29"W	28.94'
L227	N15°57'31"E	19.00'
L228	N15°57'31"E	9.50'
L229	N15°57'31"E	9.50'
L230	N74°02'29"W	17.00'
L231	N74°02'29"W	17.00'
L232	N15°57'31"E	17.71'
L233	N74°02'29"W	26.00'
L234	N74°02'29"W	13.00'
L235	N74°02'29"W	13.00'
L236	N74°02'29"W	31.60'
L237	N15°57'31"E	19.00'
L238	N15°57'31"E	9.50'
L239	N15°57'31"E	9.50'
L240	N74°02'29"W	17.00'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L261	N49°23'46"E	9.50'
L262	N40°36'14"W	17.00'
L263	N40°36'14"W	17.00'
L264	N49°23'46"E	18.40'
L265	N40°36'14"W	26.00'
L266	N40°36'14"W	13.00'
L267	N40°36'14"W	30.61'
L268	N49°23'46"E	19.00'
L269	N49°23'46"E	9.50'
L270	N49°23'46"E	9.50'
L271	N49°23'46"E	9.50'
L272	N40°36'14"W	17.00'
L273	N40°36'14"W	30.14'
L274	N44°42'11"W	19.00'
L275	N45°17'49"E	9.50'
L276	N45°17'49"E	9.50'
L277	N45°17'49"E	9.50'
L278	N44°42'11"W	17.00'
L279	N44°42'11"W	17.00'
L280	N45°17'49"E	15.82'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L301	N32°35'54"E	18.00'
L302	N32°35'54"E	8.96'
L303	N32°35'54"E	9.04'
L304	N57°24'06"W	17.00'
L305	N57°24'06"W	17.00'
L306	N89°54'08"W	30.74'
L307	N32°35'54"E	15.60'
L308	N12°24'06"W	35.36'
L309	N67°56'05"E	6.07'
L310	N46°14'51"W	25.48'
L311	N60°20'02"W	30.00'
L312	N32°35'54"E	51.95'
L313	N60°20'02"W	21.95'
L314	N65°58'00"W	24.55'

LINE AND CURVE TABLES FOR COURSES SHOWN ON SHEETS 5 AND 6 ONLY

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C1	3.00'	90°00'00"	4.71'
C2	3.00'	90°00'00"	4.71'
C3	3.00'	90°00'00"	4.71'
C4	3.00'	90°00'00"	4.71'
C5	50.00'	1°14'58"	1.48'
C6	1102.00'	0°28'20"	9.08'
C7	17.00'	50°38'11"	15.02'
C8	990.00'	0°40'28"	11.65'
C9	330.00'	2°20'00"	13.44'
C10	330.00'	4°30'57"	26.01'
C11	330.00'	8°35'16"	49.46'
C12	330.00'	2°20'18"	13.47'
C13	270.00'	1°34'45"	7.44'
C14	270.00'	5°31'58"	26.07'
C15	270.00'	1°22'56"	56.79'
C16	270.00'	1°00'59"	4.79'
C17	330.00'	2°15'15"	12.98'
C18	330.00'	4°32'32"	26.16'
C19	330.00'	6°43'34"	38.74'
C20	330.00'	4°30'55"	26.01'

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C21	330.00'	5°41'24"	32.77'
C22	330.00'	2°34'41"	13.66'
C23	270.00'	6°55'12"	32.61'
C24	270.00'	12°38'33"	59.58'
C25	270.00'	17°14'14"	5.67'
C26	330.00'	4°06'59"	23.71'
C27	330.00'	8°08'46"	46.73'
C28	330.00'	4°32'23"	26.15'
C29	330.00'	7°10'39"	41.34'
C30	330.00'	7°57'11"	43.89'
C31	330.00'	2°50'58"	16.41'
C32	270.00'	1°46'48"	8.39'
C33	270.00'	5°51'11"	26.01'
C34	50.00'	21°13'08"	18.52'
C35	270.00'	10°28'32"	49.36'
C36	1102.00'	1°46'31"	83.78'
C37	120.00'	3°02'53"	58.63'
C38	120.00'	5°27'41"	11.44'
C39	120.00'	1°42'35"	3.58'
C40	1102.00'	3°31'13"	67.71'

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C41	5020.00'	0°22'35"	32.98'
C42	5020.00'	0°58'39"	38.90'
C43	340.00'	4°10'37"	23.80'
C44	340.00'	10°17'45"	62.08'
C45	340.00'	3°58'32"	23.59'
C46	3315.00'	0°31'59"	30.85'
C47	3315.00'	0°08'56"	6.68'
C48	3315.00'	0°35'55"	37.53'
C49	1090.00'	2°35'48"	49.40'
C50	1090.00'	0°33'00"	10.47'
C51	1090.00'	8°43'02"	165.94'
C52	80.00'	1°52'42"	20.77'
C53	80.00'	2°38'53"	38.60'
C54	80.00'	0°58'40"	1.94'
C55	250.00'	0°58'40"	38.27'
C56	250.00'	8°33'23"	37.33'
C57	250.00'	9°00'03"	4.59'
C58	280.00'	0°56'22"	33.44'
C59	280.00'	5°50'34"	31.82'
C60	50.00'	35°27'40"	31.82'

RADIAL BEARINGS	
LINE #	DIRECTION
R1	N88°18'23"W
R2	N27°30'27"W
R3	N88°33'18"E
R4	N51°11'47"E
R5	N88°35'55"E
R6	N34°55'54"E
R7	N42°41'13"E
R8	N45°51'04"E
R9	N38°26'51"E
R10	N48°02'07"E
R11	N41°23'48"E
R12	N30°56'03"E
R13	N48°47'40"E
R14	N34°58'04"E
R15	N27°28'30"E
R16	N29°27'08"E
R17	N25°00'38"E
R18	N29°46'03"E
R19	N18°56'30"E
R20	N17°35'12"E

RADIAL BEARINGS	
LINE #	DIRECTION
R21	N80°03'27"E
R22	N5°02'17"W
R23	N22°44'22"W
R24	N51°49'15"W
R25	N88°16'55"W
R26	N2°33'12"E
R27	N22°45'19"E
R28	N18°12'46"E
R29	N38°41'12"E
R30	N28°48'18"E
R31	N47°11'38"W
R32	N38°43'31"E
R33	N17°09'45"E
R34	N18°47'18"W
R35	N18°22'27"E
R36	N20°04'30"E
R37	N28°11'16"E
R38	N29°46'18"E
R39	N32°43'39"E
R40	N43°30'43"E

RADIAL BEARINGS	
LINE #	DIRECTION
R41	N38°54'18"E
R42	N47°31'28"E
R43	N42°48'37"E
R44	N48°35'37"E
R45	N45°04'28"E
R46	N32°22'44"E
R47	N34°02'36"E
R48	N5°28'18"W
R49	N48°34'37"W
R50	N51°40'07"E
R51	N48°08'54"E
R52	N48°13'38"E
R53	N45°24'25"E
R54	N28°57'31"E
R55	N27°36'26"E
R56	N24°27'37"E
R57	N24°27'37"E
R58	N15°44'35"E
R59	N54°01'54"E
R60	N32°59'48"E

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C61	50.00'	35°59'13"	31.40'
C62	50.00'	51°28'43"	44.92'
C63	50.00'	25°02'09"	21.85'
C64	265.00'	7°48'45"	36.13'
C65	265.00'	8°17'13"	38.33'
C66	335.00'	7°59'19"	46.71'
C67	335.00'	9°45'39"	57.07'
C68	335.00'	1°27'04"	8.48'
C69	270.00'	5°55'48"	32.66'
C70	270.00'	10°32'09"	48.65'
C71	270.00'	12°25'42"	58.57'
C72	270.00'	10°16'00"	48.38'
C73	270.00'	4°09'39"	186.25'
C74	265.00'	11°03'56"	51.18'
C75	12.00'	50°38'11"	10.61'
C76	55.00'	3°57'58"	36.44'
C77	270.00'	1°39'43"	7.83'
C78	80.00'	51°50'1"	7.33'
C79	308.00'	8°16'48"	44.51'
C80	55.60'	24°41'08"	23.95'

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C81	3.00'	64°35'36"	3.36'
C82	25.00'	38°04'23"	18.61'
C83	17.00'	66°14'06"	19.65'
C84	56.00'	25°55'34"	25.34'
C85	30.00'	24°18'22"	12.73'
C86	93.00'	1°20'59"	19.56'
C87	67.00'	1°20'58"	14.09'
C88	880.00'	2°36'41"	40.11'
C89	880.00'	0°56'47"	14.54'
C90	88.00'	3°21'33"	58.03'
C91	435.00'	4°36'44"	35.02'
C92	435.00'	2°11'48"	16.68'
C93	435.00'	2°24'56"	18.34'
C94	265.00'	7°48'29"	36.19'
C95	330.00'	4°47'17"	27.58'
C96	300.00'	5°45'50"	30.18'
C97	300.00'	8°14'21"	43.14'
C98	300.00'	14°00'11"	73.32'
C99	300.00'	0°51'46"	4.52'
C100	88.00'	33°01'01"	51.29'

RADIAL BEARINGS	
LINE #	DIRECTION
R61	N28°26'52"E
R62	N48°48'19"W
R63	N32°22'44"E
R64	N48°38'05"W
R65	N20°34'15"E
R66	N58°18'35"W
R67	N37°23'11"E
R68	N38°56'08"W
R69	N40°50'15"E
R70	N48°38'05"E
R71	N40°34'22"W
R72	N17°14'27"W
R73	N17°14'27"W
R74	N34°15'37"E
R75	N42°52'23"E

TRACT 4131 RIVER ISLANDS - STAGE 2B VILLAGE KK

A PORTION OF RANCHO EL PESQUERO, BEING
A SUBDIVISION OF PARCEL 12 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



TRACT 4131 RIVER ISLANDS - STAGE 2B VILLAGE KK

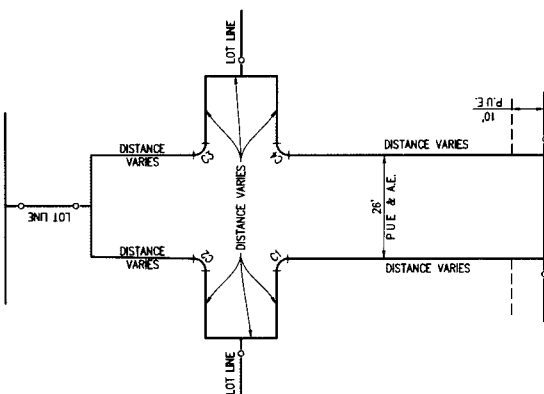
A PORTION OF RANCHO EL PESQUERO, BEING
A SUBDIVISION OF PARCEL 12 OF TRACT 4032 (A3 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



NOTES

1. SEE SHEET 7 AND 8 FOR LINE AND CURVE TABLES
2. MONUMENTS SHOWN ON DETAIL "C" ARE SET ON 1" OFFSET ALONG PROPERTY LINE. 3/4" IRON PIPE WITH PLASTIC PLUG STAMPED "PLS 7788" IN NON-PAVED AREAS, 1/2" BRASS DISK STAMPED "PLS 7788" IN PAVED AREAS.

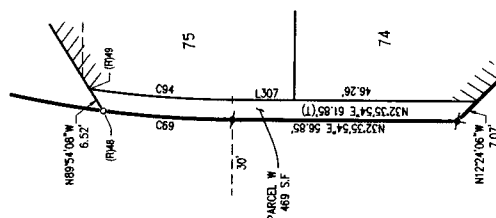
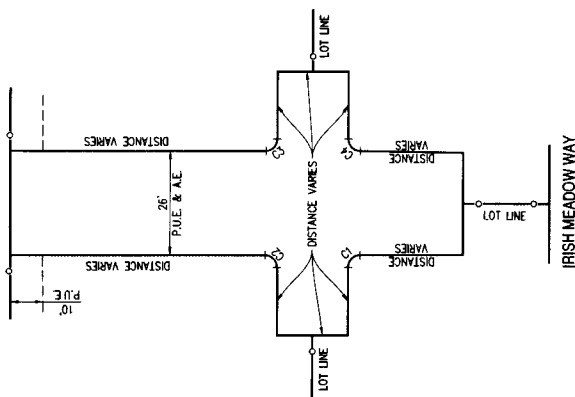
EXISTING STAGE 2B LEVEE EASEMENT



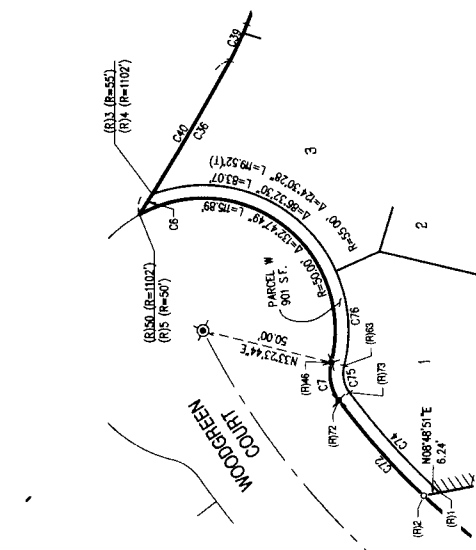
MONUMENT DETAIL FOR
PARCELS A THROUGH R
(SEE NOTE #1)

DETAIL F
(NOT TO SCALE)

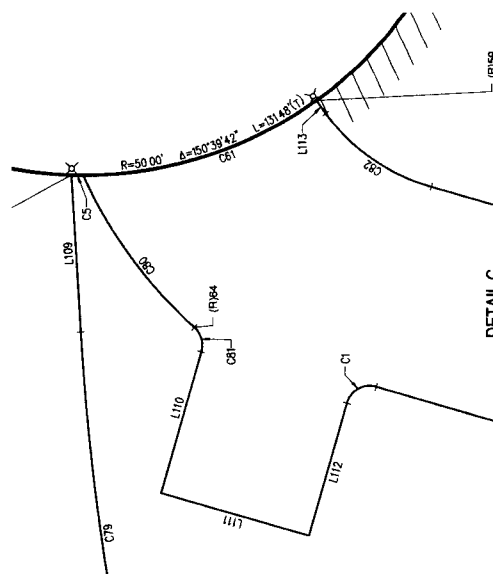
BRENTRIDGE STREET



DETAIL A
FROM SHEET 5
(1"=50')



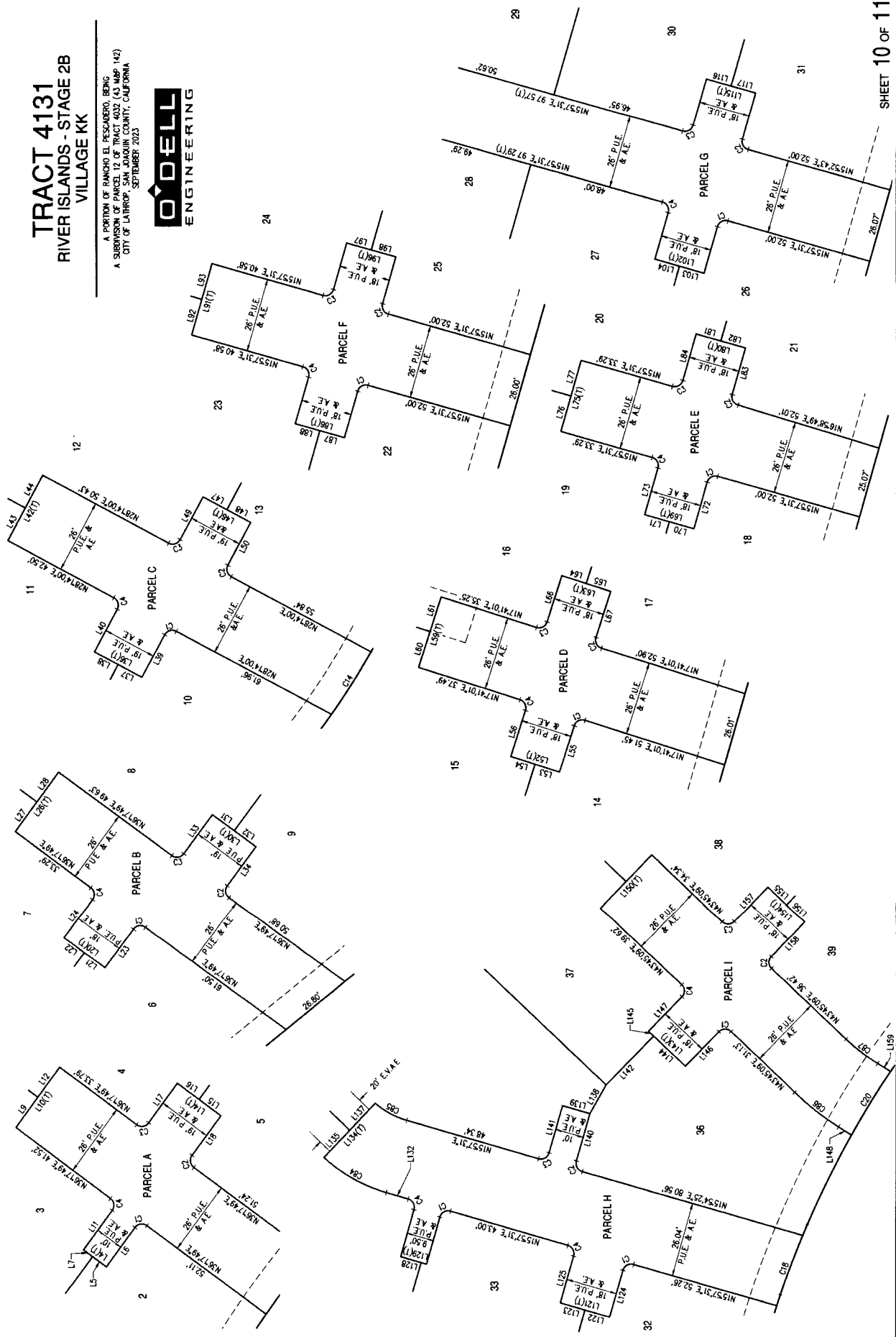
DETAIL B
FROM SHEET 5
(1"=50')



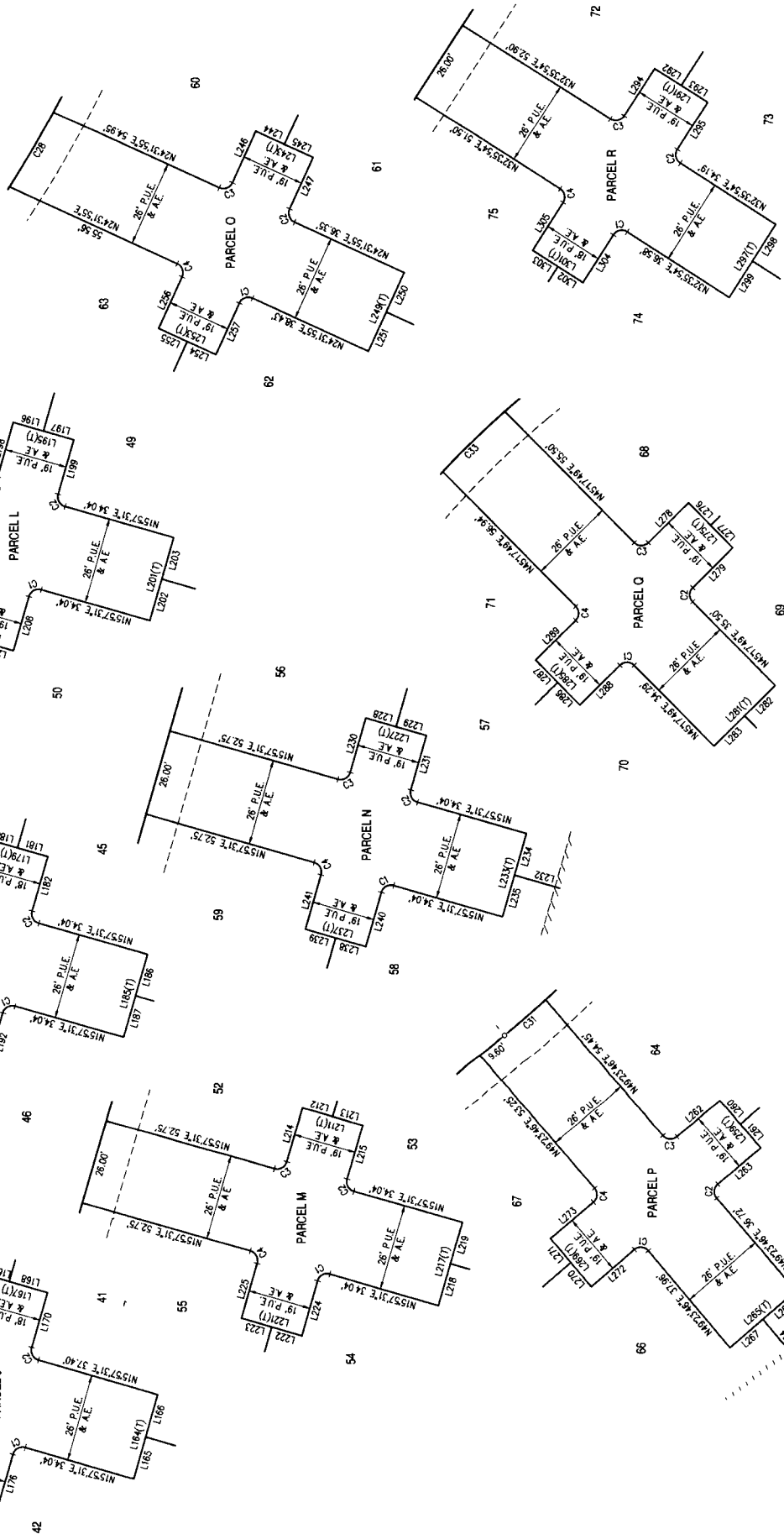
DETAIL C
FROM SHEET 6
(1"=10')

TRACT 4131 RIVER ISLANDS - STAGE 2B VILLAGE KK

A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 12 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 12 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



Subdivision Improvement Agreement (River Islands Stage 2B, LLC)
Tract 4131 Village “KK”

EXHIBIT "B"

TRACT 4131 STAGE 2B VILLAGE “KK” AREA

VILLAGE KK BOUNDARY

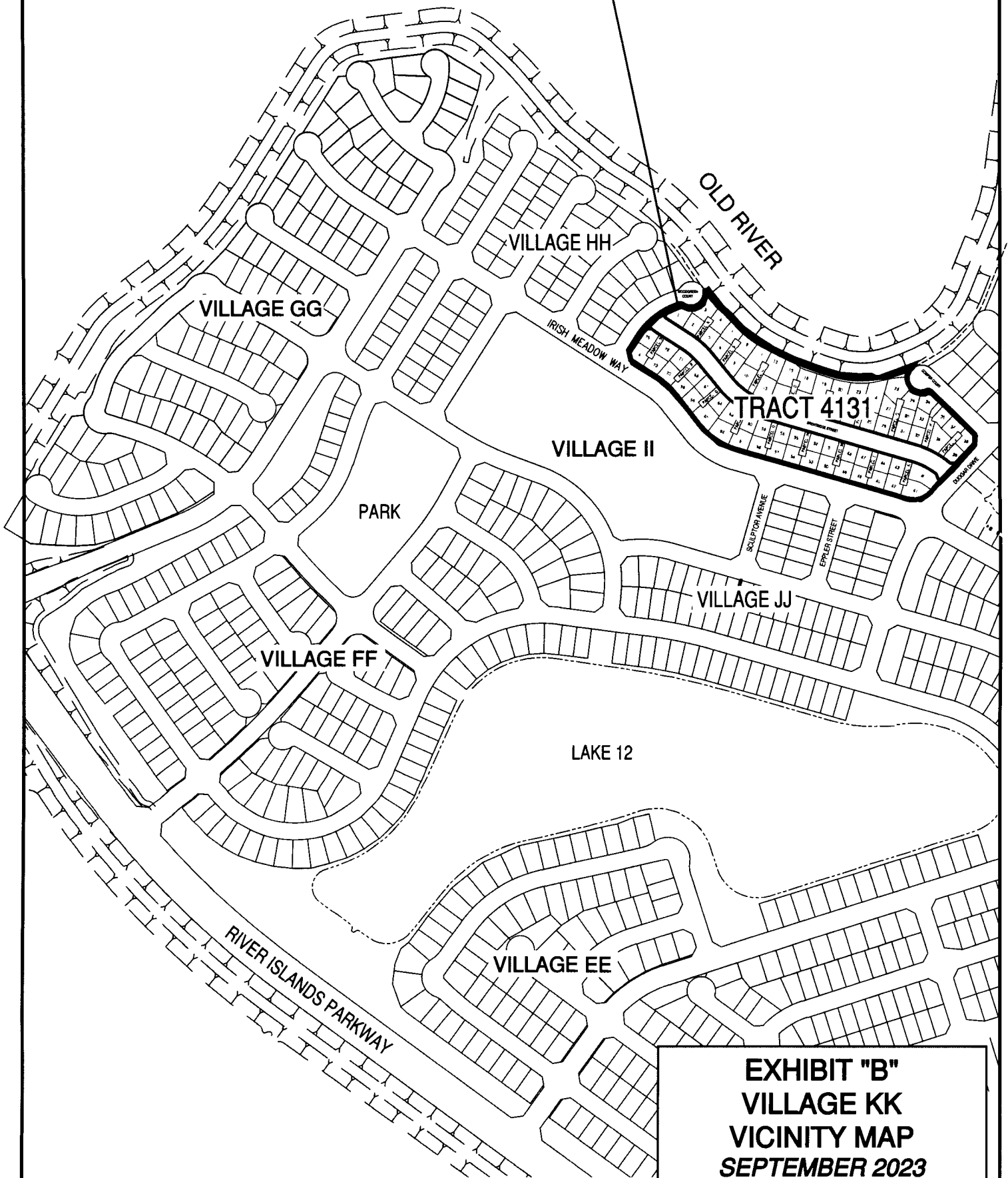


EXHIBIT "B"
VILLAGE KK
VICINITY MAP
SEPTEMBER 2023

EXHIBIT "C"

CITY INSURANCE REQUIREMENTS

1. The Subdivider shall obtain commercial general liability insurance companies licensed to do business in the State of California with an A.M. Best Company rating Insurance rating of no less than A:VII which provides coverage for bodily injury, personal injury and property damage liability in the amount of at least \$1,000,000 for each occurrence and \$2,000,000 in the aggregate.

Said insurance coverage shall be evidenced by a certificate of insurance with policy endorsements, executed by an authorized official of the insurer(s). All parties to the Subdivision Improvement Agreement must be named insured on the policy. The policy endorsements to be attached to the certificate must provide all the following:

a. Name the City of Lathrop, its officers, City Council, boards and commissions, and members thereof, its employees and agents as additional insured as respects to any liability arising out of the activities of the named insured. A CG 2010 or CG 2026 endorsement form or the equivalent is the appropriate form.

b. State that "the insurance coverage afforded by this policy shall be primary insurance as respects to the City of Lathrop, its officers, employees and agents. Any insurance or self-insurance maintained by the City of Lathrop, its officers, employees, or agents shall be in excess of the insurance afforded to the named insured by this policy and shall not contribute to any loss.

c. Include a statement that, "the insurer will provide to the City at least thirty (30) days prior notice of cancellation or material change in coverage." The above language can be included on the additional insured endorsement form or on a separate endorsement form.

d. The policy must contain a cross liability or severability of interest clause.

e. Insurance must be maintained and evidence of insurance must be provided for at least five years after completion of the Agreement or the work, so long as commercially available at reasonable rates.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/24/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Alliant Insurance Services, Inc. 333 S Hope St Ste 3750 Los Angeles CA 90071	CONTACT NAME: Michelle Sanchez	FAX (A/C, No):
	PHONE (A/C, No, Ext):	E-MAIL ADDRESS: Michelle.Sanchez@alliant.com
INSURED River Islands Stage 2B, LLC 73 W. Stewart Road Lathrop, CA 95330	License#: 0C36861 RIVEISL-01	INSURER(S) AFFORDING COVERAGE INSURER A: United Specialty Insurance Co. INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:
		NAIC # 12537

COVERAGES**CERTIFICATE NUMBER:** 103023025**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			ATN2117764P	3/19/2021	3/19/2024	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 0 MED EXP (Any one person) \$ 0 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Re: FM 4131

City of Lathrop, its officers, City Council, boards and commissions and members thereof, its employees and agents are included as Additional Insureds as respects to General Liability. General Liability shall be Primary and Non-Contributory with any other insurance in force for or which may be purchased by City of Lathrop, its officers, employees and agents.

CERTIFICATE HOLDER**CANCELLATION**

City of Lathrop
390 Towne Centre Drive
Lathrop CA 95330

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS – SCHEDULED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)	Location(s) Of Covered Operations
City of Lathrop, its officers, City Council, boards and commissions and members thereof, its employees and agents 390 Towne Centre Drive Lathrop, CA 95330	As Required By Written Contract, Fully Executed Prior To The Named Insured's Work
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured(s) at the location(s) designated above.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

C. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or

2. Available under the applicable Limits of Insurance shown in the Declarations;
whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

United Specialty Insurance Company

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

VEN 051 00 (02/20)

PRIMARY AND NON-CONTRIBUTING INSURANCE ENDORSEMENT

This endorsement modifies the Conditions provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

The following is added to **SECTION IV - COMMERCIAL GENERAL LIABILITY CONDITIONS** of the **COMMERCIAL GENERAL LIABILITY COVERAGE PART**, and supersedes any provision to the contrary:

Primary and Non-Contributory Insurance

Any coverage provided to an Additional Insured under this policy shall be excess over any other valid and collectible insurance available to such Additional Insured whether primary, excess, contingent or on any other basis unless:

- a. (1) The Additional Insured is a Named Insured under such other insurance;

and

- (2) A fully written contract fully executed prior to the Named Insured's commencement of work for such Additional Insured for the specific project that is the subject of the claim, "suit," or "occurrence" expressly requires that this insurance:

- (i) apply on a primary and non-contributory basis;
and
- (ii) would not seek contribution from any other insurance available to the additional insured.

or

- b. Prior to a loss, you request in writing and we agree in writing that this insurance shall apply on a primary and non-contributory basis.

Name Of Person(s) Or Organization(s)
As Required By Written Contract, Fully Executed Prior To The Named Insured's Work.

All other terms, conditions and exclusions under this policy are applicable to this Endorsement and remain unchanged.

Policy: ATN217764P

UNITED SPECIALTY INSURANCE COMPANY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

VEN 064 00 (01/15)

THIRD PARTY CANCELLATION NOTICE ENDORSEMENT

This endorsement modifies the Conditions provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

If we cancel this policy for any reason other than nonpayment of premium, we will mail notification to the persons or organizations shown in the schedule below (according to the number of days listed below) once the Named Insured has been notified.

If we cancel this coverage for nonpayment of premium, we will mail a copy of such written notice of cancellation to the name and address below at least 10 days prior to the effective date of such cancellation.

Our failure to provide such advance notification will not extend the policy cancellation date nor negate cancellation of the policy.

SCHEDULE

Name and Address of Other Person/Organization

**City of Lathrop, its officers, City Council,
boards and commissions and members thereof,
its employees and agents
390 Towne Centre Drive
Lathrop, CA 95330**

Number of Days Notice

30

All other terms, conditions and exclusions under this policy are applicable to this Endorsement and remain unchanged.

Subdivision Improvement Agreement (River Islands Stage 2B, LLC)
Tract 4131 Village “KK”

EXHIBIT "D"

**UNFINISHED IMPROVEMENT COST ESTIMATE
AND TRACT 4131 – FULL IMPROVEMENT COST**

ENGINEER'S BOND ESTIMATE

COST TO COMPLETE

RIVER ISLANDS - Stage 2B

VILLAGE KK (75 LOTS)

CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

June 24, 2022

Job No.: 25504-92

Item	Description	Quantity	Unit	Unit Price	Amount
1	Sanitary Sewer Raising Iron (0% Completion)	1	LS	\$ 4,000.00	\$ 4,000.00
2	Storm Drain Raising Iron (0% Completion)	1	LS	\$ 1,600.00	\$ 1,600.00
3	Domestic Water Raising Iron & Setting Water Boxes (0% Completion)	1	LS	\$ 3,500.00	\$ 3,500.00
4	Joint Trench (60% Completion)	1	LS	\$ 59,800.00	\$ 59,800.00
5	AC Paving (0% Completion)	1	LS	\$ 109,000.00	\$ 109,000.00
6	Striping & Mounments (0% Completion)	1	LS	\$ 25,000.00	\$ 25,000.00
TOTAL COST TO COMPLETE					\$ 202,900.00

Notes:

- 1) Estimate for cost to complete based on contractor's note for Village KK dated 6/22/2022

DRAFT ENGINEER'S OPINION OF PROBABLE COST
VILLAGE KK - 75 LOTS
STAGE 2B
RIVER ISLANDS
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

September 3, 2021
Job No.: 25504-92

Item	Description	Quantity	Unit	Unit Price	Amount
<u>SITE PREPARATION</u>					
1	Mobilization ⁵	1	LS	\$ 90,000.00	\$ 90,000.00
2	Clearing, Grubbing, Stripping, and Site Preparation	10	AC	\$ 1,000.00	\$ 10,000.00
3	Erosion Control	10	AC	\$ 2,500.00	\$ 25,000.00
4	Demolition (budget)	1	LS	\$ 20,000.00	\$ 20,000.00
	a) Demo Pavement	140	SF	-	-
	b) Vertical Curb and Gutter (with AB cushion)	232	LF	-	-
	c) Concrete Sidewalk	475	SF	-	-
	d) Field Inlet	3	EA	-	-
	e) Catchbasin	1	EA	-	-
	e) 15" Storm Drain Pipe	32	LF	-	-
	f) 24" Storm Drain Pipe	77	LF	-	-
	g) 8" Sanitary Sewer Pipe	105	LF	-	-
	h) 8" Water Pipe	155	LF	-	-
	g) Streetlights (remove and relocate)	2	EA	-	-
Subtotal Site Preparation					\$ 145,000.00
<u>Grading</u>					
5	Earthwork	15,600	CY	\$ 5.00	\$ 78,000.00
6	Retaining Wall	375	SF	\$ 25.00	\$ 9,375.00
7	Finish Pads	75	EA	\$ 600.00	\$ 45,000.00
Subtotal Grading					\$ 132,375.00
<u>STREET WORK</u>					
8	Fine Grading	76,200	SF	\$ 0.45	\$ 34,290.00
9	4.5" AC Paving	38,200	SF	\$ 2.25	\$ 85,950.00
10	8" Aggregate Base	38,200	SF	\$ 1.20	\$ 45,840.00
11	Vertical Curb and Gutter (with AB cushion)	725	LF	\$ 15.00	\$ 10,875.00
12	Rolled Curb and Gutter (with AB cushion)	2,280	LF	\$ 15.00	\$ 34,200.00
13	Concrete Sidewalk	11,700	SF	\$ 5.00	\$ 58,500.00
14	Driveway Approach	19	EA	\$ 600.00	\$ 11,400.00
15	Handicap Ramps	4	EA	\$ 2,500.00	\$ 10,000.00
16	Survey Monuments	8	EA	\$ 300.00	\$ 2,400.00
17	Traffic Striping & Signage	2,000	LF	\$ 5.00	\$ 10,000.00
18	Dewatering (budget)	1	LS	\$ 85,000.00	\$ 85,000.00
Subtotal Street Work					\$ 388,455.00

Item	Description	Quantity	Unit	Unit Price	Amount
STORM DRAIN					
19	Catch Basins (<i>curb inlet type 1 over type I manhole base</i>)	6	EA	\$ 2,800.00	\$ 16,800.00
20	Catch Basins (<i>type c inlet over type I manhole base</i>)	6	EA	\$ 2,800.00	\$ 16,800.00
21	Catch Basins (<i>type a inlet over type II manhole base</i>)	1	EA	\$ 5,000.00	\$ 5,000.00
22	Field Inlet (<i>type C inlet</i>)	5	EA	\$ 2,800.00	\$ 14,000.00
23	12" Storm Drain Pipe (<i>polypropylene</i>)	810	LF	\$ 15.00	\$ 12,150.00
24	15" Storm Drain Pipe (<i>polypropylene</i>)	1,140	LF	\$ 18.00	\$ 20,520.00
25	18" Storm Drain Pipe (<i>polypropylene</i>)	220	LF	\$ 25.00	\$ 5,500.00
26	24" Storm Drain Pipe (<i>polypropylene</i>)	825	LF	\$ 31.00	\$ 25,575.00
27	Manholes (<i>type I</i>)	2	EA	\$ 3,000.00	\$ 6,000.00
28	Manholes (<i>type II</i>)	1	EA	\$ 5,000.00	\$ 5,000.00
29	Connect to Existing	2	EA	\$ 1,700.00	\$ 3,400.00
30	Storm Drain Stub & Plug	17	EA	\$ 1,000.00	\$ 17,000.00
Subtotal Storm Drain					\$ 147,745.00
SANITARY SEWER					
31	8" Sanitary Sewer Pipe	1,125	LF	\$ 28.00	\$ 31,500.00
32	Manholes	7	EA	\$ 4,000.00	\$ 28,000.00
33	Cleanouts	36	EA	\$ 500.00	\$ 18,000.00
34	4" Sewer Service Lateral	74	EA	\$ 600.00	\$ 44,400.00
35	4" Sewer Service Lateral off Existing Main (at Lot 1)	1	EA	\$ 1,000.00	\$ 1,000.00
36	6" Sewer Service Line	18	EA	\$ 1,000.00	\$ 18,000.00
37	Connect to Existing	1	EA	\$ 3,000.00	\$ 3,000.00
Subtotal Sanitary Sewer					\$ 143,900.00
WATER SUPPLY					
38	8" Water Line (<i>including all appurtenances</i>)	1,280	LF	\$ 32.00	\$ 40,960.00
39	Water Service to Pods ³	36	EA	\$ 4,000.00	\$ 144,000.00
40	Individual Water Service ⁴	6	EA	\$ 2,000.00	\$ 12,000.00
41	Fire Hydrants	3	EA	\$ 4,000.00	\$ 12,000.00
42	Resilient Gate Valve	5	EA	\$ 1,550.00	\$ 7,750.00
43	Connect to Existing	2	EA	\$ 4,000.00	\$ 8,000.00
Subtotal Water Supply					\$ 224,710.00
TOTAL CONSTRUCTION COST (nearest \$1,000)					\$ 1,183,000.00

Notes:

- 1) This estimate does not include surveying, engineering, landscaping, dry utilities, irrigation, or street trees.
- 2) Unit prices are based on estimated current construction costs and no provision for inflation is included.
- 3) Unit prices assumed to include two 2" water services to each pod. Each service has one water manifold with two 1" water meters.
- 4) Single water services are located at Lot 1, Lot 40 and at Pods 7, 8 and 9. Single water services at Pods 7, 8 and 9 are in addition to the manifold water service.
- 5) Mobilization assumed to be 8% of construction cost.

**JOINT ESCROW INSTRUCTIONS
RECORDATION OF FINAL MAPS
(RIVER ISLANDS AT LATHROP)**

ATTACHMENT
" D "

October 9, 2022

Via Email and Hand Delivery

Old Republic Title Company
1215 W. Center Street, Suite 103
Manteca, CA 95337
Attn: Lori Richardson

Re: Recordation of Final Map 4131; Escrow No. 1214021901

Dear Lori:

This letter constitutes the joint escrow instructions ("**Escrow Instructions**") of River Islands Stage 2B, LLC, a Delaware limited liability company ("**RIS2B**") and the City of Lathrop ("**City**") in connection with the above-referenced escrow ("**Escrow**"). The Escrow was opened in connection with recordation of the above-referenced final map ("**Final Map**"). Recordation of the Final Map is subject to the conditions set forth below. The transactions described in these Escrow Instructions are referred to as the "**Transaction**." Old Republic Title Company is referred to as "you" or "**ORTC**."

A. Date for Closings

The Final Map will be recorded at the time designated by RIS2B as set forth below. The Final Map can only be recorded after the City has approved the map in writing. The closing date for the Transaction is intended to occur by December 31, 2023, at the time designated in writing by RIS2B, subject to satisfaction of the conditions set forth below (each a "**Closing**"). If the Final Map has not been recorded by December 31, 2024, ORTC will return the Final Map to the City.

B. Documents to be Delivered and Recordation Documents

In connection with the Transaction, you have in your possession or will receive the following documents from City and RIS2B for recordation in the Official Records of San Joaquin County, California ("**Official Records**").

B.1. One original Final Map for Tract 4131, executed and acknowledged by the City (provided to title by City).

B.2. A fully executed and acknowledged Amendment to Notice of Special Tax Lien for Island Reclamation District 2062 Community Facilities District No. 2013-1 (Levee and Lake Maintenance Services) (provided to title by RIS2B).

B.3. A fully executed and acknowledged Amendment to Notice of Special Tax Lien for River Islands Public Financing Authority Community Facilities District No. 2013-1 (River Islands Public Services) (provided to title by RIS2B).

B.4. A fully executed and acknowledged Amendment to Notice of Special Tax Lien for the River Islands Public Financing Authority Community Facilities District No. 2020-1 (Stage 2B Public Improvements) (provided to title by RIS2B).

B.5. A fully executed and acknowledged Amendment to Notice of Special Tax Lien for the River Islands Public Financing Authority Community Facilities District No. 2021-1 (Public Improvements) (provided to title by RIS2B).

JOINT ESCROW INSTRUCTIONS RECORDATION OF FINAL MAPS (RIVER ISLANDS AT LATHROP)

The documents listed in Items B.1, B.2, B.3, B.4 and B.5 above are referred to as the **“Recordation Documents.”** The Recordation Documents shall be recorded in the order referred to above. The date on which the Recordation Documents are recorded in the Official Records is the Recordation Date.

Prior to recording the Recordation Documents, please confirm that you have received copies or originals of the following documents: (i) Consent to, and Ballot in favor of, Annexation of Real Property to the River Islands Public Financing Authority Community Facilities District No. 2013-1 (River Islands Public Services); (ii) Consent to, and Ballot in favor of, Annexation of Real Property to Island Reclamation District No. 2062 Community Facilities District No. 2013-1 (Levee and Lake Maintenance); (iii) Consent to, and Ballot in favor of, Annexation of Real Property to the River Islands Public Financing Authority Community Facilities District No. 2020-1 (River Islands Supplemental); and (iv) Consent to, and Ballot in favor of, Annexation of Real Property to the River Islands Public Financing Authority Community Facilities District No. 2021-1 (Public Improvements). The original Consents and Ballots for River Islands Public Financing Authority CFD Nos. 2013-1, 2020-1, 2021-1 and Island Reclamation District No. 2013-1 must be delivered to Jeanne Zolezzi at Herum\Crabtree\Suntag, 5757 Pacific Ave., Suite 222, Stockton, CA 95207. Copies should be sent via email to Cari James (cjames@ci.lathrop.ca.us), Cindy Yan at Goodwin Consulting Group, cindy@goodwinconsultinggroup.net, Susan Dell'Osso (sdelloso@riverislands.com) and Debbie Belmar (dbelmar@riverislands.com) together with conformed copies of the amendments to notices of special tax that are recorded as part of the Recordation Documents.

C. Funds and Settlement Statement

You also have received, or will receive from RIS2B, prior to the recordation of the Recordation Documents, in immediately available funds, the following amounts, in accordance with the settlement statement prepared by you and approved in writing by both RIS2B and City (**“Settlement Statement”**): recordation costs, escrow fees and other amounts as set forth in the Settlement Statement. Such costs, fees and other amounts are the sole responsibility of RIS2B.

- Funds to be wire transferred directly to the entity set forth below, immediately upon recordation of the Final Map, in accordance with the wire transfer instructions for each entity are as follows: The amount of **\$35,026.50**, payable to the City pursuant to that certain Agreement to Settle Litigation Regarding River Islands at Lathrop (as amended **“Sierra Club Agreement”**), constituting the amount of **\$3,687.00** multiplied by 9.50 acres (or portion thereof) included in the Final Map, is to be transferred to the City upon recordation of the Final Map. The City’s wire instructions are set forth below.

The amounts set forth in Section C are referred to as the **“Closing Funds.”**

D. Closing Requirements

When the following has occurred, you are authorized to close the Escrow at the time(s) and in accordance with the process set forth below:

D.1. You have delivered copies of your Settlement Statement by email transmission to: (a) Susan Dell'Osso (sdelloso@riverislands.com); (b) Debbie Belmar (dbelmar@riverislands.com); (c) Brad Taylor (btaylor@ci.lathrop.ca.us); (d) Salvador Navarrete (snavarrete@ci.lathrop.ca.us); (e) Sandra Lewis (slewis@ci.lathrop.ca.us), and

JOINT ESCROW INSTRUCTIONS RECORDATION OF FINAL MAPS (RIVER ISLANDS AT LATHROP)

have confirmation (by telephone or email) from Susan Dell'Osso and Brad Taylor that the Settlement Statement is accurate and acceptable;

D.2. You have not received any instructions contrary to these Escrow Instructions;

D.3. The Recordation Documents and all other documents described herein as being held by you or delivered to you have been received by you and have been fully executed and, where applicable, acknowledged, and you have attached all legal descriptions or have confirmed that all exhibits and legal descriptions are attached;

D.4. You are prepared to record the Recordation Documents, as designated, release funds in accordance with the Settlement Statement and complete the Transaction in compliance with these Escrow Instructions;

D.5. You have delivered a copy of these instructions, executed by an authorized signatory of ORTC with authority to bind ORTC, and initialed all pages, by email transmission (with original hard copy to follow by U.S. Mail) to Debbie Belmar and Brad Taylor at the email addresses set forth above; and

D.6. You have received confirmation (by email or other writing) from Susan Dell'Osso and Brad Taylor to record the Recordation Documents and complete the Transaction.

E. Closing Process and Priorities

When you have fully satisfied all of the closing requirements set forth in Section D, then you are authorized and instructed to do the following in the chronological order given:

E.1. Date the Recordation Documents to be recorded;

E.2. Record the Recordation Documents in the Official Records;

E.3. Pay the costs associated with the Transaction;

E.4. Refund any funds delivered to you by RIS2B that are not disbursed at the time of the final Closing pursuant to these Escrow Instructions to the following entity and address:

River Islands Stage 2B, LLC
73 W. Stewart Road
Lathrop, CA 95330
Attn: Susan Dell'Osso

E.5. Notify Susan Dell'Osso (sdelloso@riverslands.com), Debbie Belmar (dbelmar@riverislands.com), Brad Taylor (btaylor@ci.lathrop.ca.us), Sandra Lewis (slewis@ci.lathrop.ca.us), Teresa Vargas (tvargas@ci.lathrop.ca.us), Sarah Pimentel (spimentel@ci.lathrop.ca.us), and Jose Molina (JMolina@sigov.org) of the completion of the Transaction;

E.6. Within five (5) business days after each Recordation Date, deliver by overnight delivery via recognized, national, overnight delivery carrier to: (1) Susan Dell'Osso, River Islands Stage 2B, LLC, 73 W. Stewart Road, Lathrop, CA 95330; and (2) Mr. Brad Taylor, City Engineer, City Attorney, City of Lathrop, 390 Towne Centre Drive, Lathrop, CA 95330;

**JOINT ESCROW INSTRUCTIONS
RECORDATION OF FINAL MAPS
(RIVER ISLANDS AT LATHROP)**

- (A) a certified copy of the Recordation Documents, showing all recording information of the Recordation Documents; and
- (B) a certified copy of the final Settlement Statement.

F. Additional Instructions

When assembling the final documents, signature pages from all parties shall be inserted into each respective final document in creating fully executed counterparts.

Please acknowledge receipt of these instructions and your agreement to act as Escrow agent in connection with this Transaction in accordance with these Escrow Instructions, by executing and dating a copy of these Escrow Instructions where indicated below, initialing all pages and returning it to both of the undersigned.

The Escrow Instructions may be modified only in a writing signed by both of the undersigned.

Very truly yours,

Stephen J. Salvatore Date
City Manager
City of Lathrop

Susan Dell'Osso Date
President
River Islands Stage 2B, LLC

**ESCROW INSTRUCTIONS
ACKNOWLEDGEMENT AND AGREEMENT:**

Receipt of the foregoing Escrow Instructions from RIS2B and the City is hereby acknowledged. The undersigned agrees, for itself, and on behalf of ORTC, to proceed in strict accordance with these Escrow Instructions. The undersigned represents and warrants to RIS2B and the City that the undersigned is authorized to execute this Acknowledgement and Agreement, for itself, and on behalf of ORTC.

Old Republic Title Company

By: _____
Its: _____
Date: _____

OWNERS STATEMENT

THE UNDERSIGNED DOES HEREBY STATE THAT THEY ARE THE OWNERS OR HAVE SOME RECORD TITLE INTEREST IN THE LAND DELINEATED AND EMBODIED WITHIN THE EXTERIOR BOUNDARY LINE OF THE HEREIN EMBODIED FINAL MAP ENTITLED, "TRACT 4131, RIVER ISLANDS-STAGE 2B, VILLAGE KK", CITY OF LATHROP, CALIFORNIA, CONSISTING OF ELEVEN (11) SHEETS, AND WE HEREBY CONSENT TO THE PREPARATION AND FILING OF THIS FINAL MAP IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, CALIFORNIA.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES:

1. TO THE CITY OF LATHROP FOR PUBLIC RIGHT-OF-WAY PURPOSES, THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP AS BRENTBRIDGE STREET AS SHOWN ON THIS FINAL MAP;
2. TO THE CITY OF LATHROP FOR ACCESS AND PUBLIC UTILITY PURPOSES, THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP AS PARCELS A THROUGH R AS SHOWN ON THIS FINAL MAP;
3. A NON-EXCLUSIVE EASEMENT TO THE CITY OF LATHROP, TOGETHER WITH THE RIGHT TO CONSTRUCT, RECONSTRUCT, REPAIR AND MAINTAIN, POLES, WELLS, CABLES, PIPES AND UTILITIES, AND TO INSTALL AND MAINTAIN APPURTENANCES UPON, OVER AND UNDER THE STRIPS OF LAND AS SHOWN ON THIS FINAL MAP DESIGNATED AS "P.U.L.E." (PUBLIC UTILITY EASEMENT);
4. A NON-EXCLUSIVE EASEMENT TO THE CITY OF LATHROP FOR EMERGENCY VEHICLE ACCESS PURPOSES ACROSS THE STRIPS OF LAND AS SHOWN ON THIS FINAL MAP DESIGNATED AS "E.V.A.E." (EMERGENCY VEHICLE ACCESS EASEMENT);
5. A NON-EXCLUSIVE EASEMENT TO THE CITY OF LATHROP, TOGETHER WITH THE RIGHT TO CONSTRUCT, RECONSTRUCT, REPAIR AND MAINTAIN, PHELIQUES, DRAINAGE SYSTEMS AND THEIR APPURTENANCES UPON, OVER AND UNDER THE STRIPS OF LAND AS SHOWN ON THIS FINAL MAP DESIGNATED AS "S.D.E." (STORM DRAIN EASEMENT).

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE FOR PUBLIC PURPOSES:

1. PARCELS T THROUGH W TO THE CITY OF LATHROP FOR PURPOSES OF OPEN SPACE, LANDSCAPING, PUBLIC UTILITIES, FORCE MAINS, MAINTENANCE, AND APPURTENANCES THEREOF, FOR THE BENEFIT OF THE PUBLIC, AS SHOWN ON THIS FINAL MAP.

TO ENSURE MINORAL WATER SERVICES TO ALL LOTS SHOWN UPON THIS MAP, ALL GROUND WATER RIGHTS THAT THE UNDERSIGNED MAY HAVE WITHIN THE DISTINCTIVE BORDER UPON THIS MAP, HEREBY ARE DEDICATED TO THE CITY OF LATHROP.

PARCELS A THROUGH R AS ACCESS LOTS WILL BE TRANSFERRED TO HOMEOWNERS ASSOCIATION BY SEPARATE DOCUMENT SUBSEQUENT TO THE RECORDING OF THIS FINAL MAP.

THE UNDERSIGNED DOES HEREBY RELINQUISH TO THE CITY OF LATHROP ALL ABUTTERS RIGHT OF ACCESS TO LOTS 1, 29, 34, 35, 37, 38, 39, 41, 42, 45, 46, 48, 53, 54, 57, 58, 61, 62, 65, 66, 69, 70, 73, 74 AND 75 ALONG THE LOT LINES AS INDICATED BY THE SYMBOL ||||| AS SHOWN ON THIS FINAL MAP.

THE UNDERSIGNED DOES HEREBY RESERVE PARCELS S AS SHOWN ON THIS MAP, SAID PARCELS IS NOT DEDICATED HEREON, BUT WILL BE CONVEYED TO ISLAND RECLAMATION DISTRICT NO. 2002 BY SEPARATE DOCUMENT SUBSEQUENT TO THE FILING OF THIS FINAL MAP.

OWNER: RIVER ISLANDS STAGE 2B, LLC, A DELAWARE LIMITED LIABILITY COMPANY.

BY: SUSAN DELL O'SSO DATE: _____
ITS: PRESIDENT

TRUSTEE'S STATEMENT

OLD REPUBLIC TITLE COMPANY, AS TRUSTEE, UNDER THE DEED OF TRUST RECORDED DECEMBER 22, 2016, AS DOCUMENT NUMBER 2016-160886, AND AS AMENDED IN DOCUMENT RECORDED DECEMBER 26, 2017 AS DOCUMENT NUMBER 2017-150771 AND FURTHER AMENDED IN DOCUMENT RECORDED APRIL 15, 2020 AS DOCUMENT NUMBER 2020-046905, AND FURTHER AMENDED IN DOCUMENT RECORDED NOVEMBER 23, 2022 AS DOCUMENT NUMBER 2022-132040, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

DATED THIS _____ DAY OF _____, 2023

BY: _____
ITS: _____

ACKNOWLEDGEMENT CERTIFICATE (OWNER)

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF SAN JOAQUIN

ON _____, 2023, BEFORE ME, _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN HIS/HER/HER AUTHORIZED CAPACITIES, AND THAT BY HIS/HER/HER SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE: _____
NAME (PRINT): _____
PRINCIPAL COUNTY OF BUSINESS: _____
MY COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____

TRACT 4131
RIVER ISLANDS - STAGE 2B
VILLAGE KK

A PORTION OF RANCHO EL PESQUERO, BEING
A SUBDIVISION OF PARCEL 12 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



CITY CLERK'S STATEMENT

I, TERESA VARGAS, CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE CITY OF LATHROP, STATE OF CALIFORNIA, DO HEREBY STATE THAT THE HEREIN EMBODIED MAP ENTITLED, "TRACT 4131, RIVER ISLANDS-STAGE 2B, VILLAGE KK", CITY OF LATHROP, CALIFORNIA, CONSISTING OF ELEVEN (11) SHEETS, THIS STATEMENT WAS PRESENTED TO SAID CITY COUNCIL, AS PROVIDED BY LAW, AT A MEETING THEREOF, HELD ON THE DAY OF _____, 2023, AND THAT SAID CITY COUNCIL DID THEREUPON BY RESOLUTION NO. _____, AUTHORIZED ITS REORGANIZATION, AND ACCEPTED ON BEHALF OF THE CITY OF LATHROP, FOR PUBLIC USE, THE PARCELS A THROUGH R, 70, 73, 74 AND 75, ALONG THE LOT LINES AS INDICATED BY THE SYMBOL |||||, THE DEDICATION OF ALL PUBLIC UTILITY EASEMENTS, ALL ACCESS EASEMENTS, PARCELS A THROUGH R FOR ACCESS AND PUBLIC UTILITIES, ALL EMERGENCY VEHICLE ACCESS EASEMENTS, ALL STORM DRAIN EASEMENTS, THE DEDICATION OF THE GROUND WATER RIGHTS, THE DEDICATION OF PARCELS T THROUGH W IN FEE AND ACCEPTED THE OFFER OF DEDICATION OF BRENTBRIDGE STREET AS SHOWN ON SAID MAP SUBJECT TO THE MAPANTS BEING COMPLETED IN ACCORDANCE WITH CHAPTER 16, TITLE 16.16 OF THE CITY OF LATHROP MUNICIPAL CODE.

ALSO, PURSUANT TO SECTION 66344(G) OF THE CALIFORNIA SUBDIVISION MAP ACT, THE CITY OF LATHROP DOES HEREBY ABANDON THE NON-EXCLUSIVE PUBLIC UTILITY EASEMENT FOR PUBLIC PURPOSES RECORDED MAY 21, 2021, AS DOCUMENT NUMBER 2021-088983, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, WITHIN THE BOUNDARY OF THIS FINAL MAP.

I FURTHER STATE THAT ALL BONDS AS REQUIRED BY LAW TO ACCOMPANY THE WITHIN MAP, IF APPLICABLE, HAVE BEEN APPROVED BY THE CITY COUNCIL OF LATHROP AND FILED IN MY OFFICE.

TERESA VARGAS
CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE CITY OF LATHROP, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA

ACKNOWLEDGEMENT CERTIFICATE (TRUSTEE)

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF SAN JOAQUIN

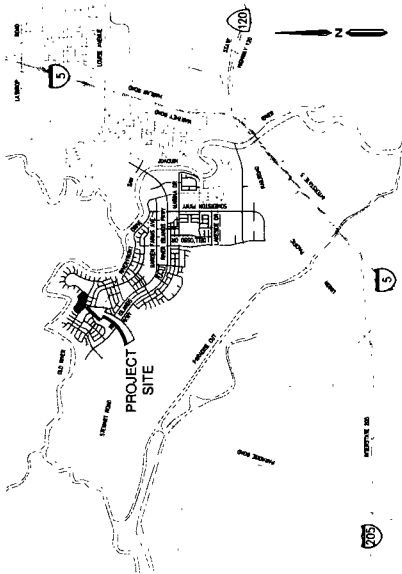
ON _____, 2023, BEFORE ME, _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN HIS/HER/HER AUTHORIZED CAPACITIES, AND THAT BY HIS/HER/HER SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE: _____
NAME (PRINT): _____
PRINCIPAL COUNTY OF BUSINESS: _____
MY COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____

EXEMPT FROM FEE PER GOVERNMENT CODE 27208.1; DOCUMENT RECORDED IN CONNECTION WITH A CONCURRENT TRANSFER SUBJECT TO THE IMPOSITION OF DOCUMENTARY TRANSFER TAX

VICINITY MAP
NOT TO SCALE

SECRETARY OF THE PLANNING COMMISSION'S STATEMENT

THIS MAP CONFORMS TO TESTING TENTATIVE MAP NO. 6716 RECOMMENDED BY THE PLANNING COMMISSION AND APPROVED BY THE CITY COUNCIL PER RESOLUTION NO. 21-4908.

DATED THIS _____ DAY OF _____, 2023.

MARK WEISSNER, COMMUNITY DEVELOPMENT DIRECTOR
CITY OF LATHROP

CITY ENGINEER'S STATEMENT

I, BRAD R. TAYLOR, HEREBY STATE THAT I AM THE CITY ENGINEER OF THE CITY OF LATHROP, CALIFORNIA, AND THAT I HAVE EXAMINED THE FINAL MAP ENTITLED, "TRACT 4131, RIVER ISLANDS-STAGE 2B, VILLAGE KK", CITY OF LATHROP, CALIFORNIA, CONSISTING OF ELEVEN (11) SHEETS, AND ANY APPROVED ALTERATIONS THEREOF, APPLIED ON THE AMENDED TESTING TENTATIVE MAP NO. 3644, AND ANY APPROVED ALTERATIONS THEREOF. I FURTHER STATE THAT THIS FINAL MAP COMPLETES WITH ALL PROVISIONS OF CHAPTER 2 OF THE CALIFORNIA STATE SUBDIVISION MAP ACT AND APPLICABLE ORDINANCES OF THE CITY OF LATHROP, AND ANY AMENDMENTS THEREOF, APPLICABLE AT THE TIME OF APPROVAL OF AMENDED TESTING TENTATIVE MAP.

DATED THIS _____ DAY OF _____, 2023.

BRAD R. TAYLOR, R.C.E. 392823
CITY ENGINEER OF THE CITY OF LATHROP, CALIFORNIA



RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 2023, AT _____, IN BOOK _____ OF MAPS AND PLATS, AT PAGE _____, AT THE REQUEST OF OLD REPUBLIC TITLE COMPANY.
FEE: \$ _____

BY: _____
STEVE BESTUJARDES, COUNTY CLERK
ASSESSOR-RECORDER, SAN JOAQUIN COUNTY, CALIFORNIA

CITY SURVEYOR'S STATEMENT

I, DARRYL A. ALEXANDER, HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP OF "TRACT 4131, RIVER ISLANDS-STAGE 2B, VILLAGE KK", CITY OF LATHROP, CALIFORNIA, AND I AM SATISFIED THAT THIS FINAL MAP IS TECHNICALLY CORRECT.

DATED THIS _____ DAY OF _____, 2023.

DARRYL A. ALEXANDER, P.L.S. 5071
ACTING CITY SURVEYOR



SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF RIVER ISLANDS DEVELOPMENT, LLC. ON SEPTEMBER 11, 2018, I HEREBY STATE ALL THE INFORMATION AND REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE HAVE BEEN SET IN THESE PARAGRAPHS BEFORE DECEMBER 31, 2023, AND THAT THE INFORMATION IS TRUE AND CORRECT, BE SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRAINED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED AMENDED VESTING TENTATIVE MAP.

DATED THIS _____ DAY OF _____, 2023.

DYLAN DRAWFORD, P.L.S. NO. 7788



RECITALS

- RIGHT TO FAIR STATEMENT:
PER CITY OF LATHROP MUNICIPAL CODE OF ORDINANCES, TITLE 15, CHAPTER 15.48.04, THE CITY OF LATHROP PERMITS OPERATION OF PROPERLY CONDUCTED AGRICULTURAL OPERATIONS WITHIN THE CITY LIMITS, INCLUDING THOSE THAT UTILIZE CHEMICAL FERTILIZERS AND PESTICIDES. YOU ARE HEREBY NOTIFIED THAT THE PROPERTY YOU ARE ACQUIRING MAY BE USED FOR AGRICULTURAL PURPOSES, INCLUDING THE APPLICATION OF CHEMICALS AND PESTICIDES OR DISCOURAGE ARISING FROM THE LIMITED AND PROPER USE OF AGRICULTURAL CHEMICALS AND PESTICIDES AND FROM OTHER AGRICULTURAL ACTIVITIES INCLUDING WITHOUT LIMITATIONS, CULTIVATION, PLANNING, SPRAYING, IRRIGATION, PRUNING, HARVESTING, BURNING OF AGRICULTURAL WASTE PRODUCTS, PROTECTION OF CROPS AND ANIMALS FROM PREDATION, AND OTHER ACTIVITIES WHICH MAY GENERATE DUST, SMOKE, NOISE, ODOOR, AND ANIMALS AND PESTS. BE AWARE ALSO, THAT THIS PROPERTY MAY BE LOCATED ADJACENT TO AGRICULTURAL OPERATIONS OUTSIDE THE CITY'S JURISDICTION. CONSEQUENTLY, DEPENDING ON THE LOCATION OF YOUR PROPERTY, THERE MAY BE A NEIGHBORHOOD WITH AGRICULTURAL OPERATIONS OR DISCOURAGE ARISING FROM THE LIMITED AND PROPER USE OF AGRICULTURAL CHEMICALS AND PESTICIDES OR DISCOURAGE ARISING FROM THE LIMITED AND PROPER USE OF AGRICULTURAL CHEMICALS AND PESTICIDES. THE CITY OF LATHROP DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED HEREIN, NOR DOES IT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED HEREIN. THE CITY OF LATHROP DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED HEREIN. THE CITY OF LATHROP DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED HEREIN.
- A SOILS REPORT ENTITLED "GEOTECHNICAL EXPLORATION, RIVER ISLANDS PHASE 1, LATHROP, CALIFORNIA", REFERENCED AS PROJECT NO. 5044.5.001.01 AND DATED JULY 29, 2015, HAS BEEN PREPARED FOR THIS PROJECT BY ENGEO, INCORPORATED, JOSEF J. TOOTLE, G.E. NO. 2877, AND IS ON FILE WITH THE CITY OF LATHROP.
- TRACT 4131, RIVER ISLANDS-STAGE 2B, VILLAGE KK, CONTAINS 75 RESIDENTIAL LOTS WITH A TOTAL OF 5,335 ACRES, AND 23 LETTERED PARCELS CONTAINING 1,888 ACRES, MORE OR LESS, AND ROADWAYS THAT ARE BEING DEDICATED BY THIS FINAL MAP WHICH INCLUDE 116.8 ACRES, MORE OR LESS AS SHOWN ON THIS FINAL MAP (PLEASE REFER TO THE AREA TABLE BELOW).

TRACT 4131 AREA SUMMARY	
LOTS 1 THROUGH 75	5.94 ACRE
STREET DEDICATIONS	1.68 ACRE
PARCELS A - W	1.89 ACRE
TOTAL	9.50 ACRE

TRACT 4131
RIVER ISLANDS - STAGE 2B
VILLAGE KK

A PORTION OF RANCHO EL PESQUERO, BEING
A SUBDIVISION OF PARCEL 12 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



REFERENCES

- TRACT 4032, RIVER ISLANDS-STAGE 2B, VILLAGE LOT FINAL MAP, FILED OCTOBER 8, 2020, IN BOOK 43 OF MAPS AND PLATS, PAGE 142, S.U.C.R. (43 MAP 142)
- TRACT 4089, RIVER ISLANDS-STAGE 2A, VILLAGE PH, FILED OCTOBER 29, 2021, IN BOOK 43 OF MAPS AND PLATS, PAGE 198, S.U.C.R. (43 MAP 198)
- TRACT 4082, RIVER ISLANDS-STAGE 2B, VILLAGE JIN, FILED JANUARY 29, 2021, IN BOOK 43 OF MAPS AND PLATS, PAGE 157, S.U.C.R. (43 MAP 157)
- TRACT 4083, RIVER ISLANDS-STAGE 2A, VILLAGE LI, FILED AUGUST 11, 2021, IN BOOK 43 OF MAPS AND PLATS, PAGE 181, S.U.C.R. (43 MAP 181)

SIGNATURE OMISSIONS

PURSUANT TO SECTION 66438 OF THE CALIFORNIA SUBDIVISION MAP ACT, THE SIGNATURES OF THE FOLLOWING PARTIES HAVE BEEN OMITTED:

- RECLAIMED ISLANDS LAND COMPANY, RESERVATION FOR OIL, GAS, UNDEVELOPED, AND OTHER HYDROCARBON SUBSTANCES LING BELOW A DEPTH OF 300 FEET, PER DOCUMENT NUMBER 2001-01046177, S.U.C.R.

LINE AND CURVE TABLES FOR COURSES SHOWN ON SHEET 3 ONLY

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N60°20'00"W	51.95'
L2	N74°02'29"W	581.29'
L3	N38°12'04"W	117.73'
L4	N57°24'08"W	98.05'
L5	N17°24'06"W	35.35'
L6	N32°35'54"E	56.85'
L7	N49°01'22"W	18.73'
L8	N84°42'11"E	20.87'
L9	N67°56'05"E	6.07'
L10	N46°14'51"W	212.38'
L11	N14°14'51"W	35.36'
L12	N43°43'09"E	168.81'
L13	N32°32'14"E	50.00'
L14	N22°28'36"W	50.00'
L15	N43°45'09"E	20.00'

CURVE TABLE		
CURVE	RADIUS	DELTA
C1	400.00	13°42'28"
C2	435.00	4°56'44"
C3	850.00	10°03'44"
C4	300.00	35°50'24"
C5	300.00	19°12'02"
C6	285.00	35°50'24"
C7	335.00	19°12'02"
C8	270.00	40°09'39"
C9	17.00	59°38'11"
C10	50.00	13°47'49"
C11	1102.00	3°31'13"
C12	120.00	7°01'16"
C13	80.00	5°15'01"
C14	5020.00	0°49'13"
C15	340.00	18°26'55"
C16	3315.00	0°38'55"
C17	1080.00	11°51'31"
C18	355.00	21°02'24"
C19	370.00	16°46'06"
C20	990.00	0°40'28"

CURVE TABLE		
CURVE	RADIUS	DELTA
C21	50.00	15°39'42"
C22	17.00	86°14'06"
C23	880.00	3°33'28"
C24	89.00	70°22'34"

- BASED ON INFORMATION CONTAINED IN THE PRELIMINARY TITLE REPORT, ORDER NUMBER 1214021901-LR (VERSION 9), DATED JUNE 30, 2023, PROVIDED BY OLD REPUBLIC TITLE COMPANY.

LEGEND

- MEASURED AND RECORD DATA PER REFERENCE SHOWN
- 200.00' (R1)
- (R1) DENOTES REFERENCE (R1) - SEE REFERENCE LIST ON SHEET 2
- (M-W) MONUMENT TO MONUMENT
- (M-B) MONUMENT TO BOUNDARY
- (M-CL INTX) MONUMENT TO CENTERLINE INTERSECTION
- (M-BC) MONUMENT TO BEGINNING OF CURVE
- (BC-CL INTX) BEGIN CURVE TO CENTERLINE INTERSECTION
- TOTAL
- (1) BOUNDARY
- (6) DOCUMENT NUMBER
- DN ACCESS EASEMENT
- A.E. EMERGENCY VEHICLE ACCESS EASEMENT
- E.V.A.E. PUBLIC UTILITY EASEMENT
- P.U.E. LINE, CURVE
- 11/CI EASEMENT REFERENCE NUMBER
- ①

EASEMENTS

- ① STAGE 2B LEVEE EASEMENT IN FAVOR OF ISLAND RECLAMATION DISTRICT 2062 PER DN 2019-060095, S.J.C.R.

NOTES

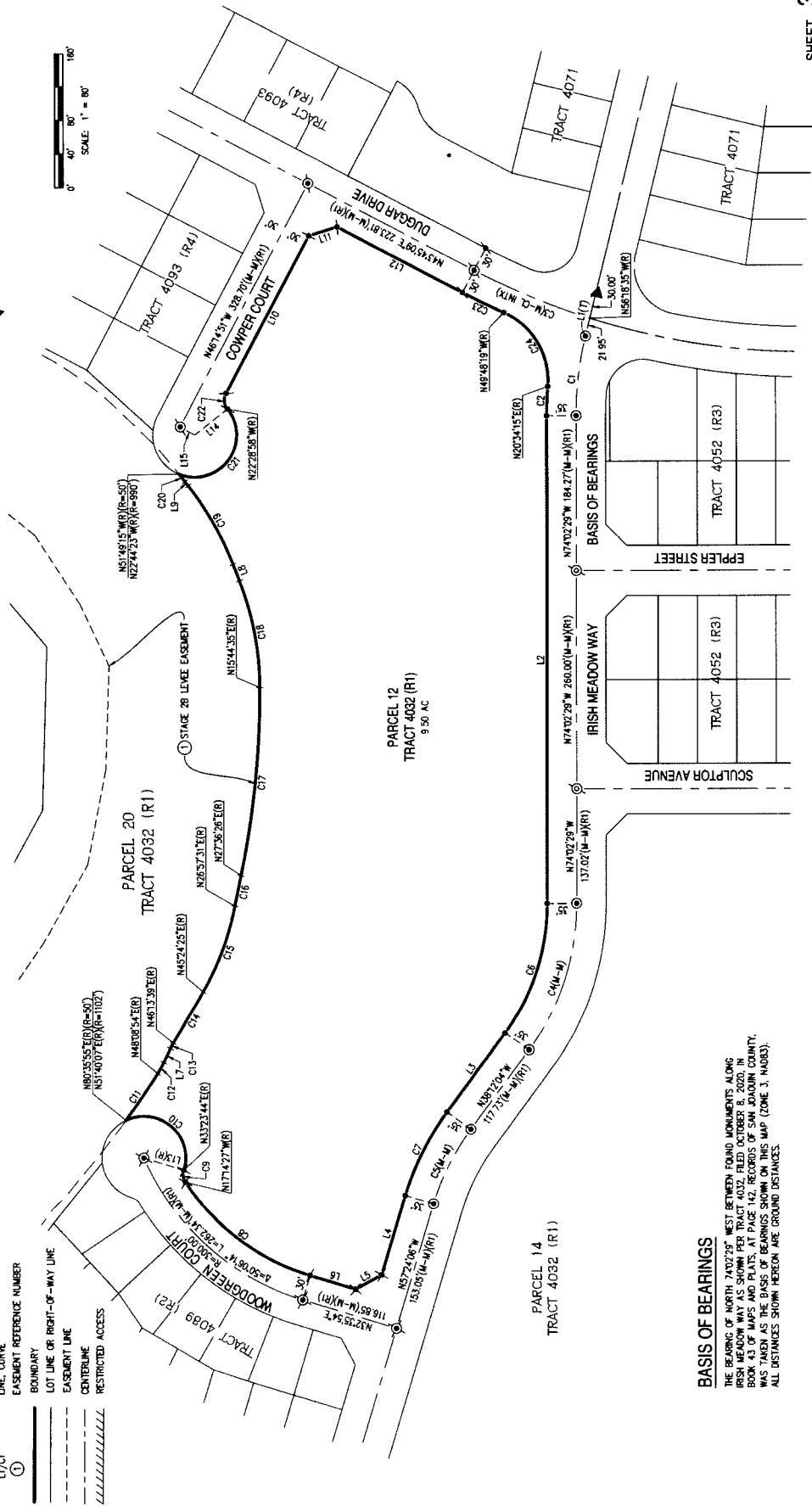
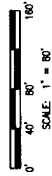
1. SEE SHEET 2 FOR REFERENCES.
2. SEE SHEET 7 FOR LINE AND CURVE TABLES.
3. SEE SHEET 5 FOR MONUMENTATION NOTES.

MONUMENTATION NOTES

- ⊗ FOUND MONUMENT PER (R2)
- ✕ FOUND 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" PER (R2)
- FOUND 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" PER (R1)
- ⊙ FOUND MONUMENT PER (R1)
- ✎ FOUND 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" PER (R4)
- ⊕ FOUND MONUMENT PER (R3)
- ⊖ FOUND MONUMENT PER (R4)
- ▲ FOUND 2-1/2" BRASS DISK STAMPED "PLS 7788" PER (R1)

TRACT 4131 RIVER ISLANDS - STAGE 2B VILLAGE KK

A PORTION OF RANCHO EL PESQUERO, BEING
A SUBDIVISION OF PARCEL 12 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



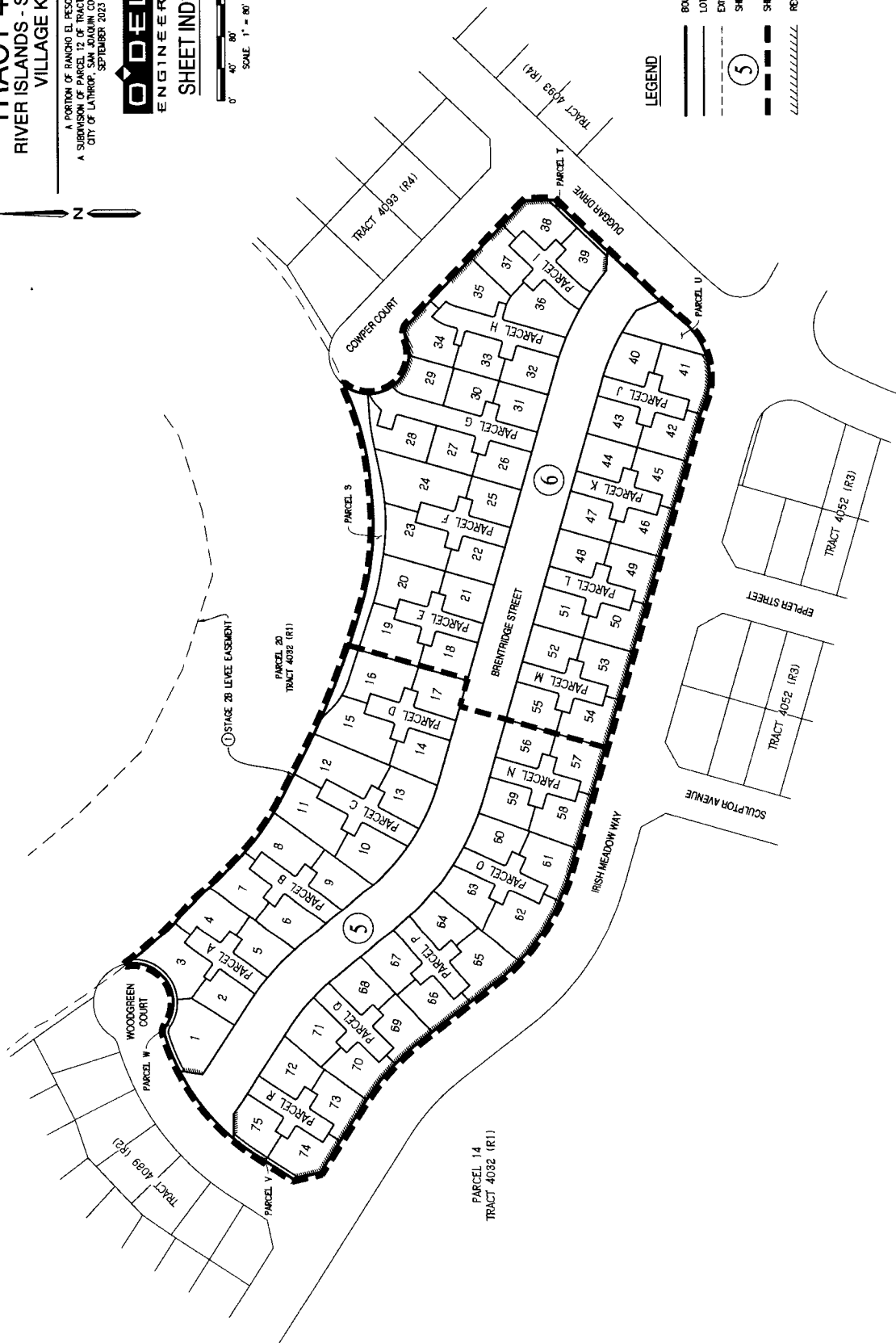
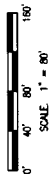
BASIS OF BEARINGS

THE BEARING OF NORTH 74°02'29\"/>

TRACT 4131 RIVER ISLANDS - STAGE 2B VILLAGE KK

A PORTION OF RANCHO EL PESQUERO, BEING
A SUBDIVISION OF PARCEL 12 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023

ODELL
ENGINEERING
SHEET INDEX



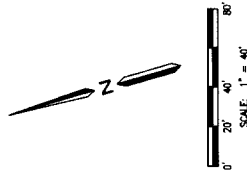
LEGEND

- BOUNDARY
- LOT LINE
- EXISTING ROADWAY EASEMENT
- SHEET NUMBER
- SHEET LIMIT LINE
- RESTRICTED ACCESS

5

TRACT 4131 RIVER ISLANDS - STAGE 2B VILLAGE KK

A PORTION OF RANCHO EL PESQUERO, BEING
A SUBDIVISION OF TRACT 4032 (43 MAP 142)
CITY OF LATROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023

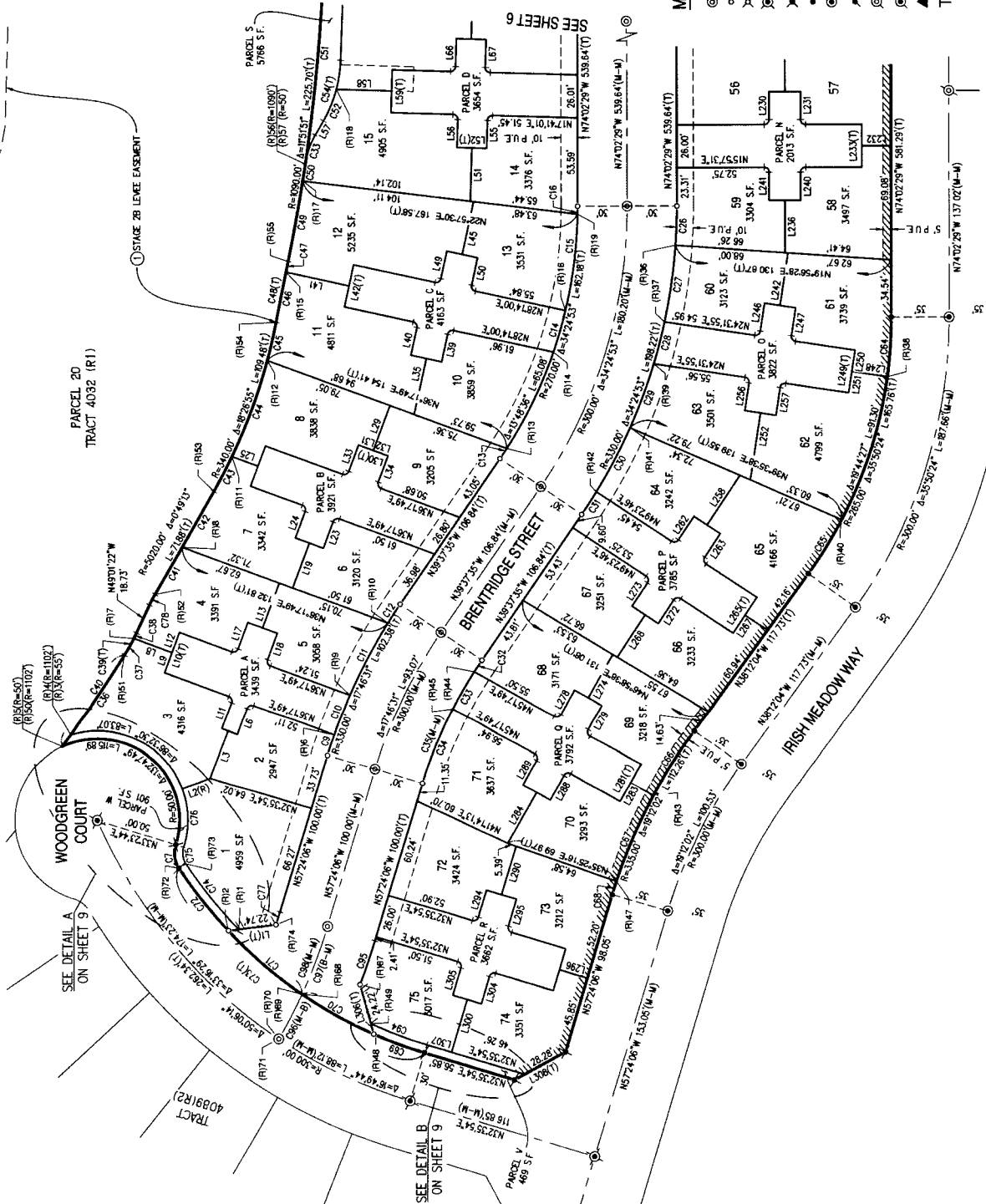


NOTES

1. SEE SHEET 2 FOR REFERENCES.
2. SEE SHEET 3 FOR BASIS OF BEARINGS AND LEGEND.
3. SEE SHEETS 7 AND 8 FOR LOT AND CURVE TABLES.
4. SEE SHEET 9, DETAIL F, FOR MONUMENT LOCATIONS OF PARCELS A THROUGH 8.
5. SEE SHEETS 10 AND 11 FOR PARCELS A THROUGH R DIMENSIONS.

MONUMENTATION NOTES

- ⊙ SET STANDARD CITY OF LATROP MONUMENT WELL STAMPED "PLS 7788"
- SET 3/4" IRON PIPE WITH CAP STAMPED "PLS 7788"
- ⊗ 1.17" BRASS DISK STAMPED "PLS 7788", SET 1" ON PROPERTY LINE PROJECTION
- ⊗ FOUND MONUMENT PER (R2)
- ⊗ FOUND 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" PER (R2)
- FOUND 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" PER (R1)
- ⊙ FOUND MONUMENT PER (R1)
- ⊗ FOUND 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" PER (R4)
- ⊗ FOUND MONUMENT PER (R3)
- ⊗ FOUND MONUMENT PER (R4)
- ▲ FOUND 2-1/2" BRASS DISK STAMPED "PLS 7788" PER (R1)
- T SET 5/8" x 24" REBAR W/ PLASTIC PLUG "PLS 7788" FOR ALL REAR LOT CORNERS (UNLESS OTHERWISE NOTED). SET 3/4" IRON PIPE "PLS 7788" FOR ALL FRONT LOT CORNERS.



SCULPTOR
AVENUE

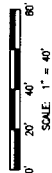
TRACT 4131 RIVER ISLANDS - STAGE 2B VILLAGE KK

A PORTION OF RANCHO EL PESQUERO, BEING
A SUBDIVISION OF PARCEL 12 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023

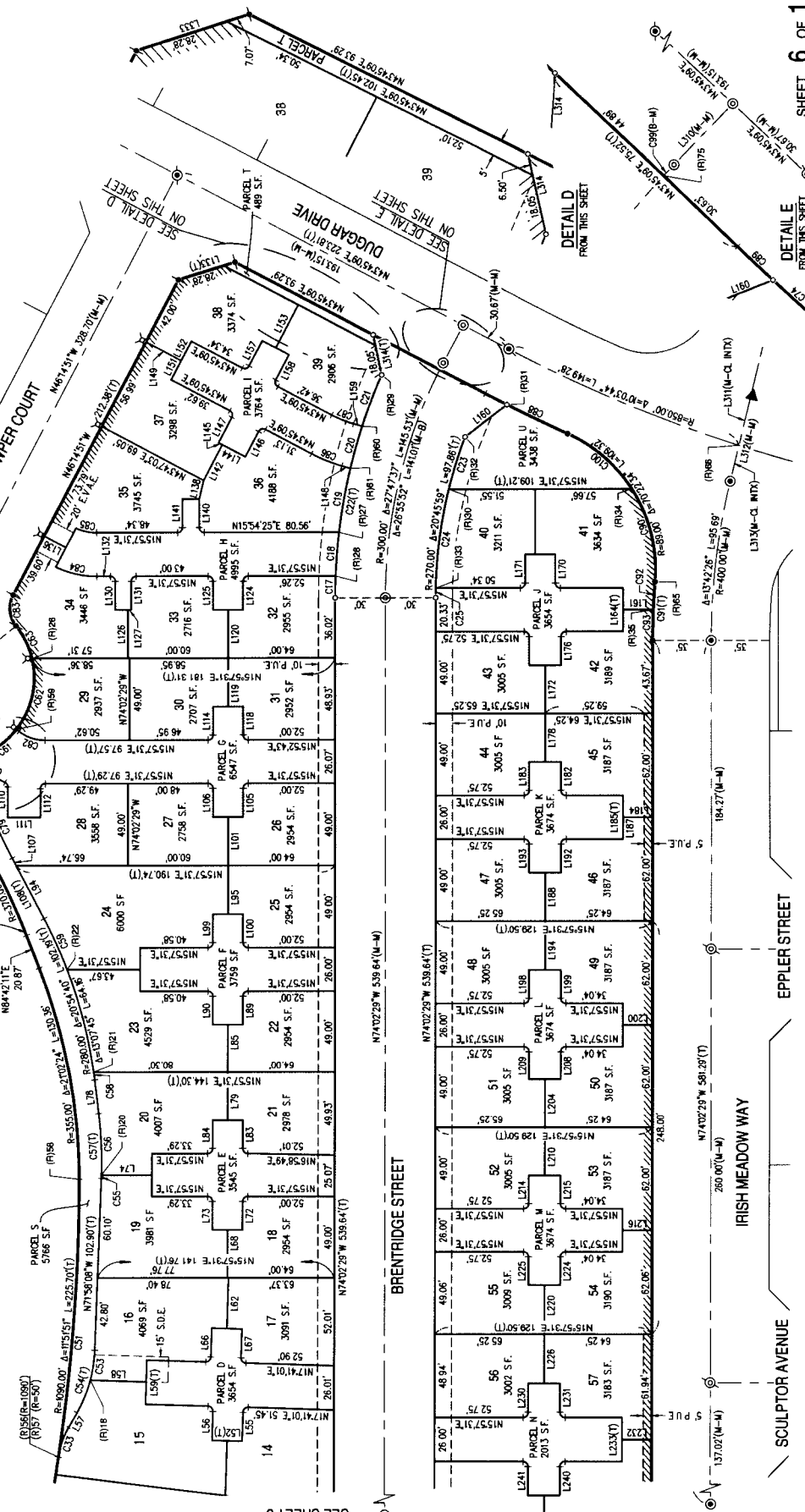


NOTES

- SEE SHEET 2 FOR REFERENCES.
- SEE SHEET 3 FOR MONUMENT MARKS AND LEGEND.
- SEE SHEET 5 FOR MONUMENT NOTES.
- SEE SHEETS 7 AND 8 FOR LINE AND CURVE TABLES.
- SEE SHEETS 9, DETAIL "Y", FOR MONUMENT LOCATIONS OF PARCELS A THROUGH R.
- SEE SHEETS 10 AND 11 FOR PARCELS A THROUGH R DIMENSIONS.



PARCEL 20
TRACT 4032 (R1)



LINE #	DIRECTION	LENGTH
L1	N04°48'51"E	28.98'
L2	N04°34'14"W	18.04'
L3	N53°42'11"W	31.21'
L4	N86°17'49"E	10.00'
L5	N58°17'49"E	6.00'
L6	N53°42'11"W	13.00'
L7	N08°17'49"E	4.00'
L8	N36°17'49"E	24.76'
L9	N53°42'11"W	13.00'
L10	N53°42'11"W	26.00'
L11	N53°42'11"W	13.00'
L12	N53°42'11"W	13.00'
L13	N53°42'11"W	29.00'
L14	N86°17'49"E	19.00'
L15	N36°17'49"E	9.50'
L16	N86°17'49"E	9.50'
L17	N53°42'11"W	17.00'
L18	N53°42'11"W	17.00'
L19	N53°42'11"W	29.00'
L20	N36°17'49"E	18.00'

LINE #	DIRECTION	LENGTH
L21	N36°17'49"E	9.00'
L22	N36°17'49"E	9.00'
L23	N53°42'11"W	17.00'
L24	N53°42'11"W	17.00'
L25	N36°17'49"E	16.78'
L26	N53°42'11"W	23.00'
L27	N53°42'11"W	13.00'
L28	N53°42'11"W	13.00'
L29	N53°42'11"W	29.00'
L30	N36°17'49"E	19.00'
L31	N36°17'49"E	9.50'
L32	N36°17'49"E	9.50'
L33	N53°42'11"W	17.00'
L34	N53°42'11"W	17.00'
L35	N36°17'49"E	34.71'
L36	N28°14'00"E	19.00'
L37	N28°14'00"E	9.50'
L38	N28°14'00"E	9.50'
L39	N61°46'00"W	17.00'
L40	N61°46'00"W	17.00'

LINE #	DIRECTION	LENGTH
L41	N28°14'00"E	38.99'
L42	N61°46'00"W	26.00'
L43	N61°46'00"W	13.00'
L44	N61°46'00"W	13.00'
L45	N61°46'00"W	32.82'
L46	N28°14'00"E	9.50'
L47	N28°14'00"E	9.50'
L48	N28°14'00"E	9.50'
L49	N61°46'00"W	17.00'
L50	N61°46'00"W	17.00'
L51	N72°18'59"W	32.34'
L52	N72°18'59"W	18.00'
L53	N74°10'1"E	9.00'
L54	N74°10'1"E	9.00'
L55	N72°18'59"W	17.00'
L56	N72°18'59"W	10.02'
L57	N44°19'15"W	33.45'
L58	N74°10'1"E	20.34'
L59	N72°18'59"W	26.00'
L60	N72°18'59"W	13.25'

LINE #	DIRECTION	LENGTH
L61	N72°18'59"W	12.75'
L62	N72°18'59"W	30.08'
L63	N74°10'1"E	18.00'
L64	N74°10'1"E	9.00'
L65	N74°10'1"E	9.00'
L66	N72°18'59"W	17.00'
L67	N72°18'59"W	17.00'
L68	N74°10'1"E	29.00'
L69	N55°7'31"E	18.00'
L70	N55°7'31"E	9.00'
L71	N55°7'31"E	9.00'
L72	N74°10'1"E	17.00'
L73	N74°10'1"E	17.00'
L74	N55°7'31"E	30.23'
L75	N74°10'1"E	26.00'
L76	N74°10'1"E	13.00'
L77	N74°10'1"E	13.00'
L78	N80°58'11"W	20.34'
L79	N74°10'1"E	29.00'
L80	N55°7'31"E	18.00'

LINE #	DIRECTION	LENGTH
L81	N55°7'31"E	9.00'
L82	N55°7'31"E	9.00'
L83	N74°10'1"E	17.00'
L84	N74°10'1"E	17.00'
L85	N74°10'1"E	29.00'
L86	N55°7'31"E	18.00'
L87	N55°7'31"E	9.00'
L88	N55°7'31"E	9.00'
L89	N74°10'1"E	17.00'
L90	N74°10'1"E	17.00'
L91	N74°10'1"E	26.00'
L92	N74°10'1"E	13.00'
L93	N74°10'1"E	13.00'
L94	N74°10'1"E	35.70'
L95	N74°10'1"E	29.00'
L96	N55°7'31"E	18.00'
L97	N55°7'31"E	9.00'
L98	N55°7'31"E	9.00'
L99	N74°10'1"E	17.00'
L100	N74°10'1"E	17.00'

LINE #	DIRECTION	LENGTH
L101	N74°10'1"E	29.00'
L102	N55°7'31"E	18.00'
L103	N55°7'31"E	9.00'
L104	N55°7'31"E	9.00'
L105	N74°10'1"E	17.00'
L106	N74°10'1"E	17.00'
L107	N74°10'1"E	5.13'
L108	N74°10'1"E	40.83'
L109	N86°23'57"E	19.83'
L110	N74°10'1"E	18.26'
L111	N55°7'31"E	19.42'
L112	N74°10'1"E	17.21'
L113	N54°10'54"E	2.04'
L114	N74°10'1"E	17.00'
L115	N55°7'31"E	18.00'
L116	N55°7'31"E	9.00'
L117	N55°7'31"E	9.00'
L118	N74°10'1"E	17.00'
L119	N74°10'1"E	29.00'
L120	N74°10'1"E	29.00'

LINE #	DIRECTION	LENGTH
L121	N55°7'31"E	18.00'
L122	N55°7'31"E	9.00'
L123	N55°7'31"E	9.00'
L124	N74°10'1"E	17.00'
L125	N74°10'1"E	17.00'
L126	N74°10'1"E	29.00'
L127	N55°7'31"E	2.00'
L128	N55°7'31"E	7.50'
L129	N55°7'31"E	9.50'
L130	N74°10'1"E	17.00'
L131	N74°10'1"E	17.00'
L132	N55°7'31"E	8.06'
L133	N01°45'1"W	35.36'
L134	N46°14'51"W	26.03'
L135	N46°14'51"W	13.05'
L136	N43°36'54"E	14.75'
L137	N46°14'51"W	12.98'
L138	N60°29'11"W	11.39'
L139	N55°7'31"E	10.00'
L140	N74°10'1"E	17.00'

LINE #	DIRECTION	LENGTH
L141	N55°7'31"E	18.00'
L142	N55°7'31"E	9.00'
L143	N55°7'31"E	9.00'
L144	N74°10'1"E	17.00'
L145	N74°10'1"E	17.00'
L146	N55°7'31"E	9.50'
L147	N55°7'31"E	9.50'
L148	N55°7'31"E	9.50'
L149	N55°7'31"E	9.50'
L150	N55°7'31"E	9.50'
L151	N55°7'31"E	9.50'
L152	N55°7'31"E	9.50'
L153	N55°7'31"E	9.50'
L154	N55°7'31"E	9.50'
L155	N55°7'31"E	9.50'
L156	N55°7'31"E	9.50'
L157	N55°7'31"E	9.50'
L158	N55°7'31"E	9.50'
L159	N55°7'31"E	9.50'
L160	N55°7'31"E	9.50'

TRACT 4131 RIVER ISLANDS - STAGE 2B VILLAGE KK

A PORTION OF RANCHO EL PESQUERO, BEING
A SUBDIVISION OF PARCEL 12 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



LINE #	DIRECTION	LENGTH
L141	N74°10'1"E	17.00'
L142	N46°14'51"W	24.03'
L143	N43°45'09"E	18.00'
L144	N43°45'09"E	15.49'
L145	N43°45'09"E	2.51'
L146	N46°14'51"W	17.00'
L147	N46°14'51"W	5.36'
L148	N31°42'11"E	12.00'
L149	N43°45'09"E	23.92'
L150	N46°14'51"W	26.00'
L151	N46°14'51"W	13.00'
L152	N46°14'51"W	13.00'
L153	N46°14'51"W	29.00'
L154	N43°45'09"E	18.00'
L155	N43°45'09"E	9.08'
L156	N43°45'09"E	8.92'
L157	N46°14'51"W	17.00'
L158	N46°14'51"W	17.00'
L159	N31°42'11"E	5.36'
L160	N27°32'41"W	31.52'

LINE #	DIRECTION	LENGTH
L161	N55°7'31"E	18.00'
L162	N22°28'58"W	50.00'
L163	N43°45'09"E	20.00'
L164	N74°10'1"E	26.00'
L165	N74°10'1"E	13.00'
L166	N55°7'31"E	13.00'
L167	N55°7'31"E	13.00'
L168	N55°7'31"E	12.00'
L169	N55°7'31"E	6.00'
L170	N74°10'1"E	17.00'
L171	N74°10'1"E	17.00'
L172	N74°10'1"E	29.00'
L173	N55°7'31"E	19.00'
L174	N55°7'31"E	9.50'
L175	N55°7'31"E	9.50'
L176	N74°10'1"E	17.00'
L177	N74°10'1"E	17.00'
L178	N74°10'1"E	29.00'
L179	N55°7'31"E	19.00'
L180	N55°7'31"E	9.50'

LINE #	DIRECTION	LENGTH
L181	N55°7'31"E	9.50'
L182	N74°10'1"E	17.00'
L183	N74°10'1"E	17.00'
L184	N55°7'31"E	17.71'
L185	N74°10'1"E	26.00'
L186	N74°10'1"E	13.00'
L187	N74°10'1"E	13.00'
L188	N74°10'1"E	29.00'
L189	N55°7'31"E	19.00'
L190	N55°7'31"E	9.50'
L191	N55°7'31"E	9.50'
L192	N74°10'1"E	17.00'
L193	N74°10'1"E	17.00'
L194	N74°10'1"E	29.00'
L195	N55°7'31"E	19.00'
L196	N55°7'31"E	9.50'
L197	N55°7'31"E	9.50'
L198	N74°10'1"E	17.00'
L199	N74°10'1"E	17.00'
L200	N55°7'31"E	17.71'

LINE #	DIRECTION	LENGTH
L201	N74°10'1"E	26.00'
L202	N74°10'1"E	13.00'
L203	N74°10'1"E	13.00'
L204	N74°10'1"E	29.00'
L205	N55°7'31"E	19.00'
L206	N55°7'31"E	9.50'
L207	N55°7'31"E	9.50'
L208	N74°10'1"E	17.00'
L209	N74°10'1"E	17.00'
L210	N74°10'1"E	29.00'
L211	N55°7'31"E	19.00'
L212	N55°7'31"E	9.50'
L213	N55°7'31"E	9.50'
L214	N74°10'1"E	17.00'
L215	N74°10'1"E	17.00'
L216	N55°7'31"E	17.71'
L217	N74°10'1"E	26.00'
L218	N74°10'1"E	13.00'
L219	N74°10'1"E	13.00'
L220	N74°10'1"E	29.00'

LINE #	DIRECTION	LENGTH
L221	N55°7'31"E	19.00'
L222	N55°7'31"E	9.50'
L223	N55°7'31"E	9.50'
L224	N74°10'1"E	17.00'
L225	N74°10'1"E	17.00'
L226	N74°10'1"E	28.94'
L227	N55°7'31"E	19.00'
L228	N55°7'31"E	9.50'
L229	N55°7'31"E	9.50'
L230	N74°10'1"E	17.00'
L231	N74°10'1"E	17.00'
L232	N55°7'31"E	17.71'
L233	N74°10'1"E	26.00'
L234	N74°10'1"E	13.00'
L235	N74°10'1"E	13.00'
L236	N74°10'1"E	31.60'
L237	N55°7'31"E	19.00'
L238	N55°7'31"E	9.50'
L239	N55°7'31"E	9.50'
L240	N74°10'1"E	17.00'

LINE #	DIRECTION	LENGTH
L241	N74°10'1"E	17.00'
L242	N65°28'05"W	32.13'
L243	N24°31'55"E	19.00'
L244	N24°31'55"E	9.50'
L245	N24°31'55"E	9.50'
L246	N65°28'05"W	17.00'
L247	N65°28'05"W	17.00'
L248	N24°31'55"E	21.71'
L249	N65°28'05"W	26.00'
L250	N65°28'05"W	13.00'
L251	N65°28'05"W	13.00'
L252	N65°28'05"W	41.03'
L253	N24°31'55"E	19.00'
L254	N24°31'55"E	9.50'
L255	N24°31'55"E	9.50'
L256	N65°28'05"W	17.00'
L257	N65°28'05"W	17.00'
L258	N40°36'14"W	35.96'
L259	N49°23'46"E	19.00'
L260	N49°23'46"E	9.50'

LINE #	DIRECTION	LENGTH
L261	N49°23'46"E	9.50'
L262	N40°36'14"W	17.00'
L263	N40°36'14"W	17.00'
L264	N49°23'46"E	16.40'
L265	N40°36'14"W	26.00'
L266	N40°36'14"W	13.00'
L267	N40°36'14"W	30.61'
L268	N49°23'46"E	19.00'
L269	N49°23'46"E	9.50'
L270	N49°23'46"E	9.50'
L271	N49°23'46"E	9.50'
L272	N40°36'14"W	17.00'
L273	N40°36'14"W	17.00'
L274	N44°42'11"W	30.14'
L275	N45°17'49"E	19.00'
L276	N45°17'49"E	9.50'
L277	N45°17'49"E	9.50'
L278	N44°42'11"W	17.00'
L279	N44°42'11"W	17.00'
L280	N45°17'49"E	15.82'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L281	N44°42'11"W	26.00'
L282	N44°42'11"W	13.00'
L283	N44°42'11"W	13.00'
L284	N44°42'11"W	35.65'
L285	N45°17'48"W	19.00'
L286	N45°17'48"E	9.50'
L287	N45°17'48"E	9.50'
L288	N44°42'11"W	17.00'
L289	N44°42'11"W	17.00'
L290	N57°24'06"W	30.86'
L291	N32°35'54"E	19.00'
L292	N32°35'54"E	9.50'
L293	N32°35'54"E	9.50'
L294	N32°35'54"E	17.00'
L295	N57°24'06"W	17.00'
L296	N32°35'54"E	17.71'
L297	N57°24'06"W	26.00'
L298	N57°24'06"W	13.00'
L299	N57°24'06"W	13.00'
L300	N57°24'06"W	32.85'

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C1	3.00'	90°00'00"	4.71'
C2	3.00'	90°00'00"	4.71'
C3	3.00'	90°00'00"	4.71'
C4	3.00'	90°00'00"	4.71'
C5	50.00'	141°58'	1.48'
C6	1102.00'	078°20'	9.08'
C7	17.00'	50°38'11"	15.02'
C8	990.00'	040°28'	11.65'
C9	330.00'	270°00'	13.44'
C10	330.00'	43°05'57"	28.01'
C11	330.00'	8°35'16"	49.46'
C12	330.00'	134°45'	7.44'
C13	270.00'	5°31'58"	26.07'
C14	270.00'	127°38'36"	58.79'
C15	270.00'	100°59'	4.79'
C16	330.00'	215°15'	12.98'
C17	330.00'	43°32'32"	26.16'
C18	330.00'	6°43'34"	38.74'
C19	330.00'	43°05'55"	28.01'

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C20	330.00'	541°24'	32.77'
C21	330.00'	234°34'	136.66'
C22	330.00'	6°55'12"	32.61'
C23	270.00'	12°38'33"	59.98'
C24	270.00'	172°14'	5.67'
C25	330.00'	496°59'	23.71'
C26	330.00'	806°46'	46.73'
C27	330.00'	432°23'	26.15'
C28	330.00'	710°39'	41.34'
C29	330.00'	737°11'	43.88'
C30	330.00'	2°50'56"	16.41'
C31	330.00'	146°48'	8.39'
C32	270.00'	531°11'	28.01'
C33	50.00'	213°09'	18.52'
C34	270.00'	107°28'32"	49.36'
C35	270.00'	174°6'31"	83.76'
C36	1102.00'	302°53'	58.63'
C37	120.00'	527°41'	11.44'
C38	120.00'	142°35'	3.58'
C39	102.00'	331°13'	67.71'

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C40	5020.00'	072°35'	32.96'
C41	5020.00'	076°39'	36.90'
C42	5020.00'	410°37'	23.80'
C43	340.00'	107°45'	62.09'
C44	340.00'	3°56'32"	23.59'
C45	3315.00'	073°59'	30.65'
C46	3315.00'	078°55'	37.53'
C47	1090.00'	2°35'48"	49.40'
C48	1090.00'	8°43'02"	165.84'
C49	1090.00'	073°01'	10.47'
C50	80.00'	145°42'	17.83'
C51	80.00'	12°46'11"	36.60'
C52	250.00'	076°40'	1.94'
C53	250.00'	8°33'23"	37.33'
C54	250.00'	9°00'03"	39.27'
C55	280.00'	0°56'22"	4.59'
C56	50.00'	36°27'40"	31.80'

RADIAL BEARINGS		CURVE TABLE	
LINE #	DIRECTION	CURVE #	DELTA
(R1)	N27°18'23"W	C41	5020.00'
(R2)	N27°30'27"W	C42	5020.00'
(R3)	N88°53'16"E	C43	340.00'
(R4)	N51°11'47"E	C44	340.00'
(R5)	N88°26'55"E	C45	340.00'
(R6)	N34°58'54"E	C46	3315.00'
(R7)	N42°41'13"E	C47	3315.00'
(R8)	N45°51'04"E	C48	1090.00'
(R9)	N39°26'51"E	C49	1090.00'
(R10)	N49°20'07"E	C50	1090.00'
(R11)	N41°22'48"E	C51	1090.00'
(R12)	N30°56'03"E	C52	80.00'
(R13)	N48°47'40"E	C53	80.00'
(R14)	N34°58'04"E	C54	80.00'
(R15)	N27°28'30"E	C55	250.00'
(R16)	N29°27'08"E	C56	250.00'
(R17)	N25°00'38"E	C57	250.00'
(R18)	N37°48'03"E	C58	280.00'
(R19)	N16°56'30"E	C59	280.00'
(R20)	N17°35'12"E	C60	50.00'

RADIAL BEARINGS		CURVE TABLE	
LINE #	DIRECTION	CURVE #	DELTA
(R21)	N6°09'27"E	C41	5020.00'
(R22)	N6°09'17"W	C42	5020.00'
(R23)	N22°44'23"W	C43	340.00'
(R24)	N51°49'15"W	C44	340.00'
(R25)	N88°16'55"W	C45	340.00'
(R26)	N2°33'12"E	C46	3315.00'
(R27)	N22°45'16"E	C47	3315.00'
(R28)	N18°12'46"E	C48	1090.00'
(R29)	N39°41'12"E	C49	1090.00'
(R30)	N29°48'16"E	C50	1090.00'
(R31)	N47°11'38"W	C51	1090.00'
(R32)	N38°43'31"E	C52	80.00'
(R33)	N17°09'45"E	C53	80.00'
(R34)	N16°47'18"W	C54	80.00'
(R35)	N18°22'27"E	C55	250.00'
(R36)	N20°04'30"E	C56	250.00'
(R37)	N28°11'16"E	C57	250.00'
(R38)	N23°46'16"E	C58	280.00'
(R39)	N23°43'39"E	C59	280.00'
(R40)	N43°30'43"E	C60	50.00'

RADIAL BEARINGS		CURVE TABLE	
LINE #	DIRECTION	CURVE #	DELTA
(R41)	N29°54'18"E	C41	5020.00'
(R42)	N47°31'26"E	C42	5020.00'
(R43)	N42°48'37"E	C43	340.00'
(R44)	N45°35'37"E	C44	340.00'
(R45)	N45°04'26"E	C45	340.00'
(R46)	N25°23'44"E	C46	3315.00'
(R47)	N34°28'18"W	C47	3315.00'
(R48)	N48°34'37"W	C48	1090.00'
(R49)	N51°40'07"E	C49	1090.00'
(R50)	N48°08'54"E	C50	1090.00'
(R51)	N48°12'38"E	C51	1090.00'
(R52)	N45°24'25"E	C52	80.00'
(R53)	N27°38'26"E	C53	80.00'
(R54)	N24°27'37"E	C54	80.00'
(R55)	N27°38'26"E	C55	250.00'
(R56)	N24°27'37"E	C56	250.00'
(R57)	N24°27'37"E	C57	250.00'
(R58)	N23°46'16"E	C58	280.00'
(R59)	N23°43'39"E	C59	280.00'
(R60)	N23°59'46"E	C60	50.00'

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C61	50.00'	35°59'13"	31.40'
C62	50.00'	51°28'43"	44.92'
C63	50.00'	25°02'09"	21.85'
C64	265.00'	7°48'45"	36.13'
C65	265.00'	81°13'	38.33'
C66	335.00'	7°59'19"	46.71'
C67	335.00'	94°33'59"	57.07'
C68	335.00'	127°04'	8.48'
C69	270.00'	6°55'46"	32.66'
C70	270.00'	103°20'09"	48.65'
C71	270.00'	12°55'42"	58.57'
C72	270.00'	10°16'00"	48.38'
C73	270.00'	40°39'39"	189.25'
C74	265.00'	110°35'56"	51.18'
C75	12.00'	50°38'11"	10.61'
C76	55.00'	37°57'58"	36.44'
C77	270.00'	1°39'43"	7.83'
C78	80.00'	51°50'	7.33'
C79	308.00'	81°6'46"	44.51'
C80	55.60'	24°41'09"	23.95'

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C81	3.00'	64°35'36"	3.38'
C82	25.00'	38°04'23"	16.61'
C83	17.00'	65°14'06"	19.65'
C84	56.00'	25°55'34"	25.34'
C85	30.00'	241°8'22"	12.73'
C86	93.00'	1202°58'	19.56'
C87	67.00'	1202°58'	14.09'
C88	880.00'	238°41'	40.11'
C89	880.00'	0°56'47"	14.54'
C90	89.00'	372°133'	58.03'
C91	435.00'	4°36'44"	35.02'
C92	435.00'	271°46'	16.68'
C93	435.00'	224°58'	18.34'
C94	265.00'	7°49'29"	36.19'
C95	330.00'	447°17'	27.58'
C96	300.00'	5°45'50"	30.18'
C97	300.00'	81°421'	43.14'
C98	300.00'	143°011'	73.32'
C99	300.00'	0°51'46"	4.52'
C100	89.00'	330°101'	51.29'

RADIAL BEARINGS		CURVE TABLE	
LINE #	DIRECTION	CURVE #	DELTA
(R61)	N29°28'52"E	C61	50.00'
(R62)	N49°48'19"W	C62	50.00'
(R63)	N37°22'44"E	C63	50.00'
(R64)	N48°39'03"W	C64	265.00'
(R65)	N20°34'15"E	C65	265.00'
(R66)	N51°18'35"W	C66	335.00'
(R67)	N37°23'11"E	C67	335.00'
(R68)	N29°56'09"W	C68	335.00'
(R69)	N40°52'15"E	C69	270.00'
(R70)	N46°38'09"E	C70	270.00'
(R71)	N40°34'22"W	C71	270.00'
(R72)	N17°14'27"W	C72	270.00'
(R73)	N17°14'27"W	C73	270.00'
(R74)	N34°15'57"E	C74	265.00'
(R75)	N42°52'29"E	C75	12.00'

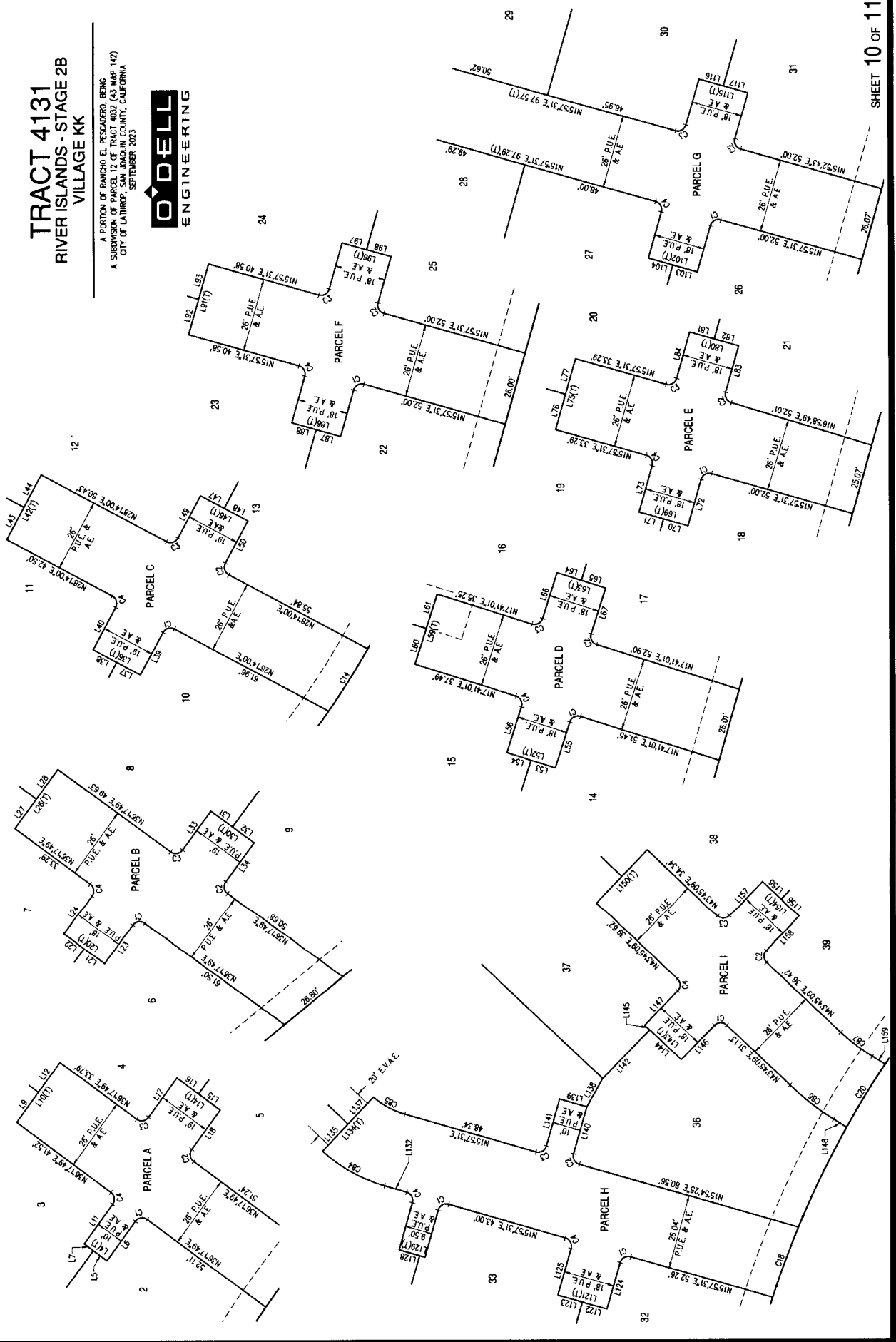
TRACT 4131 RIVER ISLANDS - STAGE 2B VILLAGE KK

A PORTION OF RANCHO EL PESQUERO, BEING
A SUBDIVISION OF PARCEL 12 OF TRACT 4032 (43 MAP 142)
CITY OF LA HABRA, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



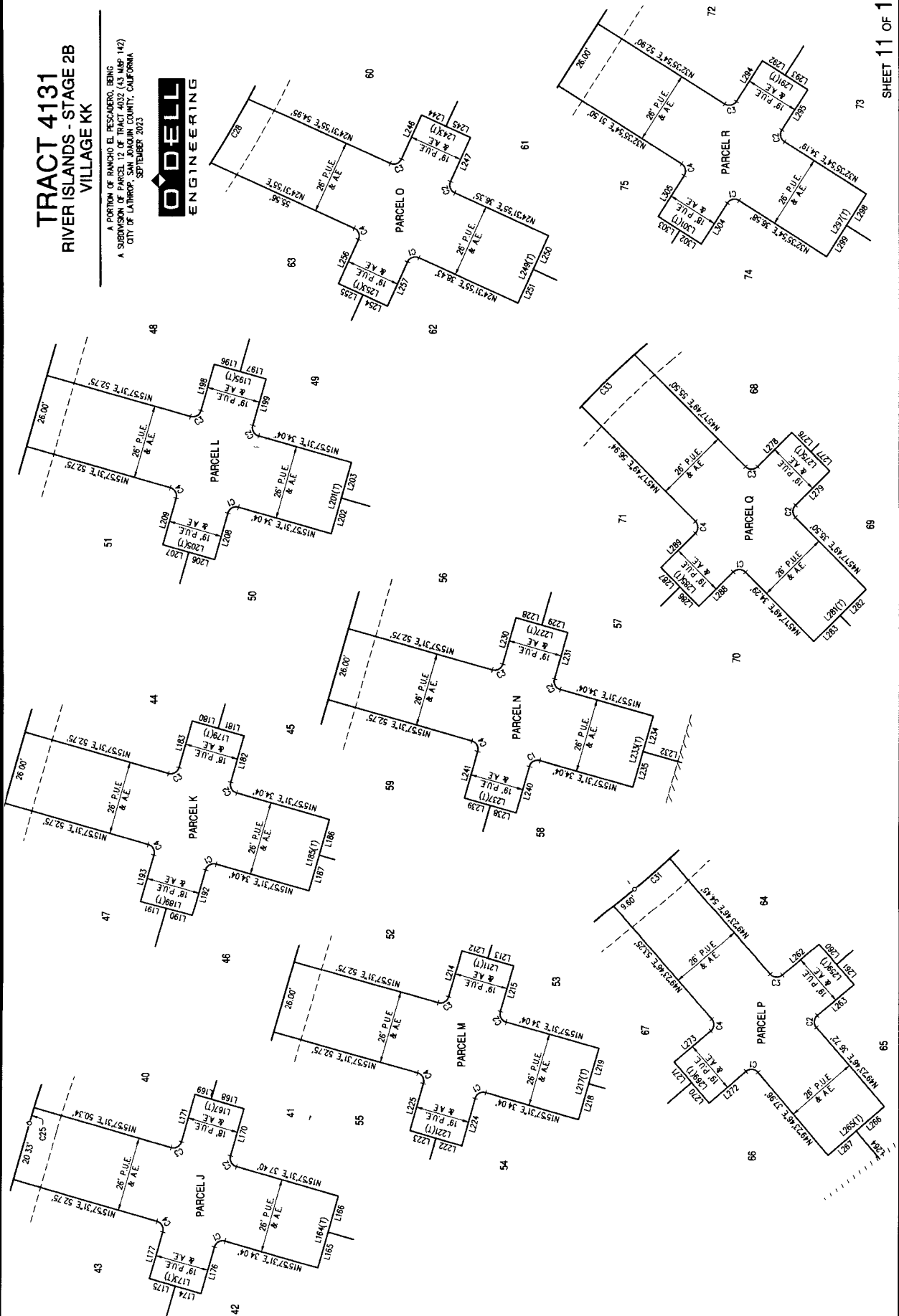
TRACT 4131 RIVER ISLANDS - STAGE 2B VILLAGE KK

A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 12 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



TRACT 4131 RIVER ISLANDS - STAGE 2B VILLAGE KK

A PORTION OF RANCHO EL PESQUERO, BEING
A SUBDIVISION OF PARCEL 12 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



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ITEM 4.18

CITY MANAGER'S REPORT OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

ITEM: **APPROVE FINAL MAP, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 95 LOTS IN TRACT 4130 VILLAGE "II" WITHIN OLD RIVER DISTRICT OF RIVER ISLANDS**

RECOMMENDATION: **Adopt Resolution Approving Final Map for Tract 4130 Village "II" within the Old River District, Totaling 95 Single Family Lots, and Subdivision Improvement Agreement with River Islands Stage 2B, LLC**

SUMMARY:

The proposed Final Map for Tract 4130 Village "II" (Tract 4130), is included as Attachment "E". River Islands is proposing ninety-five (95) 45' x 64' single-family lots for Lennar Homes. A Vicinity Map is included as Attachment "B".

Staff recommends that the City Council approve the proposed Final Map for Tract 4130 and a Subdivision Improvement Agreement (SIA), included as Attachment "C", with River Islands Stage 2B, LLC (hereinafter referred to as "River Islands"), by Resolution included as Attachment "A".

BACKGROUND:

On June 14, 2021, the City Council adopted resolutions and ordinances approving the River Islands modified Phase 2 Project and Vesting Tentative Subdivision Map (VTM) 6716. On August 4, 2021, Planning Commission approved a Neighborhood Design Plan (NDP) and Architectural Guidelines and Design Standards (AG/DS) for the Old River District, known as Stage 2B, within Phase 2 of the project. The land for the proposed Final Map for Tract 4130 is within the geographic boundaries of VTM 6716 and Stage 2B.

As required by the Lathrop Municipal Code Chapter 16.16, all final maps must include a SIA to guarantee specific offsite and onsite improvements.

The total cost of the improvements for Tract 4130 is \$2,891,900. Performance and labor & material securities have been provided with the SIA for Tract 4130 that guarantee the unfinished improvements in the amount of:

Unfinished Improvement Total:	\$2,891,900
Performance Security (110% of Unfinished Improvements) Bond No. 0799672	\$3,181,090
Labor & Materials Security (50% of Performance Security) Bond No. 0799672	\$1,590,545

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING**APPROVE FINAL MAP AND SIA FOR 95 LOTS IN TRACT 4130 VILLAGE "II" WITHIN OLD RIVER DISTRICT OF RIVER ISLANDS**

Acceptance of the public improvements will be processed by staff for council consideration at a later date and when the unfinished improvements are completed. Prior to acceptance, River Islands will be required to provide a one (1) year warranty bond.

Pursuant to Resolution 23-5259 dated April 10, 2023 Tract 4130 is within the boundaries of City of Lathrop Community Facilities District (CFD) 2023-1 and therefore does not need to be annexed. However, Tract 4130 will need to be annexed into the Island Reclamation District (RD) 2062 and River Islands Public Financing Authority (RIPFA) CFDs for maintenance purposes. Annexation into CFDs administered by RD 2062 and RIPFA is required as part of the escrow instructions prior to recording of the final map.

As a precondition to record the Final Map, River Islands must satisfy the Escrow Instructions, included as Attachment "D", by depositing necessary sums to guarantee the payment of all fees and providing required documents.

REASON FOR RECOMMENDATION:

River Islands will fulfill all of the requirements of the Lathrop Municipal Code Chapter 16.16 as listed below prior to recordation of map:

Documents	Status
1. Final Map ready for signature	Completed
2. Subdivision Improvement Agreement	Completed
3. Performance Security - Uncompleted Landscaping and Miscellaneous Improvements	Received
4. Labor and Materials Security - Uncompleted Landscaping and Miscellaneous Improvements	Received
5. Street Improvement, Landscape, Light & Joint Trench	Completed
6. Geotechnical Report	Completed
7. Agreement for Backbone Improvements and Parks (Agreement for Dedication, Inspection and Guarantee of Streets and Public Improvements)	Completed
8. Approval of 3 rd Amendment to Development Agreement that guarantees creation of CFD for City Maintenance and Shortfalls, and Guarantee of Developer CFDs for Developer/other public agency Maintenance	Completed
9. Allocation of Water and Sewer capacity	Completed
10. Recommendation for approval from Stewart Tract Design Review Committee	Completed
11. Submitted Certificate of Insurance, Tax Letter	Completed

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

APPROVE FINAL MAP AND SIA FOR 95 LOTS IN TRACT 4130 VILLAGE "II"
WITHIN OLD RIVER DISTRICT OF RIVER ISLANDS

12. Submitted Preliminary Guarantee of Title	Completed
13. Escrow Instructions	Completed
Fees	Status
1. Final Map plan check fee	Paid
2. Improvement Plans – Plan check and inspection fees	Paid
3. Sierra Club Settlement fee	To be paid in escrow

FISCAL IMPACT:

There is no fiscal impact to the City as all costs are covered by development fees and any shortfalls in the City's maintenance and operating costs are covered by the CFDs.

ATTACHMENTS:

- A. Resolution Approving Final Map for Tract 4130 Village "II" within the Old River District, Totaling 95 Single Family Lots, and Subdivision Improvement Agreement with River Islands Stage 2B, LLC
- B. Vicinity Map – Tract 4130 Village "II"
- C. Subdivision Improvement Agreement between the City of Lathrop and River Islands Stage 2B, LLC, a Delaware limited liability company, for Tract 4130 Village "II"
- D. Escrow Instructions for Final Map Tract 4130 Village "II"
- E. Final Map – Tract 4130 Village "II"

CITY MANAGER'S REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
APPROVE FINAL MAP AND SIA FOR 95 LOTS IN TRACT 4130 VILLAGE "II"
WITHIN OLD RIVER DISTRICT OF RIVER ISLANDS

PAGE 4

APPROVALS




Veronica Albarran
Junior Engineer

09-26-2023
Date



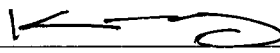
Brad Taylor
City Engineer

9/26/2023
Date



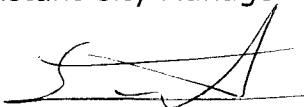
Cari James
Finance Director

9/26/2023
Date



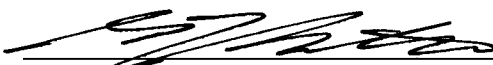
Michael King
Assistant City Manager

9-27-2023
Date



Salvador Navarrete
City Attorney

9-26-2023
Date



Stephen J. Salvatore
City Manager

10.4.23
Date

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING FINAL MAP FOR TRACT 4130 VILLAGE "II" WITHIN THE OLD RIVER DISTRICT, TOTALING 95 SINGLE FAMILY LOTS, AND SUBDIVISION IMPROVEMENT AGREEMENT WITH RIVER ISLANDS STAGE 2B, LLC

WHEREAS, the City of Lathrop City Council approved Vesting Tentative Map (VTM) 6716 on June 14, 2021; and

WHEREAS, on August 4, 2021, the City of Lathrop Planning Commission approved a Neighborhood Design Plan (NDP) and Architectural Guidelines and Design Standards (AG/DS) for the Old River District, known as Stage 2B, within Phase 2 of the project; and

WHEREAS, the land for the proposed Final Map for Tract 4130 Village "II" (Tract 4130) is within the geographic boundaries of VTM 6716 and Stage 2B; and

WHEREAS, as required by the Lathrop Municipal Code Chapter 16.16, all final maps must include a Subdivision Improvement Agreement (SIA) to guarantee specific offsite and onsite improvements; and

WHEREAS, River Islands Stage 2B, LLC (hereinafter referred to as "River Islands") provided performance and labor & material securities with the SIA for Tract 4130 that guarantee the unfinished improvements in the amount as follows:

Unfinished Improvement Total:	\$2,891,000
Performance Security (110% of Unfinished Improvements): Bond No. 0799672	\$3,181,090
Labor & Materials Security (50% of Performance Security): Bond No. 0799672	\$1,590,545

; and

WHEREAS, potential acceptance of the public improvements will be processed by staff for council consideration at a later date and when the unfinished improvements are completed and prior to acceptance, River Islands will be required to provide a one (1) year warranty bond; and

WHEREAS, pursuant to Resolution 23-5259 dated April 10, 2023 Tract 4130 is within the boundaries of City of Lathrop Community Facilities District (CFD) 2023-1 and therefore does not need to be annexed. However, Tract 4130 will need to be annexed into the Island Reclamation District (RD) 2062 and River Islands Public Financing Authority (RIPFA) CFDs for maintenance purposes. Annexation into CFDs administered by RD 2062 and RIPFA is required as part of the escrow instructions prior to recording of the final map; and

WHEREAS, River Islands must satisfy the Escrow Instructions, included as Attachment "D" to the City Manager's Report, by depositing necessary sums to guarantee the payment of all fees and providing required documents.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Lathrop that approves the following actions:

1. The Final Map for Tract 4130 and is hereby approved as submitted for recordation with the San Joaquin County Assessor/Recorder/County Clerk Office.
2. Subdivision Improvement Agreement with River Islands in substantially the form as attached to the October 9, 2023 staff report and authorize the City Manager to execute.

PASSED AND ADOPTED by the City Council of the City of Lathrop this 9th day of October 2023 by the following vote:

AYES:

NOES:

ABSTAIN:


ABSENT:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

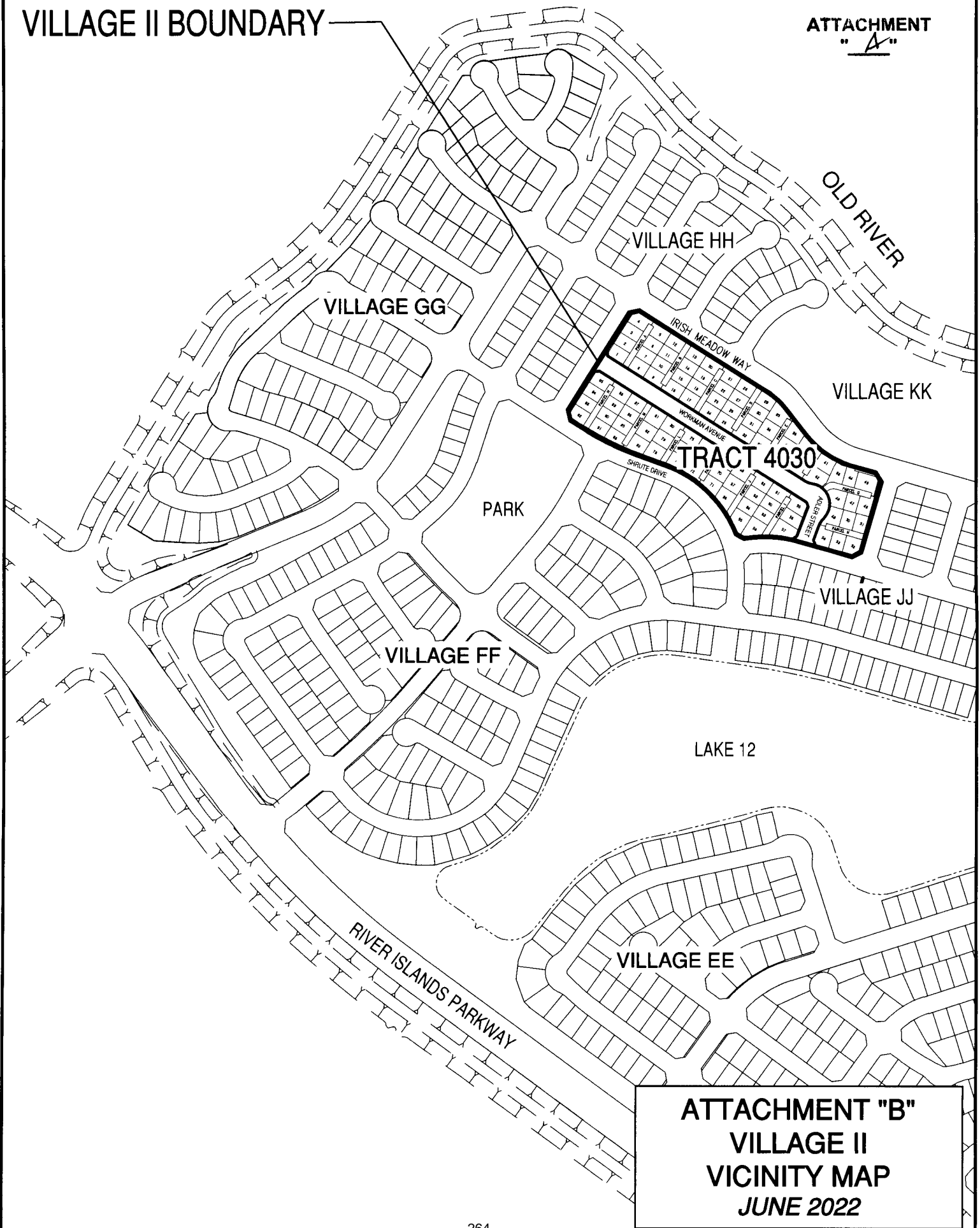
APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

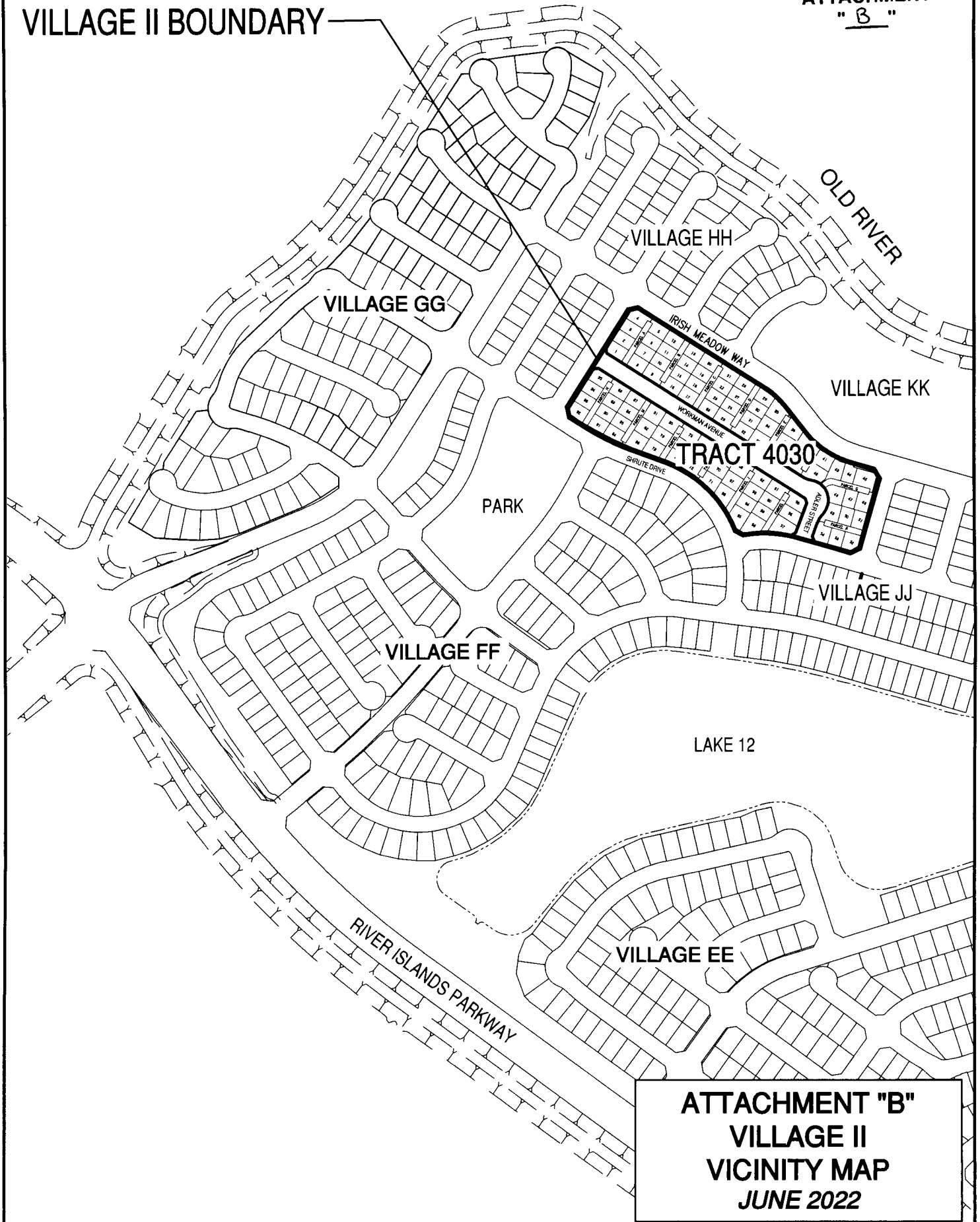
VILLAGE II BOUNDARY

ATTACHMENT
"A"



ATTACHMENT "B"
VILLAGE II
VICINITY MAP
JUNE 2022

VILLAGE II BOUNDARY



SUBDIVISION IMPROVEMENT AGREEMENT
BETWEEN THE CITY OF LATHROP AND
RIVER ISLANDS STAGE 2B, LLC, A DELAWARE LIMITED LIABILITY COMPANY
FOR TRACT 4130 VILLAGE "II" 95 RESIDENTIAL LOTS

RECITALS

A. This Agreement is made and entered into this **9th day of October 2023**, by and between the **CITY OF LATHROP**, a municipal corporation of the State of California (hereinafter "CITY") and **River Islands Stage 2B, LLC**, a Delaware limited liability company, (hereinafter "SUBDIVIDER").

B. Pursuant to Division 2 of Title 7 of the Government Code of the State of California and the CITY's Subdivision Regulations (City of Lathrop, Code of Ordinances, Chapter 16), SUBDIVIDER is required to make dedications and improve Tract 4130 Village "II" (Tract 4130). However, SUBDIVIDER has completed a significant portion of public infrastructure improvements associated with Tract 4130 located within the Old River District of River Islands, which also includes major streets necessary to access the site. Performance and Labor & Material securities have been provided by SUBDIVIDER that guarantee the unfinished improvements for Tract 4130, in the amount shown in Section 8 of this Agreement.

C. SUBDIVIDER has completed a portion of the joint trench improvements for Tract 4130 and as noted in Recital B, security shall be required for the unfinished portion of these improvements, along with other required infrastructure associated with Tract 4130. Improvement plans, and street light plans have already been approved by the City. The street, sidewalk, underground utility, storm drainage, streetlight and joint trench improvements (hereinafter "Improvements") are substantially completed and minor improvements not yet constructed as part of the required infrastructure for Tract 4130 are required security as outlined in this Agreement is required.

NOW THEREFORE in consideration of CITY'S pending approval and acceptance of the Improvements upon their satisfactory completion, and in consideration of SUBDIVIDER'S construction of Improvements in strict accordance with the terms of this Agreement, all applicable laws, statutes, ordinances, rules and regulations currently in force and effect in CITY, the terms and conditions of which are incorporated herein by this reference, the parties hereto mutually covenant and agree as follows:

1. SUBDIVIDER shall complete construction of, or cause construction to be completed at its sole cost and expense, the Improvements for all of the lots within the Old River neighborhood, to the limits identified in Exhibit "A", including the public landscaping, streetlight and joint trench improvements. A Vicinity Map is included as Exhibit "B".

All improvements shall be constructed to the satisfaction and approval of the City Engineer, in a good and workmanlike manner in accordance with the above referenced improvement plans and specifications, the improvement standards and specifications of the CITY'S Department of Public Works, the applicable Ordinances of the City of Lathrop and the California Subdivision Map Act.

2. SUBDIVIDER shall complete the Improvements, including all deferred and unfinished improvements as defined in this agreement, prior to issuance of certificate of occupancy of the last home constructed in Tract 4130, or October 9, 2024, whichever comes first.

3. CITY, or its agent(s), shall, at any time during the progress of the Improvements, have free access thereto, and shall be allowed to examine the same and all material to be used therein. If the Improvements or any part thereof are not completed in strict compliance with the standards set forth in Paragraph 1 above, CITY may refuse to accept and may reject the defective Improvements and/or materials therein.

4. SUBDIVIDER shall secure the services of skilled personnel necessary to construct the Improvements. CITY is not skilled in these matters and relies upon the skill of the SUBDIVIDER to ensure that the construction of the Improvements is in the most skillful and durable manner.

5. CITY'S acceptance of the Improvements does not operate as a release of SUBDIVIDER from any guarantee hereunder.

6. SUBDIVIDER guarantees and warrants that the Improvements shall be constructed in compliance with the standards set forth in Paragraph 1 above, free from any defects in work or labor done, and from any defects in materials furnished. Further, SUBDIVIDER shall repair and maintain the Improvements in good condition and in accordance with CITY specifications for one (1) year after CITY'S acceptance of the Improvements. As required by this Agreement, prior to acceptance of the Improvements, SUBDIVIDER shall deposit with the City Engineer a Warranty Bond in the amount of \$289,190, equal to 10% of the estimated cost of the Improvements for the Tract 4130 entire area (\$2,891,900) as included in the Engineer's estimate attached to this Agreement as Exhibit "D", to insure SUBDIVIDER'S repair and warranty of the Improvements in accordance with the terms of this Agreement. The Warranty Bond shall be released at the end of the one year guarantee period, provided there are no claims against it are then outstanding.

7. If SUBDIVIDER, in whole or in part, abandons the Improvements, or unnecessarily or unreasonably delays construction of the Improvements, fails to complete construction of the Improvements within the time specified in this Agreement, or fails to repair.

Replace or reconstruct any defects, as set forth in Paragraph 6 above, CITY may, but is not required to, proceed to complete and/or repair, replace, or reconstruct the Improvements, either by itself or by contract for such service, and CITY may cause to be forfeited such portion of any security deposited therein as is necessary to cover the costs of completion, repair, replacement, or

reconstruction incurred by CITY.

Once action is taken by CITY to complete, repair, replace and/or reconstruct the Improvements, SUBDIVIDER shall be responsible for all costs incurred by CITY, even if SUBDIVIDER subsequently completes the work.

The CITY shall have recourse against SUBDIVIDER for any and all amounts necessary to complete the obligations of SUBDIVIDER in the event the security (including but not limited to any Letter of Guarantee, Certificate of Deposit, cash, bond for performance, labor and materials and repair and maintenance, letter of credit or cash deposit) therefore is insufficient to pay such amounts. All administrative costs, including reasonable attorney's fees pursuant to Government Code Section 66499.4, incurred by the CITY, in addition to the costs of the improvements shall be a proper charge against the security and SUBDIVIDER. In the event it becomes necessary for CITY to bring an action to compel performance of this Agreement or to recover costs of completing such improvements, SUBDIVIDER shall pay reasonable attorney's fees, costs of suit and all other expenses of litigation incurred by CITY in connection therewith.

8. Because the Improvements are not entirely complete, the SUBDIVIDER is required to only post Performance or Labor & Materials bonds to guarantee the unfinished improvements associated with Tract 4130 as included and described in Exhibit "D" of this Agreement. Performance and Labor & Material securities have been provided in the amount shown in Table 1 below. SUBDIVIDER shall also comply with CITY'S insurance requirements set forth on Exhibit "C" attached hereto and incorporated herein.

Table 1 – Bond Values

Unfinished Improvement Total:	\$2,891,900
Performance Bond (Bond No. 0799672):	\$3,181,090
Labor & Materials Bond (Bond No. 0799672):	\$1,590,545

9. Any alteration(s) made to the plans and specifications, which are a part of this Agreement, or any provision of this Agreement shall not operate to release any surety or sureties from liability on any bond or bonds attached hereto and made a part thereof. The above referenced sureties hereby consent to such alterations and waive the provisions of California Civil Code Section 2819.

10. Neither the CITY nor any of its officers, employees or agents shall be liable to SUBDIVIDER, and/or SUBDIVIDER'S agents, contractors or subcontractors for any error or omission arising out of or in connection with any work to be performed under this Agreement.

11. Neither the CITY nor any of its officers, employees, or agents, shall be liable to the SUBDIVIDER or to any person, entity, or organization, for any injury or damage that may result to any person or property by or from any cause in, on, or about the subdivision of all or any part of the land covered by this Agreement.

12. SUBDIVIDER hereby agrees to, and shall hold CITY, its elective and appointive boards, commissions, officers, agents and employees (collectively, "Indemnitees"), harmless from any liability for damage or claims which may arise from SUBDIVIDER and/or SUBDIVIDER'S

contractors, subcontractors, agents, or employees' operations under this Agreement, whether such operations be by SUBDIVIDER or by any SUBDIVIDER contractors, subcontractors, or by any one or more persons directly or indirectly employed by, or acting as agent for, SUBDIVIDER or any of SUBDIVIDER'S contractors or subcontractors. SUBDIVIDER shall, at its own cost and expense, defend any and all actions, suits, or legal proceedings or any type that may be brought or instituted against CITY and indemnities on any claim or demand, of any nature whatsoever, and pay or satisfy any judgment that may be rendered against CITY and the Indemnitees in any such action, suit or legal proceedings, resulting from or alleged to have resulted from SUBDIVIDER'S performance or non-performance of his duties and obligations under this Agreement, or from the negligent act or omission of himself, his agents, contractors, representatives, servants or employees. The promises and Agreement to indemnify and hold harmless set forth in this section is not conditioned or dependent on whether or not any indemnity has prepared, supplied or approved any plan or specification in connection with this work or subdivision, whether or not any such indemnity has insurance or indemnification covering any of these matters. CITY does not, and shall not; waive any rights against SUBDIVIDER which it may have by reason of the aforesaid hold harmless agreement, because of the acceptance by CITY of any deposit with CITY by SUBDIVIDER. The aforesaid hold harmless agreement by SUBDIVIDER shall apply to all damages and claims for damages of every kind suffered, or alleged to have been suffered, by reason of any of the aforesaid operations referred to in this paragraph, regardless of whether or not CITY has prepared, supplied or approved of, plans and/or specifications for the subdivision.

13. Neither SUBDIVIDER nor any of SUBDIVIDER'S agents, contractors or subcontractors are, or shall be, considered to be agents of CITY in connection with the performance of SUBDIVIDER'S obligations under this Agreement.

14. Prior to acceptance of the Improvements by the City Council, the SUBDIVIDER shall be solely responsible for maintaining the quality of the Improvements, and maintaining safety at the project site. The SUBDIVIDER'S obligation to provide the Improvements shall not be satisfied until after the City Engineer has made a written determination that all obligations of the Agreement have been satisfied and all outstanding fees and charges have been paid, and the City Council has accepted the Improvements as complete. The CITY and SUBDIVIDER have formed Community Facilities Districts to finance maintenance and improvements. The CITY expects to preserve the ability to use future special taxes of the CFD for payment of the cost of acquisition of the Improvements, which may require that acceptance of improvements by CITY be subject to the provisions of an acquisition agreement to be entered into by the CITY and SUBDIVIDER providing that CITY expects to be paid or reimbursed acquisition costs through future CFD special taxes. SUBDIVIDER shall cooperate to facilitate such method of acquisition.

15. SUBDIVIDER shall pay service fees for the utility services from the time the Improvements are accepted by the CITY to the end of the fiscal year, or up to a one (1) year period, whichever is needed to ensure an opportunity for the Improvements to be included in the next fiscal year annual assessment.

16. SUBDIVIDER shall be responsible to sweep streets within the subdivision every two weeks as directed by the City Engineer, on all streets where lots are occupied and all streets providing access to occupied lots until the Improvements are accepted by the CITY.

17. SUBDIVIDER shall not assign this Agreement without the prior written consent of CITY. If such consent is given, the terms of this Agreement shall apply to and bind the heirs, successors, executors, administrators and assignees of SUBDIVIDER, and any heirs, successors, executors, administrators and assignees of the SUBDIVIDER and shall be jointly and severally liable hereunder.

18. The SUBDIVIDER shall, at the SUBDIVIDER'S expense, obtain and maintain all necessary permits and licenses for construction of the Improvements. Prior to the commencement of Improvement construction, the SUBDIVIDER shall obtain a City of Lathrop Business License. The SUBDIVIDER shall comply with all local, state and federal laws, whether or not said laws are expressly stated in this Agreement.

19. This Agreement and any amendments hereto comprise the entire understanding and agreement between the parties regarding the improvements to be constructed and dedications for Tract 4130.

20. The following miscellaneous provisions are applicable to this Agreement:

a. Controlling Law. The parties agree that this Agreement shall be governed and construed by and in accordance with the laws of the State of California.

b. Definitions. The definitions and terms are as defined in this Agreement.

c. Force Majeure. Neither party shall be deemed to be in default on account of any delay or failure to perform its obligations under this Agreement, which directly results from an Act of God or an act of a superior governmental authority.

d. Headings. The paragraph headings are not a part of this Agreement and shall have no effect upon the construction or interpretation of any part of this Agreement.

e. Incorporation of Documents. All documents referred to herein and all documents which may, from time to time, be referred to in any duly executed amendment hereto are by such reference incorporated herein and shall be deemed to be part of this Agreement.

f. Modification of Agreement. This Agreement shall not be modified or be binding upon the parties unless such modification is agreed to in writing and signed by the parties.

g. Severability. If a court of competent jurisdiction finds or rules that any provision of this Agreement is void or unenforceable, the provisions of this Agreement not so affected shall remain in full force and effect.

h. Successors and Assigns. Except as otherwise expressly provided herein, the provisions of this Agreement shall inure to the benefit of, and shall apply to and bind, the successors and assigns of the parties.

Subdivision Improvement Agreement (River Islands Stage 2B, LLC)
Tract 4130 Village "II"

i. Time of the Essence. Time is of the essence of this Agreement and each of its provisions. In the calculation of time hereunder, the time in which an act is to be performed shall be computed by excluding the first Day and including the last. If the time in which an act is to be performed falls on a Saturday, Sunday or any Day observed as a legal holiday by CITY, the time for performance shall be extended to the following Business Day.

j. Venue. In the event either party brings that suit hereunder, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of San Joaquin.

ATTACHMENTS:

EXHIBIT A FINAL MAP - TRACT 4130
EXHIBIT B TRACT 4130 VILLAGE "II" AREA
EXHIBIT C: CITY INSURANCE REQUIREMENTS
EXHIBIT D: TRACT 4130 UNFINISHED IMPROVEMENTS AND FULL
IMPROVEMENTS COST ESTIMATE

Subdivision Improvement Agreement (River Islands Stage 2B, LLC)
Tract 4130 Village "II"

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on this 9th day of
October 2023, at Lathrop, California.

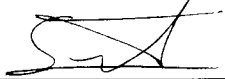
ATTEST: TERESA VARGAS
City Clerk of and for the City
of Lathrop, State of California

CITY OF LATHROP, a
municipal corporation of the
State of California

BY: _____
Teresa Vargas Date
City Clerk

BY: _____
Stephen J. Salvatore Date
City Manager

APPROVED AS TO FORM BY THE CITY OF LATHROP CITY ATTORNEY

BY:  9-25-2023
Salvador Navarrete Date
City Attorney

Subdivision Improvement Agreement (River Islands Stage 2B, LLC)
Tract 4130 Village "II"

SUBDIVIDER

River Islands Stage 2B, LLC,
a Delaware limited liability company

BY: _____
Susan Dell'Osso
President

Subdivision Improvement Agreement (River Islands Stage 2B, LLC)
Tract 4130 Village "II"

EXHIBIT "A"

FINAL MAP - TRACT 4130

OWNER'S STATEMENT

THE UNDERSIGNED, DOES HEREBY STATE THAT THEY ARE THE OWNERS OR HAVE SOME RECORD TITLE INTEREST IN THE LAND DESCRIBED AND EMBRACED WITHIN THE EXTERIOR BOUNDARY LINE OF THE HEREIN EMBODIED FINAL MAP ENTITLED, "TRACT 4130, RIVER ISLANDS - STAGE 2B, VILLAGE II", CITY OF LATHROP, CALIFORNIA, CONSISTING OF TWELVE (12) SHEETS, AND WE HEREBY CONSENT TO THE PREPARATION AND FILING OF THIS FINAL MAP IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, CALIFORNIA.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES

- TO THE CITY OF LATHROP FOR PUBLIC RIGHT-OF-WAY PURPOSES, THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP AS WORKMAN AVENUE AND ADLER STREET AS SHOWN ON THIS FINAL MAP
- TO THE CITY OF LATHROP FOR ACCESS AND PUBLIC UTILITY PURPOSES, THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP AS PARCELS A THROUGH N AS SHOWN ON THIS FINAL MAP
- A NON-EXCLUSIVE EASEMENT TO THE CITY OF LATHROP, TOGETHER WITH THE RIGHT TO CONSTRUCT, RECONSTRUCT, REPAIR AND MAINTAIN, POLES, WIRES, CABLES, PIPES, AND CONDUITS AND THEIR APPURTENANCES UPON, OVER AND UNDER THE STRIPS OF LAND AS SHOWN ON THIS FINAL MAP DESIGNATED AS "P.U.E." (PUBLIC UTILITY EASEMENT)
- A NON-EXCLUSIVE EASEMENT TO THE CITY OF LATHROP FOR ACCESS PURPOSES, FOR THE BENEFIT OF THE PUBLIC, AS SHOWN ON THIS FINAL MAP DESIGNATED AS "A.E." (ACCESS EASEMENT).

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE FOR PUBLIC PURPOSES

- PARCELS O THROUGH T TO THE CITY OF LATHROP FOR PURPOSES OF OPEN SPACE, LANDSCAPING, PUBLIC UTILITIES, FENCE MAINTENANCE, AND APPURTENANCES THERE TO, FOR THE BENEFIT OF THE PUBLIC, AS SHOWN ON THIS FINAL MAP

TO ENSURE MUNICIPAL WATER SERVICES TO ALL LOTS SHOWN UPON THIS MAP, ALL GROUND WATER RIGHTS THAT THE UNDERSIGNED MAY HAVE WITHIN THE DISTINCTIVE BORDER UPON THIS MAP, HEREBY ARE DEDICATED TO THE CITY OF LATHROP

PARCELS A THROUGH N AS ACCESS LOTS WILL BE TRANSFERRED TO THE HOMEOWNERS ASSOCIATION BY SEPARATE DOCUMENT SUBSEQUENT TO THE RECORDING OF THIS FINAL MAP

OWNER: RIVER ISLANDS STAGE 2B, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: NAME: SUGAN DELL'USSO
ITS: PRESIDENT

DATE: _____

TRUSTEE'S STATEMENT

OLD REPUBLIC TITLE COMPANY, AS TRUSTEE, UNDER THE DEED OF TRUST RECORDED DECEMBER 22, 2016, AS DOCUMENT NUMBER 2016-160896, AND AS AMENDED IN DOCUMENT RECORDED DECEMBER 26, 2017 AS DOCUMENT NUMBER 2017-150771, FURTHER AMENDED IN DOCUMENT RECORDED APRIL 15, 2020 AS DOCUMENT NUMBER 2020-046005 AND FURTHER AMENDED IN DOCUMENT RECORDED NOVEMBER 23, 2022 AS DOCUMENT NUMBER 2022-132040, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY

DATED THIS _____ DAY OF _____, 2023
BY: NAME: _____
ITS: _____

ACKNOWLEDGEMENT CERTIFICATE (OWNER)

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT

STATE OF CALIFORNIA
COUNTY OF SAN JOAQUIN

ON _____, 2023 BEFORE ME, _____ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE: _____
NAME (PRINT): _____
PRINCIPAL COUNTY OF BUSINESS: _____
MY COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____

TRACT 4130 RIVER ISLANDS - STAGE 2B VILLAGE II

A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 14 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



CITY CLERK'S STATEMENT

I, TERESA VARGAS, CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE CITY OF LATHROP, STATE OF CALIFORNIA, DO HEREBY STATE THAT THE HEREIN EMBODIED MAP ENTITLED, "TRACT 4130, RIVER ISLANDS - STAGE 2B, VILLAGE II", CITY OF LATHROP, CALIFORNIA, CONSISTING OF TWELVE (12) SHEETS, THIS STATEMENT WAS PRESENTED TO SAID CITY COUNCIL, AS PROVIDED BY LAW, AT A MEETING THEREOF HELD ON THE _____ DAY OF _____, 2023, AND THAT SAID CITY COUNCIL DID THEREUPON BY RESOLUTION NO. _____ DULY PASSED AND ADOPTED AT SAID MEETING, APPROVE SAID MAP, AND

AUTHORIZED ITS RECORDATION, AND ACCEPTED ON BEHALF OF THE CITY OF LATHROP, FOR PUBLIC USE, THE DEDICATION OF ALL PUBLIC UTILITY EASEMENTS, ALL ACCESS EASEMENTS, PARCELS A THROUGH N FOR ACCESS AND PUBLIC UTILITY EASEMENTS, THE DEDICATION OF THE OPEN SPACE AND LANDSCAPING, RECREATION AND OPEN SPACE, AND THE DEDICATION OF THE GROUND WATER RIGHTS, AND THE DEDICATION OF ADLER STREET AS SHOWN ON SAID MAP SUBJECT TO THE IMPROVEMENTS BEING COMPLETED IN ACCORDANCE WITH CHAPTER 16, TITLE 16.16 OF THE CITY OF LATHROP MUNICIPAL CODE.

FURTHERMORE, PURSUANT TO SECTION 66434(C) OF THE CALIFORNIA SUBDIVISION MAP ACT, THE CITY OF LATHROP DOES HEREBY ABANDON THE NON-EXCLUSIVE PUBLIC UTILITY EASEMENT, RECORDED MAY 21, 2021, AS DOCUMENT NUMBER 2021-088863, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, WITHIN TRACT 4130.

I FURTHER STATE THAT ALL BONDS AS REQUIRED BY LAW TO ACCOMPANY THE WITHIN MAP, IF APPLICABLE, HAVE BEEN APPROVED BY THE CITY COUNCIL OF LATHROP AND FILED IN MY OFFICE.

TERESA VARGAS
CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE CITY OF LATHROP, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA

ACKNOWLEDGEMENT CERTIFICATE (TRUSTEE)

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT

STATE OF CALIFORNIA
COUNTY OF SAN JOAQUIN

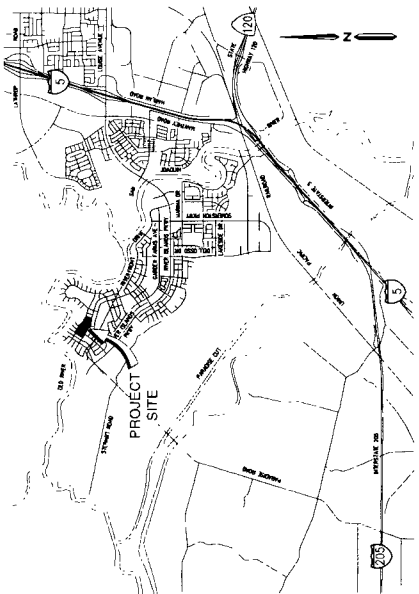
ON _____, 2023 BEFORE ME, _____ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT

WITNESS MY HAND

SIGNATURE: _____
NAME (PRINT): _____
PRINCIPAL COUNTY OF BUSINESS: _____
MY COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____

EXEMPT FROM FEE PER GOVERNMENT CODE 27388.1, DOCUMENT
RECORDED IN CONNECTION WITH A CONCURRENT TRANSFER SUBJECT TO
THE IMPOSITION OF DOCUMENTARY TRANSFER TAX



VICINITY MAP
NOT TO SCALE

SECRETARY OF THE PLANNING COMMISSION'S STATEMENT

THIS MAP CONFORMS TO VESTING TENTATIVE MAP NO. 6716 RECOMMENDED BY THE PLANNING COMMISSION AND APPROVED BY THE CITY COUNCIL PER RESOLUTION NO. 21-4908.

DATED THIS _____ DAY OF _____, 2023

RICARDO CAGUAT, COMMUNITY DEVELOPMENT DIRECTOR
CITY OF LATHROP

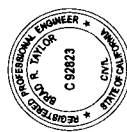
CITY ENGINEER'S STATEMENT

I, BRAD R. TAYLOR, HEREBY STATE THAT I AM THE CITY ENGINEER OF THE CITY OF LATHROP, CALIFORNIA AND THAT I HAVE EXAMINED THIS FINAL MAP OF TRACT 4130, RIVER ISLANDS - STAGE 2B, VILLAGE II, CITY OF LATHROP, CALIFORNIA, CONSISTING OF TWELVE (12) SHEETS, THIS STATEMENT WAS PRESENTED TO SAID CITY COUNCIL, AS PROVIDED BY LAW, AT A MEETING THEREOF HELD ON THE _____ DAY OF _____, 2023, AND THAT SAID CITY COUNCIL DID THEREUPON BY RESOLUTION NO. _____ DULY PASSED AND ADOPTED AT SAID MEETING, APPROVE SAID MAP, AND

FURTHER STATE THAT THIS FINAL MAP COMPLETES WITH ALL PROVISIONS OF CHAPTER 2 OF THE CALIFORNIA STATE SUBDIVISION MAP ACT AND APPLICABLE ORDINANCES OF THE CITY OF LATHROP, AND ANY AMENDMENTS THERETO, APPLICABLE AT THE TIME OF APPROVAL OF AMENDED VESTING TENTATIVE MAP

DATED THIS _____ DAY OF _____, 2023

BRAD R. TAYLOR, R.C.E. 92823
CITY ENGINEER OF THE CITY OF LATHROP, CALIFORNIA



RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 2023, AT _____
IN BOOK _____ OF MAPS AND PLATS, AT PAGE _____, AT THE REQUEST OF OLD REPUBLIC TITLE COMPANY
FEE: \$ _____

STEVE BESTOLARIDES, COUNTY CLERK
ASSASSIN-RECORDERS, COUNTY CLERK
SAN JOAQUIN COUNTY, CALIFORNIA

BY: _____
ASSISTANT/DEPUTY RECORDER

CITY SURVEYOR'S STATEMENT

I, DARRYL A. ALEXANDER, HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP OF "TRACT 4130, RIVER ISLANDS-STAGE 2B, VILLAGE II," CITY OF LATHROP, CALIFORNIA, AND I AM SATISFIED THAT THIS FINAL MAP IS TECHNICALLY CORRECT.

DATED THIS _____ DAY OF _____, 2023.

DARRYL A. ALEXANDER, P.L.S. 5071
ACTING CITY SURVEYOR



SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF RIVER ISLANDS DEVELOPMENT, LLC. ON SEPTEMBER 11, 2018. I HEREBY STATE ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE DECEMBER 31, 2023, AND THAT THE MONUMENTS ARE, OR THAT THEY WILL BE, SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED AMENDED VESTING TENTATIVE MAP.

DATED THIS _____ DAY OF _____, 2023.

DYLAN CRAWFORD, P.L.S. NO. 7788



RECITALS

- RIGHT TO FARM STATEMENT
PER CITY OF LATHROP MUNICIPAL CODE OF ORDINANCES, TITLE 15, CHAPTER 15.48.04, THE CITY OF LATHROP PERMITS OPERATION OF PROPERLY CONDUCTED AGRICULTURAL OPERATIONS WITHIN THE CITY LIMITS, INCLUDING THOSE THAT UTILIZE CHEMICAL FERTILIZERS AND PESTICIDES. YOU ARE HEREBY NOTICED THAT THE PROPERTY YOU ARE ACQUIRING IS SUBJECT TO AGRICULTURAL ACTIVITIES AND AGRICULTURAL ACTIVITIES ARE SUBJECT TO AGRICULTURAL INCONVENIENCE OR DISCOMFORT ARISING FROM THE LIMITED PROPERTIES USE, INCLUDING BUT NOT LIMITED TO, PESTICIDES AND FROM OTHER AGRICULTURAL ACTIVITIES, INCLUDING WITHOUT LIMITATIONS, CULTIVATION, FLOWING, SPRAYING, IRRIGATION, PRUNING, HARVESTING, BURNING OF AGRICULTURAL WASTE PRODUCTS, PROTECTION OF CROPS AND ANIMALS FROM DEPREDATION, AND OTHER ACTIVITIES WHICH MAY GENERATE DUST, SMOKE, NOISE, ODOR, RODENTS AND PESTS. BE AWARE ALSO, THAT THIS PROPERTY MAY BE LOCATED ADJACENT TO AGRICULTURAL OPERATIONS OUTSIDE THE CITY'S JURISDICTION. CONSEQUENTLY, DEPENDING ON THE LOCATION OF YOUR PROPERTY, IT MAY BE NECESSARY THAT YOU BE PREPARED TO ACCEPT SUCH INCONVENIENCES OR DISCOMFORT AS NORMAL AND AGRICULTURAL ACTIVITIES. AGRICULTURAL ACTIVITIES ARE NOT LIMITED TO THE FOLLOWING PHASES: 1. LATHROP, CALIFORNIA: A. SESS REPORT ENTITLED "AGRICULTURAL ACTIVITIES AND AGRICULTURAL ACTIVITIES" DATED JULY 28, 2005, HAS BEEN PREPARED FOR THIS "PROJECT BY ENGEO, INCORPORATED, JOSEF J. TOOTLE, C.E. NO. 2672, AND IS ON FILE WITH THE CITY OF LATHROP. TRACT 4130, RIVER ISLANDS-STAGE 2B, VILLAGE II, CONTAINS 95 RESIDENTIAL LOTS WITH A TOTAL OF 7.43 ACRES, AND 20 LETTERED PARCELS CONTAINING 1.23 ACRES, MORE OR LESS, AND ROADWAYS THAT ARE BEING DEDICATED BY THIS FINAL MAP WHICH INCLUDE 1.55 ACRES, MORE OR LESS AS SHOWN ON THIS FINAL MAP (PLEASE REFER TO THE AREA TABLE BELOW).
- AGRICULTURAL ACTIVITIES ARE NOT LIMITED TO THE FOLLOWING PHASES: 1. LATHROP, CALIFORNIA: A. SESS REPORT ENTITLED "AGRICULTURAL ACTIVITIES AND AGRICULTURAL ACTIVITIES" DATED JULY 28, 2005, HAS BEEN PREPARED FOR THIS "PROJECT BY ENGEO, INCORPORATED, JOSEF J. TOOTLE, C.E. NO. 2672, AND IS ON FILE WITH THE CITY OF LATHROP. TRACT 4130, RIVER ISLANDS-STAGE 2B, VILLAGE II, CONTAINS 95 RESIDENTIAL LOTS WITH A TOTAL OF 7.43 ACRES, AND 20 LETTERED PARCELS CONTAINING 1.23 ACRES, MORE OR LESS, AND ROADWAYS THAT ARE BEING DEDICATED BY THIS FINAL MAP WHICH INCLUDE 1.55 ACRES, MORE OR LESS AS SHOWN ON THIS FINAL MAP (PLEASE REFER TO THE AREA TABLE BELOW).
- AGRICULTURAL ACTIVITIES ARE NOT LIMITED TO THE FOLLOWING PHASES: 1. LATHROP, CALIFORNIA: A. SESS REPORT ENTITLED "AGRICULTURAL ACTIVITIES AND AGRICULTURAL ACTIVITIES" DATED JULY 28, 2005, HAS BEEN PREPARED FOR THIS "PROJECT BY ENGEO, INCORPORATED, JOSEF J. TOOTLE, C.E. NO. 2672, AND IS ON FILE WITH THE CITY OF LATHROP. TRACT 4130, RIVER ISLANDS-STAGE 2B, VILLAGE II, CONTAINS 95 RESIDENTIAL LOTS WITH A TOTAL OF 7.43 ACRES, AND 20 LETTERED PARCELS CONTAINING 1.23 ACRES, MORE OR LESS, AND ROADWAYS THAT ARE BEING DEDICATED BY THIS FINAL MAP WHICH INCLUDE 1.55 ACRES, MORE OR LESS AS SHOWN ON THIS FINAL MAP (PLEASE REFER TO THE AREA TABLE BELOW).

TRACT 4130 AREA SUMMARY	
LOTS 1 THROUGH 95	7.43 AC±
STREET DEDICATIONS	1.55 AC±
PARCELS A - T	1.23 AC±
TOTAL	10.21 AC±

- BASED ON INFORMATION CONTAINED IN THE PRELIMINARY TITLE REPORT, ORDER NUMBER 174027902-LR (VERSION 6), DATED JANUARY 4, 2023, PROVIDED BY OLD REPUBLIC TITLE COMPANY.

TRACT 4130
RIVER ISLANDS - STAGE 2B
VILLAGE II

A PORTION OF RANCHO EL PESQUERO, BEING
A SUBDIVISION OF PARCEL 14 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



REFERENCES

- TRACT 4032, RIVER ISLANDS-STAGE 2B, LARGE LOT FINAL MAP, FILED OCTOBER 8, 2020, IN BOOK 43 OF MAPS AND PLATS, PAGE 142, S.J.C.R. (43 MAP 142)
- TRACT 4089, RIVER ISLANDS-STAGE 2A, VILLAGE HH, FILED OCTOBER 29, 2021, IN BOOK 43 OF MAPS AND PLATS, PAGE 198, S.J.C.R. (43 MAP 198)
- TRACT 4067, RIVER ISLANDS-STAGE 2A, VILLAGE FF, FILED MARCH 19, 2021, IN BOOK 43 OF MAPS AND PLATS, PAGE 163, S.J.C.R. (43 MAP 163)
- TRACT 4052, RIVER ISLANDS-STAGE 2A, VILLAGE JJ, FILED JANUARY 29, 2021, IN BOOK 43 OF MAPS AND PLATS, PAGE 157, S.J.C.R. (43 MAP 157)

SIGNATURE OMISSIONS

PURSUANT TO SECTION 66436 OF THE CALIFORNIA SUBDIVISION MAP ACT, THE SIGNATURES OF THE FOLLOWING PARTIES HAVE BEEN OMITTED:

- RECLAIMED ISLANDS LAND COMPANY, RESERVATION FOR OIL, GAS, MINERALS, AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET, PER DOCUMENT NUMBER 2001-01046177, S.J.C.R.
- PUBLIC UTILITY EASEMENT IN FAVOR OF THE CITY OF LATHROP PER DOCUMENT RECORDED MAY 21, 2021, AS DOCUMENT NUMBER 2021-088983, S.J.C.R.

EASEMENT ABANDONMENT NOTE

THE NON-EXCLUSIVE PUBLIC UTILITY EASEMENT FOR PUBLIC PURPOSES RECORDED MAY 21, 2021, AS DOCUMENT NUMBER 2021-088983, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, WITHIN TRACT 4130 IS BEING ABANDONED BY THIS FINAL MAP. PLEASE REFER TO THE CITY CLERK'S STATEMENT ON SHEET 1.

LINE AND CURVE TABLES FOR COURSES SHOWN ON SHEET 3 ONLY

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N75°08'54"E	9.03'
L2	N38°12'04"W	117.73'
L3	N74°02'29"W	82.02'
L4	N29°02'29"W	35.36'
L5	N60°53'31"E	35.36'
L6	N60°29'28"W	31.43'
L7	N69°25'54"W	116.18'
L8	N57°24'06"W	59.71'
L9	N12°24'06"W	35.36'
L10	N77°35'54"E	35.36'

CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	300.00	35°50'24"	187.66'
C2	300.00	19°12'02"	100.53'
C3	400.00	22°11'23"	154.91'
C4	1000.00	73°72'22"	133.04'
C5	265.00	19°12'02"	88.80'
C6	1000.00	42°24'26"	76.92'

LEGEND

BOUNDARY	200.00' (R1)	MEASURED AND RECORD DATA PER REFERENCE SHOWN
LOT LINE OR RIGHT-OF-WAY LINE	(R1)	DENOTES REFERENCE (R1) - SEE REFERENCE LIST ON SHEET 2
EASEMENT LINE	(M-W)	MONUMENT TO BOUNDARY
CENTERLINE	(M-B)	MONUMENT TO BOUNDARY
BOUNDARY	(M-CL INTX)	MONUMENT TO CENTERLINE INTERSECTION
ACCESS EASEMENT	(M-BC)	MONUMENT TO BEGINNING OF CURVE
DOCUMENT NUMBER	(BC-CL INTX)	BEGIN CURVE TO CENTERLINE INTERSECTION
P.U.E.	(1)	TOTAL
L1/C1		

MONUMENTATION NOTES

- 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" PER (R1)
- MONUMENT SET PER (R1)
- 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" PER (R2)
- FOUND MONUMENT PER (R2)
- FOUND MONUMENT PER (R3)
- FOUND MONUMENT PER (R4)
- 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" PER (R4)

NOTES

- SEE SHEET 2 FOR REFERENCES.
- SEE SHEET 2 FOR LINE AND CURVE TABLES

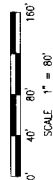
TRACT 4130 RIVER ISLANDS - STAGE 2B VILLAGE II

A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 14 OF TRACT 4032 (43 MAP 142)
CITY OF LAHORE, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



BASIS OF BEARINGS

THE BEARING OF NORTH 57°24'06" WEST BETWEEN FOUND MONUMENTS
ALONG IRISH MEADOW WAY AS SHOWN ON TRACT 4032, FILED OCTOBER
8, 2020, IN BOOK 43 OF MAPS AND PLATS, AT PAGE 142, RECORDS OF
SAN JOAQUIN COUNTY, WAS TAKEN AS THE BASIS OF BEARINGS SHOWN
ON THIS MAP (ZONE 3, NAD83) ALL DISTANCES SHOWN HEREON ARE
GROUND DISTANCES



BROWNSTONE AVENUE

BECKFORD COURT

CLOVERDALE COURT

WOODGREEN COURT

IRISH MEADOW WAY

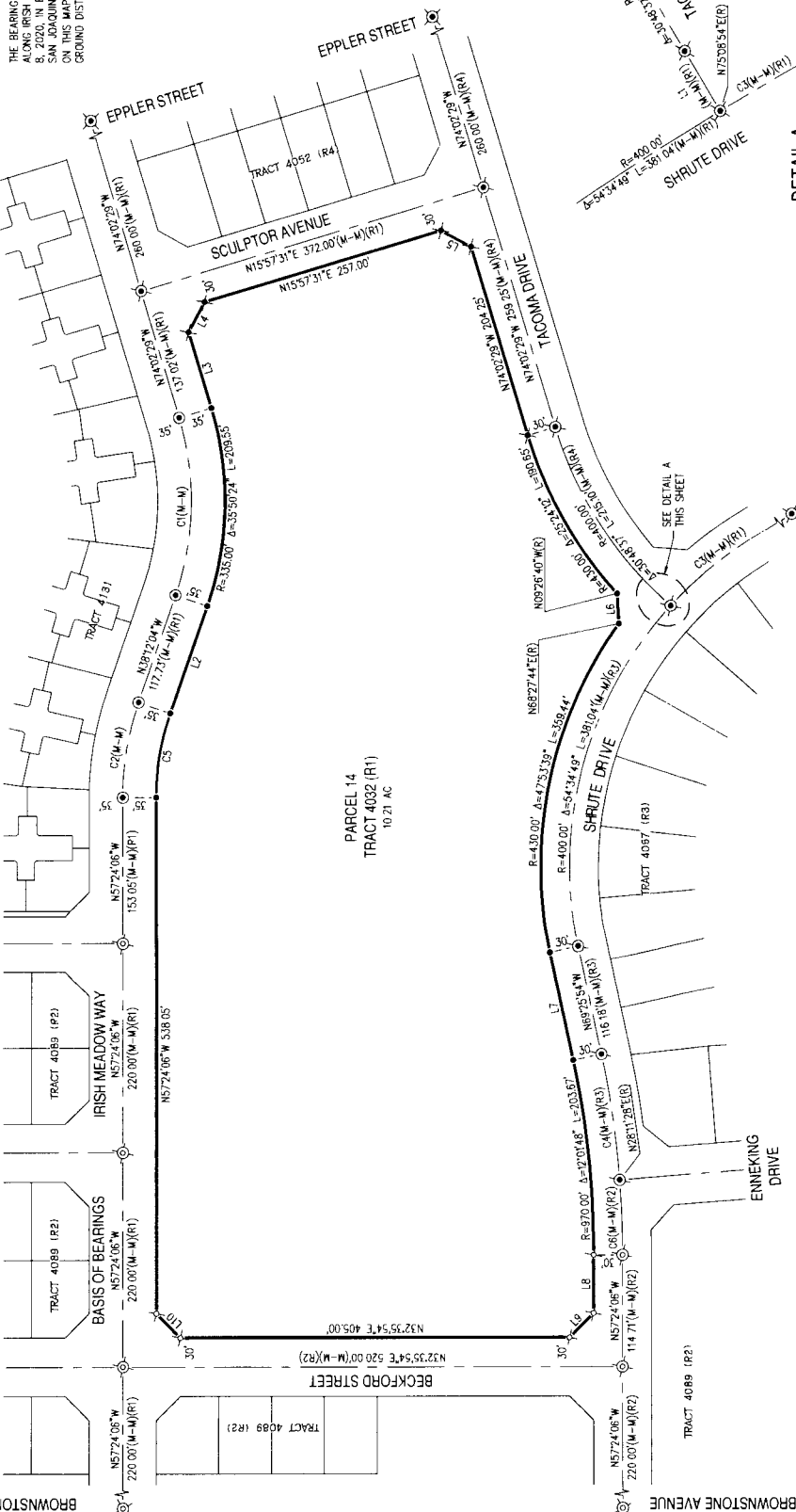
SCULPTOR AVENUE

EPPLER STREET

TACOMA DRIVE

SHRUTE DRIVE

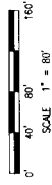
ENNEKING DRIVE



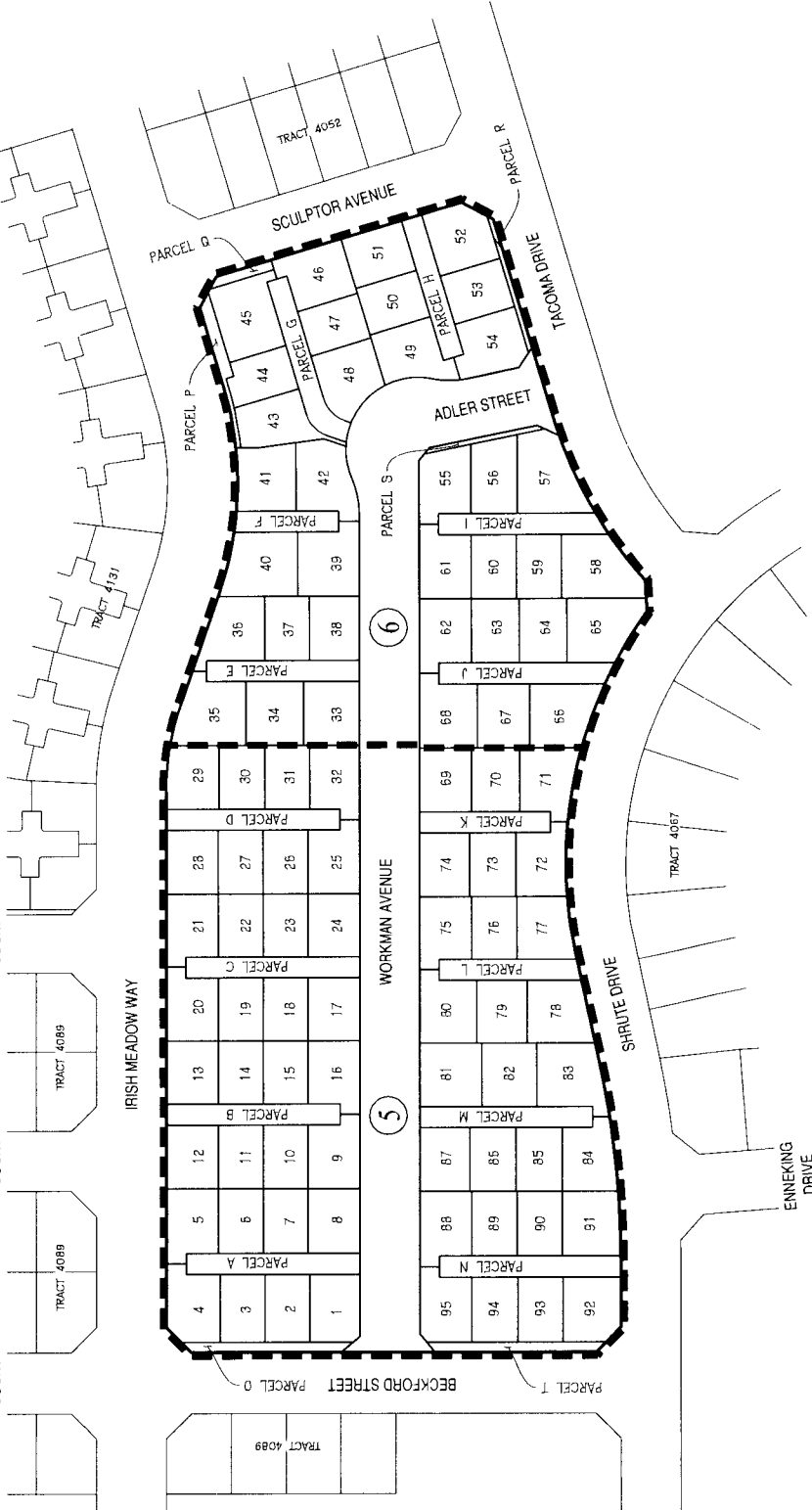
DETAIL A
NOT TO SCALE

TRACT 4130 RIVER ISLANDS - STAGE 2B VILLAGE II

A PORTION OF RANCHO EL PESQUERO, BEING
A SUBDIVISION OF PARCEL 14 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



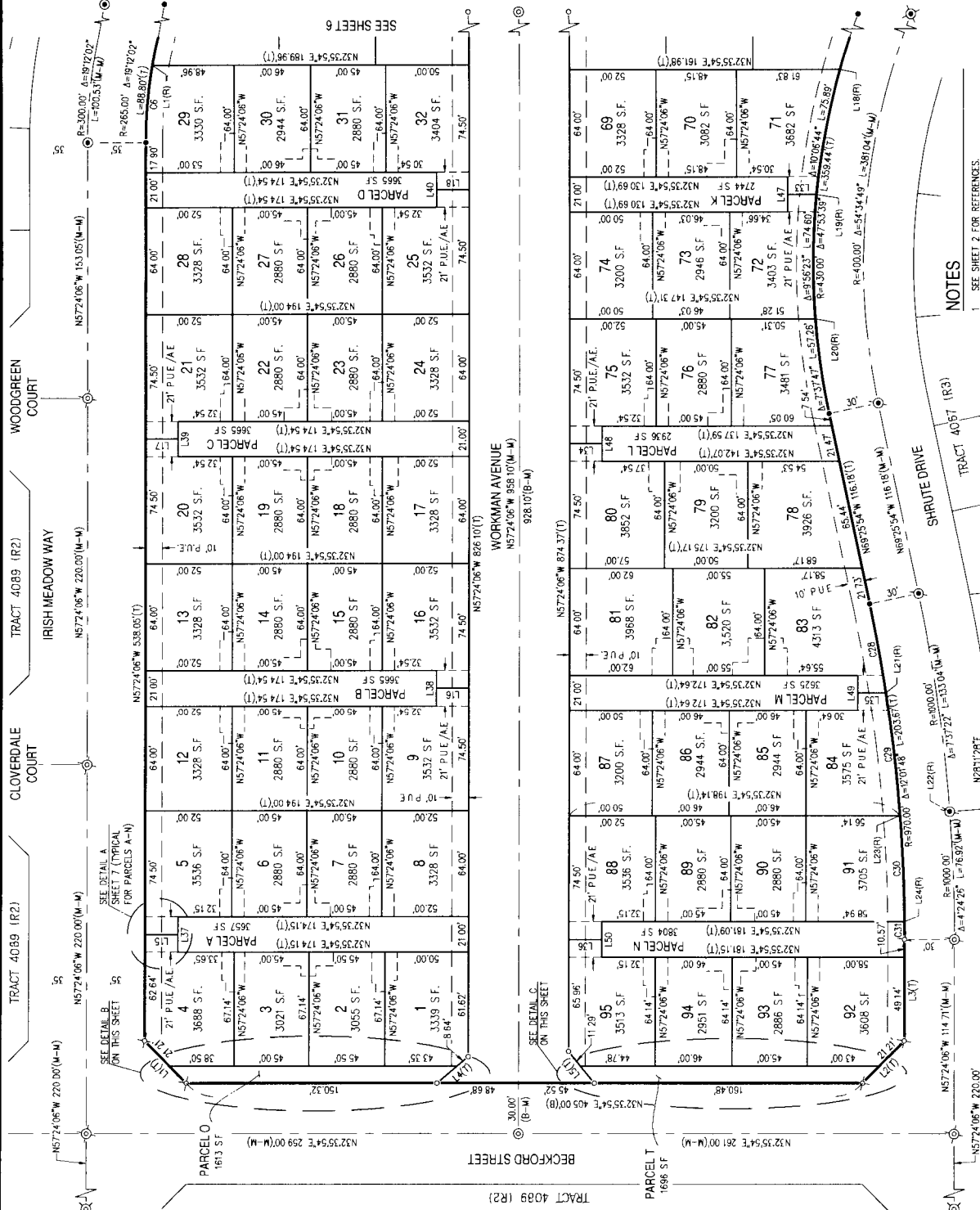
BECKFORD COURT
CLOVERDALE COURT
WOODGREEN COURT



- LEGEND**
- BOUNDARY
 - LOT LINE
 - EXISTING ROADWAY EASEMENT
 - SHEET NUMBER
 - SHEET LIMIT LINE
 - RESTRICTED ACCESS

TRACT 4130 RIVER ISLANDS - STAGE 2B VILLAGE II

A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 14 OF TRACT 4032 (4.3 MAP 142)
CITY OF LAHOP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



NOTES

1. SEE SHEET 2 FOR REFERENCES.
2. SEE SHEET 3 FOR BASIS OF BEARINGS AND LEGEND.
3. SEE SHEET 7 FOR LINE AND CURVE TABLES.
4. SEE SHEET 7 FOR DIMENSIONAL NOTES.
5. SEE SHEET 7 DETAIL A FOR LOCATIONS.
6. SEE SHEETS 8 THROUGH 12 FOR P.U.E. DIMENSIONS.

TRACT 4089 (R2)
BECKFORD STREET
PARCEL T
1686 SF

WORKMAN AVENUE
N5724°06'W 958.10'(M-M)
928.10'(B-M)

SHRUTE DRIVE
N89°55'54"W 116.18'(M-M)
N89°55'54"W 116.18'(B-M)

ENKENING DRIVE
N281°28'E
180.19'(M-M)

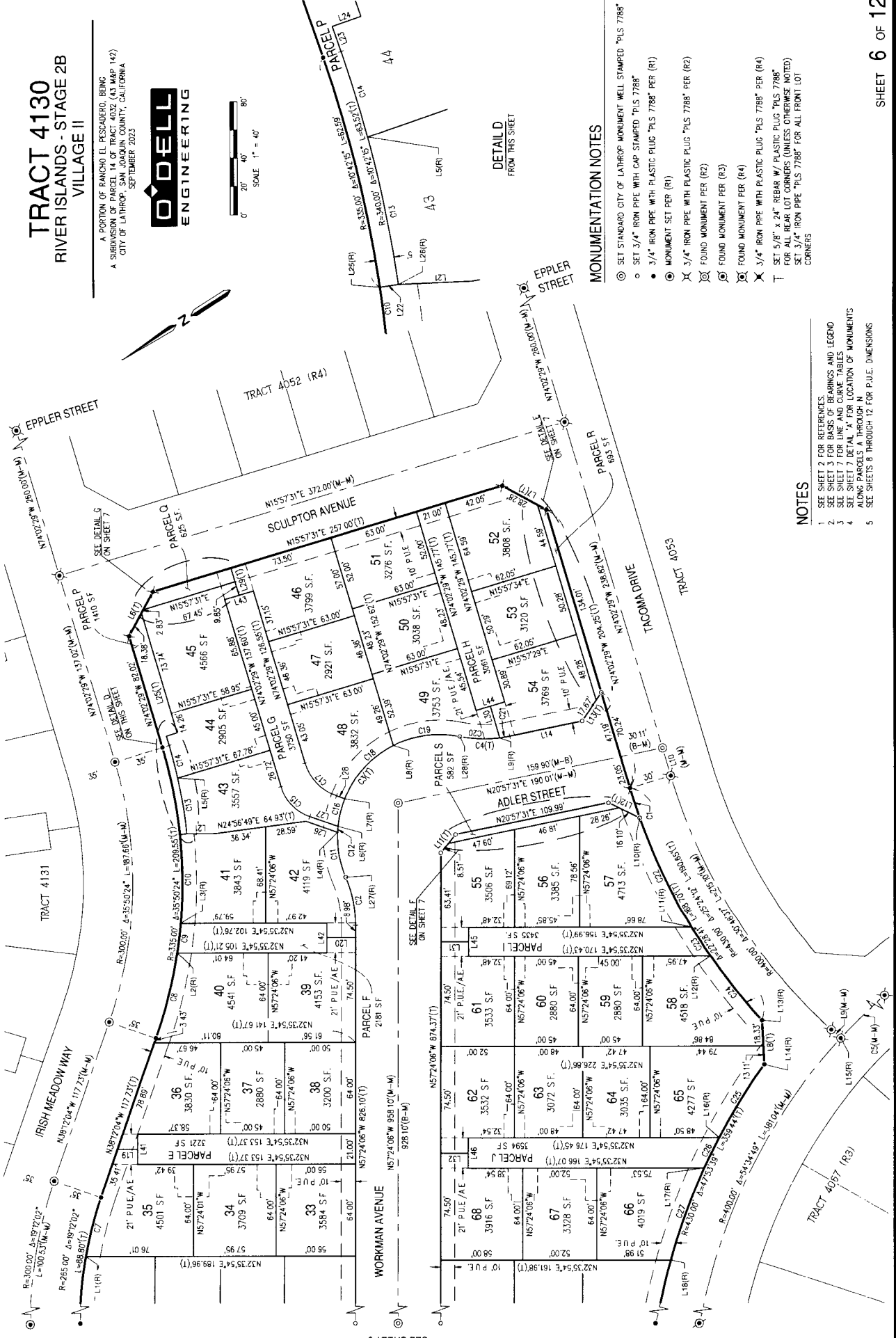
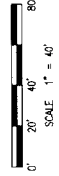
SEE DETAIL C
ON THIS SHEET

SEE DETAIL B
FROM THIS SHEET

SEE DETAIL C
FROM THIS SHEET

TRACT 4130 RIVER ISLANDS - STAGE 2B VILLAGE II

A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 14 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



DETAIL D
FROM THIS SHEET

MONUMENTATION NOTES

- ⊙ SET STANDARD CITY OF LATHROP MONUMENT WELL STAMPED "PLS 7788"
- SET 3/4" IRON PIPE WITH CAP STAMPED "PLS 7788"
- 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" PER (R1)
- ⊙ MONUMENT SET PER (R1)
- ⊗ 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" PER (R2)
- ⊗ FOUND MONUMENT PER (R2)
- ⊗ FOUND MONUMENT PER (R3)
- ⊗ FOUND MONUMENT PER (R4)
- ⊗ 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" PER (R4)
- ⊗ SET 5/8" x 24" REBAR W/ PLASTIC PLUG "PLS 7788"
- ⊗ FOR ALL REAR LOT CORNERS (UNLESS OTHERWISE NOTED)
- ⊗ SET 3/4" IRON PIPE "PLS 7788" FOR ALL FRONT LOT CORNERS

NOTES

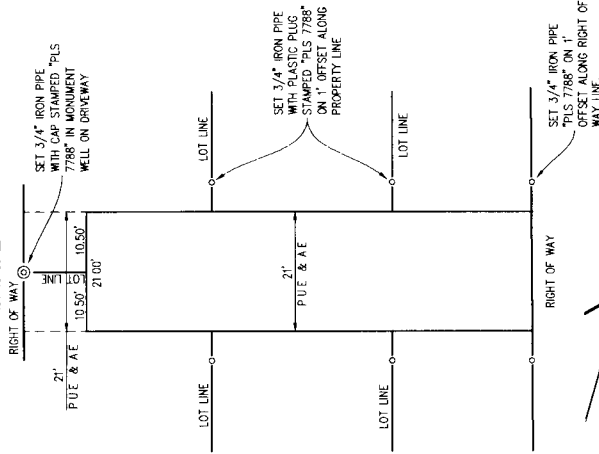
1. SEE SHEET 2 FOR REFERENCES.
2. SEE SHEET 1 FOR PARCELS OF RECORDS AND LEGEND.
3. SEE SHEET 3 FOR LINE AND CURVE TABLES.
4. SEE SHEET 7 DETAIL 'A' FOR LOCATION OF MONUMENTS ALONG PARCELS A THROUGH N.
5. SEE SHEETS 8 THROUGH 12 FOR P.U.E. DIMENSIONS.

TRACT 4130 RIVER ISLANDS - STAGE 2B VILLAGE II

A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 14 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



DETAIL A
NOT TO SCALE



LINE #	DIRECTION	RADIAL BEARINGS
L21(R)	N23°45'59"E	
L22(R)	N28°11'28"E	
L23(R)	N31°58'56"E	
L24(R)	N28°11'52"E	
L25(R)	N31°58'56"E	
L26(R)	N28°11'28"E	
L27(R)	N31°58'56"E	
L28(R)	N28°11'28"E	

LINE #	DIRECTION	RADIAL BEARINGS
L1(R)	S42°36'57"W	
L2(R)	N41°04'49"E	
L3(R)	N72°27'49"E	
L4(R)	S35°55'00"W	
L5(R)	N19°57'44"E	
L6(R)	S38°32'37"W	
L7(R)	S54°34'36"W	
L8(R)	N64°23'22"W	
L9(R)	S64°25'51"E	
L10(R)	S10°20'11"W	
L11(R)	S1°13'45"W	
L12(R)	S1°14'38"E	
L13(R)	S9°28'40"E	
L14(R)	S68°27'44"W	
L15(R)	S75°08'54"W	
L16(R)	S60°28'04"W	
L17(R)	S7°20'45"W	
L18(R)	S48°14'59"W	
L19(R)	S38°08'16"W	
L20(R)	S58°11'52"W	

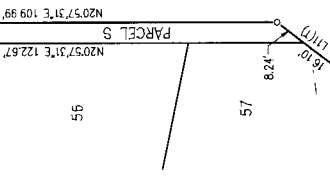
CURVE	RADIUS	DELTA	LENGTH
C1	430.00	255°31'	21.95'
C2	88.00	233°37'	35.41'
C3	72.00	174°28'34"	156.42'
C4	88.00	233°37'	35.41'
C5	400.00	221°12'3"	154.91'
C6	265.00	100°10'3"	46.33'
C7	265.00	91°05'59"	42.47'
C8	335.00	104°33'06"	62.67'
C9	335.00	337°00'	21.15'
C10	335.00	104°48'02"	63.15'
C11	72.00	254°23'4"	32.31'
C12	72.00	317°31'	41.4'
C13	340.00	64°21'3"	39.78'
C14	340.00	400°02'	23.74'
C15	32.00	54°12'40"	30.28'
C16	72.00	165°15'59"	20.15'
C17	35.00	54°12'49"	33.12'
C18	72.00	410°02'	51.56'
C19	72.00	38°24'21"	48.26'
C20	88.00	187°6'31"	28.33'
C21	88.00	43°51'3"	7.08'
C22	430.00	112°41'5"	85.59'
C23	430.00	379°23'	24.94'
C24	430.00	74°02'	58.17'
C25	430.00	759°40'	60.00'
C26	430.00	307°19'	23.43'
C27	430.00	93°46'	68.27'
C28	970.00	311°54'	54.14'
C29	970.00	42°55'2"	75.02'
C30	970.00	347°05'	64.07'
C31	970.00	63°58'	10.43'

LINE	DIRECTION	LENGTH
L31	N32°35'54"E	19.52'
L32	N32°35'54"E	19.46'
L33	N32°35'54"E	17.36'
L34	N32°35'54"E	16.86'
L35	N32°35'54"E	19.85'
L36	N32°35'54"E	21.00'
L37	S57°24'06"E	21.00'
L38	N57°24'06"W	21.00'
L39	N57°24'06"W	21.00'
L40	N57°24'06"W	21.00'
L41	S57°24'06"E	21.00'
L42	S57°24'06"E	21.00'
L43	S15°57'31"W	21.00'
L44	N15°57'31"E	21.00'
L45	N57°24'06"W	21.00'
L46	S57°24'06"E	21.00'
L47	N57°24'06"W	21.00'
L48	S57°24'06"E	21.00'
L49	S57°24'06"E	21.00'
L50	N57°24'06"W	21.00'

LINE	DIRECTION	LENGTH
L1	N7°13'54"E	35.36'
L2	N7°24'06"W	35.36'
L3	N57°24'06"W	59.71'
L4	N7°07'14"W	24.29'
L5	N8°25'46"E	24.29'
L6	N2°02'29"W	35.36'
L7	N6°05'31"E	35.36'
L8	N6°02'29"W	31.43'
L9	N7°08'54"E	9.03'
L10	N7°40'29"W	20.42'
L11	N1°13'17"W	16.43'
L12	N8°19'47"E	24.34'
L13	N2°45'37"W	24.17'
L14	N2°05'31"E	52.13'
L15	N3°25'54"E	19.85'
L16	N3°25'54"E	19.46'
L17	N3°25'54"E	19.46'
L18	N3°25'54"E	19.46'
L19	N3°25'54"E	14.25'
L20	N3°25'54"E	20.35'
L21	N3°25'54"E	19.38'
L22	N2°38'47"E	5.00'
L23	N7°40'29"W	7.02'
L24	N1°55'31"E	8.00'
L25	N7°40'29"W	88.00'
L26	N5°14'42"E	23.59'
L27	N5°14'42"E	21.16'
L28	N5°14'42"E	6.34'
L29	N7°40'29"W	19.85'
L30	N7°40'29"W	23.25'

LINE AND CURVE TABLES FOR COURSES SHOWN ON SHEETS 5 AND 6 ONLY

ADLER STREET



DETAIL F
FROM SHEET 6

SET 3/4" IRON PIPE
WITH PLASTIC PLUG
STAMPED "PLS 7788"
ON 1' OFFSET ALONG
PROPERTY LINE

LOT LINE

LOT LINE

LOT LINE

LOT LINE

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SCULPTOR AVENUE

PARCEL 5

PARCEL 57

PARCEL 5

PARCEL 57

PARCEL 5

PARCEL 57

PARCEL 5

PARCEL 57

PARCEL 5

PARCEL 57

PARCEL 5

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DETAIL G
FROM SHEET 6

LOT LINE

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DETAIL E
FROM SHEET 6

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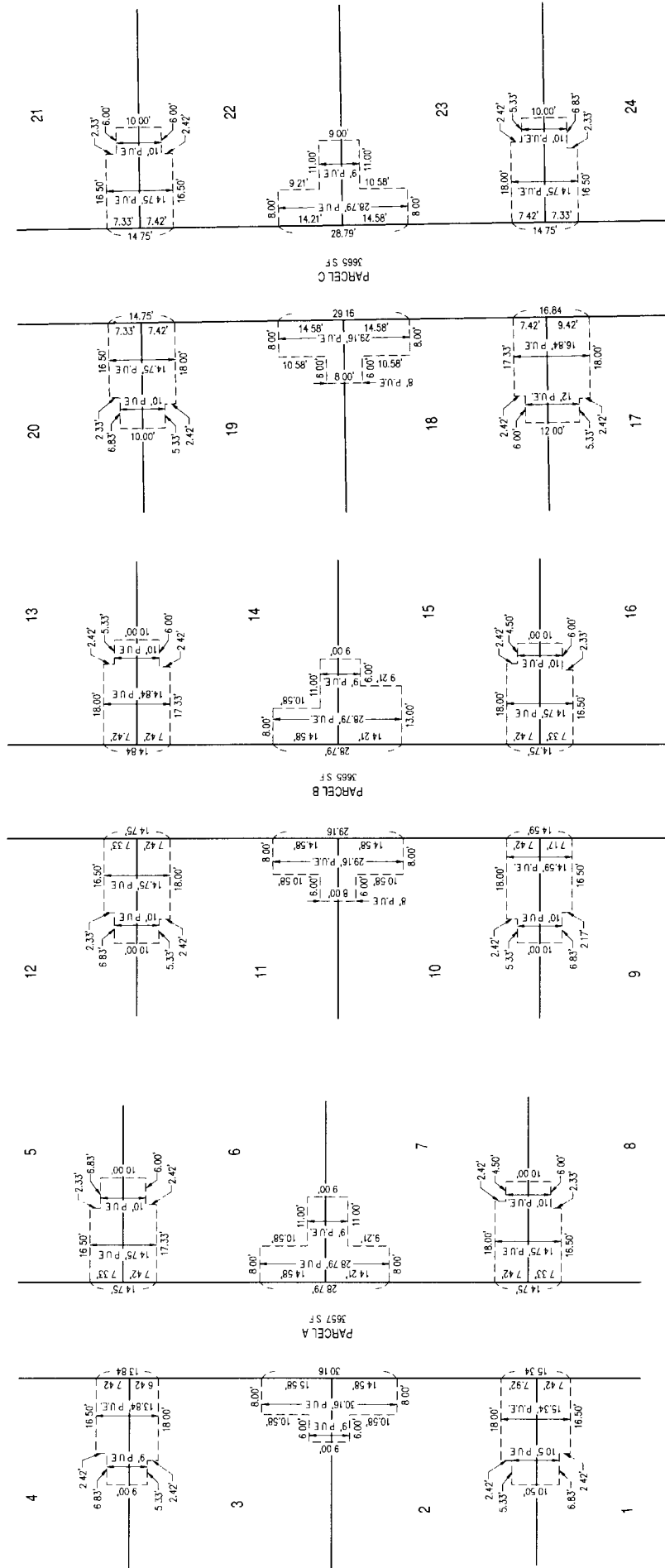
LOT LINE

TRACT 4130 RIVER ISLANDS - STAGE 2B VILLAGE II

A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 14 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



NOTES
1 ALL P.U.E. LINES ARE PERPENDICULAR

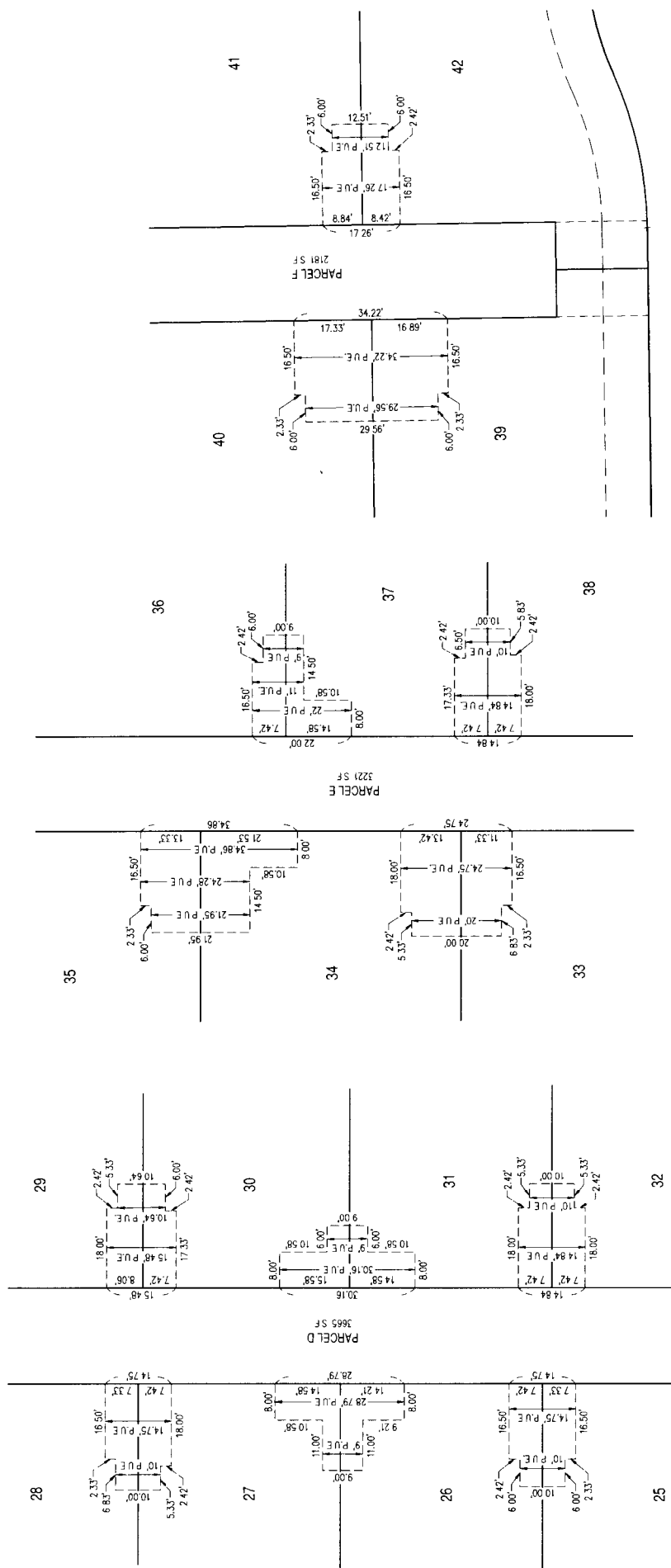


A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 14 OF TRACT 4032 (43 M&P 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



NOTES

1. ALL P.U.E. LINES ARE PERPENDICULAR



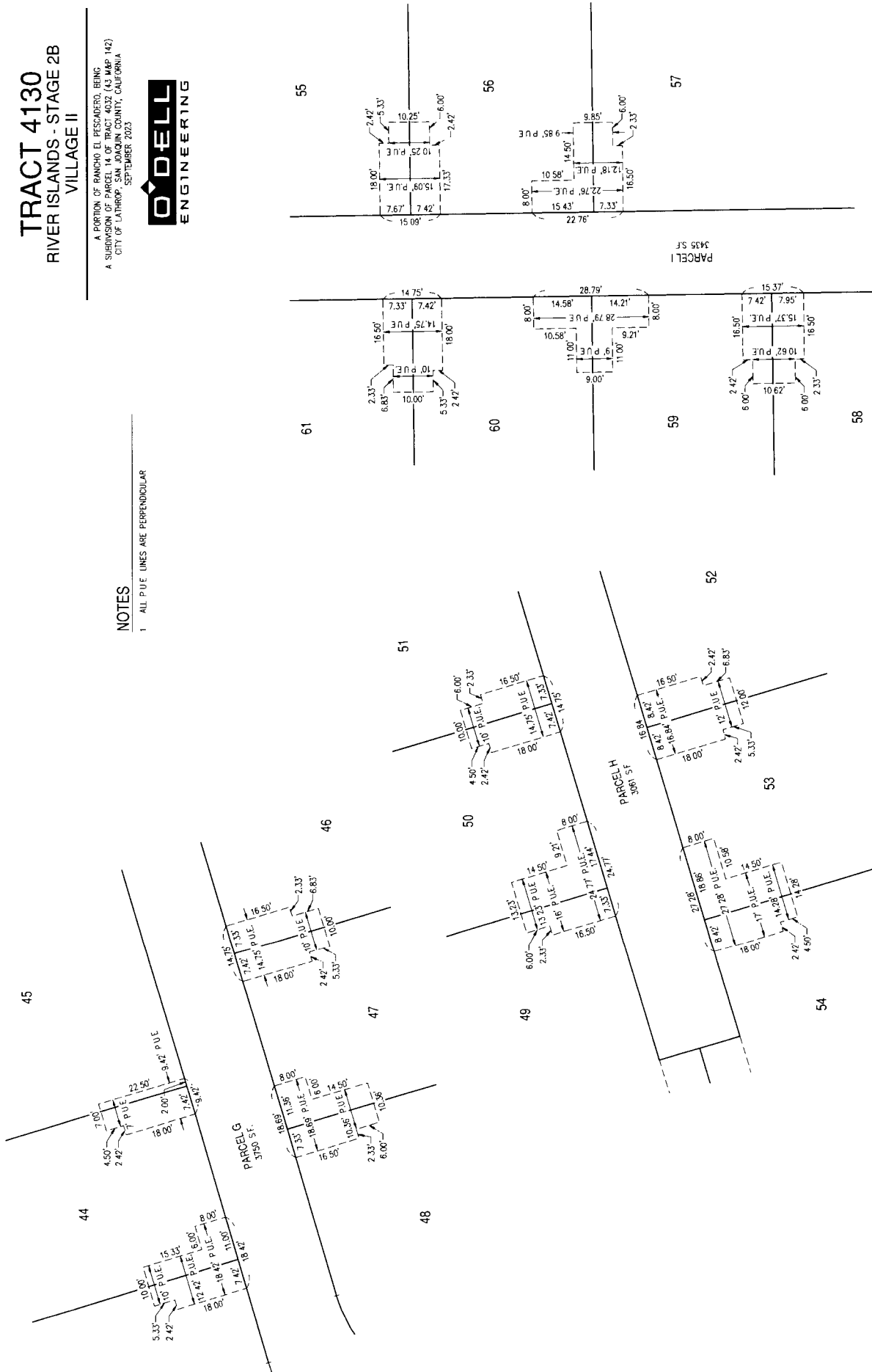
TRACT 4130 RIVER ISLANDS - STAGE 2B VILLAGE II

A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 14 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



NOTES

- 1 ALL P.U.E. LINES ARE PERPENDICULAR



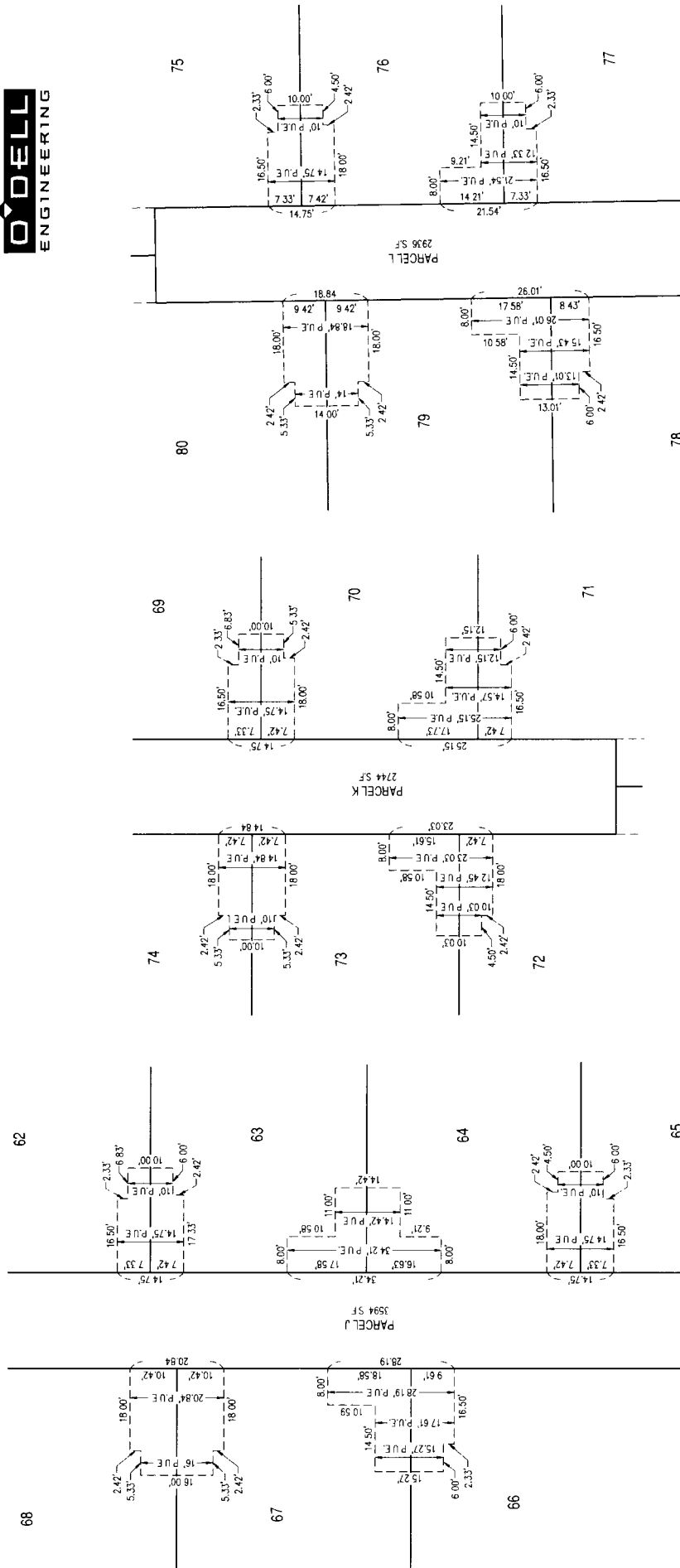
TRACT 4130 RIVER ISLANDS - STAGE 2B VILLAGE II

A PORTION OF RANCHO EL PESQUERO, BEING:
A SUBDIVISION OF PARCEL 14 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



NOTES

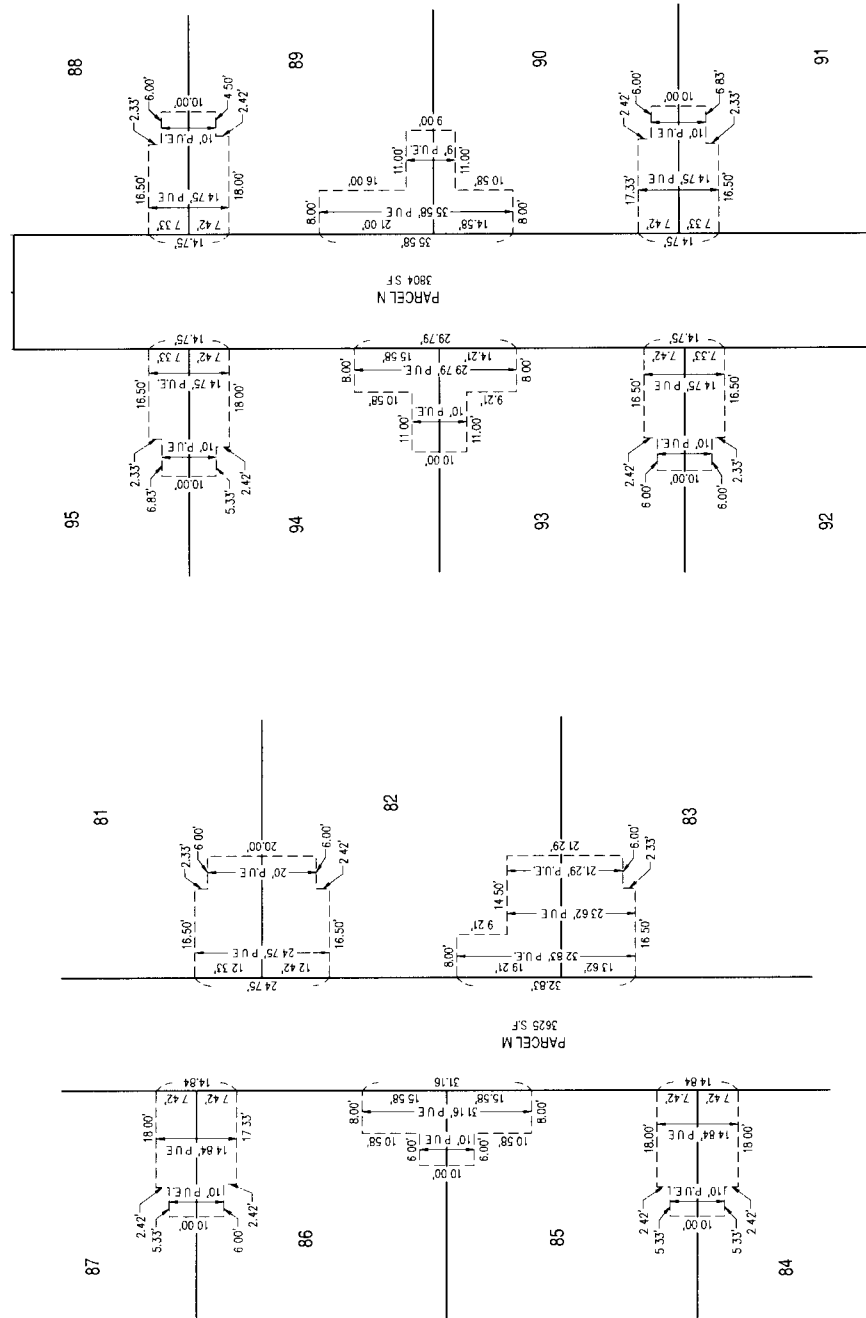
1. ALL P.U.E. LINES ARE PERPENDICULAR



A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 14 OF TRACT 4032 (43 W&P 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



1 ALL PUE LINES ARE PERPENDICULAR.



Subdivision Improvement Agreement (River Islands Stage 2B, LLC)
Tract 4130 Village "II"

EXHIBIT "B"

TRACT 4130 VILLAGE "II" AREA

VILLAGE II BOUNDARY

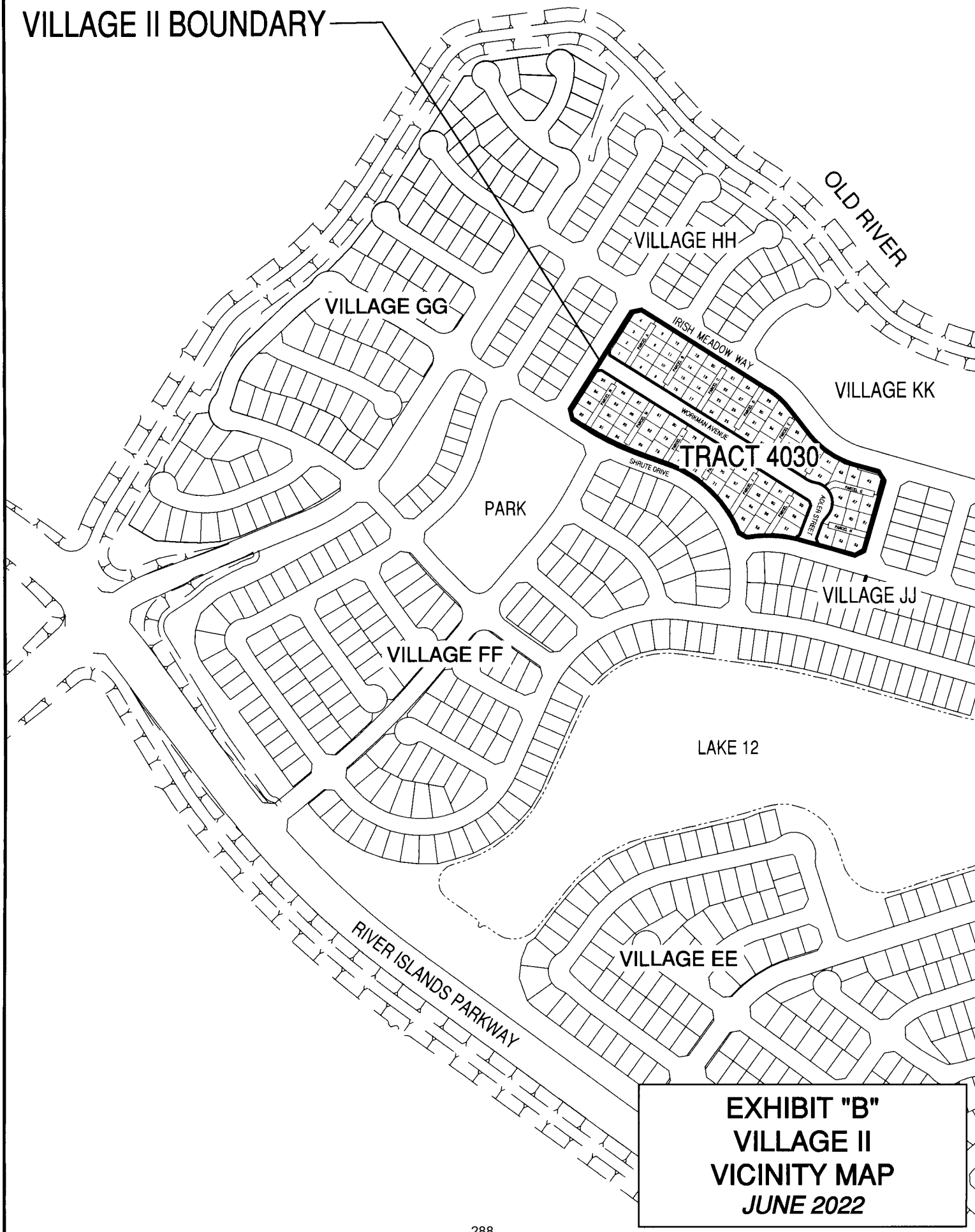


EXHIBIT "B"
VILLAGE II
VICINITY MAP
JUNE 2022

EXHIBIT "C"

CITY INSURANCE REQUIREMENTS

1. The Subdivider shall obtain commercial general liability insurance companies licensed to do business in the State of California with an A.M. Best Company rating Insurance rating of no less than A:VII which provides coverage for bodily injury, personal injury and property damage liability in the amount of at least \$1,000,000 for each occurrence and \$2,000,000 in the aggregate.

Said insurance coverage shall be evidenced by a certificate of insurance with policy endorsements, executed by an authorized official of the insurer(s). All parties to the Subdivision Improvement Agreement must be named insured on the policy. The policy endorsements to be attached to the certificate must provide all the following:

a. Name the City of Lathrop, its officers, City Council, boards and commissions, and members thereof, its employees and agents as additional insured as respects to any liability arising out of the activities of the named insured. A CG 2010 or CG 2026 endorsement form or the equivalent is the appropriate form.

b. State that "the insurance coverage afforded by this policy shall be primary insurance as respects to the City of Lathrop, its officers, employees and agents. Any insurance or self-insurance maintained by the City of Lathrop, its officers, employees, or agents shall be in excess of the insurance afforded to the named insured by this policy and shall not contribute to any loss.

c. Include a statement that, "the insurer will provide to the City at least thirty (30) days prior notice of cancellation or material change in coverage." The above language can be included on the additional insured endorsement form or on a separate endorsement form.

d. The policy must contain a cross liability or severability of interest clause.

e. Insurance must be maintained and evidence of insurance must be provided for at least five years after completion of the Agreement or the work, so long as commercially available at reasonable rates.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/24/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Alliant Insurance Services, Inc.
333 S Hope St Ste 3750
Los Angeles CA 90071

CONTACT NAME: Michelle Sanchez

PHONE
(A/C, No, Ext):

FAX
(A/C, No):

E-MAIL ADDRESS: Michelle.Sanchez@alliant.com

INSURER(S) AFFORDING COVERAGE

NAIC #

License#: 0C36861
RIVEISL-01

INSURER A : United Specialty Insurance Co.

12537

INSURER B :

INSURER C :

INSURER D :

INSURER E :

INSURER F :

INSURED
River Islands Stage 2B, LLC
73 W. Stewart Road
Lathrop, CA 95330

COVERAGES

CERTIFICATE NUMBER: 103023025

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER			ATN2117764P	3/19/2021	3/19/2024	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 0 MED EXP (Any one person) \$ 0 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y / N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N / A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E L. EACH ACCIDENT \$ E L. DISEASE - EA EMPLOYEE \$ E L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Re: FM 4130

City of Lathrop, its officers, City Council, boards and commissions and members thereof, its employees and agents are included as Additional Insureds as respects to General Liability. General Liability shall be Primary and Non-Contributory with any other insurance in force for or which may be purchased by City of Lathrop, its officers, employees and agents.

CERTIFICATE HOLDER

City of Lathrop
390 Towne Centre Drive
Lathrop CA 95330

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Vand h M...

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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS – SCHEDULED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)	Location(s) Of Covered Operations
City of Lathrop, its officers, City Council, boards and commissions and members thereof, its employees and agents 390 Towne Centre Drive Lathrop, CA 95330	As Required By Written Contract, Fully Executed Prior To The Named Insured's Work
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured(s) at the location(s) designated above.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

C. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or

2. Available under the applicable Limits of Insurance shown in the Declarations; whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

United Specialty Insurance Company

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

VEN 051 00 (02/20)

PRIMARY AND NON-CONTRIBUTING INSURANCE ENDORSEMENT

This endorsement modifies the Conditions provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

The following is added to **SECTION IV - COMMERCIAL GENERAL LIABILITY CONDITIONS** of the **COMMERCIAL GENERAL LIABILITY COVERAGE PART**, and supersedes any provision to the contrary:

Primary and Non-Contributory Insurance

Any coverage provided to an Additional Insured under this policy shall be excess over any other valid and collectible insurance available to such Additional Insured whether primary, excess, contingent or on any other basis unless:

- a. (1) The Additional Insured is a Named Insured under such other insurance;
and
 - (2) A fully written contract fully executed prior to the Named Insured's commencement of work for such Additional Insured for the specific project that is the subject of the claim, "suit," or "occurrence" expressly requires that this insurance:
 - (i) apply on a primary and non-contributory basis;
and
 - (ii) would not seek contribution from any other insurance available to the additional insured.
- or
- b. Prior to a loss, you request in writing and we agree in writing that this insurance shall apply on a primary and non-contributory basis.

Name Of Person(s) Or Organization(s)
As Required By Written Contract, Fully Executed Prior To The Named Insured's Work.

All other terms, conditions and exclusions under this policy are applicable to this Endorsement and remain unchanged.

UNITED SPECIALTY INSURANCE COMPANY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

VEN 064 00 (01/15)

THIRD PARTY CANCELLATION NOTICE ENDORSEMENT

This endorsement modifies the Conditions provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

If we cancel this policy for any reason other than nonpayment of premium, we will mail notification to the persons or organizations shown in the schedule below (according to the number of days listed below) once the Named Insured has been notified.

If we cancel this coverage for nonpayment of premium, we will mail a copy of such written notice of cancellation to the name and address below at least 10 days prior to the effective date of such cancellation.

Our failure to provide such advance notification will not extend the policy cancellation date nor negate cancellation of the policy.

SCHEDULE

Name and Address of Other Person/Organization

**City of Lathrop, its officers, City Council,
boards and commissions and members thereof,
its employees and agents
390 Towne Centre Drive
Lathrop, CA 95330**

Number of Days Notice

30

All other terms, conditions and exclusions under this policy are applicable to this Endorsement and remain unchanged.

Subdivision Improvement Agreement (River Islands Stage 2B, LLC)
Tract 4130 Village "II"

EXHIBIT "D"

**UNFINISHED IMPROVEMENT COST ESTIMATE
AND TRACT 4130 – FULL IMPROVEMENT COST**

ENGINEER'S BOND ESTIMATE

COST TO COMPLETE

RIVER ISLANDS - Stage 2B

VILLAGE II (95 LOTS)

CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

June 24, 2022

Job No.: 25504-93

Item	Description	Quantity	Unit	Unit Price	Amount
1	Rough Grade & Pad Finish (0% Completion)	1	LS	\$ 265,100.00	\$ 265,100.00
2	Sanitary Sewer Mainline (Public) (0% Completion)	1	LS	\$ 337,100.00	\$ 337,100.00
3	Storm Drain (0% Completion)	1	LS	\$ 419,200.00	\$ 419,200.00
4	Domestic Water (0% Completion)	1	LS	\$ 421,700.00	\$ 421,700.00
5	Joint Trench (0% Completion)	1	LS	\$ 807,500.00	\$ 807,500.00
6	Concrete (0% Completion)	1	LS	\$ 216,200.00	\$ 216,200.00
7	Finish grade, AB & AC Paving (0% Completion)	1	LS	\$ 400,100.00	\$ 400,100.00
8	Striping & Mounments (0% Completion)	1	LS	\$ 25,000.00	\$ 25,000.00
TOTAL COST					\$ 2,891,900.00

Notes:

- 1) Estimate for cost to complete based on contractor's note for Village II dated 6/22/2022

DRAFT ENGINEER'S OPINION OF PROBABLE COST
RIVER ISLANDS - Stage 2B
VILLAGE II (95 LOTS)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

June 24, 2022
Job No.: 25504-93

Item	Description	Quantity	Unit	Unit Price	Amount
1	Rough Grade & Pad Finish (0% Completion)	1	LS	\$ 265,100.00	\$ 265,100.00
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7	Finish grade, AB & AC Paving (0% Completion)	1	LS	\$ 400,100.00	\$ 400,100.00
8	Striping & Mounments (0% Completion)	1	LS	\$ 25,000.00	\$ 25,000.00
TOTAL COST					\$ 2,891,900.00

Notes:

- 1) Estimate has been updated based upon June 2022 contractor bid.

**JOINT ESCROW INSTRUCTIONS
RECORDATION OF FINAL MAPS
(RIVER ISLANDS AT LATHROP)**

ATTACHMENT " D "

October 9, 2023

Via Email and Hand Delivery

Old Republic Title Company
1215 W. Center Street, Suite 103
Manteca, CA 95337
Attn: Lori Richardson

Re: Recordation of Final Map 4130; Escrow No. 1214021902

Dear Lori:

This letter constitutes the joint escrow instructions ("**Escrow Instructions**") of River Islands Stage 2B, LLC, a Delaware limited liability company ("**RIS2B**") and the City of Lathrop ("**City**") in connection with the above-referenced escrow ("**Escrow**"). The Escrow was opened in connection with recordation of the above-referenced final map ("**Final Map**"). Recordation of the Final Map is subject to the conditions set forth below. The transactions described in these Escrow Instructions are referred to as the "**Transaction**." Old Republic Title Company is referred to as "you" or "**ORTC**."

A. Date for Closings

The Final Map will be recorded at the time designated by RIS2B as set forth below. The Final Map can only be recorded after the City has approved the map in writing. The closing date for the Transaction is intended to occur by December 31, 2023, at the time designated in writing by RIS2B, subject to satisfaction of the conditions set forth below (each a "**Closing**"). If the Final Map has not been recorded by December 31, 2024, ORTC will return the Final Map to the City.

B. Documents to be Delivered and Recordation Documents

In connection with the Transaction, you have in your possession or will receive the following documents from City and RIS2B for recordation in the Official Records of San Joaquin County, California ("**Official Records**").

B.1. One original Final Map for Tract 4130, executed and acknowledged by the City (provided to title by City).

B.2. A fully executed and acknowledged Amendment to Notice of Special Tax Lien for Island Reclamation District 2062 Community Facilities District No. 2013-1 (Levee and Lake Maintenance Services) (provided to title by RIS2B).

B.3. A fully executed and acknowledged Amendment to Notice of Special Tax Lien for River Islands Public Financing Authority Community Facilities District No. 2013-1 (River Islands Public Services) (provided to title by RIS2B).

B.4. A fully executed and acknowledged Amendment to Notice of Special Tax Lien for the River Islands Public Financing Authority Community Facilities District No. 2020-1 (Stage 2B Public Improvements) (provided to title by RIS2B).

B.5. A fully executed and acknowledged Amendment to Notice of Special Tax Lien for the River Islands Public Financing Authority Community Facilities District No. 2021-1 (Public Improvements) (provided to title by RIS2B).

JOINT ESCROW INSTRUCTIONS RECORDATION OF FINAL MAPS (RIVER ISLANDS AT LATHROP)

The documents listed in Items B.1, B.2, B.3, B.4 and B.5 above are referred to as the ***“Recordation Documents.”*** The Recordation Documents shall be recorded in the order referred to above. The date on which the Recordation Documents are recorded in the Official Records is the Recordation Date.

Prior to recording the Recordation Documents, please confirm that you have received copies or originals of the following documents: (i) Consent to, and Ballot in favor of, Annexation of Real Property to the River Islands Public Financing Authority Community Facilities District No. 2013-1 (River Islands Public Services); (ii) Consent to, and Ballot in favor of, Annexation of Real Property to Island Reclamation District No. 2062 Community Facilities District No. 2013-1 (Levee and Lake Maintenance); (iii) Consent to, and Ballot in favor of, Annexation of Real Property to the River Islands Public Financing Authority Community Facilities District No. 2020-1 (Stage 2B Public Improvements) and (iv) Consent to, and Ballot in favor of, Annexation of Real Property to the River Islands Public Financing Authority Community Facilities District No. 2021-1 (Public Improvements). The original Consents and Ballots for River Islands Public Financing Authority CFD Nos. 2013-1, 2020-1 and 2021-1 and Island Reclamation District No. 2013-1 must be delivered to Jeanne Zolezzi at Herum\Crabtree\Suntag, 5757 Pacific Ave., Suite 222, Stockton, CA 95207. Copies should be sent via email to Cari James (cjames@ci.lathrop.ca.us), Cindy Yan at Goodwin Consulting Group, cindy@goodwinconsultinggroup.net, Susan Dell’Osso (sdelloso@riverislands.com) and Debbie Belmar (dbelmar@riverislands.com) together with conformed copies of the amendments to notices of special tax that are recorded as part of the Recordation Documents.

C. Funds and Settlement Statement

You also have received, or will receive from RIS2B, prior to the recordation of the Recordation Documents, in immediately available funds, the following amounts, in accordance with the settlement statement prepared by you and approved in writing by both RIS2B and City (***“Settlement Statement”***): recordation costs, escrow fees and other amounts as set forth in the Settlement Statement. Such costs, fees and other amounts are the sole responsibility of RIS2B.

- Funds to be wire transferred directly to the entity set forth below, immediately upon recordation of the Final Map, in accordance with the wire transfer instructions for each entity are as follows: The amount of **\$37,644.27**, payable to the City pursuant to that certain Agreement to Settle Litigation Regarding River Islands at Lathrop (as amended ***“Sierra Club Agreement”***), constituting the amount of **\$3,687.00** multiplied by 10.21 acres (or portion thereof) included in the Final Map, is to be transferred to the City upon recordation of the Final Map. The City’s wire instructions are set forth below.

The amounts set forth in Section C are referred to as the ***“Closing Funds.”***

D. Closing Requirements

When the following has occurred, you are authorized to close the Escrow at the time(s) and in accordance with the process set forth below:

D.1. You have delivered copies of your Settlement Statement by email transmission to: (a) Susan Dell’Osso (sdelloso@riverislands.com); (b) Debbie Belmar (dbelmar@riverislands.com); (c) Brad Taylor (btaylor@ci.lathrop.ca.us); (d) Salvador

JOINT ESCROW INSTRUCTIONS RECORDATION OF FINAL MAPS (RIVER ISLANDS AT LATHROP)

Navarrete (snavarrete@ci.lathrop.ca.us; (e) Sandra Lewis (slewis@ci.lathrop.ca.us), and have confirmation (by telephone or email) from Susan Dell'Osso and Brad Taylor that the Settlement Statement is accurate and acceptable;

D.2. You have not received any instructions contrary to these Escrow Instructions;

D.3. The Recordation Documents and all other documents described herein as being held by you or delivered to you have been received by you and have been fully executed and, where applicable, acknowledged, and you have attached all legal descriptions or have confirmed that all exhibits and legal descriptions are attached;

D.4 You are prepared to record the Recordation Documents, as designated, release funds in accordance with the Settlement Statement and complete the Transaction in compliance with these Escrow Instructions;

D.5. You have delivered a copy of these instructions, executed by an authorized signatory of ORTC with authority to bind ORTC, and initialed all pages, by email transmission (with original hard copy to follow by U.S. Mail) to Debbie Belmar and Brad Taylor at the email addresses set forth above; and

D.6. You have received confirmation (by email or other writing) from Susan Dell'Osso and Stephen Salvatore or Brad Taylor to record the Recordation Documents and complete the Transaction.

E. Closing Process and Priorities

When you have fully satisfied all of the closing requirements set forth in Section D, then you are authorized and instructed to do the following in the chronological order given:

E.1. Date the Recordation Documents to be recorded;

E.2. Record the Recordation Documents in the Official Records;

E.3. Pay the costs associated with the Transaction;

E.4. Refund any funds delivered to you by RIS2B that are not disbursed at the time of the final Closing pursuant to these Escrow Instructions to the following entity and address:

River Islands Stage 2B, LLC
73 W. Stewart Road
Lathrop, CA 95330
Attn: Susan Dell'Osso

E.5. Notify Susan Dell'Osso (sdelloso@riverslands.com), Debbie Belmar (dbelmar@riverislands.com), Brad Taylor (btaylor@ci.lathrop.ca.us), Sandra Lewis (slewis@ci.lathrop.ca.us), Teresa Vargas (tvargas@ci.lathrop.ca.us), Sarah Pimentel (spimentel@ci.lathrop.ca.us), and Jose Molina (JMolina@sigov.org) of the completion of the Transaction;

E.6. Within five (5) business days after each Recordation Date, deliver by overnight delivery via recognized, national, overnight delivery carrier to: (1) Susan Dell'Osso, River Islands Stage 2B, LLC, 73 W. Stewart Road, Lathrop, CA 95330; and

**JOINT ESCROW INSTRUCTIONS
RECORDATION OF FINAL MAPS
(RIVER ISLANDS AT LATHROP)**

(2) Mr. Brad Taylor, City Engineer, City Attorney, City of Lathrop, 390 Towne Centre Drive, Lathrop, CA 95330:

- (A) a certified copy of the Recordation Documents, showing all recording information of the Recordation Documents; and
- (B) a certified copy of the final Settlement Statement.

F. Additional Instructions

When assembling the final documents, signature pages from all parties shall be inserted into each respective final document in creating fully executed counterparts.

Please acknowledge receipt of these instructions and your agreement to act as Escrow agent in connection with this Transaction in accordance with these Escrow Instructions, by executing and dating a copy of these Escrow Instructions where indicated below, initialing all pages and returning it to both of the undersigned.

The Escrow Instructions may be modified only in a writing signed by both of the undersigned.

Very truly yours,

Stephen J. Salvatore Date
City Manager
City of Lathrop

Susan Dell'Osso Date
President
River Islands Stage 2B, LLC

**JOINT ESCROW INSTRUCTIONS
RECORDATION OF FINAL MAPS
(RIVER ISLANDS AT LATHROP)**

ESCROW INSTRUCTIONS

ACKNOWLEDGEMENT AND AGREEMENT:

Receipt of the foregoing Escrow Instructions from RIS2B and the City is hereby acknowledged. The undersigned agrees, for itself, and on behalf of ORTC, to proceed in strict accordance with these Escrow Instructions. The undersigned represents and warrants to RIS2B and the City that the undersigned is authorized to execute this Acknowledgement and Agreement, for itself, and on behalf of ORTC.

Old Republic Title Company

By: _____

Its: _____

Date: _____

OWNERS STATEMENT

THE UNDERSIGNED, DOES HEREBY STATE THAT THEY ARE THE OWNERS OR HAVE SOME RECORD TITLE INTEREST IN THE LAND DESCRIBED AND EMBRACED WITHIN THE EXTERIOR BOUNDARY LINE OF THE HEREIN EMBODIED FINAL MAP ENTITLED, "TRACT 4130, RIVER ISLANDS-STAGE 2B, VILLAGE II", CITY OF LATHROP, CALIFORNIA, CONSISTING OF TWELVE (12) SHEETS, AND WE HEREBY CONSENT TO THE PREPARATION AND FILING OF THIS FINAL MAP IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, CALIFORNIA.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES

- TO THE CITY OF LATHROP FOR PUBLIC RIGHT-OF-WAY PURPOSES, THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP AS WORKMAN AVENUE AND ADLER STREET AS SHOWN ON THIS FINAL MAP
- TO THE CITY OF LATHROP FOR ACCESS AND PUBLIC UTILITY PURPOSES, THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP AS PARCELS A THROUGH N AS SHOWN ON THIS FINAL MAP
- A NON-EXCLUSIVE EASEMENT TO THE CITY OF LATHROP, TOGETHER WITH THE RIGHT TO CONSTRUCT, RECONSTRUCT, REPAIR AND MAINTAIN, POLES, WIRES, CABLES, PIPES, AND CONDUITS AND THEIR APPURTENANCES UPON, OVER, AND UNDER THE STRIPS OF LAND AS SHOWN ON THIS FINAL MAP DESIGNATED AS "P.U.E." (PUBLIC UTILITY EASEMENT).
- A NON-EXCLUSIVE EASEMENT TO THE CITY OF LATHROP FOR ACCESS PURPOSES, FOR THE BENEFIT OF THE PUBLIC, AS SHOWN ON THIS FINAL MAP DESIGNATED AS "A.E." (ACCESS EASEMENT).

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE FOR PUBLIC PURPOSES

- PARCELS O THROUGH T TO THE CITY OF LATHROP FOR PURPOSES OF OPEN SPACE, LANDSCAPING, PUBLIC UTILITIES, FENCE MAINTENANCE, AND APPURTENANCES THEREOF, FOR THE BENEFIT OF THE PUBLIC, AS SHOWN ON THIS FINAL MAP.

TO ENSURE MUNICIPAL WATER SERVICES TO ALL LOTS SHOWN UPON THIS MAP, ALL GROUND WATER RIGHTS THAT THE UNDERSIGNED MAY HAVE WITHIN THE DISTINCTIVE BORDER UPON THIS MAP, HEREBY ARE DEDICATED TO THE CITY OF LATHROP

PARCELS A THROUGH N AS ACCESS LOTS WILL BE TRANSFERRED TO THE HOMEOWNERS ASSOCIATION BY SEPARATE DOCUMENT SUBSEQUENT TO THE RECORDING OF THIS FINAL MAP

OWNER: RIVER ISLANDS STAGE 2B, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY NAME _____ DATE _____
ITS SUSAN DELL'ROSSO
PRESIDENT

TRUSTEE'S STATEMENT

OLD REPUBLIC TITLE COMPANY, AS TRUSTEE, UNDER THE DEED OF TRUST RECORDED DECEMBER 22, 2016, AS DOCUMENT NUMBER 2016-160886, AND AS AMENDED IN DOCUMENT RECORDED DECEMBER 26, 2017 AS DOCUMENT NUMBER 2017-110771, FURTHER AMENDED IN DOCUMENT RECORDED APRIL 15, 2020 AS DOCUMENT NUMBER 2020-046005 AND FURTHER AMENDED IN DOCUMENT RECORDED NOVEMBER 23, 2022 AS DOCUMENT NUMBER 2022-132640, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

DATED THIS _____ DAY OF _____, 2023
BY NAME _____
ITS _____

ACKNOWLEDGEMENT CERTIFICATE (OWNER)

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT

STATE OF CALIFORNIA
COUNTY OF SAN JOAQUIN

ON _____, 2023 BEFORE ME, _____ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN HIS/HER/HEP/HERS/IT/ITS/THEY/THEIRS CAPACITIES, AND THAT HE/SHE/IT/HEY/THEY SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT

WITNESS MY HAND:

SIGNATURE _____
NAME (PRINT) _____
PRINCIPAL COUNTY OF BUSINESS _____
MY COMMISSION NUMBER _____
MY COMMISSION EXPIRES _____

TRACT 4130 RIVER ISLANDS - STAGE 2B VILLAGE II

A PORTION OF RANCHO EL PESADERO, BEING
A SUBDIVISION OF PARCEL 14, OF TRACT 4037 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



CITY CLERK'S STATEMENT

I, TERESA VARGAS, CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE CITY OF LATHROP, STATE OF CALIFORNIA, DO HEREBY STATE THAT THE HEREIN EMBODIED MAP ENTITLED, "TRACT 4130, RIVER ISLANDS-STAGE 2B, VILLAGE II", CITY OF LATHROP, CALIFORNIA, CONSISTING OF TWELVE (12) SHEETS, WAS PRESENTED TO SAID CITY COUNCIL, AS PROVIDED BY THE CHARTER OF THE CITY OF LATHROP, CALIFORNIA, AND THAT SAID CITY COUNCIL DID THEREUPON BY RESOLUTION NO. _____, DULY PASSED AND ADOPTED AT SAID MEETING, APPROVE SAID MAP, AND AUTHORIZED ITS RECORDATION, AND ACCEPTED ON BEHALF OF THE CITY OF LATHROP, FOR PUBLIC USE, THE DEDICATION OF ALL PUBLIC UTILITY EASEMENTS, ALL ACCESS EASEMENTS, PARCELS A THROUGH N FOR ACCESS AND PUBLIC UTILITY EASEMENTS, THE DEDICATION OF THE GROUND WATER RIGHTS, THE DEDICATION OF PARCELS O THROUGH T FOR OPEN SPACE, LANDSCAPING, PUBLIC UTILITIES, FENCE MAINTENANCE, AND APPURTENANCES THEREOF, FOR THE BENEFIT OF THE PUBLIC, AND THE DEDICATION OF ALL GROUND WATER RIGHTS THAT THE UNDERSIGNED MAY HAVE WITHIN THE DISTINCTIVE BORDER UPON THIS MAP, HEREBY ARE DEDICATED TO THE CITY OF LATHROP. FURTHERMORE, PURSUANT TO SECTION 66414(G) OF THE CALIFORNIA SUBDIVISION MAP ACT, THE CITY OF LATHROP DOES HEREBY ABANDON THE NON-EXCLUSIVE PUBLIC UTILITY EASEMENT, RECORDED MAY 21, 2021, AS DOCUMENT NUMBER 2021-088983, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, WITHIN TRACT 4130.

I FURTHER STATE THAT ALL BONDS AS REQUIRED BY LAW TO ACCOMPANY THE WITHIN MAP, IF APPLICABLE, HAVE BEEN APPROVED BY THE CITY COUNCIL OF LATHROP AND FILED IN MY OFFICE.

TERESA VARGAS
CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE CITY OF LATHROP, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA

ACKNOWLEDGEMENT CERTIFICATE (TRUSTEE)

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT

STATE OF CALIFORNIA
COUNTY OF SAN JOAQUIN

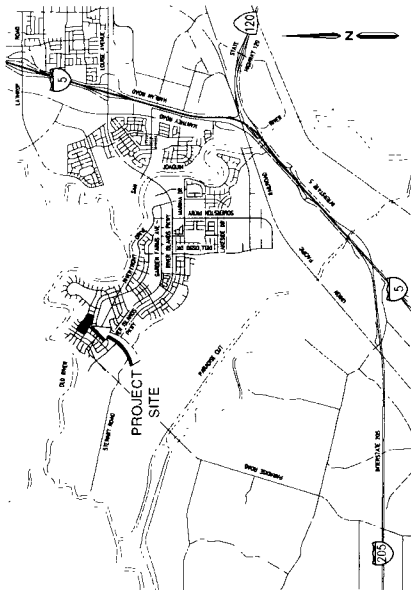
ON _____, 2023 BEFORE ME, _____ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN HIS/HER/HEP/HERS/IT/ITS/THEY/THEIRS CAPACITIES, AND THAT HE/SHE/IT/HEY/THEY SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT

WITNESS MY HAND

SIGNATURE _____
NAME (PRINT) _____
PRINCIPAL COUNTY OF BUSINESS _____
MY COMMISSION NUMBER _____
MY COMMISSION EXPIRES _____

EXEMPT FROM FEE PER GOVERNMENT CODE 27138.1, DOCUMENT
RECORDED IN CONNECTION WITH A CONJUNCT TRANSFER SUBJECT TO
THE IMPOSITION OF DOCUMENTARY TRANSFER TAX



VICINITY MAP
NOT TO SCALE

SECRETARY OF THE PLANNING COMMISSION'S STATEMENT

THIS MAP CONFORMS TO VESTING TENTATIVE MAP NO. 6716 RECOMMENDED BY THE PLANNING COMMISSION AND APPROVED BY THE CITY COUNCIL PER RESOLUTION NO. 21-4808.

DATED THIS _____ DAY OF _____, 2023

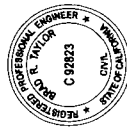
RICARDO CAGUAT, COMMUNITY DEVELOPMENT DIRECTOR
CITY OF LATHROP

CITY ENGINEER'S STATEMENT

I, BRAD R. TAYLOR, HEREBY STATE THAT I AM THE CITY ENGINEER OF THE CITY OF LATHROP, CALIFORNIA AND THAT I HAVE EXAMINED THIS FINAL MAP OF "TRACT 4130, RIVER ISLANDS-STAGE 2B, VILLAGE II", CITY OF LATHROP, CALIFORNIA, AND THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED IN THE VESTING TENTATIVE MAP NO. 6716 RECOMMENDED BY THE PLANNING COMMISSION AND APPROVED BY THE CITY COUNCIL PER RESOLUTION NO. 21-4808. I HEREBY CERTIFY THAT THIS MAP CONFORMS TO THE REQUIREMENTS OF CHAPTER 21 OF THE CALIFORNIA STATE SUBDIVISION MAP ACT AND APPLICABLE ORDINANCES OF THE CITY OF LATHROP, AND ANY AMENDMENTS THERE TO, APPLICABLE AT THE TIME OF APPROVAL OF AMENDED VESTING TENTATIVE MAP

DATED THIS _____ DAY OF _____, 2023

BRAD R. TAYLOR, R.G.E. 92823
CITY ENGINEER OF THE CITY OF LATHROP, CALIFORNIA



RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 2023, AT _____ M
IN BOOK _____ OF MAPS AND PLATS, AT PAGE _____
FEE \$ _____

BY _____
STEVE BESTOLARIDES, ASSESSOR-RECORDER-COUNTY CLERK
SAN JOAQUIN COUNTY, CALIFORNIA

CITY SURVEYOR'S STATEMENT

I, DARRYL A. ALEXANDER, HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP OF "TRACT 4130, RIVER ISLANDS-STAGE 2B, VILLAGE II", CITY OF LATHROP, CALIFORNIA, AND I AM SATISFIED THAT THIS FINAL MAP IS TECHNICALLY CORRECT

DATED THIS _____ DAY OF _____, 2023.

DARRYL A. ALEXANDER P.L.S. 5071
ACTING CITY SURVEYOR



SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF RIVER ISLANDS DEVELOPMENT, LLC, ON SEPTEMBER 11, 2018. I HEREBY STATE ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE DECEMBER 31, 2023, AND THAT THE MONUMENTS ARE, OR THAT THEY WILL BE, SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED AMENDED TENTATIVE MAP.

DATED THIS _____ DAY OF _____, 2023.

DELAN GRAWFORD, P.L.S. NO. 7788



RECITALS

- RIGHT TO FARM STATEMENT
PER CITY OF LATHROP MUNICIPAL CODE OF ORDINANCES, TITLE 15, CHAPTER 15.48.04, THE CITY OF LATHROP PERMITS OPERATION OF PROPERLY CONDUCTED AGRICULTURAL OPERATIONS WITHIN THE CITY LIMITS, INCLUDING THOSE THAT UTILIZE CHEMICAL FERTILIZERS AND PESTICIDES YOU ARE HEREBY NOTICED THAT THE PROPERTY YOU ARE ACQUIRING IS SUBJECT TO SUCH AGRICULTURAL OPERATIONS. YOU MAY BE SUBJECT TO SUCH AGRICULTURAL OPERATIONS, INCLUDING THOSE THAT UTILIZE CHEMICAL FERTILIZERS AND PESTICIDES, AND FROM OTHER AGRICULTURAL ACTIVITIES, INCLUDING WITHOUT LIMITATIONS, CULTIVATION, FLOWING, SPRAYING, IRRIGATION, PRUNING, HARVESTING, BURNING OF AGRICULTURAL WASTE PRODUCTS, PROTECTION OF CROPS AND ANIMALS FROM DEPREDAATION, AND OTHER ACTIVITIES WHICH MAY GENERATE DUST, SMOKE, NOISE, ODOR, RODENTS AND PESTS. BE AWARE ALSO, THAT THIS PROPERTY MAY BE LOCATED ADJACENT TO AGRICULTURAL OPERATIONS OUTSIDE THE CITY'S JURISDICTION. CONSEQUENTLY, DEPENDING ON THE LOCATION OF YOUR PROPERTY, IT MAY BE NECESSARY THAT YOU BE PREPARED TO ACCEPT SUCH INCONVENIENCES OR DISCOMFORT AS NORMAL AND NECESSARY ASPECT OF LIVING IN AN AGRICULTURALLY ACTIVE REGION.
- NECESSARY ASPECT OF LIVING IN AN AGRICULTURALLY ACTIVE REGION - PHASE 1, LATHROP, CALIFORNIA
THE CITY OF LATHROP HAS AGRICULTURE AS A FUNDAMENTAL PART OF ITS COMMUNITY. THE CITY HAS BEEN REFERRED AS PROJECT NO. 50443 (07/01/2018) AND DATED JULY 28, 2005. HAS BEEN PREPARED FOR THIS PROJECT BY ENCO, INCORPORATED, JOSEF J. TUDTLE, G.E. NO. 2677, AND IS ON FILE WITH THE CITY OF LATHROP AND 20 LETTERED PARCELS CONTAINING 1.23 ACRES, MORE OR LESS, AND ROADWAYS THAT ARE BEING DEDICATED BY THIS FINAL MAP WHICH INCLUDE 1.55 ACRES, MORE OR LESS AS SHOWN ON THIS FINAL MAP (PLEASE REFER TO THE AREA TABLE BELOW).
- TRACT 4130, RIVER ISLANDS-STAGE 2B, VILLAGE II, CONTAINS 95 RESIDENTIAL LOTS WITH A TOTAL OF 7.43 ACRES, AND 20 LETTERED PARCELS CONTAINING 1.23 ACRES, MORE OR LESS, AND ROADWAYS THAT ARE BEING DEDICATED BY THIS FINAL MAP WHICH INCLUDE 1.55 ACRES, MORE OR LESS AS SHOWN ON THIS FINAL MAP (PLEASE REFER TO THE AREA TABLE BELOW).

TRACT 4130 AREA SUMMARY		
LOTS 1 THROUGH 95	7.43	Ac±
STREET DEDICATIONS	1.55	Ac±
PARCELS A - I	1.23	Ac±
TOTAL	10.21	Ac±

- BASED ON INFORMATION CONTAINED IN THE PRELIMINARY TITLE REPORT, ORDER NUMBER 1274021902-LR (VERSION 6), DATED JANUARY 4, 2023, PROVIDED BY OLD REPUBLIC TITLE COMPANY.

TRACT 4130
RIVER ISLANDS - STAGE 2B
VILLAGE II

A PORTION OF RANCHO EL PESQUERO, BEING
A SUBDIVISION OF PARCEL 14 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



REFERENCES

- TRACT 4032, RIVER ISLANDS-STAGE 2B, LARGE LOT FINAL MAP, FILED OCTOBER 8, 2021, IN BOOK 43 OF MAPS AND PLATS, PAGE 142, S.J.C.R. (43 MAP 142)
- TRACT 4069, RIVER ISLANDS-STAGE 2A, VILLAGE HH, FILED OCTOBER 29, 2021, IN BOOK 43 OF MAPS AND PLATS, PAGE 198, S.J.C.R. (43 MAP 198)
- TRACT 4087, RIVER ISLANDS-STAGE 2A, VILLAGE FF, FILED MARCH 19, 2021, IN BOOK 43 OF MAPS AND PLATS, PAGE 163, S.J.C.R. (43 MAP 163)
- TRACT 4052, RIVER ISLANDS-STAGE 2A, VILLAGE JJ, FILED JANUARY 29, 2021, IN BOOK 43 OF MAPS AND PLATS, PAGE 157, S.J.C.R. (43 MAP 157)

SIGNATURE OMISSIONS

PURSUANT TO SECTION 66436 OF THE CALIFORNIA SUBDIVISION MAP ACT, THE SIGNATURES OF THE FOLLOWING PARTIES HAVE BEEN OMITTED

- RECLAIMED ISLANDS LAND COMPANY, RESERVATION FOR OIL, GAS, MINERALS, AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET, PER DOCUMENT NUMBER 2001-01046177, S.J.C.R.
- PUBLIC UTILITY EASEMENT IN FAVOR OF THE CITY OF LATHROP PER DOCUMENT RECORDED MAY 21, 2021, AS DOCUMENT NUMBER 2021-088983, S.J.C.R.

EASEMENT ABANDONMENT NOTE

THE NON-EXCLUSIVE PUBLIC UTILITY EASEMENT FOR PUBLIC PURPOSES RECORDED MAY 21, 2021, AS DOCUMENT NUMBER 2021-088983, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, WITHIN TRACT 4130 IS BEING ABANDONED BY THIS FINAL MAP. PLEASE REFER TO THE CITY CLERK'S STATEMENT ON SHEET 1.

LINE AND CURVE TABLES FOR COURSES SHOWN ON SHEET 3 ONLY

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH		
C1	300.00	35°50'24"	187.66'		
C2	300.00	19°12'02"	100.53'		
C3	400.00	22°11'23"	154.91'		
C4	1000.00	73°7'22"	133.04'		
C5	265.00	19°12'02"	88.80'		
C6	1000.00	42°42'26"	76.92'		

LINE TABLE			
LINE	DIRECTION	LENGTH	
L1	N75°08'54"E	9.03'	
L2	N38°12'04"W	117.73'	
L3	N74°02'29"W	82.02'	
L4	N29°02'29"W	35.36'	
L5	N65°57'31"E	35.36'	
L6	N60°29'28"W	31.43'	
L7	N69°25'54"W	116.18'	
L8	N57°44'06"W	59.71'	
L9	N122°40'56"W	35.36'	
L10	N77°35'54"E	35.36'	

BOUNDARY	LOT LINE OR RIGHT-OF-WAY LINE	EASEMENT LINE	CENTERLINE	BOUNDARY	ACCESS EASEMENT	DOCUMENT NUMBER	PUBLIC UTILITY EASEMENT	LINE, CURVE LINE, CURVE
(B)								
A/E								
DN								
P.U.E.								
L1/CI								

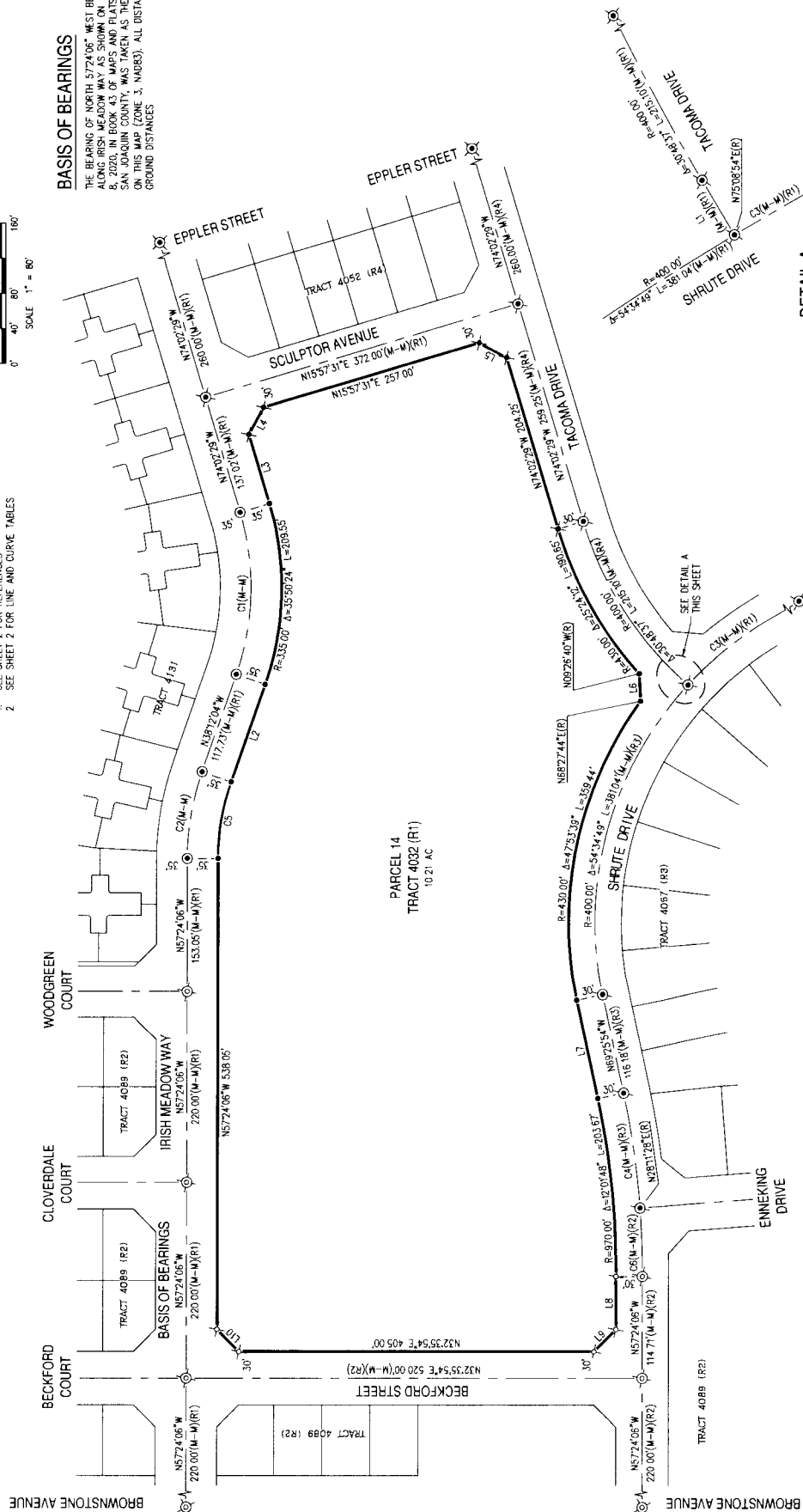
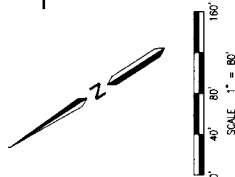
• 3/4" IRON PIPE WITH PLASTIC PLUG *PLS 7788" PER (R1)
 • MONUMENT SET PER (R1)
 • 3/4" IRON PIPE WITH PLASTIC PLUG *PLS 7788" PER (R2)
 • FOUND MONUMENT PER (R2)
 • FOUND MONUMENT PER (R3)
 • FOUND MONUMENT PER (R4)
 • 3/4" IRON PIPE WITH PLASTIC PLUG *PLS 7788" PER (R4)

A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 14 OF TRACT 4032 (43 MAP 142),
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



1. SEE SHEET 2 FOR REFERENCES
2. SEE SHEET 2 FOR LINE AND CURVE TABLES

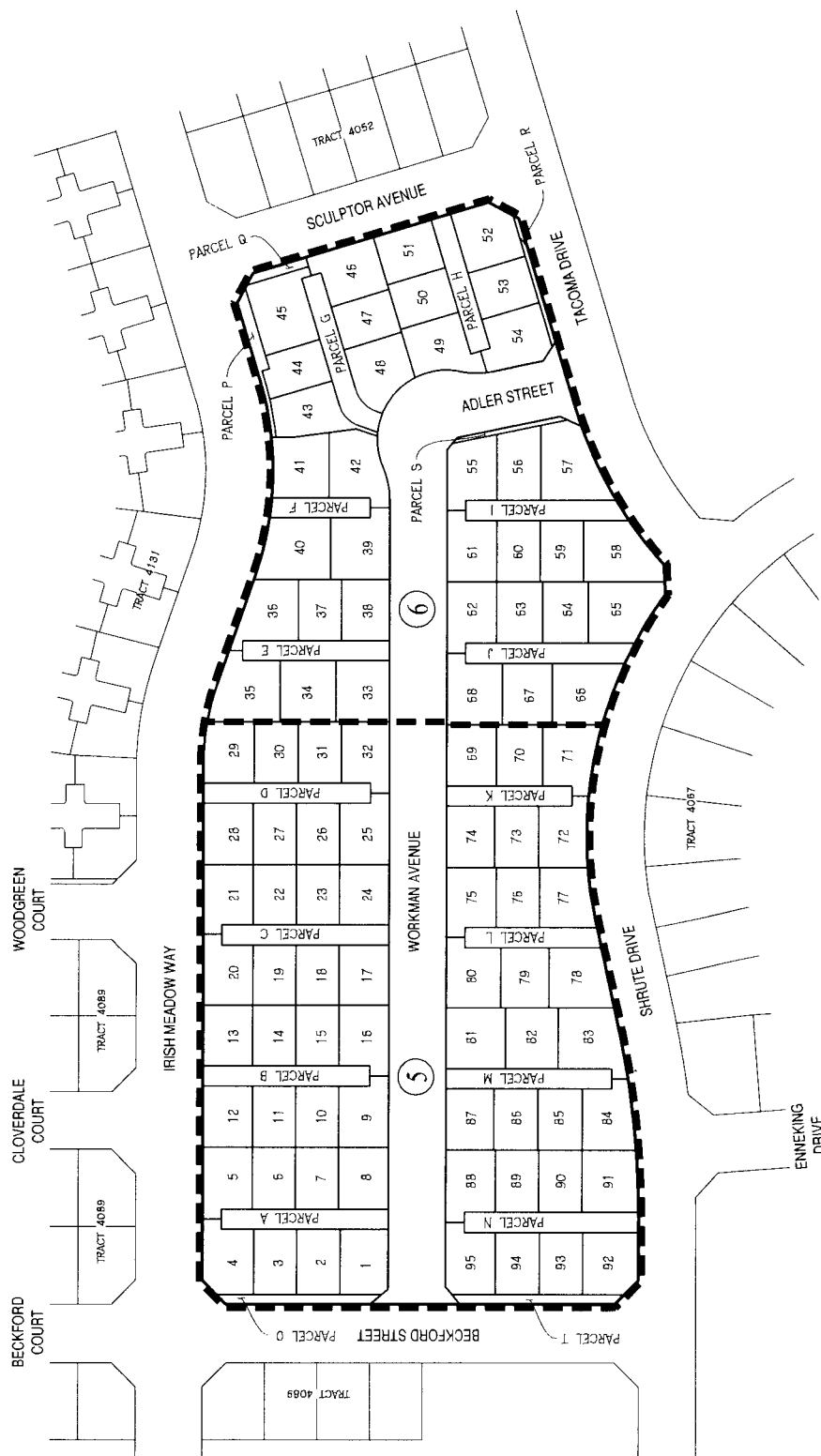
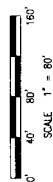
THE BEARING OF NORTH 57°24.06' WEST BETWEEN FOUND MONUMENTS ALONG IRISH WINDING WAY AS SHOWN ON TRACT 4032, FILED OCTOBER 8, 2010, IN BOOK 43 OF MAPS AND PLATS AT PAGE 142, RECORDS OF SAN JOAQUIN COUNTY, WAS TAKEN AS THE BASIS OF BEARINGS SHOWN ON THIS MAP (ZONE 3, NAD83). ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES.



DETAIL A
NOT TO SCALE

TRACT 4130 RIVER ISLANDS - STAGE 2B VILLAGE II

A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 14 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023

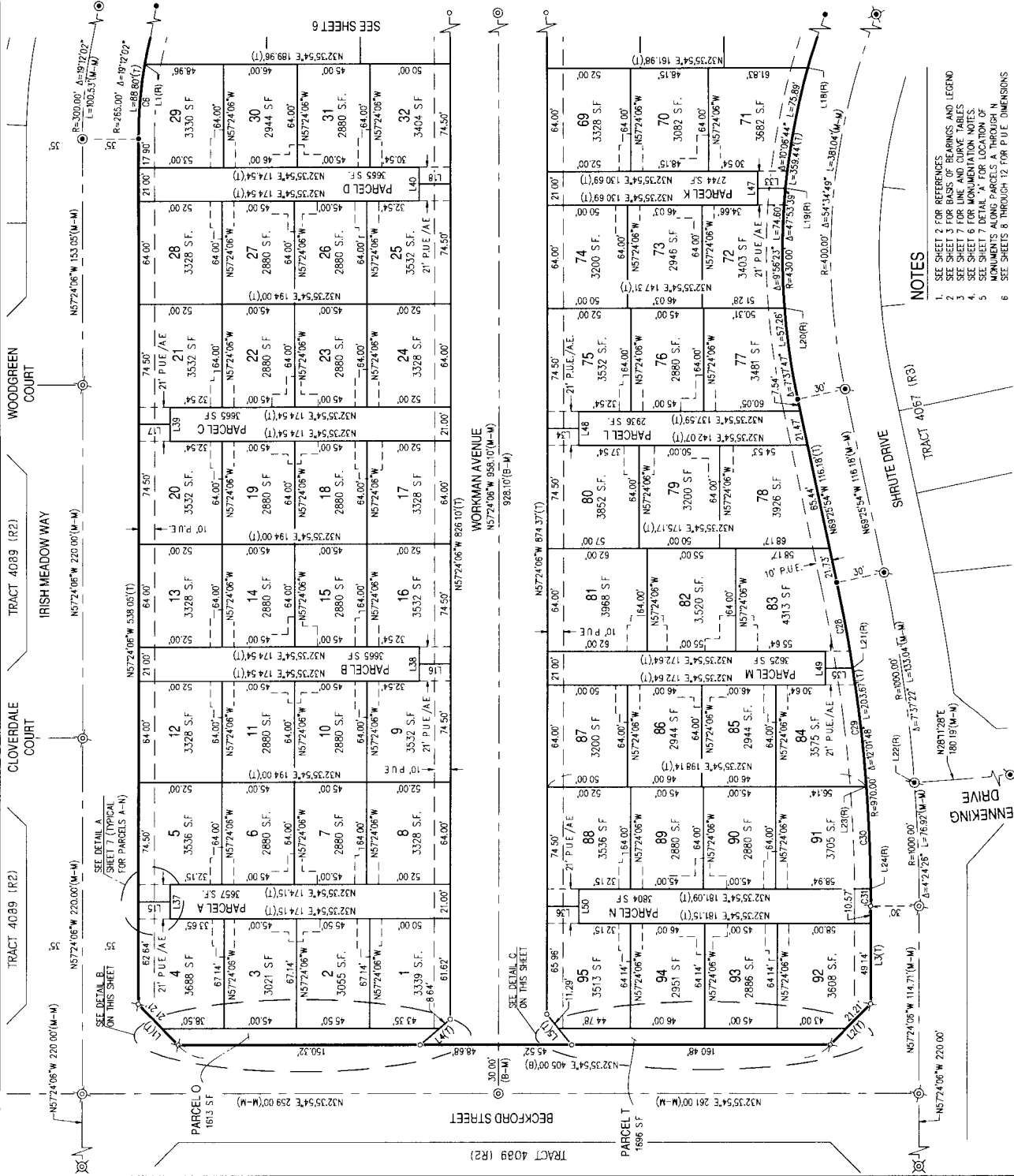
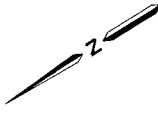


LEGEND

- BOUNDARY
- LOT LINE
- EXISTING ROADWAY EASEMENT
- SHEET NUMBER
- SHEET LIMIT LINE
- RESTRICTED ACCESS

TRACT 4130 RIVER ISLANDS - STAGE 2B VILLAGE II

A PORTION OF RANCHO EL PESQUERO, BEING
A SUBDIVISION OF PARCEL 14 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023

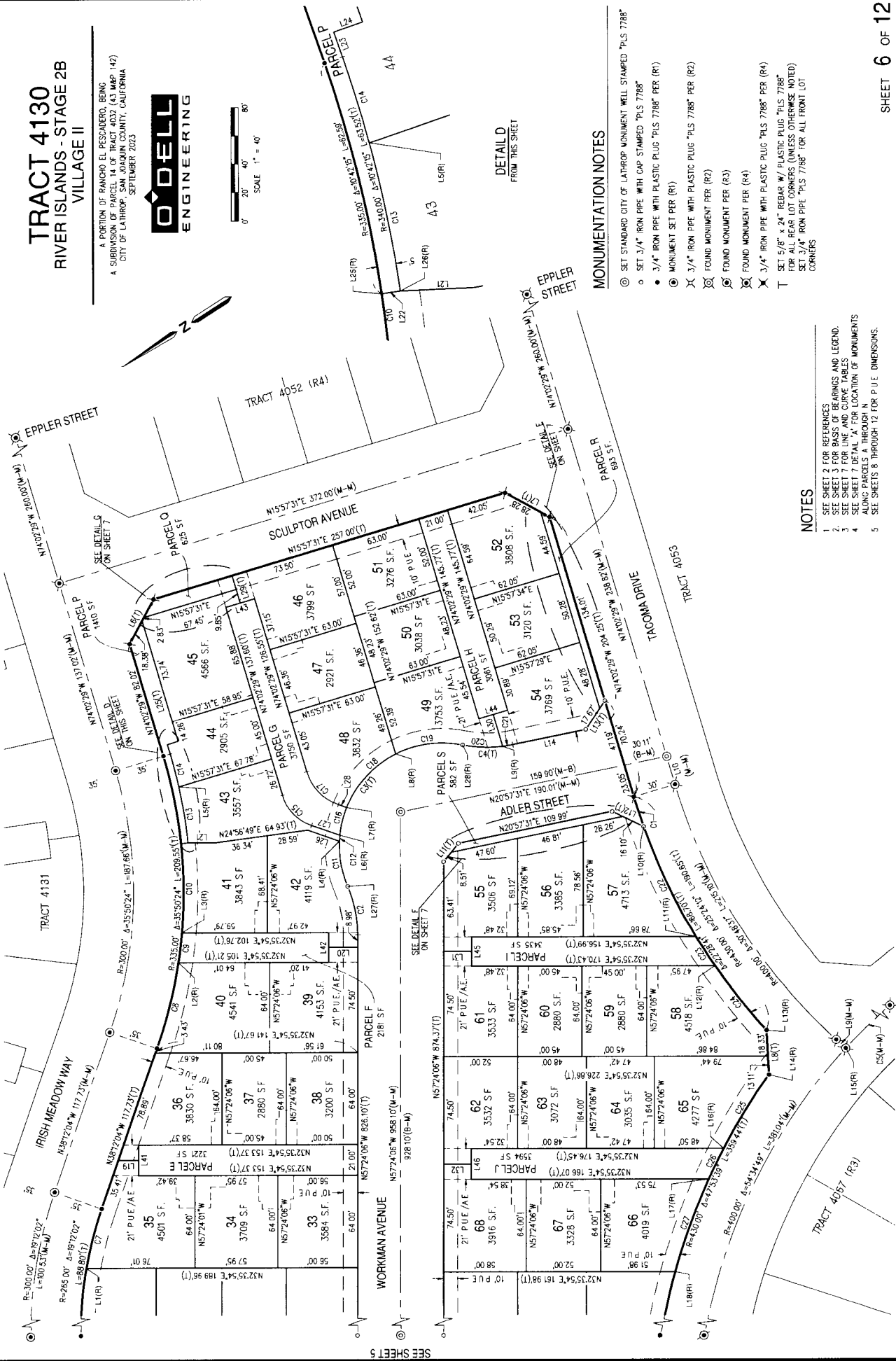
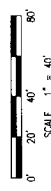


NOTES

1. SEE SHEET 2 FOR REFERENCES
2. SEE SHEET 3 FOR BASIS OF BEARINGS AND LEGEND
3. SEE SHEET 4 FOR MONUMENTS AND DIMENSIONS
4. SEE SHEET 5 FOR MONUMENT NOTES
5. SEE SHEET 6 FOR MONUMENT LOCATIONS
6. SEE SHEETS 7 THROUGH 12 FOR P.U.E. DIMENSIONS

TRACT 4130 RIVER ISLANDS - STAGE 2B VILLAGE II

A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 14 OF TRACT 4032 (4.3 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



DETAIL D
FROM THIS SHEET

EPPLER STREET

MONUMENTATION NOTES

- ◎ SET STANDARD CITY OF LATHROP MONUMENT WELL STAMPED "PLS 7788"
- SET 3/4" IRON PIPE WITH CAP STAMPED "PLS 7788"
- SET 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" PER (R1)
- ⊙ MONUMENT SET PER (R1)
- ⊗ 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" PER (R2)
- ⊘ FOUND MONUMENT PER (R2)
- ⊙ FOUND MONUMENT PER (R3)
- ⊗ FOUND MONUMENT PER (R4)
- ⊘ 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" PER (R4)
- ⊙ SET 5/8" x 24" REBAR W/ PLASTIC PLUG "PLS 7788"
- ⊗ OR ALL REAR LOT CORNERS UNLESS OTHERWISE NOTED
- ⊘ SET 3/4" IRON PIPE "PLS 7788" FOR ALL FRONT LOT CORNERS

NOTES

1. SEE SHEET 2 FOR REFERENCES
2. SEE SHEET 7 FOR EASING AND LEGEND
3. SEE SHEET 7 FOR LINE AND CURVE TABLES
4. SEE SHEET 7 DETAIL 'A' FOR LOCATION OF MONUMENTS ALONG PARCELS A THROUGH N
5. SEE SHEETS 8 THROUGH 12 FOR P.U.E. DIMENSIONS.

SEE SHEET 5

LINE AND CURVE TABLES FOR COURSES SHOWN ON SHEETS 5 AND 6 ONLY

LINE TABLE			LINE TABLE		
LINE	DIRECTION	LENGTH	LINE	DIRECTION	LENGTH
L1	N77°35'54"E	35.36'	L31	N32°35'54"E	19.52'
L2	N12°24'06"W	35.36'	L32	N32°35'54"E	19.46'
L3	N57°24'06"W	59.71'	L33	N32°35'54"E	17.36'
L4	N70°7'4"W	24.29'	L34	N32°35'54"E	19.46'
L5	N82°52'46"E	24.29'	L35	N32°35'54"E	16.86'
L6	N29°02'29"W	35.36'	L36	N32°35'54"E	19.85'
L7	N60°57'31"E	35.36'	L37	S57°24'06"E	21.00'
L8	N60°29'28"W	31.43'	L38	N57°24'06"W	21.00'
L9	N75°08'54"E	9.03'	L39	N57°24'06"W	21.00'
L10	N74°02'29"W	20.42'	L40	N57°24'06"E	21.00'
L11	N18°13'17"W	16.43'	L41	S57°24'06"E	21.00'
L12	N88°09'47"E	24.34'	L42	S57°24'06"E	21.00'
L13	N23°45'37"W	24.17'	L43	S15°57'31"W	21.00'
L14	N20°57'31"E	52.13'	L44	N55°7'31"E	21.00'
L15	N32°35'54"E	19.85'	L45	N57°24'06"W	21.00'
L16	N32°35'54"E	19.46'	L46	S57°24'06"E	21.00'
L17	N32°35'54"E	19.46'	L47	N57°24'06"W	21.00'
L18	N32°35'54"E	18.46'	L48	S57°24'06"E	21.00'
L19	N32°35'54"E	14.25'	L49	S57°24'06"E	21.00'
L20	N32°35'54"E	20.35'	L50	N57°24'06"W	21.00'
L21	N32°35'54"E	19.38'			
L22	N26°39'47"E	5.00'			
L23	N74°02'29"W	7.02'			
L24	N15°57'31"E	8.00'			
L25	N74°02'29"W	88.00'			
L26	N51°44'42"E	23.59'			
L27	N51°44'42"E	21.16'			
L28	N51°44'42"E	6.34'			
L29	N74°02'29"W	19.85'			
L30	N74°02'29"W	23.25'			

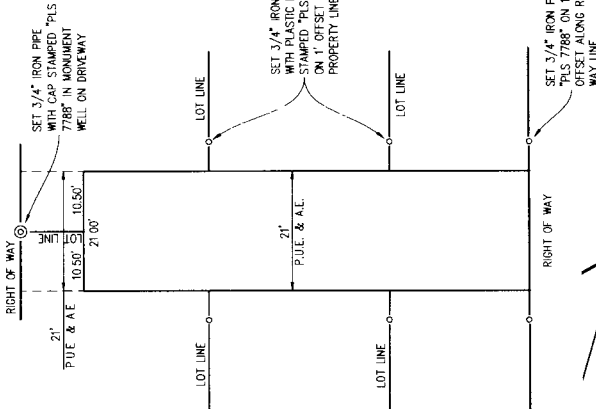
CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	430.00	235°31'	21.95'
C2	88.00	230°32'	35.41'
C3	72.00	127°28'	158.42'
C4	88.00	230°32'	35.41'
C5	400.00	221°12'	154.91'
C6	265.00	100°10'	46.33'
C7	265.00	97°05'	42.47'
C8	335.00	104°30'	62.67'
C9	335.00	337°00'	21.15'
C10	335.00	104°02'	63.15'
C11	72.00	254°34'	32.31'
C12	72.00	37°37'	41.4'
C13	340.00	64°13'	39.78'
C14	340.00	40°02'	23.74'
C15	32.00	54°24'	30.28'
C16	72.00	160°58'	20.15'
C17	35.00	54°12'	33.12'
C18	72.00	41°02'	51.56'
C19	72.00	38°24'	48.26'
C20	88.00	182°51'	28.33'
C21	88.00	436°37'	7.08'
C22	430.00	1124°15'	85.59'
C23	430.00	379°23'	74.94'
C24	430.00	745°02'	58.17'
C25	430.00	759°40'	60.00'
C26	430.00	307°19'	23.43'
C27	430.00	905°46'	68.27'
C28	970.00	311°54'	54.14'
C29	970.00	475°52'	75.02'
C30	970.00	347°06'	64.07'
C31	970.00	0°36'58"	10.43'

RADIAL BEARINGS		
LINE #	DIRECTION	
L21(R)	N23°45'59"E	
L22(R)	N28°11'28"E	
L23(R)	N28°11'52"E	
L24(R)	N31°58'58"E	
L25(R)	N28°39'47"E	
L26(R)	N28°39'47"E	
L27(R)	S9°32'28"W	
L28(R)	N45°55'00"W	

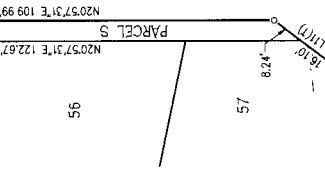
RADIAL BEARINGS		
LINE #	DIRECTION	
L1(R)	S42°36'57"W	
L2(R)	N41°04'49"E	
L3(R)	N37°27'49"E	
L4(R)	S35°15'00"W	
L5(R)	N19°57'34"E	
L6(R)	S38°32'37"W	
L7(R)	S54°34'36"W	
L8(R)	N84°23'22"W	
L9(R)	S84°25'51"E	
L10(R)	S13°02'01"W	
L11(R)	S1°37'45"W	
L12(R)	S14°13'38"E	
L13(R)	S9°26'40"E	
L14(R)	S88°27'44"W	
L15(R)	S75°08'54"W	
L16(R)	S60°28'04"W	
L17(R)	S57°20'45"W	
L18(R)	S48°14'59"W	
L19(R)	S38°08'16"W	
L20(R)	S28°11'52"W	

DETAIL A

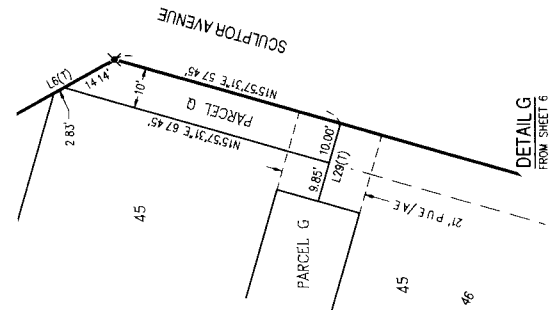
NOT TO SCALE



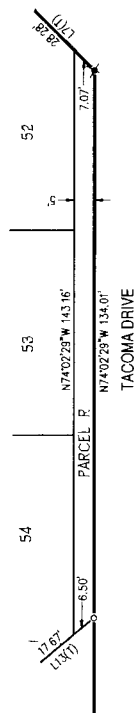
ADLER STREET



DETAIL F
FROM SHEET 6



DETAIL G
FROM SHEET 6



DETAIL E
FROM SHEET 6

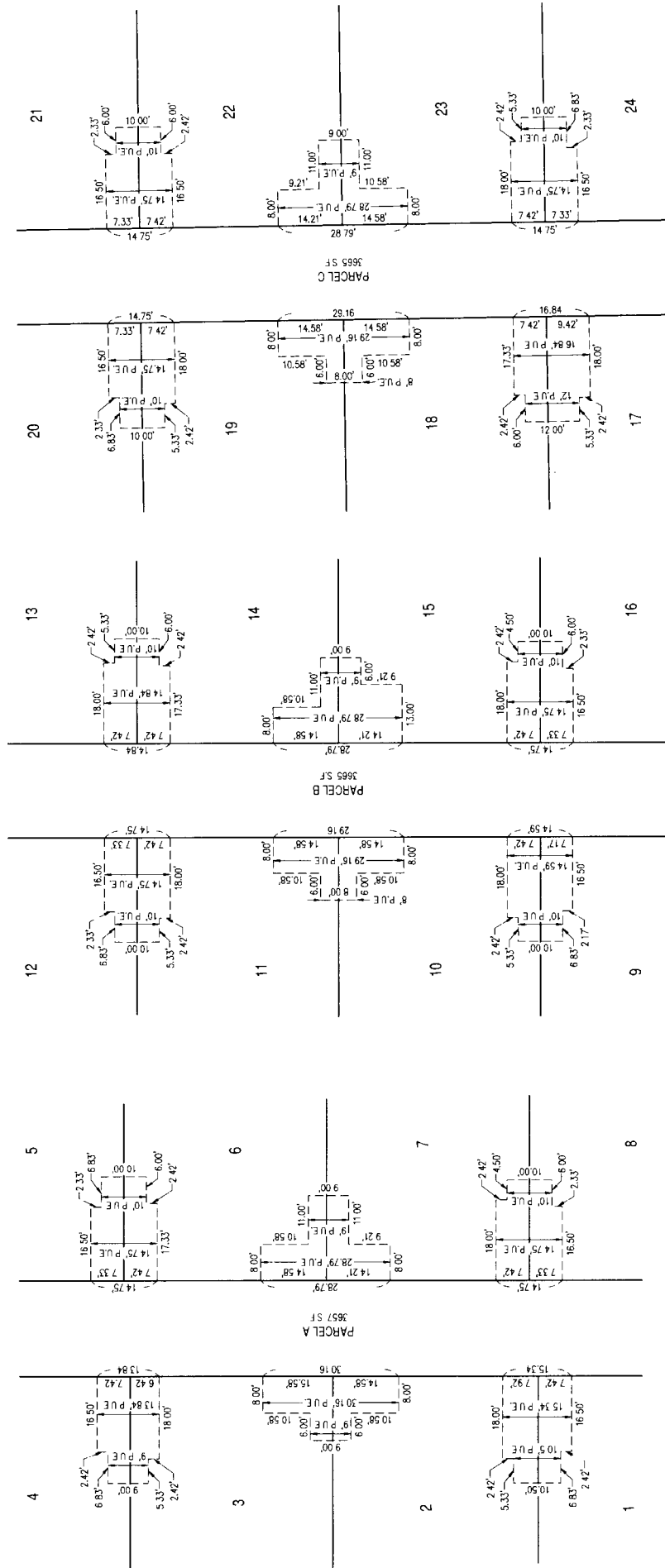
TRACT 4130 RIVER ISLANDS - STAGE 2B VILLAGE II

A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 14 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



NOTES

- 1 ALL P.U.E. LINES ARE PERPENDICULAR.



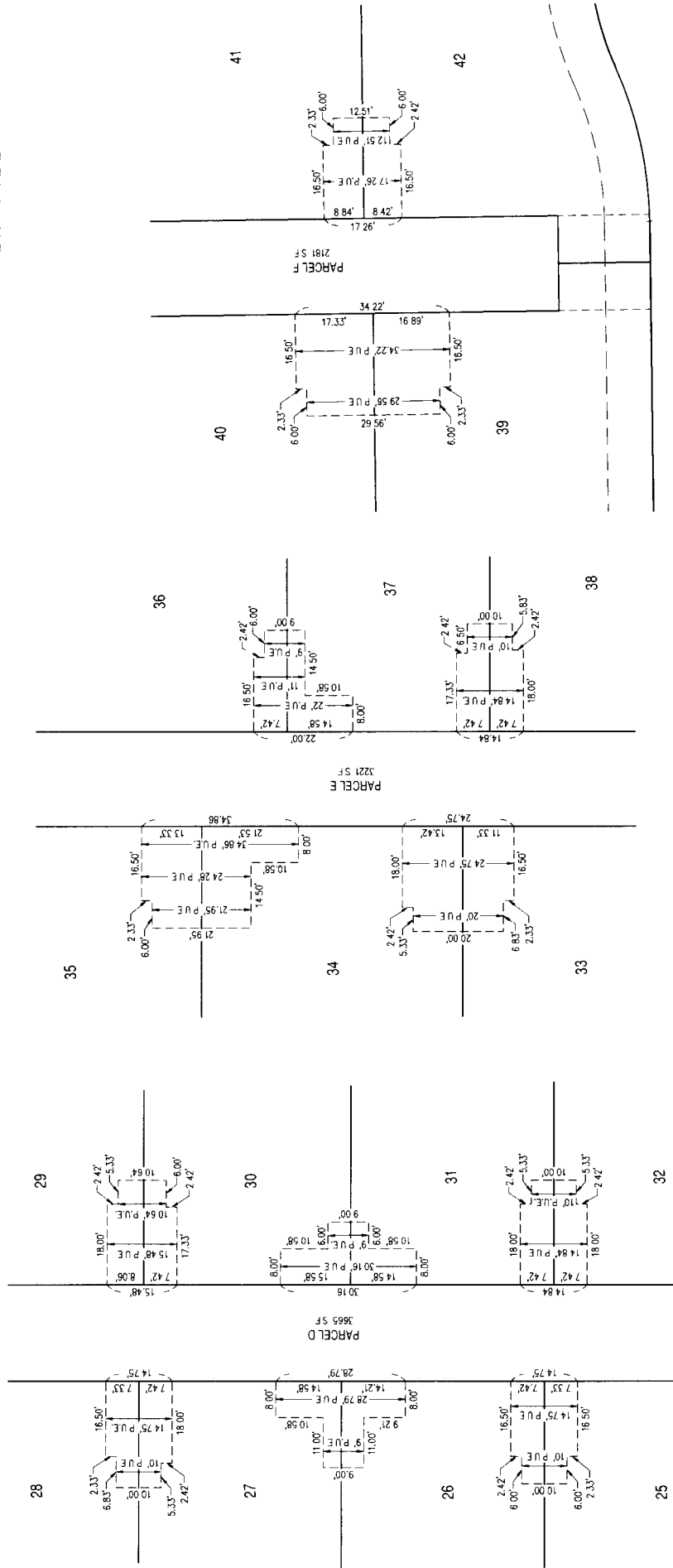
TRACT 4130 RIVER ISLANDS - STAGE 2B VILLAGE II

A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 14 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



NOTES

1. ALL P.U.E. LINES ARE PERPENDICULAR.

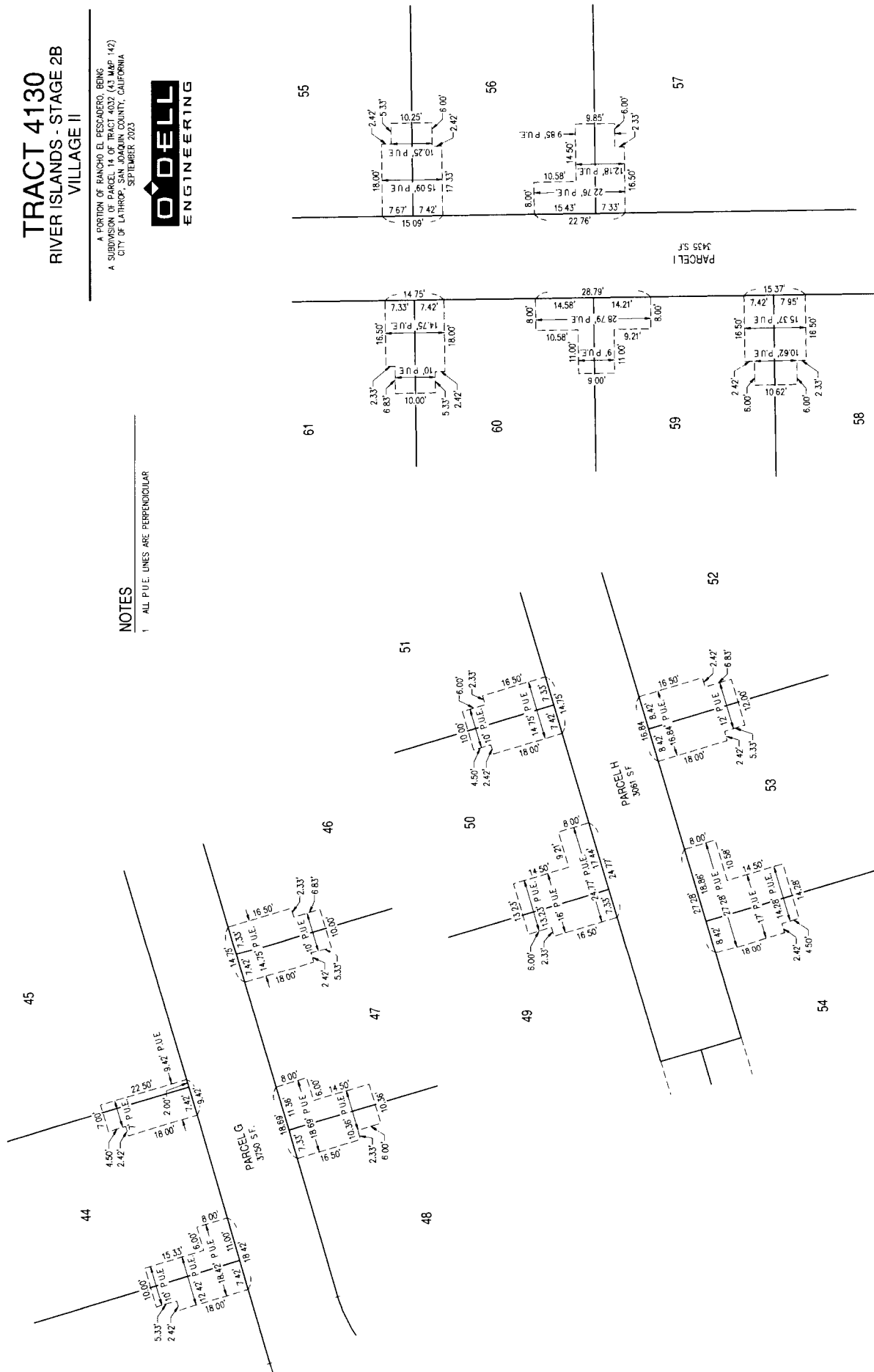


A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 14 OF TRACT 4032 (43 MAP 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



NOTES

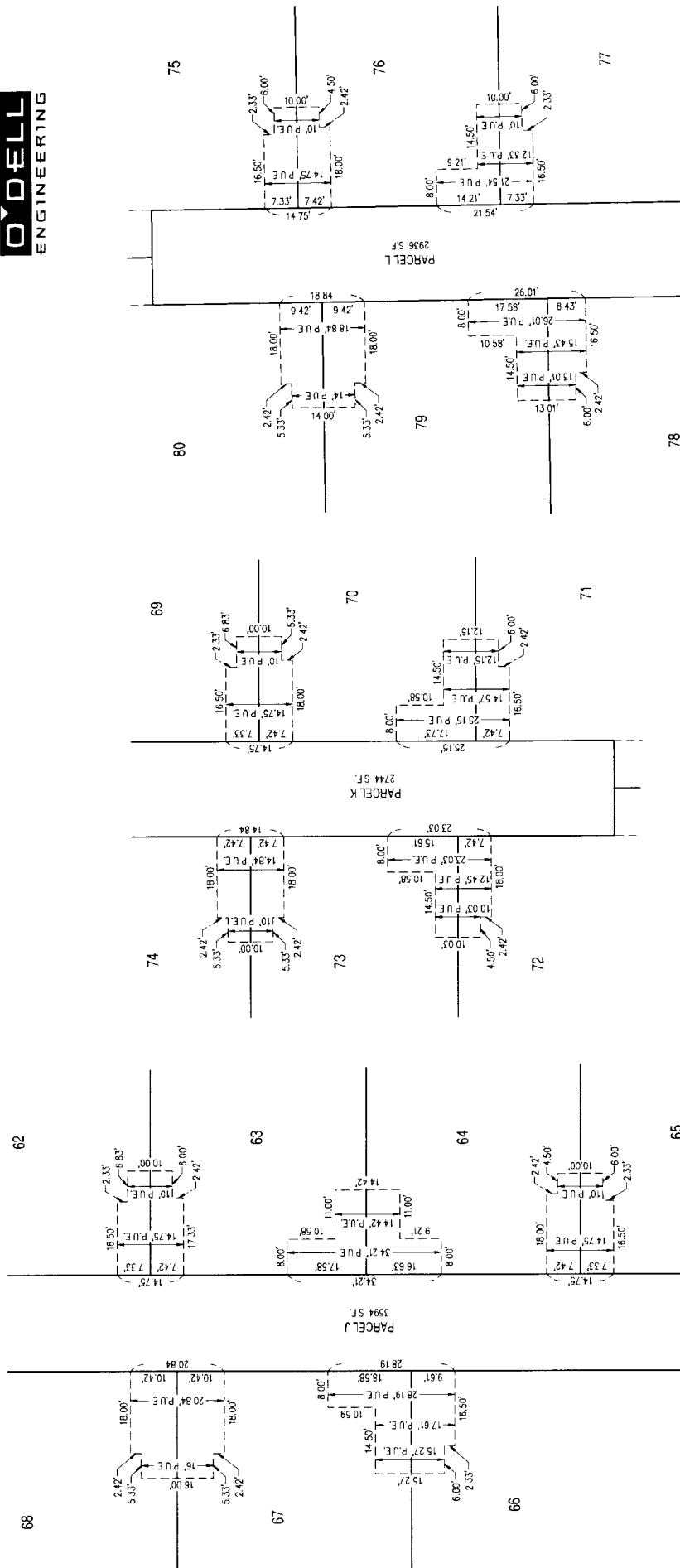
1 ALL P.U.E. LINES ARE PERPENDICULAR



A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 14 OF TRACT 4032 (43 W&P 142)
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
SEPTEMBER 2023



1 ALL P.U.E. LINES ARE PERPENDICULAR.



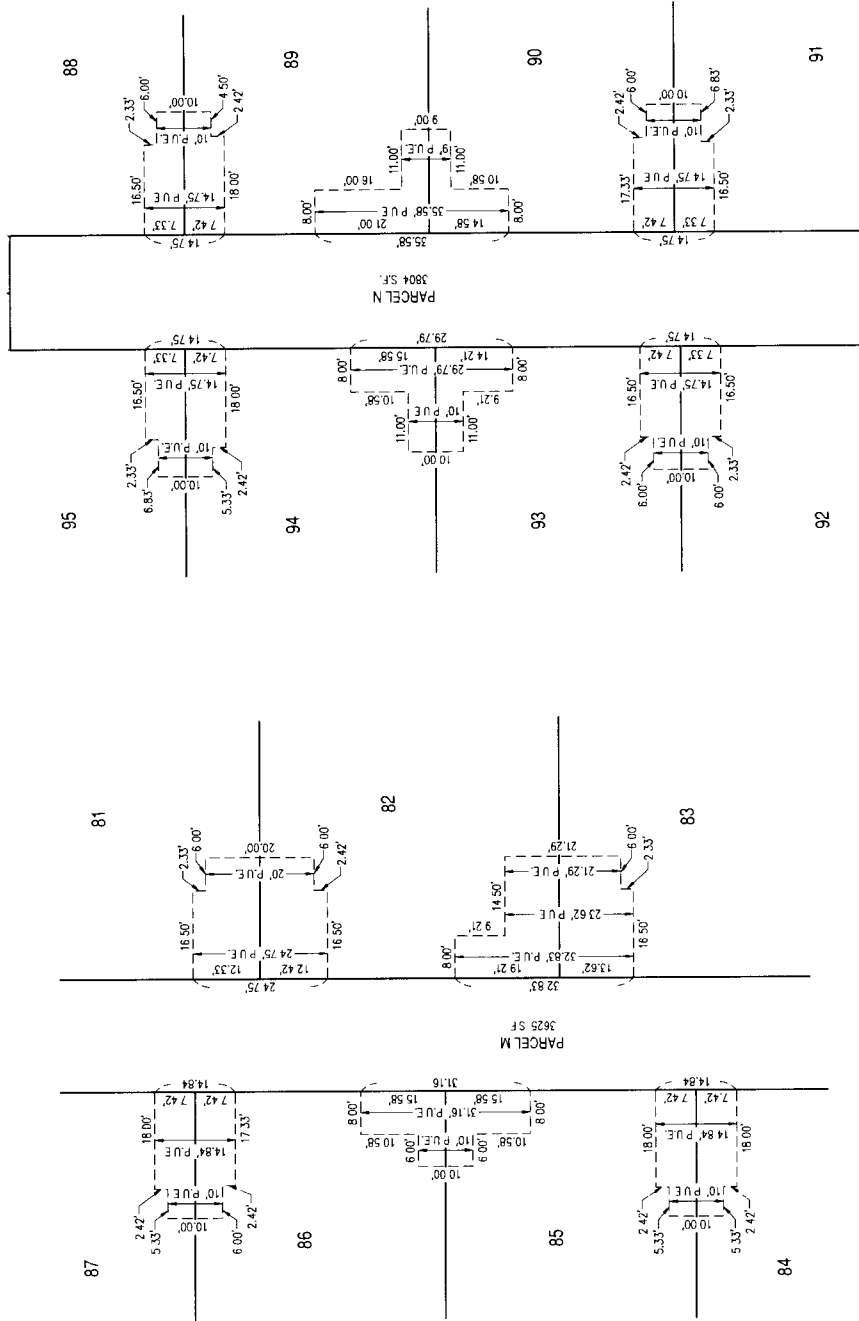
TRACT 4130 RIVER ISLANDS - STAGE 2B VILLAGE II

A PORTION OF RANCHO EL PESCADERO, BEING
A SUBDIVISION OF PARCEL 14 OF TRACT 4032 (43 MAP 142)
SAN MATEO COUNTY, CALIFORNIA
SEPTEMBER 2023



NOTES

- 1 ALL P.U.E. LINES ARE PERPENDICULAR



ITEM 4.19

**CITY MANAGER’S REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING**

ITEM: **APPROVE FINAL MAP, CFD ANNEXATION, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 29 LOTS IN TRACT 4173 VILLAGE 41 UNIT 1 WITHIN LAKE HARBOR WEST DISTRICT OF RIVER ISLANDS**

RECOMMENDATION: **Adopt Resolution Approving Final Map for Tract 4173 Village 41 Unit 1 within the Lake Harbor West District, Totaling 29 Single Family Lots, Annexation into CFD 2023-1, and Subdivision Improvement Agreement with River Islands Development Area 1, LLC**

SUMMARY:

The proposed Final Map for Tract 4173, included as Attachment “E”, is the first tract map within the Lake Harbor West District of Phase 2. River Islands is proposing twenty-nine (29) 42’ x 100’ single-family lots for Kiper Homes. A Vicinity Map is included as Attachment “B”.

Staff recommends that the City Council approve the proposed Final Map for Tract 4173, Lake Harbor Village 41 Unit 1 (Tract 4173), City of Lathrop Community Facilities District (CFD) 2023-1 Annexation, and a Subdivision Improvement Agreement (SIA), included as Attachment “C”, with River Islands Development Area 1, LLC, (hereinafter referred to as “River Islands”), by Resolution included as Attachment “A”.

BACKGROUND:

On June 14, 2021, the City Council adopted resolutions and ordinances approving the River Islands modified Phase 2 Project and Vesting Tentative Subdivision Map (VTM) 6716. On November 14, 2022, City Council approved a Large Lot Map Tract 4149 to create 34 undevelopable parcels. On August 16, 2023, Planning Commission approved the Lake Harbor West Neighborhood Development Plan and Architectural Design Guidelines and Development Standards. The land for the proposed Final Map for Tract 4173 is within the geographic boundaries of VTM 6716, Large Lot Map Tract 4149 and the Lake Harbor West Neighborhood.

As required by the Lathrop Municipal Code Chapter 16.16, all final maps must include a SIA to guarantee specific offsite and onsite improvements.

The total cost of the improvements for Tract 4173 is \$2,367,000, however, a large percentage of the improvements have already been constructed and therefore do not need to be guaranteed. Performance and labor & material securities have been provided with the SIA for Tract 4173 that guarantee the unfinished improvements in the amount of:

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING**APPROVE FINAL MAP, CFD ANNEXATION, AND SIA FOR 29 LOTS IN TRACT 4173 VILLAGE 41 UNIT 1 WITHIN LAKE HARBOR WEST DISTRICT OF RIVER ISLANDS**

Unfinished Improvement Total:	\$198,200
Performance Security (110% of Unfinished Improvements) Bond No. 0844437	\$218,020
Labor & Materials Security (50% of Performance Security) Bond No.0844437	\$109,010

Sections 10 and 11 of the SIA for Tract 4173 require River Islands to construct Off-Site Improvements as well as comply with conditions for the use of temporary wastewater pump and haul. The conditions, terms and requirements associated with these items are documented in the Tract 4155 SIA approved by City Council on September 11, 2023 and are applicable to this Tract 4173.

Acceptance of the public improvements will be processed by staff for council consideration at a later date and when the unfinished improvements are completed. Prior to acceptance, River Islands will be required to provide a one (1) year warranty bond.

Tract 4173 will need to be annexed into different CFDs for maintenance purposes. The CFDs are for the City, Island Reclamation District (RD) 2062 and River Islands Public Financing Authority (RIPFA). Approval of Annexation into City of Lathrop CFD 2023-1 is proposed with this Council item. Annexation into additional CFDs administered by RD 2062 and RIPFA is required as part of the escrow instructions prior to recording of the final map.

As a precondition to record the Final Map, River Islands must satisfy the Escrow Instructions, included as Attachment "D", by depositing necessary sums to guarantee the payment of all fees and providing required documents.

REASON FOR RECOMMENDATION:

River Islands will fulfill all of the requirements of the Lathrop Municipal Code Chapter 16.16 as listed below prior to recordation of map:

Documents	Status
1. Final Map ready for signature	Completed
2. Subdivision Improvement Agreement	Completed
3. Performance Security – Uncompleted Landscaping and Miscellaneous Improvements	Received
4. Labor and Materials Security – Uncompleted Landscaping and Miscellaneous Improvements	Received
5. Street Improvement, Landscape, Light & Joint Trench	Completed
6. Geotechnical Report	Completed

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

APPROVE FINAL MAP, CFD ANNEXATION, AND SIA FOR 29 LOTS IN TRACT 4173 VILLAGE 41 UNIT 1 WITHIN LAKE HARBOR WEST DISTRICT OF RIVER ISLANDS

7. Agreement for Backbone Improvements and Parks (Agreement for Dedication, Inspection and Guarantee of Streets and Public Improvements)	Completed
8. Approval of 3 rd Amendment to Development Agreement that guarantees creation of CFD for City Maintenance and Shortfalls, and Guarantee of Developer CFDs for Developer/other public agency Maintenance	Completed
9. Allocation of Water and Sewer capacity	Completed
10. Recommendation for approval from Stewart Tract Design Review Committee	Completed
11. Submitted Certificate of Insurance, Tax Letter	Completed
12. Submitted Preliminary Guarantee of Title	Completed
13. Escrow Instructions	Completed
14. Tract 4173 Lake Harbor Village 41 - Unit 1 – City of Lathrop Community Facilities District No. 2023-1 (River Islands Public Services and Facilities) Annexation	Approval proposed with this item
Fees	Status
1. Final Map plan check fee	Paid
2. Improvement Plans - Plan check and inspection fees	Paid
3. Sierra Club Settlement fee	To be paid in escrow

FISCAL IMPACT:

There is no fiscal impact to the City as all costs are covered by development fees and any shortfalls in the City's maintenance and operating costs are covered by the CFDs.

ATTACHMENTS:

- A. Resolution Approving Final Map for Tract 4173 Village 41 Unit 1 within the Lake Harbor West District, Totaling 29 Single Family Lots, Annexation into City of Lathrop CFD 2023-1, and Subdivision Improvement Agreement with River Islands Development Area 1, LLC
- B. Vicinity Map – Lake Harbor - Tract 4173 Village 41 Unit 1
- C. Subdivision Improvement Agreement between the City of Lathrop and River Islands Development Area 1, LLC, a Delaware limited liability company, for Tract 4173, Lake Harbor Village 41 Unit 1
- D. Escrow Instructions for Final Map Tract 4173 Lake Harbor Village 41 Unit 1,

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

APPROVE FINAL MAP, CFD ANNEXATION, AND SIA FOR 29 LOTS IN TRACT 4173 VILLAGE 41 UNIT 1 WITHIN LAKE HARBOR WEST DISTRICT OF RIVER ISLANDS

including Annexation into City of Lathrop CFD 2023-1

- E. Final Map – Tract 4173 Lake Harbor Village 41 Unit 1

CITY MANAGER'S REPORT

PAGE 5

OCTOBER 9, 2023, CITY COUNCIL REGULAR MEETING

APPROVE FINAL MAP, CFD ANNEXATION, AND SIA FOR 29 LOTS IN TRACT 4173 VILLAGE 41 UNIT 1 WITHIN LAKE HARBOR WEST DISTRICT OF RIVER ISLANDS

APPROVALS:




Veronica Albarran
Junior Engineer

09/25/2023
Date



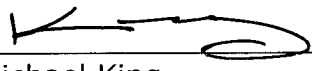
Brad Taylor
City Engineer

9/26/2023
Date

 FOR CJ


Cari James
Finance Director

9/26/2023
Date




Michael King
Assistant City Manager

9-27-2023
Date



Salvador Navarrete
City Attorney

9.25.2023
Date



Stephen J. Salvatore
City Manager

10.4.23
Date

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING FINAL MAP FOR TRACT 4173 VILLAGE 41 UNIT 1 WITHIN THE LAKE HARBOR WEST DISTRICT, TOTALING 29 SINGLE FAMILY LOTS, ANNEXATION INTO CITY OF LATHROP CFD 2023-1, AND SUBDIVISION IMPROVEMENT AGREEMENT WITH RIVER ISLANDS DEVELOPMENT AREA 1, LLC

WHEREAS, on June 14, 2021, the City Council adopted resolutions and ordinances approving the River Islands modified Phase 2 Project and Vesting Tentative Subdivision Map (VTM) 6716; and

WHEREAS, on November 14, 2022, City Council approved Large Lot Map 4149 for 34 undevelopable parcels; and

WHEREAS, on August 16, 2023, Planning Commission approved the Lake Harbor West Neighborhood Development Plan and Architectural Design Guidelines and Development Standards; and

WHEREAS, the land for the proposed Final Map for Tract 4173, Lake Harbor Village 41 Unit 1 (Tract 4173) is within the geographic boundaries of VTM 6716, Large Lot Map 4149, and the Lake Harbor West Neighborhood; and

WHEREAS, as required by the Lathrop Municipal Code Chapter 16.16, all final maps must include a Subdivision Improvement Agreement (SIA) to guarantee specific offsite and onsite improvements; and

WHEREAS, River Islands Development Area 1, LLC, (hereinafter referred to as "River Islands") provided performance and labor & material securities for the proposed SIA for Tract 4173 that guarantee the unfinished improvements in the amount as follows:

Unfinished Improvement Total	\$198,200
Performance Security (110% of Unfinished Improvements): Bond No. 0844437	\$218,020
Labor & Materials Security (50% of Performance Security): Bond No. 0844437	\$109,010

; and

WHEREAS, sections 10 and 11 of the SIA for Tract 4173 requires River Islands to construct Off-Site Improvements as well as comply with conditions for the use of temporary wastewater pump and haul. The conditions, terms and requirements associated with these items are documented in the Tract 4155 SIA approved by City Council on September 11, 2023 and are applicable to this Tract 4173; and

WHEREAS, potential acceptance of the public improvements will be processed by staff for council consideration at a later date and when the unfinished

improvements are completed and prior to acceptance, River Islands will be required to provide a one (1) year warranty bond; and

WHEREAS, Tract 4173 needs to be annexed into several different Community Facilities Districts (CFDs) for maintenance purposes, staff recommends that Council approve Annexation into City of Lathrop CFD 2023-1 and annexation into additional CFDs administered by Island Reclamation District 2062 and River Islands Public Financing Authority is required as part of the escrow instructions prior to recording of the final map; and

WHEREAS, River Islands must satisfy the Escrow Instructions, included as Attachment "D" to the City Manager's Report, by depositing necessary sums to guarantee the payment of all fees and providing required documents.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Lathrop that approves and accepts the following actions:

1. The Final Map for Tract 4173 and is hereby approved as submitted for recordation with the San Joaquin County Assessor/Recorder/County Clerk Office.
2. Subdivision Improvement Agreement with River Islands in substantially the form as attached to the October 9, 2023 staff report and authorize the City Manager to execute.
3. Annexation into the City of Lathrop Community Facilities District No. 2023-1 (River Islands Public Services and Facilities) in substantially the form as attached to the October 9, 2023, staff report.

PASSED AND ADOPTED by the City Council of the City of Lathrop this 9th day of October 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Sonny Dhaliwal, Mayor

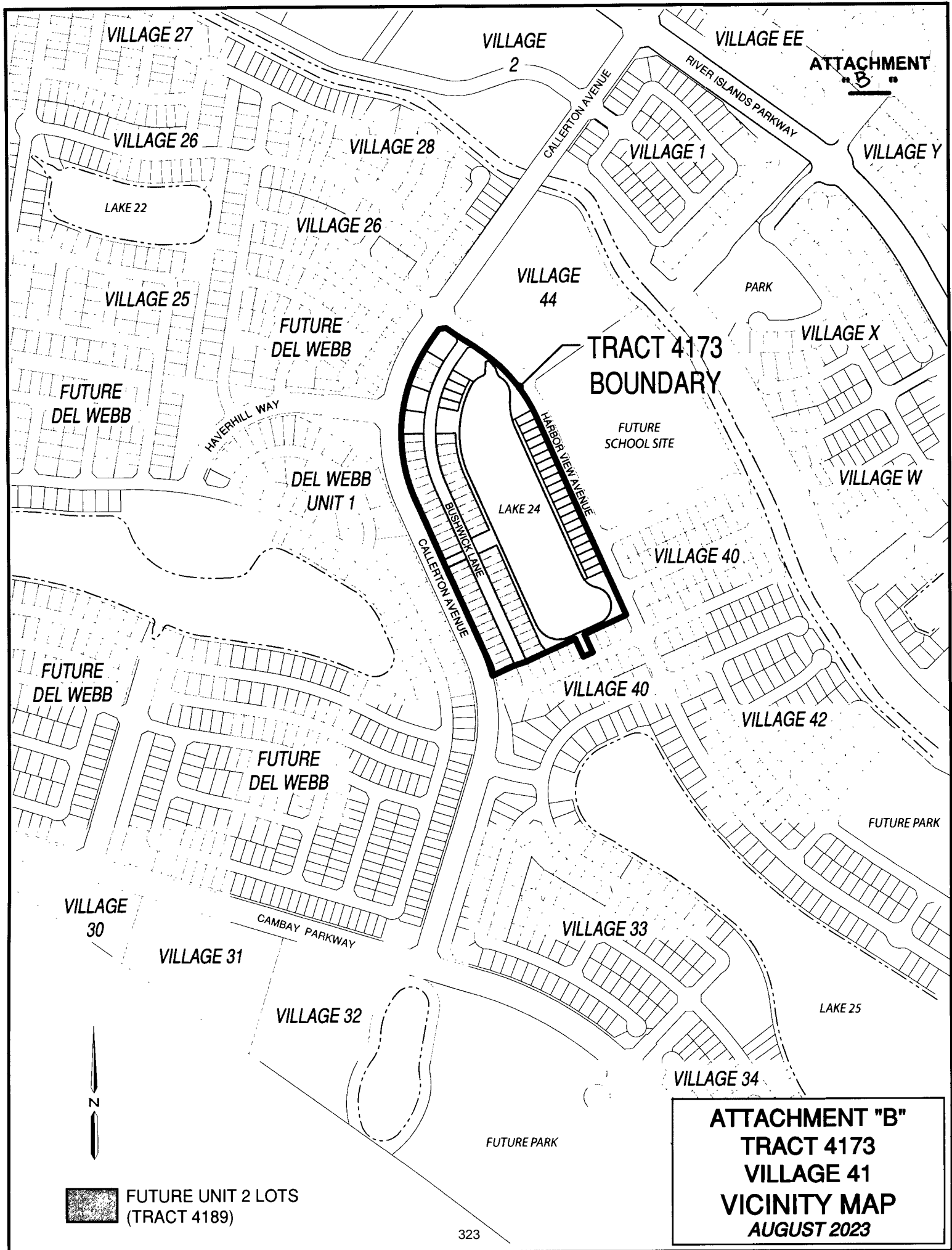
ATTEST:

Teresa Vargas, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney



ATTACHMENT
"B"

TRACT 4173
BOUNDARY

ATTACHMENT "B"
TRACT 4173
VILLAGE 41
VICINITY MAP
AUGUST 2023

 FUTURE UNIT 2 LOTS
(TRACT 4189)

**SUBDIVISION IMPROVEMENT AGREEMENT
BETWEEN THE CITY OF LATHROP AND
RIVER ISLANDS DEVELOPMENT AREA 1, LLC,
FOR TRACT 4173 LAKE HARBOR - VILLAGE 41 UNIT 1 29 SINGLE FAMILY LOTS**

RECITALS

A. This Agreement is made and entered into this **9th day of October 2023**, by and between the **CITY OF LATHROP**, a municipal corporation of the State of California (hereinafter "CITY") and **River Islands Development Area 1, LLC**, a Delaware Limited Liability Company, (hereinafter referred to as "SUBDIVIDER").

B. Pursuant to Division 2 of Title 7 of the Government Code of the State of California and the CITY's Subdivision Regulations (City of Lathrop, Code of Ordinances, Chapter 16), SUBDIVIDER is required to make dedications and improve Tract 4173 Lake Harbor – Village 41 Unit 1 (Tract 4173). However, SUBDIVIDER has completed a significant portion of public infrastructure improvements associated with Tract 4173 located within the Lake Harbor West District of River Islands Phase 2, which also includes major streets necessary to access the site. Performance and Labor & Material securities have been provided by SUBDIVIDER that guarantee the unfinished improvements for Tract 4173, in the amount shown in Section 8 of this Agreement.

C. SUBDIVIDER is required to construct certain off-site improvements (Off-Site Improvements) that support the West Village, Lake Harbor, and Paradise Cut Village Center Neighborhoods of River Islands Phase 2 (Neighborhoods). The Offsite Improvements are needed to provide public access, emergency vehicle access, and wastewater discharge for the Neighborhoods as described below. Since construction of the Offsite Improvements are not complete, SUBDIVIDER has provided security with the Subdivision Improvement Agreement for Tract 4155 West Village Unit 1 (Tract 4155 SIA) as detailed in Table 1 of the Agreement. The conditions, terms and requirements associated with the Off-Site Improvements stated in the Tract 4155 SIA are applicable to Tract 4172 and this Agreement.

D. As a condition of Final Map approval, SUBDIVIDER is required to provide wastewater conveyance to the City's Combined Treatment Facility (CTF) and treatment capacity to each parcel within the Final Map boundary. However, the Callerton Avenue Bridge, which is guaranteed with the Tract 4155 SIA, has not yet been constructed due to permitting delays and therefore the wastewater conveyance system for Phase 2 of the Project south/west of the main drain does not have the ability to convey wastewater to the CTF. Therefore, SUBDIVIDER requested approval with the Tract 4155 SIA of the use of temporary pump and haul of wastewater until the Callerton Avenue Lift Station and Bridge are constructed and conveyance of wastewater to the CTF is possible.

The conditions, terms and requirements associated with the pump and haul agreement as detailed in Section 10 of the Tract 4155 SIA are applicable to Tract 4172 and this Agreement.

E. SUBDIVIDER has completed a portion of the joint trench improvements for Tract 4173 and as noted in Recital B, security shall be required for the unfinished portion of these improvements, along with other required infrastructure associated with Tract 4173. Improvement plans, and street light plans have already been approved by the City. The street, sidewalk, underground utility, storm drainage, streetlight and joint trench improvements (hereinafter "Improvements") are substantially completed and minor improvements not yet constructed as part of the required infrastructure for Tract 4173 are required security as outlined in this Agreement is required.

NOW THEREFORE in consideration of CITY'S pending approval and acceptance of the Improvements upon their satisfactory completion, and in consideration of SUBDIVIDER'S construction of Improvements in strict accordance with the terms of this Agreement, all applicable laws, statutes, ordinances, rules and regulations currently in force and effect in CITY, the terms and conditions of which are incorporated herein by this reference, the parties hereto mutually covenant and agree as follows:

1. SUBDIVIDER shall complete construction of, or cause construction to be completed at its sole cost and expense, the Improvements for all of the lots within the Lake Harbor – Village 41 Unit 1 neighborhood, to the limits identified in Exhibit "A", including the public landscaping, streetlight and joint trench improvements. A Vicinity Map is included as Exhibit "B".

All improvements shall be constructed to the satisfaction and approval of the City Engineer, in a good and workmanlike manner in accordance with the above referenced improvement plans and specifications, the improvement standards and specifications of the CITY'S Department of Public Works, the applicable Ordinances of the City of Lathrop and the California Subdivision Map Act.

2. SUBDIVIDER shall complete the Improvements, including all deferred and unfinished improvements as defined in this agreement, prior to issuance of certificate of occupancy of the last home constructed in Tract 4173, or October 9, 2024, whichever comes first.

3. CITY, or its agent(s), shall, at any time during the progress of the Improvements, have free access thereto, and shall be allowed to examine the same and all material to be used therein. If the Improvements or any part thereof are not completed in strict compliance with the standards set forth in Paragraph 1 above, CITY may refuse to accept and may reject the defective Improvements and/or materials therein.

4. SUBDIVIDER shall secure the services of skilled personnel necessary to construct the Improvements. CITY is not skilled in these matters and relies upon the skill of the SUBDIVIDER to ensure that the construction of the Improvements is in the most skillful and durable manner.

5. CITY'S acceptance of the Improvements does not operate as a release of SUBDIVIDER from any guarantee hereunder.

6. SUBDIVIDER guarantees and warrants that the Improvements shall be constructed in compliance with the standards set forth in Paragraph 1 above, free from any defects in work or labor done, and from any defects in materials furnished. Further, SUBDIVIDER shall repair and maintain the Improvements in good condition and in accordance with CITY specifications for one (1) year after CITY'S acceptance of the Improvements. As required by this Agreement, prior to acceptance of the Improvements, SUBDIVIDER shall deposit with the City Engineer a Warranty Bond in the amount of \$236,700 equal to 10% of the estimated cost of the Improvements for the Lake Harbor Village 41 Unit 1 neighborhood (\$2,367,000) as included in the Engineer's estimate attached to this Agreement as Exhibit "D", to insure SUBDIVIDER'S repair and warranty of the Improvements in accordance with the terms of this Agreement. The Warranty Bond shall be released at the end of the one year guarantee period, provided there are no claims against it are then outstanding.

7. If SUBDIVIDER, in whole or in part, abandons the Improvements, or unnecessarily or unreasonably delays construction of the Improvements, fails to complete construction of the Improvements within the time specified in this Agreement, or fails to repair.

Replace or reconstruct any defects, as set forth in Paragraph 6 above, CITY may, but is not required to, proceed to complete and/or repair, replace, or reconstruct the Improvements, either by itself or by contract for such service, and CITY may cause to be forfeited such portion of any security deposited therein as is necessary to cover the costs of completion, repair, replacement, or reconstruction incurred by CITY.

Once action is taken by CITY to complete, repair, replace and/or reconstruct the Improvements, SUBDIVIDER shall be responsible for all costs incurred by CITY, even if SUBDIVIDER subsequently completes the work.

The CITY shall have recourse against SUBDIVIDER for any and all amounts necessary to complete the obligations of SUBDIVIDER in the event the security (including but not limited to any Letter of Guarantee, Certificate of Deposit, cash, bond for performance, labor and materials and repair and maintenance, letter of credit or cash deposit) therefore is insufficient to pay such amounts. All administrative costs, including reasonable attorney's fees pursuant to Government Code Section 66499.4, incurred by the CITY, in addition to the costs of the improvements shall be a proper charge against the security and SUBDIVIDER. In the event it becomes necessary for CITY to bring an action to compel performance of this Agreement or to recover costs of completing such improvements, SUBDIVIDER shall pay reasonable attorney's fees, costs of suit and all other expenses of litigation incurred by CITY in connection therewith.

8. Because the Improvements are not entirely complete, the SUBDIVIDER is required to only post Performance or Labor & Materials bonds to guarantee the unfinished improvements associated with Tract 4173 as included and described in Exhibit "D" of this Agreement. Performance and Labor & Material securities have been provided in the amount shown in Table 1 below. SUBDIVIDER shall also comply with CITY'S insurance requirements set forth on Exhibit "C" attached hereto and incorporated herein.

Table 1 – Bond Values

Unfinished Improvement Total:	\$198,200
Performance Bond (Bond No. 0844437):	\$218,020
Labor & Materials Bond (Bond No. 0844437):	\$109,010

9. SUBDIVIDER is required to construct certain off-site improvements (Off-Site Improvements) that support the West Village, Lake Harbor, and Paradise Cut Village Center Neighborhoods of River Islands Phase 2 (Neighborhoods). The Offsite Improvements are needed to provide public access, emergency vehicle access, and wastewater discharge for the Neighborhoods as described below. Since construction of the Offsite Improvements are not complete, SUBDIVIDER has provided security with the Subdivision Improvement Agreement for Tract 4155 West Village Unit 1 (Tract 4155 SIA) as detailed in Table 1 of the Agreement. The conditions, terms and requirements associated with the Off-Site Improvements stated in the Tract 4155 SIA are applicable to Tract 4172 and this Agreement.

10. As a condition of Final Map approval, SUBDIVIDER is required to provide wastewater conveyance to the City's Combined Treatment Facility (CTF) and treatment capacity to each parcel within the Final Map boundary. However, the Callerton Avenue Bridge, which is guaranteed with the Tract 4155 SIA, has not yet been constructed due to permitting delays and therefore the wastewater conveyance system for Phase 2 of the Project south/west of the main drain does not have the ability to convey wastewater to the CTF. Therefore, SUBDIVIDER requested approval with the Tract 4155 SIA of the use of temporary pump and haul of wastewater until the Callerton Avenue Lift Station and Bridge are constructed and conveyance of wastewater to the CTF is possible. The conditions, terms and requirements associated with the pump and haul agreement as detailed in Section 10 of the Tract 4155 SIA are applicable to Tract 4172 and this Agreement.

11. Any alteration(s) made to the plans and specifications, which are a part of this Agreement, or any provision of this Agreement shall not operate to release any surety or sureties from liability on any bond or bonds attached hereto and made a part thereof. The above referenced sureties hereby consent to such alterations and waive the provisions of California Civil Code Section 2819.

12. Neither the CITY nor any of its officers, employees or agents shall be liable to SUBDIVIDER, and/or SUBDIVIDER'S agents, contractors or subcontractors for any error or omission arising out of or in connection with any work to be performed under this Agreement.

13. Neither the CITY nor any of its officers, employees, or agents, shall be liable to the SUBDIVIDER or to any person, entity, or organization, for any injury or damage that may result to any person or property by or from any cause in, on, or about the subdivision of all or any part of the land covered by this Agreement.

14. SUBDIVIDER hereby agrees to, and shall hold CITY, its elective and appointive boards, commissions, officers, agents and employees (collectively, "Indemnitees"), harmless from any liability for damage or claims which may arise from SUBDIVIDER and/or SUBDIVIDER'S contractors, subcontractors, agents, or employees' operations under this Agreement, whether such operations be by SUBDIVIDER or by any SUBDIVIDER contractors, subcontractors, or by any

one or more persons directly or indirectly employed by, or acting as agent for, SUBDIVIDER or any of SUBDIVIDER'S contractors or subcontractors. SUBDIVIDER shall, at its own cost and expense, defend any and all actions, suits, or legal proceedings or any type that may be brought or instituted against CITY and indemnities on any claim or demand, of any nature whatsoever, and pay or satisfy any judgment that may be rendered against CITY and the Indemnitees in any such action, suit or legal proceedings, resulting from or alleged to have resulted from SUBDIVIDER'S performance or non-performance of his duties and obligations under this Agreement, or from the negligent act or omission of himself, his agents, contractors, representatives, servants or employees. The promises and Agreement to indemnify and hold harmless set forth in this section is not conditioned or dependent on whether or not any indemnity has prepared, supplied or approved any plan or specification in connection with this work or subdivision, whether or not any such indemnity has insurance or indemnification covering any of these matters. CITY does not, and shall not; waive any rights against SUBDIVIDER which it may have by reason of the aforesaid hold harmless agreement, because of the acceptance by CITY of any deposit with CITY by SUBDIVIDER. The aforesaid hold harmless agreement by SUBDIVIDER shall apply to all damages and claims for damages of every kind suffered, or alleged to have been suffered, by reason of any of the aforesaid operations referred to in this paragraph, regardless of whether or not CITY has prepared, supplied or approved of, plans and/or specifications for the subdivision.

15. Neither SUBDIVIDER nor any of SUBDIVIDER'S agents, contractors or subcontractors are, or shall be, considered to be agents of CITY in connection with the performance of SUBDIVIDER'S obligations under this Agreement.

16. Prior to acceptance of the Improvements by the City Council, the SUBDIVIDER shall be solely responsible for maintaining the quality of the Improvements, and maintaining safety at the project site. The SUBDIVIDER'S obligation to provide the Improvements shall not be satisfied until after the City Engineer has made a written determination that all obligations of the Agreement have been satisfied and all outstanding fees and charges have been paid, and the City Council has accepted the Improvements as complete. The CITY and SUBDIVIDER have formed Community Facilities Districts to finance maintenance and improvements. The CITY expects to preserve the ability to use future special taxes of the CFD for payment of the cost of acquisition of the Improvements, which may require that acceptance of improvements by CITY be subject to the provisions of an acquisition agreement to be entered into by the CITY and SUBDIVIDER providing that CITY expects to be paid or reimbursed acquisition costs through future CFD special taxes. SUBDIVIDER shall cooperate to facilitate such method of acquisition.

17. SUBDIVIDER shall pay service fees for the utility services from the time the Improvements are accepted by the CITY to the end of the fiscal year, or up to a one (1) year period, whichever is needed to ensure an opportunity for the Improvements to be included in the next fiscal year annual assessment.

18. SUBDIVIDER shall be responsible to sweep streets within the subdivision every two weeks as directed by the City Engineer, on all streets where lots are occupied and all streets providing access to occupied lots until the Improvements are accepted by the CITY.

19. SUBDIVIDER shall not assign this Agreement without the prior written consent of CITY.

If such consent is given, the terms of this Agreement shall apply to and bind the heirs, successors, executors, administrators and assignees of SUBDIVIDER, and any heirs, successors, executors, administrators and assignees of the SUBDIVIDER and shall be jointly and severally liable hereunder.

20. The SUBDIVIDER shall, at the SUBDIVIDER'S expense, obtain and maintain all necessary permits and licenses for construction of the Improvements. Prior to the commencement of Improvement construction, the SUBDIVIDER shall obtain a City of Lathrop Business License. The SUBDIVIDER shall comply with all local, state and federal laws, whether or not said laws are expressly stated in this Agreement.

21. This Agreement and any amendments hereto comprise the entire understanding and agreement between the parties regarding the improvements to be constructed and dedications for Tract 4173.

22. The following miscellaneous provisions are applicable to this Agreement:

a. Controlling Law. The parties agree that this Agreement shall be governed and construed by and in accordance with the laws of the State of California.

b. Definitions. The definitions and terms are as defined in this Agreement.

c. Force Majeure. Neither party shall be deemed to be in default on account of any delay or failure to perform its obligations under this Agreement, which directly results from an Act of God or an act of a superior governmental authority.

d. Headings. The paragraph headings are not a part of this Agreement and shall have no effect upon the construction or interpretation of any part of this Agreement.

e. Incorporation of Documents. All documents referred to herein and all documents which may, from time to time, be referred to in any duly executed amendment hereto are by such reference incorporated herein and shall be deemed to be part of this Agreement.

f. Modification of Agreement. This Agreement shall not be modified or be binding upon the parties unless such modification is agreed to in writing and signed by the parties.

g. Severability. If a court of competent jurisdiction finds or rules that any provision of this Agreement is void or unenforceable, the provisions of this Agreement not so affected shall remain in full force and effect.

h. Successors and Assigns. Except as otherwise expressly provided herein, the provisions of this Agreement shall inure to the benefit of, and shall apply to and bind, the successors and assigns of the parties.

Subdivision Improvement Agreement (River Islands Development Area 1, LLC)
Tract 4173 Lake Harbor - Village 41 Unit 1

i. Time of the Essence. Time is of the essence of this Agreement and each of its provisions. In the calculation of time hereunder, the time in which an act is to be performed shall be computed by excluding the first Day and including the last. If the time in which an act is to be performed falls on a Saturday, Sunday or any Day observed as a legal holiday by CITY, the time for performance shall be extended to the following Business Day.

j. Venue. In the event either party brings that suit hereunder, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of San Joaquin.

ATTACHMENTS:

- EXHIBIT A FINAL MAP - TRACT 4173
- EXHIBIT B TRACT 4173 LAKE HARBOR - VILLAGE 41 UNIT 1 AREA
- EXHIBIT C: CITY INSURANCE REQUIREMENTS
- EXHIBIT D: TRACT 4173 LAKE HARBOR - VILLAGE 41 UNIT 1 UNFINISHED
IMPROVEMENTS AND FULL IMPROVEMENTS COST ESTIMATE

Subdivision Improvement Agreement (River Islands Development Area 1, LLC)
Tract 4173 Lake Harbor - Village 41 Unit 1

SUBDIVIDER

River Islands Development Area 1, LLC,
a Delaware Limited Liability Company

BY: _____
Susan Dell’Osso Date
President
“SUBDIVIDER”

Subdivision Improvement Agreement (River Islands Development Area 1, LLC)
Tract 4173 Lake Harbor - Village 41 Unit 1

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on this 9th day of
October 2023, at Lathrop, California.

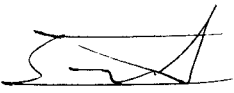
ATTEST: TERESA VARGAS
City Clerk of and for the City
of Lathrop, State of California

CITY OF LATHROP, a
municipal corporation of the
State of California

BY: _____
Teresa Vargas Date
City Clerk

BY: _____
Stephen J. Salvatore Date
City Manager

APPROVED AS TO FORM BY THE CITY OF LATHROP CITY ATTORNEY

BY:  _____ 9.25.2023
Salvador Navarrete Date
City Attorney

Subdivision Improvement Agreement (River Islands Development Area 1, LLC)
Tract 4173 Lake Harbor - Village 41 Unit 1

SUBDIVIDER

River Islands Development Area 1, LLC,
a Delaware Limited Liability Company

BY:

_____ Susan Dell’Osso President “SUBDIVIDER”	_____ Date
---	---------------

Subdivision Improvement Agreement (River Islands Development Area 1, LLC)
Tract 4173 Lake Harbor - Village 41 Unit 1

EXHIBIT "A"

FINAL MAP - TRACT 4173

OWNER'S STATEMENT

THE UNDERSIGNED, DOES HEREBY STATE THAT THEY ARE THE OWNERS OR HAVE SOME RECORD TITLE INTEREST IN THE LAND DELINEATED AND EMBODIED WITHIN THE EXTERIOR BOUNDARY LINE OF THE HEREIN EMBODIED FINAL MAP ENTITLED, "TRACT 4173, RIVER ISLANDS - PHASE 2, VILLAGE 41, UNIT 1", CITY OF LATHROP, CALIFORNIA, CONSISTING OF SEVEN (7) SHEETS, AND WE HEREBY CONSENT TO THE PREPARATION AND FILING OF THIS FINAL MAP IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, CALIFORNIA.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES.

- 1 TO THE CITY OF LATHROP FOR PUBLIC RIGHT-OF-WAY PURPOSES, THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP AS BUSHWICK LANE, AS SHOWN ON THIS FINAL MAP
- 2 A NON-EXCLUSIVE EASEMENT TO THE CITY OF LATHROP, TOGETHER WITH THE RIGHT TO CONSTRUCT, RECONSTRUCT, REPAIR AND MAINTAIN POLES, WIRES, CABLES, PIPES, AND CONDUITS AND THEIR APPURTENANCES UPON, OVER AND UNDER THE STRIPS OF LAND AS SHOWN ON THIS FINAL MAP DESIGNATED AS "P.U.E." (PUBLIC UTILITY EASEMENT)
- 3 A NON-EXCLUSIVE EASEMENT TO THE CITY OF LATHROP, TOGETHER WITH THE RIGHT TO CONSTRUCT, RECONSTRUCT, REPAIR AND MAINTAIN THE SOUND WALLS UPON AND OVER THE STRIPS OF LAND AS SHOWN ON THIS FINAL MAP DESIGNATED AS "W.E." (WALL EASEMENT)

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE FOR PUBLIC PURPOSES:

- 1 PARCEL B, AS SHOWN ON THIS FINAL MAP, TO THE CITY OF LATHROP FOR PURPOSES OF A SEMI-LEFT STRIP THE UNDERSIGNED DOES HEREBY RESERVE PARCELS A, C, D, E, AND F, AS SHOWN ON THIS FINAL MAP. SAID PARCELS ARE NOT DEDICATED HEREON, BUT WILL BE CONVEYED TO RIVER ISLANDS PUBLIC FINANCE AUTHORITY BY SEPARATE DOCUMENT SUBSEQUENT TO THE FILING OF THIS FINAL MAP.

TO ENSURE MUNICIPAL WATER SERVICES TO ALL LOTS SHOWN UPON THIS MAP, ALL GROUND WATER RIGHTS THAT THE UNDERSIGNED MAY HAVE WITHIN THE DISTINGUISHABLE BORDER UPON THIS MAP, HEREBY ARE DEDICATED TO THE CITY OF LATHROP.

THE UNDERSIGNED DOES HEREBY RESERVE PARCELS 1 THROUGH 4 FOR FUTURE DEVELOPMENT

OWNERS: RIVER ISLANDS DEVELOPMENT AREA 1, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: NAME _____ DATE _____
IT'S: SUSAN DELL'OSO PRESIDENT

TRUSTEE'S STATEMENT

OLD REPUBLIC TITLE COMPANY, AS TRUSTEE, UNDER THE DEED OF TRUST RECORDED DECEMBER 31, 2020, AS DOCUMENT NUMBER 2020-186194, AND AS AMENDED IN DOCUMENT RECORDED OCTOBER 3, 2022 AS DOCUMENT NUMBER 2022-114643, AND FURTHER AMENDED IN DOCUMENT RECORDED NOVEMBER 23, 2022 AS DOCUMENT NUMBER 2022-152036, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY

DATED THIS _____ DAY OF _____, 2023.

BY: NAME _____
IT'S: _____

ACKNOWLEDGEMENT CERTIFICATE (OWNER)

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF SAN JOAQUIN

ON _____, 2023, BEFORE ME,

I, A NOTARY PUBLIC, PERSONALLY APPEARED, _____ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE/HEY EXECUTED THE SAME IN HIS/HER/HER AUTHORIZED CAPACITIES, AND THAT BY HIS/HER/HER SIGNATURE(S) ON THE INSTRUMENT (THE PERSON(S)), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE _____
NAME (PRINT) _____
PRINCIPAL COUNTY OF BUSINESS _____
MY COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____

TRACT 4173 RIVER ISLANDS - PHASE 2 VILLAGE 41 UNIT 1

A PORTION OF RANCHO EL PESCADERO, BEING A
SUBDIVISION OF PARCELS 17, 18 AND 19 OF TRACT 4149 (44 MAP 52),
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

AUGUST 2023



CITY CLERK'S STATEMENT

I, TERESA VARGAS, CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE CITY OF LATHROP, STATE OF CALIFORNIA, DO HEREBY STATE THAT THE HEREIN EMBODIED MAP ENTITLED "TRACT 4173, RIVER ISLANDS - PHASE 2, VILLAGE 41, UNIT 1", CITY OF LATHROP, CALIFORNIA, CONSISTING OF SEVEN (7) SHEETS, THIS STATEMENT WAS PRESENTED TO SAID CITY COUNCIL AND WAS ADOPTED AND APPROVED BY RESOLUTION NO. _____ DATED _____, 2023, AND THAT SAID CITY COUNCIL DID HEREBY PASS BY RESOLUTION NO. _____ JULY PASSED AND ADOPTED AT SAID MEETING, APPROVE SAID MAP, AND AUTHORIZED ITS RECORDEMENT, AND ACCEPTED ON BEHALF OF THE CITY OF LATHROP, FOR PUBLIC USE, THE DEDICATION OF ALL PUBLIC UTILITY EASEMENTS AND WALL EASEMENTS, THE DEDICATION OF THE GROUND WATER RIGHTS, THE DEDICATION IN FEE OF PARCEL B, AND ACCEPTED THE OFFER OF DEDICATION OF BUSHWICK LANE, AS SHOWN ON SAID MAP SUBJECT TO THE IMPROVEMENTS BEING COMPLETED IN ACCORDANCE WITH CHAPTER 16, TITLE 16.16 OF THE CITY OF LATHROP MUNICIPAL CODE.

ALSO, PURSUANT TO SECTION 65441(c) OF THE CALIFORNIA SUBDIVISION MAP ACT, THE CITY OF LATHROP DOES HEREBY ABANDON THE NON-EXCLUSIVE PUBLIC UTILITY EASEMENT FOR PUBLIC PURPOSES RECORDED JUNE 9, 2023, AS DOCUMENT NUMBER 2023-045592, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, WITHIN THE BOUNDARY OF THIS FINAL MAP.

I FURTHER STATE THAT ALL BONDS AS REQUIRED BY LAW TO ACCOMPANY THE WITHIN MAP, IF APPLICABLE, HAVE BEEN APPROVED BY THE CITY COUNCIL OF LATHROP AND FILED IN MY OFFICE.

TERESA VARGAS
CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE CITY OF LATHROP, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA

ACKNOWLEDGEMENT CERTIFICATE (TRUSTEE)

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF SAN JOAQUIN

ON _____, 2023, BEFORE ME,

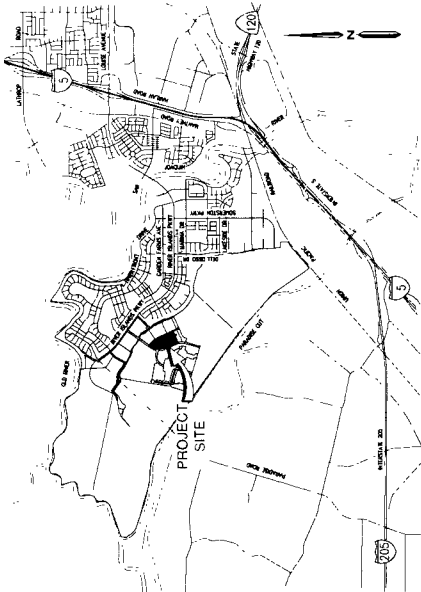
I, A NOTARY PUBLIC, PERSONALLY APPEARED, _____ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE/HEY EXECUTED THE SAME IN HIS/HER/HER AUTHORIZED CAPACITIES, AND THAT BY HIS/HER/HER SIGNATURE(S) ON THE INSTRUMENT (THE PERSON(S)), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE _____
NAME (PRINT) _____
PRINCIPAL COUNTY OF BUSINESS _____
MY COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____

EXEMPT FROM FEE PER GOVERNMENT CODE 27398.1, DOCUMENT RECORDED IN CONNECTION WITH A CONCURRENT TRANSFER SUBJECT TO THE IMPOSITION OF DOCUMENTARY TRANSFER TAX



VICINITY MAP
NOT TO SCALE

SECRETARY OF THE PLANNING COMMISSION'S STATEMENT

THIS MAP CONFORMS TO VESTING TENTATIVE MAP NO. 6716 RECOMMENDED BY THE PLANNING COMMISSION AND APPROVED BY THE CITY COUNCIL PER RESOLUTION NO. 21-4908.

DATED THIS _____ DAY OF _____, 2023.

RICARDO CAGUAT, COMMUNITY DEVELOPMENT DIRECTOR
CITY OF LATHROP

CITY ENGINEER'S STATEMENT

I, BRAD R. TAYLOR, HEREBY STATE THAT I AM THE CITY ENGINEER OF THE CITY OF LATHROP, CALIFORNIA AND THAT I HAVE REVIEWED THIS MAP AND THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE VESTING TENTATIVE MAP NO. 6716, AND ANY APPROVED ALTERATIONS THEREOF. I FURTHER STATE THAT THIS FINAL MAP COMPLIES WITH ALL PROVISIONS OF CHAPTER 2 OF THE CALIFORNIA STATE SUBDIVISION MAP ACT AND APPLICABLE ORDINANCES OF THE CITY OF LATHROP, AND ANY AMENDMENTS THEREOF, APPLICABLE AT THE TIME OF APPROVAL OF VESTING TENTATIVE MAP.

DATED THIS _____ DAY OF _____, 2023.

BRAD R. TAYLOR, R.C.E. 92823
CITY ENGINEER OF THE CITY OF LATHROP, CALIFORNIA



RECORDERS STATEMENT

FILED THIS _____ DAY OF _____, 2023, AT _____ M
IN BOOK _____ OF MAPS AND PLATS, AT PAGE _____, AT THE REQUEST OF OLD REPUBLIC TITLE COMPANY
FEE: \$ _____

STATE OF CALIFORNIA
COUNTY OF SAN JOAQUIN
BY: _____
ASSISTANT/DEPUTY RECORDER

STATE OF CALIFORNIA
COUNTY OF SAN JOAQUIN
COUNTY CLERK
SAN JOAQUIN COUNTY, CALIFORNIA

TRACT 4173
RIVER ISLANDS - PHASE 2
VILLAGE 41 UNIT 1

A PORTION OF RANCHO EL PESQUERO, BEING A
SUBDIVISION OF PARCELS 17, 18 AND 19 OF TRACT 4149 (44 MAP 52),
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

AUGUST 2023



CITY SURVEYOR'S STATEMENT

I, DARRYL A. ALEXANDER, HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP OF "TRACT 4173, RIVER ISLANDS - PHASE 2, VILLAGE 41, UNIT 1", CITY OF LATHROP, CALIFORNIA, AND I AM SATISFIED THAT THIS FINAL MAP IS TECHNICALLY CORRECT.

DATED THIS _____ DAY OF _____, 2023.

DARRYL A. ALEXANDER, P.L.S. 5071
ACTING CITY SURVEYOR



SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN ACCORDANCE WITH THE PROFESSIONAL SURVEYING ACT AND LOCAL ORDINANCES. I HAVE BEEN AT THE REQUEST OF RIVER ISLANDS DEVELOPMENT AREA 1, LLC, ON MARCH 23, 2023. I HEREBY STATE THAT THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE DECEMBER 31, 2024, AND THAT THE MONUMENTS ARE, OR THAT THEY WILL BE, SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED VESTING TENTATIVE MAP.

DATED THIS _____ DAY OF _____, 2023.

OTLAW DRAWORD, P.L.S. NO. 7788



RECITALS

1. RIGHT TO FARM STATEMENT
THE CITY OF LATHROP HAS ADOPTED A RIGHT TO FARM ORDINANCE, TITLE 15, CHAPTER 15.48.04, THE CITY OF LATHROP PERMITS OPERATION OF PROPERLY CONDUCTED AGRICULTURAL OPERATIONS WITHIN THE CITY LIMITS, INCLUDING THOSE THAT UTILIZE CHEMICAL FERTILIZERS AND PESTICIDES. YOU ARE HEREBY NOTIFIED THAT THE PROPERTY YOU ARE PURCHASING MAY BE LOCATED CLOSE TO AGRICULTURAL LANDS AND OPERATIONS. YOU MAY BE SUBJECT TO INCONVENIENCE OR DISCOMFORT ARISING FROM THE LAWFUL AND PROPER USE OF AGRICULTURAL CHEMICALS AND PESTICIDES AND FROM OTHER AGRICULTURAL ACTIVITIES INCLUDING WITHOUT LIMITATIONS, CULTIVATION, PLANTING, SPRAYING, IRRIGATION, PRUNING, HARVESTING, BURNING OF AGRICULTURAL WASTE, AND OTHER AGRICULTURAL ACTIVITIES. THESE ACTIVITIES MAY GENERATE JUST SMELL, NOISE, DUST, ROBERTS AND PESTS. BE AWARE ALSO, THAT THIS PROPERTY MAY BE LOCATED ADJACENT TO AGRICULTURAL OPERATIONS OUTSIDE THE CITY'S JURISDICTION. CONSEQUENTLY, DEPENDING ON THE LOCATION OF YOUR PROPERTY, IT MAY BE NECESSARY THAT YOU BE PREPARED TO ACCEPT SUCH INCONVENIENCES OR DISCOMFORT AS NORMAL AND NECESSARY ASPECT OF LIVING IN AN AGRICULTURALLY ACTIVE REGION.
2. A SOIL REPORT ENTITLED "GEOCHEMICAL EXPLORATION, RIVER ISLANDS PHASE 1, LATHROP" WAS PREPARED BY THIS PROJECT BY ENGINEER, INCORPORATED, JOSEF V. TOUTLE, P.E. NO. 2677, AND IS ON FILE WITH THE CITY OF LATHROP.
3. TRACT 4173, RIVER ISLANDS-PHASE 2, VILLAGE 41, UNIT 1, CONTAINS 29 RESIDENTIAL LOTS WITH A TOTAL OF 2,878 ACRES, PARCELS A THROUGH F CONTAINING 14,295 ACRES, MORE OR LESS, PARCELS 1 THROUGH 4 CONTAINING 5,523 ACRES AND ROADWAYS THAT ARE BEING DEDICATED BY THIS FINAL MAP WHICH INCLUDE 2,445 ACRES, MORE OR LESS AS SHOWN ON THIS FINAL MAP (PLEASE REFER TO THE AREA TABLE BELOW)

TRACT 4173 AREA SUMMARY	
LOTS 1 THROUGH 29	2,878 AC±
STREET DEDICATIONS	2,445 AC±
PARCELS A THROUGH F	14,295 AC±
PARCELS 1 THROUGH 4	5,523 AC±
TOTAL	25,141 AC±

4. BASED ON INFORMATION CONTAINED IN THE PRELIMINARY TITLE REPORT, ORDER NUMBER 191448301-UK (VERSION 4), DATED AUGUST 21, 2023, PROVIDED BY OLD REPUBLIC TITLE COMPANY.

EASEMENT ABANDONMENT NOTE

THE NON-EXCLUSIVE PUBLIC UTILITY EASEMENT FOR PUBLIC PURPOSES RECORDED IN THE PUBLIC RECORDS OF SAN JOAQUIN COUNTY, WITHIN TRACT 4173 IS BEING ABANDONED BY THIS FINAL MAP. PLEASE REFER TO THE CITY CLERK'S STATEMENT ON SHEET 1.

REFERENCES

(R1) TRACT 4149, RIVER ISLANDS-PHASE 2, WEST VILLAGE LARGE LOT FINAL MAP, FILED DECEMBER 5, 2022, IN BOOK 44 OF MAPS AND PLATS, PAGE 52, S.J.C.R. (44 MAP 52).

SIGNATURE OMISSIONS

PURSUANT TO SECTION 66043 OF THE CALIFORNIA SUBDIVISION MAP ACT, THE SIGNATURES OF THE FOLLOWING PARTIES HAVE BEEN OMITTED:

1. RECLAIMED ISLANDS LAND COMPANY, RESERVATION FOR OIL, GAS, MINERALS, AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET, PER DOCUMENT NUMBER 2001-01046177, S.J.C.R.

CERTIFICATE OF DEDICATION

THE FOLLOWING REAL PROPERTY IS DEDICATED BY RIVER ISLANDS DEVELOPMENT AREA 1, LLC, AS FOLLOWS:

- 1) PARCEL B, FOR PURPOSES OF A SEWER LIFT STATION.

THE CITY OF LATHROP SHALL RECOVER THE PROPERTY TO THE SUBDIVIDER IF THE CITY MAKES DEDICATION FOR THE PROPOSED SEWER LIFT STATION 664773 THE SAME PURPOSE FOR WHICH THE PROPERTY WAS DEDICATED DOES NOT EXIST.

LINE AND CURVE TABLES FOR COURSES SHOWN ON SHEET 3 ONLY

LINE TABLE	
LINE #	DIRECTION
L1	N80°54'41"E
L2	N54°05'19"W
L3	N57°12'39"W
L4	N80°54'41"E
L5	N54°05'19"W
L6	N28°28'48"E
L7	N29°53'11"E
L8	N19°17'34"E
L9	N14°41'57"E
L10	N2°45'53"W
L11	N6°15'09"W
L12	N15°17'09"W

LINE TABLE	
LINE #	DIRECTION
L13	N17°53'00"W
L14	N22°25'41"W
L15	N27°47'54"W
L16	N20°22'47"W
L17	N38°39'48"W
L18	N65°54'40"E
L19	N79°30'20"E
L20	N35°54'41"E
L21	N62°42'24"E
L22	N25°36'43"W
L23	N25°27'10"W

CURVE TABLE	
CURVE #	RADIUS
C1	815.00'
C2	625.00'
C3	850.00'

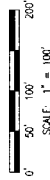
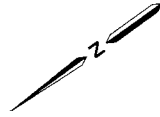
TRACT 4173 RIVER ISLANDS - PHASE 2 VILLAGE 41 UNIT 1

A PORTION OF RANCHO EL PESQUERO, BEING A
SUBDIVISION OF PARCELS 17, 18 AND 19 OF TRACT 4149 (44 MAP 52),
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

AUGUST 2023



BOUNDARY SHEET

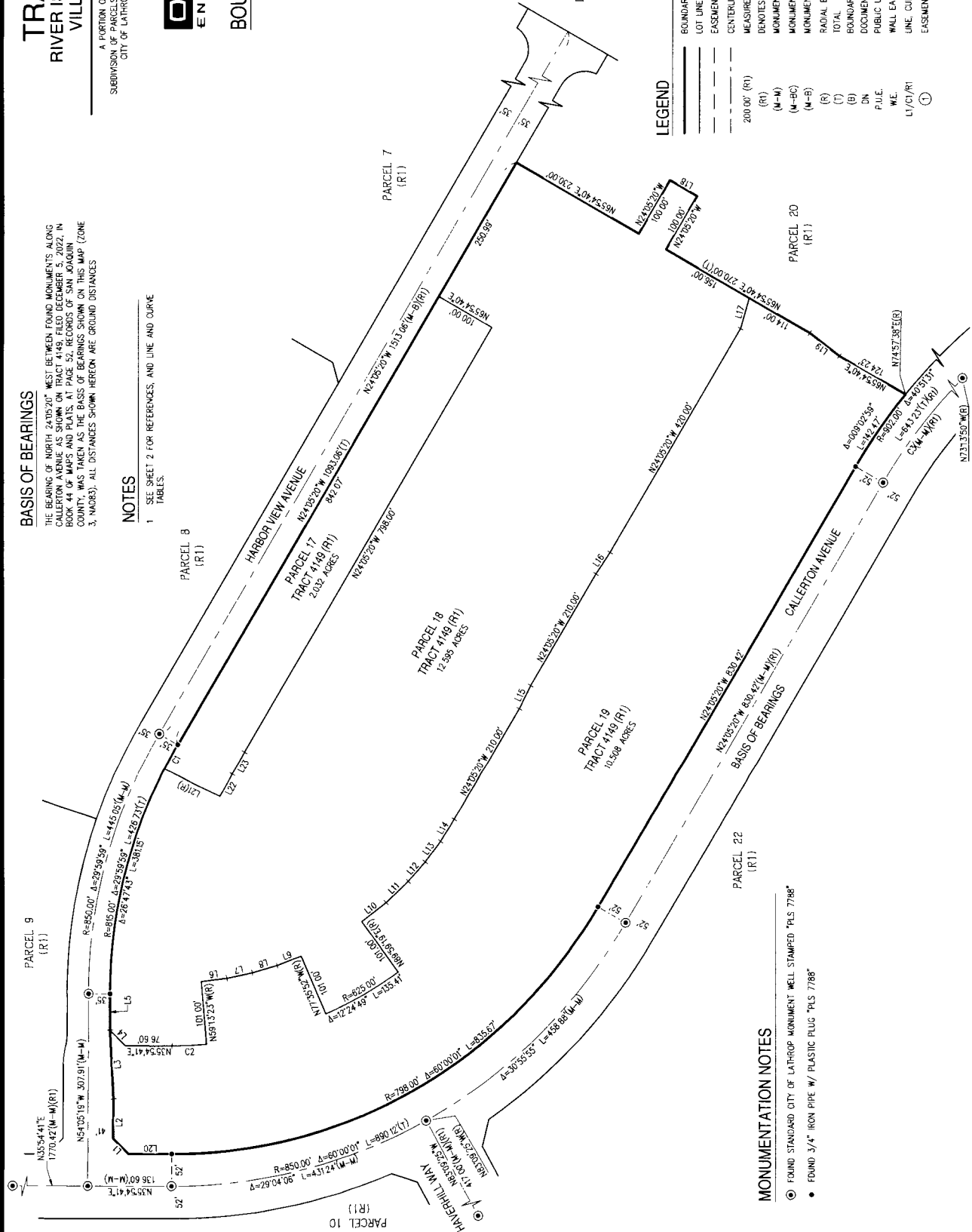


BASIS OF BEARINGS

THE BEARING OF NORTH 24°05'20" WEST BETWEEN FOUND MONUMENTS ALONG
CALLERTON AVENUE AS SHOWN ON TRACT 4149, FILED DECEMBER 5, 2022, IN
BOOK 44 OF MAPS AND PLATS, AT PAGE 52, RECORDS OF SAN JOAQUIN
COUNTY, WAS TAKEN AS THE BASIS OF BEARINGS SHOWN ON THIS MAP (ZONE
3, NAD83). ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES

NOTES

- 1 SEE SHEET 2 FOR REFERENCES AND LINE AND CURVE
TABLES.



LEGEND

BOUNDARY	LOT LINE OR RIGHT-OF-WAY LINE
EASEMENT LINE	CENTERLINE/MONUMENT LINE
200.00' (R1)	MEASURED AND RECORD DATA PER REFERENCE (R1)
(R1)	DENOTES REFERENCE (R1) - SEE REFERENCE LIST ON SHEET 2
(M-W)	MONUMENT TO MONUMENT
(M-BC)	MONUMENT TO BEGINNING OF CURVE
(M-B)	MONUMENT TO BOUNDARY
(R)	RADIAL BEARING
(T)	TOTAL
(B)	BOUNDARY
DN	DOCUMENT NUMBER
P.U.E.	PUBLIC UTILITY EASEMENT
W.E.	WALL EASEMENT
L1/C1/R1	LINE, CURVE, RADIAL LINE
①	EASEMENT REFERENCE NUMBER - SEE SHEET 2

MONUMENTATION NOTES

- ② FOUND STANDARD CITY OF LATHROP MONUMENT WELL STAMPED "PLS 7788"
- FOUND 3/4" IRON PIPE W/ PLASTIC PLUG "PLS 7788"

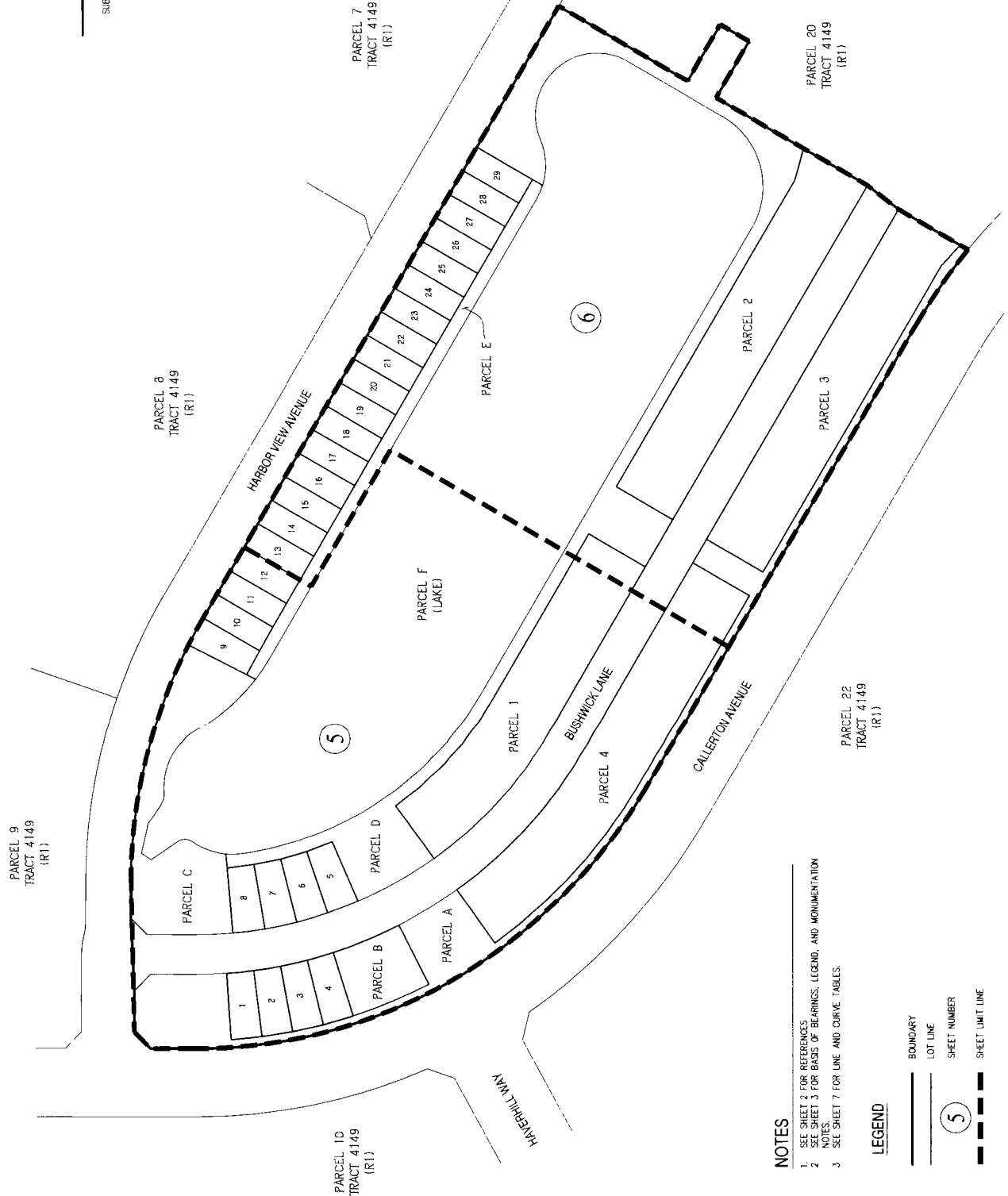
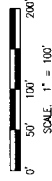
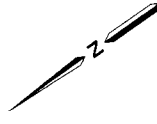
TRACT 4173 RIVER ISLANDS - PHASE 2 VILLAGE 41 UNIT 1

A PORTION OF RANCHO EL PESQUERO, BEING A
SUBDIVISION OF PARCELS 17, 18 AND 19 OF TRACT 4149 (44 MAP 52),
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

AUGUST 2023



SHEET INDEX



NOTES

1. SEE SHEET 2 FOR REFERENCES.
2. SEE SHEET 3 FOR BASIS OF BEARINGS, LEGEND, AND MONUMENTATION NOTES.
3. SEE SHEET 7 FOR LINE AND CURVE TABLES.

LEGEND

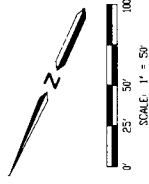
- BOUNDARY
- LOT LINE
- SHEET NUMBER
- SHEET LIMIT LINE

5

TRACT 4173 RIVER ISLANDS - PHASE 2 VILLAGE 41 UNIT 1

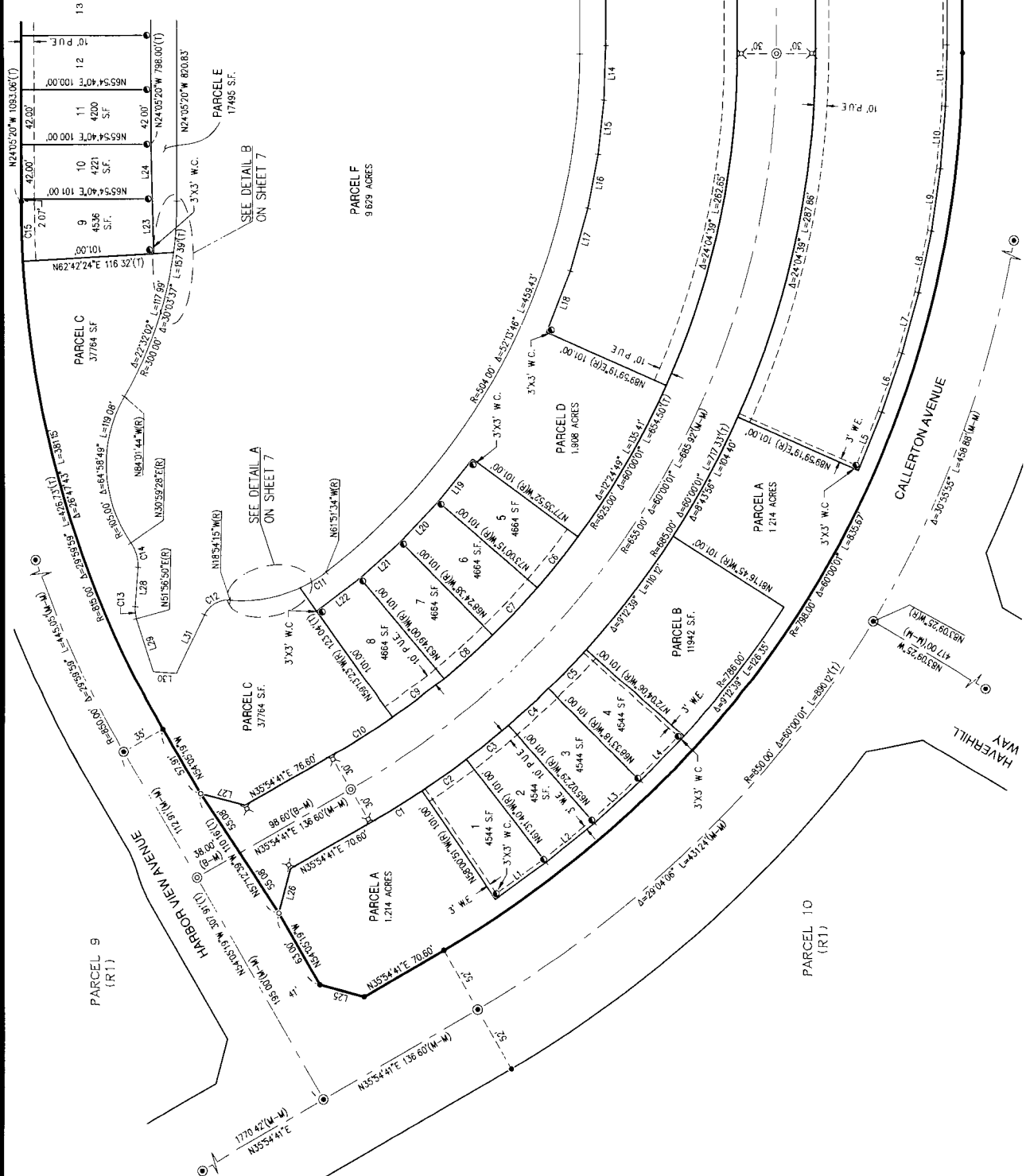
A PORTION OF RANCHO EL PESQUERO, BEING A
SUBDIVISION OF PARCELS 17, 18 AND 19 OF TRACT 4149 (44 MAP 32),
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

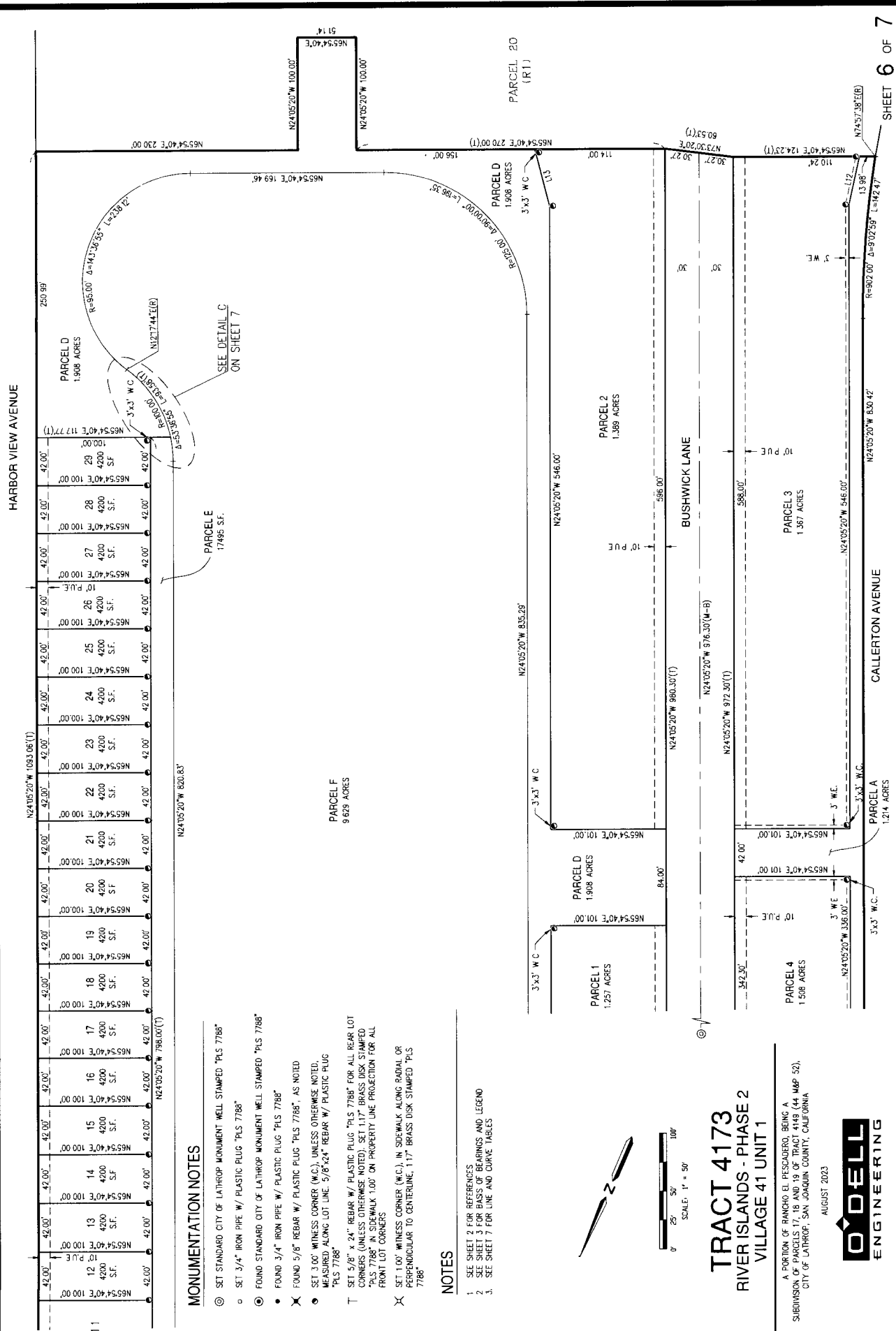
AUGUST 2023



NOTES

1. SEE SHEET 2 FOR REFERENCES
2. SEE SHEET 3 FOR BASIS OF BEARINGS AND LEGEND
3. SEE SHEET 6 FOR MONUMENTATION NOTES
4. SEE SHEET 7 FOR LINE AND CURVE TABLES





LINE AND CURVE TABLES FOR COURSES SHOWN ON SHEETS 5 AND 6 ONLY

LINE #	DIRECTION	LENGTH
L1	N80°13'45"E	48.19'
L2	N2°42'56"E	48.19'
L3	N23°12'07"E	48.19'
L4	N19°41'19"E	48.19'
L5	N1°46'06"W	48.19'
L6	N5°16'57"W	48.22'
L7	N8°47'52"W	48.22'
L8	N12°18'47"W	48.22'
L9	N15°48'42"W	48.22'
L10	N19°20'37"W	48.22'
L11	N22°47'28"W	47.28'
L12	N1°40'36"W	43.01'
L13	N8°38'48"W	51.66'
L14	N22°25'41"W	42.02'
L15	N17°53'00"W	42.03'
L16	N13°17'08"W	42.03'
L17	N8°15'09"W	50.00'
L18	N2°46'53"W	50.34'
L19	N14°41'57"E	42.00'
L20	N18°17'34"E	42.00'

LINE #	DIRECTION	LENGTH
L21	N23°53'11"E	42.00'
L22	N28°28'48"E	42.00'
L23	N25°38'43"W	42.00'
L24	N25°27'10"W	42.01'
L25	N80°54'41"E	35.36'
L26	N9°05'19"W	35.36'
L27	N80°54'41"E	35.36'
L28	N20°25'38"W	30.46'
L29	N41°47'52"W	42.79'
L30	N69°34'22"E	18.00'
L31	N1°36'37"E	48.76'

CURVE #	RADIUS	DELTA	LENGTH
C1	685.00'	3°55'32"	46.93'
C2	685.00'	3°30'49"	42.01'
C3	685.00'	3°30'49"	42.01'
C4	685.00'	3°30'49"	42.01'
C5	685.00'	3°30'49"	42.01'
C6	625.00'	4°35'37"	50.11'
C7	625.00'	4°35'37"	50.11'
C8	625.00'	4°35'37"	50.11'
C9	625.00'	4°35'37"	50.11'
C10	625.00'	5°08'04"	56.01'
C11	105.00'	12°42'11"	23.28'
C12	20.00'	69°29'08"	24.26'
C13	30.00'	17°37'31"	9.23'
C14	30.00'	38°34'54"	20.20'
C15	815.00'	3°11'21"	45.58'

TRACT 4173

RIVER ISLANDS - PHASE 2

VILLAGE 41 UNIT 1

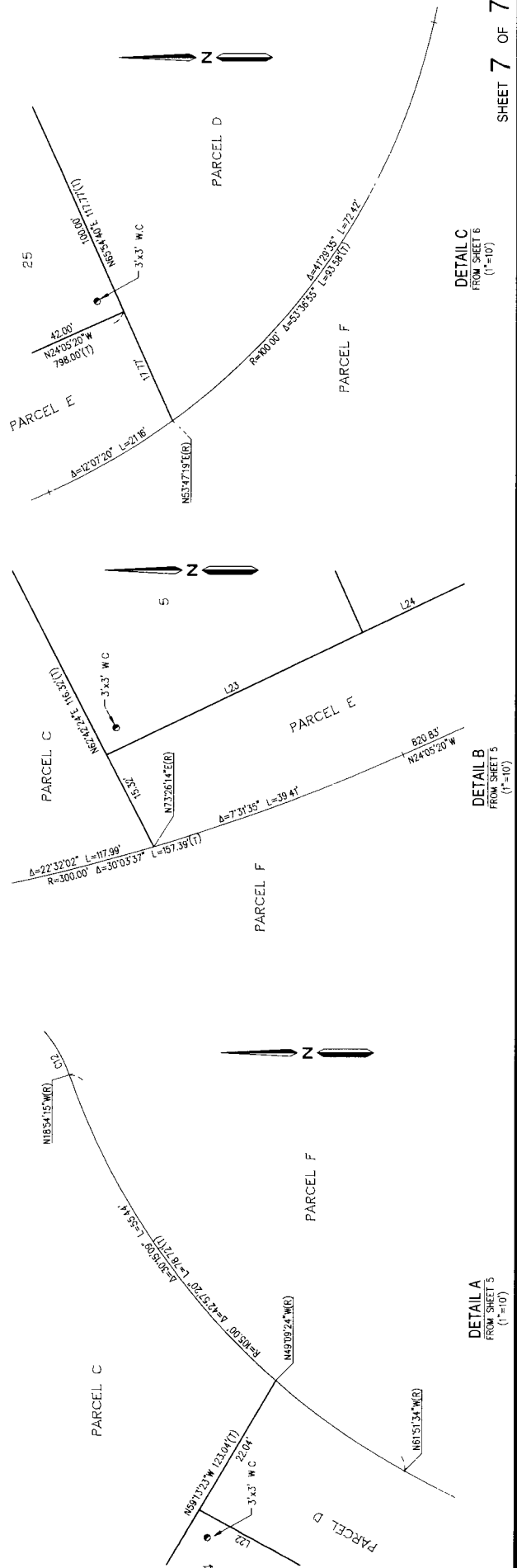
A PORTION OF RANCHO EL PESQUERO, BEING A
SUBDIVISION OF PARCELS 17, 18 AND 19 OF TRACT 4149 (44 MAP 32),
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

AUGUST 2023



NOTES

- SEE SHEET 2 FOR REFERENCES.
- SEE SHEET 3 FOR BASIS OF BEARINGS AND LEGEND.
- SEE SHEET 6 FOR MONUMENTATION NOTES.



DETAIL C
FROM SHEET 6
(1\"=10')

DETAIL B
FROM SHEET 5
(1\"=10')

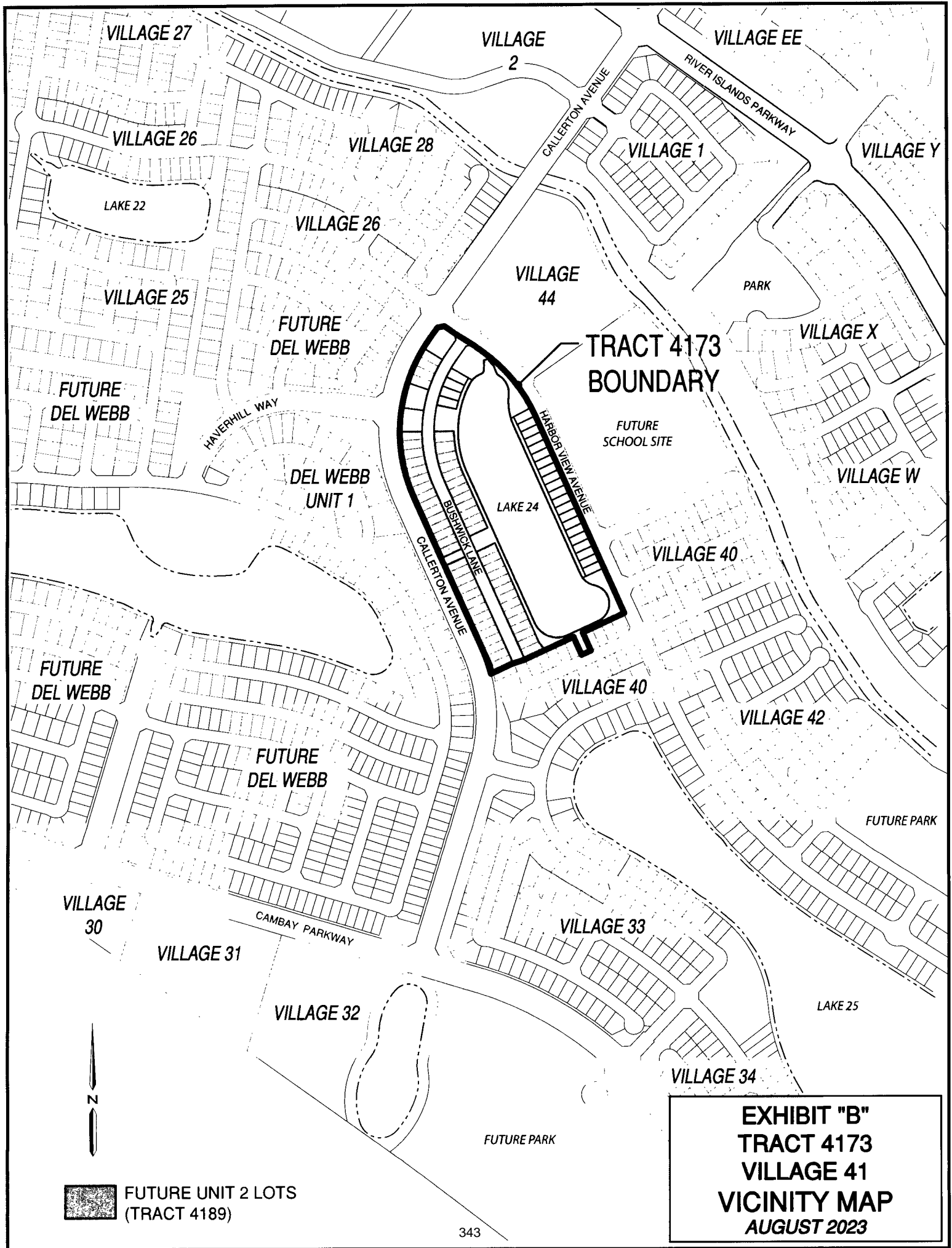
DETAIL A
FROM SHEET 3
(1\"=10')

SHEET 7 OF 7

Subdivision Improvement Agreement (River Islands Development Area 1, LLC)
Tract 4173 Lake Harbor - Village 41 Unit 1

EXHIBIT "B"

TRACT 4173 LAKE HARBOR – VILLAGE 41 UNIT 1 AREA




 FUTURE UNIT 2 LOTS
(TRACT 4189)

EXHIBIT "B"
TRACT 4173
VILLAGE 41
VICINITY MAP
AUGUST 2023

EXHIBIT "C"

CITY INSURANCE REQUIREMENTS

1. The Subdivider shall obtain commercial general liability insurance companies licensed to do business in the State of California with an A.M. Best Company rating Insurance rating of no less than A:VII which provides coverage for bodily injury, personal injury and property damage liability in the amount of at least \$1,000,000 for each occurrence and \$2,000,000 in the aggregate.

Said insurance coverage shall be evidenced by a certificate of insurance with policy endorsements, executed by an authorized official of the insurer(s). All parties to the Subdivision Improvement Agreement must be named insured on the policy. The policy endorsements to be attached to the certificate must provide all the following:

a. Name the City of Lathrop, its officers, City Council, boards and commissions, and members thereof, its employees and agents as additional insured as respects to any liability arising out of the activities of the named insured. A CG 2010 or CG 2026 endorsement form or the equivalent is the appropriate form.

b. State that "the insurance coverage afforded by this policy shall be primary insurance as respects to the City of Lathrop, its officers, employees and agents. Any insurance or self-insurance maintained by the City of Lathrop, its officers, employees, or agents shall be in excess of the insurance afforded to the named insured by this policy and shall not contribute to any loss.

c. Include a statement that, "the insurer will provide to the City at least thirty (30) days prior notice of cancellation or material change in coverage." The above language can be included on the additional insured endorsement form or on a separate endorsement form.

d. The policy must contain a cross liability or severability of interest clause.

e. Insurance must be maintained and evidence of insurance must be provided for at least five years after completion of the Agreement or the work, so long as commercially available at reasonable rates.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/3/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Alliant Insurance Services, Inc. 333 S Hope St Ste 3750 Los Angeles CA 90071	CONTACT NAME: Nicolas DiGerolamo PHONE (A/C, No, Ext): E-MAIL ADDRESS: Nicolas.DiGerolamo@Alliant.com INSURER(S) AFFORDING COVERAGE INSURER A : United Specialty Insurance Co. INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :	FAX (A/C, No): NAIC # 12537
INSURED River Islands Development Area 1, LLC 73 W. Stewart Lathrop CA 95330	License#: 0C36861 RIVEISL-01	

COVERAGES

CERTIFICATE NUMBER: 238951647

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y	ATN2117764P	3/19/2021	3/19/2024	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 0 MED EXP (Any one person) \$ 0 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E L. EACH ACCIDENT \$ E L. DISEASE - EA EMPLOYEE \$ E L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Re: - FM 4173 Village 41: River Islands Development Area 1, LLC

City of Lathrop, its officers, City Council, boards and commissions and members thereof, its employees and agents are included as Additional Insureds as respects to General Liability. General Liability shall be Primary and Non-Contributory with any other insurance in force for or which may be purchased by City of Lathrop, its officers, employees and agents.

30 days advanced written notice to Certificate Holder in the event of cancellation, except 10 days for non-payment of premium.

CERTIFICATE HOLDER**CANCELLATION**

City of Lathrop, its officers, employees and agents
390 Towne Centre Drive
Lathrop CA 95330

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS – SCHEDULED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)	Location(s) Of Covered Operations
As Required By Written Contract, Fully Executed Prior To The Named Insured's Work	As Required By Written Contract, Fully Executed Prior To The Named Insured's Work
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured(s) at the location(s) designated above.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

United Specialty Insurance Company

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

VEN 064 00 (01/15)

THIRD PARTY CANCELLATION NOTICE ENDORSEMENT

This endorsement modifies the Conditions provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

If we cancel this policy for any reason other than nonpayment of premium, we will mail notification to the persons or organizations shown in the schedule below (according to the number of days listed below) once the Named Insured has been notified.

If we cancel this coverage for nonpayment of premium, we will mail a copy of such written notice of cancellation to the name and address below at least 10 days prior to the effective date of such cancellation.

Our failure to provide such advance notification will not extend the policy cancellation date nor negate cancellation of the policy.

SCHEDULE

<u>Name and Address of Other Person/Organization</u>	<u>Number of Days Notice</u>
Per schedule on file with the company	30

All other terms, conditions and exclusions under this policy are applicable to this Endorsement and remain unchanged.

United Specialty Insurance Company

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

VEN 051 00 (02/20)

PRIMARY AND NON-CONTRIBUTING INSURANCE ENDORSEMENT

This endorsement modifies the Conditions provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

The following is added to **SECTION IV - COMMERCIAL GENERAL LIABILITY CONDITIONS** of the **COMMERCIAL GENERAL LIABILITY COVERAGE PART**, and supersedes any provision to the contrary:

Primary and Non-Contributory Insurance

Any coverage provided to an Additional Insured under this policy shall be excess over any other valid and collectible insurance available to such Additional Insured whether primary, excess, contingent or on any other basis unless:

- a. (1) The Additional Insured is a Named Insured under such other insurance;
and
 - (2) A fully written contract fully executed prior to the Named Insured's commencement of work for such Additional Insured for the specific project that is the subject of the claim, "suit," or "occurrence" expressly requires that this insurance:
 - (i) apply on a primary and non-contributory basis;
and
 - (ii) would not seek contribution from any other insurance available to the additional insured.
- or
- b. Prior to a loss, you request in writing and we agree in writing that this insurance shall apply on a primary and non-contributory basis.

Name Of Person(s) Or Organization(s)
As Required By Written Contract, Fully Executed Prior To The Named Insured's Work.

All other terms, conditions and exclusions under this policy are applicable to this Endorsement and remain unchanged.

Subdivision Improvement Agreement (River Islands Development Area 1, LLC)
Tract 4173 Lake Harbor - Village 41 Unit 1

EXHIBIT "D"

**UNFINISHED IMPROVEMENT COST ESTIMATE AND
TRACT 4173 LAKE HARBOR - VILLAGE 41 UNIT 1 – FULL IMPROVEMENT COST**

ENGINEER'S BOND ESTIMATE

COST TO COMPLETE

RIVER ISLANDS - PHASE 2

DEL WEBB - VILLAGE 41

CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

August 21, 2023

Job No.: 25504 - 84

Item	Description	Quantity	Unit	Unit Price	Amount
1	Sanitary Sewer Raising Iron & Testing (0% Completion)	1	LS	\$ 51,500.00	\$ 51,500.00
2	Storm Drain Raising Iron & Testing (0% Completion)	1	LS	\$ 3,000.00	\$ 3,000.00
3	Domestic Water Raising Iron, Testing & Tie-in (0% Completion)	1	LS	\$ 49,500.00	\$ 49,500.00
4	Joint Trench (60% Completion)	1	LS	\$ 83,700.00	\$ 83,700.00
5	Striping & Mounments (0% Completion)	1	LS	\$ 10,500.00	\$ 10,500.00
TOTAL COST TO COMPLETE					\$ 198,200.00

Notes:

- 1) Estimate for cost to complete based on contractor's note for Del Webb - Village 41 dated 9/11/2023

ENGINEER'S PRELIMINARY COST ESTIMATE
DEL WEBB
VILLAGE 41 (81 Lots)
RIVER ISLANDS
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

October 13, 2021
Job No.: 25504-84

Item	Description	Quantity	Unit	Unit Price	Amount
<u>ROADWAY</u>					
1	Fine Grading	660,000	SF	\$ 0.45	\$ 297,000.04
2	4.5" AC Paving	44,550	SF	\$ 2.25	\$ 100,237.50
3	8" Aggregate Base	79,200	SF	\$ 1.20	\$ 95,040.00
4	Vertical Curb and Gutter <i>(with AB cushion)</i>	3,750	LF	\$ 15.00	\$ 56,250.00
5	Rolled Curb and Gutter <i>(with AB cushion)</i>	3,520	LF	\$ 15.00	\$ 52,800.00
6	Type F Median Curb <i>(with AB cushion)</i>	210	LF	\$ 18.00	\$ 3,780.00
7	Roundabout Curb <i>(with AB cushion)</i>	220	LF	\$ 18.00	\$ 3,960.00
8	Splitter Island Curb <i>(with AB cushion)</i>	100	LF	\$ 18.00	\$ 1,800.00
9	Concrete Sidewalk	47,500	SF	\$ 5.00	\$ 237,500.00
10	Driveway Approach	81	EA	\$ 600.00	\$ 48,600.00
11	Handicap Ramps	6	EA	\$ 2,500.00	\$ 15,000.00
12	Survey Monuments	7	EA	\$ 300.00	\$ 2,100.00
13	Traffic Signing & Striping	4,150	LF	\$ 5.00	\$ 20,750.00
14	Roundabout Concrete	1,900	SF	\$ 5.00	\$ 9,500.00
15	Dewatering <i>(budget)</i>	4,150	LF	\$ 75.00	\$ 311,250.00
Subtotal Roadway					\$ 1,255,567.54
<u>STORM DRAIN</u>					
16	15" Storm Drain Pipe	300	LF	\$ 34.00	\$ 10,200.00
17	18" Storm Drain Pipe	210	LF	\$ 46.00	\$ 9,660.00
18	24" Storm Drain Pipe	900	LF	\$ 65.00	\$ 58,500.00
19	36" Storm Drain Pipe	1,450	LF	\$ 95.00	\$ 137,750.00
20	48" Storm Drain Pipe	1,020	LF	\$ 125.00	\$ 127,500.00
21	Catch Basins <i>(type A inlet)</i>	22	EA	\$ 2,400.00	\$ 52,800.00
22	Catch Basins <i>(type A inlet over type II manhole base)</i>	4	EA	\$ 2,800.00	\$ 11,200.00
23	Catch Basins <i>(type C inlet over type I manhole base)</i>	4	EA	\$ 5,000.00	\$ 20,000.00
24	Manholes <i>(type I)</i>	3	EA	\$ 3,000.00	\$ 9,000.00
25	Manholes <i>(type II)</i>	1	EA	\$ 5,000.00	\$ 5,000.00
26	Storm Drain Stub & Plug	3	EA	\$ 1,000.00	\$ 3,000.00
Subtotal Storm Drain					\$ 444,610.00
<u>SANITARY SEWER</u>					
27	8" Sanitary Sewer Pipe	3,250	LF	\$ 28.00	\$ 91,000.00
28	10" Sanitary Sewer Pipe	420	LF	\$ 35.00	\$ 14,700.00
29	Manholes	8	EA	\$ 4,000.00	\$ 32,000.00

Item	Description	Quantity	Unit	Unit Price	Amount
30	Sewer Service	81	EA	\$ 600.00	\$ 48,600.00
31	Sewer Stub & Plug	4	EA	\$ 1,000.00	\$ 4,000.00
32	Connect to Existing	1	EA	\$ 3,000.00	\$ 3,000.00
Subtotal Sanitary Sewer					\$ 193,300.00
<u>WATER SUPPLY</u>					
33	8" Water Line <i>(including all appurtenances)</i>	3,800	LF	\$ 32.00	\$ 121,600.00
34	GV	9	EA	\$ 1,550.00	\$ 13,950.00
35	1-1/2" Water Service	81	EA	\$ 2,000.00	\$ 162,000.00
36	Fire Hydrants	10	EA	\$ 4,000.00	\$ 40,000.00
37	Blow-Off	4	EA	\$ 4,000.00	\$ 16,000.00
38	Connect to Existing	1	EA	\$ 4,000.00	\$ 4,000.00
Subtotal Water					\$ 357,550.00
<u>NON-POTABLE WATER</u>					
39	10" Non-Potable Water Line <i>(including all appurtenances)</i>	1,900	LF	\$ 40.00	\$ 76,000.00
40	Blow-Off	1	EA	\$ 4,000.00	\$ 4,000.00
41	Connect to Existing	1	EA	\$ 4,000.00	\$ 4,000.00
Subtotal Non-Potable Water					\$ 84,000.00
<u>LAKE FILL WATER</u>					
42	24" Lake Fill Water Line <i>(including all appurtenances)</i>	270	LF	\$ 85.00	\$ 22,950.00
43	Lake Fill Stub & Plug	1	EA	\$ 3,500.00	\$ 3,500.00
44	Connect to Existing	1	EA	\$ 5,500.00	\$ 5,500.00
Subtotal Lake Fill Water					\$ 31,950.00
TOTAL CONSTRUCTION COST (nearest \$1,000)					\$ 2,367,000.00
COST PER LOT					\$ 29,222.00

Notes:

- 1) Unit prices are based on estimated current construction costs and no provision for inflation is included.
- 2) This estimate does not include surveying, engineering, clearing, grading, erosion control, landscaping, irrigation, or street trees.

JOINT ESCROW INSTRUCTIONS RECORDATION OF FINAL MAPS (RIVER ISLANDS AT LATHROP)

October 9, 2023

Via Email and Hand Delivery

Old Republic Title Company
1215 W. Center Street, Suite 103
Manteca, CA 95337
Attn: Lori Richardson

Re: Recordation of Final Map 4173; Escrow No. 1214023031

Dear Lori:

This letter constitutes the joint escrow instructions ("**Escrow Instructions**") of River Islands Development Area 1, LLC, a Delaware limited liability company ("**RIDA1**") and the City of Lathrop ("**City**") in connection with the above-referenced escrow ("**Escrow**"). The Escrow was opened in connection with recordation of the above-referenced final map ("**Final Map**"). Recordation of the Final Map is subject to the conditions set forth below. The transactions described in these Escrow Instructions are referred to as the "**Transaction**." Old Republic Title Company is referred to as "you" or "**ORTC**."

A. Date for Closings

The Final Map will be recorded at the time designated by RIDA1 as set forth below. The Final Map can only be recorded after the City has approved the map in writing. The closing date for the Transaction is intended to occur by December 29, 2023, at the time designated in writing by RIDA1, subject to satisfaction of the conditions set forth below (each a "**Closing**"). If the Final Map has not been recorded by June 30, 2024, ORTC will return the Final Map to the City.

B. Documents to be Delivered and Recordation Documents

In connection with the Transaction, you have in your possession or will receive the following documents from City and RIDA1 for recordation in the Official Records of San Joaquin County, California ("**Official Records**").

B.1. One original Final Map for Tract 4173, executed and acknowledged by the City (provided to title by City).

B.2. A fully executed and acknowledged Amendment to Notice of Special Tax Lien for the City of Lathrop Community Facilities District No. 2023-1 (River Islands Public Services and Facilities) Annexation No. ____ (provided to title by City).

B.3. A fully executed and acknowledged Amendment to Notice of Special Tax Lien for Island Reclamation District 2062 Community Facilities District No. 2013-1 (Levee and Lake Maintenance Services) (provided to title by RIDA1).

B.4. A fully executed and acknowledged Amendment to Notice of Special Tax Lien for River Islands Public Financing Authority Community Facilities District No. 2013-1 (River Islands Public Services) (provided to title by RIDA1).

The documents listed in Items B.1, B.2, B.3 and B.4 above are referred to as the "**Recordation Documents**." The Recordation Documents shall be recorded in the order

JOINT ESCROW INSTRUCTIONS RECORDATION OF FINAL MAPS (RIVER ISLANDS AT LATHROP)

referred to above. The date on which the Recordation Documents are recorded in the Official Records is the Recordation Date.

Prior to recording the Recordation Documents, please confirm that you have received copies or originals of the following documents: (i) Unanimous Approval of Annexation to a Community Facilities District and Related Matters, City of Lathrop Community Facilities District No. 2023-1 (River Islands Public Services and Facilities); (ii) Consent to, and Ballot in favor of, Annexation of Real Property to Island Reclamation District No. 2062 Community Facilities District No. 2013-1 (Levee and Lake Maintenance) and (iii) Consent to, and Ballot in favor of, Annexation of Real Property to the River Islands Public Financing Authority Community Facilities District No. 2013-1 (River Islands Public Services). The original City of Lathrop Unanimous Approval must be delivered to the City of Lathrop. The original Consents and Ballots for River Islands Public Financing Authority CFD Nos. 2013-1 and Island Reclamation District No. 2013-1 must be delivered to Jeanne Zolezzi at Herum\Crabtree\Suntag, 5757 Pacific Ave., Suite 222, Stockton, CA 95207. Copies should be sent via email to Cari James (cjames@ci.lathrop.ca.us), Cindy Yan at Goodwin Consulting Group, cindy@goodwinconsultinggroup.net, Susan Dell'Osso (sdelloso@riverislands.com) and Debbie Belmar (dbelmar@riverislands.com) together with conformed copies of the amendments to notices of special tax that are recorded as part of the Recordation Documents.

C. Funds and Settlement Statement

You also have received, or will receive from RIDA1, prior to the recordation of the Recordation Documents, in immediately available funds, the following amounts, in accordance with the settlement statement prepared by you and approved in writing by both RIDA1 and City ("**Settlement Statement**"): recordation costs, escrow fees and other amounts as set forth in the Settlement Statement. Such costs, fees and other amounts are the sole responsibility of RIDA1.

- Funds to be wire transferred directly to the entity set forth below, immediately upon recordation of the Final Map, in accordance with the wire transfer instructions for each entity are as follows: The amount of **\$70,794.09**, payable to the City pursuant to that certain Agreement to Settle Litigation Regarding River Islands at Lathrop (as amended "**Sierra Club Agreement**"), constituting the amount of **\$3,687.00** multiplied by **19.201** acres (or portion thereof) included in the Final Map, is to be transferred to the City upon recordation of the Final Map. The City's wire instructions are set forth below.

The amounts set forth in Section C are referred to as the "**Closing Funds**."

D. Closing Requirements

When the following has occurred, you are authorized to close the Escrow at the time(s) and in accordance with the process set forth below:

D.1. You have delivered copies of your Settlement Statement by email transmission to: (a) Susan Dell'Osso (sdelloso@riverislands.com); (b) Debbie Belmar (dbelmar@riverislands.com); (c) Brad Taylor (btaylor@ci.lathrop.ca.us); (d) Salvador Navarrete (snavarrete@ci.lathrop.ca.us); (e) Sandra Lewis (slewis@ci.lathrop.ca.us), and have confirmation (by telephone or email) from Susan Dell'Osso and Brad Taylor that the Settlement Statement is accurate and acceptable;

JOINT ESCROW INSTRUCTIONS RECORDATION OF FINAL MAPS (RIVER ISLANDS AT LATHROP)

D.2. You have not received any instructions contrary to these Escrow Instructions;

D.3. The Recordation Documents and all other documents described herein as being held by you or delivered to you have been received by you and have been fully executed and, where applicable, acknowledged, and you have attached all legal descriptions or have confirmed that all exhibits and legal descriptions are attached;

D.4. You are prepared to record the Recordation Documents, as designated, release funds in accordance with the Settlement Statement and complete the Transaction in compliance with these Escrow Instructions;

D.5. You have delivered a copy of these instructions, executed by an authorized signatory of ORTC with authority to bind ORTC, and initialed all pages, by email transmission (with original hard copy to follow by U.S. Mail) to Debbie Belmar and Brad Taylor at the email addresses set forth above; and

D.6. You have received confirmation (by email or other writing) from Susan Dell'Osso and Stephen Salvatore or Brad Taylor to record the Recordation Documents and complete the Transaction.

E. Closing Process and Priorities

When you have fully satisfied all of the closing requirements set forth in Section D, then you are authorized and instructed to do the following in the chronological order given:

E.1. Date the Recordation Documents to be recorded;

E.2. Record the Recordation Documents in the Official Records;

E.3. Pay the costs associated with the Transaction;

E.4. Refund any funds delivered to you by RIDA1 that are not disbursed at the time of the final Closing pursuant to these Escrow Instructions to the following entity and address:

River Islands Development Area 1, LLC
73 W. Stewart Road
Lathrop, CA 95330
Attn: Susan Dell'Osso

E.5. Notify Susan Dell'Osso (sdelloso@riverslands.com), Debbie Belmar (dbelmar@riverislands.com), Brad Taylor (btaylor@ci.lathrop.ca.us), Sandra Lewis (slewis@ci.lathrop.ca.us), Teresa Vargas (tvargas@ci.lathrop.ca.us), Sarah Pimentel (spimentel@ci.lathrop.ca.us), and Jose Molina (JMolina@sjgov.org) of the completion of the Transaction;

E.6. Within five (5) business days after each Recordation Date, deliver by overnight delivery via recognized, national, overnight delivery carrier to: (1) Susan Dell'Osso, River Islands Development Area 1, LLC, 73 W. Stewart Road, Lathrop, CA 95330; and (2) Mr. Brad Taylor, City Engineer, City Attorney, City of Lathrop, 390 Towne Centre Drive, Lathrop, CA 95330:

(A) a certified copy of the Recordation Documents, showing all recording information of the Recordation Documents; and

**JOINT ESCROW INSTRUCTIONS
RECORDATION OF FINAL MAPS
(RIVER ISLANDS AT LATHROP)**

(B) a certified copy of the final Settlement Statement.

F. Additional Instructions

When assembling the final documents, signature pages from all parties shall be inserted into each respective final document in creating fully executed counterparts.

Please acknowledge receipt of these instructions and your agreement to act as Escrow agent in connection with this Transaction in accordance with these Escrow Instructions, by executing and dating a copy of these Escrow Instructions where indicated below, initialing all pages and returning it to both of the undersigned.

The Escrow Instructions may be modified only in a writing signed by both of the undersigned.

Very truly yours,

Stephen J. Salvatore Date
City Manager
City of Lathrop

Susan Dell'Osso Date
President
River Islands Development Area 1, LLC

ESCROW INSTRUCTIONS

ACKNOWLEDGEMENT AND AGREEMENT:

Receipt of the foregoing Escrow Instructions from RIDA1 and the City is hereby acknowledged. The undersigned agrees, for itself, and on behalf of ORTC, to proceed in strict accordance with these Escrow Instructions. The undersigned represents and warrants to RIDA1 and the City that the undersigned is authorized to execute this Acknowledgement and Agreement, for itself, and on behalf of ORTC.

Old Republic Title Company

By: _____
Its: _____
Date: _____

**RECORDING REQUESTED BY AND
AFTER RECORDATION RETURN TO:**

City Clerk
City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

Recorded for the benefit of the City of Lathrop
pursuant to Government Code Section 27383

THIRD AMENDMENT TO NOTICE OF SPECIAL TAX LIEN

City of Lathrop
Community Facilities District No. 2023-1
(River Islands Public Services and Facilities #2)
Annexation No. __

Pursuant to the requirements of Section 3117.5 of the Streets and Highways Code of California and the Mello-Roos Community Facilities Act of 1982, as amended, Section 53311, *et. seq.*, of the California Government Code (the "Act"), the undersigned City Clerk of the City of Lathrop (the "City"), County of San Joaquin, State of California, hereby gives notice that a lien to secure payment of a special tax is hereby imposed by the City Council of the City on the property described in Exhibit A hereto. The special tax secured by this lien is authorized to be levied for the purpose of paying principal and interest on bonds, the proceeds of which are being used to finance the acquisition and construction of all or a portion of the public facilities authorized to be funded by the City of Lathrop Community Facilities District No. 2023-1 (River Islands Public Services and Facilities #2) (the "CFD"), and to pay costs of the public services and facilities authorized to be funded by the CFD, both as described in Exhibit A to the Notice of Special Tax Lien heretofore recorded in the Office of the County Recorder for the County of San Joaquin, State of California (the "County Recorder") on June 28, 2023 as Document No. 2023-050810 (the "Original Notice"), and said special tax is to be levied according to the Rate and Method of Apportionment of Special Tax set forth in Exhibit B to the Notice of Special Tax Lien, to which recorded Notice of Special Tax Lien reference is hereby made and the provisions of which are hereby incorporated herein in full by this reference.

This Third Amendment to Notice of Special Tax Lien amends the Notice of Special Tax Lien to add to the territory within the City of Lathrop Community Facilities District No. 2023-1 (River Islands Public Services and Facilities #2) certain real property identified in Exhibit A hereto (the "Property") and shown within the future annexation area on the boundary map of the community facilities district recorded on April 19, 2023, in Book 7 of Maps of Assessment and Community Facilities Districts at Page 55 (Document No. 2023-030264), in the Office of the County Recorder, which map is the final boundary map of the community facilities district. The Property is being annexed into Tax Zone 1 of the community facilities district, as described in the

Rate and Method of Apportionment of Special Tax attached as Exhibit B to the Notice of Special Tax Lien, with the maximum special tax rates identified in Exhibit B hereto.

The assessor's tax parcel(s) numbers of all parcels or any portion thereof which are included in this Third Amendment to Notice of Special Tax Lien, together with the name(s) of the owner(s) thereof, as they appear on the latest secured assessment roll as of the date of recording hereof or as are otherwise known to the Authority are as set forth in Exhibit A hereto which is by this reference made a part hereof.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property or interests therein subject to the special tax lien, interested persons should contact the Finance Director, City of Lathrop, 390 Towne Centre Drive, Lathrop, California 95330; Telephone: (209) 941-7327.

Dated: _____, 2023.

By: _____
City Clerk,
City of Lathrop

EXHIBIT A

CITY OF LATHROP
COMMUNITY FACILITIES DISTRICT NO. 2023-1
(RIVER ISLANDS PUBLIC SERVICES AND FACILITIES #2)
ANNEXATION NO. __
ASSESSOR'S PARCEL NUMBER(S) AND OWNER(S) OF LAND
WITHIN ANNEXATION NO. __ TO CITY OF LATHROP
COMMUNITY FACILITIES DISTRICT NO. 2023-1
(RIVER ISLANDS PUBLIC SERVICES AND FACILITIES #2)

Name(s) of Property Owner(s)	San Joaquin County Assessor's Parcel No.
RIVER ISLANDS DEVELOPMENT AREA 1, LLC 73 W. STEWART RD., LATHROP, CA 95330	213-610-13, 213-610-14, 213-610-15

EXHIBIT B
CITY OF LATHROP
COMMUNITY FACILITIES DISTRICT NO. 2023-1
(RIVER ISLANDS PUBLIC SERVICES AND FACILITIES #2)
ANNEXATION NO. __

MAXIMUM SERVICES SPECIAL TAX FOR ZONE 1 OF THE CFD

The table below identifies the Maximum Services Special Tax for Developed Property within Tax Zone 1, both before and after the Trigger Event:

Type of Property	Lot Size	Maximum Services Special Tax in Tax Zone 1 Prior to the Trigger Event (Fiscal Year 2022-23)*	Maximum Services Special Tax in Tax Zone 1 After the Trigger Event (Fiscal Year 2022-23)*
<u>Residential Property:</u>			
Single Family Detached Property	Greater than 7,000 SqFt	\$432.29 per SFD Lot	\$205.02 per SFD Lot
Single Family Detached Property	5,801 to 7,000 SqFt	\$349.02 per SFD Lot	\$165.53 per SFD Lot
Single Family Detached Property	4,801 to 5,800 SqFt	\$320.21 per SFD Lot	\$151.87 per SFD Lot
Single Family Detached Property	4,000 to 4,800 SqFt	\$272.18 per SFD Lot	\$129.09 per SFD Lot
Single Family Detached Property	Less Than 4,000 SqFt	\$252.96 per SFD Lot	\$119.97 per SFD Lot
Single Family Detached Property	Not Applicable	\$0.00 per Unit	\$0.00 per Unit
Single Family Attached Property	Not Applicable	\$0.00 per Unit	\$0.00 per Unit
Multi-Family Property			
Non-Residential Property	Not Applicable	\$0.00 per Non-Residential Square Foot	\$0.00 per Non-Residential Square Foot

** On July 1, 2023, and on each July 1 thereafter, all figures shown in the table above shall be increased by the Escalation Factor.*

MAXIMUM FACILITIES SPECIAL TAX FOR ZONE 1 OF THE CFD

The table below identifies the Maximum Facilities Special Tax for Developed Property within Tax Zone 1, both before and after the Trigger Event:

Type of Property			Lot Size	Maximum Facilities Special Tax in Tax Zone 1 Prior to the Trigger Event (Fiscal Year 2022-23)*	Maximum Facilities Special Tax in Tax Zone 1 After the Trigger Event (Fiscal Year 2022-23)*
<u>Residential Property:</u>					
Single Family Property	Detached		Greater than 7,000 SqFt 5,801 to 7,000 SqFt 4,801 to 5,800 SqFt 4,000 to 4,800 SqFt Less Than 4,000 SqFt Not Applicable Not Applicable		\$227.27 per SFD Lot
Single Family Property	Detached			\$0.00 per SFD Lot	\$183.49 per SFD Lot
Single Family Property	Detached			\$0.00 per SFD Lot	\$168.34 per SFD Lot
Single Family Property	Detached			\$0.00 per SFD Lot	\$143.09 per SFD Lot
Single Family Property	Detached			\$0.00 per SFD Lot	\$132.99 per SFD Lot
Single Family Property	Detached			\$0.00 per Unit	\$0.00 per Unit
Single Family Property	Attached			\$0.00 per Unit	\$0.00 per Unit
Multi-Family Property				\$0.00 per Unit	\$0.00 per Unit
Non-Residential Property			Not Applicable	\$0.00 per Non-Residential Square Foot	\$0.00 per Non-Residential Square Foot

** On July 1, 2023, and on each July 1 thereafter until the first Fiscal Year after the Trigger Event, all figures shown in the table above shall be increased by the Escalation Factor. On July 1 of the first Fiscal Year after the Trigger Event, and on each July 1 thereafter, the Maximum Facilities Special Taxes shall increase by two percent (2%) of the amount in effect in the prior Fiscal Year.*

OWNERS STATEMENT

THE UNDERSIGNED DOES HEREBY STATE THAT THEY ARE THE OWNERS OF HAVE SOME RECORD TITLE INTEREST IN THE LAND DEWELETED AND EMBODIED WITHIN THE EXTERIOR BOUNDARY LINE OF THE HEREIN EMBODIED FINAL MAP ENTITLED, "TRACT 4173, RIVER ISLANDS - PHASE 2, VILLAGE 41, UNIT 1", CITY OF LATHROP, CALIFORNIA, CONSISTING OF SEVEN (7) SHEETS, AND WE HEREBY CONSENT TO THE PREPARATION AND FILING OF THIS FINAL MAP IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, CALIFORNIA.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES:

1. TO THE CITY OF LATHROP FOR PUBLIC RIGHT-OF-WAY PURPOSES: THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP AS BUSHWICK LANE, AS SHOWN ON THIS FINAL MAP.
2. A NON-EXCLUSIVE EASEMENT TO THE CITY OF LATHROP, TOGETHER WITH THE RIGHT TO CONSTRUCT, RECONSTRUCT, REPAIR AND MAINTAIN POLES, WIRES, CABLES, PIPES, AND CONDUITS AND THEIR APPURTENANCES UPON, OVER AND UNDER THE STRIPS OF LAND AS SHOWN ON THIS FINAL MAP DESIGNATED AS "P.U.E." (PUBLIC UTILITY EASEMENT).
3. A NON-EXCLUSIVE EASEMENT TO THE CITY OF LATHROP, TOGETHER WITH THE RIGHT TO CONSTRUCT, RECONSTRUCT, REPAIR AND MAINTAIN THE SOUND WALLS UPON AND OVER THE STRIPS OF LAND AS SHOWN ON THIS FINAL MAP DESIGNATED AS "W.E." (WALL EASEMENT).

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE FOR PUBLIC PURPOSES:

1. PARCEL B, AS SHOWN ON THIS FINAL MAP, TO THE CITY OF LATHROP FOR PURPOSES OF A STORM LIFT STATION. THE UNDERSIGNED DOES HEREBY RESERVE PARCELS A, C, D, E, AND F, AS SHOWN ON THIS FINAL MAP. SAID PARCELS ARE NOT DEDICATED HEREON, BUT WILL BE CONVEYED TO RIVER ISLANDS PUBLIC FINANCE AUTHORITY BY SEPARATE DOCUMENT SUBSEQUENT TO THE FILING OF THIS FINAL MAP.
2. TO ENSURE MUNICIPAL WATER SERVICES TO ALL LOTS SHOWN UPON THIS MAP, ALL GROUND WATER RIGHTS THAT THE UNDERSIGNED MAY HAVE WITHIN THE DISTINGUISH BORDERS UPON THIS MAP, HEREBY ARE DEDICATED TO THE CITY OF LATHROP.

THE UNDERSIGNED DOES HEREBY RESERVE PARCELS 1 THROUGH 4 FOR FUTURE DEVELOPMENT.

OWNERS: RIVER ISLANDS DEVELOPMENT AREA 1, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: SUSAN BELLOSSO DATE: _____
PRESIDENT ITS

TRUSTEES STATEMENT

AS PUBLIC TITLE COMPANY, AS TRUSTEE, UNDER THE DEED OF TRUST RECORDED DECEMBER 31, 2020, AS DOCUMENT NUMBER 2020-186194, AND AS AMENDED IN DOCUMENT RECORDED OCTOBER 3, 2021, AS DOCUMENT NUMBER 2021-114643, AND FURTHER AMENDED IN DOCUMENT RECORDED NOVEMBER 23, 2022, AS DOCUMENT NUMBER 2022-120208, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY

DATED THIS _____ DAY OF _____, 2023
BY: _____
NAME _____
ITS _____

ACKNOWLEDGEMENT CERTIFICATE (OWNER)

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE INSTRUMENTS, ACCORD, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF SAN JOAQUIN

ON _____, 2023, BEFORE ME, _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE/HEN/HEY EXECUTED THE SAME IN HIS/HER/HER AUTHORIZED CAPACITIES, AND THAT BY HIS/HER/HER SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:
SIGNATURE _____
NAME (PRINT) _____
PRINCIPAL COUNTY OF BUSINESS _____
MY COMMISSION NUMBER _____
MY COMMISSION EXPIRES _____

TRACT 4173

RIVER ISLANDS - PHASE 2

VILLAGE 41 UNIT 1

A PORTION OF RANCHO EL PESCADERO, BEING A SUBDIVISION OF PARCELS 17, 18 AND 19 OF TRACT 4149 (44 MAP 52), CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

AUGUST 2023

**CITY CLERKS STATEMENT**

I, TERESA VARGAS, CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE CITY OF LATHROP, STATE OF CALIFORNIA, DO HEREBY STATE THAT THE HEREIN EMBODIED MAP ENTITLED "TRACT 4173, RIVER ISLANDS - PHASE 2, VILLAGE 41, UNIT 1", CITY OF LATHROP, CALIFORNIA, CONSISTING OF SEVEN (7) SHEETS, THIS STATEMENT WAS PRESENTED TO SAID CITY COUNCIL, AS PROVIDED BY LAW, AT A MEETING HEREBY HELD ON THE _____ DAY OF _____, 2023, AT _____, CITY OF LATHROP, CALIFORNIA, AND THAT SAID CITY COUNCIL, BY A RESOLUTION, HAS ADOPTED AND APPROVED SAID MAP AND AUTHORIZED ITS RECOGNITION, AND ACCEPTED ON BEHALF OF THE CITY OF LATHROP FOR PUBLIC USE, THE DEDICATION OF ALL PUBLIC UTILITY EASEMENTS AND WALL EASEMENTS, THE DEDICATION OF THE GROUND WATER RIGHTS, THE DEDICATION IN FEE OF PARCEL B, AND ACCEPTED THE OFFER OF DEDICATION OF BUSHWICK LANE, TITLE 16.16 OF THE CITY OF LATHROP MUNICIPAL CODE.

ALSO, PURSUANT TO SECTION 54240 OF THE CALIFORNIA SUBDIVISION MAP ACT, THE CITY OF LATHROP DOES HEREBY RATIFY THE NON-EXCLUSIVE PUBLIC UTILITY EASEMENT FOR PUBLIC PURPOSES RECORDED JUNE 9, 2023, AS DOCUMENT NUMBER 2023-045592, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, WITHIN THE BOUNDARY OF THIS FINAL MAP.

I FURTHER STATE THAT ALL BONDS AS REQUIRED BY LAW TO ACCOMPANY THE WITHIN MAP, IF APPLICABLE, HAVE BEEN APPROVED BY THE CITY COUNCIL OF LATHROP AND FILED IN MY OFFICE.

TERESA VARGAS
CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE CITY OF LATHROP, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA

ACKNOWLEDGEMENT CERTIFICATE (TRUSTEE)

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE INSTRUMENTS, ACCORD, OR VALIDITY OF THAT DOCUMENT.

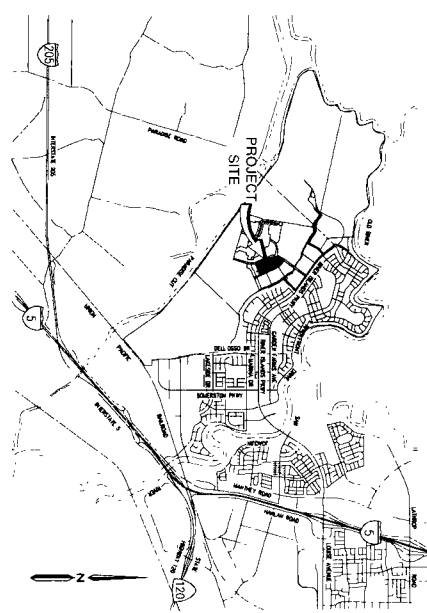
STATE OF CALIFORNIA
COUNTY OF SAN JOAQUIN

ON _____, 2023, BEFORE ME, _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE/HEN/HEY EXECUTED THE SAME IN HIS/HER/HER AUTHORIZED CAPACITIES, AND THAT BY HIS/HER/HER SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:
SIGNATURE _____
NAME (PRINT) _____
PRINCIPAL COUNTY OF BUSINESS _____
MY COMMISSION NUMBER _____
MY COMMISSION EXPIRES _____

EXCEPT FROM FEE PER GOVERNMENT CODE 27386.1, DOCUMENT RECORDED IN CONNECTION WITH A CONCURRENT TRANSFER SUBJECT TO THE IMPOSITION OF DOCUMENTARY TRANSFER TAX



VICINITY MAP
NOT TO SCALE

SECRETARY OF THE PLANNING COMMISSION'S STATEMENT

THIS MAP CONFORMS TO TESTING TENTATIVE MAP NO. 6716 RECOMMENDED BY THE PLANNING COMMISSION AND APPROVED BY THE CITY COUNCIL PER RESOLUTION NO. 21-4908.

DATED THIS _____ DAY OF _____, 2023.
RICARDO GARCIA, COMMUNITY DEVELOPMENT DIRECTOR
CITY OF LATHROP

CITY ENGINEER'S STATEMENT

I, BRAD R. TAYLOR, HEREBY STATE THAT I AM THE CITY ENGINEER OF THE CITY OF LATHROP, CALIFORNIA AND THAT I HAVE EXAMINED THIS FINAL MAP OF "TRACT 4173, RIVER ISLANDS - PHASE 2, VILLAGE 41, UNIT 1", CITY OF LATHROP, CALIFORNIA, AND THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARS ON THE RECORDED TENTATIVE MAP NO. 6716, AS AMENDED BY RESOLUTION NO. 21-4908, OF THE PLANNING COMMISSION. I HAVE REVIEWED THE MAP DOCUMENTS WITH ALL PROVISIONS OF CHAPTER 16 OF THE CALIFORNIA STATE SUBDIVISION MAP ACT AND APPLICABLE ORDINANCES OF THE CITY OF LATHROP, AND ANY AMENDMENTS THERETO, APPLICABLE AT THE TIME OF APPROVAL OF TESTING TENTATIVE MAP.

DATED THIS _____ DAY OF _____, 2023.

**RECORDERS STATEMENT**

BRAD R. TAYLOR, RCE 32823
CITY ENGINEER OF THE CITY OF LATHROP, CALIFORNIA

FILED THIS _____ DAY OF _____, 2023, AT _____, M
IN BOOK _____ OF MAPS AND PLATS, AT PAGE _____, AT THE REQUEST OF OLD REPUBLIC TITLE COMPANY
FEE \$ _____
BY _____
ASSISTANT/DEPUTY RECORDER
ASSessor-Recorder-COUNTY CLERK
SAN JOAQUIN COUNTY, CALIFORNIA

CITY SURVEYORS STATEMENT

I, DARRYL A. ALEXANDER, HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP OF TRACT 4173, RIVER ISLANDS - PHASE 2, VILLAGE 41 UNIT 1, CITY OF LATHROP, CALIFORNIA, AND I AM SATISFIED THAT THIS FINAL MAP IS TECHNICALLY CORRECT.

DATED THIS _____ DAY OF _____, 2023.



SURVEYORS STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE 17.18 AND 17.19 OF THE CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA. THE SURVEY WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CALIFORNIA SUBDIVISION MAP ACT, THE SIGNATURES OF THE SURVEYORS ARE TO BE SET IN THOSE POSITIONS BEFORE DECEMBER 31, 2024, AND THAT THE MONUMENTS ARE, OR THAT THEY WILL BE, SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED VESTING TENTATIVE MAP.

DATED THIS _____ DAY OF _____, 2023.

DRAWN BY: DARRYL A. ALEXANDER, P.L.S. NO. 7788



RECITALS

- RIGHT TO FARM STATEMENT
PER CITY OF LATHROP MUNICIPAL CODE OF ORDINANCES, TITLE 15, CHAPTER 15.48.01, THE CITY OF LATHROP PERMITS OPERATION OF PROPERTY CONTROLLED AGRICULTURAL OPERATIONS WITHIN AGRICULTURAL ZONING DISTRICTS. THE CITY OF LATHROP HAS ADOPTED ORDINANCES THAT ARE HEREBY NOTED. THAT THE PROPERTY YOU ARE PURCHASING MAY BE LOCATED CLOSE TO AGRICULTURAL LANDS AND OPERATIONS. YOU MAY BE SUBJECT TO INCONVENIENCE OR DISCOMFORT ARISING FROM THE LAND USE AND PROPER USE OF AGRICULTURAL CHEMICALS AND PESTICIDES AND FROM OTHER AGRICULTURAL ACTIVITIES, INCLUDING WITHOUT LIMITATIONS, CULTIVATION, PLANTING, SPRAYING, IRRIGATION, PRUNING, HARVESTING, BURNING OF AGRICULTURAL WASTE PRODUCTS, PROTECTION OF CROPS AND ANIMALS FROM DEPREVIATION AND OTHER ACTIVITIES WHICH MAY BE NECESSARY TO MAINTAIN SUCH AGRICULTURAL OPERATIONS. THESE ACTIVITIES MAY BE NECESSARY TO MAINTAIN SUCH AGRICULTURAL OPERATIONS OUTSIDE THE CITY'S JURISDICTION. CONSEQUENTLY, DEPENDING ON THE LOCATION OF YOUR PROPERTY, IT MAY BE NECESSARY THAT YOU BE PREPARED TO ACCEPT SUCH INCONVENIENCES OR DISCOMFORT AS NORMAL AND NECESSARY ASPECT OF LIVING IN AN AGRICULTURALLY ACTIVE REGION.
- A SOIL REPORT ENTITLED "GEOTECHNICAL EXPLORATION, RIVER ISLANDS PHASE 1, LATHROP, CALIFORNIA, REFERENCED AS PROJECT NO. 5004.5.001.01 AND DATED JULY 29, 2020, HAS BEEN PREPARED FOR THIS PROJECT BY INGO, INCORPORATED, JOSEF J. TOOLE, C.E. NO. 2677, AND THE CITY OF LATHROP HAS REVIEWED THE REPORT.
- TRACT 4173, RIVER ISLANDS - PHASE 2, VILLAGE 41 UNIT 1, CONTAINS 29 RESIDENTIAL LOTS WITH A TOTAL OF 2,878 ACRES. PARCELS A THROUGH F CONTAINING 14,295 ACRES, MORE OR LESS. TRACT 4173, RIVER ISLANDS - PHASE 2, VILLAGE 41 UNIT 1, CONTAINS 29 RESIDENTIAL LOTS WITH A TOTAL OF 2,878 ACRES. PARCELS A THROUGH F CONTAINING 14,295 ACRES, MORE OR LESS. PARCELS 1 THROUGH 4 CONTAINING 5,523 ACRES, MORE OR LESS. AS SHOWN ON THIS FINAL MAP (PLEASE REFER TO THE AREA TABLE BELOW).

TRACT 4173 AREA SUMMARY		
LOTS 1 THROUGH 29	2,878 AC	
STREET DEDICATIONS	2,445 AC	
PARCELS A THROUGH F	14,295 AC	
PARCELS 1 THROUGH 4	5,523 AC	
TOTAL	25,141 AC	

4 BASED ON INFORMATION CONTAINED IN THE PRELIMINARY TITLE REPORT, ORDER NUMBER 12432301-04 (VERSION 4), DATED AUGUST 21, 2023, PROVIDED BY OLD REPUBLIC TITLE COMPANY.

TRACT 4173
RIVER ISLANDS - PHASE 2
VILLAGE 41 UNIT 1

A PORTION OF RANCHO EL PESQUERO, BEING A SUBDIVISION OF PARCELS 17, 18 AND 19 OF TRACT 4149 (44 MAP 52), CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA.

AUGUST 2023



EASEMENT ABANDONMENT NOTE

THE NON-EXCLUSIVE PUBLIC UTILITY EASEMENT FOR PUBLIC PURPOSES RECORDED JUNE 9, 2023, AS DOCUMENT NUMBER 2023-045592, OFFICIAL RECORDS DEPARTMENT OF THE CITY OF LATHROP, TRACT 4173 IS BEING ABANDONED BY THIS FINAL MAP. PLEASE REFER TO THE CITY CLERK'S STATEMENT ON SHEET 1.

REFERENCES

(1) TRACT 4173, RIVER ISLANDS - PHASE 2, WEST VILLAGE LARGE LOT FINAL MAP, FILED DECEMBER 5, 2022, IN BOOK 44 OF MAPS AND PLATS, PAGE 52, S.Y.C.R. (44 MAP 52).

SIGNATURE OMISSIONS

PURSUANT TO SECTION 66436 OF THE CALIFORNIA SUBDIVISION MAP ACT, THE SIGNATURES OF THE FOLLOWING PARTIES HAVE BEEN OMITTED:

- RECORDED ISLANDS LAND COMPANY RESERVATION FOR OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LING BELOW A DEPTH OF 500 FEET, PER DOCUMENT NUMBER 2007-01068177, S.Y.C.R.

CERTIFICATE OF DEDICATION

THE FOLLOWING REAL PROPERTY IS DEDICATED BY RIVER ISLANDS DEVELOPMENT AREA 1, LLC, AS FOLLOWS:

- PARCEL B, FOR PURPOSES OF A SEMI-UTL STATION

THE CITY OF LATHROP SHALL RECOVER THE PROPERTY TO THE SUBDIVIDER IF THE CITY MAKES A DETERMINATION THAT PURSUANT TO GOVERNMENT CODE SECTION 66477.5 THE SAME PURPOSE FOR WHICH THE PROPERTY WAS DEDICATED DOES NOT EXIST.

LINE AND CURVE TABLES FOR COURSES SHOWN ON SHEET 3 ONLY

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N80°54'41"E	35.36'
L2	N54°05'19"W	63.00'
L3	N67°12'38"W	110.16'
L4	N60°54'41"E	35.36'
L5	N54°05'19"W	57.91'
L6	N28°28'48"E	42.00'
L7	N25°53'11"E	42.00'
L8	N10°17'34"E	42.00'
L9	N14°41'57"E	42.00'
L10	N2°45'53"W	50.34'
L11	N8°16'09"W	50.00'
L12	N15°17'09"W	42.03'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L13	N17°53'03"W	42.03'
L14	N22°25'41"W	42.02'
L15	N27°47'34"W	42.09'
L16	N20°22'47"W	42.09'
L17	N48°39'48"W	51.66'
L18	N65°54'40"E	51.14'
L19	N73°30'07"E	60.53'
L20	N65°54'41"E	70.60'
L21	N62°42'24"E	101.00'
L22	N65°36'43"W	42.00'
L23	N25°27'10"W	42.01'

CURVE TABLE			
CURVE #	RAIUS	DELTA	LENGTH
C1	915.00'	37°12'46"	45.58'
C2	625.00'	5°08'24"	56.01'
C3	850.00'	40°15'31"	606.15'

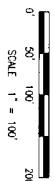
TRACT 4173 RIVER ISLANDS - PHASE 2 VILLAGE 41 UNIT 1

A PORTION OF RANCHO EL PESQUERO, BEING A
SUBDIVISION OF PARCELS 17, 18 AND 19 OF TRACT 4149 (44 MAP 52),
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

AUGUST 2023



BOUNDARY SHEET



DESIGNATED REMAINDER
(R1)

LEGEND

- BOUNDARY
- LOT LINE OR RIGHT-OF-WAY LINE
- EASEMENT LINE
- CENTERLINE/MONUMENT LINE
- 200.00' (R1)
- (R1) MEASURED AND RECORD DATA PER REFERENCE (R1)
- (M-M) MONUMENT TO MONUMENT
- (M-BC) MONUMENT TO BEGINNING OF CURVE
- (M-B) MONUMENT TO BOUNDARY
- (R) RADIAL BEARING
- (T) TOTAL
- (B) BOUNDARY
- (M) DOCUMENT NUMBER
- (P.U.E.) PUBLIC UTILITY EASEMENT
- (W.E.) WALL EASEMENT
- (L/C/R1) LINE, CURVE, RADIAL LINE
- (1) EASEMENT REFERENCE NUMBER - SEE SHEET 2

BASIS OF BEARINGS

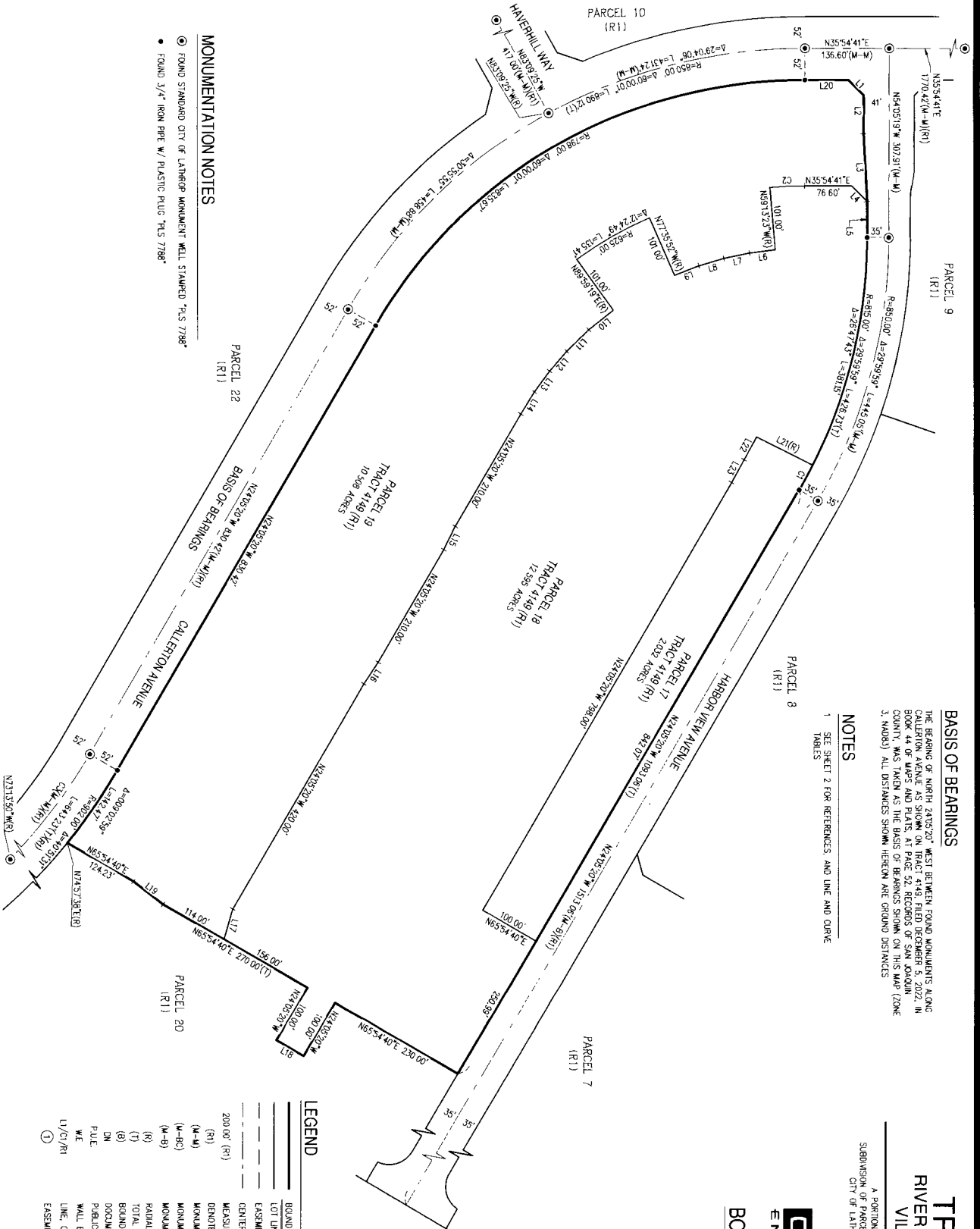
THE BEARING OF NORTH 24°35'20" WEST BETWEEN FOUND MONUMENTS ALONG
CALLERTON AVENUE AS SHOWN ON TRACT 4149, FILED DECEMBER 5, 2022, IN
BOOK 44 OF MAPS AND PLATS, AT PAGE 52, RECORDS OF SAN JOAQUIN
COUNTY, WAS TAKEN AS THE BASIS OF BEARINGS SHOWN ON THIS MAP (200E
3, NAD83). ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES.

NOTES

1. SEE SHEET 2 FOR REFERENCES, AND LINE AND CURVE
TABLES.

MONUMENTATION NOTES

- FOUND STANDARD CITY OF LATHROP MONUMENT WELL STAMPED "PLUS 7788"
- FOUND 3/4" IRON PIPE W/ PLASTIC PLUG "PLUS 7788"



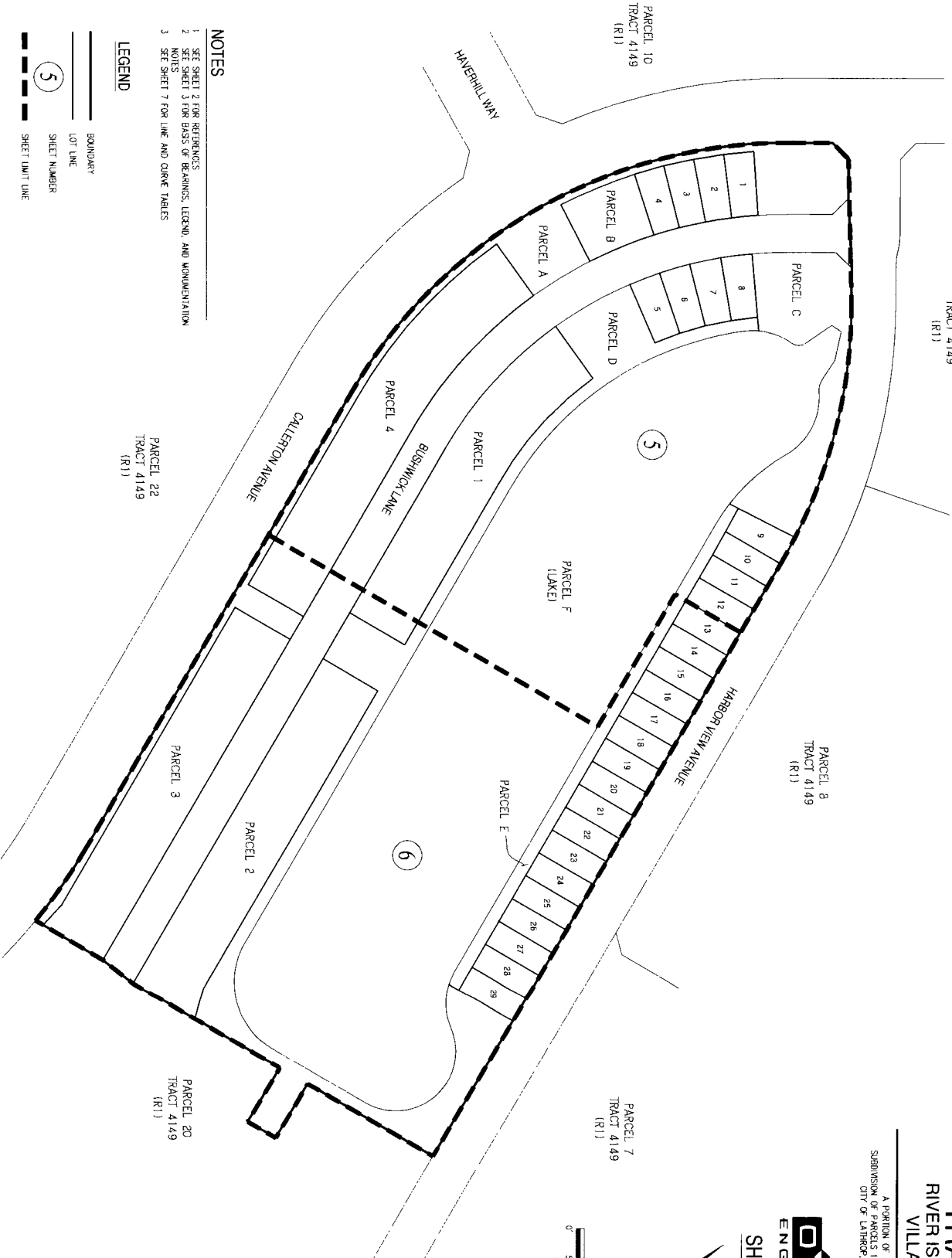
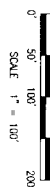
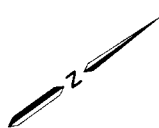
TRACT 4173 RIVER ISLANDS - PHASE 2 VILLAGE 41 UNIT 1

A PORTION OF RANCHO EL PESCADERO, BEING A
SUBDIVISION OF PARCELS 17, 18 AND 19 OF TRACT 4149 (44 MAP 52),
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

AUGUST 2023



SHEET INDEX



NOTES

1. SEE SHEET 2 FOR REFERENCES
2. SEE SHEET 3 FOR BASIS OF BEARINGS, LEGEND, AND MONUMENTATION
3. SEE SHEET 7 FOR LINE AND CURVE TABLES

LEGEND

- BOUNDARY
- LOT LINE
- SHEET NUMBER
- SHEET LIMIT LINE

5

PARCEL 9
(R1)

HARBOR VIEW AVENUE

PARCEL A
1.214 ACRES

PARCEL C
3.784 S.F.

SEE DETAIL A
ON SHEET 7

SEE DETAIL B
ON SHEET 7

PARCEL F
9.629 ACRES

PARCEL E
1.795 S.F.

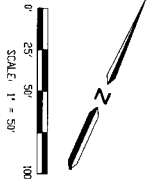
TRACT 4173 RIVER ISLANDS - PHASE 2 VILLAGE 41 UNIT 1

A PORTION OF RANCHO EL PESCADERO, BEING A
SUBDIVISION OF PARCELS 17, 18 AND 19 OF TRACT 4149 (44 MAP 52),
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
AUGUST 2023

O'DELL
ENGINEERING

NOTES

1. SEE SHEET 2 FOR REFERENCES
2. SEE SHEET 3 FOR BASIS OF BEARINGS AND LEGEND
3. SEE SHEET 6 FOR MONUMENTATION NOTES
4. SEE SHEET 7 FOR LINE AND CURVE TABLES



PARCEL 10
(R1)

HAVERHILL WAY

CALETON AVENUE

PARCEL B
1.194 S.F.

PARCEL A
1.214 ACRES

PARCEL 1
1.257 ACRES

BUSHWICK LANE

PARCEL 4
1.508 ACRES

SEE SHEET 6

LINE AND CURVE TABLES FOR COURSES SHOWN ON SHEETS 5 AND 6 ONLY

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N80°13'42"E	48.19'
L2	N26°42'56"E	48.19'
L3	N22°12'07"E	48.19'
L4	N19°41'18"E	48.19'
L5	N1°46'05"W	48.19'
L6	N5°16'57"W	48.22'
L7	N8°47'32"W	48.22'
L8	N12°18'47"W	48.22'
L9	N15°49'42"W	48.22'
L10	N19°20'37"W	48.22'
L11	N22°47'28"W	47.26'
L12	N1°42'36"W	49.01'
L13	N88°38'48"W	51.66'
L14	N22°25'41"W	42.02'
L15	N1°35'00"W	42.03'
L16	N13°17'09"W	42.03'
L17	N8°15'08"W	50.00'
L18	N2°45'53"W	50.34'
L19	N14°41'57"E	42.00'
L20	N18°17'24"E	42.00'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L21	N28°55'11"E	42.00'
L22	N28°28'48"E	42.00'
L23	N25°36'43"W	42.00'
L24	N25°27'07"W	42.01'
L25	N26°34'41"E	35.36'
L26	N9°05'19"W	35.36'
L27	N80°54'41"E	35.36'
L28	N20°25'38"W	30.46'
L29	N41°47'52"W	42.79'
L30	N69°34'22"E	18.00'
L31	N1°36'37"E	49.76'

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C1	685.00'	3°55'32"	46.83'
C2	685.00'	3°30'49"	42.01'
C3	685.00'	3°30'49"	42.01'
C4	685.00'	3°30'49"	42.01'
C5	685.00'	3°30'49"	42.01'
C6	625.00'	4°35'37"	50.11'
C7	625.00'	4°35'37"	50.11'
C8	625.00'	4°35'37"	50.11'
C9	625.00'	4°35'37"	50.11'
C10	625.00'	5°08'04"	56.01'
C11	105.00'	12°42'11"	23.28'
C12	20.00'	69°29'05"	24.26'
C13	30.00'	17°37'31"	9.20'
C14	30.00'	38°34'54"	20.20'
C15	815.00'	3°12'16"	45.58'

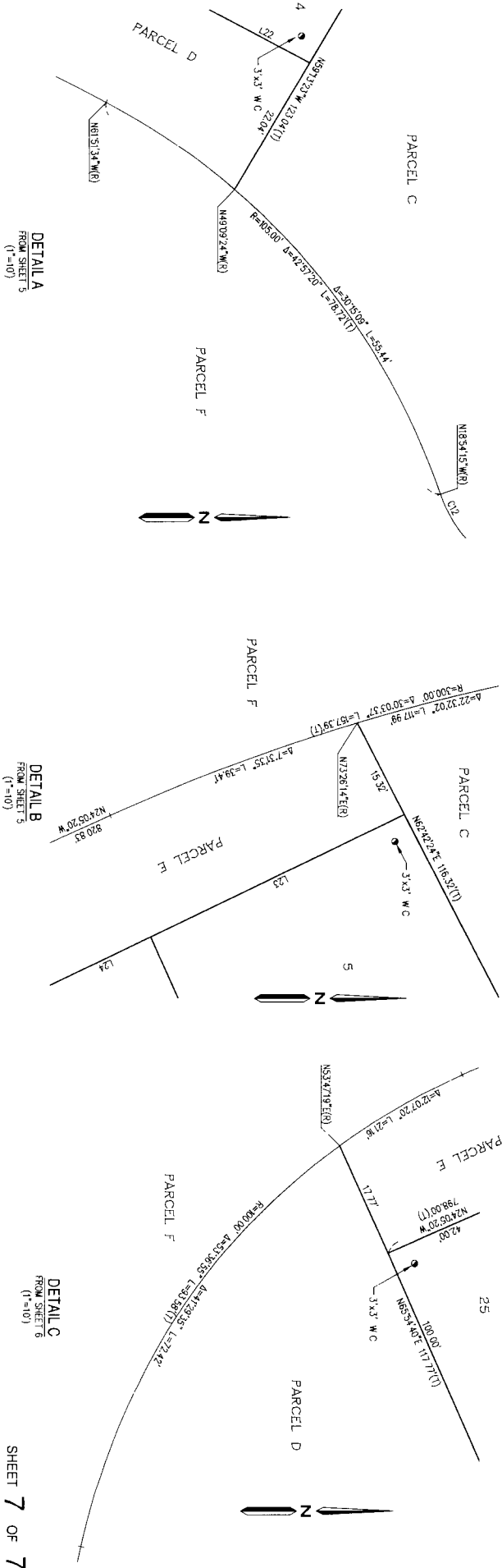
NOTES

1. SEE SHEET 2 FOR REFERENCES
2. SEE SHEET 3 FOR BASIS OF BEARINGS AND LEGEND
3. SEE SHEET 6 FOR MONUMENTATION NOTES

A PORTION OF PARCEL D, PARCEL E, BEING A
SUBDIVISION OF PARCELS 17, 18 AND 19 OF TRACT 4173
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA
AUGUST 2023



TRACT 4173
RIVER ISLANDS - PHASE 2
VILLAGE 41 UNIT 1



ITEM 5.1

CITY MANAGER’S REPORT OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

ITEM: PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER THE GENERAL PLAN AND ZONING CONSISTENCY PROJECT (TA-23-93)

RECOMMENDATION: Council to Consider the Following:

1. Hold a Public Hearing; and
2. Adopt a Resolution to Find the Project Exempt from Further Environmental Review Pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183.
3. Adopt a Resolution to Amend the Mossdale Landing and Mossdale Landing South Urban Design Concepts (UDC’s) for Consistency with the 2022 Lathrop General Plan Update.
4. First Reading and Introduction of an Ordinance to Amend the Lathrop Zoning Map, Modify Title 10 (Vehicles and Traffic) of the Lathrop Municipal Code, and Adopt Various Amendments to Title 17 (Zoning) of the Lathrop Municipal Code for Consistency with the 2022 Lathrop General Plan Update.

SUMMARY:

The proposed amendment is a staff-initiated proposal to amend the Lathrop Zoning Map, amend the Mossdale Landing and Mossdale Landing South Urban Design Concepts (UDC’s), modify Title 10 (Vehicles and Traffic) of the Lathrop Municipal Code, and adopt various sections to Title 17 (Zoning) of the Lathrop Municipal Code (LMC) for consistency with the 2022 General Plan Update that was adopted by the City Council on September 19, 2022 and California Government Code Section 65860.

BACKGROUND:

California law requires every city and county within the State to prepare and maintain a General Plan document. The General Plan is used by the City Council, Planning Commission, and City staff as a policy guide to making land use decisions (whether directly or indirectly) on the physical development of the community – it reflects in a general way as to how the community should be developed. Since its adoption in 1991, Lathrop’s General Plan has been amended several times over the last 30 years from 1992 through 2022 with the last comprehensive update occurring in September 2022.

**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
GENERAL PLAN AND ZONING CONSISTENCY PROJECT**

PAGE 2

California planning and zoning law establishes that zoning maps, zoning ordinances, any applicable specific plans, and master plans with related planning documents (i.e. Urban Design Concepts) are required to be consistent with the general plan. When the City General Plan has been amended, corresponding changes to the City's zoning map, the zoning ordinance and related master plans with UDC's may be required to be made within a reasonable time to ensure consistency is being maintained between these documents and the City's General Plan (California Gov. Code Section 65860, subd. [c]).

Staff reviewed the City Council's most recent update of General Plan goals, policies, and implementation actions adopted on September 19, 2022, and determined that both the City's zoning map and various chapters and sections of Title 17-Zoning are outdated. Hence, it is staff's intention to proceed with amending both the zoning map and those sections applicable to both the Lathrop Municipal Code and both the Mossdale Landing and Mossdale Landing South UDC's for consistency with the City's General Plan.

On September 13, 2023, the Planning Commission voted unanimously (4-0-1, Ralmilay Absent) to recommend the City Council adopt a Resolution to find the project exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183, adopt a Resolution to amend the Mossdale Landing and Mossdale Landing Urban Design Concepts (UDC's) and an Ordinance to modify Title 10 (Vehicles and Traffic), various amendments to Title 17 (Zoning) of the Lathrop Municipal Code and the Zoning Map for consistency with the 2022 General Plan Update and Government Code Section 65860. Planning Commission Resolution No. 23-11 is attached (Attachment #40) for reference.

ANALYSIS:

The Lathrop Municipal Code requires any amendments proposed to the City's Zoning Map and Zoning Ordinance to be reviewed by the City Planning Commission and the City Council. Once the Planning Commission makes a recommendation on the amendments, the recommendation is then forwarded to the City Council for their consideration for approval. Prior to recommending or granting final approval of the proposed amendments, the Planning Commission and/or the City Council must make findings of consistency reflecting that the proposed amendments meet the intent of the applicable goals, policies, and implementation actions of the General Plan.

The City's General Plan document that was recently updated in September 2022 had several modifications to the Land Use Element chapter including, the elimination of and/or the renaming/adding specific land use designations; the modification of the General Plan Land Use Map to accommodate the updated land use designations; and updating the goals, policies, and implementation actions for the chapter. Staff has determined the following proposed amendments conform to the City's recent General Plan update.

**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
GENERAL PLAN AND ZONING CONSISTENCY PROJECT**

PAGE 3

The proposed amendments will include modifications to the City's Zoning Map, the Zoning Ordinance, and the Mossdale Landing and Mossdale Landing South UDC's.

Proposed Modifications

When the City Council updated the City's General Plan in September 2022, part of the update included amending general plan policies; eliminating, renaming, or adding general plan land use designations; and changing land use designations of the General Plan Map for several properties that fall within the boundaries of the Map. With that said, to be consistent with State law, staff is presenting the City Council with a revised Zoning Map with minor changes to the Zoning Ordinance and the Mossdale Landing and Mossdale Landing South UDC's to reflect consistency with those changes that were made to the General Plan and General Plan Map last September. The proposed amendments to the Lathrop Zoning Map, Title 10 (Vehicles and Traffic) and Title 17 (Zoning Ordinance) of the Lathrop Municipal Code, and the Mossdale Landing and Mossdale Landing South UDC's are illustrated with Attachments 4 through 37 of this staff report, which include, but are not limited to:

- The elimination of certain zoning districts from the Zoning Map and the Zoning Ordinance that are no longer recognized by the General Plan document (i.e. PO-Professional Office and CW-Waterfront Commercial designations, etc.).
- The addition of certain zoning districts to the Zoning Map and the Zoning Ordinance to be consistent with the updated General Plan document (i.e. P-Parks and P/QP-Public/Quasi-Public designations, etc.).
- The modification of certain zoning districts to the Zoning Map to be consistent with the updated General Plan document (i.e. categorizing High School and K-8 School designations as "P/SP, Public/Semi-Public" zone districts, and consolidating community and neighborhood park designations into "P-CL, Park" zone districts, etc.)
- To the greatest extent possible, replace ambiguous language in various chapters/sections the Zoning Ordinance with more concise and clear language to allow for greater flexibility and clarification to support and promote development.
- Revision of the Mossdale Landing UDC to modify the zoning designation of a 6.89-acre site (located at the southeast corner of Golden Valley Parkway & Brookhurst Boulevard) from "Service Commercial-MV" to "High Density Residential-MV".
- Revision of the Mossdale Landing South UDC to modify the zoning designation of an 8.8-acre site (located at 18800 Queirolo Road) from "Medium Density Residential-MV" to "Service Commercial-MV".

Required Findings

Prior to the City Council approving any proposed amendments to the Zoning Map and the Zoning Ordinance, the City Council must make the appropriate finding(s) that indicate the proposed amendments will be consistent with applicable goals, policies, and implementation actions of the General Plan. At a Special Meeting held on

**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
GENERAL PLAN AND ZONING CONSISTENCY PROJECT**

PAGE 4

September 13, 2022, the City Planning Commission made a favorable recommendation to the City Council to approve the proposed amendments, as the amendments are consistent with the following policies and implementation actions of the General Plan:

Policy LU-1.7: Ensure consistency between the Land Use Map and implementing plans, ordinances, and regulations.

Policy LU-1.8: Recognize that the General Plan and Land Use Map may be amended in accordance with State law in order to ensure that there is an adequate supply of commercial, industrial, public facility, parks, residential, and other desired land uses to serve the City's needs.

Implementation Action LU-1.a: Update the City's Zoning Code and Map as appropriate to ensure consistency with this land use element and designations shown on Figure LU-1. As part of the update, create a new Public/Quasi-Public zoning district applicable to the City proper.

Implementation Action LU-1.b: Review the Zoning Ordinance and update as appropriate to reflect Land Use goals, policies, and implementation actions included in this Plan.

Implementation Action LU-1.c: Review the City's adopted Specific Plans for consistency with the General Plan, and update as appropriate to ensure consistency with this land use element and designations shown on Figure LU-1.

Implementation Action LU-1.f: Utilize the following Zoning Districts (included on Table LU-1) to implement the General Plan's land use objective.

Implementation Action LU-2.a: Periodically review and update development standards, guidelines, and land uses included within Specific Plan Areas to affirm the unique character and development vision for each area.

Implementation Action LU-5.e: Update the Lathrop Municipal Code to include Good Neighbor Guidelines for Warehouse Distribution Facilities. The new Good Neighbor Guidelines should include:

- a. A definition of the type and size of facility that is subject to the Guidelines;
- b. Standards to minimize exposure to diesel emissions to sensitive receptors that are situated in close proximity to the proposed facility;
- c. Standards and practices that eliminate diesel trucks from unnecessarily traversing through residential neighborhoods;
- d. Standards and practices that eliminate trucks from using residential areas and repairing vehicles on the streets;
- e. Strategies to reduce and/or eliminate diesel idling within the facility's site.

PUBLIC NOTICE:

A Notice of Public Hearing was advertised in the Manteca Bulletin on September 27, 2023 and was also posted at the City Council Chambers bulletin board and our three (3) other designated posting locations accessible to the public. Email notification was sent to Public Hearing subscribers on September 27, 2023.

Additionally, the meeting agenda was posted on the City's website and at the Council Chambers bulletin board and our three (3) other designated posting locations accessible to the public. As of the writing of this report, no comments were received in favor or against the proposed amendments.

RECOMMENDATION:

The Planning Commission and staff recommend that the City Council consider all information provided and submitted, take and consider all public testimony and, if the City Council determines it to be appropriate, to take the following actions:

1. Adopt a Resolution to Find the Project Exempt from Further Environmental Review Pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183.
2. Adopt a Resolution to Amend the Mossdale Landing and Mossdale Landing South Urban Design Concepts (UDC's) for Consistency with the 2022 Lathrop General Plan Update.
3. First Reading and Introduction of an Ordinance to Amend the Lathrop Zoning Map, Modify Title 10 (Vehicles and Traffic) of the Lathrop Municipal Code, and Adopt Various Amendments to Title 17 (Zoning) of the Lathrop Municipal Code for Consistency with the 2022 Lathrop General Plan Update.

CEQA STATUS:

The proposed amendments are Exempt per Public Resources Code Section 21083.3 and the California Environmental Quality Act (CEQA) Guidelines Section 15183. The amendments are consistent with the Environmental Impact Report (SCH #: 2021100139) that was certified by the City Council as part of the recent General Plan update adopted on September 19, 2022. A detailed Environmental Checklist, dated August 2023, prepared by De Novo Planning Group was prepared to analyze the proposed General Plan and Zoning Consistency Project and. The Environmental Checklist is attached to this Staff Report as Attachment 41.

FISCAL IMPACT:

There is no fiscal impact to the City of Lathrop, only staff time to prepare this report.

ATTACHMENTS:

1. Resolution Adopting CEQA Exemption
2. Resolution Adopting Revisions to Mossdale Landing & Mossdale Landing South UDC's
3. Ordinance Approving TA-23-93
4. Mark-up of Chapter 17.04 General Provisions
5. Mark-up of Chapter 17.08 Zoning Districts Designated
6. Mark-up of Chapter 17.16 General Requirements and Exceptions
7. Mark-up of Chapter 17.20 RCO Reserve Conservation and Open Space District
8. Mark-up of Adding New Chapter 17.22 P Park District
9. Mark-up of Adding New Chapter 17.23 P/QP Public/Quasi Public District
10. Mark-up of Eliminating Chapter 17.28 RA Residential Acreage District
11. Mark-up of Chapter 17.32 R One-Family Residential District
12. Mark-up of Chapter 17.36 RM Multi-Family Residential District
13. Mark-up of Eliminating Chapter 17.40 PO Professional Office District
14. Mark-up of Chapter 17.44 C Commercial District
15. Mark-up of Chapter 17.48 I Industrial District
16. Mark-up of Chapter 17.49 Crossroads Overlay District
17. Mark-up of Chapter 17.52 Combining Districts
18. Mark-up of Chapter 17.56 Planned Unit Developments
19. Mark-up of Chapter 17.57 Mossdale Landing Zoning Districts
20. Mark-up of Chapter 17.58 Lathrop Gateway Business Park Zoning Districts
21. Mark-up of Chapter 17.60 Southeast Stewart Tract Zoning Districts
22. Mark-up of Chapter 17.61 River Islands Zoning Districts
23. Mark-up of Chapter 17.62 Central Lathrop Zoning Districts
24. Mark-up of Chapter 17.72 Mobilehome Parks
25. Mark-up of Chapter 17.74 Emergency Shelters
26. Mark-up of Chapter 17.76 Off-Street Parking and Loading
27. Mark-up of Chapter 17.80 Accessory Dwelling Units
28. Mark-up of Chapter 17.84 Signs
29. Mark-up of Chapter 17.92 Landscaping and Screening Standards
30. Mark-up of Chapter 17.98 Good Neighbor Guidelines for Warehouse Distribution Facilities
31. Mark-up of Chapter 17.100 Site Plan Review
32. Mark-up of Chapter 17.104 Architectural Design Review
33. Mark-up of Chapter 17.116 Nonconforming Uses and Structures
34. Mark Up of Chapter 10.16 Vehicles and Traffic
35. Mark-Up of Revisions to Mossdale Landing Urban Design Concept
36. Mark-Up of Revisions to Mossdale Landing South Urban Design Concept
37. Proposed Revision to the City Zoning Map
38. Table LU-1 General Plan Designations and Implementing Zoning Districts
39. Updated City General Plan Map approved on September 19, 2022
40. Planning Commission Resolution No. 23-11
41. Environmental Checklist, prepared by De Novo Planning Group, dated August 2023 with Appendices

**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
GENERAL PLAN AND ZONING CONSISTENCY PROJECT**

PAGE 7

APPROVALS:



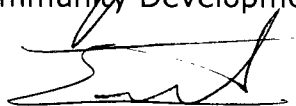
James Michaels
Senior Planner

9/20/2023
Date




Rick Caguiat
Community Development Director

9/22/23
Date



Salvador Navarrete
City Attorney

9.25.2023
Date



Stephen J. Salvatore
City Manager

9.27.23
Date

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP FINDING THE PROJECT EXEMPT FROM FURTHER ENVIRONMENTAL REVIEW PURSUANT TO PUBLIC RESOURCES CODE SECTION 21083.3 AND CEQA GUIDELINES SECTION 15183 (TA-23-93).

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public hearing at a Special Meeting on September 13, 2023, at which they adopted PC Resolution No. 23-11 recommending the City Council adopt Municipal Code Text Amendment No. TA-23-93 pursuant to the Lathrop Municipal Code; and

WHEREAS, the City of Lathrop City Council held a duly noticed public hearing at a regular meeting on October 9, 2023 to consider amending the Lathrop Zoning Map, amending the Mossdale Landing and Mossdale Landing South Urban Design Concepts (UDC's), modifying Title 10 (Vehicles and Traffic) of the Lathrop Municipal Code, and adopting various sections to Title 17 (Zoning) of the Lathrop Municipal Code for consistency with the 2022 Lathrop General Plan Update that was adopted by the City Council on September 19, 2022; and

WHEREAS, as part of the City's approval of the 2022 Lathrop General Plan Update, the City prepared an Environmental Impact Report (EIR) which analyzed the environmental impacts of buildout under the General Plan Update pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, et. seq.), and the City of Lathrop City Council certified the Final EIR on September 19, 2022 (State Clearinghouse #2021100139); and

WHEREAS, the analysis in the 2022 Lathrop General Plan Update EIR allows the use of CEQA exemption/streamlining provisions for projects under the General Plan Update, including the proposed Project; and

WHEREAS, the California planning and zoning law establishes that zoning maps, zoning ordinances, any applicable specific plans, and master plans with related planning documents (i.e. Urban Design Concepts) are required to be consistent with the general plan pursuant to Government Code Section 65860; and

WHEREAS, the City Council finds the purpose of these amendments is to ensure that the City updates the City Zoning Map, the Zoning Ordinance, and the Mossdale Landing and Mossdale Landing South UDC's to be consistent with the goals, policies, and implementation actions of the City's 2022 General Plan Update; and

WHEREAS, the proposed amendments to the Zoning Map, to the Mossdale Landing and Mossdale Landing South Urban Design Concepts (UDC's), to Title 10 (Vehicles and Traffic) of the Lathrop Municipal Code, and to Title 17 (Zoning) of the Lathrop Municipal Code are Citywide and affect all applicable properties in the City; and

WHEREAS, proper notice of this public hearing was given in all respects as required by law; and

WHEREAS, the City Council has reviewed all written evidence and oral testimony presented to date.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Lathrop does hereby make the following findings:

Section 1. California Environmental Quality Act (CEQA) Findings. Pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183, the City Council finds and determines as follows:

- a. The project complies with CEQA based on the CEQA exemption/streamlining provisions contained in Public Resources Code section 21083.3 and CEQA Guidelines section 15183;
- b. Pursuant to the City Council Staff Report and the attachments and exhibits thereto, including but not limited to, the CEQA Environmental Checklist, which are incorporated herein by reference, the proposed Project will not result in any significant impacts that: 1) are peculiar to the project or project site; 2) were not identified as significant project-level, cumulative, or off-site effects in the General Plan Update EIR; or 3) were previously identified significant effects, which as a result of substantial new information that was not known at the time that the General Plan Update EIR was certified, are determined to have a more severe adverse impact than discussed in the General Plan Update EIR. As a result, pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183, the proposed Project is exempt from further environmental review under CEQA.
- c. All applicable General Plan Update policy and implementation actions and uniformly applied development policies, standards and/or regulations are, hereby imposed on the proposed Project and must be adhered to by the Project applicant. To the extent the City has not previously made findings regarding any/all of these referenced General Plan policy and implementation actions and uniformly applied development policies, standards and/or regulations, the City Council finds that all of those General Plan Update policy and implementation actions and uniformly applied development policies, standards and/or regulations, were adopted, in whole or in part, to substantially mitigate the potential environmental effects to which they pertain (i.e., aesthetics, agricultural and forest resources, air quality, biological resources, cultural and tribal resources, geology and soils, greenhouse gases, climate change, and energy, hazards and hazardous materials, hydrology and water quality, land use, population, and housing, mineral resources, noise, public services and recreation, circulation, utilities and service systems, and wildfire).

Section 2. Based on the findings set forth in this Resolution and the evidence in the Staff Report, the City Council hereby find the Project Exempt from Further Environmental Review Pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183 as illustrated and incorporate by reference as Attachment 41 of the City Council Staff Report.

BE IT FURTHER RESOLVED that the City Council of the City of Lathrop based on substantial evidence in the administrative record of proceedings and its findings, including the staff report and associated attachments, does hereby find the Project exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183.

The foregoing resolution was passed and adopted this 9th day of October 2023 by the following vote of the City Council, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP AMENDING THE MOSSDALE LANDING AND MOSSDALE LANDING SOUTH URBAN DESIGN CONCEPTS FOR CONSISTENCY WITH THE 2022 LATHROP GENERAL PLAN UPDATE (TA-23-93).

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public hearing at a Special Meeting on September 13, 2023, at which they adopted PC Resolution No. 23-11 recommending the City Council adopt Municipal Code Text Amendment No. TA-23-93 pursuant to the Lathrop Municipal Code; and

WHEREAS, the City of Lathrop City Council held a duly noticed public hearing at a regular meeting on October 9, 2023 to review and consider amendments to the Mossdale Landing and Mossdale Landing South Urban Design Concepts for Consistency with the 2022 Lathrop General Plan Update; and

WHEREAS, the proposed amendments are limited to Mossdale Landing and Mossdale Landing South Urban Design Concepts of Mossdale Village; and

WHEREAS, major amendments to the Mossdale Landing and Mossdale Landing South Urban Design Concepts requires Planning Commission approval which can be deferred to the City Council; and

WHEREAS, prior to approval of the Project, the City Council adopted a Resolution to find the Project exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and the California Environmental Quality Act (CEQA) Guidelines Section 15183; and

WHEREAS, the City Council finds that the proposed amendments are consistent with applicable provisions of the Lathrop General Plan as the amendments to the Mossdale Landing and Mossdale Landing South Urban Design Concepts maintain consistency with the applicable General Plan Land Use designations of those properties identified by the 2022 General Plan Map ; and

WHEREAS, proper notice of this public hearing was given in all respects as required by law; and

WHEREAS, the City Council has reviewed all written evidence and oral testimony presented to date.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lathrop hereby make the following findings:

Section 1. That certain documents entitled "Mossdale Landing" and "Mossdale Landing South" Urban Design Concepts, as illustrated and incorporated by reference as Attachments 35 and 36 (respectively) of the City Council Staff Report are hereby approved.

Section 2. The criteria herein shall become effective upon the date of this Resolution.

BE IT FURTHER RESOLVED that the City Council of the City of Lathrop based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, does hereby approve amendments to the for Mossdale Landing and Mossdale Landing South Urban Design Concepts as shown on Attachments "35" and "36" of the October 9, 2023 City Council Staff Report, incorporated by reference herein.

The foregoing resolution was passed and adopted this 9th day of October 2023, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

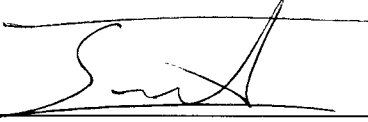
SIGNED:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

ORDINANCE NO. 23-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP AMENDING THE LATHROP ZONING MAP, MODIFYING TITLE 10 (VEHICLES AND TRAFFIC) OF THE LATHROP MUNICIPAL CODE, AND ADOPTING VARIOUS AMENDMENTS TO TITLE 17 (ZONING) OF THE LATHROP MUNICIPAL CODE FOR CONSISTENCY WITH THE 2022 LATHROP GENERAL PLAN UPDATE (TA-23-93).

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public hearing at a Special Meeting on September 13, 2023, at which they adopted PC Resolution No. 23-11 recommending the City Council adopt Municipal Code Text Amendment No. TA-23-93 pursuant to the Lathrop Municipal Code; and

WHEREAS, the City of Lathrop City Council held a duly noticed public hearing at a regular meeting on October 9, 2023 to review and consider amending the Lathrop Zoning Map, amending the Mossdale Landing and Mossdale Landing South Urban Design Concepts (UDC's), modifying Title 10 (Vehicles and Traffic) of the Lathrop Municipal Code, and adopting various sections to Title 17 (Zoning) of the Lathrop Municipal Code for consistency with the 2022 Lathrop General Plan Update that was adopted by the City Council on September 19, 2022 and Government Code Section 65860; and

WHEREAS, the City of Lathrop adopted a current Comprehensive General Plan on September 19, 2022, which includes specific policies and implementation actions to ensure there is consistency between the General Plan, the General Plan Land Use Map, the Zoning Map and implementing plans, ordinances, and regulations; and

WHEREAS, the California planning and zoning law establishes that zoning maps, zoning ordinances, any applicable specific plans, and master plans with related planning documents (i.e. Urban Design Concepts) are required to be consistent with the general plan pursuant to Government Code Section 65860; and

WHEREAS, the proposed amendments to the Lathrop Zoning Map, the Mossdale Landing and Mossdale Landing South Urban Design Concepts (UDC's), to Title 10 (Vehicles and Traffic) of the Lathrop Municipal Code, and to Title 17 (Zoning) of the Lathrop Municipal Code are Citywide and affect all applicable properties in the City; and

WHEREAS, Chapter 17.124 of the Lathrop Municipal Code mandates the transmittal of a recommendation to the City Council by resolution; and

WHEREAS, prior to approval of the Project, the City Council adopted a Resolution to find the Project exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and the California Environmental Quality Act (CEQA) Guidelines Section 15183; and

WHEREAS, the City Council finds that the purpose of the proposed amendments is to ensure the City updates the Lathrop Zoning Map, the Mosssdale Landing and Mosssdale Landing South UDC's, Title 10 (Vehicles and Traffic) of the Lathrop Municipal Code, and Title 17 (Zoning) of the Lathrop Municipal Code to be consistent with the goals, policies, and implementation actions of the City's 2022 update of the General Plan; and

WHEREAS, proper notice of this public hearing was given in all respects as required by law; and

WHEREAS, the City Council has reviewed all written evidence and oral testimony presented to date.

NOW, THEREFORE, BE RESOLVED that the City Council of the City of Lathrop based on substantial evidence in the administrative record of proceedings and pursuant to its own independent review and consideration, hereby approve the Lathrop Zoning Map as shown on Attachment "37" of the October 9, 2023 City Council Staff Report and the Municipal Code Amendments as shown on Attachments "4" through "34" of the October 9, 2023 City Council Staff Report, incorporated by reference herein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LATHROP DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The Lathrop Zoning Map is hereby amended as shown in Attachment "37" incorporated by reference herein.

Section 2. The Lathrop Municipal Code is hereby amended as shown in Attachments "4" through "34" incorporated by reference herein.

Section 3. General Plan Consistency. The City Council finds that the proposed amendments will implement updated zoning districts with minor modifications, and the amendments are consistent with the following applicable policies and implementation actions of the General Plan:

Policy LU-1.7: Ensure consistency between the Land Use Map and implementing plans, ordinances, and regulations.

Policy LU-1.8: Recognize that the General Plan and Land Use Map may be amended in accordance with State law in order to ensure that there is an adequate supply of commercial, industrial, public facility, parks, residential, and other desired land uses to serve the City's needs.

Implementation Action LU-1.a: Update the City's Zoning Code and Map as appropriate to ensure consistency with this land use element and designations shown on Figure LU-1. As part of the update, create a new Public/Quasi-Public zoning district applicable to the City proper.

Implementation Action LU-1.b: Review the Zoning Ordinance and update as appropriate to reflect Land Use goals, policies, and implementation actions included in this Plan.

Implementation Action LU-1.c: Review the City's adopted Specific Plans for consistency with the General Plan, and update as appropriate to ensure consistency with this land use element and designations shown on Figure LU-1.

Implementation Action LU-1.f: Utilize the following Zoning Districts (included on Table LU-1) to implement the General Plan's land use objective.

Implementation Action LU-2.a: Periodically review and update development standards, guidelines, and land uses included within Specific Plan Areas to affirm the unique character and development vision for each area.

Implementation Action LU-5.e: Update the Lathrop Municipal Code to include Good Neighbor Guidelines for Warehouse Distribution Facilities. The new Good Neighbor Guidelines should include:

- a. A definition of the type and size of facility that is subject to the Guidelines;
- b. Standards to minimize exposure to diesel emissions to sensitive receptors that are situated in close proximity to the proposed facility;
- c. Standards and practices that eliminate diesel trucks from unnecessarily traversing through residential neighborhoods;
- d. Standards and practices that eliminate trucks from using residential areas and repairing vehicles on the streets;
- e. Strategies to reduce and/or eliminate diesel idling within the facility's site.

Section 4. Based on the findings set forth in this Ordinance, the CEQA Resolution, and evidence in the Staff Report, the City Council hereby approves the Municipal Code Text Amendment No. TA-22-93 as shown on Attachment "37" of the October 9, 2023 City Council Staff Report and the Municipal Code Amendments as shown on Attachments "4" through "34" of the October 9, 2023 City Council Staff Report, incorporated by reference herein. These documents shall be substantially in the form on file with the City Clerk.

Section 5. Upon adoption by the City Council, the Community Development Director is hereby directed to publish the Lathrop Zoning Map on permanent public display in the Community Development Department, Planning Division in the City of Lathrop.

Section 6. This Ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the city or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Ordinance No. 23-

Section 7. Severability. If any section, subsequent subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

Section 8. Effective Date. This Ordinance shall take legal effect 30 days from and after the date of its passage.

Section 9. Publication. Within fifteen days of the adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance to be published in full accordance with Section 36933 of the Government Code.

THIS ORDINANCE was introduced at a regular meeting of the City Council of the City of Lathrop on the 9th day of October 2023, and was **PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Lathrop on _____, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

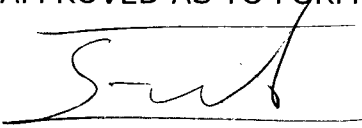
ABSENT:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney

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Chapter 17.04 General Provisions

[...]

17.04.080 Definitions.

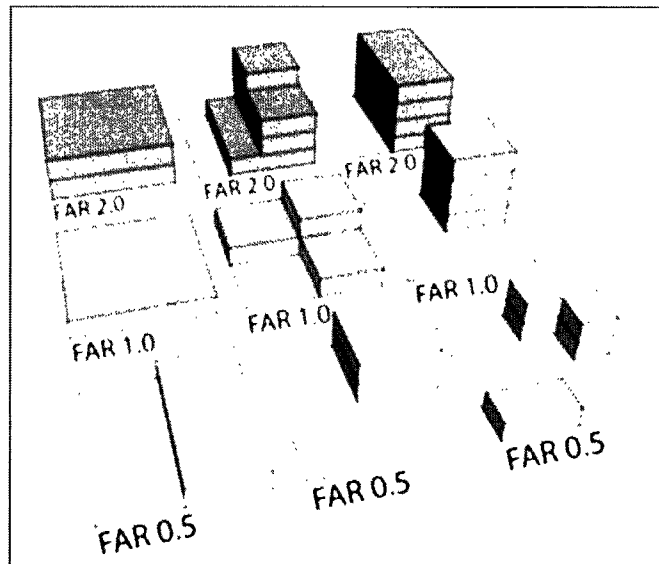
For the purpose of this title, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Words used in the present tense include the future tense. Words used in the singular include the plural, and words used in the plural include the singular. The masculine shall include the feminine and neuter.

[...]

“Boarding or rooming house” means a building where lodging and meals are provided for compensation for five, but not more than fifteen (15) persons, not including rest homes or short term rentals that are rented for less than thirty (30) days.

[...]

Floor Area Ratio, referred to as FAR, is used to express the building intensity for non-residential uses, such as commercial, industrial, community facilities, and the non-residential component of mixed use projects. FAR refers to the ratio of the total floor area of a building or buildings on a site, excluding parking structures and outdoor storage areas, to the lot area of the site.



[...]

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Chapter 17.08 Zoning Districts Designated

[...]

17.08.010 Districts.

A. General. The base districts establish the basic land use and property development regulations applicable to all property within the city as provided under Section 17.04.060. The combining districts provide additional regulations which are to be exercised over certain lands in order to meet special community health, safety, welfare, environmental or development objectives described by the general plan. Combining district regulations apply in addition to the base zone and other regulations of this code. The base and combining districts established by the zoning code are designated in subsections B and C below.

B. Base Districts. The ~~RA~~, R and RM districts are also subject to the density limitations, policies and standards of the land use section of the community development element of the city general plan. The base districts are as follows:

1. RCO: resource, conservation and open space district.
2. UR: urban reserve district.
- ~~3. RA: residential acreage district.~~
34. R: one-family residential districts:
 - a. R-1-6: six thousand (6,000) square feet minimum site area.
 - ~~b. R-1-6X: exclusive detached single family.~~
45. RM: Multifamily residential districts.
 - ~~a. RM-MH8: eight mobile homes per net acre.~~
 - ab. RM-3: three thousand (3,000) square feet minimum site area per dwelling unit.
 - be. RM-2: two thousand (2,000) square feet minimum site area per dwelling unit.
 - ~~d. RM-1.5: one thousand five hundred (1,500) square feet minimum site area per dwelling unit.~~
- ~~6. PO: professional office district.~~
57. C: commercial districts.

- a. CN: neighborhood commercial district.
- b. CC: central commercial district.
- c. CS: service commercial district.
- d. CH: highway commercial district.
- ~~e. CR: regional commercial.~~
- ~~f. CW: waterfront commercial.~~
- 68. I: industrial districts.
 - a. IL: limited industrial district.
 - b. IG: general industrial district.
 - ~~e. IP: planned industrial district.~~
- C. Combining Districts.
 - 1. PUD: Planned unit development district.
 - ~~2. MXU: mixed use district. (Prior code § 171.01)~~

[...]

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Chapter 17.16 General Requirements and Exceptions

[...]

17.16.020 Addition and determination of permitted uses.

[...]

C. When a use is not specifically listed in this title it is not permitted; however, it shall be understood that the use may be permitted if the community development director determines that the use is substantially similar to the other uses listed. It is further recognized that every use cannot be identified in this title and, anticipating that new uses will evolve over time, this section establishes the community development director's authority to compare a proposed use and measure it against those uses listed in this title for determining similarity. In determining similarity, the community development director shall make all of the following findings:

1. The characteristics of, and activities associated with, the proposed use are equivalent to one or more of the listed uses, and will not involve a higher level of activity or population density than the uses listed in the zoning district;
2. The proposed use will be consistent with the purposes of the applicable zoning district; and
3. The proposed use will be consistent with the general plan.

Determinations shall be made in writing and shall contain the facts that support the determination. The community development director shall maintain all such determinations on record. The community development director's decision may be appealed as provided in Chapter 17.125, Appeals. (Ord. 19-405 § 1; Ord. 92-73)

[...]

17.16.110 Garage Sales with Residential Areas.

The sale of personal possessions, whether within or outside of a dwelling within an ~~RA, R,~~ or RM or P0 zoning district, shall be limited to no more than two such sales per year. Commonly referred to as "garage sales," such sales shall be conducted for periods no longer than three days, and unsold possessions shall be removed from public view and stored within the premises. Materials to be sold shall be personal possessions. No materials shall be offered for sale which have been acquired solely for the purposes of the "garage sale." Possessions offered for sale shall be neatly displayed. The driveway, yard or other space used for purposes of the sale shall be restored to its normal residential character at the conclusion of the sale. (Ord. 92-73)

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Chapter 17.20 RCO ~~RESERVE~~ RESOURCE CONSERVATION AND OPEN SPACE DISTRICT

[...]

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Chapter 17.22 P Park District

17.22.010 Purposes and application.

The Park (P) District is intended to provide for neighborhood, community and regional parks, greenways, and other outdoor recreation facilities to allow for a wide array of local and community recreational activities and entertainment opportunities within urban development. Specific uses intended for this zoning district include: public recreation sites including ball fields, tot lots and play apparatus, adult softball and soccer playing fields, swimming pools, community center buildings, meeting facilities, libraries, art centers, after school care facilities, art in public places, facilities for night-time recreation, trails benches, interpretive markers, picnic areas, barbeque facilities, landscaping, irrigation, city wells, trees and natural habitat areas. Parks also may be designed to accommodate multi-level storm drainage detention basins that will allow recreation use of areas not needed for detention during a given storm.

17.22.020 Reviewing Authority.

All proposed structures, events, and uses shall be subject to the review and approval by the City of Lathrop Parks and Recreation Commission.

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Chapter 17.23 P/QP Public/Quasi Public District

17.23.010 Purposes and application.

The P/QP zoning district provides uses and regulations related to schools, religious institutions, public safety facilities, places of assembly use, hospitals, parks, and other public and semi-public buildings and uses.

17.23.020 Permitted uses.

- A. Public, quasi-public, and institutional uses include, but are not limited to:
 - 1. City Hall
 - 2. Civic center
 - 3. Community Center
 - 4. Cultural Centers
 - 5. Drainage, water quality, reclaimed water, and other similar facilities, including swales, basins, and ponds
 - 6. Fire stations
 - 7. Hospitals
 - 8. Levee and other related facility equipment
 - 9. Library
 - 10. Museum/exhibit space
 - 11. Parks
 - 12. Parking lots/structures
 - 13. Plazas and other related gathering areas
 - 14. Police stations
 - 15. Post offices
 - 16. Public elementary schools
 - 17. Public K-8 schools
 - 18. Public high schools

19. Private or public infrastructure
20. Recreational park—Active
21. Recreational park—Passive
22. Religious facility
23. Theater/exhibition hall
24. Trails and maintenance roads
25. Resource management lands
26. Senior center
27. Youth center
28. Other similar uses as determined per Section 17.16.020 C.

B. Incidental and accessory structures and uses on the same site as a permitted use.

C. Other uses added to this list by the Planning Commission according to the procedure in Section 17.16.020 A.

17.23.030 Conditional uses; Planning Commission approval required.

- A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:
1. Private schools
 2. Day care centers

17.23.040 Property development standards.

Specific development standards for the Public/Quasi-Public (P/QP) zone district shall incorporate the following design principles and standards:

A. By utilizing a creative approach to landscaping and screening, parking areas shall not become the predominant feature of the streetscape, especially as it relates to adjacent open spaces and arterial streets.

B. Landscaping and irrigation standards shall follow those required by Section 17.92.030 A.

C. Building setbacks shall be varied in accordance with corresponding building heights, uses and proposed frontage and street activity. For example, taller structures may require larger front yard setback as determined during architectural design review per Chapter 17.104.

D. Minimum parking requirements, such as type and number of parking stalls, shall generally follow Section 17.76.

E. All proposed signage shall be in accordance with Section 17.84.100.

F. Building Setbacks:

1. Streets: 10 feet
2. Front, Rear, and Side Yards: 0 feet

G. Building Height:

1. Maximum Building Height: 45 feet
2. Special features (i.e. towers, steeples, cupolas, flagpoles) are subject to Section 17.16.100

H. Lot Size and Coverage:

1. Minimum Parcel Area: None
2. Minimum Width: None
3. Minimum Depth: None
4. Maximum Coverage: 70%

17.23.050 Site plan and architectural review required.

No use or structure shall be erected on any lot or site in any P/QP zone district until a site plan and architectural plans shall have been submitted to and approved by the City pursuant to the provisions of Chapters 17.100 and 17.104, other than those exempted by State and/or Federal statute. Design review is required for all proposed structures, together with related site plans, landscaping, and public improvements associated with new development.

17.23.060 General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16.

Any use or structure proposed for placement on city owned property pursuant to a lease, license, agreement with the city, or city project, shall be exempt from this chapter, but shall comply with such processing and design standards as are set forth in such lease, license, or other agreement.

New text is shown by underline; deleted text is shown by ~~strikethrough~~

Chapter 17.28 RA Residential Acreage District

17.28.010 Purposes and application.

~~—The residential acreage district (RA) is intended to provide living area which combines certain of the advantages of both urban and rural location by limiting development to low density concentrations of one family dwellings as designated by the general plan, and permitting limited numbers of animals and fowl to be kept for pleasure or hobbies, free from activities of a commercial nature. The RA district is intended to encourage the use of the subdivision or parcel map process in the creation of large residential sites to assure the provision of those physical improvements necessary to protect the health, safety and general welfare of the people. (Prior code § 175.01)~~

17.28.020 Permitted uses.

~~—The following uses shall be permitted in RA districts:~~

~~—A. One family dwellings;~~

~~—B. Raising of field crops, fruit and nut trees, vines, vegetables and horticultural specialties;~~

~~—C. Breeding, hatching, raising and fattening of fowl and/or rabbits on sites of one third or more acre or more in area for family food consumption. The number of such animals shall not exceed twelve (12).~~

~~—D. Raising of livestock, except swine (excepting pot belly pigs), on a site containing not less than one acre; provided, that the number of livestock shall not exceed two adult animals in any combination, inclusive of their immature offspring. Pot belly pigs may only be allowed on lots of not less than ten thousand (10,000) square feet;~~

~~—E. Fenced or enclosed swimming pools for either individual, family or communal use on an exclusive noncommercial basis; provided, that no swimming pool shall be located within a utility easement;~~

~~—F. Incidental and accessory structures and uses located on the same site as a permitted use, as follows:~~

~~—1. Private garages and carports; storehouses, garden structures, greenhouses, recreation rooms and hobby rooms and hobby shops;~~

~~—2. On sites containing not less than one acre: barns, stables, and other farm type outbuildings. Coops used for fowl shall be allowed on site of one third acre or more. Any structure used for the keeping of bees must be located not less than two hundred (200) feet from other~~

structure and not less than fifty (50) feet from any property line on the site. Underground storage of petroleum products is prohibited;

— G. — The keeping of household pets as defined in Section 17.04.080 and in accordance with Title 6 of the Lathrop Municipal Code;

— H. — Small residential care homes;

— I. — Other uses which are added to this list according to the procedure in Section 17.16.020. (Ord. 16-365; prior code § 175.02)

~~17.28.030 Permitted uses — Administrative approval required.~~

— The following uses may be permitted in accordance with provisions of Chapter 17.108:

— A. — Enclosed temporary construction materials storage yards required in connection with the development of a subdivision, temporary subdivision sales offices and signs, and model home display areas in accordance with the provisions of Section 17.16.010;

— B. — Gas and electric transmission lines, in accordance with the provisions of Section 17.108.080, electrical distribution substations, gas regulator stations, communications equipment buildings, public service pumping stations, and elevated pressure tanks;

— C. — Mobilehomes on permanent foundations designed in accordance with the standards of Chapter 17.68;

— D. — Home occupations in accordance with Chapter 17.64;

— E. — Incidental and accessory structures and uses located on the same site as a use permitted by administrative approval or conditional use;

— F. — A second housing unit in accordance with the provisions of Chapter 17.80;

— G. — Other uses which are added to this list according to the procedure in Section 17.16.020. (Prior code § 175.03)

~~17.28.040 Conditional uses — Commission approval required.~~

— The following conditional uses may be permitted in accordance with the provisions of Chapter 17.112:

— A. — Public and quasi-public uses of an educational or religious type, including public and private elementary schools, junior high schools, high schools and colleges, nursery schools, private nonprofit schools and colleges, churches, parsonages and other religious institutions;

~~— B. — Public and private charitable institutions, hospitals, sanitariums, nursing homes and rest homes, not including hospitals, sanitariums, nursing homes or rest homes for mental, drug addict, or liquor addict cases except as provided under Section 17.32.040;~~

~~— C. — Public uses of an administrative, recreational, public service or cultural type, including city, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations and other public buildings, structures and facilities, and public playgrounds, parks and community centers;~~

~~— D. — Private or public golf courses;~~

~~— E. — Modest expansion or remodeling of an existing nonconforming use of a structure or land, limited to twenty five percent (25%) or less of the assessed value of the existing structure, or reestablishment of a nonconforming use which has been damaged, except nonconforming signs and outdoor advertising structures, nonconforming uses occupying a structure with an assessed valuation of less than two hundred dollars (\$200.00), and nonconforming fences, walls and hedges;~~

~~— F. — Expansion, remodeling or additions to a conditional use that are not either “incidental” or “accessory” as defined in Section 17.04.080;~~

~~— G. — Incidental and accessory structures and uses located on the same site as a conditional use;~~

~~— H. — Other uses which are added to this list according to the procedure in Section 17.16.020. (Prior code § 175.04)~~

17.28.050 Property development standards.

~~— A. — Fences, walls and hedges shall conform to the provisions of Chapter 17.92.~~

~~— B. — Site Area. The minimum site area shall be twenty thousand (20,000) square feet; provided, that the average size of all lots or sites created by a division of land or subdivision shall be a minimum of forty thousand (40,000) square feet, and further provided that not more than one-half of such lots or sites shall be at the minimum site area.~~

~~— C. — Frontage, Width and Depth of Site. Each site shall have not less than one hundred fifty (150) feet of frontage, or one hundred (100) feet of frontage when measured along the front yard setback line when a site fronts upon a cul-de-sac or loop-out street.~~

~~— 1. — The minimum width of each site shall be one hundred (100) feet.~~

~~— 2. — The minimum depth of each site shall be one hundred fifty (150) feet.~~

~~— D. — Number of Dwelling Units per Site. Not more than one dwelling unit shall be allowed on each site, except as provided under Chapter 17.80.~~

~~— E. Coverage. The maximum site area covered by structures shall be thirty five percent (35%).~~

~~— F. Yard Requirements.~~

~~— 1. Front Yard. The minimum front yard shall be not less than thirty five (35) feet, except along those streets where a greater setback is required by the general plan or an ordinance of the city.~~

~~— 2. Rear Yard. The minimum rear yard shall be five feet, subject to the following conditions:~~

~~— a. Where construction involves more than one story, the rear yard shall be increased by ten (10) feet for each additional story.~~

~~— b. Accessory and garden structures, other than those for the keeping of animals, less than seven feet in height, may be located within any portion of a required rear yard.~~

~~— c. Accessory buildings for the keeping of animals, excluding household pets and the keeping of bees, shall be set back twenty five (25) feet; provided, that fifty (50) feet shall be maintained from any other structure.~~

~~— 3. Side Yards. The minimum side yard shall be five feet, subject to the following conditions:~~

~~— a. Where construction involves more than one story, the side yard shall be increased by ten (10) feet for each additional story.~~

~~— b. Accessory and garden structures, other than those for the keeping of animals, under seven feet in height, may be located in any portion of a required side yard.~~

~~— c. On the street side yard of a corner lot, the side yard shall not be less than ten (10) feet.~~

~~— d. Accessory buildings for the keeping of animals, excluding household pets and the keeping of bees, shall be set back twenty five (25) feet, provided that fifty (50) feet shall be maintained from any other structure.~~

~~— G. Distances Between Structures. The minimum distance between a one-family dwelling and another structure shall be ten (10) feet, provided however that no structure housing poultry, or animals other than household pets, shall be closer than fifty (50) feet to any dwelling.~~

~~— H. Building Height. No building or structure shall have a height greater than thirty five (35) feet, except as permitted under Chapter 17.112.~~

~~— I. Signs. No sign or outdoor advertising structure of any character shall be permitted except as prescribed in Chapter 17.84.~~

~~—— J. — Off Street Parking and Off Street Loading. Off street parking and off street loading facilities shall be provided as prescribed in Chapter 17.76. (Prior code § 175.05)~~

~~17.28.060 General provisions and exceptions.~~

~~—— All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16. (Prior code § 175.06)~~

New text is shown by underline; deleted text is shown by ~~strikethrough~~

Chapter 17.32 R One-Family Residential District

17.32.010 Purposes and application.

A. The R districts are intended primarily to provide living areas at locations designated by the general plan for low density, involving single-family dwellings, with regulations designed to accomplish the following:

1. To promote and encourage a suitable environment for family life;
2. To provide space for community facilities needed to complement urban residential areas, and for institutions which require a residential environment, in accordance with policies of the general plan and state law.

B. The R-1-6~~X~~ district is intended for exclusive application to those areas where a mixture of dwelling types under planned unit development is prohibited, and where only single-family detached housing is permitted.

C. The R-1-5 district is intended to provide small lot single-family housing only under PUD procedures of the zoning code as an affordable housing alternative to apartment living. (Prior code § 176.01)

[...]

17.32.050 Property development standards.

A. Fences, walls and hedges shall conform to the provisions of Chapter 17.92.

B. Site Area. The minimum site area for the R-1-6 and ~~R-1-6X~~ districts shall be six thousand (6,000) square feet. The minimum site area for the R-1-5 district shall be five thousand (5,000) square feet.

C. Frontage, Width and Depth of Site.

1. Each site in a R-1-6 or ~~R-1-6X~~ district shall have not less than sixty (60) feet of frontage on a public street, except that those sites which front on a cul-de-sac or loop-out street may have a frontage of not less than forty (40) feet, provided the width of the site, as measured along the front yard setback line, is at least sixty (60) feet; each site in an R-1-5 district shall have not less than fifty (50) feet of frontage on a public street, except as otherwise permitted under PUD regulations of this chapter.

2. The minimum width of each site in a R-1-6 or ~~R-1-6X~~ district shall be sixty (60) feet for an interior lot and sixty-five (65) feet for a corner lot. The minimum width of each site in an R-l-5 district shall be fifty (50) feet for an interior lot and sixty (60) feet for a corner lot, except as otherwise permitted under PUD regulations of this chapter.

3. The minimum depth of each site shall be ninety (90) feet for an interior lot and eighty (80) feet for a corner lot.

[...]

New text is shown by underline; deleted text is shown by ~~strikethrough~~

Chapter 17.36 RM Multi-Family Residential District

17.36.010 Purposes and application.

The RM multifamily residential districts are intended primarily for the development of multifamily residential structures at densities consistent with policies of the general plan, as follows:

~~A. The RM MH8 district is intended exclusively for application to areas designated by the general plan or any applicable specific plan for mobilehome park development.~~

A.B. The RM-3 district is intended exclusively for application to areas designated by the general plan for medium density.

B.C. The RM-2 district is intended primarily for application to areas designated by the general plan for high density. (Ord. 22-431 § 1; Ord. 92-73)

[...]

17.36.050 Property development standards.

A. Fences, walls and hedges shall conform to the provisions of Chapter 17.92.

B. Site Area. The minimum site area in the RM-3 and RM-2 districts shall be six thousand (6,000) square feet. ~~The minimum site area in the RM MH8 district shall be five acres (see Section 17.72.030)~~

C. Site Area Per Dwelling Unit. The minimum site area shall be as follows:

District	Area per Unit
RM-MH8	3,000 sq. ft.
RM-3	3,000 sq. ft.
RM-2	2,000 sq. ft.

D. Density. The allowable density for the RM multifamily residential districts shall be as identified below, per the city's general plan:

~~1. RM MH8: a minimum of one and a maximum of eight units per acre.~~

12. RM-3: a minimum of eight and a maximum of fifteen (15) units per acre.

23. RM-2: a minimum of sixteen (16) and a maximum of twenty-five (25) units per acre.

E. Frontage, Width and Depth of Site.

1. Each site, other than for a mobilehome in a mobilehome park, shall not have less than fifty (50) feet of frontage on a public street, except that those sites which front on a cul-de-sac or loop-out street may have a frontage of not less than forty (40) feet, provided the width of the site, as measured along the front yard setback line, is at least sixty (60) feet.

2. The minimum width of each site, other than for a mobilehome park, shall be fifty (50) feet.

3. The minimum depth of each site, other than for a mobilehome in a mobilehome park, shall be eighty (80) feet.

F. Coverage. The maximum site area covered by structures shall be as follows:

District	Coverage
RM MH8	Not applicable
RM-3	50%
RM-2	60%

17.36.060 Site plan and architectural design review.

Except for mobilehomes, single-family dwellings and accessory structures and uses related thereto, no use may be established on any lot or site in an RM district until a site plan and architectural plans shall have been submitted to and approved by the city pursuant to the provisions of Chapters 17.100 and 17.104. ~~The development of mobilehome parks within the RM MH8 district shall be subject to the standards and regulations prescribed under Chapter 17.72.~~ (Ord. 92-73)

[...]

New text is shown by underline; deleted text is shown by ~~strikethrough~~

Chapter 17.40 PO Professional Office District

17.40.010 Purposes and application.

~~—This district is intended to provide opportunities for the location of professional and commercial offices in close relationship to one another in areas designated for combined professional office use and high density use by the general plan; to provide adequate space to meet the needs of such offices for off-street parking and loading space; and to protect offices from noise, disturbances, traffic hazards and other objectionable influences which would adversely affect professional and business practices being conducted. (Prior code § 178.01)~~

17.40.020 Permitted uses.

~~—A. Offices which deal in professional and business services in which goods, wares and merchandise are not commercially created, sold or exchanged;~~

~~—B. Medical and dental laboratories and clinics, and prescription pharmacies in conjunction therewith or with a hospital;~~

~~—C. Any use listed as a permitted use within the R or RM districts;~~

~~—D. Accessory structures and uses located on the same site as a permitted use;~~

~~—E. Other uses which are added to this list according to the procedure in Section 17.16.020;~~

~~—F. The keeping of animals in accordance with the standards of Chapter 17.28;~~

~~—G. Emergency shelters, in accordance with the provisions of Chapter 17.74. (Ord. 16-365 § 4; prior code § 178.02)~~

17.40.030 Permitted uses—Administrative approval required.

~~—The following uses may be permitted in accordance with Chapter 17.108:~~

~~—A. Boarding and rooming houses;~~

~~—B. Guest houses;~~

~~—C. Gas and electric transmission lines, in accordance with Section 17.108.080; electrical transmission and distribution substations, gas regulator stations, communications equipment buildings, public service pumping stations and elevated pressure tanks;~~

~~—— D. Licensed family day care center for nine to fourteen (14) children as an accessory use in a dwelling;~~

~~—— E. Home occupations in accordance with Chapter 17.64;~~

~~—— F. Incidental and accessory structures and uses, as defined in Section 17.04.080, located on the same site as a use permitted by administrative approval or conditional use;~~

~~—— G. A second housing unit in accordance with the provisions of Chapter 17.80;~~

~~—— H. Other uses which are added to this list according to the procedure in Section 17.16.020. (Prior code § 178.03)~~

17.40.040 Conditional uses — Commission approval required.

~~—— A. Assembly uses;~~

~~—— B. Public and private charitable institutions, hospitals, sanitariums, nursing homes, rehabilitation homes and rest homes, including state authorized homes as prescribed under Section 17.32.040(B);~~

~~—— C. Public uses of a cultural type, including libraries, museums, and art galleries;~~

~~—— D. Mortuaries;~~

~~—— E. Modest expansion or remodeling of an existing nonconforming use of a structure or land, limited to twenty five percent (25%) or less of the assessed value of existing structures, or reestablishment of a nonconforming use which has been damaged, except nonconforming signs and outdoor advertising structures, nonconforming uses occupying a structure with an assessed valuation of less than two hundred dollars (\$200.00), and nonconforming fences, walls and hedges;~~

~~—— F. Expansion, remodeling, or additions to a conditional use that are not considered an incidental or accessory use as defined in Section 17.04.080;~~

~~—— G. Other uses which are added to this list according to the procedure in Section 17.16.020. (Ord. 16-355 § 1; Ord. 92-73)~~

17.40.050 Property development standards.

~~—— A. Fences, walls and hedges shall conform to the provisions of Chapter 17.92.~~

~~—— B. Site Area. The minimum office site shall be five thousand (5,000) square feet. The minimum site area per one family dwelling unit shall be six thousand (6,000) square feet. The minimum site area per multifamily dwelling unit shall be two thousand (2,000) square feet.~~

~~— C. — Frontage, Width and Depth of Site.~~

~~— 1. — Each site shall have not less than fifty (50) feet of frontage on a public street, except that those sites which front on a cul-de-sac or loop-out street may have a frontage of not less than forty (40) feet; provided, that the width of the site as measured along the front yard setback line is at least fifty (50) feet.~~

~~— 2. — The minimum width of each site shall be fifty (50) feet at all other locations on the site which lay to the rear of the front yard setback line.~~

~~— 3. — The minimum depth of each site shall be one hundred (100) feet.~~

~~— D. — Coverage. The maximum site area covered by structures shall be seventy percent (70%) of the total area of the site.~~

~~— E. — Yard requirements~~

~~— 1. — Front yard. The minimum front yard shall be fifteen (15) feet; provided, however, the building official may approve, under Chapter 17.108, within any part of the front yard for nonresidential uses, ornamental covers such as a sidewalk or entry awning, trellis or other similar improvement when the improvement is intended solely as an improved passageway or for aesthetic purposes, providing architectural integrity with the building to which it is attached. Supports shall not occupy more than ninety percent (90%) of the horizontal area covered by the improvement, and the space between supports shall not be enclosed.~~

~~— 2. — Rear yard. The minimum rear yard shall be five feet; provided, however, that where construction involves more than one story and the site lays adjacent to a site in an R district, the rear yard shall be increased by five feet for each additional story. Accessory and garden structures under seven feet in height may be located within any portion of a required rear yard. Access to off-street parking areas from an alley shall meet the standards of Section 17.36.050(F).~~

~~— 3. — Side Yards. The minimum side yard shall be five feet, subject to the following conditions and exceptions:~~

~~— a. — On a reversed corner lot, the side yard adjoining the street shall be not less than one-half the required front yard on the adjoining lot.~~

~~— b. — Accessory structures under seven feet in height may be located in any portion of a required side yard, subject to approval under the provisions of Chapter 17.108, except in the street side yard of a reversed corner lot.~~

~~— c. — Where construction involves more than one story, the side yard shall be increased by five feet for each additional story.~~

~~— d. — A side yard providing access to more than one dwelling unit shall not be less than ten (10) feet.~~

~~— e. — Garages or carports on the street side yard of a corner lot shall be subject to the provisions of Section 17.32.040(F)(3).~~

~~— F. — Distances Between Structures. The minimum distance between a permitted or conditional use and another building on the same site shall be ten (10) feet.~~

~~— G. — Building Height. The maximum height of a permitted or conditional use shall be forty (40) feet.~~

~~— H. — Signs. No sign or outdoor advertising structure of any character shall be permitted except as prescribed in Chapter 17.84.~~

~~— I. — Off-Street Parking and Off-Street Loading. Off-street parking and off-street loading facilities shall be provided as prescribed in Chapter 17.76. (Ord. 92-96; Ord. 92-73)~~

~~17.40.060 Site plan and architectural design review.~~

~~— Except for one family dwellings and accessory structures and uses related to one family dwellings, no use shall be erected on any lot or site in this district until a site plan and architectural plans shall have been submitted to and approved pursuant to the provisions of Chapters 17.100 and 17.104. (Ord. 92-73)~~

~~17.40.070 Required conditions.~~

~~— A. — All office site boundaries adjacent to any residential zoning district shall be visually screened with ornamental masonry walls and landscaping, with wall height to be determined by the planning commission.~~

~~— B. — Street trees, frontage landscaping and parking area landscaping, with automatic irrigation, shall be provided for all office sites. (Ord. 92-73)~~

~~17.40.080 General provisions and exceptions.~~

~~— All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16. (Ord. 92-73)~~

New text is shown by underline; deleted text is shown by ~~striketrough~~

Chapter 17.44 C Commercial District

[...]

Chapter 17.44.030 CC Central Commercial District

A. Application. The central commercial district is intended to be applied within and at the periphery of the central business district (CBD) of the city as described by the general plan. The ~~CBD~~ serves as the primary commercial district of the community where a wide range of retail, financial, governmental, professional, business service and entertainment activities and uses are encouraged to concentrate to serve the entire community. Central commercial areas are intended to be developed only as unified commercial centers, except where the existing development pattern makes it impractical.

[...]

D. Conditional Uses—Commission Approval Required. The following uses may be permitted in accordance with the provisions of Chapter 17.112:

1. Bars, cocktail lounges and nightclubs;
2. Assembly uses;
3. City, county, state or federal administrative offices, libraries, police and fire stations;
4. ~~Dwellings over a permitted use in accordance with density requirements of the RM-1.5 district.~~
45. Farmers markets, including indoor and outdoor facilities;
56. Service commercial uses designated by an asterisk (*), as listed under Section 17.44.040, which include incidental retail and/or office use;
67. Expansion or remodeling of an existing nonconforming use of a structure or land, up to fifty percent (50%) or less of the value of the structure, or reestablishment of a nonconforming use which has been damaged, except nonconforming signs and outdoor advertising structures, nonconforming uses occupying a structure with an assessed valuation of less than two hundred dollars (\$200.00), and nonconforming fences, walls and hedges;
78. Expansion, remodeling or additions to a conditional use that are not considered an incidental or accessory use as defined in Section 17.04.080;
89. Incidental and accessory structures and uses located on the same site as a conditional use;

940. Service stations, as defined by Section 17.04.080 of this code;

1044. Other uses which are added to this list according to the procedure in Section 17.16.020. (Ord. 16-355 § 1; Ord. 99-168; Ord. 98-164; Ord. 92-73)

Chapter 17.44.040 CS Commercial Service District

A. Application. The service commercial district is intended primarily for establishments engaged in servicing equipment, materials and products, but which do not require the manufacturing, assembly, packaging or processing of articles or merchandise for distribution and retail sale. Land requirements for most service commercial uses generally dictate their application along arterial and collector streets of the city which generally lie close to central commercial, highway commercial and industrial districts, in accordance with the general plan.

B. Permitted Uses.

1. Off-street parking lots improved in conformity with Chapter 17.76 shall be permitted;
2. Service commercial establishments, including the following. (Note: Those uses marked with an asterisk (*) are permitted as conditional uses in CC districts, as indicated in Section 17.44.030:

Permitted Uses for CS Districts

Addressograph services *

Automobile body and fender repair

Automobile repairing, overhauling, rebuilding and painting

Automobile sale and service (new) *

Automobile and tractor parts and equipment *

Automobile upholstery and top shops

Automobile washing, either self-service or involving the use of mechanical conveyors, blowers and steam cleaning *

Bakeries, retail and wholesale *

Bars, cocktail lounges and nightclubs

Bicycle shops

Blacksmith shops

Blueprint and photocopy

Boat sales and service

Book binding

Bottling works

Building materials

Bus depots and transit stations, including storage and repair

Business, professional and trade schools and colleges

Carpenters' shops

Carpeting and flooring

Catering

Ceramic and pottery works

Cleaning, pressing and dyeing establishments (using nonflammable and nonexplosive cleaning fluid)*

Cold storage

Columbariums and crematoriums

Communications equipment

Contractors' storage yards

Convenience-oriented food stores limited to a maximum of five thousand (5,000) square feet of floor area

Dairy products plants

Diaper supply

Drapery and interior decorating

Electrical repair shops *

Equipment rental

Exterminators

Farm equipment sales and service

Feed and seed

Food lockers

Freight forwarding terminals

Furniture stores, new and used

Furniture warehouses and van services

Glass Installation *

Gunsmith *

Heating, ventilating and air-conditioning shops, including incidental sheet metal

Home improvement centers

Household and office equipment and machinery repair shops

Household repair shops *

Ice storage and sale

Kennels located not closer than five hundred (500) feet to an ~~RA, R, RM, P0, CN, or CC, CR~~
~~or CW~~

district

Laboratories *

Laundries *

Linen supply services *

Liquor

Locksmith

Lumber yards, not including planing mills or saw mills *

Machinery sales and rentals

Mattress repair

Mini-storage *

Mortuaries *

Motorcycle sales and service *

Musical instrument repair and incidental sales *

Nurseries and garden supply stores *

Offices incidental to another permitted use

Packing and crating

Paint and wallpaper

Parcel delivery *

Photographic and blueprint processing and printing *

Picture framing

Plumbing and sheet metal *

Pool halls

Pressing of wearing apparel *

Printing, lithographing and engraving *

Public utility service yards

Radio and television broadcasting

Radio, television, VCR, video and related electronic equipment repair shops

Railroad freight and passenger stations *

Recycling center (a state certified recycling center or collection facility may be located within an existing development commercial property if the area is within a “convenience zone” as defined by the California Department of Resources Recycling and Recovery (CalRecycle). The recycling center or collection facility shall conform to the provisions of Chapter 17.100 of this title)

Repair garages

Restaurants, including drive-in restaurants

Rug and carpet cleaning and dyeing

Safe and vault repairing

Self-service laundry and dry cleaning

Sheet metal shops

Shoe repair shops

Sign painting shops *

Small animal hospitals or clinics and veterinarians' offices, including short-term boarding of animals and incidental care such as bathing and trimming; provided, that all operations are conducted entirely within a completely enclosed structure which complies with specifications of soundproof construction as prescribed by the building official

Stone and monument yards or mills

Storage garages and buildings *

Storage yards for commercial vehicles

Taxidermists *

Thrift shops and secondhand stores

Tire sales, retreading and recapping *

Tool or cutlery sharpening or grinding *

Trade schools *

Trailer sales and service and rentals

Transit terminals

Truck sales, including sales and installation of parts and accessories and repairs incidental to vehicle dealerships

Trucking terminals

Typewriter repair shops *

Upholstery shops *

Used car sales *

Warehouses, except for the storage of fuel oil or flammable liquids and explosives

Welding and blacksmithing, excepting drop hammer

Wholesale establishments *

Other uses which are added to this list according to the procedure in Section 17.16.020;

3. Offices and retail stores incidental to and on the same site with a commercial service establishment;

4. Electrical transmission and distribution substations, gas regulator stations, public service pumping stations and elevated pressure tanks;

5. Incidental and accessory uses and structures located on the same site as a permitted use.

[...]

~~17.44.060 CR: regional commercial district.~~

~~— A. Application. The regional commercial district is intended for application to properties in the immediate vicinity of freeway interchanges where large scale commercial development can be located which is intended to serve the needs of the regions surrounding the city, including the Sacramento-San Joaquin Delta and other areas of Northern and Central California.~~

~~— B. Permitted Uses.~~

~~— 1. Factory outlet shopping centers;~~

~~— 2. Recreation theme parks;~~

~~— 3. Business parks and regional office centers;~~

~~— 4. Convention centers;~~

~~— 5. Centers for the regional distribution of goods and services;~~

~~— 6. Incidental and accessory structures and uses located on the same site as a permitted use;~~

~~— 7. Other uses which are added to this list according to the procedure in Section 17.16.020.~~

~~— C. Permitted Uses Administrative Approval Required. Any of the uses listed under~~

~~Section 17.44.050(B) are permitted with administrative approval.~~

~~— D. Conditional Uses Commission Approval Required. Any of the uses listed under Section 17.44.050(D) are conditional uses requiring the approval of the commission. (Ord. 92-73)~~

17.44.070 CW: waterfront commercial district.

~~— A. Application. The waterfront commercial district is intended exclusively for application to properties along the levees of the San Joaquin River or its tributaries which are designated by the general plan for water-related residential, commercial or public use.~~

~~— B. Permitted Uses, Permitted Uses With Administrative Approval, and Conditional Uses with Commission Approval. Any uses allowed by the planning commission and city council as prescribed by a planned unit development permit under the procedures of Sections 17.52.010 and 17.52.020 and Chapter 17.56. (Ord. 92-73)~~

[...]

17.44.090 Property development standards for commercial districts.

A. Screening and landscaping, fences, walls and hedges shall conform to the provisions of Chapter 17.92.

B. Site Area. There shall be no limitation.

C. Frontage, Width and Depth. There shall be no limitation.

D. Coverage. There shall be no limitation.

E. Yard Requirements.

1. The minimum front yard shall be as follows:

District	Minimum Yard Requirements	Minimum Yard Requirements Abutting Certain Property ¹
CN	15 feet	15 feet
CC	0 feet ²	10 feet
CS	0 feet	10 feet
CH	10 feet	15 feet
CR	15 feet	15 feet
CW	15 feet	15 feet

Notes:

¹ Minimum on a site abutting on property in a RCO, UR-ST, R, or RM ~~or~~ PO District and fronting on the same street.

² ~~The requirement shall be 15 feet for property outside of the central business district.~~

2. Except as specified below, no side yards or rear yards shall be required;

a. In any commercial district, the minimum side yard abutting a RCO, UR-ST, ~~RA~~, R, or RM, ~~PO~~-district shall be ten (10) feet.

b. In any commercial district, the minimum rear yard abutting a RCO, UR-ST, ~~RA~~, R, or RM ~~or~~ PO district shall be ten (10) feet.

F. Distances between structures. The minimum distance between a dwelling unit and another structure shall be ten (10) feet.

G. Building Height. In a CN, or CH ~~or~~ CW District, sixty-five (65) feet maximum; in a CC, or CS ~~or~~ CR district, seventy-five (75) feet maximum, except as may be provided under the provisions of Sections 17.52.010, and 17.52.020, Chapters 17.56 or 17.112.

H. Off-Street Parking and Off-Street Loading. Off-street parking and off-street loading facilities shall be provided as prescribed in Chapter 17.76.

I. Signs and Outdoor Advertising Structures. No sign or outdoor advertising structure of any character shall be provided, except as prescribed in Chapter 17.84. (Ord. 92-73; Ord. 92-96)

[...]

New text is shown by underline; deleted text is shown by ~~strikethrough~~

Chapter 17.48 I Industrial District

[...]

17.48.050 Property development standards.

A. Screening and landscaping—Fences, walls and hedges shall conform to the provisions of Chapter 17.92.

B. Site Area. The minimum site area shall be one-half acre in the IG district. No minimum site area shall be required in the IL district.

C. Frontage, Width and Depth of Site. There shall be no limitations.

D. Coverage. There shall be no limitations.

E. Yard Requirements.

1. Front Yard. The minimum front yard for both the IL and IG districts shall be ten (10) feet.

2. Rear and Side Yards. Except as provided below, no rear yard or side yards shall be required.

a. The minimum rear yard abutting a UR-ST, RCO, ~~RA~~, R, RM, ~~PO~~, or C district shall be fifteen (15) feet.

b. On a reversed corner lot adjoining a key lot in a UR-ST, RCO, ~~RA~~, R, RM, ~~PO~~ or C district, the minimum side yard adjoining the street shall not be less than one-half the required front yard on the key lot.

c. The minimum side yard abutting a UR-ST, RCO, ~~RA~~, R, RM, ~~PO~~ or C district shall be fifteen (15) feet.

F. Distances Between Structures. There shall be no limitations.

G. Building Height. The building height shall be no greater than seventy-six (76) feet, unless a building height of no greater than ninety-five (95) feet is determined to be warranted by the planning commission under the provisions of Chapter 17.100, and except that a greater height may be approved for tanks, towers, silos and similar facilities under the provisions of Chapter 17.112.

H. Off-Street Parking and Off-Street Loading. Off-street parking and off-street loading facilities shall be provided as prescribed in Chapter 17.76.

I. Signs and Outdoor Advertising Structures. No signs or outdoor advertising structure of any character shall be permitted, except as provided in Chapter 17.84. (Ord. 12-312 § 2; Ord. 92-96; Ord. 92-73)

[...]

~~17.48.080 Planned Industrial Districts.~~

~~— A. Purposes and Application. The IP planned industrial district is intended for application to those industrial areas which are planned for development for the mutual protection of a community of industries in accordance with a development program approved by the city. Such a program involves the combining of certain uses and a set of development regulations which are more restrictive than those otherwise provided in the IL and IG districts.~~

~~— B. Regulations.~~

~~— 1. In order to assure the mutual protection and compatibility of uses to be located within a IP district, the owners of all the land within the area proposed to be classified IP shall submit the following to the city:~~

~~— a. A more restrictive list of those uses set forth in Sections 17.48.020(B) and (C) and 17.48.030(B) and (C), which uses are desired by the owners to be listed as permitted uses under this section;~~

~~— b. A statement of more restrictive regulations relating to each of the subjects of Sections 17.44.070, 17.48.040 and 17.48.050 and than are now provided by these sections, and which are desired by the owners to become additional regulations under this section.~~

~~— 2. Upon written approval of the planning commission, the list of permitted uses and statements of more restrictive regulations requested for a particular parcel of land shall become the regulations of this section with respect to such parcel of land by reference with the same force and effect as if the regulations were specifically set out and described under this section; provided, however, such statements of more restrictive regulations shall apply in addition to those prescribed within Section 17.48.060.~~

~~— 3. All uses listed as requiring conditional use permits in the IL or IG districts shall be considered as conditional uses under this section.~~

~~— 4. The minimum acreage required for the application of the IP district shall be five acres.~~

~~— C. Required Conditions. Before the city council may give written approval pursuant to this section, and classify property as being within the IP district, the owners shall record, in the office of the county recorder, deed restrictions running with the land affected corresponding to the list of permitted uses and statements of more restrictive regulations approved pursuant to the provisions of subsection B above. (Ord. 92-73)~~

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Chapter 17.49 Crossroads Overlay District

[...]

Chapter 17.49.030 Highway Commercial/Highway Service Overlay

A. The specified properties in the Crossroads overlay district shall include all uses permitted by Section 17.44.050 of this title and the following permitted uses:

1. Motels, hotels;
2. Eating places (including those dispensing alcoholic beverages);
3. Automobile service stations;
4. Newsstands, gift and souvenir shops, arts and crafts studios, self-service ice dispensers, laundry and dry cleaning agencies, and vending machines;
5. Factory outlet malls on parcels of no less than ten (10) acres;

[...]

B. The specified properties in the Crossroads overlay district shall include all uses conditionally permitted by Section 17.44.050 of this title and the following conditional uses:

1. Banks, carwashes, new car and farm equipment sales;
2. Nightclubs, including places providing dancing;
3. Kennels for household pets when accessory to a motel or hotel;
4. Commercial recreation;
- ~~5. Barbershops, beauty shops;~~
56. Nurseries and greenhouses;
67. Public utility and communications equipment buildings and studios. (Ord. 19-405 § 1; Ord. 18-384 § 1)

[...]

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Chapter 17.52 Combining Districts

[...]

17.52.020 Mixed use combining district (MXU).

~~— A. Purposes and Application. The mixed use combining district (MXU) is intended for application to those residential, commercial and industrial base zoning districts which lay within the boundaries of the city's redevelopment project area(s), and which are designated as areas characterized by a mixture of uses, blighted structures and sites, and/or inadequate street and alley improvements. The MXU combining district is to be applied to only those redevelopment project areas selected by the city council as meeting the purposes of this section. Use arrangements within these areas are to be made physically, functionally and aesthetically compatible through either site plan review, architectural design review, PUD procedures, or a combination thereof, as determined by the city council.~~

~~— B. Applicable Regulations and Procedures.~~

~~— 1. The MXU combining district provides the flexibility needed to improve land use conditions within redevelopment project areas under conditions of uncertainty as to the types of uses that may be proposed or that may be economically feasible for specific properties over time. Under mixed use, all categories of land use shown on the general plan diagram are eligible for consideration within redevelopment project areas.~~

~~— 2. Because the best potential use for some properties may be more clear cut than for others, the base land use designations of the general plan provide guidance for the selection of those base zoning districts to be applied throughout the redevelopment project area(s). However, such guidance does not abrogate the potential and flexibility offered for mixed use. An application for a building permit, site plan review or PUD will initiate the process for determining an appropriate development proposal under mixed use regulations. The planning commission shall make a determination as to which procedures shall be followed under the provisions of Chapters 17.56, 17.108 and 17.112. (Ord. 92-73)~~

17.52.030 Mossdale Village combining district (MV).

A. Application. The Mossdale Village combining district (MV) is intended for application to all lands located within the Mossdale Village portion of the West Lathrop Specific Plan. The designation of MV after any zoning district indicates that the zoning district so combined is modified by the regulations included in the West Lathrop Specific Plan then in effect.

B. Applicable Regulations and Procedures. The development of property within the MV combining district shall be subject to the regulations found in the West Lathrop Specific Plan and

the applicable urban design concept. In addition, it is anticipated that agricultural use of the land within the MV combining district will continue for many years. Therefore, the following shall be considered conforming uses in any zoning district which is combined with the MV combining district:

1. Field crops, tree crops, row crops, berry or bush crops, provided no additional land shall be planted in cotton, trees, or vines;

2. Farms for the keeping or raising of animals, excluding poultry farms, rabbit or other small animal farms, fish or frog farms, dairies, hog farms, feedlots, slaughterhouses and kennels unless otherwise specifically permitted in the zoning district which is combined or if they exist on the day the property annexes. Any new poultry farms, rabbit or other small animal farms, fish or frog farms, dairies, hog farms, feedlots, slaughterhouses and kennels proposed subsequent to annexation are specifically prohibited.

~~— C. Conditionally Permitted Uses — Commission Approval Required. The following use may be approved according to the procedures in Chapter 17.112:~~

~~— 1. Recycled water storage ponds and sprayfields. (Ord. 22-431 § 1; Ord. 04-237 § 4; Ord. 96-132)~~

[...]

New text is shown by underline; deleted text is shown by ~~strikethrough~~

Chapter 17.56 Planned Unit Developments

[...]

17.56.020 Districts.

A planned unit development may be located in any district ~~other than a R-1-6X district~~ upon the granting of a use permit in accordance with the provisions of this chapter, or by applying the planned unit development combining district in accordance with the provisions of Sections 17.52.010 and 17.52.020. (Ord. 92-73)

17.56.030 Permitted uses.

A planned unit development shall include only those uses permitted, either as permitted uses or conditional uses, in the zoning district in which the planned unit development is located, subject to the following exceptions:

A. Any combination of uses permitted in any ~~RA~~, R, or RM ~~or PO~~ district as a permitted use, a use permitted by administrative approval, or a conditional use, may be included in a planned unit development located in a ~~RA~~, R or RM District.

B. Any combination of uses permitted within any ~~PO~~, C, or IL district as a permitted use, a use permitted by administrative approval, or a conditional use may be included in a planned unit development located in a ~~PA~~ or C district.

C. Any combination of uses permitted in any CS, CH, IL or IG ~~or IG~~ district as a permitted use, a use permitted by administrative approval, or conditional use may be located in a planned unit development located in an IL or IG district. (Prior code § 188.03)

[...]

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Chapter 17.57 Mossdale Landing Zoning Districts

17.57.010 Article 1. Mossdale Landing Zoning Districts of the Mossdale Landing Urban Design Concept – Purposes. and application.

~~The Mossdale Landing zoning districts are subject to the Mossdale Landing urban design concept, the Mossdale Landing East urban design concept or Mossdale Landing South urban design concept. (Ord. 22-431 § 1)~~

The Mossdale Landing zoning districts in this chapter are designed to provide the opportunity for a wide variety of residential and commercial uses on lands located in the Mossdale Village area which are encompassed by the approved West Lathrop Specific Plan. These zoning districts are subject to the Mossdale Landing Urban Design Concept. These zoning districts, ending in “-MV” are limited to the Mossdale Village.

17.57.100 CS-MV: Service Commercial – Mossdale Village Zoning District - Application.

The CS-MV uses will be located along the frontage of I-5, between Golden Valley Parkway and Manthey Road. The CS-MV zone district is intended for establishments engaged in local and regional retail, services, and office functions. These businesses require easy arterial access, good visibility, and adequate parking. The service commercial designated parcel of Mossdale Landing is a small part of a larger commercial district in the Mossdale Village area of the West Lathrop Specific Plan. As such, the architectural character of the commercial development shall be consistent with the design standards established for the remainder of the Mossdale Village commercial areas. These commercial areas will be pedestrian oriented in terms of circulation, storefront and “public space” design, and provide connections to other adjacent commercial and residential areas. The proposed uses in the CS-MV zone district shall provide an architecturally consistent theme along Golden Valley Parkway and the surrounding land uses, particularly the Village Center.

17.57.101 Permitted uses.

- A. Retail Sales uses include, but are not limited to:
 - 1. Antique/Collector Shops
 - 2. Art Gallery/Picture Framing
 - 3. Auto Parts Stores
 - 4. Beauty Supply Stores

5. Beer/Wine stores – Sales only
6. Bicycle/Skateboard/Surf/Ski Shop
7. Bookstores/Newsstands
8. Boutique/Gift Stores
9. Bridal/Formal Wear
10. Camera/Photo Stores
11. Candy/Confectionery
12. Children`s/Teen`s Stores
13. Clothing/Apparel/Accessories
14. Consignment/Thrift Stores
15. Costume/Wig Shops
16. Fabric/Craft Stores
17. Floor Coverings/Carpet Stores
18. Floral Shops
19. Furniture/Appliance Stores
20. Health Food Store/Specialty Food Stores
21. Home Furnishings & Housewares/Window Coverings/Tableware/Linens
22. Jewelry Stores
23. Lighting Stores
24. Music/Musical Instrument/Audio Recording Stores
25. Office Supply Stores
26. Paint/Wallpaper Stores
27. Party Supply Stores

28. Pets and Pet Supply Stores

29. Stationary/Card Shops

30. Shoe/Hat Stores

31. Specialty Shops

32. Sporting Goods Stores

33. Toy/Hobby Stores

B. Service Retail uses include, but are not limited to:

1. Alterations/Tailor/Fur & Repair & Storage

2. Bank/Credit Unions/Savings & Loan/Financial Institutions

3. Barber/Beauty Salon/Nail Salon/Facial/Massage

4. Copying/Printing/Blueprints

5. Dry Cleaner (no plant on premises)

6. Employment Agencies

7. Formal Wear Rental Shops

8. Health Clubs/Fitness Centers/Physical Therapy

9. Instruction & Training in Gymnastics, Martial Arts, Aerobics, Yoga

10. Laboratories

11. Laundromats

12. Locksmiths

13. Lube Shops

14. Postal/Mail Stores

15. Photographic/Artists Studio

16. Real Estate/Title Offices

17. Shoe Repair Shops
18. Travel/Tour Agencies
19. Veterinarian/Animal Hospital
20. Video/Audio Rental Shops
21. Watch/Clock Repairs Shops

C. Eating, drinking and entertainment establishments include, but are not limited to:

1. Bagel/Donut Shops
2. Banquet Facilities
3. Café/Coffee House Shops
4. Delicatessen/Catering Services
5. Ice Cream/Yogurt Shops
6. Outdoor Seating Areas for Food Establishments
7. Restaurants

D. Office Uses include, but are not limited to:

1. Administrative Headquarters
2. Business, Consulting and Commercial Services
3. Business, Professional and Administrative Offices
4. Medical and Dental Laboratories
5. Radio and Television Broadcasting
6. Stock Brokerage

E. Other Uses include, but are not limited to:

1. Reclaimed Water Storage Ponds
2. Spray Fields
3. Storm Drain Detention and Retention Ponds

F. Retail Sales Uses include, but are not limited to:

1. Department Stores/General Merchandise Stores
2. Drug Stores
3. Electronics/Audio/Video/Computers/Software Stores
4. Furniture/Appliance Stores
5. Grocery Stores
6. Hardware/Home Improvement/Nursery Stores
7. Sale of New Motorsports Vehicles, including, but not limited: motorcycles, snowmobiles, jet skis, all-terrain vehicles, small watercraft, or similar vehicles and including the ancillary sale of used motorsports vehicles, parts, and accessories and maintenance, repair and service of motorsports vehicles.
8. Tire Stores

G. Service Retail Uses include, but are not limited to:

1. Day Care Centers
2. Emergency Medical/Dental, Clinics, and prescribing pharmacy within

H. Eating, drinking and entertainment establishments include, but are not limited to:

1. Amusement/Arcades
2. Fast Food Drive-Through/Drive-In Facility

3. Private Clubs

1. Regionally oriented, high volume, retail uses include, but are not limited to:

1. Auto/Truck Centers
2. Design/Contractors Centers
3. Discount/Off Price Centers
4. Entertainment/Lifestyle Centers
5. Factory Outlet Stores
6. Furniture Outlets
7. Malls
8. Power Centers
9. Promotional Centers

J. Regionally oriented, high volume, retail uses include, but are not limited to:

1. Communications Equipment
2. Electrical transmission and distribution substations, gas regulator stations, public service pumping stations and elevated pressure tanks.

K. Incidental and accessory structures and uses on the same site as a permitted use.

L. Other uses added to this list by the Planning Commission according to the procedure in Section 17.16.020.

17.57.102 Conditional uses.

A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:

1. Administrative Offices – City, County, State, and Federal

2. Auditoriums/Concert Halls
3. Adult Novelty Stores
4. Ambulance Stations
5. Any facility or business serving alcoholic beverages or selling hard alcohol.
6. Any facility or business producing excessive noise, sounds or music.
7. Billiards /Pool Halls
8. Bowling Alleys
9. Business and professional schools and colleges
10. Car Washes
11. Educational/Assembly Uses
12. Cocktail Lounge/Bar
13. Community/Civic Centers
14. Skating rinks and other similar commercial recreation facilities.
15. Fire/Police Station
16. Gaming/Gambling/Bingo Parlor
17. Gas and electrical transmission lines
18. Gas/Service Station/Convenience store
19. Governmental offices
20. Hospital/Medical center
21. Hotel (subject to LMC Chapter 17.78 Hotel Limitations)
22. Library
23. Museums
24. Nightclub/Micro-brewery

25. Recreational facility/Indoor
26. Senior/Youth Centers
27. Temporary Christmas tree lot
28. Temporary pumpkin patch
29. Theater (Dinner, Movie, Live, etc.)
30. Transit Stations

17.57.103 Property development standards.

Specific development and architecture standards for the Service Commercial - Mossdale Village (CS-MV) zone district are established in the Mossdale Landing Urban Design Concept document.

17.57.104 Site plan and architectural review required.

No use shall be erected on any lot or site in any CS-MV zone district until a site plan and architectural plans shall have been submitted to and approved by the City pursuant to the provisions of Chapters 17.100 and 17.104. Design review is required for all proposed structures, together with related site plans, landscaping, and public improvements associated with new development.

17.57.105 General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

17.57.110 CV-MV: Village Commercial – Mossdale Village Zoning District - Application.

The CV-MV uses will be located along Towne Centre Drive in Mossdale Village. This district is intended as a mixed use, pedestrian-oriented development typical of traditional main streets to create a sense of belonging and community to its surrounding residents. The goal of Mossdale Landing's village commercial area is to create the vitality and charm associated with these main streets. An integrated mix of retail, office, services, and living are also general ideas behind this type of development. Street level frontage uses should be comprised of small retail and service businesses, integrated with larger anchor tenants. Multi-level buildings can be either office or commercial at ground level with residential or office above. The village commercial area is planned to create a symbiotic relationship among these various live, work, and play opportunities.

17.57.111 Permitted uses.

- A. Retail Sales uses include, but are not limited to:
 - 1. Arts instruction (music, dance, painting)
 - 2. Appliance and Equipment Repair
 - 3. Barber/Beauty Shop/Nail Salon
 - 4. Copying and Printing Services
 - 5. Drapery and Blind Installation
 - 6. Dry Cleaner (no plant on premises)
 - 7. Formal Wear
 - 8. Laundromats
 - 9. Locksmiths
 - 10. Photographic Studios
 - 11. Shoe Repair
 - 12. Tailor
 - 13. Travel Agency
 - 14. Watch and Clock Repair

B. Local Serving Retail uses include, but are not limited to:

1. Art Gallery/Supply Store
2. Auto Parts Stores
3. Bakery
4. Bicycle Shops
5. Book Stores
6. Clothing Stores
7. Computers/Electronic Equipment
8. Drug Stores
9. Floor Coverings
10. Florist/Plant Shop
11. Gift Shops
12. Hardware Stores
13. Hobby Shops
14. Home Appliances
15. Jewelry Stores
16. Beer/Wine Sales – Tasting Store (no off-site sales of liquor permitted within 1,000 feet of a school.
17. Music Stores
18. Newspapers and Magazines
19. Paint, Glass, and Wallpaper Stores
20. Party Supply Stores
21. Pet Store and Supplies

22. Photographic Supply Stores

23. Picture Framing Shops

24. Shoe Stores

25. Specialty Food Store including: meat, fish, wine, candy, health food, etc. (no off-site sales of liquor permitted within 1,000 feet of a school).

26. Specialty Goods including: cooking supplies, housewares, linen, window coverings, china/glassware, etc.

27. Sporting Goods Stores

28. Stationary/Office Supply Stores

29. Toy Stores

30. Variety Stores

C. Eating, drinking and entertainment establishments include, but are not limited to:

1. Bagel/Donut Shops

2. Café/Coffee House Shops

3. Delicatessens (no off-site sales of liquor permitted within 1,000 feet of a school)

4. Ice Cream/Yogurt Shops

5. Outdoor Seating Areas for Food Establishments

6. Restaurants (no drive-through operations, and no off-site sales of liquor permitted within 1,000 feet of a school).

7. Video Stores

D. Business and Professional Office Uses include, but are not limited to:

1. Employment Agencies

2. Professional Offices including: accounting, architectural, dental, engineering, legal, etc.
3. Real Estate/Title Offices

E. Business and Professional Office Uses include, but are not limited to:

1. Artist's Studios (live/work units) in mixed-use applications only. These units are not permitted in solely residential projects.
2. Apartments, Flats, and Townhouses
3. Convalescent and Assisted Care Facilities
4. Home Occupations in accordance with the provisions of Chapter 17.64.
5. Rest/Nursing Homes

F. Other Uses include, but are not limited to:

1. Reclaimed Water Storage Ponds
2. Spray Fields
3. Storm Drain Detention and Retention Ponds

G. Business and Professional Offices Uses include, but are not limited to:

1. Bank, Savings and Loan and other Financial Institutions
2. Medical, Optometry, and Dental Offices

H. Other Uses include, but are not limited to:

1. Communications Equipment
2. Electrical Transmission and Distribution Substations, Gas Regulator Stations, Public Service Pumping Stations and Elevated Pressure Tanks

- I. Incidental and accessory structures and uses on the same site as a permitted use.

J. Other uses added to this list by the Planning Commission according to the procedure in Section 17.16.020.

17.57.112 Conditional uses.

- A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:
 - 1. Any facility or business serving alcoholic beverages or selling hard alcohol (no off-site sales of liquor permitted within 1,000 feet of a school).
 - 2. Any facility or business with live entertainment or music.
 - 3. Bar or cocktail lounge (no off-site sales of liquor permitted within 1,000 feet of a school)
 - 4. Community Center
 - 5. Day Care Center
 - 6. Educational/Assembly Uses
 - 7. Library
 - 8. Lodge Hall
 - 9. Micro-brewery (no off-sales of liquor permitted within 1,000 feet of a school)
 - 10. Nightclub (no off-site sales of liquor permitted within 1,000 feet of a school)
 - 11. Post Office
 - 12. Recreational Facility - Indoor
 - 13. Social Club (no off-site sales of liquor permitted within 1,000 feet of a school)
 - 14. Senior Centers
 - 15. Theater – Indoor (Dinner, Movie, Live Play, etc.)
 - 16. Video Arcade

17.57.113 Property development standards.

Specific development and architecture standards for the Village Commercial - Mossdale Village (CV-MV) zone district are established in the Mossdale Landing Urban Design Concept document.

17.57.114 Site plan and architectural review required.

No use shall be erected on any lot or site in any CV-MV zone district until a site plan and architectural plans shall have been submitted to and approved by the City pursuant to the provisions of Chapters 17.100 and 17.104. Design review is required for all proposed structures, together with related site plans, landscaping, and public improvements associated with new development.

17.57.115 General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

17.57.120 RL-MV: Low Density Residential – Mossdale Village Zoning District - Application.

The RL-MV district is intended for Mossdale Village's single-family development platted in neighborhood planning areas of three different lot sizes of 5,000 square feet, 6,000 square feet, and 7,000 square feet. It is recognized that lots within a designated neighborhood planning area may exceed the minimum square footage area of that neighborhood, however, these lots are still subject to that neighborhood's development standards.

17.57.121 Permitted uses.

A. Permitted uses include:

1. One-family detached dwelling.
2. Home occupations in accordance with Chapter 17.64.
3. Raising of fruit and nut trees, vines, vegetables and horticultural specialties on a noncommercial basis.
4. Fenced or enclosed swimming pools for either individual, family or communal use or an exclusive non-commercial basis, provided that no swimming pool shall be located within a utility easement.

5. A State-authorized, certified or licensed facility including: a family day care home providing care of up to fourteen (14) children; a foster home or group home serving up to eight (8) or fewer mentally disordered or otherwise handicapped persons, or dependent and neglected children.
6. Accessory structures and uses located on the same site with a permitted use.
7. Reclaimed water storage ponds
8. Spray fields
9. Storm drain detention and retention ponds
10. Public uses of an administrative, recreational, public service or cultural type including City, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations and other public buildings, structures and facilities; public playgrounds, parks and community centers.

17.57.122 Conditional uses.

A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:

1. A State authorized licensed child day care center as defined by the State of California Department of Social Services.
2. Public and private charitable institutions; State authorized hospitals, sanitariums, rest homes, and nursing homes; State authorized, certified or licensed facility including: a foster home or group home serving nine (9) or more mentally disordered or otherwise handicapped persons, such as rehabilitation homes for the alcohol and/or chemically dependent, or dependent and neglected children, where such homes provide care on a 24-hour basis.
3. Public and quasi-public use of an educational or religious type, including: private non-profit schools, public or private colleges; churches; parsonages and other religious institutions.
4. Gas and electric transmission lines in accordance with Section 17.108.080, electrical distribution substations, gas regulator stations, communications equipment buildings, public service pumping stations and elevated pressure tanks.

17.57.123 Property development standards.

Specific development and architecture standards for the Low Density Residential - Mossdale Village (RL-MV) zone district are established in the Mossdale Landing Urban Design Concept document.

17.57.124 Site plan and architectural review required.

No use shall be erected on any lot or site in any RL-MV zone district until a site plan and architectural plans shall have been submitted to and approved by the City pursuant to the provisions of Chapters 17.100 and 17.104, other than those exempted by Local, State and/or Federal statute. Design review is required for all proposed structures, together with related site plans, landscaping, and public improvements associated with new development.

17.57.125 General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

17.57.130 RM-MV: Medium Density Residential – Mossdale Village Zoning District-Application.

The RM-MV district is intended to permit both attached and detached housing units. Attached housing may consist of duets, townhomes or rowhouses, condominiums, and apartments. Detached housing may consist of zero lot line, zipper lots, or courtyard housing. New planning concepts and lot reconfigurations, such as alleys or other features particular to a selected housing type, that do not fall within the development standards listed in the Mossdale Urban Design Concept document may be considered by the Community Development Department.

17.57.131 Permitted uses.

A. Permitted uses include:

1. One-family detached dwelling.
2. Two or more single-family dwellings proposed for the same site.
3. Duplexes.
4. Multi-family dwellings or apartments.
5. Home occupations in accordance with Chapter 17.64.
6. A State-authorized, certified or licensed facility including: a family day care home providing care of up to fourteen (14) children; a foster home or group home serving up to eight (8) or fewer mentally disordered or otherwise handicapped persons, or dependent and neglected children.
7. Public uses of an administrative, public service or cultural type including City, county, state or federal administrative centers and courts, libraries, museums, art galleries, police

- and fire stations and other public buildings, structures and facilities; public playgrounds, parks and community centers.
8. Fenced or enclosed swimming pools for either individual, family or communal use or an exclusive non-commercial basis, provided that no swimming pool shall be located within a utility easement or a front yard.
 9. Incidental and accessory structures and uses located on the same site with a permitted use.
 10. Reclaimed water storage ponds
 11. Spray fields
 12. Storm drain detention and retention ponds

17.57.132 Conditional uses.

- A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:
 1. A State authorized licensed child day care center as defined by the State of California Department of Social Services.
 2. Public and private charitable institutions; State authorized hospitals, sanitariums, rest homes, and nursing homes; State authorized, certified or licensed facility including: a foster home or group home serving nine (9) or more mentally disordered or otherwise handicapped persons, such as rehabilitation homes for the alcohol and/or chemically dependent, or dependent and neglected children, where such homes provide care on a 24-hour basis.
 3. Boarding or rooming houses as defined in Section 17.04.080 of this Title.
 4. Public and quasi-public use of an educational or religious type, including: private non-profit schools, public or private colleges; churches; parsonages and other religious institutions.
 5. Gas and electric transmission lines in accordance with Section 17.108.080, electrical distribution substations, gas regulator stations, communications equipment buildings, public service pumping stations and elevated pressure tanks.

17.57.133 Property development standards.

Specific development and architecture standards for the Medium Density Residential - Mossdale Village (RM-MV) zone district are established in the Mossdale Landing Urban Design Concept document.

17.57.134 Site plan and architectural review required.

No use shall be erected on any lot or site in any RM-MV zone district until a site plan and architectural plans shall have been submitted to and approved by the City pursuant to the provisions of Chapters 17.100 and 17.104, other than those exempted by Local, State and/or Federal statute. Design review is required for all proposed structures, together with related site plans, landscaping, and public improvements associated with new development.

17.57.135 General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

17.57.140 RH-MV: High Density Residential – Mossdale Village Zoning District - Application.

The RH-MV district is intended for Mossdale Landing South's multi-family and attached housing development. The theme, design styles, materials and colors shall reflect those of the other residential neighborhoods of Mossdale Landing South.

17.57.141 Permitted uses.

- A. Attached multi-family residential uses including, but not limited to:
 - 1. Condominiums, apartments, flats, townhouses, and independent living facilities.
 - 2. Convalescent and assisted care facility.
 - 3. Home occupations in accordance with the provisions of Chapter 17.64.
 - 4. Rest/Nursing homes.
- B. Other uses, including but not limited to:
 - 1. Reclaimed water storage ponds.
 - 2. Spray fields.
 - 3. Storm drain detention and retention ponds.

17.57.142 Conditional uses.

- A. The following uses may be permitted in accordance with the provisions of

Chapter 17.112:

-

1. Day Care Centers.
2. Private non-profit schools and colleges; churches, and other religious institutions.

17.57.143 Property development standards.

Specific development and architecture standards for the High Density Residential - Mossdale Village (RH-MV) zone district are established in the Mossdale Landing South Urban Design Concept document.

17.57.144 Site plan and architectural review required.

No use shall be erected on any lot or site in any RH-MV zone district until a site plan and architectural plans shall have been submitted to and approved by the City pursuant to the provisions of Chapters 17.100 and 17.104. Design review is required for all proposed structures, together with related site plans, landscaping, and public improvements associated with new development.

17.57.145 General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

17.57.150 P/QP-MV: Public/Quasi Public – Mossdale Village Zoning District - Application.

The P/QP-MV zoning district is intended to permit schools, parks, and other public facilities shall relate to and build upon those styles mandated for residential development in the Mossdale Landing Urban Design Concept document. This will ensure that the architecture of public uses will tie into Mossdale Landing's traditional character. Materials and colors shall be appropriate to the design style selected, and building placement and massing shall be sensitive to the site and adjacent neighborhoods.

17.57.151 Permitted uses.

A. Permitted uses include, but are not limited to:

1. Community Centers
2. Farmer's Market
3. Festival/Street Fairs

4. Open Space
5. Other such uses that meet the intent of this district, as approved by the Director of Community Development.
6. Park- active and passive
7. Reclaimed water storage ponds
8. Recreation facility
9. Spray fields
10. School
11. Storm drain detention and retention ponds
12. Trails, pathways, maintenance roads, and related features

17.57.152 Site plan and architectural review required.

No use or structure shall be erected on any lot or site in any P/QP-MV zone district until a site plan and architectural plans shall have been submitted to and approved by the City pursuant to the provisions of Chapters 17.100 and 17.104, other than those exempted by Local, State and/or Federal statute. Design review is required for all proposed structures, together with related site plans, landscaping, and public improvements associated with new development.

17.57.153 General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16.

Any use or structure proposed for placement on city owned property pursuant to a lease, license, agreement with the city, or city project, shall be exempt from this chapter, but shall comply with such processing and design standards as are set forth in such lease, license, or other agreement.

17.57.160 P-MV: Park – Mossdale Village Zoning District – Application.

The P-MV District is intended to provide for neighborhood, community and regional parks, greenways, and other outdoor recreation facilities to allow for a wide array of local and community recreational activities and entertainment opportunities within urban development. Specific uses intended for this zoning district include: public recreation sites including ball fields, tot lots and play apparatus, adult softball and soccer playing fields, swimming pools, community center buildings, meeting facilities, libraries, art centers, after school care facilities, art in public places,

facilities for night-time recreation, trails benches, interpretive markers, picnic areas, barbeque facilities, landscaping, irrigation, city wells, trees and natural habitat areas. Parks also may be designed to accommodate multi-level storm drainage detention basins that will allow recreation use of areas not needed for detention during a given storm.

17.57.161 Reviewing Authority.

All proposed structures, events, and uses shall be subject to the review and approval by the City of Lathrop Parks and Recreation Commission.

17.57.170 OS-MV: Open Space – Mossdale Village Zoning District – Application.

The OS-MV zoning district is intended to provide for permanent open space in areas that exhibit significant vegetation, wildlife, wetlands, bodies of water or water courses, mineral resources, scenic qualities or recreational potential, water quality and storm water detention basins, and that are designated as open space within the Mossdale Village area. This district is further intended to be applied to lands within the city that are subject to an agricultural land conservation contract under the provisions of the Williamson Act.

17.57.171 Permitted uses.

1. Recreational—Active.
2. Recreational—Passive.
3. Trails and maintenance roads.
4. Levees and other related facility equipment.
5. Private or public infrastructure.
6. Resource management lands.
7. River and other water courses.
8. Drainage, water quality, and other similar facilities, including swales and basins.
9. Reclaimed water storage ponds.
10. Spray fields.
11. Storm drain detention and retention ponds.

12. Incidental and accessory structures and uses on the same site as a permitted use.
13. Other uses added to this list by the planning commission according to the procedures in Section 17.16.020 of the Lathrop Zoning Code.

17.57.172 General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16 of the Lathrop Municipal Code.

Article 2. Mosssdale Landing East Zoning Districts of the Mosssdale Landing East Urban Design Concept - Purposes.

The Mosssdale Landing East zoning districts in this chapter are designed to provide the opportunity for a wide variety of residential and commercial uses on lands located in the Mosssdale Village area which are encompassed by the approved West Lathrop Specific Plan. These zoning districts are subject to the Mosssdale Landing East Urban Design Concept. These zoning districts, ending in “-MV” are limited to the Mosssdale Village.

17.57.200 CH-MV: Highway Commercial – Mosssdale Village Zoning District - Application.

The CH-MV designated uses are proposed between I-5 and Golden Valley Parkway directly south of the interchange between I-5 and River Islands Parkway. Uses within the highway commercial area will cater to travelers along I-5 in addition to local Lathrop residents. The highway commercial district is intended for establishments engaged in local and regional retail, service, and office functions. These businesses require easy arterial access, good visibility, and adequate parking. The highway commercial designated parcel of Mosssdale Landing East is part of a larger commercial district in the Mosssdale Village area of the West Lathrop Specific Plan. The architectural character of the commercial development shall be consistent with the design standards established for other areas of Mosssdale Village. These commercial areas will provide efficient circulation, utilize storefront and “public space” design, and establish connections to other adjacent commercial and residential areas. The proposed uses in the highway commercial district shall provide an architecturally consistent theme along Golden Valley Parkway and the surrounding land uses, particularly the Village Center.

17.57.201 Permitted uses.

- A. Retail Sales uses include, but are not limited to:
 - 1. Antique/Collector Shops
 - 2. Art Gallery/Picture Framing
 - 3. Auto Parts Stores
 - 4. Beauty Supply Stores
 - 5. Bicycle/Skateboard/Surf/Ski Shop
 - 6. Bookstores/Newsstands
 - 7. Boutique/Gift Stores
 - 8. Bridal/Formal Wear
 - 9. Camera/Photo Stores
 - 10. Candy/Confectionery
 - 11. Children's/Teen's Stores
 - 12. Clothing/Apparel/Accessories
 - 13. Consignment/Thrift Stores
 - 14. Costume/Wig Shops
 - 15. Fabric/Craft Stores
 - 16. Floor Coverings/Carpet Stores
 - 17. Floral Shops
 - 18. Furniture/Appliance Stores
 - 19. Health Food Store/Specialty Food Stores
 - 20. Home Furnishings & Housewares/Window Coverings/Tableware/Linens

21. Jewelry Stores
22. Lighting Stores
23. Music/Musical Instrument/Audio Recording Stores
24. Office Supply Stores
25. Paint/Wallpaper Store
26. Party Supply Stores
27. Pets and Pet Supply Stores
28. Seasonal Outdoor Display/Sales Areas
29. Stationary/Card Shops
30. Shoe/Hat Store
31. Specialty Shops
32. Sporting Goods Stores
33. Toy/Hobby Stores

B. Service Retail uses include, but are not limited to:

1. Alterations/Tailor/Fur & Repair & Storage
2. Bank/Credit Unions/Savings & Loan/Financial Institutions
3. Barber/Beauty Salon/Nail Salon/Facial/Massage
4. Copying/Printing/Blueprints
5. Dry Cleaner (no plant on premises)
6. Employment Agencies
7. Formal Wear Rental Shops
8. Health Clubs/Fitness Centers/Physical Therapy

9. Instruction & Training in Gymnastics, Martial Arts, Aerobics, Yoga
10. Laboratories
11. Laundromats
12. Locksmiths
13. Lube Shops
14. Postal/Mail Stores
15. Photographic/Artists Studio
16. Real Estate/Title Offices
17. Shoe Repair Shops
18. Travel/Tour Agencies
19. Veterinarian/Animal Hospital
20. Video/Audio Rental Shops
21. Watch/Clock Repairs Shops

C. Eating, drinking and entertainment establishments include, but are not limited to:

1. Bagel/Donut Shops
2. Banquet Facilities
3. Café/Coffee House Shops
4. Delicatessen/Catering Services
5. Ice Cream/Yogurt Shops
6. Micro-brewery
7. Outdoor Seating Areas for Food Establishments
8. Restaurants, including on-site alcohol sales
9. Fast Food Drive-Through/Drive-In Facility

D. Office Uses include, but are not limited to:

1. Administrative Headquarters
2. Business, Consulting and Commercial Services
3. Business, Professional and Administrative Offices
4. Medical and Dental Laboratories
5. Radio and Television Broadcasting
6. Stock Brokerage

E. Other Uses include, but are not limited to:

1. Reclaimed Water Storage Ponds
2. Spray Fields
3. Storm Drain Detention and Retention Ponds

F. Retail Sales Uses include, but are not limited to:

1. Department Stores/General Merchandise Stores
2. Drug Stores
3. Electronics/Audio/Video/Computers/Software Stores
4. Furniture/Appliance Stores
5. Grocery Stores
6. Hardware/Home Improvement/Nursery Stores
7. Tire Stores

G. Service Retail Uses include, but are not limited to:

1. Day Care Centers
2. Emergency Medical/Dental, Clinics, and prescribing pharmacy within

H. Regionally oriented, high volume, retail uses include, but are not limited to

1. Design/Contractors Centers
2. Discount/Off Price Centers
3. Entertainment/Lifestyle Centers
4. Factory Outlet Stores
5. Furniture Outlets
6. Malls
7. Power Centers
8. Promotional Centers

I. Regionally oriented, high volume, retail uses include, but are not limited to:

1. Communications Equipment
2. Electrical transmission and distribution substations, gas regulator stations, public service pumping stations and elevated pressure tanks.

J. Incidental and accessory structures and uses on the same site as a permitted use.

K. Other uses added to this list by the Planning Commission according to the procedure in Section 17.16.020.

17.57.202 Conditional uses.

A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:

1. Administrative Offices – City, County, State, and Federal
2. Amusement/Arcades
3. Auditoriums/Concert Halls
4. Adult Novelty Stores

5. Ambulance Stations
6. Any facility or business producing excessive noise, sounds or music.
7. Beer/Wine Stores
8. Billiards /Pool Halls
9. Bowling Alleys
10. Business and professional schools and colleges
11. Car Washes
12. Educational/Assembly uses
13. Community/Civic Centers
14. Skating rinks and other similar commercial recreation facilities.
15. Fire/Police Station
16. Gaming/Gambling/Bingo Parlor
17. Gas and electrical transmission lines
18. Gas/Service Station/Convenience store
19. Governmental offices
20. Hospital/Medical center
21. Hotel (subject to LMC Chapter 17.78 Hotel Limitations)
22. Library
23. Museums
24. Nightclub/Cocktail Lounge/Bar
25. Private Clubs
26. Recreational facility/Indoor
27. Senior/Youth Centers

28. Temporary Christmas tree lot
29. Temporary pumpkin patch
30. Theater (Dinner, Movie, Live, etc.)
31. Transit Stations

17.57.203 Property development standards.

Specific development and architecture standards for the Highway Commercial - Mossdale Village (CH-MV) zone district are established in the Mossdale Landing East Urban Design Concept document.

17.57.204 Site plan and architectural review required.

No use shall be erected on any lot or site in any CH-MV zone district until a site plan and architectural plans shall have been submitted to and approved by the City pursuant to the provisions of Chapters 17.100 and 17.104. Design review is required for all proposed structures, together with related site plans, landscaping, and public improvements associated with new development.

17.57.205 General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

17.57.210 CS-MV: Service Commercial – Mossdale Village Zoning District - Application.

The CS-MV uses will be located along the frontage of I-5, between Golden Valley Parkway and Manthey Road. The service commercial district is intended for establishments engaged in local and regional retail, services, and office functions. These businesses require easy arterial access, good visibility, and adequate parking. The service commercial designated parcels of Mossdale Landing East are part of a larger commercial district in the Mossdale Village area of the West Lathrop Specific Plan. As such, the architectural character of the commercial development shall be consistent with the design standards established for other Mossdale Village commercial areas. These commercial areas will provide efficient circulation, utilize storefront and “public space” design, and establish connections to other adjacent commercial and residential areas. The proposed uses in the service commercial district shall provide an architecturally consistent theme along Golden Valley Parkway and the surrounding land uses, particularly the Village Center.

17.57.211 Permitted uses.

- A. Retail Sales uses include, but are not limited to:
 - 1. Antique/Collector Shops
 - 2. Art Gallery/Picture Framing
 - 3. Auto Parts Stores
 - 4. Beauty Supply Stores
 - 5. Bicycle/Skateboard/Surf/Ski Shops
 - 6. Bookstores/Newsstands
 - 7. Boutique/Gift Stores
 - 8. Bridal/Formal Wear
 - 9. Camera/Photo Stores
 - 10. Candy/Confectionery
 - 11. Children's/Teen's Stores
 - 12. Clothing/Apparel/Accessories
 - 13. Consignment/Thrift Stores
 - 14. Costume/Wig Shops
 - 15. Fabric/Craft Stores
 - 16. Floor Coverings/Carpet Stores
 - 17. Floral Shops
 - 18. Furniture/Appliance Stores
 - 19. Health Food Store/Specialty Food Stores
 - 20. Home Furnishings & Housewares/Window Coverings/Tableware/Linens
 - 21. Jewelry Stores
 - 22. Lighting Stores

23. Music/Musical Instrument/Audio Recording Stores
24. Office Supply Stores
25. Paint/Wallpaper Stores
26. Party Supply Stores
27. Pets and Pet Supply Stores
28. Stationary/Card Shops
29. Shoe/Hat Stores
30. Specialty Shops
31. Sporting Goods Stores
32. Toy/Hobby Stores

B. Service Retail uses include, but are not limited to:

1. Alterations/Tailor/Fur & Repair & Storage
2. Bank/Credit Unions/Savings & Loan/Financial Institutions
3. Barber/Beauty Salon/Nail Salon/Facial/Massage
4. Copying/Printing/Blueprints
5. Dry Cleaner (no plant on premises)
6. Employment Agencies
7. Formal Wear Rental Shops
8. Health Clubs/Fitness Centers/Physical Therapy
9. Instruction & Training in Gymnastics, Martial Arts, Aerobics, Yoga
10. Laboratories
11. Laundromats
12. Locksmiths

13. Lube Shops
14. Postal/Mail Stores
15. Photographic/Artists Studio
16. Real Estate/Title Offices
17. Shoe Repair Shops
18. Travel/Tour Agencies
19. Veterinarian/Animal Hospital
20. Video/Audio Rental Shops
21. Watch/Clock Repairs Shops

C. Eating, drinking and entertainment establishments include, but are not limited to:

1. Bagel/Donut Shops
2. Banquet Facilities
3. Café/Coffee House Shops
4. Delicatessen/Catering Services
5. Ice Cream/Yogurt Shops
6. Outdoor Seating Areas for Food Establishments
7. Micro-brewery
8. Restaurants, including on-site alcohol sales
9. Fast Food Drive-Through/Drive-In Facility

D. Office Uses include, but are not limited to:

1. Administrative Headquarters
2. Business, Consulting and Commercial Services

3. Business, Professional and Administrative Offices
4. Medical and Dental Laboratories
5. Radio and Television Broadcasting
6. Stock Brokerage

E. Other Uses include, but are not limited to:

1. Reclaimed Water Storage Ponds
2. Spray Fields
3. Storm Drain Detention and Retention Ponds
4. Water reservoir tank site

F. Retail Sales Uses include, but are not limited to:

1. Department Stores/General Merchandise Stores
2. Drug Stores
3. Electronics/Audio/Video/Computers/Software Stores
4. Furniture/Appliance Stores
5. Grocery Stores
6. Hardware/Home Improvement/Nursery Stores
7. Tire Stores

G. Service Retail Uses include, but are not limited to:

1. Day Care Centers
2. Emergency Medical/Dental, Clinics, and prescribing pharmacy within

H. Regionally oriented, high volume, retail uses include, but are not limited to:

1. Auto/Truck Centers
2. Design/Contractors Centers
3. Discount/Off Price Centers
4. Entertainment/Lifestyle Centers
5. Factory Outlet Stores
6. Furniture Outlets
7. Malls
8. Power Centers
9. Promotional Centers

I. Other Uses include, but are not limited to:

1. Communications Equipment
2. Electrical transmission and distribution substations, gas regulator stations, public service pumping stations and elevated pressure tanks.

J. Incidental and accessory structures and uses on the same site as a permitted use.

K. Other uses added to this list by the Planning Commission according to the procedure in Section 17.16.020.

17.57.212 Conditional uses.

- A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:
 1. Administrative Offices – City, County, State, and Federal
 2. Amusement/Arcade
 3. Auditoriums/Concert Halls
 4. Adult Novelty Stores

5. Ambulance Stations
6. Any facility or business producing excessive noise, sounds or music.
7. Beer/Wine Stores
8. Billiards /Pool Halls
9. Bowling Alleys
10. Business and professional schools and colleges
11. Car Washes
12. Educational and Assembly uses
13. Cocktail Lounge/Bar
14. Community/Civic Centers
15. Skating rinks and other similar commercial recreation facilities.
16. Fire/Police Station
17. Gaming/Gambling/Bingo Parlor
18. Gas and electrical transmission lines
19. Gas/Service Station/Convenience store
20. Governmental offices
21. Hospital/Medical center
22. Hotel (subject to LMC Chapter 17.78 Hotel Limitations)
23. Library
24. Museums
25. Nightclub
26. Private Clubs
27. Recreational facility/Indoor

28. Senior/Youth Centers
29. Temporary Christmas tree lot
30. Temporary pumpkin patch
31. Theater (Dinner, Movie, Live, etc.)
32. Transit Stations

17.57.213 Property development standards.

Specific development and architecture standards for the Service Commercial - Mossdale Village (CS-MV) zone district are established in the Mossdale Landing East Urban Design Concept document.

17.57.214 Site plan and architectural review required.

No use shall be erected on any lot or site in any CS-MV zone district until a site plan and architectural plans shall have been submitted to and approved by the City pursuant to the provisions of Chapters 17.100 and 17.104. Design review is required for all proposed structures, together with related site plans, landscaping, and public improvements associated with new development.

17.57.215 General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

17.57.220 CV-MV: Village Commercial – Mossdale Village Zoning District - Application.

The CV-MV uses will be located along Towne Centre Drive in Mossdale Landing East. This district is intended as a mixed use, pedestrian-oriented development typical of traditional main streets to create a sense of belonging and community to its surrounding residents. The goal of Mossdale Landing East's village commercial area is to create the vitality and charm associated with these main streets. An integrated mix of retail, office, services, and living are also general ideas behind this type of development. Street level frontage uses should be comprised of small retail and service businesses, integrated with larger anchor tenants. Multi-level buildings can be either office or commercial at ground level with residential or office above. The village commercial area is planned to create a symbiotic relationship among these various live, work, and play opportunities.

17.57.221 Permitted uses.

A. Services include, but are not limited to:

1. Arts instruction (music, dance, painting)
2. Appliance and Equipment Repair
3. Barber/Beauty Shop/Nail Salon
4. Copying and Printing Services
5. Drapery and Blind Installation
6. Dry Cleaner (no plant on premises)
7. Formal Wear/Rental
8. Laundromats
9. Locksmiths
10. Photographic Studios
11. Shoe Repair
12. Tailor
13. Travel Agency
14. Watch and Clock Repair

B. Local Serving Retail Convenience Shopping uses include, but are not limited to:

1. Art Gallery/Supply Store
2. Auto Parts Stores
3. Bakery
4. Bicycle Shops
5. Book Stores
6. Clothing Stores

7. Computers/Electronic Equipment
8. Drug Stores
9. Floor Coverings
10. Florist/Plant Shops
11. Gift Shops
12. Hardware Stores
13. Hobby Shops
14. Home Appliances
15. Jewelry Stores
16. Music Stores
17. Newspapers and Magazines
18. Paint, Glass, and Wallpaper Stores
19. Party Supply Stores
20. Pet Store and Supplies
21. Photographic Supply Stores
22. Picture Framing Shops
23. Shoe Stores
24. Specialty Food Stores including: meat, fish, wine, candy, health food, etc.
25. Specialty Goods including: cooking supplies, housewares, linen, window coverings, china/glassware, etc.
26. Sporting Goods Stores
27. Stationary/Office Supply Stores
28. Toy Stores

29. Variety Stores

C. Eating, drinking and entertainment establishments include, but are not limited to:

1. Bagel/Donut Shops
2. Café/Coffee House Shops
3. Delicatessens
4. Ice Cream/Yogurt Shops
5. Outdoor Seating Areas for Food Establishments
6. Micro-brewery
7. Restaurants, including on-site alcohol sales (no drive-throughs).
8. Video Stores

D. Business and Professional Office Uses include, but are not limited to:

1. Employment Agencies
2. Professional Offices including: accounting, architectural, dental, engineering, legal, etc.
3. Real Estate/Title Offices
4. City Hall

E. Attached Multi-Family Residential, including, but are not limited to:

1. Artist's Studios (live/work units) in mixed-use applications only. These units are not permitted in solely residential projects.
2. Condominiums, Apartments, Flats, Townhouses, and independent living facilities
3. Convalescent and Assisted Care Facilities
4. Rest/Nursing Homes

F. Other Uses include, but are not limited to:

1. Reclaimed Water Storage Ponds
2. Spray Fields
3. Storm Drain Detention and Retention Ponds

G. Business and Professional Offices Uses include, but are not limited to:

1. Bank, Savings and Loan and other Financial Institutions
2. Medical, Optometry, and Dental Offices

H. Other Uses include, but are not limited to:

1. Communications Equipment
2. Electrical Transmission and Distribution Substations, Gas Regulator Stations, Public Service Pumping Stations and Elevated Pressure Tanks

I. Incidental and accessory structures and uses on the same site as a permitted use.

J. Other uses added to this list by the Planning Commission according to the procedure in Section 17.16.020.

17.57.222 Conditional uses.

A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:

1. Any facility or business with live entertainment or music.
2. Bar or cocktail lounge
3. Beer/Wine Sales
4. Community Centers
5. Educational/Assembly Uses
6. Day Care Centers
7. Library

8. Lodge Hall
9. Nightclub
10. Post Office
11. Recreational Facility - Indoor
12. Social Club
13. Senior Centers
14. Theater – Indoor (Dinner, Movie, Live Play, etc.)
15. Video Arcade

17.57.223 Property development standards.

Specific development and architecture standards for the Village Commercial - Mossdale Village (CV-MV) zone district are established in the Mossdale Landing East Urban Design Concept document.

17.57.224 Site plan and architectural review required.

No use shall be erected on any lot or site in any CV-MV zone district until a site plan and architectural plans shall have been submitted to and approved by the City pursuant to the provisions of Chapters 17.100 and 17.104. Design review is required for all proposed structures, together with related site plans, landscaping, and public improvements associated with new development.

17.57.225 General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

17.57.230 RL-MV: Low Density Residential – Mossdale Village Zoning District - Application.

The RL-MV district is intended for Mossdale Landing East’s single-family development platted in 6,000 square foot lots. As low density housing, these lots account for approximately 30% of Mossdale Landing East’s residential product type.

17.57.231 Permitted uses.

A. Permitted uses include:

1. One-family detached dwelling.
2. Home occupations in accordance with Chapter 17.64.
3. Raising of fruit and nut trees, vines, vegetables and horticultural specialties on a noncommercial basis.
4. Fenced or enclosed swimming pools for either individual, family or communal use on an exclusive non-commercial basis, provided that no swimming pool shall be located within a utility easement.
5. A State-authorized, certified or licensed facility including: a family day care home providing care of up to fourteen (14) children; a foster home or group home serving up to eight (8) or fewer mentally disordered or otherwise handicapped persons, or dependent and neglected children.
6. Public uses of an administrative, recreational, public service or cultural type including City, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations and other public buildings, structures and facilities; public playgrounds, parks and community centers.
7. Accessory structures and uses located on the same site with a permitted use.
8. Garden structures in accordance with the development standards described in the Mossdale Landing East Urban Design Concept.
9. Reclaimed water storage ponds
10. Spray fields
11. Storm drain detention and retention ponds

17.57.232 Conditional uses.

- A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:

1. A State authorized licensed child day care center as defined by the State of California Department of Social Services.
2. Public and private charitable institutions; State authorized hospitals, sanitariums, rest homes, and nursing homes; State authorized, certified or licensed facility including: a foster home or group home serving nine (9) or more mentally disordered or otherwise handicapped persons, such as rehabilitation homes for the alcohol and/or chemically dependent, or dependent and neglected children, where such homes provide care on a 24-hour basis.
3. Public and quasi-public use of an educational or religious type, including: private non-profit schools, public or private colleges; churches; parsonages and other religious institutions.
4. Gas and electric transmission lines in accordance with Section 17.108.080, electrical distribution substations, gas regulator stations, communications equipment buildings, public service pumping stations and elevated pressure tanks.

17.57.233 Property development standards.

Specific development and architecture standards for the Low Density Residential - Mossdale Village (RL-MV) zone district are established in the Mossdale Landing East Urban Design Concept document.

17.57.234 Site plan and architectural review required.

No use shall be erected on any lot or site in any RL-MV zone district until a site plan and architectural plans shall have been submitted to and approved by the City pursuant to the provisions of Chapters 17.100 and 17.104, other than those exempted by Local, State, and/or Federal statute. Design review is required for all proposed structures, together with related site plans, landscaping, and public improvements associated with new development.

17.57.235 General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

17.57.240 RM-MV: Medium Density Residential – Mossdale Village Zoning District - Application.

The RM-MV district is intended to permit both attached and detached housing units. Attached housing may consist of duets, townhomes or rowhouses, condominiums, and apartments. New planning concepts and lot reconfigurations, such as alleys or other features particular to a selected housing type, that do not fall within the development standards listed in Mossdale Landing East Urban Design Concept document may be considered by the Community Development Department.

17.57.241 Permitted uses.

A. Permitted uses include:

1. One-family dwellings.
2. Two or more single-family dwellings proposed for the same site.
3. Duplexes.
4. Multi-family dwellings or apartments.
5. Home occupations in accordance with Chapter 17.64.
6. A State-authorized, certified or licensed facility including: a family day care home providing care of up to fourteen (14) children; a foster home or group home serving up to eight (8) or fewer mentally disordered or otherwise handicapped persons, or dependent and neglected children.
7. Public uses of an administrative, public service or cultural type including City, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations and other public buildings, structures and facilities; public playgrounds, parks and community centers.
8. Fenced or enclosed swimming pools for either individual, family or communal use or an exclusive non-commercial basis, provided that no swimming pool shall be located within a utility easement or a front yard.
9. Incidental and accessory structures and uses located on the same site with a permitted use.
10. Reclaimed water storage ponds
11. Spray fields
12. Storm drain detention and retention ponds

17.57.242 Conditional uses.

- A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:
1. A State authorized licensed child day care center as defined by the State of California Department of Social Services.
 2. Public and private charitable institutions; State authorized hospitals, sanitariums, rest homes, and nursing homes; State authorized, certified or licensed facility including: a foster home or group home serving nine (9) or more mentally disordered or otherwise handicapped persons, such as rehabilitation homes for the alcohol and/or chemically dependent, or dependent and neglected children, where such homes provide care on a 24-hour basis.
 3. Boarding or rooming houses as defined in Section 17.04.080 of this Title.
 4. Public and quasi-public use of an educational or religious type, including: private non-profit schools, public or private colleges; churches; parsonages and other religious institutions.
 5. Gas and electric transmission lines in accordance with Section 17.108.080, electrical distribution substations, gas regulator stations, communications equipment buildings, public service pumping stations and elevated pressure tanks.

17.57.243 Property development standards.

Specific development and architecture standards for the Medium Density Residential - Mossdale Village (RM-MV) zone district are established in the Mossdale Landing East Urban Design Concept document.

17.57.244 Site plan and architectural review required.

No use shall be erected on any lot or site in any RM-MV zone district until a site plan and architectural plans shall have been submitted to and approved by the City pursuant to the provisions of Chapters 17.100 and 17.104, other than those exempted by Local, State, and/or Federal statute. Design review is required for all proposed structures, together with related site plans, landscaping, and public improvements associated with new development.

17.57.245 General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

17.57.250 P/QP-MV: Public/Quasi Public – Mossdale Village Zoning District - Application.

The P/QP-MV zoning district is intended to permit schools, parks, and other public facilities shall relate to and build upon those styles mandated for residential development in the Mossdale Landing East Urban Design Concept document. This will ensure that the architecture of public uses will tie into Mossdale Landing's traditional character. Materials and colors shall be appropriate to the design style selected, and building placement and massing shall be sensitive to the site and adjacent neighborhoods.

17.57.251 Permitted uses.

A. Permitted uses include, but are not limited to:

1. Community Centers.
2. Farmer's Market
3. Festival/Street Fairs
4. Open Space
5. Other such uses that meet the intent of this district, as approved by the Director of Community Development.
6. Park- active and passive
7. Reclaimed water storage ponds
8. Recreation facility
9. Spray fields
10. Schools
11. Storm drain detention and retention ponds
12. Trails, pathways, maintenance roads, and related features
13. Water quality ponds and related features
14. Water reservoir tank site

17.57.252 Site plan and architectural review required.

No use or structure shall be erected on any lot or site in any P/QP-MV zone district until a site plan and architectural plans shall have been submitted to and approved by the City pursuant to the provisions of Chapters 17.100 and 17.104, other than those exempted by Local, State and/or Federal statute. Design review is required for all proposed structures, together with related site plans, landscaping, and public improvements associated with new development.

17.57.253 General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16.

Any use or structure proposed for placement on city owned property pursuant to a lease, license, agreement with the city, or city project, shall be exempt from this chapter, but shall comply with such processing and design standards as are set forth in such lease, license, or other agreement.

17.57.260 P-MV: Park – Mossdale Village Zoning District – Application.

The P-MV District is intended to provide for neighborhood, community and regional parks, greenways, and other outdoor recreation facilities to allow for a wide array of local and community recreational activities and entertainment opportunities within urban development. Specific uses intended for this zoning district include: public recreation sites including ball fields, tot lots and play apparatus, adult softball and soccer playing fields, swimming pools, community center buildings, meeting facilities, libraries, art centers, after school care facilities, art in public places, facilities for night-time recreation, trails benches, interpretive markers, picnic areas, barbeque facilities, landscaping, irrigation, city wells, trees and natural habitat areas. Parks also may be designed to accommodate multi-level storm drainage detention basins that will allow recreation use of areas not needed for detention during a given storm.

17.57.261 Reviewing Authority.

All proposed structures, events, and uses shall be subject to the review and approval by the City of Lathrop Parks and Recreation Commission.

17.57.270 OS-MV: Open Space – Mossdale Village Zoning District – Application.

The OS-MV zoning district is intended to provide for permanent open space in areas that exhibit significant vegetation, wildlife, wetlands, bodies of water or water courses, mineral resources, scenic qualities or recreational potential, water quality and storm water detention basins, and that are designated as open space within the Mossdale Village area. This district is further intended to be applied to lands within the city that are subject to an agricultural land conservation

contract under the provisions of the Williamson Act.

17.57.271 Permitted uses.

1. Recreational – Active.
2. Recreational – Passive.
3. Trails and maintenance roads.
4. Levees and other related facility equipment.
5. Private or public infrastructure.
6. Resource management lands.
7. River and other water courses.
8. Drainage, water quality, and other similar facilities, including swales and basins.
9. Reclaimed water storage ponds.
10. Spray fields.
11. Storm drain detention and retention ponds.
12. Incidental and accessory structures and uses on the same site as a permitted use.
13. Other uses added to this list by the planning commission according to the procedures in Section 17.16.020 of the Lathrop Zoning Code.

17.57.272 General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16 of the Lathrop Municipal Code.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

Article 3. Mossdale Landing South Zoning Districts of the Mossdale Landing South Urban Design Concept - Purposes.

The Mossdale Landing South zoning districts in this chapter are designed to provide the opportunity for a wide variety of residential and commercial uses on lands located in the Mossdale

Village area which are encompassed by the approved West Lathrop Specific Plan. These zoning districts are subject to the Mossdale Landing South Urban Design Concept. These zoning districts, ending in “-MV” are limited to the Mossdale Village.

17.57.300 CS-MV: Service Commercial – Mossdale Village Zoning District - Application.

The CS-MV uses will be located along the frontage of I-5, east of Golden Valley Parkway. The service commercial district is intended for establishments engaged in local and regional retail, services, and office functions. These businesses require easy arterial access, good visibility, and adequate parking. The service commercial designated parcels of Mossdale Landing South are part of a larger commercial district in the Mossdale Village area of the West Lathrop Specific Plan. As such, the architectural character of the commercial development shall be consistent with the design standards established for other Mossdale Village commercial areas. These commercial areas will provide efficient circulation, utilize storefront and “public space” design, and establish connections to other adjacent commercial and residential areas. The proposed uses in the service commercial district shall provide an architecturally consistent theme which will blend with the other commercial districts along Golden Valley Parkway, as well as the surrounding land uses.

17.57.301 Permitted uses.

A. Retail Sales uses include, but are not limited to:

1. Antique/Collector Shops
2. Art Gallery/Picture Framing
3. Auto Parts Stores
4. Beauty Supply Stores
5. Bicycle/Skateboard/Surf/Ski Shops
6. Bookstores/Newsstands
7. Boutique/Gift Stores
8. Bridal/Formal Wear
9. Camera/Photo Stores
10. Candy/Confectionery
11. Children’s/Teen’s Stores
12. Clothing/Apparel/Accessories

13. Consignment/Thrift Stores
14. Costume/Wig Shops
15. Fabric/Craft Stores
16. Floor Coverings/Carpet Stores
17. Floral Shops
18. Furniture/Appliance Stores
19. Health Food Store/Specialty Food Stores
20. Home Furnishings & Housewares/Window Coverings/Tableware/Linens
21. Jewelry Stores
22. Lighting Stores
23. Music/Musical Instrument/Audio Recording Stores
24. Office Supply Stores
25. Paint/Wallpaper Stores
26. Party Supply Stores
27. Pets and Pet Supply Stores
28. Stationary/Card Shops
29. Shoe/Hat Stores
30. Specialty Shops
31. Sporting Goods Stores
32. Toy/Hobby Stores

B. Service Retail uses include, but are not limited to:

1. Alterations/Tailor/Fur & Repair & Storage
2. Bank/Credit Unions/Savings & Loan/Financial Institutions

3. Barber/Beauty Salon/Nail Salon/Facial/Massage
4. Copying/Printing/Blueprints
5. Dry Cleaner (no plant on premises)
6. Employment Agencies
7. Formal Wear Rental Shops
8. Health Clubs/Fitness Centers/Physical Therapy
9. Instruction & Training in Gymnastics, Martial Arts, Aerobics, Yoga
10. Laboratories
11. Laundromats
12. Locksmiths
13. Lube Shops
14. Postal/Mail Stores
15. Photographic/Artists Studio
16. Real Estate/Title Offices
17. Shoe Repair Shops
18. Travel/Tour Agencies
19. Veterinarian/Animal Hospital
20. Video/Audio Rental Shops
21. Watch/Clock Repairs Shops

C. Eating, drinking and entertainment establishments include, but are not limited to:

1. Bagel/Donut Shops
2. Banquet Facilities
3. Café/Coffee House Shops

4. Delicatessen/Catering Services
5. Ice Cream/Yogurt Shops
6. Outdoor Seating Areas for Food Establishments
7. Micro-brewery
8. Restaurants, including on-site alcohol sales
9. Fast Food Drive-Through/Drive-In Facility

D. Office Uses include, but are not limited to:

1. Administrative Headquarters
2. Business, Consulting and Commercial Services
3. Business, Professional and Administrative Offices
4. Medical and Dental Laboratories
5. Radio and Television Broadcasting
6. Stock Brokerage

E. Other Uses include, but are not limited to:

1. Reclaimed Water Storage Ponds
2. Spray Fields
3. Storm Drain Detention and Retention Ponds

F. Retail Sales Uses include, but are not limited to:

1. Department Stores/General Merchandise Stores
2. Drug Stores
3. Electronics/Audio/Video/Computers/Software Stores
4. Furniture/Appliance Stores

5. Grocery Stores
6. Hardware/Home Improvement/Nursery Stores
7. Sale of new Motorsports Vehicles, including but not limited to: motorcycles, snowmobiles, jet skis, all-terrain vehicles, small watercraft, or similar vehicles, and including the ancillary sale of used motorsports vehicles, parts, and accessories and maintenance, repair, and service of motorsports vehicles.
8. Tire Stores

G. Service Retail Uses include, but are not limited to:

1. Day Care Centers
2. Emergency Medical/Dental, Clinics, and prescribing pharmacy within

H. Regionally oriented, high volume, retail uses include, but are not limited to:

1. Design/Contractors Centers
2. Discount/Off Price Centers
3. Entertainment/Lifestyle Centers
4. Factory Outlet Stores
5. Furniture Outlets
6. Malls
7. Power Centers
8. Promotional Centers

I. Other Uses include, but are not limited to:

1. Communications Equipment

2. Electrical transmission and distribution substations, gas regulator stations, public service pumping stations and elevated pressure tanks.

J. Incidental and accessory structures and uses on the same site as a permitted use.

K. Other uses added to this list by the Planning Commission according to the procedure in Section 17.16.020.

17.57.302 Conditional uses.

- A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:
 1. Administrative Offices – City, County, State, and Federal
 2. Amusement/Arcade
 3. Auditoriums/Concert Halls
 4. Ambulance Stations
 5. Any facility or business producing excessive noise, sounds or music.
 6. Beer/Wine Stores
 7. Billiards /Pool Halls
 8. Bowling Alleys
 9. Business and professional schools and colleges
 10. Car Washes
 11. Cocktail Lounge/Bar
 12. Community/Civic Centers
 13. Skating rinks and other similar commercial recreation facilities.
 14. Fire/Police Station
 15. Gaming/Gambling/Bingo Parlor

16. Gas and electrical transmission lines
17. Gas/Service Station/Convenience store
18. Governmental offices
19. Hospital/Medical center
20. Hotel (subject to LMC Chapter 17.78 Hotel Limitations)
21. Library
22. Museums
23. Nightclub
24. Private Clubs
25. Recreational facility/Indoor
26. Senior/Youth Centers
27. Temporary Christmas tree lot
28. Temporary pumpkin patch
29. Theater (Dinner, Movie, Live, etc.)
30. Transit Stations
31. Water quality ponds/associated facilities

17.57.303 Property development standards.

Specific development and architecture standards for the Service Commercial - Mossdale Village (CS-MV) zone district are established in the Mossdale Landing South Urban Design Concept document.

17.57.304 Site plan and architectural review required.

No use shall be erected on any lot or site in any CS-MV zone district until a site plan and architectural plans shall have been submitted to and approved by the City pursuant to the provisions of Chapters 17.100 and 17.104. Design review is required for all proposed structures, together with related site plans, landscaping, and public improvements associated with new development.

17.57.305 General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

17.57.310 RM-MV: Medium Density Residential – Mossdale Village Zoning District - Application.

The RM-MV district is intended to permit both attached and detached housing units. New planning concepts and lot reconfigurations, such as alleys or other features particular to a selected housing type, that do not fall within the development standards listed in Mossdale Landing South Urban Design Concept document may be considered by the Community Development Department.

17.57.311 Permitted uses.

A. Permitted uses include:

1. One-family dwellings.
2. Two or more single-family dwellings proposed for the same site.
3. Duplexes.
4. Multi-family dwellings or apartments.
5. Home occupations in accordance with Chapter 17.64.
6. A State-authorized, certified or licensed facility including: a family day care home providing care of up to fourteen (14) children; a foster home or group home serving up to eight (8) or fewer mentally disordered or otherwise handicapped persons, or dependent and neglected children.
7. Public uses of an administrative, public service or cultural type including City, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations and other public buildings, structures and facilities; public playgrounds, parks and community centers.
8. Fenced or enclosed swimming pools for either individual, family or communal use or an exclusive non-commercial basis, provided that no swimming pool shall be located within a utility easement or a front yard.

9. Incidental and accessory structures and uses located on the same site with a permitted use.
10. Reclaimed water storage ponds.
11. Spray fields.
12. Storm drain detention and retention ponds.

17.57.312 Conditional uses.

A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:

1. A State authorized licensed child day care center as defined by the State of California Department of Social Services.
2. Public and private charitable institutions; State authorized hospitals, sanitariums, rest homes, and nursing homes; State authorized, certified or licensed facility including: a foster home or group home serving nine (9) or more mentally disordered or otherwise handicapped persons, such as rehabilitation homes for the alcohol and/or chemically dependent, or dependent and neglected children, where such homes provide care on a 24-hour basis.
3. Boarding or rooming houses as defined in Section 17.04.080 of this Title.
4. Public and quasi-public use of an educational or religious type, including: private non-profit schools, public or private colleges; churches; parsonages and other religious institutions.
5. Gas and electric transmission lines in accordance with Section 17.108.080, electrical distribution substations, gas regulator stations, communications equipment buildings, public service pumping stations and elevated pressure tanks.
6. Water quality ponds/associated facilities.

17.57.313 Property development standards.

Specific development and architecture standards for the Medium Density Residential - Mossdale Village (RM-MV) zone district are established in the Mossdale Landing South Urban Design Concept document.

17.57.314 Site plan and architectural review required.

No use shall be erected on any lot or site in any RM-MV zone district until a site plan and architectural plans shall have been submitted to and approved by the City pursuant to the provisions of Chapters 17.100 and 17.104, other than those exempted by Local, State, and/or Federal statute. Design review is required for all proposed structures, together with related site plans, landscaping, and public improvements associated with new development.

17.57.315 General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

17.57.320 RH-MV: High Density Residential – Mossdale Village Zoning District - Application.

The RH-MV district is intended for Mossdale Landing South's multi-family and attached housing development. The theme, design styles, materials and colors shall reflect those of the other residential neighborhoods of Mossdale Landing South.

17.57.321 Permitted uses.

- C. Attached multi-family residential uses including, but not limited to:
 - 5. Condominiums, apartments, flats, townhouses, and independent living facilities.
 - 6. Convalescent and assisted care facility.
 - 7. Home occupations in accordance with the provisions of Chapter 17.64.
 - 8. Rest/Nursing homes.
- D. Other uses, including but not limited to:
 - 4. Reclaimed water storage ponds.
 - 5. Spray fields.
 - 6. Storm drain detention and retention ponds.

17.57.322 Conditional uses.

A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:

-
- 3. Day Care Centers.
- 4. Private non-profit schools and colleges; churches, and other religious institutions.

17.57.323 Property development standards.

Specific development and architecture standards for the High Density Residential - Mossdale Village (RH-MV) zone district are established in the Mossdale Landing South Urban Design Concept document.

17.57.324 Site plan and architectural review required.

No use shall be erected on any lot or site in any RH-MV zone district until a site plan and architectural plans shall have been submitted to and approved by the City pursuant to the provisions of Chapters 17.100 and 17.104. Design review is required for all proposed structures, together with related site plans, landscaping, and public improvements associated with new development.

17.57.325 General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

17.57.330 P/QP-MV: Public/Quasi Public – Mossdale Village Zoning District - Application.

The P/QP-MV zoning district is intended to permit schools, parks, and other public facilities shall relate to and build upon those styles mandated for residential development in the Mossdale Landing South Urban Design Concept document. This will ensure that the architecture of public uses will tie into Mossdale Landing's traditional character. Materials and colors shall be appropriate to the design style selected, and building placement and massing shall be sensitive to the site and adjacent neighborhoods.

17.57.331 Permitted uses.

A. Permitted uses include, but are not limited to:

- 1. Community Centers.

2. Farmer's Market.
3. Festival/Street Fairs.
4. Open Space.
5. Other such uses that meet the intent of this district, as approved by the Director of Community Development.
6. Park- active and passive, including ancillary structures and facilities.
7. Reclaimed water storage ponds.
8. Recreation facility.
9. Spray fields.
10. School.
11. Storm drain detention and retention ponds.
12. Trails, pathways, maintenance roads, and related features.
13. Water quality ponds and related features.
14. Water reservoir tank site.

17.57.332 Site plan and architectural review required.

No use or structure shall be erected on any lot or site in any P/QP-MV zone district until a site plan and architectural plans shall have been submitted to and approved by the City pursuant to the provisions of Chapters 17.100 and 17.104, other than those exempted by Local, State and/or Federal statute. Design review is required for all proposed structures, together with related site plans, landscaping, and public improvements associated with new development.

17.57.333 General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16.

Any use or structure proposed for placement on city owned property pursuant to a lease, license, agreement with the city, or city project, shall be exempt from this chapter, but shall comply with such processing and design standards as are set forth in such lease, license, or other agreement.

17.57.340 P-MV: Park – Mosssdale Village Zoning District – Application.

The P-MV District is intended to provide for neighborhood, community and regional parks, greenways, and other outdoor recreation facilities to allow for a wide array of local and community recreational activities and entertainment opportunities within urban development. Specific uses intended for this zoning district include: public recreation sites including ball fields, tot lots and play apparatus, adult softball and soccer playing fields, swimming pools, community center buildings, meeting facilities, libraries, art centers, after school care facilities, art in public places, facilities for night-time recreation, trails benches, interpretive markers, picnic areas, barbeque facilities, landscaping, irrigation, city wells, trees and natural habitat areas. Parks also may be designed to accommodate multi-level storm drainage detention basins that will allow recreation use of areas not needed for detention during a given storm.

17.57.341 Reviewing Authority.

All proposed structures, events, and uses shall be subject to the review and approval by the City of Lathrop Parks and Recreation Commission.

17.57.350 OS-MV: Open Space – Mosssdale Village Zoning District – Application.

The OS-MV zoning district is intended to provide for permanent open space in areas that exhibit significant vegetation, wildlife, wetlands, bodies of water or water courses, mineral resources, scenic qualities or recreational potential, water quality and storm water detention basins, and that are designated as open space within the Mosssdale Village area. This district is further intended to be applied to lands within the city that are subject to an agricultural land conservation contract under the provisions of the Williamson Act.

17.57.351 Permitted uses.

1. Recreational – Active.
2. Recreational – Passive.
3. Trails and maintenance roads.
4. Levees and other related facility equipment.
5. Private or public infrastructure.
6. Resource management lands.
7. River and other water courses.
8. Drainage, water quality, and other similar facilities, including swales and basins.

9. Reclaimed water storage ponds.
10. Spray fields.
11. Storm drain detention and retention ponds.
12. Incidental and accessory structures and uses on the same site as a permitted use.
13. Other uses added to this list by the planning commission according to the procedures in Section 17.16.020 of the Lathrop Zoning Code.

17.57.352 General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16 of the Lathrop Municipal Code.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

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Chapter 17.58 Lathrop Gateway Business Park Zoning Districts

Article 1. Purposes and Application

17.58.010 Lathrop Gateway zoning districts, purposes and application.

The zoning districts in this chapter are designed to provide the opportunity for a wide variety of office, commercial, and industrial ~~and open space~~ uses that are compatible with the Lathrop Gateway Business Park Specific Plan. The following regulations are supplemented by the entire text of the LGBPSP and are always combined with the LG (Lathrop Gateway) combining zone. These zoning districts, ending in “-LG,” are limited to the Lathrop Gateway Business Park Specific Plan area. (Ord. 11-307 § 4)

[...]

Article 3. CS-LG: Service Commercial Zoning District

[...]

Chapter 17.58.031 Permitted Uses.

- A. Off-street parking lots improved in conformity with Chapter 17.76 shall be permitted.
- B. Service commercial establishments, including, but not limited to, the following:
 - 1. Addressograph services;
 - 2. Automobile and truck sales, service and repair, new and used;
 - 3. Automobile, truck and trailer rental and service, including incidental sales;

[...]

- 40. Heating, ventilating and air-conditioning shops, including incidental sheet metal;
- 41. Ice sale and storage;
- 42. Interior decorating and window coverings;

43. Kennels and small breeding facilities, located not closer than five hundred (500) feet to an ~~RA, R, RM, PO, CN, CC, or CR or CW~~ district;

44. Laboratories, research and development services;

[...]

Article 5. P/QP-LG: Public/Quasi-Public Zoning District

~~17.58.050 Purposes and application.~~

~~— The P/QP-LG zoning district is intended to provide for permanent open space areas for well sites, water quality, stormwater detention basins, and other necessary slope embankments as called for in the Lathrop Gateway Business Park Specific Plan. (Ord. 11-307 § 4)~~

~~17.58.051 Permitted uses.~~

~~— A. Public/Quasi-Public uses including, but not limited to:~~

~~— 1. Drainage, water quality, and other similar facilities, including swales and basins;~~

~~— 2. Incidental and accessory structures and uses on the same site as a permitted use;~~

~~— 3. Levees and other related facility equipment;~~

~~— 4. Parking;~~

~~— 5. Private or public infrastructure;~~

~~— 6. Public buildings and grounds;~~

~~— 7. Recycled water storage ponds;~~

~~— 8. Recreational—Active;~~

~~— 9. Recreational—Passive;~~

~~— 10. Sprayfields;~~

~~— 11. Storm drain detention and retention ponds;~~

~~— 12. Trails and maintenance roads;~~

~~— 13. Utility services and facilities;~~

~~— 14. Well site;~~

~~— 15. Other uses added to this list by the planning commission according to the procedures in~~

Section ~~17.16.020~~ of the Lathrop Zoning Code. (Ord. 11-307 § 4)

~~17.58.052 Conditional uses—Commission approval required.~~

~~—A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:~~

~~—1. Communication buildings, sites and facilities, including communication towers. (Ord. 11-307 § 4)~~

~~17.58.053 Property development standards.~~

~~—All uses shall be consistent with Article 6, Development Standards, in this Zoning Ordinance. Where development standards are not specifically identified in this document, reference the city of Lathrop Zoning Ordinance. (Ord. 11-307 § 4)~~

~~17.58.054 Site plan and architectural design review.~~

~~—No use shall be erected on any lot or site in any P/QP district until a site plan and architectural plans shall have been submitted to and approved by the city pursuant to the provisions of Chapter 17.100 and 17.104 of the Lathrop Municipal Code. Design review is required for all proposed structures, whether residential or nonresidential, together with related site plans, landscaping, and public improvements associated with new development within the Lathrop Gateway Business Park Specific Plan area. (Ord. 11-307 § 4)~~

~~17.58.055 General provisions and exceptions.~~

~~—All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16 of the Lathrop Municipal Code.~~

~~—The community development director may approve use interpretations and minor deviations related to the zoning herein. (Ord. 11-307 § 4)~~

Article 56. Development Standards

Table 17.58.060 Lathrop Gateway Business Park Specific Plan: Nonresidential Site Development Standards

	CO-LG	CS-LG	IL-LG	P/QP-LG⁽⁷⁾
Minimum Parcel Size (sf)	5,000	5,000	5,000	None
Minimum Lot				
Width	50'	50'	50'	None

	CO-LG	CS-LG	IL-LG	P/QP-LG⁽⁷⁾
Depth	100'	100'	100'	None
Minimum Setbacks ⁽¹⁾				
Street frontage	50' ⁽²⁾	50' ⁽²⁾	50' ⁽²⁾	0
Front yard	15'	15'	15'	0
Side yard	5'	0' ⁽³⁾	0' ⁽³⁾	0
Rear yard	5'	0' ⁽³⁾	0' ⁽³⁾	0
Distance between structures	10'	10'	10'	10'
Maximum Lot Coverage	70%	70%	70%	70%
Maximum Building/Structural Height	75'	75'	75'	75'
Landscape Requirements ⁽⁴⁾				
Landscape coverage (minimum) ⁽⁵⁾	15% ⁽⁶⁾	10%	10% ⁽⁶⁾	10% ⁽⁶⁾
Minimum Parking Requirements	Per Lathrop Zoning Ordinance, Chapter <u>17.76</u>	Per Lathrop Zoning Ordinance, Chapter <u>17.76</u>	Per Lathrop Zoning Ordinance, Chapter <u>17.76</u>	Per Lathrop Zoning Ordinance, Chapter <u>17.76</u>
Signage	Per Master Signage Program, and/or Chapter <u>17.84</u>	Per Master Signage Program, and/or Chapter <u>17.84</u>	Per Master Signage Program, and/or Chapter <u>17.84</u>	Per Master Signage Program, and/or Chapter <u>17.84</u>

Footnotes to Table 17.58.060:

(1) Minimum standards may need to be revised based on parcel configuration and proposed land use; community development director to approve minor deviations.

(2) Those sites with public street frontage on a curve or cul-de-sac may have frontages of not less than 40', provided that the width of the site as measured along the front yard setback line is at least 50'.

(3) Except where abutting an adjacent structure; see distance between structures standard.

(4) For landscape standards reference Chapter 17.92 of the Lathrop Municipal Code.

(5) Measured as a percentage of net lot acreage.

(6) Landscape coverage is encouraged to include recreation and open space amenities for employees and visitors consistent with Section 5.5.1.1.F, Public Spaces and Pedestrian Amenities, of the Lathrop Gateway Business Park Specific Plan; recreation and open space amenities will count toward the landscape requirement.

~~(7) The city of Lathrop may exempt public facilities from the standard, if necessary; community development director to approve deviations.~~

(Ord. 11-307 § 4)

New text is shown by underline; deleted text is shown by ~~strikethrough~~

Chapter 17.60 Southeast Stewart Tract Zoning Districts

[...]

17.60.040 RCO-ST: Resource Conservation and Open Space Zoning District.

Application. The resource conservation and open space zoning district shall be that described in Chapter 17.20, except that uses listed in Section 17.20.040 (Conditional uses) shall be permitted uses herein subject to securing site plan approval. (Ord. 22-431 § 1; Ord. 96-132)

17.60.050 UR-ST: Urban Reserve Zoning district.

Application. The urban reserve zoning district shall be that described in Chapter 17.24. (Ord. 22-431 § 1; Ord. 96-132)

New text is shown by underline; deleted text is shown by ~~strikethrough~~

Chapter 17.61 River Islands Zoning Districts

[...]

17.61.030 MU-RI: Mixed Use Town Center Zoning District.

A. Application. The MU-RI zoning district is intended to provide a mix of retail, services, restaurants, entertainment, offices, higher density residential and civic uses. Such a variety of uses will need special attention as to their design to ensure proper integration and compatibility. The urban design concept review shall establish a precise mix of uses in accordance with the general categories described in this section.

B. Use Types Permitted in the MU-RI Zoning District. Retail, personal services, food and food services, offices, medical services, single-family residential, multifamily residential, civic uses, religious facilities, schools, public and private parks and open space, conditional uses, such as entertainment-related and community oriented uses, medical clinics, and other uses consistent with the scale and character of the district.

C. Permitted and Conditionally Permitted Uses. Permitted and conditionally permitted uses shall be those listed in Section 17.61.210, Table 17.61.1 and in areas covered by an urban design concept.

D. Development Standards. Specific development standards for the mixed use town center (MU-RI) district shall be further detailed in neighborhood development plans as required under Section 17.61.120. The neighborhood development plan shall include, but not be limited to, development standards for density, floor area ratios, lot coverage, building height, setbacks, lot width and depth, sign regulations, off-street parking, and standards for landscaping and irrigation. (Ord. 21-422 § 1; Ord. 03-215 § 1)

[...]

17.61.080 RCO/OS-RI: Resource Conservation and Open Space Zoning District.

A. Application. The resource conservation and open space zoning district is intended to provide for habitat restoration and preservation-related activities within Paradise Cut.

B. Use Types Permitted in the RCO/OS Zoning District. Lake, waterways, conditional uses including recreation parks, wildlife preserves, schools, public and quasi-public, utility and service structures and facilities and other uses consistent with the scale and character of the district.

C. Permitted and Conditionally Permitted Uses. Permitted and conditionally permitted uses shall be those described in Chapter 17.20, as listed in Section 17.61.210, Table 17.61.1, except that uses listed in Section 17.20.040 (Conditional uses) shall be permitted uses herein subject to securing site plan approval. Such permitted and conditionally permitted uses shall be located in

areas covered by an urban design concept.

D. Development Standards. Specific development standards for the resource conservation and open space (RCO/OS) zoning district shall be established as part of the urban design concept review. (Ord. 21-422 § 1; Ord. 03-215 § 1)

17.61.090 OS/P-RI: Open Space and /Public Use District.

[...]

17.61.210 River Islands zoning districts and permitted uses.

TABLE 17.61.1 Stewart Tract—River Islands Zoning Districts and Permitted Uses ¹

Land Use ²	RL-RI	RM-RI	RH-RI	MU	CR	TOD	RCO/OS	OS/P
AGRICULTURAL USES								
Agricultural Uses may continue pursuant to Chapter 17.52.								
RESIDENTIAL USES								
SF detached	P	P						
SF attached (duplex, triplex)	P	P						
SF attached (townhome, condominium)	P	P		P		P		
MF attached		P	P	P		P		
Manufactured Housing	P	P		P		P		
Accessory dwelling units	P	P	P	P		P		
Hotels/motels, and other lodging			C	P	P	P		
Small family day care facility (8 or fewer children)	P	P	P	P		P		
Large family day care facility (9 to 14 children)	PA	PA	PA	PA		PA		
Childcare facility	C	C	C	C	C	C		
Emergency shelters in accordance with the provisions of Chapter 17.74			P					
Single room occupancy uses, in accordance with the provisions of Chapter 17.73			C					
Residential care facility, small	P	P	P	P		P		
Residential care facility, large	C	C	C	C		C		
Storehouses; garden structures; greenhouses	PA	PA	PA	PA		PA		
Fenced or enclosed private swimming pools or tennis courts	PA	PA	PA	PA		PA		
Home occupations	PA	PA	PA	PA		PA		
Model home display areas	PA	PA	PA	PA		PA		
COMMERCIAL USES								
Apparel				P	P	P		
Arcades				C	C	C		
Art and antiques				P	P	P		
Arts and crafts schools/colleges				C	C	C		
Art galleries				P	P	P		
Art supply				P	P	P		
Auto and motorcycle dealerships				C	C			
Automobile and tractor repair and maintenance					C			

Land Use ²	RL-RI	RM-RI	RH-RI	MU	CR	TOD	RCO/OS	OS/P
Automobile supply (no repair or installation)				P	P	P		
Bakery goods				P	P	P		
Banks and other lending institutions				P	P	P		
Banquet facility				P	P	P		
Bars, cocktail lounges, nightclubs				C	C	C		
Barbershops and beauty shops				P	P	P		
Bicycle shops				P	P	P		
Billiard and pool halls				P	P			
Blueprint, photocopy, and mailing				P	PC	P		
Boat sales and services				C	C	C		
Books				P	P	P		
Bowling alleys				PA	PA	PA		
Business, professional and trade schools and colleges				C	C	C		
Camera equipment and supplies				P	P	P		
Candy				P	P	P		
Card rooms				C	C	C		
Carpeting and flooring				P	P	P		
Catering				P	P	P		
Clothing cleaning (Pick-up and delivery, dry cleaning; self-serve laundromats)				P	P	P		
Clothing and costume rental				P	P	P		
Convenience stores (max. 5,000 square feet)				P	P	P		
Commercial small business offices (not more than 8,000 square feet)				P	P	P		
Day spas				P	P	P		
Department stores				P	P	P		
Drive-through establishments				P	P	P		
Employment agencies				P	P	P		
Factory outlets				C	C	C		
Farmers' markets				PA	PA	PA		
Florists				P	P	P		
Food market; delicatessen				P	P	P		
Furniture stores				P	P	P		
Garden supplies and nurseries (indoors)				P		P		
Gifts, novelties and souvenirs				P	P	P		
Gun sales and gunsmith				P		P		
Gymnasium and health studios				C	C	C		
Hardware				P	P	P		
Health foods				P	P	P		
Hobby supplies				P	P	P		
Home furnishings				P	P	P		
Home improvement supplies				P	P	P		
Household repair shops				P		P		
Ice dispensers (outdoor)				P	P	P		
Interior decoration				P	P	P		
Jewelry				P	P	P		
Kennels				C	C	C		
Kiosks (sales and marketing)				C	C	C		
Leather goods and luggage				P	P	P		
Liquor (packaged)				C	C	C		
Locksmith				P	P	P		
Massage				C	C	C		
Musical instruments & supplies				P	P	P		

Land Use ²	RL-RI	RM-RI	RH-RI	MU	CR	TOD	RCO/OS	OS/P
Music and dance studios				C	C	C		
News and magazine stands				P	P	P		
Office and business machines stores				P	P	P		
Outdoor cafes				P	P	P		
Paint and wallpaper				P	P	P		
Pet stores and pet grooming (no boarding)				P	P	P		
Pawn shops				C	C	C		
Pharmacy				P	P	P		
Photographic supplies				P	P	P		
Photographic studios				P	P	P		
Picture framing				P	P	P		
Post/delivery offices				P	P	P		
Private clubs and lounges				C	C	C		
Private access lagoons					C	C		
Public and private non-profit charitable institutions				P	P	P		
Radio, television and film broadcasting/studios				P	P	P		
Radio, television and audio-visual equipment sales and repair				P	P	P		
Reading rooms				P	P	P		
Retail stores larger than 75,000 square feet				C	C	C		
Restaurants, including cafes				P	P	P		
Scientific instrument stores				P	P	P		
Seasonal sales				PA	PA	PA		
Secretarial services				P	P	P		
Self-service carwash				C	C	C		
Service station, excluding automotive repair services not included in the definition of "service station," provided that all operations, except the sale of gasoline, shall be conducted in a building enclosed on 3 sides				C	C	C		
Self storage facilities				C	C	C		
Shoes				P	P	P		
Shoe repair				P	P	P		
Skating rinks				C	C	C		
Small animal hospitals and clinics; veterinarian offices				C	C	C		
Small appliance repair				P	P	P		
Sporting goods (excluding incidental boat sales, resales and camper sales)				P	P	P		
Sports arenas within buildings				C	C	C		
Stamps and coins				P	P	P		
Storage buildings incidental to a permitted use				PA	PA	PA		
Supermarkets				C	P	C		
Tailoring and dressmaking				P	P	P		
Taxidermists				P	P	P		
Theaters and auditoriums, including movie theaters and performing arts				C	C	C		
Thrift shops; second hand stores				P	P	P		
Theme parks				C	C	C		
Tobacconists				P	P	P		
Tool or cutlery sharpening or grinding				P	P	P		
Toys				P	P	P		

Land Use ²	RL-RI	RM-RI	RH-RI	MU	CR	TOD	RCO/OS	OS/P
Transit stations				C	C	C		
Travel agencies				P	P	P		
Upholsterers				P	P	P		
Variety stores				P	P	P		
Vending machines within enclosed areas				P	P	P		
Video stores (subject to the limitation of Chapter 5.08)				P	P	P		
Warehouse style retail					C			
OFFICE USES								
Professional offices, business and administrative offices				P	P	P		
Research and development offices				P	P	P		
Financial services				P	P	P		
INDUSTRIAL USES								
Warehousing								
Light industrial and related uses								
Heavy industrial and related uses								
MEDICAL USES								
Hospital				C	C	C		
Medical clinic				C	C	C		
Medical or dental office building				P	P	P		
Medical and orthopedic stores				P	P	P		
CIVIC/COMMUNITY USES								
Administrative centers and courts				P	P	P		
Assembly uses	C	C	C	C	C	C		
City offices				P	P	P		
Community center	C	C	C	C	C	C		
Convention centers				C	C	C		
Fire station	C	C	C	C	C	C		
Libraries	C	C	C	C	C	C		
Mortuaries, columbariums and crematoriums				C	C	C		
Police station	C	C	C	C	C	C		
Post office				C	C	C		
Private schools and other educational facilities	C	C	C	C	C	C		
Public schools and other educational facilities	C-P	C-P	C-P	C-P	C-P	C-P		
Public and private charitable institutions	C	C	C	C	C	C		
Transit stations				C	C	C		
PARKS & OPEN SPACE								
Equestrian facilities							C	C
Multi-use and nature trails								P
Private recreation facilities	C	C	C	C	C	C		C
Public and private parks and playgrounds	P	P	P	P	P	P		
Wildlife preserves					C		P	P
OTHER								
Communications equipment buildings	P	PA	PA	PA	PA	PA	PA	PA
Enclosed temporary materials storage yards	PA	PA	PA	PA	PA	PA		PA
Expansion, remodeling or additions to a conditional use not considered an incidental or accessory use	C	C	C	C	C	C		
Flood control, water pumping stations/reservoirs; elevated pressure tanks; irrigation ditches/canals; settling and water	P	P	P	P	P	P	P	P

Land Use²	RL-RI	RM-RI	RH-RI	MU	CR	TOD	RCO/OS	OS/P
conservation recharge basins; drainage ponds; streets and roads as necessary for access to permitted uses								
Gas/electrical transmission lines subject to provisions of Section <u>17.16.080</u> ; electrical substations; gas regulator stations	P	PA	PA	PA	PA	PA	PA	PA
Incidental and accessory structures and uses located on the same site as a conditional use	C	C	C	C	C	C	C	C
Incidental and accessory structures and uses located on the same site as permitted use	P	P	P	P	P	P		
Parking lots and garages improved in conformity with the standards prescribed for off-street parking facilities			C	C	C	C		
Underground storage tanks for petroleum or oils				P	P	P		

1 P = Permitted uses; PA = Permitted but administrative approval required; C = Conditional use permit required; Blank = Prohibited use

2 . Other uses may be added to Table 17.61.1 by the planning commission according to the procedure in Section 17.16.020.

(Ord. 20-422 § 1; Ord. 20-411 § 1; Ord. 16-365 § 1)

New text is shown by underline; deleted text is shown by ~~strikethrough~~

Chapter 17.62 Central Lathrop Zoning Districts

[...]

Article 6. ~~SPC-CL: Specialty Commercial Zoning District~~

~~17.62.061 Purposes and application.~~

~~— The SPC-CL zoning district provides a mix of retail, services, and restaurants to adjacent residents, which benefit from the recreational opportunities and views accorded by the adjacent San Joaquin River. (Ord. 04-245 § 3)~~

~~17.62.062 Permitted Uses~~

~~— Administrative review required, provided below use is a tenant within an existing or proposed building. Otherwise, the use shall require site plan review.~~

~~— A. Services including, but not limited to:~~

~~— (1) Arts instruction (music, dance, painting)~~

~~— (2) Automatic teller machine~~

~~— (3) Barber/beauty shop/nail salon~~

~~— (4) Copying and printing~~

~~— (5) Dry cleaner/laundry (no plant on premises)~~

~~— (6) Laundromat~~

~~— (7) Photographic studio~~

~~— (8) Travel agency~~

~~— B. Local serving retail including, but not limited to:~~

~~— (1) Apparel/accessories~~

~~— (2) Art gallery/Supply store~~

~~— (3) Bagel/donut shop~~

- ~~—— (4) Bakery~~
- ~~—— (5) Beauty supply store~~
- ~~—— (6) Beer/wine store, sales tasting~~
- ~~—— (7) Bicycle shop~~
- ~~—— (8) Bookstore/newsstand~~
- ~~—— (9) Café~~
- ~~—— (10) Camera equipment and supply~~
- ~~—— (11) Candy and confectioners~~
- ~~—— (12) Card shop~~
- ~~—— (13) Coffee house~~
- ~~—— (14) Costume/wig shop~~
- ~~—— (15) Fabric/craft store~~
- ~~—— (16) Delicatessen~~
- ~~—— (17) Florist/plant shop (fertilizer to be stored and sold only in packaged form)~~
- ~~—— (18) Food stores — Supermarkets, health, specialty, other~~
- ~~—— (19) Gift shop/novelty~~
- ~~—— (20) Hobby shop~~
- ~~—— (21) Ice cream/yogurt~~
- ~~—— (22) Jewelry store~~
- ~~—— (23) Music store~~
- ~~—— (24) Pet store and supplies~~
- ~~—— (25) Postal/mail store~~
- ~~—— (26) Picture framing shop~~

- ~~—— (27) Restaurant (no drive-through)~~
- ~~—— (28) Shoe store/shoe repair~~
- ~~—— (29) Specialty goods including cooking supplies, housewares, linen, window coverings, china/glassware, etc.~~
- ~~—— (30) Sporting goods~~
- ~~—— (31) Toy store/hobby shop~~
- ~~—— (32) Variety store~~
- ~~—— (33) Video store, subject to limitations of Chapter 5.08 of the Lathrop Municipal Code.~~
- ~~—— C. Other uses including, but not limited to:~~
 - ~~—— (1) Open space~~
 - ~~—— (2) Outdoor seating for food establishments~~
 - ~~—— (3) Parks~~
 - ~~—— (4) Parking lot~~
- ~~—— D. Other permitted uses:~~
 - ~~—— (1) Recreational boat rental~~
 - ~~—— (2) Recreational equipment rental~~
- ~~—— E. Other uses as allowed by the planning commission and city council as prescribed by a PUD under the procedures of Sections 17.52.010 and 17.52.020, and Chapter 17.56 of the Lathrop Municipal Code.~~
- ~~—— F. Incidental and accessory structures and uses on the same site as a permitted use.~~
- ~~—— G. Other uses added to this list by the planning commission according to the procedures in Section 17.16.020 of the Lathrop Municipal Code. (Ord. 04-245 § 3)~~

~~17.62.063 Permitted uses: administrative approval required.~~

~~—— The following uses may be permitted in accordance with the provisions of Chapter 17.108 of the Lathrop Municipal Code:~~

- ~~—— A. One family dwellings over or to the rear of a permitted use; provided, such dwellings~~

~~shall be subject to the use, site area, coverage and yard requirements of the variable density residential district. Density to be a minimum of eight units per acre.~~

~~— B. Electrical transmission and distribution sub-stations, gas regulator stations, public service pumping stations and elevated pressure tanks.~~

~~— C. Liquor, packaged.~~

~~— D. Microbrewery.~~

~~— E. Recreational facility—Indoor. (Ord. 04-245 § 3)~~

~~17.62.064 Conditional uses; planning commission approval required.~~

~~— The following uses may be permitted in accordance with the provisions of Chapter 17.112:~~

~~— A. Bar, cocktail lounge or nightclub.~~

~~— B. Christmas tree sales.~~

~~— C. Churches and other religious facilities.~~

~~— D. Communications equipment.~~

~~— E. Community center.~~

~~— F. Day care center.~~

~~— G. Expansion or remodeling of an existing nonconforming use of a structure or land, up to fifty percent (50%) or less of the value of the structure, or reestablishment of a nonconforming use which has been damaged, except nonconforming signs and outdoor advertising structures, nonconforming uses occupying a structure with an assessed valuation of less than two hundred dollars (\$200.00), and nonconforming fences, walls and hedges.~~

~~— H. Expansion, remodeling or additions to a conditional use that are not considered an incidental or accessory use as defined in Section 17.04.080 of the Lathrop Zoning Code.~~

~~— I. Lodge hall.~~

~~— J. Reclaimed water storage and water quality ponds not previously identified in previous approvals.~~

~~— K. Senior center.~~

~~— L. Social club.~~

~~—— M. Spray fields not previously identified in previous approvals.~~

~~—— N. Storm drain detention and retention ponds not previously identified in previous approvals.~~

~~—— O. Street fair or farmer's market.~~

~~—— P. Theater Indoor (dinner, movie, live play, etc.).~~

~~—— Q. Video arcade.~~

~~—— R. Youth center.~~

~~—— S. Other uses which are added to this list according to the procedure in Section 17.16.020 of the Lathrop Municipal Code. (Ord. 04-245 § 3)~~

17.62.065 Property development standards.

~~—— Specific development standards for the Specialty Commercial (SPC-CL) district shall be established as part of the Central Lathrop design guidelines review by incorporating the design standards identified in Section 17.62.120 and establishing the following design principals:~~

~~—— A. Site design shall establish a cohesive relationship with the community park by integrating building sizes, locations, landscaping, screening and parking.~~

~~—— B. By utilizing a creative approach to landscaping and screening, parking areas shall not become the predominant feature of the streetscape, especially as it relates to adjacent open spaces and arterial streets.~~

~~—— C. Landscaping and irrigation standards shall generally follow those required by Chapter 17.92 and may be modified by the required design guidelines review by city staff, prior to issuance of development or building permits.~~

~~—— D. Building setbacks shall be varied in accordance with corresponding building heights, uses and proposed shop front and street activity. Higher structures may require larger front yard setback, for example.~~

~~—— E. Minimum parking requirements, such as type and number of parking stalls, shall generally follow Sections 17.62.120 and 17.84.010, and may be modified by the required design guidelines review by city staff, prior to issuance of development or building permits.~~

~~—— F. All signage shall be consistent with the Central Lathrop master signage plan adopted generally in accordance with Section 17.84.100, and included as a component of the Central Lathrop Specific Plan design guidelines.~~

~~—— G. All businesses, services and processes shall be conducted entirely within a completely~~

~~enclosed structure except for off street parking and off street loading areas, gasoline service stations, outdoor dining areas, florist stands, coffee carts, nurseries, garden shops, signs, Christmas tree sales lots, farmer's markets, bus depots and transit stations, public utility stations, used car sales incidental to new car sales, and other uses found to be acceptable outdoor uses by the planning commission.~~

~~— H. — No use shall be permitted, and no process, equipment or materials shall be used which are found by the planning commission to be objectionable to persons living or working in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried waste, noise, vibration, illumination, glare or unsightliness or to involve any hazard of fire, explosion or toxic chemicals.~~

~~— I. — Temporary sidewalk sales and use of the public right of way for the display and sales of merchandise shall require approval by the city council. Permanent use for such purposes is strictly prohibited.~~

~~— J. — The following elements may project into the right of way: entry features up to twelve (12) inches, awnings up to five feet, bay windows up to three feet. Awnings, bay windows, and other similar elements must have a minimum of eight feet clearance above the sidewalk. (Ord. 04-245 § 3)~~

17.62.066 Site plan and architectural review required.

~~— The Central Lathrop design review process shall take the place of the site plan review for which provision is made in Chapter 17.100 of the Lathrop Municipal Code and the architectural design review for which provision is made in Chapter 17.104 of the Lathrop Municipal Code. Design review is required for all proposed structures, whether residential or non-residential, together with related site plans, landscaping, and public improvements associated with new development within the Central Lathrop Specific Plan area. The Central Lathrop design guidelines will specify the design review application process. (Ord. 04-245 § 3)~~

17.62.067 General provisions and exceptions.

~~— All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16 of the Lathrop Municipal Code. (Ord. 04-245 § 3) 17.62.061 Purposes and application.~~

~~— The SPC CL zoning district provides a mix of retail, services, and restaurants to adjacent residents, which benefit from the recreational opportunities and views accorded by the adjacent San Joaquin River. (Ord. 04-245 § 3)~~

17.62.062 Permitted Uses

~~— Administrative review required, provided below use is a tenant within an existing or proposed~~

~~building. Otherwise, the use shall require site plan review.~~

~~— A. Services including, but not limited to:~~

~~— (1) Arts instruction (music, dance, painting)~~

~~— (2) Automatic teller machine~~

~~— (3) Barber/beauty shop/nail salon~~

~~— (4) Copying and printing~~

~~— (5) Dry cleaner/laundry (no plant on premises)~~

~~— (6) Laundromat~~

~~— (7) Photographic studio~~

~~— (8) Travel agency~~

~~— B. Local serving retail including, but not limited to:~~

~~— (1) Apparel/accessories~~

~~— (2) Art gallery/Supply store~~

~~— (3) Bagel/donut shop~~

~~— (4) Bakery~~

~~— (5) Beauty supply store~~

~~— (6) Beer/wine store, sales-tasting~~

~~— (7) Bicycle shop~~

~~— (8) Bookstore/newsstand~~

~~— (9) Café~~

~~— (10) Camera equipment and supply~~

~~— (11) Candy and confectioners~~

~~— (12) Card shop~~

- ~~—— (13) Coffee house~~
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- ~~—— (15) Fabric/craft store~~
- ~~—— (16) Delicatessen~~
- ~~—— (17) Florist/plant shop (fertilizer to be stored and sold only in packaged form)~~
- ~~—— (18) Food stores — Supermarkets, health, specialty, other~~
- ~~—— (19) Gift shop/novelty~~
- ~~—— (20) Hobby shop~~
- ~~—— (21) Ice cream/yogurt~~
- ~~—— (22) Jewelry store~~
- ~~—— (23) Music store~~
- ~~—— (24) Pet store and supplies~~
- ~~—— (25) Postal/mail store~~
- ~~—— (26) Picture framing shop~~
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- ~~—— (29) Specialty goods including cooking supplies, housewares, linen, window coverings, china/glassware, etc.~~
- ~~—— (30) Sporting goods~~
- ~~—— (31) Toy store/hobby shop~~
- ~~—— (32) Variety store~~
- ~~—— (33) Video store, subject to limitations of Chapter 5.08 of the Lathrop Municipal Code.~~
- ~~—— C. Other uses including, but not limited to:~~
 - ~~—— (1) Open space~~

~~——(2) Outdoor seating for food establishments~~

~~——(3) Parks~~

~~——(4) Parking lot~~

~~——D. Other permitted uses:~~

~~——(1) Recreational boat rental~~

~~——(2) Recreational equipment rental~~

~~——E. Other uses as allowed by the planning commission and city council as prescribed by a PUD under the procedures of Sections 17.52.010 and 17.52.020, and Chapter 17.56 of the Lathrop Municipal Code.~~

~~——F. Incidental and accessory structures and uses on the same site as a permitted use.~~

~~——G. Other uses added to this list by the planning commission according to the procedures in Section 17.16.020 of the Lathrop Municipal Code. (Ord. 04-245 § 3)~~

~~17.62.063 Permitted uses: administrative approval required.~~

~~——The following uses may be permitted in accordance with the provisions of Chapter 17.108 of the Lathrop Municipal Code:~~

~~——A. One family dwellings over or to the rear of a permitted use; provided, such dwellings shall be subject to the use, site area, coverage and yard requirements of the variable density residential district. Density to be a minimum of eight units per acre.~~

~~——B. Electrical transmission and distribution sub-stations, gas regulator stations, public service pumping stations and elevated pressure tanks.~~

~~——C. Liquor, packaged.~~

~~——D. Microbrewery.~~

~~——E. Recreational facility—Indoor. (Ord. 04-245 § 3)~~

~~17.62.064 Conditional uses; planning commission approval required.~~

~~——The following uses may be permitted in accordance with the provisions of Chapter 17.112:~~

~~——A. Bar, cocktail lounge or nightclub.~~

- ~~— B. Christmas tree sales.~~
- ~~— C. Churches and other religious facilities.~~
- ~~— D. Communications equipment.~~
- ~~— E. Community center.~~
- ~~— F. Day care center.~~
- ~~— G. Expansion or remodeling of an existing nonconforming use of a structure or land, up to fifty percent (50%) or less of the value of the structure, or reestablishment of a nonconforming use which has been damaged, except nonconforming signs and outdoor advertising structures, nonconforming uses occupying a structure with an assessed valuation of less than two hundred dollars (\$200.00), and nonconforming fences, walls and hedges.~~
- ~~— H. Expansion, remodeling or additions to a conditional use that are not considered an incidental or accessory use as defined in Section 17.04.080 of the Lathrop Zoning Code.~~
- ~~— I. Lodge hall.~~
- ~~— J. Reclaimed water storage and water quality ponds not previously identified in previous approvals.~~
- ~~— K. Senior center.~~
- ~~— L. Social club.~~
- ~~— M. Spray fields not previously identified in previous approvals.~~
- ~~— N. Storm drain detention and retention ponds not previously identified in previous approvals.~~
- ~~— O. Street fair or farmer's market.~~
- ~~— P. Theater—Indoor (dinner, movie, live play, etc.).~~
- ~~— Q. Video arcade.~~
- ~~— R. Youth center.~~
- ~~— S. Other uses which are added to this list according to the procedure in Section 17.16.020 of the Lathrop Municipal Code. (Ord. 04-245 § 3)~~

17.62.065 Property development standards.

~~Specific development standards for the Specialty Commercial (SPC CL) district shall be established as part of the Central Lathrop design guidelines review by incorporating the design standards identified in Section 17.62.120 and establishing the following design principals:~~

~~A. Site design shall establish a cohesive relationship with the community park by integrating building sizes, locations, landscaping, screening and parking.~~

~~B. By utilizing a creative approach to landscaping and screening, parking areas shall not become the predominant feature of the streetscape, especially as it relates to adjacent open spaces and arterial streets.~~

~~C. Landscaping and irrigation standards shall generally follow those required by Chapter 17.92 and may be modified by the required design guidelines review by city staff, prior to issuance of development or building permits.~~

~~D. Building setbacks shall be varied in accordance with corresponding building heights, uses and proposed shop front and street activity. Higher structures may require larger front yard setback, for example.~~

~~E. Minimum parking requirements, such as type and number of parking stalls, shall generally follow Sections 17.62.120 and 17.84.010, and may be modified by the required design guidelines review by city staff, prior to issuance of development or building permits.~~

~~F. All signage shall be consistent with the Central Lathrop master signage plan adopted generally in accordance with Section 17.84.100, and included as a component of the Central Lathrop Specific Plan design guidelines.~~

~~G. All businesses, services and processes shall be conducted entirely within a completely enclosed structure except for off street parking and off street loading areas, gasoline service stations, outdoor dining areas, florist stands, coffee carts, nurseries, garden shops, signs, Christmas tree sales lots, farmer's markets, bus depots and transit stations, public utility stations, used car sales incidental to new car sales, and other uses found to be acceptable outdoor uses by the planning commission.~~

~~H. No use shall be permitted, and no process, equipment or materials shall be used which are found by the planning commission to be objectionable to persons living or working in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water carried waste, noise, vibration, illumination, glare or unsightliness or to involve any hazard of fire, explosion or toxic chemicals.~~

~~I. Temporary sidewalk sales and use of the public right of way for the display and sales of merchandise shall require approval by the city council. Permanent use for such purposes is strictly prohibited.~~

~~—— J. —— The following elements may project into the right of way: entry features up to twelve (12) inches, awnings up to five feet, bay windows up to three feet. Awnings, bay windows, and other similar elements must have a minimum of eight feet clearance above the sidewalk. (Ord. 04-245 § 3)~~

~~17.62.066 Site plan and architectural review required.~~

~~—— The Central Lathrop design review process shall take the place of the site plan review for which provision is made in Chapter 17.100 of the Lathrop Municipal Code and the architectural design review for which provision is made in Chapter 17.104 of the Lathrop Municipal Code. Design review is required for all proposed structures, whether residential or non-residential, together with related site plans, landscaping, and public improvements associated with new development within the Central Lathrop Specific Plan area. The Central Lathrop design guidelines will specify the design review application process. (Ord. 04-245 § 3)~~

~~17.62.067 General provisions and exceptions.~~

~~—— All uses shall be subject to the general provisions and~~

Article 7. CO-CL: Commercial Office Zoning District

[...]

17.62.072 Permitted uses.

[...]

- B. Service retail uses including, but not limited to:
 - 1. Fur repair and storage
 - 2. Automobile repair
 - 3. Automobile upholstery and top shops
 - 4. Banks/credit unions/savings and loans/financial institutions
 - 5. Facial/massage
 - 6. Cafeterias
 - 7. Catering

8. Cleaning, pressing and dyeing establishments (using nonflammable and nonexplosive cleaning fluid)
9. Day care centers
10. Emergency medical/dental clinics, and prescribing pharmacies within
11. Electronics repair
12. Employment agency
13. Equipment rental
14. Rug cleaning and dyeing
15. Hotel (subject to Chapter 17.78 Hotel Limitations)
- ~~16. Inns providing temporary visitor accommodations and accessory recreational and commercial facilities~~

[...]

Article 8. ~~OC/VR/WWTP-CL: Office-Commercial/Residential/Waste Water Treatment Plant~~ P-CL: Park Zoning District

~~17.62.081 Purposes and application.~~

~~— The OC/VR/WWTP-CL zoning district provides flexibility in future land use choices in the northeast corner of the lands governed by the Central Lathrop Specific Plan. This designation allows any single use or a mix of any combination of Office/Commercial, Residential, and Waste Water Treatment Plant. (Ord. 04-245 § 3)~~

~~17.62.082 Permitted and conditionally permitted uses.~~

~~— Refer to Variable Density Residential-CL, Office Commercial-CL, and Public/Semi-public-CL for permitted and conditionally permitted uses.~~

~~— Other Permitted Use: waste water treatment plant. (Ord. 04-245 § 3)~~

~~17.62.083 Property development standards.~~

~~— Specific development standards for the Office-Commercial/Residential/Wastewater Treatment Plant (OC/VR/WWTP-CL) district shall be established as part of the Central Lathrop design guidelines review by incorporating the design standards identified in Section 17.62.120 and establishing the following design principles:~~

~~— A. — By utilizing a creative approach to landscaping and screening, parking areas shall not become the predominant feature of the streetscape, especially as it relates to adjacent open spaces and arterial streets.~~

~~— B. — Landscaping and irrigation standards shall generally follow those required by Chapter 17.92 and may be modified by the required design guidelines review by city staff, prior to issuance of development or building permits.~~

~~— C. — Building setbacks shall be varied in accordance with corresponding building heights, uses and proposed shop front and street activity. Higher structures may require larger front yard setback, for example.~~

~~— D. — Minimum parking requirements, such as type and number of parking stalls, shall generally follow Section 17.62.120 and Section 17.84.010, and may be modified by the required design guidelines review by city staff, prior to issuance of development or building permits.~~

~~— E. — All signage shall be consistent with the Central Lathrop master signage plan adopted generally in accordance with Section 17.84.100, and included as a component of the Central Lathrop Specific Plan design guidelines.~~

~~— F. — All businesses, services and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and off-street loading areas, gasoline service stations, outdoor dining areas, florist stands, coffee carts, nurseries, garden shops, signs, Christmas tree sales lots, farmer's markets, bus depots and transit stations, public utility stations, vehicle sales and storage, and other uses found to be acceptable outdoor uses.~~

~~— G. — Temporary sidewalk sales and use of the public right of way for the display and sales of merchandise shall require approval by the city council. Permanent use for such purposes is strictly prohibited.~~

~~— H. — The following elements may project into the right of way: entry features up to twelve (12) inches, awnings up to five feet, bay windows up to three feet. Awnings, bay windows, and other similar elements must have a minimum of eight feet clearance above the sidewalk. (Ord. 04-245 § 3)~~

~~17.62.084 Site plan and architectural review required.~~

~~— The Central Lathrop design review process shall take the place of the site plan review for which provision is made in Chapter 17.100 of the Lathrop Municipal Code and the architectural design review for which provision is made in Chapter 17.104 of the Lathrop Municipal Code. Design review is required for all proposed structures, whether residential or nonresidential, together with related site plans, landscaping, and public improvements associated with new development within the Central Lathrop Specific Plan area. (Ord. 04-245 § 3)~~

~~17.62.085 General provisions and exceptions.~~

~~—All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16 of the Lathrop Municipal Code. (Ord. 04 245 § 3)~~

17.62.081 Purposes and application.

The P-CL District is intended to provide for neighborhood, community and regional parks, greenways, and other outdoor recreation facilities to allow for a wide array of local and community recreational activities and entertainment opportunities on designated park lands located within the Central Lathrop Specific Plan. Specific uses intended for this zoning district include: public recreation sites including ball fields, tot lots and play apparatus, adult softball and soccer playing fields, swimming pools, community center buildings, meeting facilities, libraries, art centers, after school care facilities, art in public places, facilities for night-time recreation, trails benches, interpretive markers, picnic areas, barbeque facilities, landscaping, irrigation, city wells, trees and natural habitat areas. Parks also may be designed to accommodate multi-level storm drainage detention basins that will allow recreation use of areas not needed for detention during a given storm.

17.62.082 Reviewing Authority.

All proposed structures, events, and uses shall be subject to the review and approval by the City of Lathrop Parks and Recreation Commission.

Article 9. P/SP-CL: Public/Semi-Public Zoning District

[...]

17.62.094 Property development standards.

Specific development standards for the Public/Semi-Public (P/SPQP-CL) district shall be established as part of the Central Lathrop design guidelines review by incorporating the design standards identified in Section 17.62.120 of this chapter and establishing the following design principles:

A. By utilizing a creative approach to landscaping and screening, parking areas shall not become the predominant feature of the streetscape, especially as it relates to adjacent open spaces and arterial streets.

B. Landscaping and irrigation standards shall generally follow those required by Chapter 17.92 and may be modified by the required design guidelines review by city staff, prior to issuance of development or building permits.

C. Building setbacks shall be varied in accordance with corresponding building heights, uses and proposed shop front and street activity. Higher structures may require larger front yard setback, for example.

D. Minimum parking requirements, such as type and number of parking stalls, shall

generally follow Section 17.62.120 and Section 17.84.010, and may be modified by the required design guidelines review by city staff, prior to issuance of development or building permits.

E. All signage shall be consistent with the Central Lathrop master signage plan adopted generally in accordance with Section 17.84.100, and included as a component of the Central Lathrop Specific Plan design guidelines. (Ord. 04-245 § 3)

[...]

Article 10. ~~P~~/OS-CL: Open Space Zoning District

[...]

17.62.103 General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapter 17.16 of the Lathrop Municipal Code.

The Community Development Director may approve use interpretations and minor deviations related to the zoning herein.

[...]

Article 12. Non-Residential Development Standards

Table 17.62.120 Central Lathrop Specific Plan: Non-Residential Site Development Standards

	Office Commercial (CO-CL)	Office- Comm./Var. Res./AWWTP (OC/VRAWWTP- CL)	Neighborhood Commercial (NC-CL)	Specialty- Commercial (SPC- CL)Park (P-CL)	Residential Mixed-Use (R/MU- CL)	Public/Semi- Public/ Neighborhood Commercial (P/SP/NC- CL)
Min. Street Frontage Setbacks						
Lathrop Center District	n/a ¹	n/a ²	0	n/a ¹	0	0
Golden Valley Parkway	10	40	10	n/a	n/a ¹	n/a ¹
Other Streets	10	40	n/a ¹	10	n/a	10
Other Setbacks						
Front, Rear and Side Yards	0	0	0	0	0	0
Height Requirements						
Maximum Building Height ³	75	75	45	35 45	65	45
Special Tower Elements	n/a	n/a	70	70	70	70
Minimum Building Height	n/a	n/a	15	15	15	15
Building Separation						
Standard	Per CBC ⁵	Per CBC ⁵	Per CBC ⁵	Per CBC ⁵	Per CBC ⁵	Per CBC ⁵
Pedestrian Access	15	45	15	15	15	15

Width						
Lot Size and Coverage	-					
Minimum Parcel Area	None	None	None	None	None	None
Minimum Width	None	None	None	None	None	None
Minimum Depth	None	None	None	None	None	None
Maximum FAR	0.60	0.60	0.60	0.40-0.60	4.0	0.60
Maximum Coverage	70%	70%	60%	60%-70%	90%	70%
Off-Street Parking						
Remainder of CLSP	1 stall per 400 net usable sq. ft. for office; other uses per Chapter 17.76 of the Lathrop Municipal Code					

Notes to Table 17.62.120

1. n/a = not applicable.
2. Building or parking area fronting any public street - measured from property line or right-of-way.
3. Exceptions to maximum height may be granted through Design Review for towers, steeples, cupolas, dormers, flagpoles and other architectural elements.
4. Minimum width between structures when pedestrian access way provided.
5. California Building Code.
6. Reductions of parking standards may be granted for shared parking subject to approval of a parking study concurrent with Design Review.

(Ord. 22-431 § 1; Ord. 08-276 § 1)

[...]

Article 14. Central Lathrop Design Review Board**17.62.141 Purposes and application.**

[...]

B. Site and architectural design review provisions of this chapter shall apply to any permitted or conditional ~~conditional~~ use, listed within the VR-CL (Variable Density); HR-CL (High Density Residential); R/MU-CL (Residential/Mixed-use Zoning); NC-CL (Neighborhood Commercial Zoning); ~~SPC-CL (Specialty Commercial Zoning);~~ CO-CL (Commercial Office Zoning); ~~OC/VR/WWTP-CL (Office Commercial/Residential/Waste Water Treatment Plant Zoning);~~ P/SP-CL (Public/Semi-Public Zoning); and ~~P/OS-CL (Open Space Zoning); and DS-CL (Development Standards Overlay Zone);~~ of this Chapter 17.62 of the Lathrop Municipal Code. There shall be no exceptions to such application, except as may be granted for historic structures designated by the city of by previously approved specific plans. (Ord. 04-245 § 3)

[...]

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Chapter 17.72 Mobilehome Parks

17.72.010 Occupancy.

No mobilehome shall be occupied or used for living or sleeping purposes, or be parked other than in a mobile home sales yard, or in an approved storage area within a CS, CH or I district, unless it is located within a licensed mobilehome park; provided, that a mobilehome may also be used as follows:

- A. As an office for a construction project, circus or carnival;
- B. As a residence of a watchperson on the site of a construction project or an industrial use;
- C. To provide temporary living quarters for circus or carnival personnel in accordance with the provisions of an approved conditional use permit;
- D. As a single-family dwelling when set on a permanent foundation within any ~~RA, R,~~ or RM or ~~PO~~ district. (Ord. 92-73)

[...]

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Chapter 17.74 Emergency Shelters

[...]

17.74.020 Emergency Shelter Standards.

A. Limitation on Location. An emergency shelter subject to this chapter may be established within the ~~RM or PO~~ zoning districts.

B. Permit Requirement. Construction of a new structure or exterior modification of an existing structure for an emergency shelter in the ~~RM or PO~~ zoning district shall be subject to a ministerial review process. The community development director will review the design, site plan, and management plan to ensure compliance with the standards established for the zoning district and with the development standards established in this section.

C. Zoning Requirements and Standards. Except as otherwise set forth in this section, all emergency shelters shall comply with the land use regulations for the RM zoning district in which the emergency shelter will be located.

[...]

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Chapter 17.76 OFF-STREET PARKING AND LOADING

[...]

17.76.020 Off-Street Parking Facilities Required.

[...]

D. Parking Space Schedule.

[...]

2. Uses Within CN and CC Districts.

~~— a. For commercial and office uses, excluding conditional uses, within the area designated as the central business district by the general plan, there shall be one space for each eight hundred (800) square feet of floor area, except as provided under subsection (D)(2)(b) below.~~

ab. For uses within an integrated shopping center located within a CN or CC district, involving a combination of three or more retail uses permitted within the CN district for which building area, off-street parking, off-street loading, landscaping, lighting and other features are developed, managed and maintained as if a single unit, there shall be three spaces for each one thousand (1,000) square feet of gross leasable area, or four spaces for each one thousand (1,000) square feet of gross leasable area if the center includes a supermarket.

be. For other uses within a CN or CC district, the number of spaces otherwise required for the type of use.

[...]

17.76.060 Location of off-street parking and loading facilities.

Off-street parking and off-street loading facilities shall be located on the same site with the use for which the berths are required or on an adjoining sites, except that ~~within the central business district as located within the CC District~~, off-street parking facilities may be located within four hundred (400) feet of the use for which the spaces are required, measured by the shortest route of pedestrian access. No off-street loading space shall be required where buildings are served by a public alley which is at least twenty (20) feet in width. (Ord. 92-73)

17.76.070 Screening, fencing and landscaping.

A. Where an off-street parking area in a non-residential district adjoins a residential ~~or PO~~ district, the visual interface between the parking area and such districts shall be designed and developed so as to avoid obtrusive visual impacts of the parking area on such districts.

B. All screening, fencing, and landscaping shall be consistent with Chapter 17.92 of this title. (Ord. 19-405 § 1; Ord. 96-136; Ord. 92-73)

[...]

17.76.110 Truck and recreational vehicle parking.

A. The following highway oriented uses located within a CH or CC zoning district shall be subject to the following standards for the provision of parking for trucks and recreational vehicles:

1. All highway oriented uses, as listed in Section 17.44.050 (B)(1) of the zoning code, permitted in both the CH-highway commercial and CC-central commercial zoning districts (~~with the exception of the central business district~~) shall provide truck/recreational vehicle parking stall(s) as deemed necessary by the community development director. The amount of truck/recreational vehicle parking stalls required shall be determined on a case-by-case basis.

2. Each truck/recreational vehicle parking stall shall be located as to provide adequate ingress and egress to and from the site.

3. Each truck/recreational vehicle parking stall shall be striped on a dustless, impervious surface, twelve (12) feet wide by seventy-two (72) feet long.

B. Parking for trucks and recreational vehicles may be provided by a group of uses (two or more), so that a common area is utilized. Such areas shall meet the standards provided in subsection A above as to the number, size and type of stall required. (Ord. 16-355 § 1; Ord. 98-164; Ord. 96-136)

17.76.120 Bicycle parking and storage standards.

A. Applicability. Bicycle parking shall be required for ~~in~~ commercial, professional office, and industrial users with twenty (20) or more parking spaces, and for all public and quasi-public (institutional) uses.

[...]

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Chapter 17.80 Accessory Dwelling Units

17.80.010 Application.

This chapter provides standards by which the city shall evaluate and ministerially approve an application for the siting and construction of an accessory dwelling unit (ADU) or junior accessory dwelling unit (JADU) on a lot with an existing or proposed dwelling located in areas zoned to allow single-family or multifamily residential use in compliance with California Government Code Sections 65852.2 and 65852.22, as may be amended. (Ord. 20-416 § 1; Ord. 19-405 § 1; Ord. 18-384 § 1; Ord. 16-365 § 1; Ord. 16-355 § 1; Ord. 97-151; Ord. 92-73)

17.80.020 Permitted locations and types.

A. ADUs are permitted in all zone districts allowing single-family or multifamily residential uses on lots developed with existing or proposed dwellings.

B. An ADU may be established in the following methods:

1. Attached to, or located within, an existing or proposed primary dwelling.
2. A new detached structure, or located within or attached to an accessory structure, including detached garages or similar structures.
3. Conversion of existing attached or detached accessory structures, including garages, storage areas, or similar structures.
4. Reconstruction of an existing structure or living area that is proposed to be converted to an ADU, or a portion thereof, in the same location and to the same dimensions and setbacks as the existing structure.

C. One JADU may be established within the space of an existing or proposed single-family residence, on a lot that is zoned to allow single-family residential uses.

D. A JADU may be established within the space of the primary dwelling in combination with the construction of one detached, new construction ADU not exceeding one thousand two hundred (1,200) square feet ~~and height of sixteen (16) feet~~ with four-foot side and rear yard setbacks.

E. ADUs shall be permitted on lots developed with existing multifamily dwellings subject to the following provisions:

1. A minimum of one ADU may be constructed, or up to twenty-five percent (25%) of the existing unit count, within non-livable space, including, but not limited to, storage rooms, passageways, attics, basements, or closets.

2. The construction of two detached ADUs, subject to a ~~maximum height of sixteen (16) feet, and four-foot side and rear setbacks.~~ In this case, only two detached ADUs are permitted on lots developed with existing multifamily dwellings. (Ord. 20-416 § 1; Ord. 19-405 § 1; Ord. 18-384 § 1; Ord. 16-365 § 1; Ord. 16-355 § 1; Ord. 97-151; Ord. 92-73)

17.80.030 Development standards.

A. Development Standards. Accessory dwelling units shall comply with the following standards:

1. ADU Type, Location and Size.

a. Attached Unit. An ADU attached to an existing primary dwelling shall not exceed fifty percent (50%) of the total existing or proposed living area of the primary dwelling, except that an attached ADU up to a maximum size of 850 square feet for a one-bedroom unit or up to 1,000 square feet for two- or more bedroom unit may be permitted.

b. Detached Unit. An ADU structurally independent and detached from the existing or proposed primary dwelling shall not exceed one thousand two hundred (1,200) square feet.

c. ADUs shall have independent exterior access from the primary dwelling. No passageway to the primary dwelling shall be required.

d. ADUs shall not be required to provide fire sprinklers if they are not required for the primary residence.

e. Except as otherwise provided in Government Code Section 65852.26, no ADU may be sold or otherwise conveyed separately from the property and the primary residence.

2. JADU Location, Size, and Standards.

a. A JADU shall be constructed entirely within an existing or proposed primary dwelling (and enclosed uses within the dwelling, such as an attached garage are part of the proposed or existing dwelling) and shall not exceed five hundred (500) square feet.

b. JADUs shall have an independent exterior entrance from the primary dwelling but may also include shared access between two units. In instances where the JADU shares a bathroom with the primary dwelling, the JADU shall have an interior entry to the primary dwelling's main living area, independent of the exterior entrances of the JADU and the primary dwelling.

c. A JADU, at a minimum, shall include an efficiency kitchen as defined in Section 17.04.080.

d. The property owner shall reside in either the principal dwelling unit or the junior accessory dwelling unit.

e. JADU's are prohibited from being sold or conveyed separately from the primary dwelling unit. Prior to issuance of a building permit for the JADU, the property owner shall file with the city a deed restriction for recordation with the County Recorder, which shall run with the land and include the provisions listed in Government Code Section 65852.22.

3. Setbacks.

a. Have minimum interior side and rear setbacks of four (4) feet and street side setback of ten (10) feet. Such ADU shall not have a greater front yard setback requirement than that of the primary residence.

b. No setback shall be required for an existing living area or accessory structure in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.

c. Setback from Structures. Be set back from other structures on the parcel consistent with the city-adopted building code.

4. Height. An attached or detached ADU shall comply with the following requirements: Not to exceed one story or sixteen (16) feet in height, except that a detached accessory dwelling unit may be constructed above a detached garage to a maximum height of thirty (30) feet.

a. A proposed detached ADU that is located within a half-mile of a major transit stop or high quality transit corridor on a lot with a single-family or multi-family dwelling unit may be constructed to a maximum height of twenty (20) feet or match the roof pitch of the primary dwelling unit, whichever is greater.

b. Where a lot has an existing or a proposed single-family or multi-family dwelling unit, a proposed detached ADU may be constructed to a maximum height of eighteen (18) feet or match the height of the primary dwelling unit, whichever is greater.

c. Where a proposed ADU is being attached to a primary dwelling unit, the height of the ADU shall be limited to thirty-five (35) feet, not to exceed two stories.

d. Where a lot has an existing or a proposed single-family or multi-family dwelling unit, a proposed ADU may be constructed above an existing or proposed detached garage and shall be limited to thirty-five (35) feet in height, not to exceed two stories.

5. Location on Parcel. An accessory dwelling unit can either be attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing dwelling.

B. Compatibility. The accessory dwelling unit shall be designed and constructed to be compatible with the existing house as to height, style, materials, and colors.

~~C. Access. Doorway access shall be provided either to the side or rear of the accessory dwelling unit. Doorway access may front the street for detached ADUs as long as the detached ADU is recessed from the main dwelling unit and located behind the front yard fence. The accessory dwelling unit shall utilize the same vehicular access which serves the existing dwelling unit.~~

C. D. Off-Street Parking.

1. At least one additional off-street parking space shall be provided for the accessory dwelling unit or bedroom, whichever is less, unless otherwise exempt under Section 17.80.030(E).

2. The parking spaces required for the accessory dwelling unit can be in tandem to the required parking of the main residential structure, may be uncovered, and can be located within the front setback as long as all other yard requirements are met.

3. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, those off-street parking spaces are not required to be replaced.

4. The accessory dwelling unit shall utilize the same vehicular access which serves the existing dwelling unit.

D E. Off-Street Parking Exemption. Off-street parking shall not be imposed in any of the following instances:

1. The accessory dwelling unit is located within one-half mile walking distance of public transit;

2. The accessory dwelling unit is located within an architecturally and historically significant historic district;

3. The accessory dwelling unit is part of the existing primary residence or an existing accessory structure;

4. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit;

5. When there is a car share vehicle located within one block of the accessory dwelling unit.

E F. Mobilehomes or Manufactured Housing. Mobilehomes or manufactured housing on permanent foundations shall be permitted as an accessory dwelling unit, only if they are installed on permanent foundations, and the mobilehome complies with the 1974 National Manufactured Housing Construction and Safety Act. (Ord. 22-431 § 1; Ord. 20-416 § 1; Ord. 19-405 § 1; Ord.

18-384 § 1; Ord. 16-355 § 1; Ord. 97-151; Ord. 92-73)

F. Addressing. Detached ADU's shall have a separate address from the primary dwelling. An attached ADU or JADU may request a separate address from the primary dwelling.

17.80.040 Utilities and impact fees.

A. Utility Service and Kitchen Facilities. Accessory dwelling units shall be provided with adequate water, sewer and other utilities (~~sewer allocation for one residential unit will suffice for both~~). ~~Accessory dwelling units shall not be considered a new residential use for the purposes of calculating utility connection fees or capacity charges for water and sewer service. The city shall not require a new or separate utility connection or impose a related connection fee or capacity charge for ADUs and JADUs that are contained within an existing residence or accessory structure.~~

B. Fees. Fees charged for the construction of ADUs shall be consistent with Government Code Section 65852.2(f). (Ord. 20-416 § 1; Ord. 19-405 § 1; Ord. 18-384 § 1; Ord. 16-355 § 1; Ord. 97-151; Ord. 92-73)

17.80.050 Process and timing.

A. Approval Process. An accessory dwelling unit and junior accessory dwelling unit is considered and approved ministerially, without discretionary review or hearing, if it meets the minimum standards in this chapter.

B. Timing. The city must act on an application to create an accessory dwelling unit or junior accessory dwelling unit within sixty (60) days from the date that the city receives a completed application, unless either:

1. The applicant requests a delay, in which case the sixty (60) day time period is tolled for the period of the requested delay; or

2. In the case of a junior accessory dwelling unit and the application to create a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on a lot, the city may delay acting on the permit application for the junior accessory dwelling unit until the city acts on the permit application to create new single-family dwelling, but the application to create the junior accessory dwelling unit will still be considered ministerially without discretionary review or a hearing. (Ord. 20-416 § 1)

17.80.060 Compliance with other regulations.

Notwithstanding the above standards, all accessory dwelling units established under this chapter shall meet all of the requirements of the zoning district for which the accessory dwelling unit is in as to fences, walls and hedges; frontage; width and depth of site; height of structures; distance between structures; signs; applicable building and fire codes and general provisions and exceptions. (Ord. 20-416 § 1; Ord. 19-405 § 1; Ord. 18-384 § 1; Ord. 16-355 § 1; Ord. 97-151; Ord. 92-73)

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Chapter 17.84 Signs

[...]

17.84.020 General provisions and exceptions.

[...]

C. Projection and Height.

1. No sign shall project more than fourteen (14) inches beyond the property line, except that a freestanding sign shall not extend beyond the property line. The minimum height clearance for any freestanding sign, projecting building sign or sign located on a building marquee shall be not less than eight feet as measured from ground level to the lowest portion of the sign display area.

2. No sign other than a directional sign shall project more than twelve (12) inches into a required rear yard or interior side yard.

3. In an RCO, UR-~~ST~~, ~~RA~~, ~~R~~, or RM or ~~PO~~ zone district, a sign attached to a building shall not project above the parapet or roof line, whichever is higher.

D. Number of Freestanding Signs. Not more than one freestanding on-premises sign, or freestanding outdoor advertising structure, may be located on each parcel of property within a zoning district in which a freestanding sign or freestanding outdoor advertising structure is permitted, with the exception of parcels in the UR-ST district which may have no more than two free-standing on premises signs for special events occurring on the site if permitted by the community development director or the city manager's designee.

[...]

K. Outdoor Advertising Signs. Outdoor advertising signs are signs having part or all of their area devoted to directing attention to a business, profession, commodity, product or service that is not the primary business, profession, commodity, product or service sold, manufactured, conducted or offered on the site on which the sign is located, and shall be subject to the following conditions:

1. Outdoor advertising signs shall not be permitted in the RCO, UR-ST, R, RM, ~~PO~~, ~~IP~~ or C zone districts.

2. The maximum single surface area per site of an outdoor advertising structure in the I district shall be five hundred (500) square feet; the maximum aggregate area per site of outdoor advertising signs in the I district shall be one thousand (1,000) square feet. No outdoor advertising

signs shall be placed within one thousand (1,000) feet of another such sign on the same side of a street or highway.

3. The maximum height of an outdoor advertising structure shall be no taller than the height limit of the zoning district in which it is located.

[...]

17.84.030 Signs in the RCO, UR-ST, RA, R, or RM and PO zone districts.

No sign of any character shall be permitted in the RCO, UR-ST, RA, R, or RM or PO zone districts, except as follows:

[...]

H. In the UR-ST district up to two on-premises, freestanding signs of variable size as may be approved by the community development director or the city manager's designee, with the number of signs, their maximum size, and other requirements to be as determined by the community development director or the city manager's designee, provided that the maximum sign area for any single sign may not exceed eight hundred sixty-five (865) square feet. No outdoor advertising signs as defined in Section 17.84.020 shall be permitted in the UR-ST district. (Ord. 21-418 § 15; Ord. 18-394 § 1; Ord. 10-298 § 1; Ord. 02-206 § 2; Ord. 97-151; Ord. 93-99; Ord. 92-73)

17.84.040 Regulation of signs within the C districts.

[...]

B. Maximum Total Aggregate Area in the CN, CC, and CR and CW Zone Districts.

[...]

N. Height of Signs. The height of signs within the CN, CC, and CR and CW zone districts shall not exceed the height of the structure which houses the business being advertised, unless otherwise allowed under the provisions of this title or as approved by the planning commission with a conditional use permit or site plan review and in no case shall such sign exceed the height limitations of the district in which it is located.

[...]

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Chapter 17.92 Landscaping and Screening Standards

[...]

17.92.030 Commercial and Industrial Developments.

A. Commercial Developments—Development Standards.

1. Landscaping. All areas not used for structures, parking, driveways, walkways or other hardscape shall be landscaped and maintained as provided by the provisions of this title. At a minimum, fifteen percent (15%) of the net site area shall be landscaped and all areas of the project area abutting other properties or public right-of-ways shall include a continuous landscaped planting strip no smaller than five feet in width, ~~except in the CBD (central business district), in which no requirement shall apply.~~ All landscaping materials used shall be in accordance with Section 17.92.100 and in conformance with the tree and shrub schedule and criteria as provided in Section 17.92.090. All existing trees on the project site shall be maintained unless removal or relocation has been approved by the planning director and as identified on an approved landscape plan pursuant to Section 17.92.040.

2. Landscaping Plan. Each project shall include a landscaping plan as described in Section 17.92.040.

3. Irrigation Plan. Each project shall include an irrigation plan as described in Section 17.92.050.

4. Water Conservation Requirements. Each project shall meet the requirements set forth in Section 17.92.060.

5. Parking, Noise Attenuation, and Screening. Each project shall conform to the requirements set forth in Section 17.92.070.

[...]

17.92.100 Planting and maintenance.

A. Planting Standards.

1. Street Trees. Street trees shall be planted twenty (20) feet on center no closer than four feet from the back of curb or planting edge. Trees shall maintain a ten (10) foot vertical clearance over walks, pathways, and the like. Each tree shall be a minimum of fifteen (15) gallons in size and shall be planted with root barriers.

2. Shrubs. Shrubs should be planted as to provide a reasonable amount of ground cover. Shrubs that are used for screening purposes shall meet height requirements as provided by this title. Any shrub that will reach three feet in height at maturity shall not be planted within a required setback. Each shrub shall be a minimum of five gallons in size.

3. Planting Design. The planting design shall be incorporated in the landscape plan as described in Section 17.92.040. Choice of planting materials, trees, and shrubs should take into account drought tolerance, ease of maintenance and aesthetic beauty. The design should also take into account future shade conditions in street and parking lot situations. A soil analysis may be required by the planning director under certain conditions; if required it also shall be submitted with the landscape plan.

4. Timing of Installation. All landscaping, screening, and irrigation shall be in place prior to the request for a final inspection by the owner.

5. Acceptance by City. Each landscape area shall be maintained for three hundred sixty-five (365) days from the time the owner requests from the city a final inspection of the landscape area prior to transfer of maintenance responsibility to the city. Those landscapes that are to be privately owned, shall be maintained by the property owner.

B. Maintenance Standards. Each landscape area shall be maintained as follows:

1. Property owners' responsibility. Property owners of developed residential, commercial, and industrial lots shall be responsible for maintaining the landscape areas of their properties to the satisfaction of the City. Property owners of developed residential lots shall be responsible for maintaining their private yard areas (front yards and back yards) within enclosed fenced areas, as well as maintain any unfenced private yards and any parkway strips (landscape strips between sidewalk and roadway) that exist along the frontage area of their properties.

24. Plantings shall be maintained in good growing condition and whenever necessary, replaced with new plant materials.

32. Lawn and ground cover shall be trimmed and mowed regularly and planting areas shall be kept free of weeds and debris.

43. Plantings shall be fertilized, cultivated, and pruned on a regular basis, and good horticultural principles shall be maintained.

54. When necessary, plantings shall be appropriately staked, tied, or otherwise supported. Supports shall be regularly monitored to avoid damage to plants.

65. All landscaping and related equipment, including, but not limited to, plants, planting material, screening devices, walkways, benches, irrigations systems, and the like shall be maintained by the owner.

76. All required screening materials shall be maintained in good condition, and whenever necessary, repaired or replaced.

87. All property shall be maintained in a manner that will not depreciate adjacent property values.

98. Landscaping elements which pose an unusual public health or safety hazard shall not be permitted.

109. The height, spread, and growth habit of all plantings shall not interfere with or obstruct ease of movement of pedestrians or vehicles. (Ord. 92-96)

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Chapter 17.98 Good Neighbor Guidelines for Warehouse Distribution Facilities

17.98.010 Purpose

These “Good Neighbor Guidelines Warehouse Distribution Facilities.” (referred to as “Good Neighbor Guidelines”) assist planning departments, developers, property owners, elected officials, community organizations, and the general public as a tool to potentially help address some of the complicated choices associated with permitting warehouse/distribution facilities and understanding the options available when addressing environmental issues. These Good Neighbor Guidelines are designed to help minimize the impacts of diesel particulate matter (PM) from on-road trucks associated with warehouses and distribution centers on sensitive receptors located within the city of Lathrop.

17.98.020 Applicability

This Chapter is applicable to all warehouse distribution facilities throughout the city regardless of size and as defined in Section 17.98.030. This Chapter shall supersede any existing requirements in the Municipal Code and Specific Plans.

17.98.030 Definitions

For the purposes of this Chapter, the following definitions shall apply:

“Distribution Center” see “Warehouse Distribution Facility.”

“Idling” means the operation of the engine of a vehicle while the vehicle is not in motion.

“Sensitive Receptors” means populations that are at a heightened risk of negative health outcomes due to exposure to air pollution, including children, elderly, asthmatics, and others. The locations where these sensitive receptors congregate are considered sensitive receptor locations and include residential communities, schools, parks (excluding trails), playgrounds, day care centers, nursing homes, and hospitals.

“Warehouse” means a building or portion thereof used for the storage, receiving, shipping, or wholesaling of goods and merchandise, and any incidental or accessory activities.

“Warehouse Distribution Facility” means a building, structure or other facility primarily used for the warehousing, storage, sorting, packing, staging, shipping, receiving, distributing or holding of goods and merchandise of any kind, typically which are not manufactured, processed or otherwise produced in the same facility, for any length of time. Warehouse distribution facilities include but are not limited to wholesale distribution, distribution centers, moving and transfer storage, cross-dock facilities, package handling centers, order fulfillment centers, or logistics

centers and facilities.

17.98.040 Landscape Buffer and Screening Standards

A. The following landscape buffer and screening requirements shall apply to warehouse distribution facilities that share a common property line with a sensitive receptor, except when the distance between the structure of the existing sensitive receptor and proposed structure exceeds 300-feet:

1. For any warehouse distribution facility equal to or less than 50,000 square feet in size, a five (5) foot landscape buffer shall be required.

2. For any warehouse distribution facility larger than 50,000 square feet in size, a ten (10) foot landscape buffer shall be required.

3. For any warehouse distribution facility larger than 400,000 square feet in size, a fifteen (15) foot landscape buffer shall be required.

B. The landscape buffer area(s) shall include:

1. A solid, eight (8) foot masonry wall(s), or alternative material approved by the community development director.

2. Trees with a minimum box size of 24 inches with spacing dependent on the tree species as recommended by a certified Landscape Architect. The buffer may include stormwater bio-filtration, detention or retention areas.

3. Drought tolerant and properly irrigated plants and trees to maintain growth.

C. A berm is encouraged within the landscape buffer area(s) to assist in screening the warehouse distribution facility.

17.98.050 Operational Signage

A. The following signage is required for all warehouse distribution facilities, regardless of size:

1. Anti-idling signs indicating a 5-minute diesel truck engine idling restriction shall be posted along entrances to the site and in the dock areas and shall be strictly enforced by the facility operator.

2. Directional signs consistent with Section 17.84.050 indicating automobile and truck entrances shall be posted along entrances to the site.

3. Signs shall be installed at all truck exit driveways directing truck drivers to the truck route as indicated in the Truck Routing Plan or as specified in a Specific Plan.

4. Signs shall be installed in public view with contact information for a local designated representative who works for the facility operator and who is designated to receive complaints about excessive dust, fumes, or odors, and truck and parking complaints for the site. The sign shall also include information for the San Joaquin Valley Air Pollution Control District's (SJVAPCD) on-line complaint system and its complaint call-line.

B. All signs under this Section shall be legible, durable, and weather-proof.

17.98.060 Construction and Operational Guidelines

A. The following guidelines shall apply to the construction of a warehouse distribution facility:

1. Warehouse distribution facilities shall install solar photovoltaic (PV) array and an energy storage system (ESS) consistent with the California Building Code.

2. A portion of the passenger vehicle parking spaces shall be allocated for electric vehicles (EV), with all necessary conduit and related appurtenances installed consistent with the California Building Code.

B. The following guidelines shall apply to the operation of a warehouse distribution facility:

1. The warehouse distribution facility shall incorporate a recycling program.

2. New or future tenant improvements for warehouse distribution facilities for cold storage shall include electrical hookups for refrigeration units.

3. Warehouse distribution facilities shall not allow a TRU (Transportation Refrigeration Unit) to operate while stationary unless the vehicle is lawfully parked at a location approved for truck parking and not within five hundred (500) feet of a sensitive receptor unless the operator is actively engaged in the process of loading or unloading cargo or is waiting in a queue to load or unload cargo for a period not to exceed two (2) hours.

17.98.070 Supplemental Information

A. In addition to the application submittal requirements prescribed in Chapter 17.100 and 17.112, the application shall include the following information:

1. Operational Signage Plan including but not limited to location, size, height, and type of illumination. The Operational Signage Plan shall demonstrate compliance with Section 17.98.050 of this Chapter.

2. Site Plan illustrating a 1,000-foot distance from the property line in all directions.
3. Truck Turning Template to verify truck turning movements at entrance and exit driveways and maneuverability throughout the site.
4. Cross-Section and Plan View of the landscape buffer area(s).
5. Site Lighting Photometric Plan including information with detail specifications on fixtures, poles, and wall packs. The Site Lighting Photometric Plan shall illustrate candlepower distribution beyond the property line.
6. Outdoor Break Area Exhibit(s) illustrating proposed furniture, shade structure(s), and other proposed equipment.
7. Truck Routing Plan to and from the State Highway System based on the City's latest Truck Route Map.

17.98.080 Enforcement

- A. Minimize exposure to diesel emissions to sensitive receptors that are situated in close proximity to the warehouse/distribution center and eliminate diesel trucks from unnecessarily traversing through residential neighborhoods by using the following strategies:
 1. To the extent feasible, locate driveways, loading docks and internal circulation routes away from residential uses or any other sensitive receptors.
 2. Enforce compliance with Lathrop Municipal Code Section 10.16.010, requiring the use of designated truck routes.
 3. Enforce compliance with Lathrop Municipal Code Section 10.24.050, restricting truck parking in residentially zoned districts.
 4. Enforce compliance with Lathrop Municipal Code Section 10.24.110 (A), regarding the parking of trailer or semi-trailer upon any street, alley, public way or public place, unless the trailer or semi-trailer is attached to a motor vehicle capable of moving the trailer.
 5. Require warehouse/distribution centers to educate drivers by providing a detailed map identifying the specific truck route between the warehouse/distribution center and the freeway and/or primary access.

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Chapter 17.100 Site Plan Review

17.100.010 Purposes and application.

[...]

B. Site plan review provisions of this chapter shall apply to the following uses:

1. Any use within the RCO, UR-ST, ~~RA~~, R, RM, P, P/QP, ~~PΘ~~, C and I zone districts, excepting single-family residential use, which is to be constructed on a residential site with complete street improvements;

2. Any use subject to an environmental impact assessment under applicable provisions of city policy as adopted by resolution pursuant to the California Environmental Quality Act of 1970, as amended.

[...]

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Chapter 17.104 Architectural Design Review

17.104.010 Purposes and application.

[...]

B. Site plan and architectural design review provisions of this chapter shall apply to any permitted or conditional use, listed within the R, RM, P, P/QP, ~~PΘ~~, C or I district inclusive as defined in Chapters 17.44 and 17.48, inclusive of the Lathrop Municipal Code. There shall be no exceptions to such application, except as may be granted for historic structures designated by the city or by previously approved specific plans. (Ord. 16-359 § 1; Ord. 99-181 § 1; Ord. 92-73)

[...]

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Chapter 17.116 Nonconforming Uses and Structures

[...]

17.116.070 Elimination of illegal nonconforming uses and structures.

[...]

C. Uses permitted only within a ~~RA~~, R or RM zone district which are located in a C or I zone district, and uses permitted only within a C or I zone district which are located within a ~~RA~~, R or RM zone district shall be completely removed or altered and converted to a conforming status upon abandonment of the previous use for six months or more. When a nonconforming use is removed, every future use shall be in conformity with the provisions of this chapter. Repairs necessary to maintain a nonconforming use and other maintenance (excluding signs), not exceeding an assessed valuation of two thousand five hundred dollars (\$2,500.00), shall not be construed as lengthening the useful life of the nonconforming use.

[...]

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Chapter 10.16 Truck Routes and Commercial Vehicles

10.16.010 Truck routes—Establishment and purpose.

A. Whenever any ordinance of the city designates and describes any street or portion thereof as a street, the use of which is permitted by any vehicle exceeding a maximum gross weight limit of ten thousand (10,000) pounds, the chief of police is authorized to designate such street or streets by appropriate signs as “truck routes,” for the movement of vehicles exceeding a maximum gross weight limit of five ~~three~~ tons.

B. When any such truck route or routes are established and designated by appropriate signs, the operator of any vehicles exceeding a maximum gross weight limit of five ~~three~~ tons shall drive on such route or routes and none other, except that nothing in this chapter shall prohibit the operator of any vehicle exceeding a maximum gross weight of five ~~three~~ tons coming from a “truck route” having ingress and egress by direct route to and from restricted streets when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on such restricted streets, or for the purpose of delivering materials to be used in the actual bona fide repair, alterations, remodeling or construction of any building or structure upon such restricted streets for which a building permit has previously been obtained therefor. This section shall not apply to the following street segments:

Lathrop Road east of Golden Valley Parkway to Interstate 5 southbound off-ramp

Golden Valley Parkway south of Dos Reis Road to Lathrop Road

Dos Reis Road, west and east of Golden Valley Parkway

Lathrop Road between Harlan Road and McKinley Avenue (Prior code § 70.15)

C. Notwithstanding Section 10.16.010 B, box trucks (which may exceed the maximum gross weight limit of five tons) are permitted to access restricted streets for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on or adjacent to such restricted streets. As defined, “box trucks” also referred to as “cube trucks” or “box vans”, are medium-sized straight trucks with a cuboid-shaped cargo storage area connected to the cabin by a single chassis or frame. These characteristics differentiate box trucks from semi-trucks, which are not connected through a single frame (they consist of a semi or cab, and a separate trailer). Box trucks do not have the capability to haul container loads and can only transport loose cargo.

D. Notwithstanding Section 10.16.010 B, service and merchant delivery trucks (e.g. fuel, food and beverage, medical, or similar use) are permitted to access restricted streets for the purpose of providing service to a building or structure located on or adjacent to such restricted streets.

[...]

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67-73, 85, 97, 104, 114, 117, 150, 156**

TABLE OF CONTENTS

LIST OF FIGURES	II
EXECUTIVE SUMMARY	III
INTRODUCTION	1
URBAN DESIGN CONCEPT	1
HISTORICAL CONTEXT AND PRECEDENCE	3
PROJECT THEME	3
THE DEVELOPMENT PLAN	4
RESIDENTIAL-MV	4
VILLAGE COMMERCIAL-MV	5
SERVICE COMMERCIAL-MV	5
PUBLIC-MV	6
MOSSDALE LANDING DEVELOPMENT CONCEPT	9
CIRCULATION	13
DEVELOPMENT STANDARDS	15
SERVICE COMMERCIAL-MV STANDARDS	16
GENERAL DEVELOPMENT STANDARDS	17
SERVICE COMMERCIAL-MV DEVELOPMENT STANDARDS	21
PERMITTED AND CONDITIONAL LAND USES	22
VILLAGE COMMERCIAL-MV STANDARDS	26
GENERAL DEVELOPMENT STANDARDS	27
VILLAGE COMMERCIAL-MV HIGH DENSITY RESIDENTIAL	34
GENERAL DEVELOPMENT STANDARDS	34
MIXED-USE VILLAGE COMMERCIAL-MV DEVELOPMENT STANDARDS	40
PERMITTED AND CONDITIONAL PERMITTED USES	41
MEDIUM DENSITY RESIDENTIAL-MV STANDARDS	45
PRODUCT TYPES	45
GENERAL DEVELOPMENT STANDARDS	49
MEDIUM DENSITY RESIDENTIAL-MV DEVELOPMENT STANDARDS	54
PERMITTED AND CONDITIONAL PERMITTED USES	55
LOW RESIDENTIAL-MV STANDARDS	57
GENERAL DEVELOPMENT STANDARDS	57
LOW RESIDENTIAL-MV DEVELOPMENT STANDARDS	62
PERMITTED AND CONDITIONAL PERMITTED USES	65
HIGH RESIDENTIAL-MV STANDARDS	57
GENERAL DEVELOPMENT STANDARDS	57
HIGH RESIDENTIAL-MV DEVELOPMENT STANDARDS	62
PERMITTED AND CONDITIONAL PERMITTED USES	73
PUBLIC USES-MV	74
ARCHITECTURAL STYLES	75
SPANISH	76
ITALIAN	77
MONTEREY	78
AMERICAN COLONIAL TRADITIONAL	79

CRAFTSMAN/BUNGALOW	80
MEDITERRANEAN.....	81
FRENCH COUNTRY	82
ENGLISH COUNTRY.....	83
LANDSCAPE ARCHITECTURE STANDARDS.....	84
LANDSCAPE THEME AND GUIDELINES	84
STREETS	84
MULTI-USE TRAILS AND BICYCLE LANES	102
GATEWAYS AND ENTRIES	105
PARKS	111
OPEN SPACE	115
WALLS AND FENCES	116
STREET FURNITURE	120
UTILITY PLACEMENT.....	123
IRRIGATION.....	123
SIGNAGE.....	124
INFRASTRUCTURE.....	136
INTRODUCTION.....	136
STORM DRAINAGE AND WATER QUALITY	136
WATER.....	137
WASTEWATER	140
RECYCLED WATER.....	144
IMPLEMENTATION.....	148
PHASING	148
PROJECT ENTITLEMENTS	152
FINANCING MECHANISMS	152
FINANCING PLAN.....	153
CITY APPROVAL PROCESS.....	154
AMENDMENT PROCESS.....	156
DIFFERENCES BETWEEN THE WEST LATHROP SPECIFIC PLAN, CITY SUBDIVISION CODE, AND MOSSDALE LANDING URBAN DESIGN CONCEPT.....	158

LIST OF FIGURES

FIGURE 1: AERIAL PHOTOGRAPH WITH SITE PLAN	2
FIGURE 2: ILLUSTRATIVE SITE PLAN	7
FIGURE 3: MOSSDALE LANDING LAND USE DESIGNATIONS.....	10
FIGURE 4: RIVER EDGE HEIGHT LIMIT PLAN	64
FIGURE 5: VEHICLE CIRCULATION.....	85
FIGURE 6: STREET SECTION – GOLDEN VALLEY PARKWAY	90
FIGURE 7: STREET SECTION – COLLECTOR AND RESIDENTIAL STREETS	95
FIGURE 8: STREET TREE NEIGHBORHOOD UNIT.....	97
FIGURE 9: STREET SECTIONS – MEDIUM DENSITY AND RIVER ROAD	100
FIGURE 10: STREET SECTIONS – MANTHEY RD. AND TOWNE CENTRE	101
FIGURE 11: PEDESTRIAN AND BICYCLE CIRCULATION	104
FIGURE 12: NEIGHBORHOOD PARK HALF-MILE COVERAGE.....	114
FIGURE 13: WALL, FENCE AND COLUMN PLAN.....	117
FIGURE 14: RECYCLED WATER SPRAY FIELD EXHIBIT INFRASTRUCTURE DEMAND PHASE 1.....	146
FIGURE 15: RECYCLED WATER SPRAY FIELD EXHIBIT INFRASTRUCTURE DEMAND PHASE 2.....	147
FIGURE 16: DEVELOPMENT PHASING PLAN.....	150



Figure 1 Aerial Photograph
with Site Plan

--- UDC Boundary



Figure 1: Aerial Photograph with Site Plan

THE DEVELOPMENT PLAN

Lathrop's Mossdale Landing is based upon the Mossdale Village plan and policies presented in the West Lathrop Specific Plan (WLSP). It is consistent with the City of Lathrop's General Plan. The proposed plan provides the approximate acreages of the following land uses- 268 acres of Low Density Residential, 46 acres of Medium Density Residential, 6.89 acres of High Density Residential, 11 acres of Service Commercial, and 7 acres of Village Commercial, while Public designated uses include 19 acres of neighborhood parks, a 20 acre community park, 14 acres of levee and other open space, a fire station, and 34 acres of schools. Mossdale Landing is unique in that it follows neo-traditional planning principles for greater community interaction and access, provides opportunities for a wide range of housing options, supplies a catalyst for commercial development, imparts more park acreage than is required- meaning more play and green areas, presents local and regional bicycle and pedestrian trails, and provides street trees and separated sidewalks on all streets. The following sections provide greater details about Mossdale Landing.

RESIDENTIAL-MV

A wide variety of housing types will be provided in Mossdale Landing. Neighborhoods range from 3,200 square foot lots at approximately 8 dwelling units per acre to minimum 7,000 square foot lots at approximately 3.7 units per acre. Higher density residential uses, up to 20 units per acre, are permitted within the village center and up to 25 units per acre for the High Density zoned property at the southeast corner of Golden Valley Parkway and Brookhurst Boulevard. Within Mossdale Landing, residential neighborhoods will typically increase in density closer to the future village center mixed use area. Neighborhoods are designed as a single planning unit and are governed by the development standards of each specific product type under High Density and Medium Density, and by neighborhood planning area lot size under Low Density. Neighborhoods within Mossdale Landing are classified into typical neighborhoods in minimum lot sizes of 3,200, 5,000, 6,000 or 7,000 square feet.

The Development Concept Plan within the WLSP designates a high school site in the northeastern corner of the project area. However, the State has denied the use of this site for a high school, and prefers a location further north of Mossdale Landing. The WLSP took this possibility into consideration and provides a "selected Mossdale Village development alternative" to permit the high school site to be developed instead as low density residential to match the adjoining low density residential designated areas. The Mossdale Landing UDC is utilizing the selected Mossdale Village development alternative of low density residential as the proposed land use designation in this area. Neighborhoods of 5,000, 6,000, and 7,000 square foot lots are proposed in this application. Medium density residential areas are permitted to be developed at 8 to 14 units per acre. The WLSP notes that although medium density residential uses are conceived as a multiple family district, the dwelling units may be single family detached homes on small lots. This flexibility permits a wide range of housing products to be constructed in the medium density category, while following current housing trends for detached homes on small lots. This UDC anticipates detached single family homes on 3,200 square foot "zipper" lots.



Figure 2: Illustrative Site Plan

MOSSDALE LANDING DEVELOPMENT CONCEPT

As discussed, Mossdale Landing will be a mixed-use community that incorporates amenities such as parks and open space to enrich both the project and the quality of life for its residents and visitors. Below are land use summaries illustrating the land uses, acres, average density, and units as designated by the West Lathrop Specific Plan and that of the proposed Project.

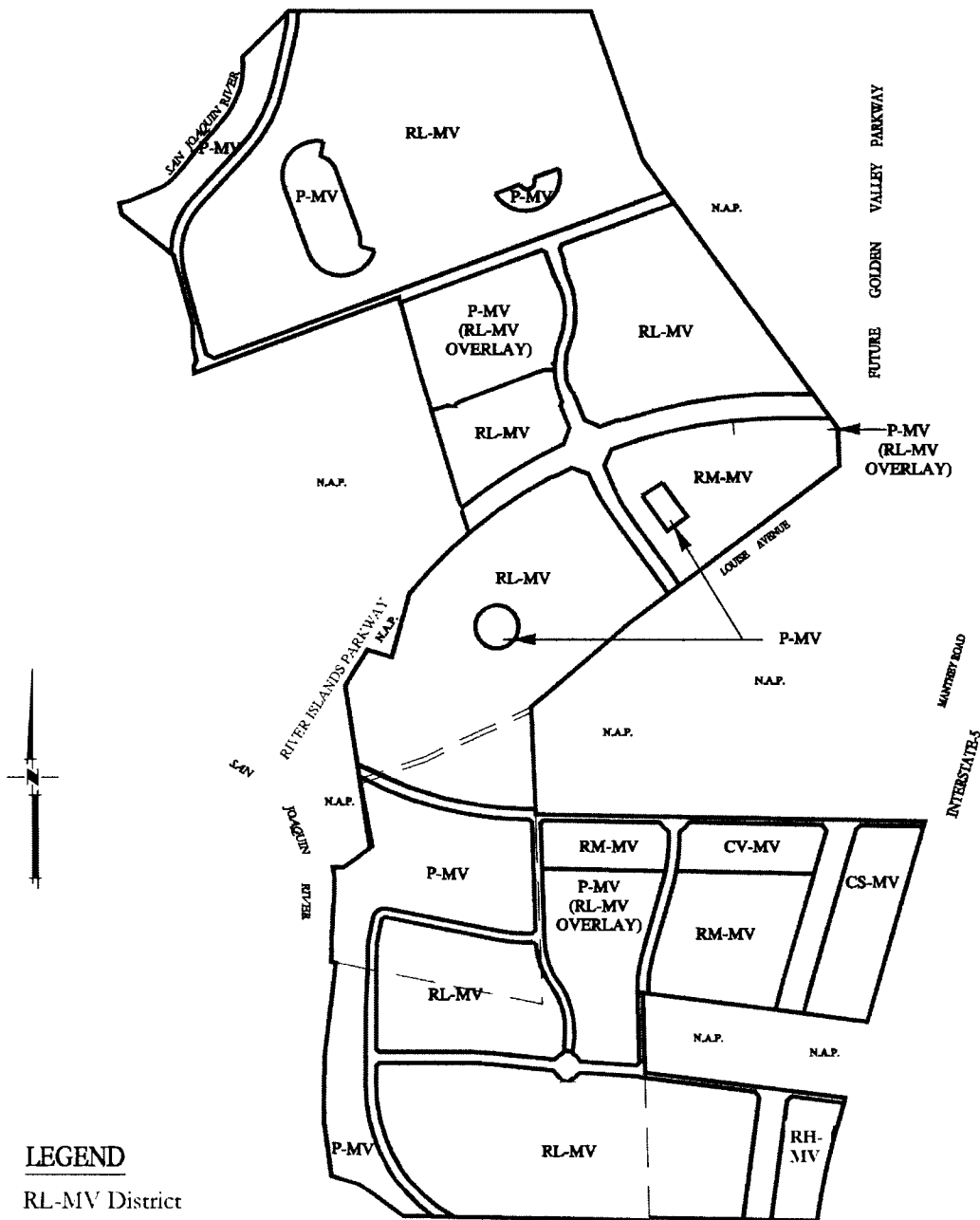
West Lathrop Specific Plan Land Use Summary

<i>Land Use</i>	<i>Acres</i>	<i>Avg. Density</i>	<i>Dwelling Units/Footage</i>
Low Density Residential (RL-MV)	294.9	5.5	1,618 du
Medium Density Residential (RM-MV)	46.6	10.0	466 du
Public (P-MV)	51.2	NA	NA
Village Commercial (CV-MV)	11.0	0.25 FAR	119,790 sf
Service Commercial (CS-MV)	18.6	0.25 FAR	202,554 sf
Major Roadways	55.0	NA	NA
TOTAL	477.3	NA	2,084 du 322,344 sf

Mossdale Landing Land Use Summary

<i>Land Use</i>	<i>Acres</i>	<i>Density</i>	<i>Dwelling Units/Footage</i>
Low Density Residential (RL-MV)	268.1	4.6	1,236 du
Medium Density Residential (RM-MV)	45.1	8.4	399 du
High Density Residential (RH-MV)	6.89	25	172 du
Public (P-MV)	86.9	NA	NA
Village Commercial (CV-MV)			
	6.7	0.60 FAR	175,111 sf
Service Commercial (CS-MV)	11.4	0.60 FAR	297,950 sf
Major Roadways	52.2	NA	NA
TOTAL	477.3	NA	1,807 du 473,061 sf

Although a few differences between the land use acreage designations of the Specific Plan and those proposed by the Mossdale Landing UDC exist, the proposed plan meets the intent of the West Lathrop Specific Plan. Single Family Residential acreage has decreased somewhat in the proposed plan due to the inclusion of a K-8 school not designated for the properties within the Specific Plan. Medium Density Residential uses are consistent with the General and Specific Plans, with the slight acreage difference due to the realignment of major streets and intersections. Proposed Single Family, Medium Density Residential, and High Density Residential units are within their appropriate density ranges as required by the West Lathrop Specific Plan. Public uses in the proposed plan have increased significantly over the Specific Plan due to the inclusion of additional parks and open space, and the provision of a second K-8 school. The Village Commercial acreage is generally the same between the two plans with the differences also resulting from the minor realignment of some major streets. The acreages of Service Commercial designated lands are essentially the same between the two plans, but have been adjusted slightly to conform to the realignment of Golden Valley Parkway. Finally, major streets have reduced in scale in the proposed plan due to various street realignments, including that of River Islands Parkway and the River Islands/Golden Valley intersection. Roadway realignments are all in conformance with the Specific Plan. The adjustments occurred due to engineering design criteria for the roadways.



LEGEND

RL-MV District

Residential Low-Mossdale Village

RM-MV District

Residential Medium-Mossdale Village

CV-MV District

Commercial Village-Mossdale Village

CS-MV District

Commercial Service-Mossdale Village

P-MV District

Public-Mossdale Village

RH-MV District

Residential High-Mossdale Village

Figure 3

Mossdale Landing Land Use Designations

Figure 3: Mossdale Landing Land Use Designations

Land Use Designation	Acres	Units/Square Feet	Density
Residential-MV			
<i>3,200 square foot Neighborhoods</i>			
Neighborhood 7	21.7 acres	179 du	8.2 du/ac
Neighborhood 13	17.4 acres	151 du	8.7 du/ac
Subtotal	39.1	330	8.4 du/ac
<i>2,200 square foot Neighborhoods</i>			
Neighborhood 18	7.0 acres	79 du	11.3 du/ac
Total Medium Density Residential	45.1 acres	399 du	9.5 du/ac
<i>5,000 square foot Neighborhoods</i>			
Neighborhood 2	18.8 acres	107 du	5.7 du/ac
Neighborhood 8	13.7 acres	70 du	5.1 du/ac
Neighborhood 9	11.6 acres	66 du	5.7 du/ac
Neighborhood 11	8.9 acres	52 du	5.8 du/ac
Neighborhood 14	12.1 acres	66 du	5.5 du/ac
Neighborhood 17	12.9 acres	74 du	5.7 du/ac
Subtotal	78.0 acres	435 du	5.6 du/ac
<i>6,000 square foot Neighborhoods</i>			
Neighborhood 1	24.8 acres	110 du	4.4 du/ac
Neighborhood 3	22.8 acres	102 du	4.5 du/ac
Neighborhood 4	28.9 acres	134 du	4.6 du/ac
Neighborhood 10	31.6 acres	128 du	4.1 du/ac
Neighborhood 12	13.6 acres	66 du	4.9 du/ac
Neighborhood 16	11.9 acres	53 du	4.5 du/ac
Subtotal	133.6 acres	593 du	4.4 du/ac
<i>7,000 square foot Neighborhoods</i>			
Neighborhood 5	23.3 acres	85 du	3.7 du/ac
Neighborhood 6	21.1 acres	75 du	3.6 du/ac
Neighborhood 15	12.4 acres	48 du	3.9 du/ac
Subtotal	56.5 acres	208 du	3.8 du/ac
Total Single Family Residential Neighborhoods	268.1 acres	1,236 du	4.6 du/ac
Total High Density Residential	6.89	172 du	25 du/ac
Total Residential-MV	306.31 acres	1,807 du	NA
Commercial-MV			
Village Commercial-MV	6.7 acres	175,111 sf	0.60 FAR
Service Commercial-MV	11.4 acres	297,950 sf	0.60 FAR
Subtotal	18.11 acres	473,061 sf	
Public-MV			
Parks and Open Space			
Community Park	20.2 acres		
Crescent Park	1.4 acres		
Park West	6.8 acres		
The Green	1.0 acre		
Mossdale Commons	1.5 acre		
River Park	8.2 acres		
Open Space (Levee)	13.0 acres		
Landscape Parcels	.8 acres		
Subtotal	52.8 acres		
Schools			
K-8 School (Terry)	16.7 acres		
K-8 School (Mossdale)	17.0 acres		
Subtotal	33.7 acres		
Fire Station	.4 acres		
Other			
Major Streets	52.2 acres		
TOTAL	477.3 acres	1,807 du 473,061 sf	

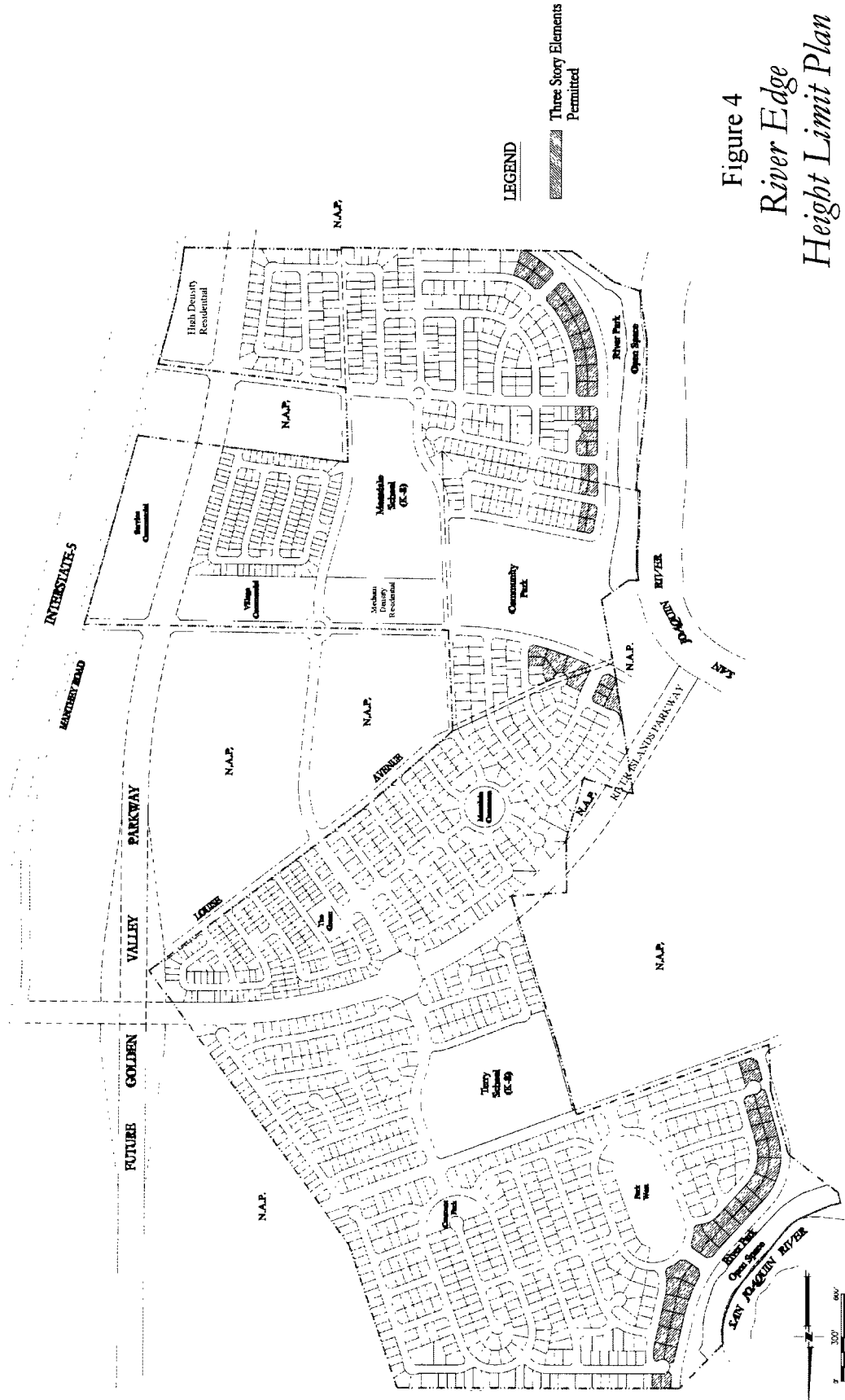


Figure 4
River Edge
Height Limit Plan

Figure 4: River Edge Height Limit Plan

HIGH DENSITY RESIDENTIAL-MV STANDARDS

The High Density residential (RH-MV) designation permits attached housing units. The theme, design styles, materials and colors shall reflect those of the other residential neighborhoods of Mossdale Landing.

Site Planning

- Dwelling units, entries, and pedestrian access shall be oriented toward and/or front Golden Valley Parkway and away from the freeway.
- The site plan shall be well organized and easily navigable, with a clear and well organized circulation network and parking arrangement.
- A minimum of five feet shall be provided between the parking lot and back of sidewalk along public streets.
- All service and maintenance areas shall be located away from public streets and pedestrian areas and screened from view with walls and/or landscaping.
- A minimum ten-foot landscape buffer shall be provided onsite where residential units are adjacent to service commercial uses.
- The incorporation of a private recreation facility within the complex shall be required. However, the specific elements that are provided shall be determined by the individual builder or developer. Potential amenities within the recreation area may include, but are not be limited to, a swimming pool, spa, tennis court, and/or picnic/barbecue area. Design of the facility shall be compatible with the architectural style of the complex.
- All storm system design shall conform to the City of Lathrop's National Pollutant Discharge Elimination System (NPDES) permit requirements.

Massing

- Façades shall be articulated to reduce the scale and mass of the buildings and to differentiate between building functions and units. Elevations may be stepped both horizontally and vertically. Walls may be broken up by changes in planes and heights, and with the use of articulation including recesses and shadow lines. Desired changes in material should occur at such a step. This is applicable to the front and rear elevations as well as the street facing side elevations.
- Large, blank expanses of wall are to be avoided, unless necessary for noise attenuation. Unique window treatments including shutters and awnings provide articulation of wall surfaces while contributing to the character of the project. Other elements that help to minimize this condition include false, shuttered windows, decorative louvered vents, wall offsets, and horizontal banding.
- At least 50% of the units must have significant single story or lower height elements on the front and street facing elevations. Porches may be part of this strategy.

Architecture

- The entry shall be designed to serve as a focal point of the elevation and be readily discernible. Single story projections at entries and porches shall be incorporated.
- It is also desirable, within the limits of economic reality, that all building elevations share common materials and degrees of articulation.
- Façade articulation, styles, materials and colors shall relate to those present in the adjoining neighborhoods.
- Exterior lighting fixtures attached to the building shall be compatible with the style, materials, colors and details of the building. Lighting used on the exterior of buildings and signs, and the light quality produced, shall be appropriate and compatible.

Roofs and Roof Forms

- The use of different roof types will add variety and interest to the street scene. Roof types shall be consistent with whichever architectural style is chosen. Tile roofs are required.
- Roof forms having dual pitches such as Gambrel or Mansard should not be used. Flat roofs are permitted only with appropriate parapets and in limited applications.
- Substantial overhangs are encouraged as a response to solar and climatic conditions. The inclusion of covered porches and entries also expand sheltered living spaces, create entry statements, and provide elevation relief.
- Steps in the roof should respond to the interior room arrangement and provide visual relief and interest. A vertical step within the ridgeline shall be at least 18" to create visual impact and allow for adequate weatherproofing.
- Architectural elements such as dormers, chimneys and other elements which add visual interest to roofs are encouraged.
- Place non-mechanical roof vents in unobtrusive locations away from public view, unless they are part of the building's architectural style.

Entries

- The entry shall be designed and located so as to be readily identifiable. If the front door location is not obvious or visible because of building configuration, the entry shall direct and draw the user in the desired path through the use of signage, lighting and landscape.

Windows and Doors

As with roofs, windows and doors shall vary because of the various elevation styles required amongst the plans. In addition, they shall reflect restraint in the number of types, styles and sizes. Consistency of window and door detailing on all elevations must be maintained.

- Window grids should be used on all public street facing elevations with the grid proportion appropriate to the architectural style.
- On all elevations, openings shall be articulated with the appropriate head, sill and jamb trim, where appropriate.

- Shutters, if incorporated, shall be traditional in design, and be sized to be appropriate to the style.

Other Primary Building Elements

Dormer windows shall be architecturally correct in scale, proportion and detail with the selected architectural style. Fake dormers are not allowed.

Bay windows shall be carried down to grade or express appropriate visual support of a cantilevered condition. The wall area of bay windows shall be detailed in a manner that is appropriate to the architectural style.

Chimneys shall be properly located and in correct proportion to the mass of the home. Chimneys shall be designed with appropriate breaks for architectural character. Decorative chimney caps are encouraged.

Balconies are useful in breaking up large wall planes, offsetting floors, creating visual interest and adding human scale to the building. They may be covered or open, and either recessed into the mass of the building or serve as a projecting element. Balconies must appear to be an integral element of the building rather than an after thought or add-on. The details, eaves supports, and railing shall be consistent with the balance of the building's design elements or style. Concern shall be given to avoid designing balconies in plans in such a manner that they are plotted side by side.

Exterior stairs shall be compatible in type and material to the deck and landing. Use of open stair treads can only be justified where the balcony or landing element is a projecting element.

Materials and Colors

Within a given architectural style, the exterior shall receive a consistent use of materials and colors on all sides. Accent materials such as brick and stone used on street facing elevations shall be returned to a logical point of termination on the adjacent elevation. Accent materials are not required on elevations that are not visible from public areas. Natural and natural appearing materials should be used to compliment the architectural style, and are subject to architectural design review. These materials include wood, stone, brick, and copper. Full metal roofs are prohibited without approval of the architectural design review committee. Built-up or roll roofing and similar appearing materials are only permitted if they are not viewable from the street.

Mechanical Equipment and Utilities

- Exterior lighting fixtures attached to the building shall be compatible with the style, materials, colors and details of the building. Lighting used on the exterior of buildings and signs, and the light quality produced, shall be appropriate and compatible.
- All mechanical equipment, including air conditioners, gas regulators, and telephone/cable TV pedestals, shall be located in visually unobtrusive locations to the side or rear of buildings away from adjacent streets or pedestrian walkways. All such items shall be

screened from view and baffled for noise attenuation where necessary. Roof top equipment must be hidden in mechanical wells or screened by mechanical enclosures. Satellite dishes and solar panels shall be integrated as best as possible, but shall be located in visually unobtrusive locations and screened from views from Golden Valley Parkway.

- Trash enclosures shall be located either in buildings, within or adjacent to the parking lot, or behind buildings. These facilities shall not be placed near primary pedestrian traffic and gathering areas. They shall be enclosed with structures such as walls, fences, and trellis' that will blend with adjacent architectural styles, materials, and colors.
- Where possible, traffic signal light bases, light controller boxes, and other above ground utilities shall be located at the periphery of all intersections along Golden Valley Parkway. Utilities should be consolidated at locations that are generally inconspicuous to pedestrian views and access.
- Transformers and other above ground utility structures shall be located within or adjacent to the parking lot, where feasible, or behind buildings. They shall be screened with plantings and/ or structures such as walls, fences, and trellis' that will architecturally blend with adjacent architectural styles of the adjacent buildings.
- All antennas shall be placed in attics or interior to buildings.
- All utilities noted above will need to be coordinated with street tree and street light locations along Golden Valley Parkway and other public streets. Street trees and light fixtures shall take precedence over other utility locations, as feasible. Tree and lighting plans shall be completed in conjunction with joint trench and utility placement plans to ensure the best spacing and location for street trees and lights.

Access and Parking

Each project will incorporate interior oriented parking solutions and design techniques listed below to enhance the character of the street scene. All garage doors shall be roll-up doors.

- Locate garages and parking areas interior to the site off of interior vehicular access roads or driveways.
- Where possible, turn the short side of parking courts toward the street to avoid lengthy parking areas abutting the street.
- Distribute parking throughout the site to provide parking as close as possible to individual units.
- Provide pedestrian connections from parking lots to dwelling units. Pedestrian connections shall be integrated with the buildings, landscaping and circulation.
- Parking lots shall be planted with one tree per six parking stalls. Trees shall be large canopy trees to provide shade and minimize the scale and impact of the parking lot. In addition to these trees, the perimeter of the parking lot, and especially where the parking abuts residential units, shall be screened with trees and understory planting.
- Parking lots shall incorporate a continuous hedge, wall with landscaping, or other acceptable screening options along public street frontages.
- Parking lot light standards shall complement the adjacent architectural style and the community theme and be consistent throughout the project.

- Parking lot light fixtures shall use shielding devices to prevent light from impacting surrounding residential units. Light standards shall be no higher than necessary to provide adequate illumination for safety purposes.

Tuck Under

- Setting the garage back in relationship to the face of the building strives to reduce the overall visual mass of the garage. This also provides additional façade articulation.

Detached or Remote Garages and Carports

- Design style, materials, detailing, and colors shall replicate those on the residential façades. Proper use of materials and screening elements will tie these facilities into the overall project design while at the same time visually down playing them.

Signs

No permanent outdoor advertising structure or sign of any character shall be permitted with the exception of those signs used in conjunction with entry monuments and subject to their particular design standards.

HIGH DENSITY RESIDENTIAL - DEVELOPMENT STANDARDS

<i>Minimum Parcel Area:</i>	NA
<i>Minimum Width of Parcel:</i>	NA
<i>Minimum Depth of Parcel:</i>	NA
<i>Minimum Distance between Buildings [1]:</i>	30 feet: primary to primary 20 feet: primary to secondary 10 feet: secondary to secondary
<i>Minimum Setback Requirements:</i>	
<i>From Golden Valley Parkway right of way</i>	15 feet
<i>From Property Line of Adjacent Service Commercial Use</i>	15 feet
<i>From Interior Project Street</i>	10 feet
<i>From Drive Aisle</i>	5 feet to living area, 3 feet to garage
<i>Maximum Building Height:</i>	50 feet – 3 story living area maximum
<i>Off-street Parking [2]:</i>	Residential uses [3]: 1 space/studio or single bedroom, 2 spaces/two+ bedrooms. 1/2 stall per unit for guest parking includes on-street parking of Cornucopia Way.
<i>Setback from Parking:</i>	10 Feet
<i>Private Open Space</i>	50 square feet balcony/deck Minimum 5 feet depth
<i>Maximum Building Coverage:</i>	70%
<i>Common Area:</i>	50 square feet per unit. The minimum dimension of any space satisfying this standard is 10'. This common area shall be improved for either passive or active recreational uses by residents.

[1] Primary elevations contain more than two feature windows per floor. All other elevations are considered secondary walls (no more than two individual unit entries may occur on a secondary elevation).

[2] On-street parking can be counted towards a project's parking requirement.

[3] These requirements may be modified for senior housing where it can be demonstrated that fewer spaces are sufficient. Residential parking shall be identified by signage or striping.

Encroachments

The following encroachments may project up to 2 feet beyond the building façade:

- Eaves; and,
- Second and third floor architectural projections such as balconies, overhangs, bay windows, window seats etc.

PERMITTED AND CONDITIONAL USES

Permitted and conditionally permitted uses for the High Density Residential district will as provided for below.

Attached Multi-family Residential, including, but not limited to:

- Condominiums, apartments, flats, townhouses, and independent living facilities
- Convalescent and assisted care facility
- Home occupations in accordance with the provisions of Chapter 17.64 of the Lathrop Zoning Code.
- Rest/nursing home

Conditional Uses:

- Day care center
- Expansion or remodeling of an existing non-conforming use of a structure or land, up to 50% or less of the value of the structure, or reestablishment of a non-conforming use which has been damaged, except non-conforming signs and outdoor advertising structures, non-conforming uses occupying a structure with an assessed valuation of less than \$200, and non-conforming fences, walls and hedges.

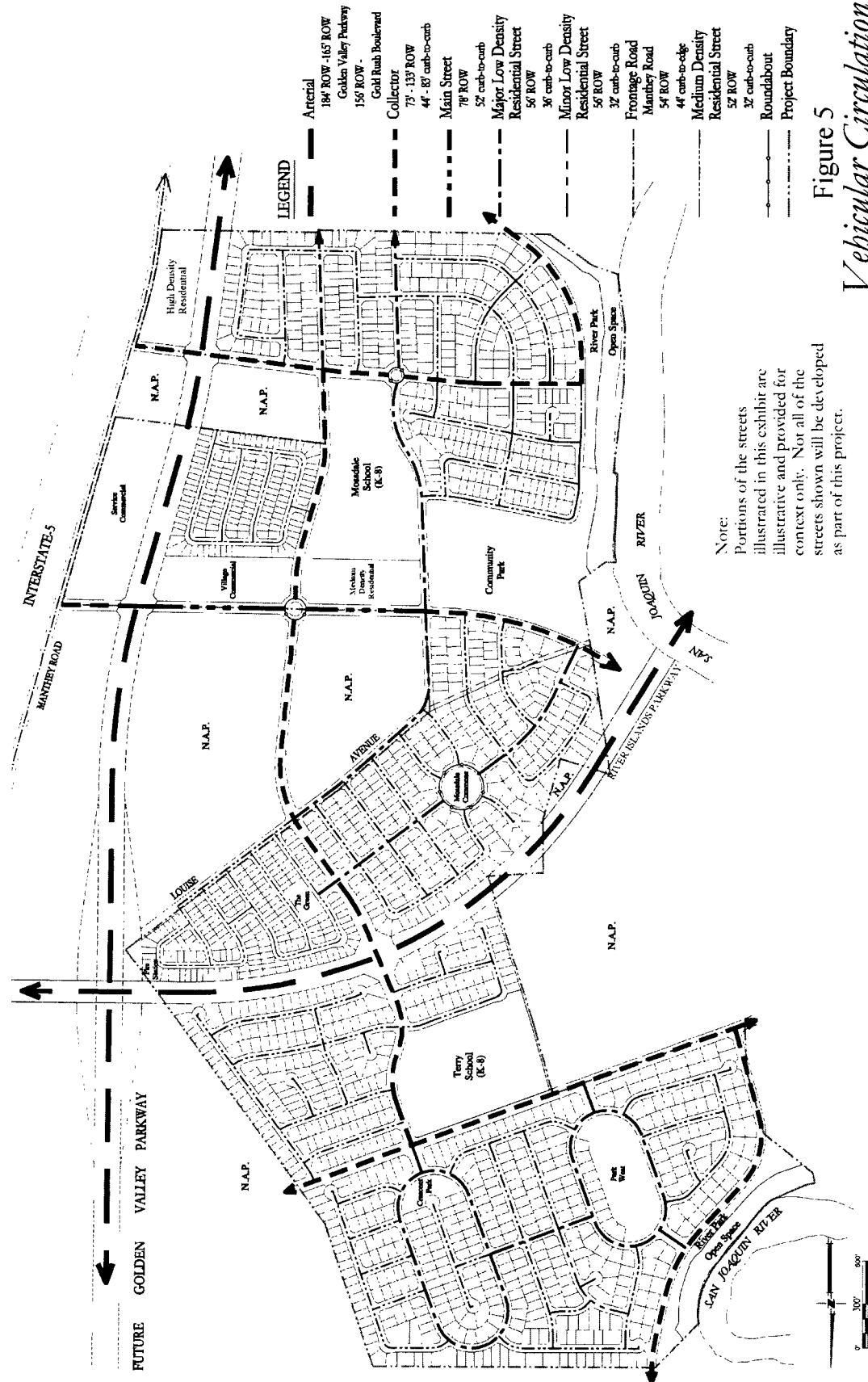


Figure 5: Vehicle Circulation

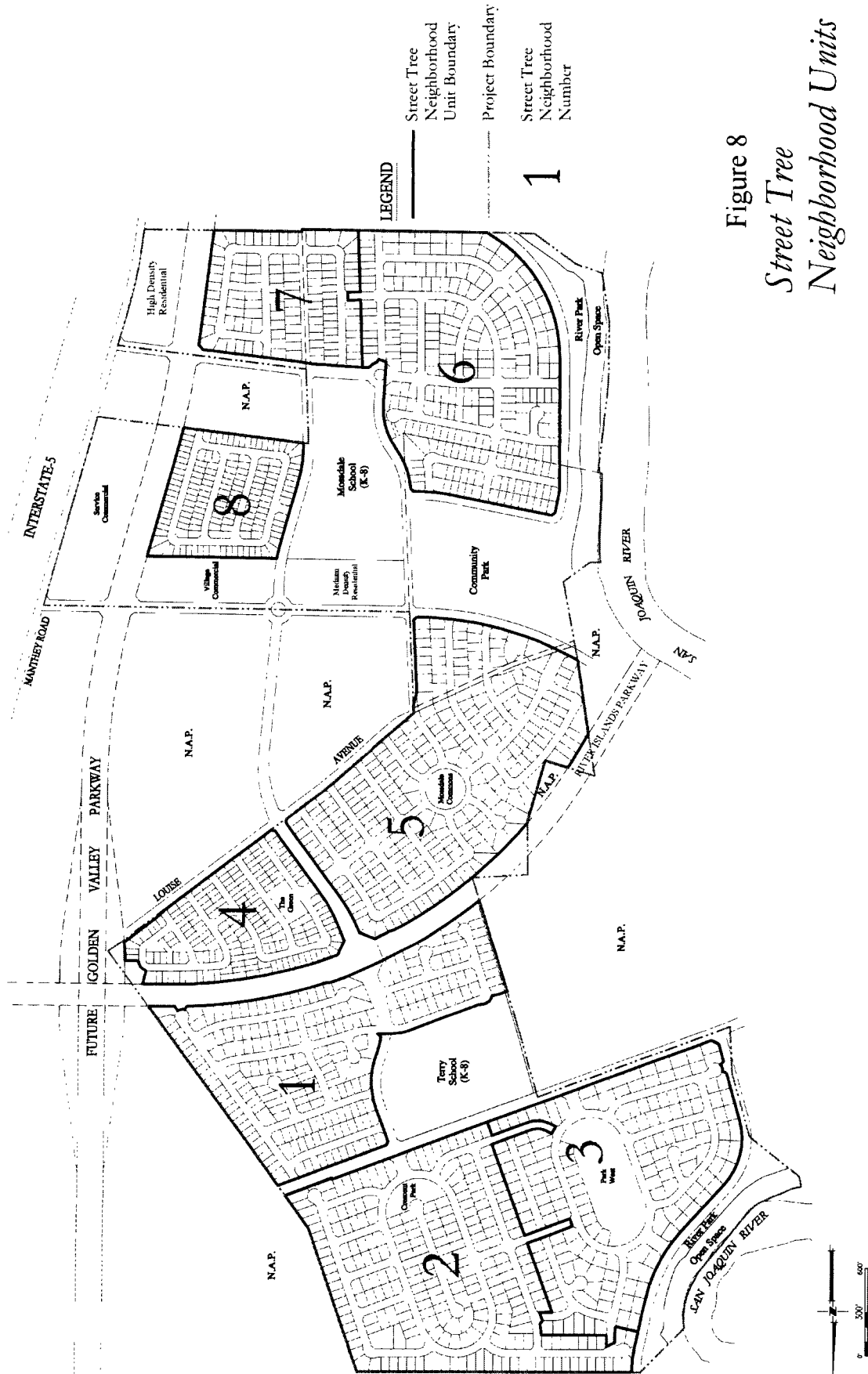


Figure 8: Street Tree Neighborhood Unit

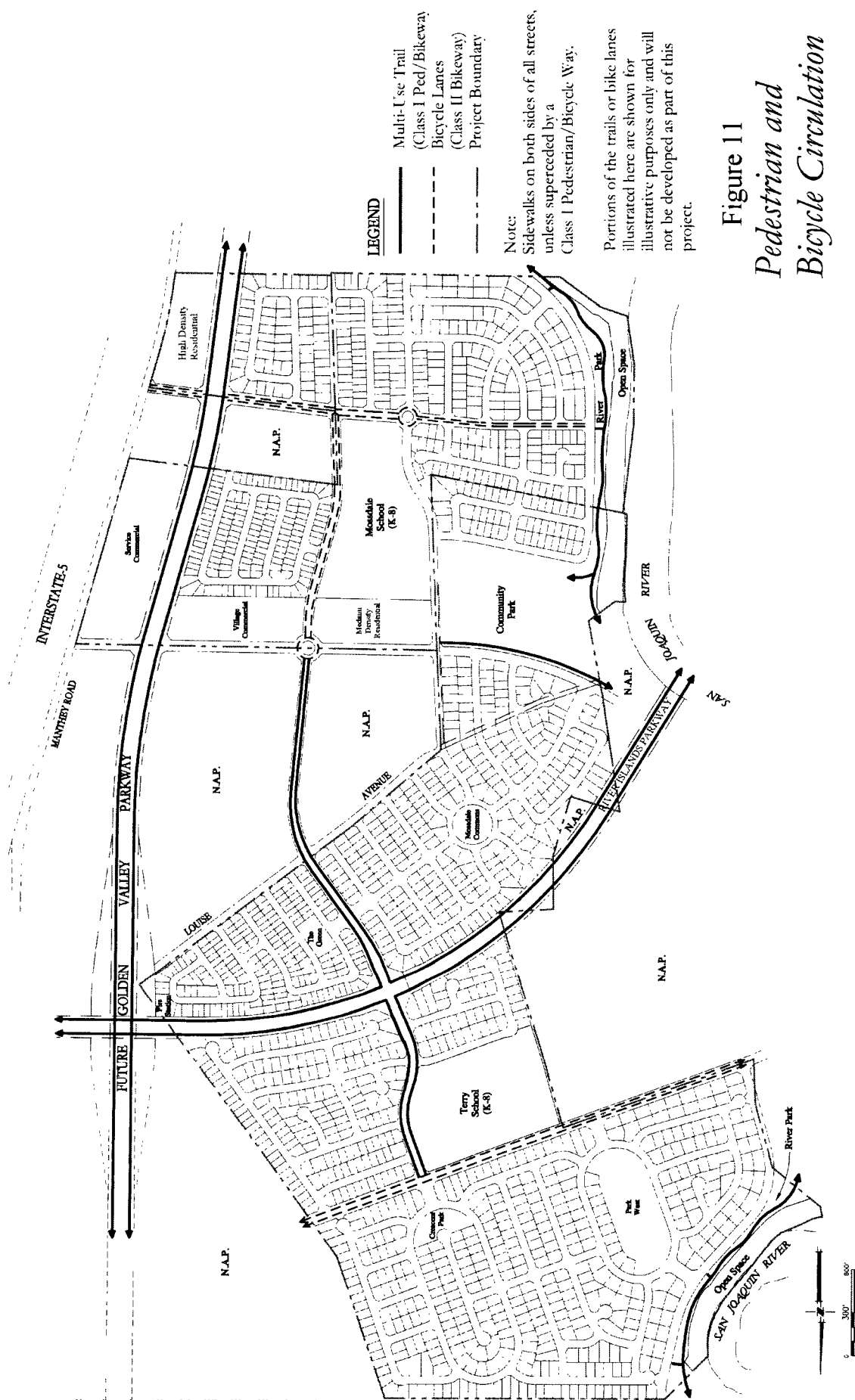


Figure 11: Pedestrian and Bicycle Circulation

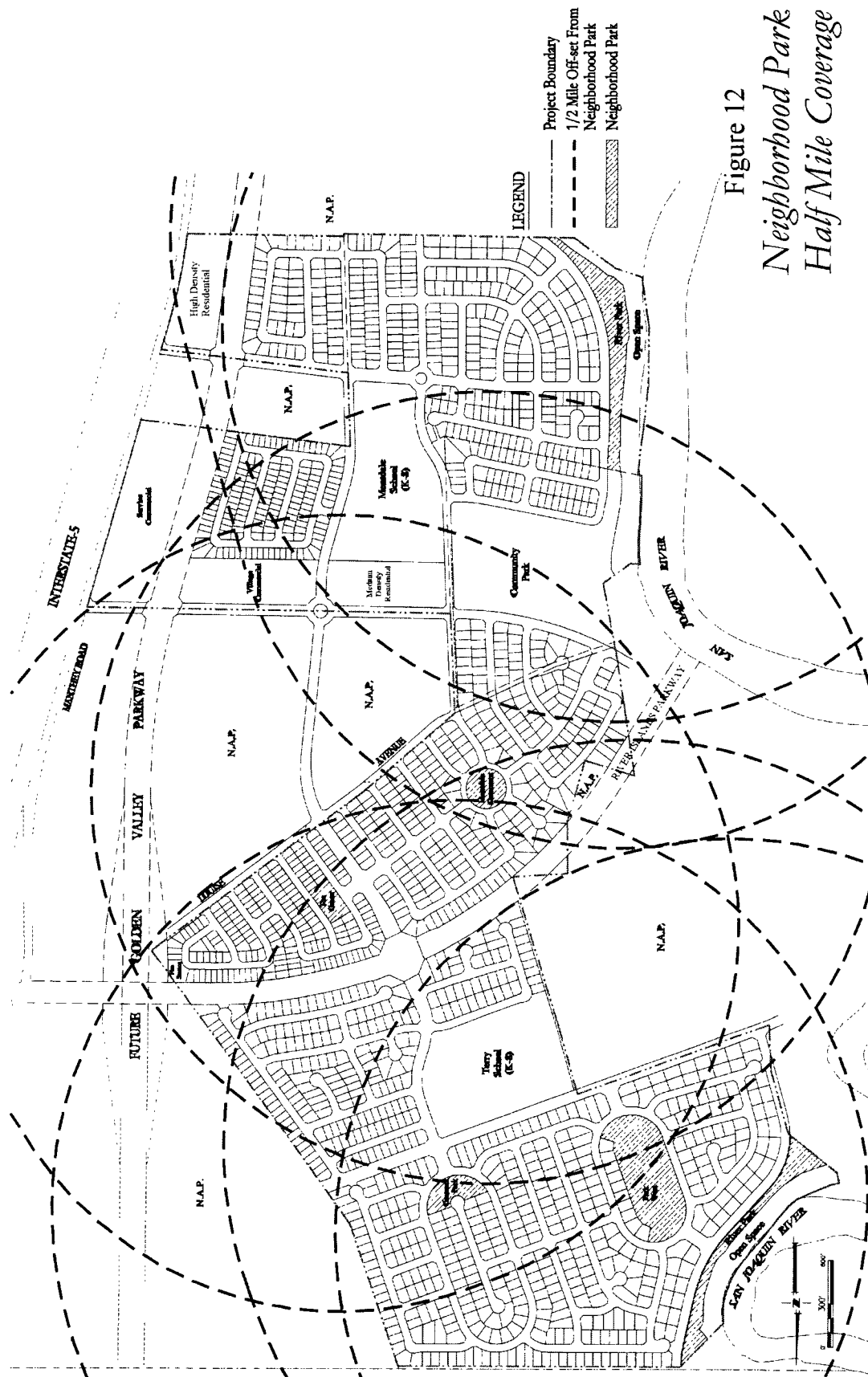


Figure 12: Neighborhood Park Half-Mile Coverage

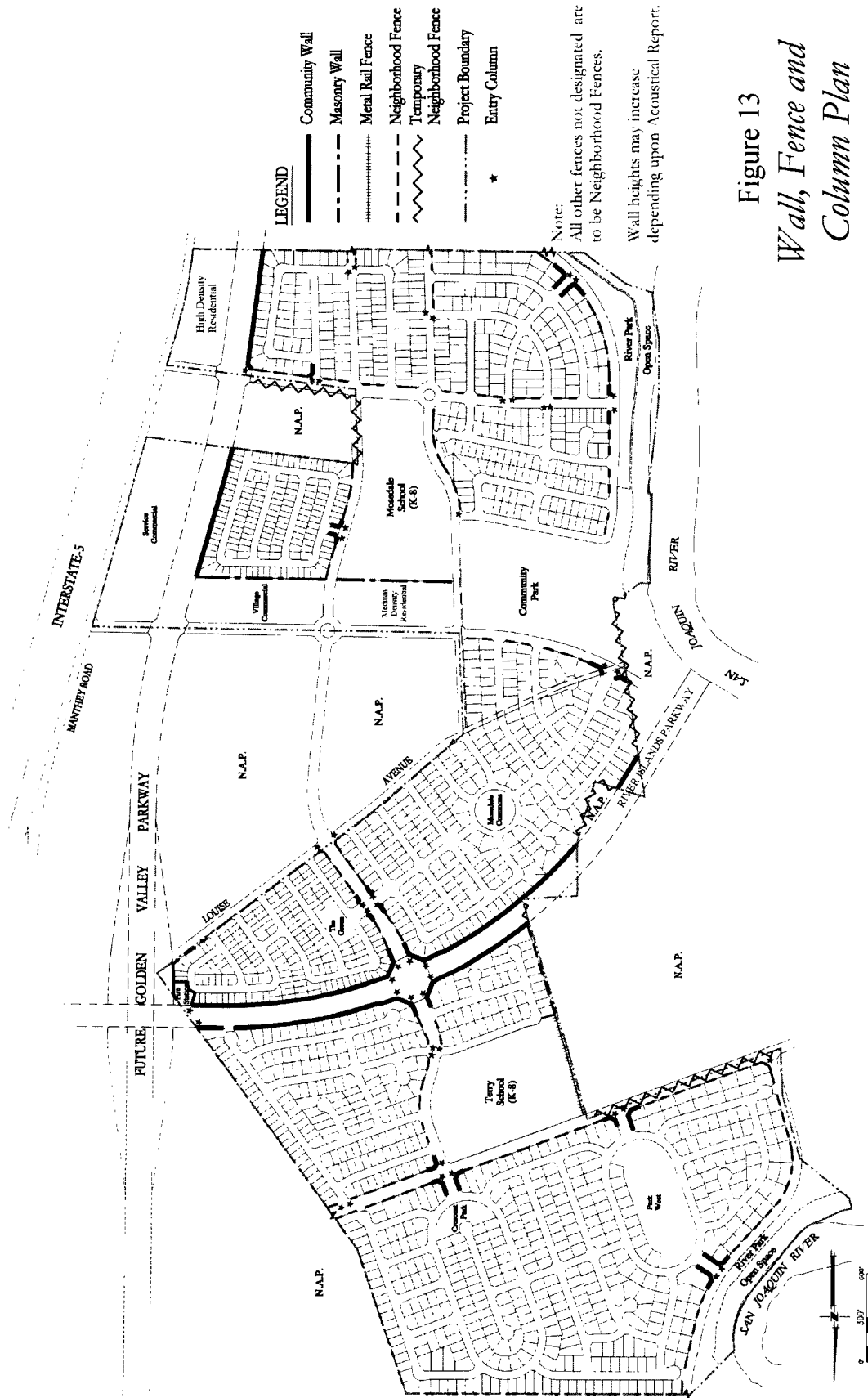


Figure 13
Wall, Fence and
Column Plan

Figure 13: Wall, Fence and Column Plan

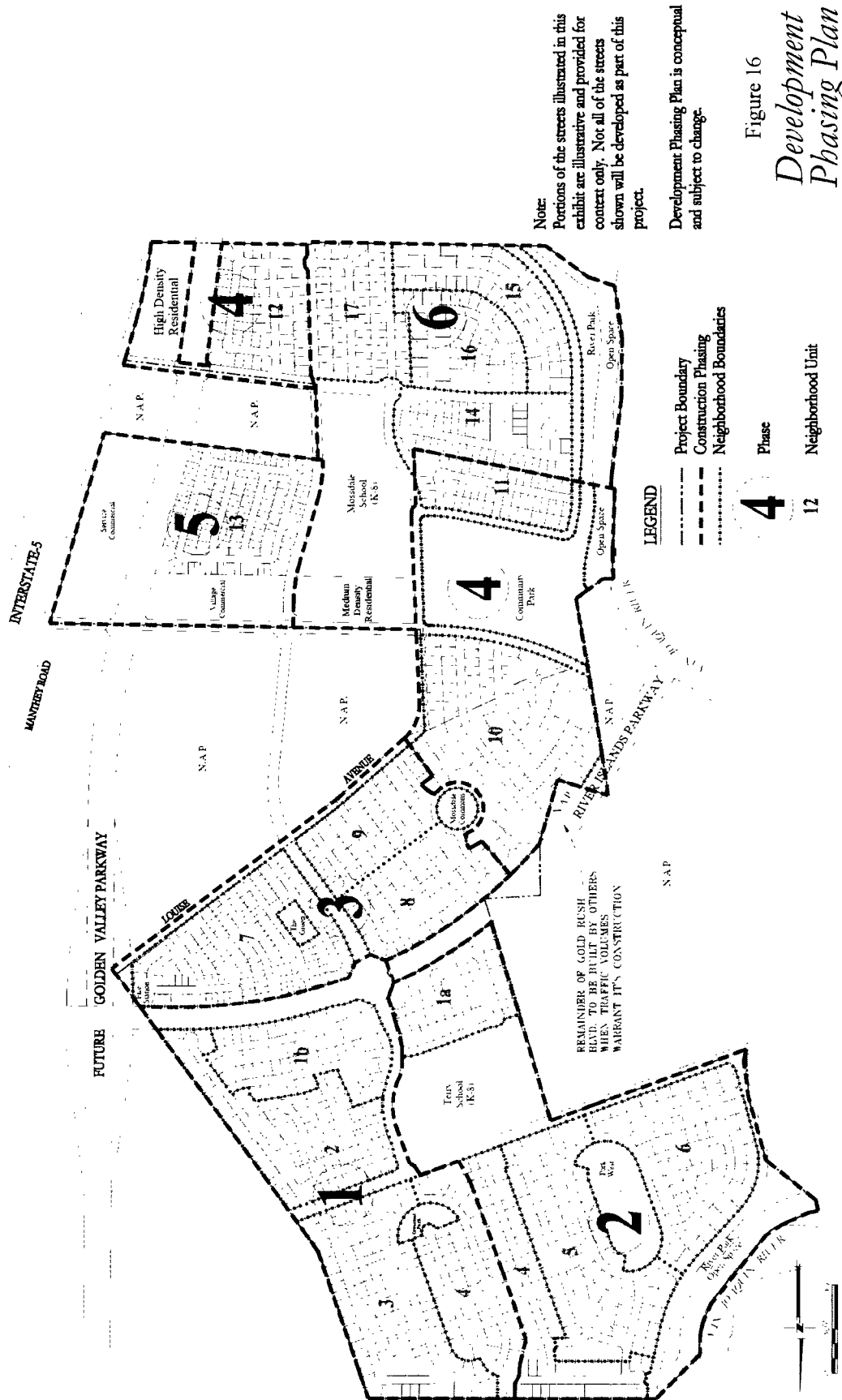


Figure 16: Development Phasing Plan

The applicant anticipates that an Architectural Design Review Board will be formed to review and approve all proposed residential, public, and commercial architectural elevations for Mossdale Landing. While the details of the Board members and required submittals require further refinement, it is expected that the existing Architectural Design Review process initiated by the City of Lathrop will be used as a model upon which to expand and enhance.

Development Permit

Service and Village Commercial MV uses are subject to either a site plan review for permitted uses; or a conditional use permit for conditionally permitted uses. Single Family MV, Medium Density MV, and High Density MV Residential uses are subject to Neighborhood Design Review with the Final Map.

Building Permit Review and Plan Checking

Decisions and recommendations made by the Architectural Review Committee will be included with and reviewed as part of the Final Map application. City staff will review building plans (construction plans) for specific development proposals as part of its building permit process.

AMENDMENT PROCESS

It is anticipated that certain modifications to the Urban Design Concept text and exhibits may be necessary during the life of the community. Any modifications to these documents shall occur in accordance with the amendment process described in this section. These amendments, should they occur, are divided into two categories- Minor Amendments and Major Amendments. Minor Amendments allow for administrative changes to the Urban Design Concept and may be approved by the Community Development Director. All other proposed changes are considered Major Amendments and shall be reviewed for approval by the Planning Commission. All amendments shall be consistent with the General Plan, the West Lathrop Specific Plan, the Mossdale Landing UDC, and the Development Agreements between the City of Lathrop and development proponents.

The master developer may make modifications to the overall land use plan and project phasing without going through a formal review process if the overall densities and land uses for Mossdale Landing do not change. The phasing plan may be required to change due to unforeseen infrastructure or market conditions. The phasing of the project will continue the balance of land uses throughout development, as is possible, based upon any changed conditions related to infrastructure or the market.

Additionally, due to these conditions, it may be necessary to modify lot sizes within a specific residential zoning category, that is, lots could only be revised, exchanged, or transferred within the same residential category, such as in all low density residential lands or in all medium density residential lands. For example in low density residential zoned lands, 5,000 square foot lots from one planning area may be exchanged with 6,000 square foot lots from another planning area. As long as the overall Mossdale Landing residential category's (medium or low) density range is still maintained, these types of changes may occur. Slight overall unit count decreases are allowed, so long as the minimum density range of each specific residential land use category (low or medium) is met. The master developer shall provide formal notification, in writing with accompanying maps, to the City of Lathrop's Community Development Director detailing what modification(s) would be made to the plan. Amendments such as this are subject to approval by the Community Development Director.

**Marked-Up Packet of MLS-UDC pages: 3, 5, 9, 10, 11, 12, 65,
67, 72, 75, 98, 100, 101**



Figure 1
Aerial Photograph

Figure 1: Aerial Photograph with Mossdale Landing South Site Plan

THE DEVELOPMENT PLAN

Lathrop's Mossdale Landing South is based upon the Mossdale Village plan and policies presented in the West Lathrop Specific Plan (WLSP), as well as the Mossdale Landing and Mossdale Landing East projects. It is consistent with the City of Lathrop's General Plan. The proposed plan provides the approximate acreages of the following land uses - 20.6 acres of Medium-Density Residential, 5.1 acres of High Density Residential, 33.6 acres of Service Commercial, and approximately 25.4 acres of Public designated uses made up of 5.0 acres of neighborhood park, 4.6 acres of river park and approximately 15.8 acres of levee and other open space.

Mossdale Landing South will be a diverse and livable community. The project has been designed to reflect and build upon the heritage and visual character of the area. Neighborhoods have been created to provide a variety of architectural styles. Easily accessible park and open space acreage affords a number of recreational amenities to community residents and guests. These areas of greenery and trees will reinforce the community character and identity. Service Commercial areas will provide a mix of office, retail, and service uses in close proximity to residential uses. The convenient locations of these uses will reduce vehicular traffic by encouraging walking and bicycling. The community will be pedestrian oriented, with a connectivity of sidewalks and trails designed throughout. Pedestrian connections and pathways are provided to separate pedestrians from vehicular traffic. Streetscape elements such as lighting standards and street trees have been selected to establish human scale and enhance the community theme.

Mossdale Landing South connects to approved local and regional bicycle and pedestrian trails, and provides an attractive streetscape with street trees and separated sidewalks on all streets. The following sections provide greater details about Mossdale Landing South.

RESIDENTIAL-MV

Neighborhoods within Mossdale Landing South will consist of medium density, predominantly detached neighborhoods. This includes 3,200 square foot lots at approximately 10.4 dwelling units per net acre (net acreage subtracts arterial, collector and residential streets and includes only the land actually available for residential use), cluster units (minimum 2,200 square fee) of approximately 11.3 units per net acre, and one high density complex at about 17.6 units per net acre. Residential neighborhoods in Mossdale Landing South are consistent with the West Lathrop Specific Plan.

Four separate medium-density neighborhoods are proposed within Mossdale Landing South, as well as one high density complex. Each of these is consistent in both size and configuration with the Mossdale Village portion of the WLSP. The medium density neighborhoods will consist of single family detached housing units and the high density area will contain a complex of attached units.

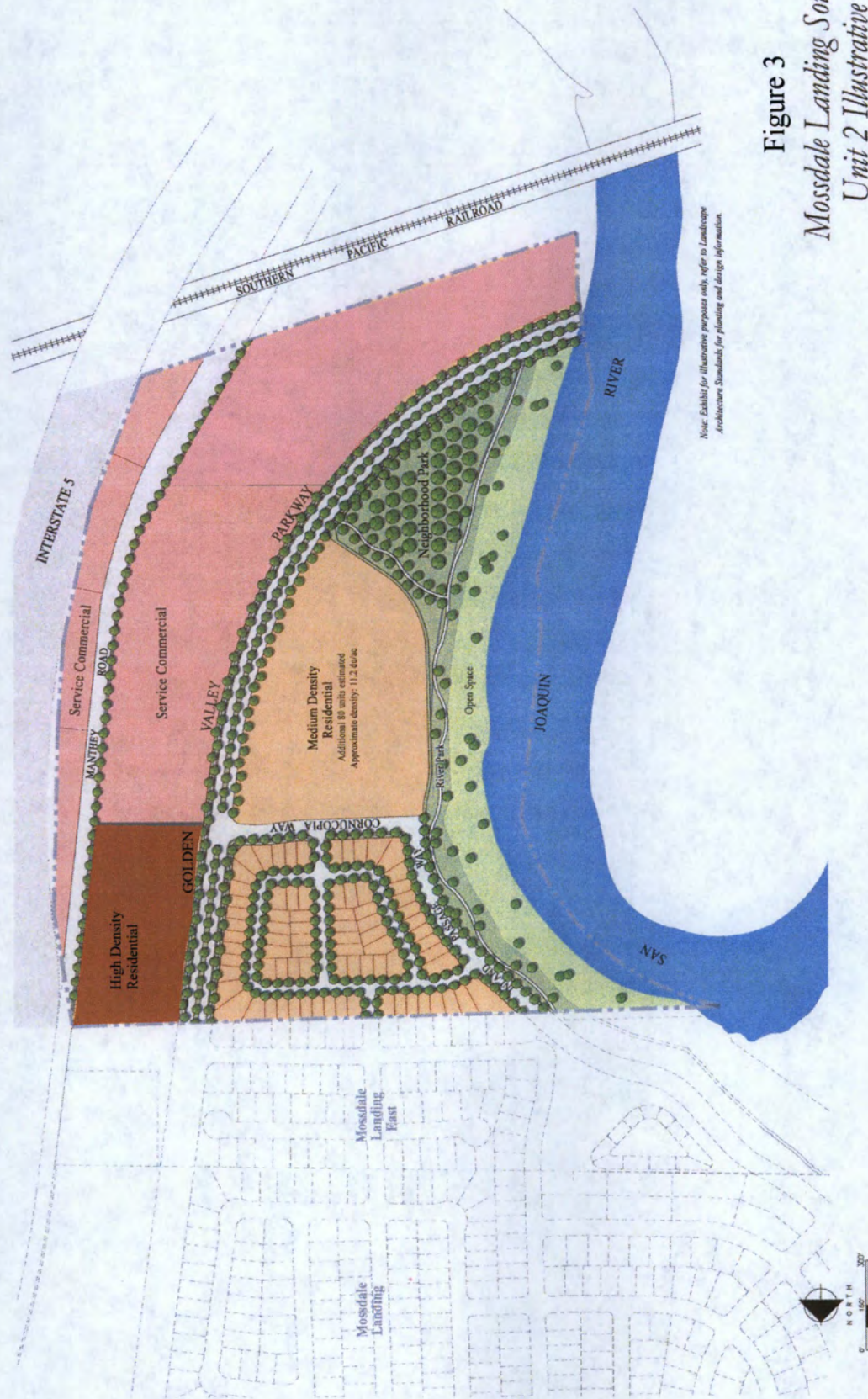


Figure 3
Mossdale Landing South
Unit 2 Illustrative

Figure 3: Mossdale Landing South Unit 2 Illustrative

MOSSDALE LANDING SOUTH DEVELOPMENT SUMMARY

As discussed above, Mossdale Landing South will be a mixed-use community that incorporates amenities such as parks and open space to enrich both the project and the quality of life for its residents and visitors. Below are land use summaries illustrating the land uses, gross acres, gross density, and units or square footage of the proposed Project.

Mossdale Landing South Land Use Summary

<i>Land Use Designations</i>	<i>Gross Acres</i>	<i>Gross Density</i>	<i>Dwelling Units/ Square Footage</i>
Medium Density Residential (RM-MV)	29.01	7.4	214 du
High Density Residential (RH-MV)	5.1	24.8	120 du ¹
Service Commercial (CS-MV)	33.6	0.25 FAR (net)	365,795 sf
Public (P-MV)	26.0	NA	NA
Major Roadways ²	13.4	NA	NA
TOTAL	110.9	NA	334 du 365,795 sf

¹ Portion of project which overlaps with Mossdale Landing East UDC

² Major roadways as defined in the West Lathrop Specific Plan include Brookhurst Boulevard, Golden Valley Parkway, Cornucopia Way and Inland Passage Way.

The proposed plan meets the intent of the West Lathrop Specific Plan. Medium and High Density Residential acreage and numbers of dwelling units are the same in the proposed plan as in the Specific Plan. Proposed Medium and High Density Residential units are within their appropriate density ranges as required by the West Lathrop Specific Plan. Public uses in the proposed plan are the same as the Specific Plan. The acreages and square footage of Service Commercial designated lands are the same as indicated in the Specific Plan. Finally, the alignment of Golden Valley Parkway has changed slightly due to engineering design criteria for those roadways, but is generally consistent with the Specific Plan.

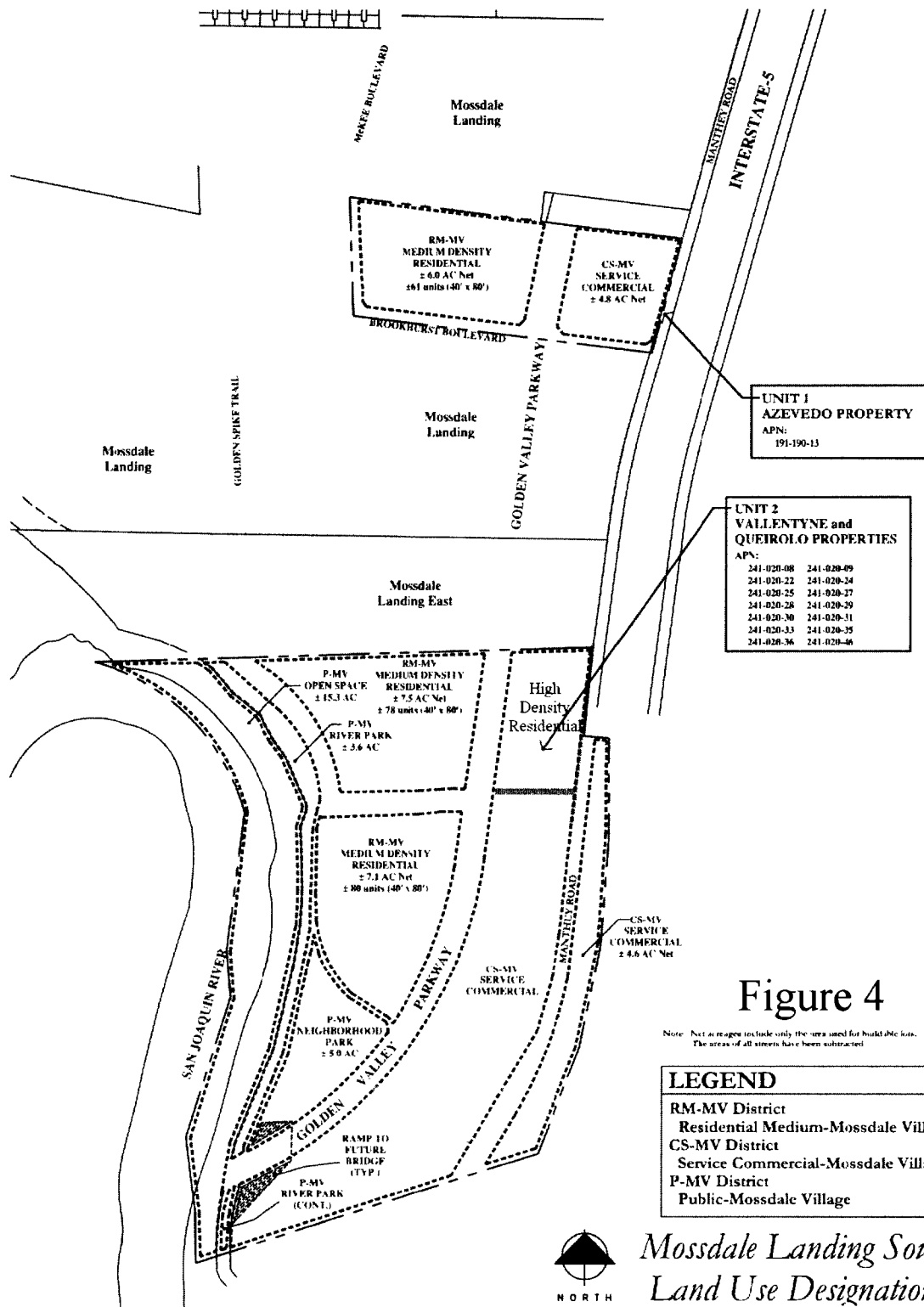


Figure 4: Mossdale Landing South Land Use Designations

The following table illustrates Mossdale Landing South's proposed development by land use designation, net acreage, lot size, quantity of units or square footage, and net density. The area of all streets has been subtracted from net acreages, including arterial, collector and residential streets.

<i>Land Use Designation</i>	<i>Net Acres</i>	<i>Units/Square Feet</i>	<i>Net Density</i>
Residential-MV			
<i>Medium Density Residential</i>			
MDR Unit 1 (3200 sf lots)	6.0 acres	61 du	10.3 du/ac
MDR Unit 2 (3200 sf lots)	7.5 acres	78 du	10.3 du/ac
MDR Unit 3 (2200 sf lots)	7.1 acres	80 du	11.3 du/ac
MDR Unit 4 (3200 sf lots)	10.7 acres	74 du	6.9 du/ac
<i>High Density Residential</i>			
HDR	5.1 acres	120 du	24.8 du/ac
<i>Total Residential</i>	<i>25.7 acres</i>	<i>339 du</i>	<i>14 du/ac</i>
Commercial-MV			
Service Commercial-MV	33.6 acres	365,795 sf	0.25 FAR
<i>Total Commercial-MV</i>	<i>33.6 acres</i>	<i>365,795 sf</i>	<i>0.25 FAR</i>
Public-MV			
Neighborhood Park	5.0 acres		
River Park	4.6 acres		
Open Space (Levee)	15.8 acres		
<i>Total Public-MV</i>	<i>25.4 acres</i>		
TOTAL NET AREA	84.7 acres		
Other			
* Streets	22.4 acres		
<i>TOTAL GROSS AREA</i>	<i>107.1 acres</i>	<i>339 du</i> <i>365,795 sf</i>	

*All streets (arterial, collector and internal residential streets)

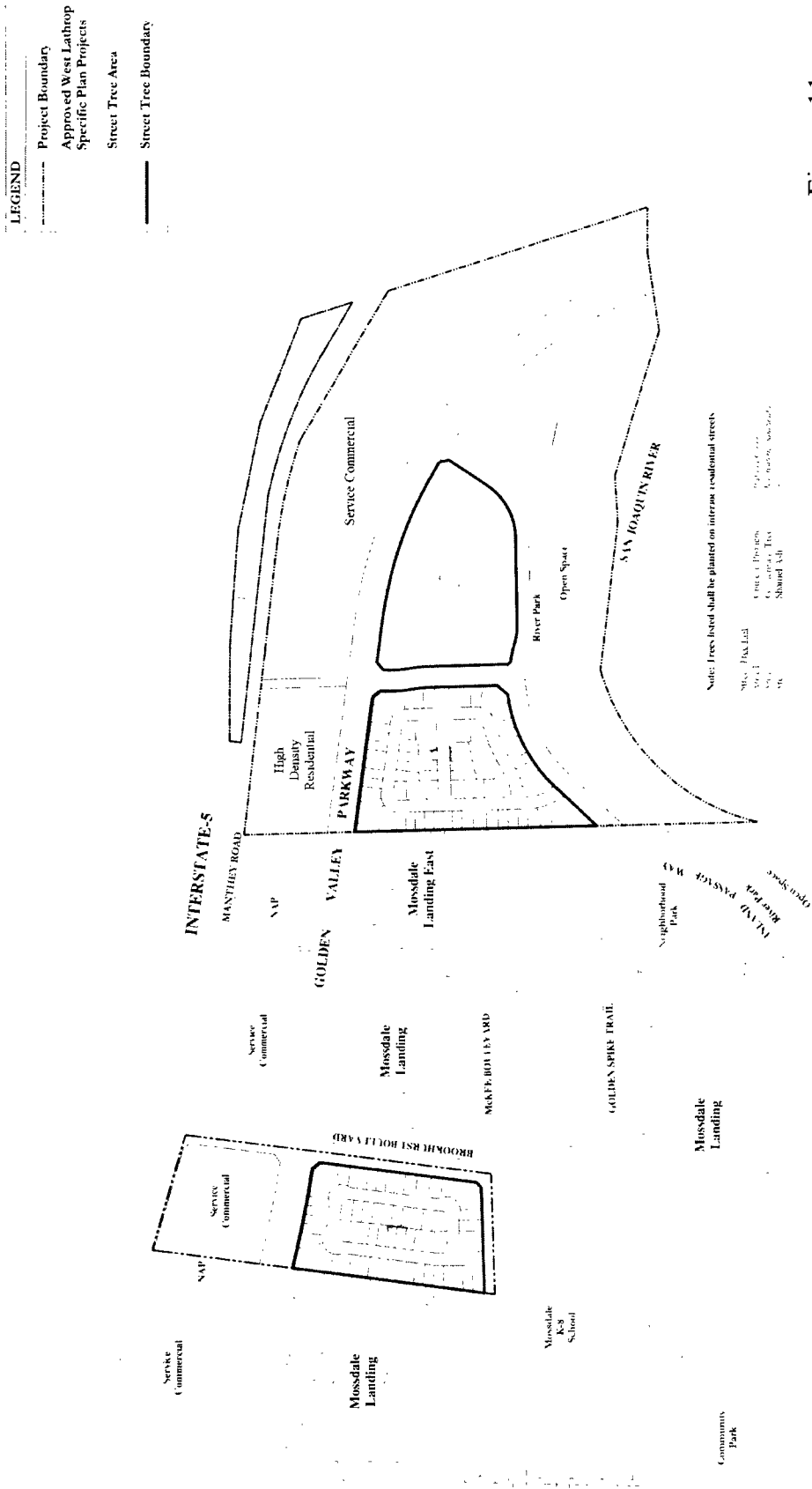


Figure 11
*Street Tree
Neighborhood Areas*

Figure 11: Street Tree Neighborhood Areas

Street Tree List:

- Area 1 Chinese Pistache *Pistacia chinensis*
Area 2 Goldenrain Tree *Koelreuteria paniculata*

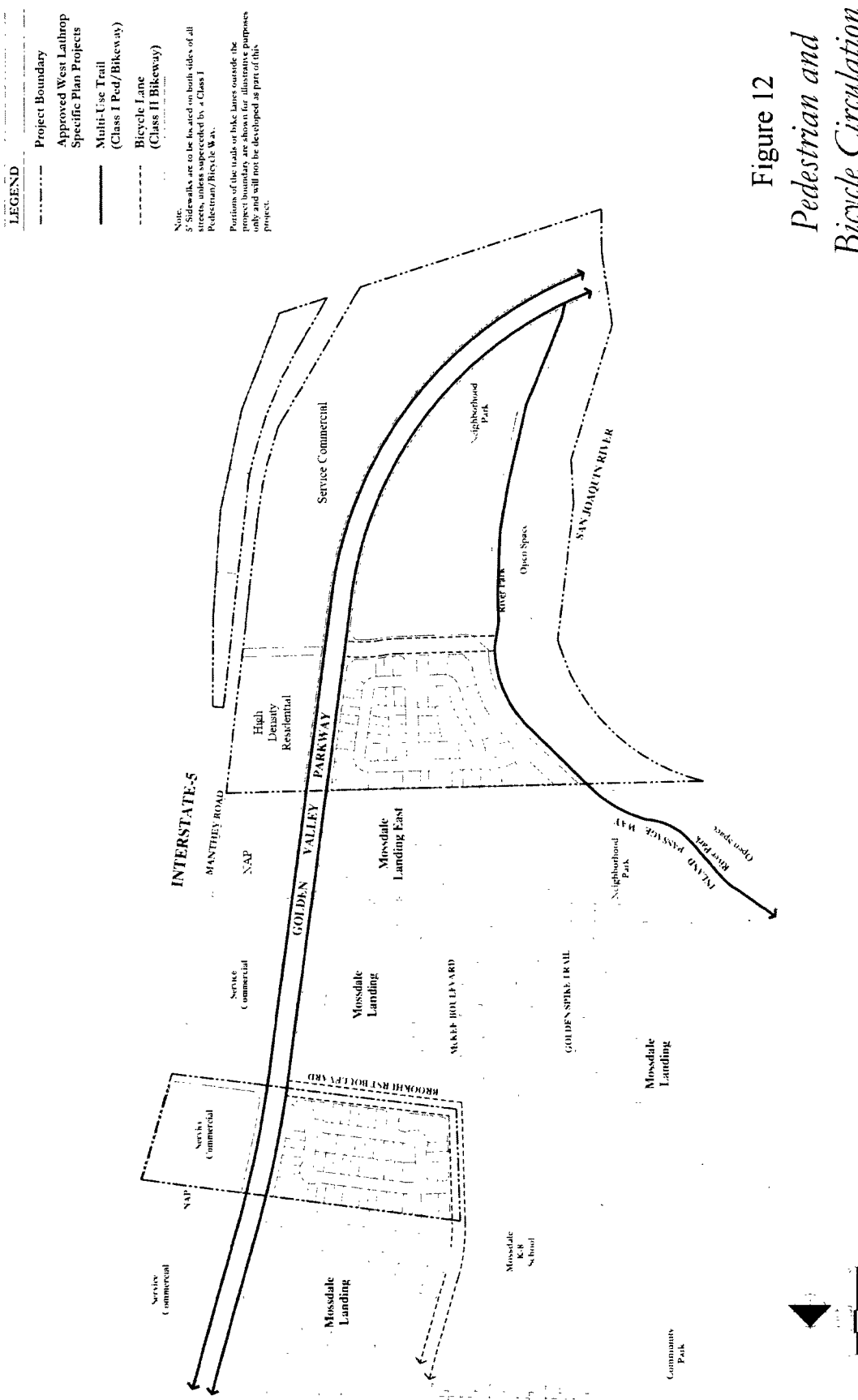


Figure 12
 Pedestrian and
 Bicycle Circulation

Figure 12: Pedestrian and Bicycle Circulation

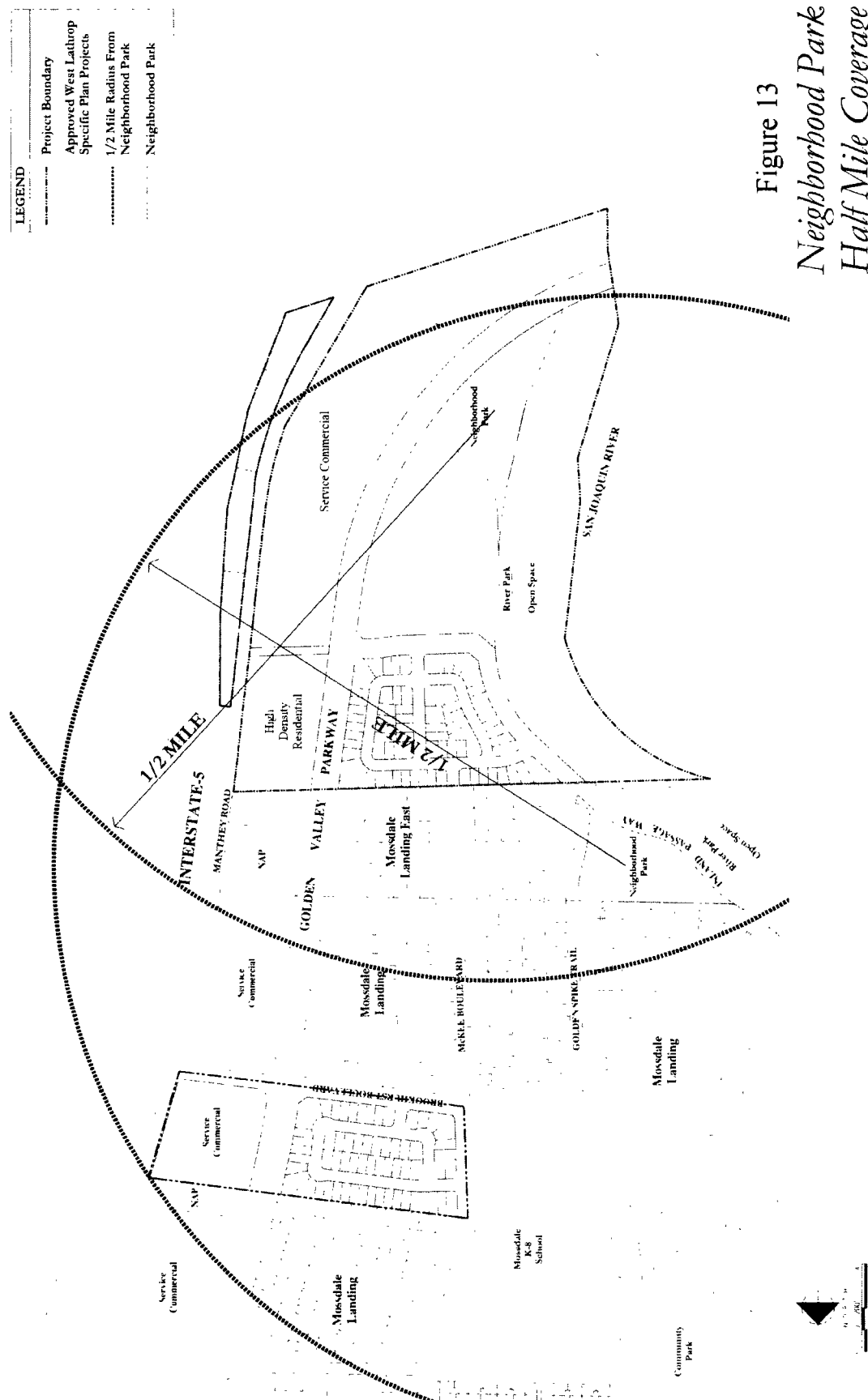


Figure 13: Neighborhood Park Half-Mile Coverage

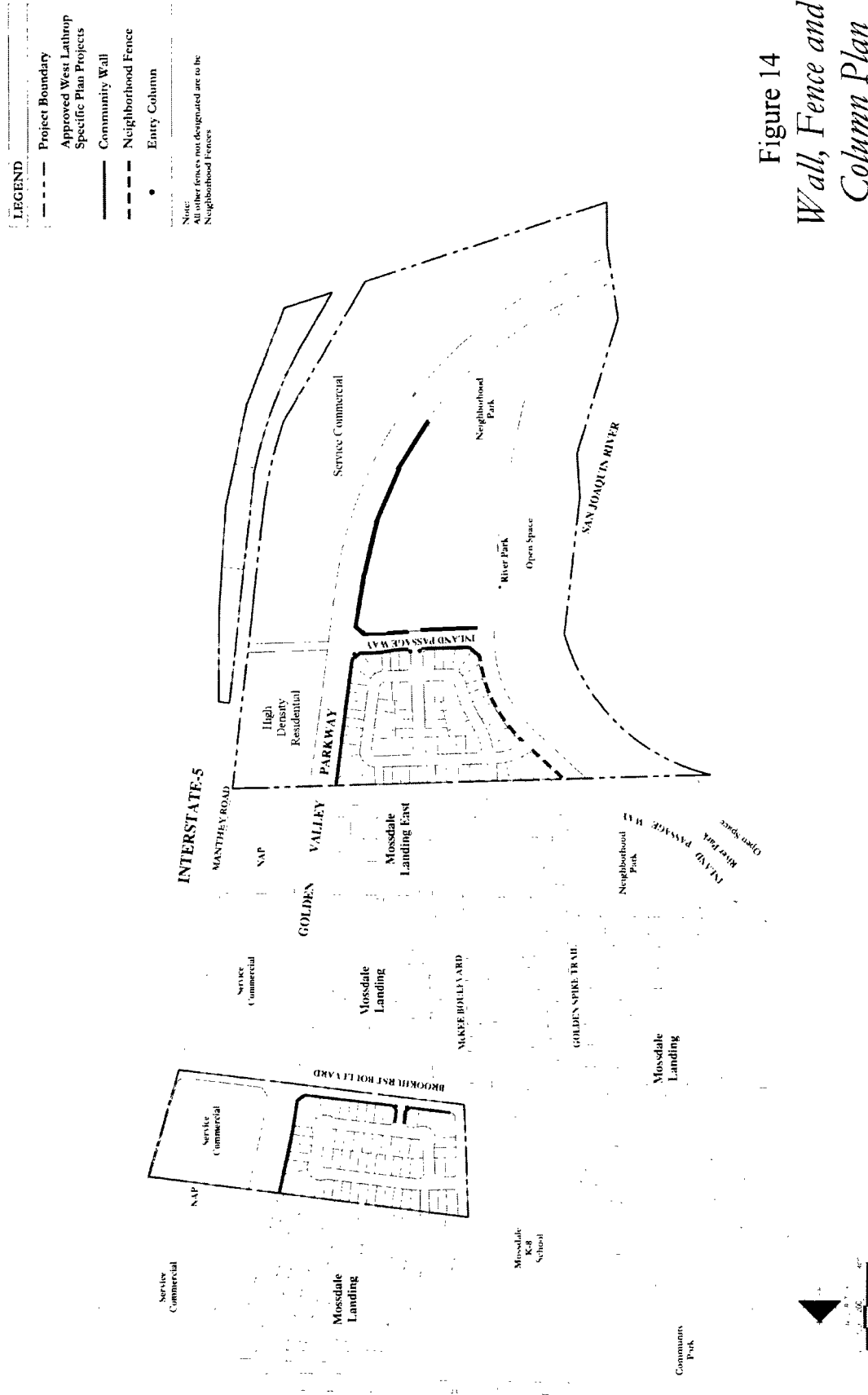


Figure 14
Wall, Fence and
Column Plan

Figure 14: Wall, Fence, and Column Plan

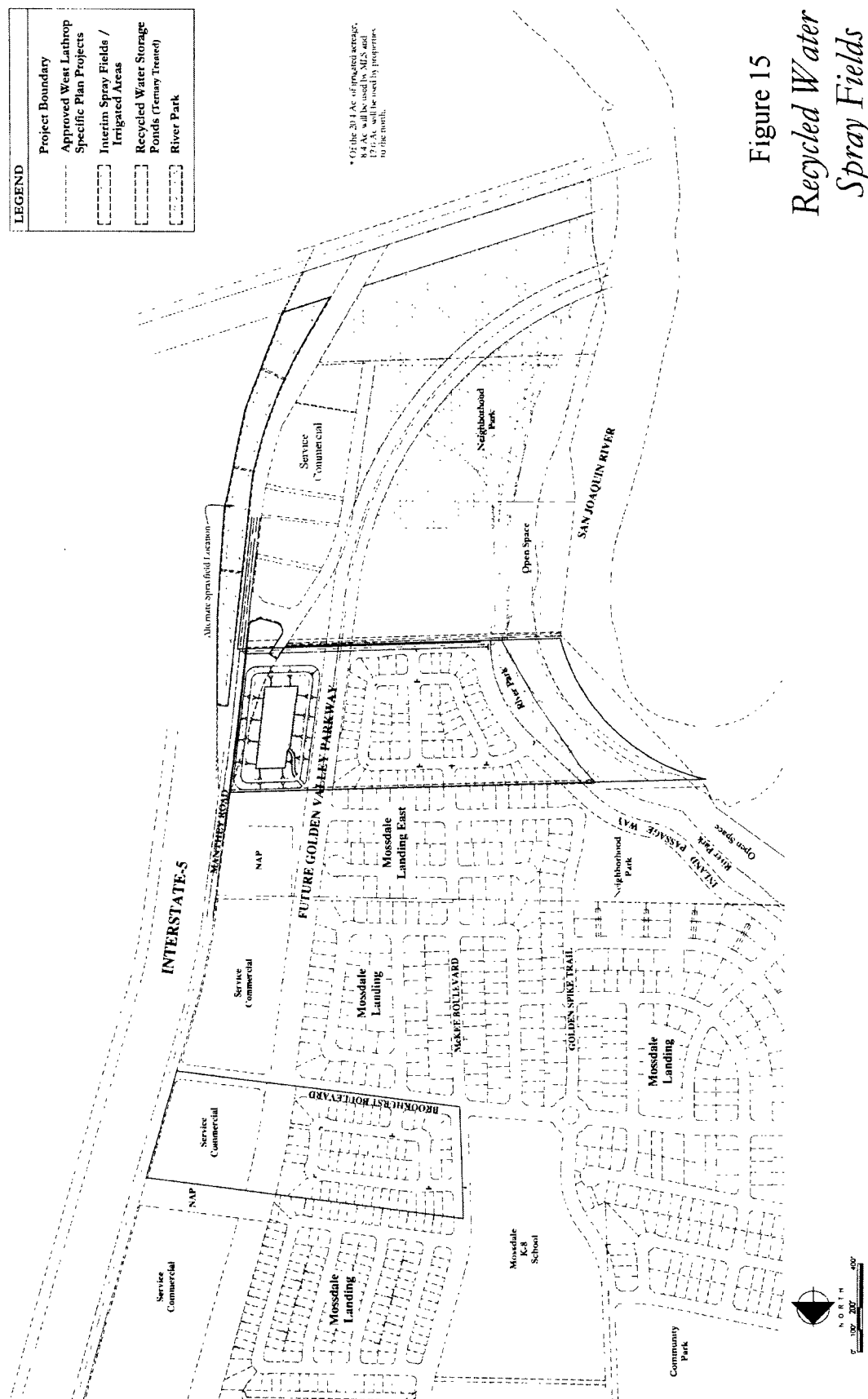


Figure 15: Recycled Water Spray Fields

Service Commercial areas of Unit 2, between Golden Valley Parkway and Manthey Road, to the east of the Phase 2 construction will be Phase Five (APN 240-020-09, -24). Residential Development will continue with the construction of the southern half of Unit 2 as Phase Six of development (APN 240-020-08, -22) and conclude with Phase 7 of development (APN 241-020-33, -34). The remaining Service Commercial areas to the east and south of the southern neighborhood of Unit 2 will be developed last, as Phase Eight (APN 240-020-25, -27, -33, -35, -36, -46). This phasing process is illustrated in detail in the following Phasing Plan exhibit. The order in which neighborhoods are built out has been established based on the logical patterns of infrastructure improvements and anticipated market demands. All necessary roadways, site grading, and utility backbone improvements and easements will occur in a timely manner with each development subphase as required by the demands generated by each infrastructure demand phase.

Below is a table illustrating each development phase by area, acreage and number of units.

Phase	Area	Lot Size/Net Acreage	Units/SF
1	Medium-Density Residential Neighborhood Park (fees)	3,200 square foot lots/6.0 acres	61 du
2	Medium-Density Residential River Park Open Space Neighborhood Park (fees)	3,200 square foot lots/7.5 acres 1.8 acres 4.3 acres	78 du
3	Service Commercial	4.8 acres	52,490 sf
4	Service Commercial	4.6 acres	50,094 sf
5	High-Density Residential	8.4 acres	120 du
6	Medium-Density Residential River Park Open Space Neighborhood Park (fees) (City Acquisition)	2,200 square foot lots/7.1 acres 2.8 acres 11.5 acres 5 acres	80 du
8	Service Commercial	24.7 acres	265,211 sf
TOTAL			339 du 365,795 sf

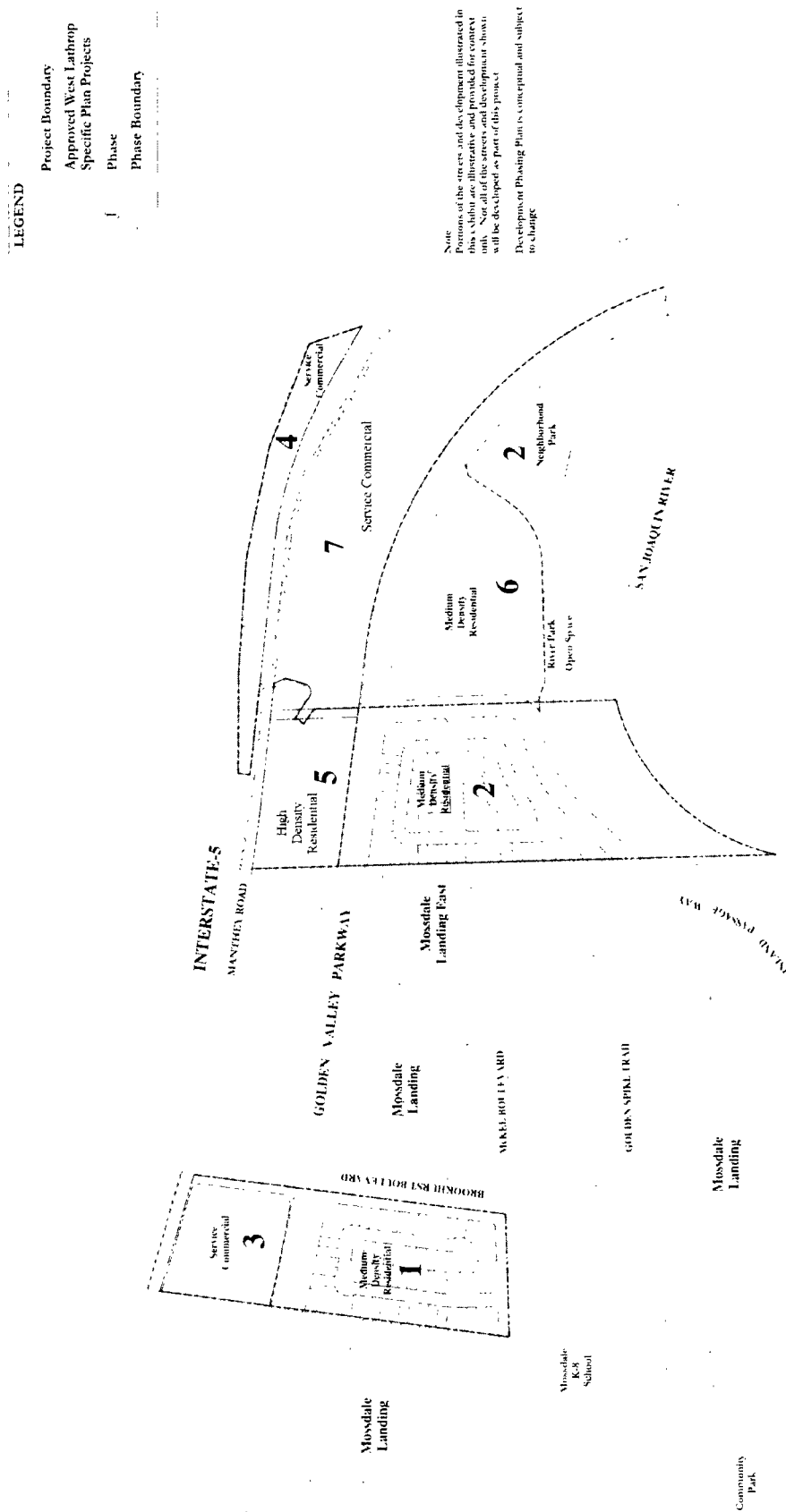
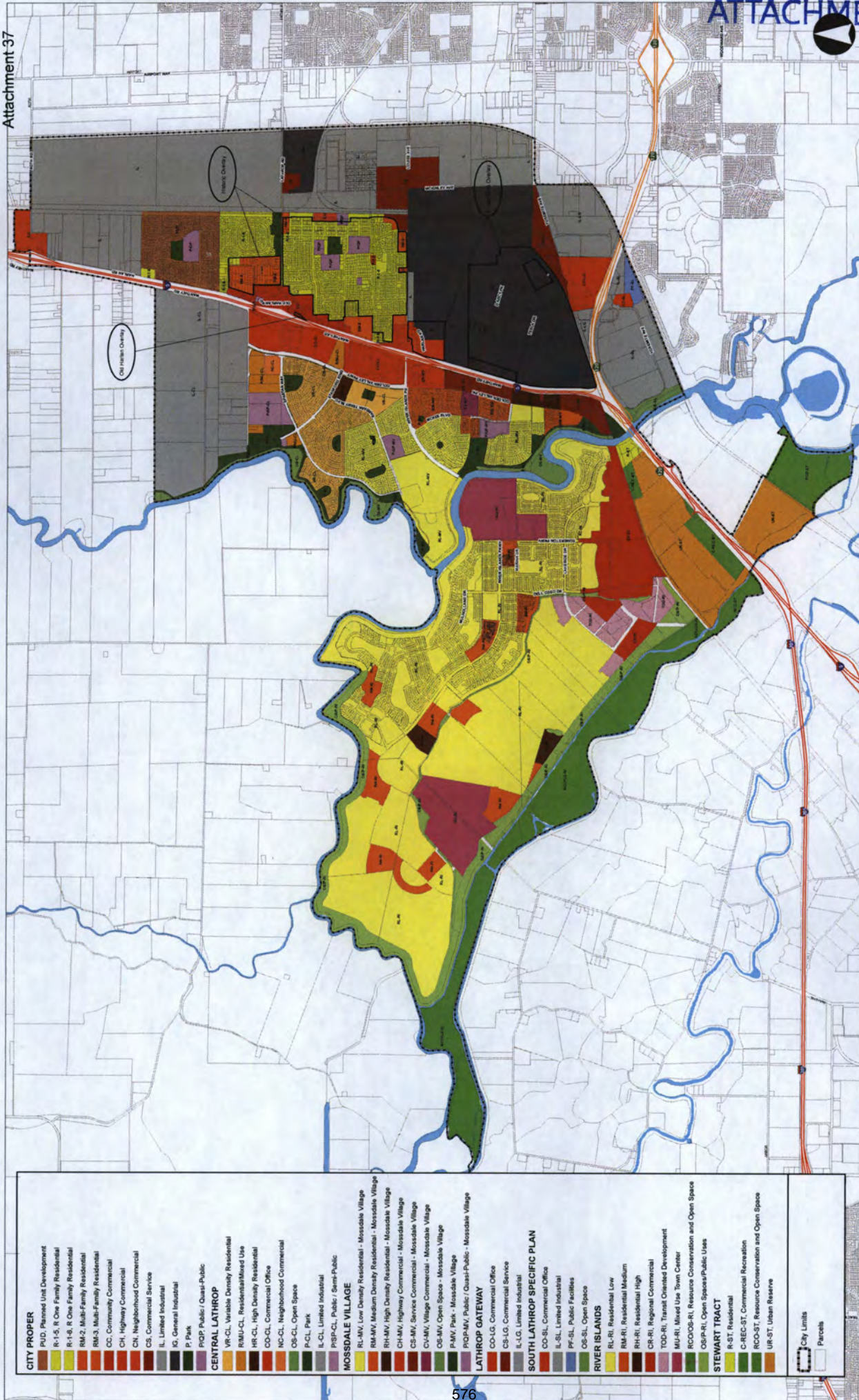


Figure 16
Development Phases



Zoning Map City of Lathrop

Disclaimer: Data shown may not be accurate and is for planning purposes only. Contact the City for more information.



Date: 7/25/2023

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**Table LU-1: General Plan Designations and Implementing Zoning Districts**

General Plan Land Use Designation	Zoning District Name	Zone Map Symbol
City Proper Land Use Designations		
LD- Low Density Residential (1-7 du/A)	R One-Family Residential District, Planned Unit Development, Low Density – Mossdale Village	R-I-5; R-I-6; PUD, RL-MV
MD- Medium Density (8-15 du/A)	RM Multifamily Residential District, Medium Density – Mossdale Village	RM-3, RM-MV
HD- High Density Residential (16-25 du/A)	RM Multifamily Residential District, High Density – Mossdale Village	RM-2, RH-MV
NC- Neighborhood Commercial FAR 0.35	Neighborhood Commercial District	CN
VC- Village Center	Village Commercial – Mossdale Village	CV-MV
CC- Community Commercial	Central Commercial District	CC
SC- Service Commercial	Commercial Service District, Service Commercial – Mossdale Village	CS, CS-MV
FC- Freeway Commercial	Highway Commercial District, Highway Commercial – Mossdale Village	CH, CH-MV
LI- Limited Industrial	Limited Industrial District	IL
GI- General Industrial	General Industrial District	IG
P/QP- Public/Quasi-Public	<i>No public use zoning in city proper</i>	*
P-Park	Park*, and Park – Mossdale Village	P* and P-MV
OS- Open Space	Open Space – Mossdale Village	OS-MV
CENTRAL LATHROP		
VR-CL- Variable Density Residential (3-16 du/A)	Variable Density Residential District	VR-CL
HR-CL- High Density Residential (15-49 du/A)	High Density Residential District	HR-CL
R/MU-CL- Residential/Mixed Use (10-40 du/A)	Residential/Mixed-Use Zoning District	R/MU-CL



General Plan Land Use Designation	Zoning District Name	Zone Map Symbol
OC-CL- Office Commercial	Commercial Office Zoning District	CO-CL
NC-CL- Neighborhood Commercial	Neighborhood Commercial Zoning District	NC-CL
LI-CL- Limited Industrial	<i>No Limited Industrial zoning in Central Lathrop</i>	*IL-CL
P-QP-CL- Public/Quasi-Public	Public/Semi-Public Zoning District	P/SP-CL
P-CL- Park	Park Zoning District	P-CL
OS-CL- Open Space	Open Space Zoning District	OS-CL
Lathrop Gateway Land Use Designations		
CO-LG- Commercial Office	Commercial Office Zoning District	CO-LG
SC-LG- Service Commercial	Commercial Service Zoning District	CS-LG
LI-LG- Limited Industrial	Limited Industrial Zoning District	IL-LG
South Lathrop Land Use Designations		
CO-SL- Commercial Office	Commercial Office Zoning District	CO-SL
LI-SL- Limited Industrial	Limited Industrial Zoning District	IL-SL
P/QP-SL- Public/Quasi-Public	Public Facilities District	PF-SL
OS-SL- Open Space River/Levee Park	Open Space	OS-SL
River Islands Land Use Designations		
RL-RI- Residential Low (3-9 du/A)	Residential-Low Density Zoning District	RL-RI
RM-RI- Residential Medium (6-20 du/A)	Residential-Medium Density Zoning District	RM-RI
RH-RI- Residential High (15-40 du/A)	Residential-High Density Zoning District	RH-RI
MU-RI- Mixed Use Town Center	Mixed Use Town Center Zoning District	MU-RI
TOD-RI Transit Oriented Development	Transit Oriented Development	TOD-RI
RC-RI- Regional Commercial	Regional Commercial Zoning District	CR-RI
OS/P-RI Open Space/Public Use	Open Space/Public Use	OS/P-RI



General Plan Land Use Designation	Zoning District Name	Zone Map Symbol
RCO/OS-RI- Resource Conservation/Open Space	Resource Conservation and Open Space Zoning District	RCO/OS-RI
Stewart Tract Land Use Designations		
R-ST- Residential	Residential Zoning District	R-ST
RC-ST- Recreation Commercial	Commercial Recreation Zoning District	C-REC-ST
RCO-ST- Resource Conservation	Resource Conservation and Open Space Zoning District	RCO-ST
UR-ST- Urban Reserve	Urban Reserve Zoning District	UR-ST

**Future Zoning District to be established*

General Plan Map City of Lathrop

Disclaimer: Data sources may vary and the accuracy and reliability of the information is not guaranteed. The City of Lathrop is not responsible for any errors or omissions.



Adopted 9/19/2022

Document Path: S:\GIS\MapDocs\General_Plan\2022_GLP_General_Plan.mxd

City Proper	Central Lathrop	Lathrop Gateway	South Lathrop Specific Plan	River Islands	Stewart Tract
LD, Low Density Residential (1-7 du/A)	VR-CL, Variable Density Residential (3-16 du/A)	CO-LG, Commercial Office	CO-SL, Commercial Office	RL-RI, Residential Low (3-9 du/A)	R-ST, Residential (1-7 du/A)
MD, Medium Density Residential (8-15 du/A)	HR-CL, High Density Residential (15-49 du/A)	SC-LG, Service Commercial	LI-SL, Limited Industrial	RM-RI, Residential Medium (6-20 du/A)	RC-ST, Recreation Commercial
HD, High Density Residential (16-25 du/A)	RNU-CL, Residential Mixed Use (10-40 du/A)	U-LG, Limited Industrial	PQP-SL, Public/Quasi-Public	RH-RI, Residential High (15-40 du/A)	RCO-ST, Resource Conservation
NC, Neighborhood Commercial	OC-CL, Office Commercial	U-LCL, Limited Industrial	P-CL, Park	RC-RI, Regional Commercial	UR-ST, Urban Reserve
VC, Village Center	NC-CL, Neighborhood Commercial	PQP-CL, Public/Quasi-Public	OS-CL, Open Space	TOD-RI, Transit Oriented Development	
CC, Community Commercial	LI-CL, Limited Industrial			MU-RI, Mixed Use Town Center	
SC, Service Commercial	PQP, Public/Quasi-Public			RCOOS-RI, Resource Conservation/Open Space	
FC, Freeway Commercial	P, Park			OSP-RI, Open Space/Public Use	
LI, Limited Industrial	OS, Open Space				
GI, General Industrial					

**CITY OF LATHROP
PLANNING COMMISSION RESOLUTION NO. 23-11**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LATHROP RECOMMENDING THE CITY COUNCIL AMEND THE LATHROP ZONING MAP, AMEND THE MOSSDALE LANDING AND MOSSDALE LANDING SOUTH URBAN DESIGN CONCEPTS (UDC'S), MODIFY TITLE 10 (VEHICLES AND TRAFFIC), AND ADOPT VARIOUS AMENDMENTS TO TITLE 17 (ZONING) OF THE LATHROP MUNICIPAL CODE (LMC) FOR CONSISTENCY WITH THE 2022 LATHROP GENERAL PLAN UPDATE AND GOVERNMENT CODE SECTION 65860 (TA-23-93).

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public hearing to consider amending the Lathrop Zoning Map, amending the Mossdale Landing and Mossdale Landing South Urban Design Concepts (UDC's), modifying Title 10 (Vehicles and Traffic), and adopting various sections to Title 17 (Zoning) of the Lathrop Municipal Code (LMC) for consistency with the 2022 Lathrop General Plan Update that was adopted by the City Council on September 19, 2022 and Government Code Section 65860; and

WHEREAS, the City of Lathrop adopted a current Comprehensive General Plan on September 19, 2022, which has been updated from time to time and includes specific policies and implementation actions to ensure there is consistency between the General Plan, the General Plan Land Use Map, the Zoning Map and implementing plans, ordinances, and regulations; and

WHEREAS, the California planning and zoning law establishes that zoning maps, zoning ordinances, any applicable specific plans, and master plans with related planning documents (i.e. Urban Design Concepts) are required to be consistent with the general plan pursuant to Government Code Section 65860; and

WHEREAS, the proposed amendments to the Zoning Map, the Mossdale Landing and Mossdale Landing South Urban Design Concepts (UDC's), and to Title 10 (Vehicles and Traffic) and Title 17 (Zoning) of the Lathrop Municipal Code are Citywide and affect all applicable properties in the City; and

WHEREAS, Chapter 17.124 of the Lathrop Municipal Code mandates the transmittal of a recommendation to the City Council by resolution; and

WHEREAS, the proposed amendments are Exempt per Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Article 12 –Special Situations, Section §15183(d)(1)(C)(2) - Projects Consistent with a Community Plan, General Plan, or Zoning, as the amendments are consistent with the Environmental Impact Report (SCH #: 2021100139) that was certified by the City Council as part of the recent General Plan Update adopted on September 19, 2022; and

WHEREAS, the purpose of the amendments is to ensure that the City updates the City Zoning Map, the Zoning Ordinance, and the Mosssdale Landing and Mosssdale Landing South UDC's to be consistent with the goals, policies, and implementation actions of the City's 2022 update of the General Plan; and

WHEREAS, proper notice of this public hearing was given in all respects as required by law; and

WHEREAS, the Planning Commission has reviewed all written evidence and oral testimony presented to date.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission finds that the proposed amendments to the Lathrop Zoning Map, the Mosssdale Landing and Mosssdale Landing South Urban Design Concepts (UDC's), to Title 10 (Vehicles and Traffic) and to Title 17 (Zoning) of the Lathrop Municipal Code will implement updated zoning districts with minor modifications, and the amendments are consistent with the following applicable policies and implementation actions of the General Plan:

Policy LU-1.7: Ensure consistency between the Land Use Map and implementing plans, ordinances, and regulations.

Policy LU-1.8: Recognize that the General Plan and Land Use Map may be amended in accordance with State law in order to ensure that there is an adequate supply of commercial, industrial, public facility, parks, residential, and other desired land uses to serve the City's needs.

Implementation Action LU-1.a: Update the City's Zoning Code and Map as appropriate to ensure consistency with this land use element and designations shown on Figure LU-1. As part of the update, create a new Public/Quasi-Public zoning district applicable to the City proper.

Implementation Action LU-1.b: Review the Zoning Ordinance and update as appropriate to reflect Land Use goals, policies, and implementation actions included in this Plan.

Implementation Action LU-1.c: Review the City's adopted Specific Plans for consistency with the General Plan, and update as appropriate to ensure consistency with this land use element and designations shown on Figure LU-1.

Implementation Action LU-1.f: Utilize the following Zoning Districts (included on Table LU-1) to implement the General Plan's land use objective.

Implementation Action LU-2.a: Periodically review and update development standards, guidelines, and land uses included within Specific Plan Areas to affirm the unique character and development vision for each area.

Implementation Action LU-5.e: Update the Lathrop Municipal Code to include Good Neighbor Guidelines for Warehouse Distribution Facilities. The new Good Neighbor Guidelines should include:

- a. A definition of the type and size of facility that is subject to the Guidelines;
- b. Standards to minimize exposure to diesel emissions to sensitive receptors that are situated in close proximity to the proposed facility;
- c. Standards and practices that eliminate diesel trucks from unnecessarily traversing through residential neighborhoods;
- d. Standards and practices that eliminate trucks from using residential areas and repairing vehicles on the streets;
- e. Strategies to reduce and/or eliminate diesel idling within the facility's site.

FURTHER, BE IT RESOLVED that the Planning Commission of the City of Lathrop based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, does hereby recommend the City Council adopt Municipal Code Text Amendment No. TA-23-93 as shown in Attachments 2 through 35 of the Staff Report, incorporated by reference herein.

PASSED AND ADOPTED by the Planning Commission of the City of Lathrop at a special meeting on the 13th day of September, 2023 by the following vote:

AYES: Ishihara, Camarena, Jackson, Rhodes

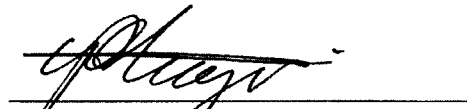
NOES: None

ABSTAIN: None

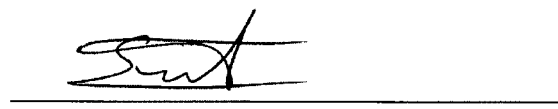
ABSENT: Ralmilay


Tosh Ishihara, Chair

ATTEST:


Rick Caguiat, Secretary

APPROVED AS TO FORM:


Salvador Navarrete, City Attorney

Attachment 41

General Plan and Zoning Consistency Project (TA-23-93)

Environmental Checklist, prepared by De Novo Planning Group, dated
August, 2023

Due to the size of this document, it has not been reproduced in the staff report. A copy of the Environmental Checklist is available for viewing and download on the City's website at the following links:

Environmental Checklist without Appendices:

https://www.ci.lathrop.ca.us/sites/default/files/fileattachments/community_development/page/5622/lathrop_ashley_warehouse_15183_no_appendices.pdf

Environmental Checklist with Appendices:

https://www.ci.lathrop.ca.us/sites/default/files/fileattachments/community_development/page/5622/lathrop_ashley_warehouse_15183_clean.pdf

The Environmental Checklist can also be viewed at the following link:

<https://www.ci.lathrop.ca.us/com-dev/page/public-review-documents>

Individuals that are unable to access the Environmental Checklist at the website listed above or would require a computer disk or thumb drive containing a copy of the document should contact Planning Staff at planning@ci.lathrop.ca.us or (209) 941-7290 to obtain a copy.

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CITY MANAGER'S REPORT OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

ITEM: **PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER THE CENTRAL LATHROP SPECIFIC PLAN PHASE 2 AMENDMENT AND CODE TEXT AMENDMENT NO. TA-23-104**

RECOMMENDATION: **Council to Consider the Following:**

- 1. Hold a Public Hearing;**
- 2. Adopt a Resolution to Find the Project Exempt from Further Environmental Review Pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183; and**
- 3. First Reading and Introduction of an Ordinance to Approve the Central Lathrop Specific Plan (CLSP) Phase 2 Amendment and Code Text Amendment to Modify Chapter 17.62, *Central Lathrop Zoning Districts* to Add Article 6, IL-CL, Limited Industrial Zoning Districts and Modify Section 17.62.120 B of the Lathrop Municipal Code.**

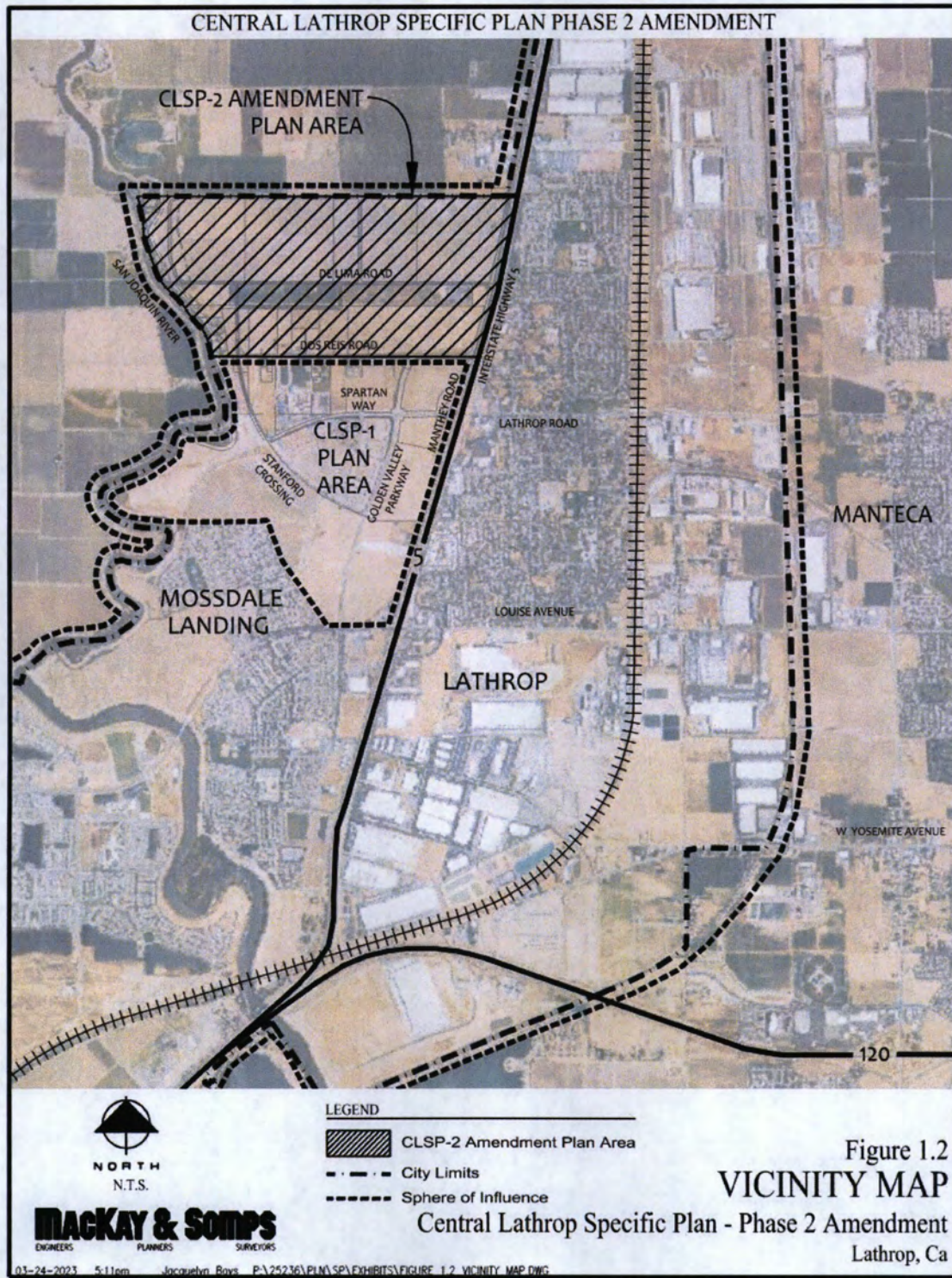
SUMMARY:

The Central Lathrop Specific Plan (CLSP) Phase 2 Amendment is a staff-initiated update to the CLSP to be consistent with the recently adopted Lathrop General Plan Update in accordance with General Plan Implementation Action LU-5.f.

The Planning Commission and staff recommend that City Council consider all information provided and submitted, take and consider all public testimony and, if determined to be appropriate, adopt a Resolution to find the project exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183 and First Reading and Introduction of an Ordinance to approve the Central Lathrop Specific Plan (CLSP) Phase 2 Amendment and Code Text Amendment to Modify Chapter 17.62, *Central Lathrop Zoning Districts* to add Article 6, IL-CL, Limited Industrial Zoning Districts and modify Section 17.62.120 B of the Lathrop Municipal Code.

SITE DESCRIPTION:

The Central Lathrop Specific Plan Phase 2 Amendment area is focused north of Dos Reis Road, west of Interstate 5, east of the San Joaquin River and south of the City Limit. The Vicinity Map below illustrates the location of the CLSP Phase 2 Amendment area.



**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
CLSP PHASE 2 AMENDMENT AND CODE TEXT AMENDMENT**

PAGE 3

The CLSP Phase 2 Amendment project is comprised of approximately 724-acres and involves the following Accessor's Parcel Numbers 192-020-61, -62, -63, -64, -06, -07, -08, -09, -65, -66, -38, -22, -48, -52, -19, -18, -68, -69, -16, -36, -70, -14, -11, -02, and -03.

BACKGROUND:

The Central Lathrop Specific Plan was approved by the City Council on November 9, 2004 (Resolution No. 04-1779). The project included certification of an Environmental Impact Report (EIR) (SCH# 2003072132), for the CLSP, adoption of the Specific Plan document, General Plan Land Use Map amendments, Zoning Map, and text amendments to the Lathrop Municipal Code (LMC). The CLSP is separated into two (2) major phases of development. Phase 1 is generally located south of Dos Reis Road and includes Lathrop High School, development of a regional park (adjacent to Lathrop High School), residential and commercial uses. Phase 2 is located north of Dos Reis Road and previously included development of residential and commercial uses, parks, and school sites (K-8). The City Council recently adopted the comprehensive Lathrop General Plan Update (adopted on September 19, 2022) and the CLSP area north of Dos Reis Road was modified from residential and commercial land use designations to Limited Industrial.

A Rezone (map) to the properties in the CLSP Phase 2 Amendment area is being processed by the City via the Zoning Consistency Update Project. The proposed Amendment to the CLSP for Phase 2 would further bring the Specific Plan into consistency with the Lathrop General Plan and would allow development of Limited Industrial uses pursuant to the LMC and the CLSP Phase 2 Amendment document.

ANALYSIS:

As noted above, the Central Lathrop Specific Plan (CLSP) was originally approved in 2004. The proposed CLSP Phase 2 Amendment includes updates and modifications for Phase 2 of CLSP only. The CLSP Phase 2 Amendment does not change the entitlements for Phase 1 of the CLSP and is a stand-alone document intended to implement the design and development standards and concepts for Phase 2. The primary goals of the CLSP Phase 2 Amendment are designed to achieve the following:

- Establish a comprehensive land use plan that will guide development of the approximately 724-acre CLSP Phase 2 Amendment Area.
- Update the City's long-term vision for the CLSP Phase 2 Amendment Area in accordance with the recently adopted Lathrop General Plan, by incorporating refinements designed to reflect evolving innovation in land use planning concepts.

**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
CLSP PHASE 2 AMENDMENT AND CODE TEXT AMENDMENT**

PAGE 4

- Establish a regional industrial development area adjacent to the I-5 freeway that makes use of the visibility and prime freeway access provided by the Roth Road and I-5 Interchange.
- Maximize passive recreational opportunities through the creation of a comprehensive linear park and open space system located adjacent to and providing access to the San Joaquin River.
- Generate positive fiscal benefits for the City resulting from the regional industrial development.
- Increase employment and shopping opportunities for City residents.
- Provide job generating land uses in close proximity to residential uses in order to minimize home-to-work vehicular trip lengths, automobile usage and related air quality impacts.
- Provide an integrated, efficient, and safe circulation system for pedestrians, bicyclists, transit and vehicles.
- Provide roadway improvements and land use planning that will tie together with existing development.
- Establish a logical phasing plan that assures that each phase of development will include all necessary public improvements required to meet City standards.
- Add value to the existing and future City of Lathrop community and contribute to the establishment of a strong local economic base through job creation and the economic stimulus that comes from the multi-million-dollar investment required to develop the CLSP and the disposable income of the people who live and work in the plan area.
- Implement the development program envisioned for the CLSP on property that the Lathrop General Plan designates for Limited Industrial uses.
- To the extent feasible, incorporate future project designs that minimize environmental impacts.
- Provide a logical and orderly extension of the City of Lathrop that is compatible with and complements existing and planned land uses within other portions of the City.

**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
CLSP PHASE 2 AMENDMENT AND CODE TEXT AMENDMENT**

PAGE 5

- Satisfy the City policies, regulations and expectations as defined in the Lathrop General Plan and Municipal Code.
- Provide services and infrastructure that meet or exceed City standards and that do not diminish services to existing residents of the City.
- Enrich the relationship between the City and the San Joaquin River by incorporating the river's edge as a critical component of the CLSP Parks and open space program.

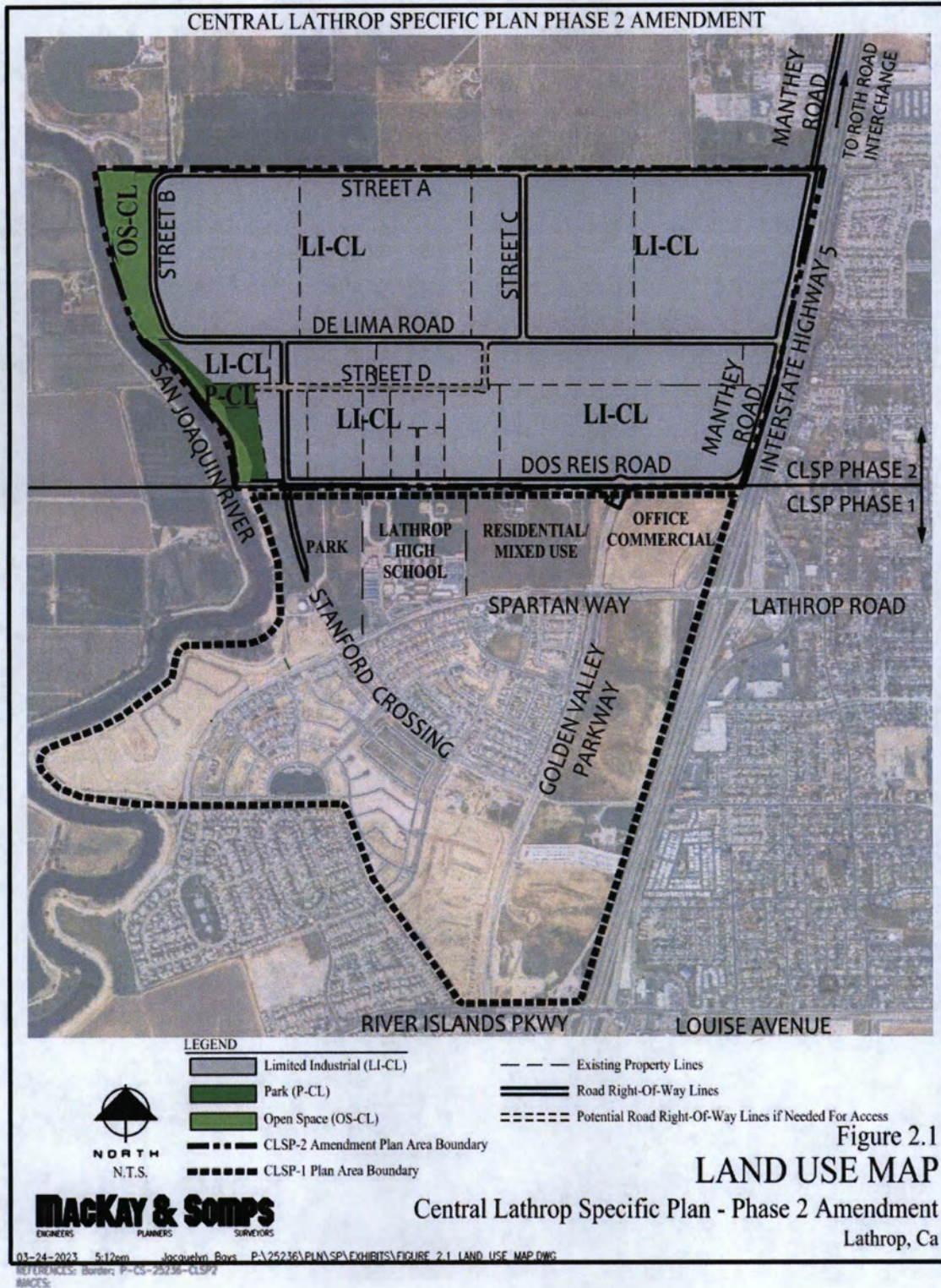
The CLSP Phase 2 Amendment is organized as follows: Introduction, Land Use, Circulation and Transportation, Natural Resources Management, Community Services and Facilities, Utilities and Drainage Infrastructure, Design Guidelines, Implementation, and Financing.

Land Use Summary and Designations

The below table represents the proposed development acreages by land use.

Designation	Land Use	Area (acres)	Maximum Building Square Footage at Max FAR of 1.0 (SF)	Potential Building Square Footage at Target FAR of 0.75 (SF)
LI-CL	Limited Industrial [1]	618.2	26,928,792	20,196,594
OS-CL	Open Space	29.3	1,276,308	957,231
P-CL	Park	11.2	487,872	365,904
	Major Road Right-of-Way	65.3	2,844,468	2,133,351
	Total	724.0	31,537,440	23,653,080

The CLSP Phase 2 Amendment contemplates Limited Industrial development at an average rather than a maximum Floor Area Ratio (FAR) and recognizes that the likely development FAR will be 0.75 or lower depending on off-street parking demand, landscaping, roadways, open space, stormwater management, and other site requirements. The following exhibit illustrates the proposed Land Use Map for the CLSP Phase 2 Amendment.



**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
CLSP PHASE 2 AMENDMENT AND CODE TEXT AMENDMENT**

PAGE 7

The following are the proposed land uses within the CLSP Phase 2 Amendment Project.

Limited Industrial

The Limited Industrial use applies to most of the plan area. It is anticipated that uses such as warehousing and manufacturing that do not require a high degree of visibility and truck dependence, will be located in areas of the plan area that minimize the potential for air quality and noise impacts to sensitive receptors. The CLSP Phase 2 Amendment Plan Area is envisioned to accommodate a wide range of job generating uses, including business parks, clean light industrial, research and development (R&D); science, technology, engineering, and math (STEM); tech/biotech manufacturing; high-tech services that incorporate some combination of assembly; warehousing, and/or sales; hospitals, labs and other health care-related uses, and distribution centers.

Open Space

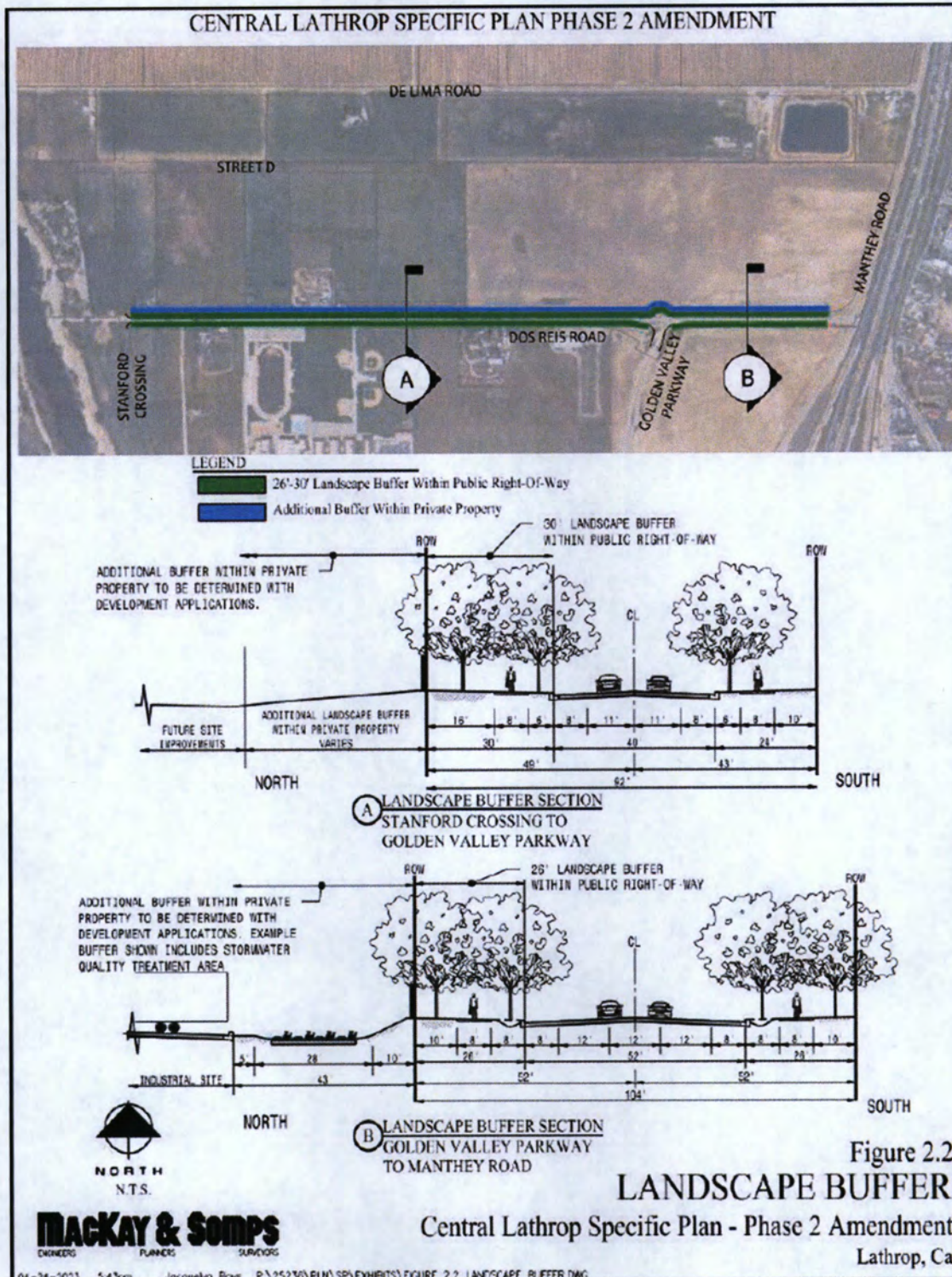
The CLSP Phase 2 Amendment designates Open Space uses along the San Joaquin River and this designation spans the length of the western edge of the plan area. The area is designated to provide an open space corridor consistent with the Lathrop General Plan. The open space corridor is intended as a local community wide facility with the possibility of regional linkage via multi-use trail. For example, the open space corridor will connect to developing and existing segments to the south within the CLSP Phase 1 area and the Mossdale Village developments.

Park

The CLSP Phase 2 Amendment retains the Dos Reis County Park designation, a County park within the City limits adjacent to the San Joaquin River.

Landscape Buffer along Dos Reis Road

The CLSP Phase 2 Amendment includes provisions for a landscape buffer along the north side of Dos Reis Road with two (2) different design themes. At locations where existing or proposed land uses on the south side of Dos Reis Road include sensitive receptors, the landscape buffer includes a 30-foot-wide landscape corridor within the public right-of-way including 22' of landscaping and an 8' paved sidewalk as well as an additional buffer on the adjacent private development parcels. At locations on Dos Reis Road where Commercial use is proposed to the south, the landscape buffer shall include a 26-foot-wide landscape corridor within the public right-of-way including 18 feet of landscaping and an 8 foot paved sidewalk as well as an additional buffer on the adjacent private development parcels. An 8' high solid wall is also required within the landscape buffer area. Additional buffers on the adjacent private development parcels in both scenarios shall be determined during the Site Plan Review process for each specific development process. The following exhibit illustrates the location of the suggested landscape buffers.



Code Text Amendment

The proposed Code Text Amendment includes language and provisions specific to the CLSP Phase 2 Amendment Project and would modify Chapter 17.62, *Central Lathrop Zoning Districts* of the Lathrop Municipal Code (LMC) to establish an "IL-CL", Limited Industrial Zoning District with development standards. Specifically, the Code Text Amendment would add Article 6, IL-CL: Limited Industrial Zoning Districts to Chapter 17.62. The IL-CL district is intended to provide industrial employment opportunities for residents of the city and region. The IL designation accommodates a wide range of job-generating uses, including business parks; clean light industrial; research and development (R&D); science, technology, engineering, and math (STEM); tech/biotech manufacturing, and/or sales, hospitals and other health care-related uses, warehouses and distribution centers.

General Plan Consistency

The CLSP Phase 2 Amendment would implement General Plan Implementation Measure LU-5.f which requires the City to update the CLSP. Specifically, General Plan Implementation Measure LU-5.f states the following:

Update the Central Lathrop Specific Plan (CLSP) to accomplish the following objectives:

- a. Bring the Specific Plan's land use map into consistency with the General Plan Land Use Map (Figure LU-1)
- b. Establish a circulation network that keeps future truck trips as far from existing and planned sensitive receptors as feasible; this includes, but not limited to, the following requirements, which shall be incorporated into the Specific Plan:
 - i. Trucks shall be prohibited on Dos Reis Road west and east of Golden Valley Parkway, on Golden Valley Parkway south of Dos Reis Road to Lathrop Road, and on Lathrop Road east of Golden Valley Parkway to Interstate 5 southbound off-ramp.
 - ii. Future truck dependent development projects shall be prohibited from providing driveway access points off Dos Reis Road, west of Golden Valley Parkway, other than emergency vehicle access (EVA).
 - iii. Truck traffic within the Limited Industrial Area of the Central Lathrop Specific Plan shall be limited to De Lima Road, and any future roadways north of Dos Reis Road, to connect to Manthey, Roth Road, and Interstate 5.
- c. Establish site design standards for new industrial projects.

- d. Identify financing and cost-recovery methods to fund roadway and infrastructure improvements.
- e. Circulation design standards that promote safe transportation routes that limit impacts to developed areas to the south, and connectivity enhancements to provide better connectivity to I-5.
- f. Infrastructure improvements to improve roadway operations.
- g. Opportunities to provide employee-serving amenities onsite, such as parks and plazas, outdoor seating areas, fitness facilities, and daycare centers as a means to reduce vehicle trips, while supporting air quality, public health, and sustainability goals.
- h. Include provisions that all development projects proposed north of Dos Reis Road and south of De Lima Road be required to obtain a Conditional Use Permit (CUP), which shall be subject to discretionary review by the City Council.

Based on Staff's review, the CLSP Phase 2 Amendment is consistent with the requirements of Implementation Action LU-5.f. Chapter Three of the CLSP Phase 2 Amendment document describes the proposed circulation system and transportation included in the plan area, including a Truck Route Plan that prohibits trucks on Dos Reis Road west and east of Golden Valley Parkway, on Golden Valley Parkway south of Dos Reis Road to Lathrop Road, and on Lathrop Road east of Golden Valley Parkway to Interstate 5 southbound off-ramp. Chapter Three also describes the Circulation Design standards and connectivity enhancements. Chapter Seven of the CLSP Phase 2 Amendment document describes the Design Guidelines and Principles for new industrial projects as well as opportunities for employee-serving amenities.

In addition to fulfilling Implementation Measure LU.5f above, the CLSP Phase 2 Amendment is consistent with the Goals, Policies and Implementation Measures listed in Table 1.3 in the CLSP Phase 2 Amendment document (starting on Page 1-8). The CLSP Phase 2 Amendment document is attached to this Staff Report as Attachment 3.

Zoning Consistency

The proposed Code Text Amendment would add language and provisions specific to the CLSP Phase 2 Amendment Project and would modify Chapter 17.62, *Central Lathrop Zoning Districts* to establish an IL-CL, Limited Industrial Zoning District including development standards.

**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
CLSP PHASE 2 AMENDMENT AND CODE TEXT AMENDMENT**

PAGE 11

The proposed CLSP Phase 2 Amendment document and amendments to the Lathrop Municipal Code (LMC) will provide the necessary regulations and provisions to implement the Specific Plan and review proposed projects within the CLSP Phase 2 Amendment area.

Findings

Chapter Eight, *Implementation*, of the Central Lathrop Specific Plan (CLSP) provides guidance on interpretation and amendment of the Specific Plan. Specifically, the CLSP states the following:

Amendments to the Specific Plan, including the Design Guidelines, may be proposed by a developer or property owner or initiated by the City, and shall be processed in accordance with City ordinances and subject to the requirements and limitations of any applicable development agreement. All amendments shall be presented in a public hearing before City Council action on that proposal. Generally, the process for amending the Specific Plan is similar to that for amending the City's General Plan, with the difference that there is no limitation on the number of Specific Plan amendments that may be approved in any one year.

In this regard, the CLSP Phase 2 Amendment is a Staff-initiated amendment to the CLSP that would implement the Lathrop General Plan. As noted above, Implementation Measure LU-5.f requires the City to amend the CLSP to be consistent with the General Plan. The amendment is being processed similar to that of a General Plan Amendment in that the proposed CLSP Phase 2 Amendment will be presented to the Planning Commission and City Council via Public Hearings.

Public Notice

A Notice of Public Hearing was advertised in the Manteca Bulletin on September 27, 2023. Staff also mailed the public hearing notice to notify property owners located within a 300-foot radius from the project site boundary. In addition, the Public Notice was emailed to the City's Public Hearing subscribers and interested parties and posted at three (3) locations accessible to the public and the City website.

PLANNING COMMISSION:

On September 13, 2023, the Planning Commission held a public hearing on the proposed CLSP Phase 2 Amendment and Code Text Amendment.

After review and consideration of all information provided, and after taking and considering all public testimony, the Planning Commission voted unanimously (4-0) to adopt Resolution No. 23-12, recommending the City Council find the project exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183 and approve the Central Lathrop Specific Plan Phase 2 Amendment comprised of approximately 724-acres and a Municipal Code Text Amendment to Chapter 17.62, *Central Lathrop Zoning Districts* of the Lathrop Municipal Code. The Planning Commission Resolution is attached to this Staff Report as Attachment 6.

CEQA REVIEW:

California Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183 allows for a streamlined environmental review process for projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.

If the above qualifications are met, as stated in Section 15183(b), "a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:

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

A detailed Environmental Checklist, dated August 2023, prepared by De Novo Planning Group was prepared to analyze the proposed Central Lathrop Specific Plan (CLSP) Phase 2 Amendment and associated Code Text Amendment.

Additionally, the Environmental Checklist analyzed two (2) other distinct, yet closely related actions being contemplated by the City: the City's Zoning Consistency Project which includes amendments to the Lathrop Municipal Code (LMC) and the City's Zoning Map and the Ashley Furniture Project (Site Plan Review No. SPR-23-09 and Conditional Use Permit No. CUP-23-08). As a result of the newly adopted General Plan, the City is initiating an update to the Municipal Code to bring the code and Zoning Map into consistency with the General Plan, and updating the Phase 2 portion of the CLSP into consistency with the General Plan. The City also received development applications for the Ashley Furniture Project within the boundaries of the CLSP Phase 2 area.

As explained in the Environmental Checklist in detail, the proposed projects are consistent with the City's General Plan, for which an EIR was prepared and certified, and there are no site-specific or cumulative impacts associated with the proposed projects that have not been fully addressed in a previous environmental document, or that cannot be reduced to a less than significant level through the application of uniformly applied development policies and/or standards. The findings in the Environmental Checklist demonstrate that no additional environmental analysis/review is required CEQA prior to approval of the proposed projects.

The Environmental Checklist is attached to this Staff Report as Attachment 5.

RECOMMENDATION:

The Planning Commission and staff recommend that City Council consider all information provided and submitted, take and consider all public testimony and, if determined to be appropriate, adopt a Resolution to find the project exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183 and First Reading and Introduction of an Ordinance to approve the Central Lathrop Specific Plan (CLSP) Phase 2 Amendment and Code Text Amendment to Modify Chapter 17.62, *Central Lathrop Zoning Districts* to add Article 6, IL-CL, Limited Industrial Zoning Districts and modify Section 17.62.120 B of the Lathrop Municipal Code.

FISCAL IMPACT:

All application processing fees and costs are charged to the applicant. The request has no fiscal impact to the City.

**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
CLSP PHASE 2 AMENDMENT AND CODE TEXT AMENDMENT**

PAGE 14

ATTACHMENT:

1. City Council Resolution to Find the Project Exempt from Further Environmental Review Pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183
2. Ordinance to Approve the Central Lathrop Specific Plan (CLSP) Phase 2 Amendment and Code Text Amendment
3. CLSP Phase 2 Amendment Document
4. Mark-up of Chapter 17.62 Central Lathrop Zoning Districts
5. Environmental Checklist, prepared by De Novo Planning Group, dated August, 2023 with Appendices
6. Planning Commission Resolution No. 23-12

**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
CLSP PHASE 2 AMENDMENT AND CODE TEXT AMENDMENT**

PAGE 15

APPROVALS:



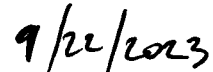
David Niskanen
Contract Planner



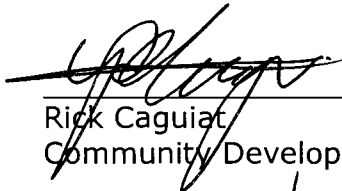
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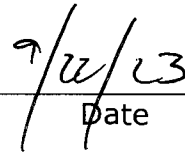
John B. Anderson
Contract Planner



Date



Rick Caguiat
Community Development Director



Date



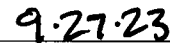
Salvador Navarrete
City Attorney



Date



Stephen J. Salvatore
City Manager



Date

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP FINDING PROJECT EXEMPT FROM FURTHER ENVIRONMENTAL REVIEW PURSUANT TO PUBLIC RESOURCES CODE SECTION 21083.3 AND CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTION 15183 (TA-23-104)

WHEREAS, Section 65450 *et. seq.* of the California Government Code provides for the preparation and adoption of Specific Plans by general law cities for implementation of all or part of an adopted General Plan; and

WHEREAS, Section 65453 of the California Government Code provides that a Specific Plan may be adopted or amended by either Resolution or Ordinance as provided by the local jurisdiction; and

WHEREAS, the Central Lathrop Specific Plan Phase 2 Amendment is being updated to be consistent with the 2022 General Plan Update; and

WHEREAS, the proposed Code Text Amendment amends Chapter 17.62, *Central Lathrop Zoning Districts* to be consistent and implement the Central Lathrop Specific Plan Phase 2 Amendment and 2022 General Plan Update; and

WHEREAS, the Central Lathrop Specific Plan Phase 2 Amendment and Code Text Amendment (TA-23-104) applies only to Phase 2 (the Project) and does not in any way apply to the Central Lathrop Specific Plan Phase 1 Project; and

WHEREAS, the Amendment to the Central Lathrop Specific Plan as it affects Central Lathrop Specific Plan Phase 2 Amendment is a stand-alone document for the Phase 2 portion of Central Lathrop; and

WHEREAS, prior to the City's approval of the 2022 General Plan Update, the City prepared an Environmental Impact Report (EIR) which analyzed the environmental impacts of buildout under the General Plan Update pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, *et. seq.*), and the Lathrop City Council certified the General Plan Update Final EIR on September 19, 2022 (State Clearinghouse #2021100139); and

WHEREAS, the analysis in the General Plan Update EIR allows the use of CEQA exemption/streamlining provisions for projects developed under the General Plan Update, including the proposed Project; and

WHEREAS, the proposed Amendment to the Central Lathrop Specific Plan, as it affects the Phase 2 Project, is an amendment to the adopted 2004 Central Lathrop Specific Plan, which was adopted by Resolution No. 04-1779 on November 9, 2004; and

WHEREAS, the City intends to retain the 2004 Central Lathrop Specific Plan as the governing land use regulations for certain specified portions of the Specific Plan area including properties within the Phase 1 Specific Plan area; and

Resolution No. 23-

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public hearing on September 13, 2023, to consider the proposed Project and after reviewing and considering all information provided and submitted, and after taking and considering all public testimony adopted Resolution No. 23-13 recommending City Council approval of the proposed Project; and

WHEREAS, proper notice of this public hearing was given in all respects as required by law including the publishing of a legal notice of the hearing in the Manteca Bulletin on or about September 27, 2023 and mailed out to property owners located within a 300-foot radius from the project site boundary on September 27, 2023, emailed to the City's Public Hearing subscribers and interested parties and posted at three (3) locations accessible to the public and the City website; and

WHEREAS, the City Council has utilized its own independent judgement in adopting this Resolution.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Lathrop does hereby make the following findings:

Section 1. Conditional Use Permit Findings. Pursuant to Section 17.112.060 of the Lathrop Municipal Code (LMC), the City Council finds as follows:

- a. That there are circumstances or conditions applicable to the land, structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right. *The proposed Project represents a major expansion of the existing Ashley Furniture Distribution Center and Retail Outlet located on S. Harlan Road. The proposed Project is consistent with the City's development standards for Limited Industrial.*
- b. That the proposed location of the conditional use is in accordance with the objectives of the zoning code and the purposes of the district in which the site is located. *The proposed Project is located in the IL-CL, Limited Industrial Zoning District and the Central Lathrop Specific Plan Phase 2 Amendment area and is a permitted use within the zoning district for which it is located as further established in the Zoning Code Text Amendment.*
- c. That the proposed use will comply with each of the applicable provisions of the LMC, as amended. *As noted above and as described in the Staff Report, the proposed Project is a permitted use in the IL-CL, Limited Industrial Zoning District and is consistent with the applicable provisions in the LMC, including screening requirements pursuant to the Central Lathrop Specific Plan Phase 2 Amendment. Additionally, the General Plan requires updates to the LMC and Central Lathrop Specific Plan Phase 2 in order to ensure that new development is compatible with existing development (Goal LU-5).*

To the extent the City has not previously made findings regarding any/all of these referenced General Plan policy and implementation actions and uniformly applied development policies, standards and/or regulations, the City Council finds that all of those General Plan Update policy and implementation actions and uniformly applied development policies, standards and/or regulations, were adopted, in whole or in part, to substantially mitigate the potential environmental effects to which they pertain (i.e., aesthetics, agricultural and forest resources, air quality, biological resources, cultural and tribal resources, geology and soils, greenhouse gases, climate change, and energy, hazards and hazardous materials, hydrology and water quality, land use, population, and housing, mineral resources, noise, public services and recreation, circulation, utilities and service systems, and wildfire).

Section 2. Based on the findings set forth in this Resolution and the evidence in the Staff Report, the City Council hereby find the Project Exempt from Further Environmental Review Pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183 as illustrated and incorporate by reference as Attachment 5 of the City Council Staff Report.

BE IT FURTHER RESOLVED that the City Council of the City of Lathrop, based on substantial evidence in the administrative record of proceedings, its above findings, including the staff report and associated attachments, does hereby find the Project exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183.

The foregoing resolution was passed and adopted this 9th day of October 2023 by the following vote of the City Council, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

ORDINANCE NO. 23-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING THE CENTRAL LATHROP SPECIFIC PLAN (CLSP) PHASE 2 AMENDMENT AND CODE TEXT AMENDMENT TO MODIFY CHAPTER 17.62, CENTRAL LATHROP ZONING DISTRICTS TO ADD ARTICLE 6, IL-CL: LIMITED INDUSTRIAL ZONING DISTRICTS AND MODIFY SECTION 17.62.120 B OF THE LATHROP MUNICIPAL CODE (TA-23-104)

WHEREAS, Section 65450 *et. seq.* of the California Government Code provides for the preparation and adoption of Specific Plans by general law cities for implementation of all or part of an adopted General Plan; and

WHEREAS, Section 65453 of the California Government Code provides that a Specific Plan may be adopted or amended by either Resolution or Ordinance as provided by the local jurisdiction; and

WHEREAS, the Central Lathrop Specific Plan Phase 2 Amendment is being updated to be consistent with the 2022 General Plan Update; and

WHEREAS, the proposed Code Text Amendment amends Chapter 17.62, *Central Lathrop Zoning Districts* to be consistent and implement the Central Lathrop Specific Plan Phase 2 Amendment and 2022 General Plan Update; and

WHEREAS, the Central Lathrop Specific Plan Phase 2 Amendment and Code Text Amendment (TA-23-104) applies only to Phase 2 (the Project) and does not in any way apply to the Central Lathrop Specific Plan Phase 1 Project; and

WHEREAS, the Amendment to the Central Lathrop Specific Plan as it affects Central Lathrop Specific Plan Phase 2 Amendment is a stand-alone document for the Phase 2 portion of Central Lathrop; and

WHEREAS, prior to the City's approval of the 2022 General Plan Update, the City prepared an Environmental Impact Report (EIR) which analyzed the environmental impacts of buildout under the General Plan Update pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, *et. seq.*), and the Lathrop City Council certified the General Plan Update Final EIR on September 19, 2022 (State Clearinghouse #2021100139); and

WHEREAS, the analysis in the General Plan Update EIR allows the use of CEQA exemption/streamlining provisions for projects developed under the General Plan Update, including the proposed Project; and

WHEREAS, prior to approval of the Project, the City Council adopted a Resolution to find the Project exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183; and

WHEREAS, the proposed Amendment to the Central Lathrop Specific Plan, as it affects the Phase 2 Project, is an amendment to the adopted 2004 Central Lathrop Specific Plan, which was adopted by Resolution No. 04-1779 on November 9, 2004; and

WHEREAS, the City intends to retain the 2004 Central Lathrop Specific Plan as the governing land use regulations for certain specified portions of the Specific Plan area including properties within the Phase 1 Specific Plan area; and

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public hearing on September 13, 2023, to consider the proposed Amendment to the Central Lathrop Specific Plan and Code Text Amendment and after reviewing and considering all information provided and submitted, and after taking and considering all public testimony adopted Resolution No. 23-12 recommending City Council approval of the proposed Project; and

WHEREAS, proper notice of this public hearing was given in all respects as required by law including the publishing of a legal notice of the hearing in the Manteca Bulletin on or about September 27, 2023 and mailed out to property owners located within a 300-foot radius from the Central Lathrop Specific Plan Phase 2 Amendment project area on September 27, 2023, emailed to the City's Public Hearing subscribers and interested parties and posted at three (3) locations accessible to the public and the City website; and

WHEREAS, the City Council has reviewed all written evidence and oral testimony presented to date.

NOW, THEREFORE, BE RESOLVED that the City Council of the City of Lathrop based on substantial evidence in the administrative record of proceedings and pursuant to its own independent review and consideration, hereby approves the Central Lathrop Specific Plan (CLSP) Phase 2 Amendment, as shown in Attachment 3 of the City Council Staff Report, relative to the proposed development of the CLSP Phase 2 Amendment project area on certain real property consisting of 724 acres located in the City of Lathrop, incorporated by reference herein.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LATHROP DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. This Ordinance incorporates, and by this references makes part hereof, that certain Amendment to the Central Lathrop Specific Plan as it affects Central Lathrop Specific Plan Phase 2 Amendment Project, as shown in Attachment 3 of the City Council Staff Report, relative to the proposed development of the Central Lathrop Specific Plan Phase 2 Amendment area on certain real property consisting of approximately 724-acres located in the City of Lathrop.

Section 2. Specific Plan Findings. Pursuant to State of California Planning and Zoning Law, the City Council finds and determines as follows:

1. The 2004 Central Lathrop Specific Plan adopted pursuant to Resolution No. 04-1779 shall be in full force and effect as to that portion of the Specific Plan that covers Phase 1.
2. The 2004 Central Lathrop Specific Plan, as modified by the proposed related Amendments for Phase 2 is consistent with the goals, policies, implementation measures, and general land uses specified in the 2022 General Plan Update because it promotes job-generating land uses within the Phase 2 Amendment area and specifically implements Implementation Measure LU-5.f of the General Plan, which requires the City to update the Central Lathrop Specific Plan to be consistent with the adopted General Plan Update.
3. The 2004 Central Lathrop Specific Plan, as modified by the proposed related Amendments is consistent with the goals, policies, implementation measures specified in the General Plan Update related to promoting the development of job-generating land uses to support existing and future businesses. The Central Lathrop Specific Plan Phase 2 Amendment ensures that the City's economic base will be strengthened by promoting development which will create a variety of high quality long-term jobs and shorter term construction jobs and encourages future developers to finance public facilities for long-term infrastructure solutions and public services. Additionally, the 2004 Central Lathrop Specific Plan, as amended by the proposed Phase 2 Amendment is consistent with the General Plan Update goals related to achieving visual and functional quality of new development because it requires the provision of open space within the planning area and the provision of landscape buffers between the Phase 2 area and sensitive receptors.
4. The 2004 Central Lathrop Specific Plan, as modified by the proposed related Amendment, is consistent with the goals, policies, general land uses and implementation measures specified in the General Plan Update because it ensures that proposed land uses will receive an adequate level of public services, facilities and protection by implementing the goals and policies of the Public Facilities and Services and Public Safety Elements of the General Plan.
5. The 2004 Central Lathrop Specific Plan, as modified by the proposed related Amendment, is consistent with the goals, policies, general land uses, and implementation measures specified in the General Plan Circulation Element because it ensures that streets and highways will be constructed in accordance with the Traffic Monitoring Program to serve the new development.

6. The 2004 Central Lathrop Specific Plan, as modified by the proposed related Amendments, is consistent with the goals, policies, general land uses, and implementation measures specified in the Environmental Justice Element because it ensures that measures are in place to promote land use and development patterns that reduce greenhouse gas emissions, enhance air quality, and reduce climate change impacts.
7. The 2004 Central Lathrop Specific Plan, as modified by the proposed related Amendments, is consistent with the goals, policies, general land uses and implementation measures of the General Plan because it will promote orderly development of the plan through flexible phasing which is tied to the provisions of supporting infrastructure capacity in the construction of off-site infrastructure improvements. The 2004 Central Lathrop Specific Plan, as modified by the proposed related Phase 2 Amendment, provides for the construction of roadways to provide improved access to the project and adjacent properties, and the extension of utilities such as water, sanitary sewer, and storm drainage facilities necessary to accommodate the project.
8. The 2004 Central Lathrop Specific Plan, as modified by the proposed related Phase 2 Amendment, is consistent with the goals, policies and implementation measures of the General Plan Public Safety Element because it ensures that all new buildings construction shall conform to the latest California Building Code and seismic standards; gives priority to support police protection, and to fire suppression, and implements practices and regulations which avoid hazardous land use relationships.

Section 3. Code Text Amendment Findings. Pursuant to State of California Planning and Zoning Law, the City Council finds and determines as follows:

1. The proposed Zoning Code Text Amendment is consistent with the City's General Plan Update, as enumerated in the Consistency Findings in the Staff Report.
2. The proposed Zoning Code Text Amendment furthers the public interest, convenience, and general welfare of the City by implementing the Central Lathrop Specific Phase 2 Amendment. The amendments would ensure consistency with the CLSP Phase 2 Amendment, General Plan, and Lathrop Municipal Code and update the zoning standards that are relevant to the CLSP Phase 2 Amendment.

Section 4. Upon adoption by the City Council, the Central Lathrop Specific Plan Phase 2 Amendment applies only to the Central Lathrop Specific Plan Phase 2 Project and does not change the adopted Central Lathrop Specific Plan as it applies to the balance of the CLSP area (Phase 1).

Ordinance No. 23-

Section 5. Upon adoption by the City Council, the Community Development Director is hereby directed to retain said 2004 Central Lathrop Specific Plan, as modified by the proposed related Amendments, on permanent public display in the Community Development Department, Planning Division in the City of Lathrop.

Section 6. Based on the findings set forth in this Ordinance, the CEQA Resolution, and evidence in the Staff Report, the City Council hereby approves the Central Lathrop Specific Plan Phase 2 Amendment and directs that the Central Lathrop Specific Plan Phase 2 Amendment be added to the 2004 Central Lathrop Specific Plan as a stand-alone document for Phase 2. These documents shall be substantially in the form on file with the City Clerk.

Section 7. This Ordinance is not intended to and shall not be construed or given effect in the manner that imposes upon the city or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis for civil liability for damages, except as otherwise imposed by law.

Section 8. Severability. If any section, subsequent subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

Section 9. Effective Date. This Ordinance shall take legal effect 30 days from and after the date of its passage.

Section 10. Publication. Within fifteen days of the adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance to be published in full accordance with Section 36933 of the Government Code.

THIS ORDINANCE was regularly introduced at a meeting of the City Council of the City of Lathrop on the 9th day of October 2023, and was PASSED AND ADOPTED at a regular meeting of the City Council of the City of Lathrop on _____, 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney

Central Lathrop Specific Plan
Phase 2 Amendment
Lathrop, California

May 2023

Table of Contents

Chapter One: Introduction	1-5
Overview and Applicability of the CLSP Phase 2 Amendment	1-5
Purpose	1-6
Planning Vision.....	1-6
Goals of the Specific Plan.....	1-16
Context	1-17
Legal Authority	1-20
Relationship to Other City Policies, Programs, and Documents	1-20
Organization of the Specific Plan	1-21
 Chapter Two: Land Use.....	 2-1
Introduction	2-1
Existing and Interim Land Uses	2-1
Land Use Plan.....	2-1
Landscape Buffer.....	2-2
Land Use Designations	2-5
Calculation of Land Use Intensities and Allowable Square Footages.....	2-6
Land Use and Site Layout Flexibility	2-6
Land Use Regulations and Development Standards.....	2-7
 Chapter Three: Circulation and Transportation	 3-1
Introduction	3-1
Circulation and Transportation Goals.....	3-1
Existing Conditions	3-1
Proposed Transportation Improvements	3-7
CLSP-2 Amendment Plan Area Transportation Network.....	3-7
CLSP-2 Amendment Plan Area Truck Routes	3-8
Utility Corridors	3-15
Bicycle and Pedestrian Network	3-15
 Chapter Four: Natural Resources Management.....	 4-1
Introduction	4-1
Open Space and Parks.....	4-1
Williamson Act Lands	4-1
Right to Farm.....	4-1
Biological Resources.....	4-2
Habitat Conservation Plan	4-3
Historic and Cultural Resources.....	4-3
 Chapter Five: Community Services and Facilities	 5-1
Introduction	5-1
Parks and Recreation	5-1
CLSP-2 Open Space	5-1
CLSP-2 Open Space Interface	5-1
Police and Animal Control Services.....	5-2
Fire and Emergency Services	5-2
Solid Waste.....	5-3

Chapter Six: Utilities and Drainage Infrastructure.....6-1

Introduction	6-1
Potable Water	6-1
Wastewater.....	6-5
Recycled Water	6-9
Flood Protection and Storm Water Quality	6-11
Public Utility Easements and Utility Corridors.....	6-19
Energy and Telecommunications	6-19

Chapter Seven: Design Guidelines.....7-1

Introduction	7-1
Purpose	7-1
Land Use.....	7-1
CLSP-2 Amendment Principles, Standards and Guidelines	7-2
Site Design.....	7-2
Architecture	7-12

Chapter Eight: Implementation8-1

Introduction	8-1
Specific Plan Implementation.....	8-1
Right to Farm Provisions.....	8-1
Development Agreements	8-2
City Review Process	8-2
Habitat Conservation Plan.....	8-3
Amendments to CLSP-2	8-4
Overview of Development Approval Process	8-5
Site Plan Review Conditional Use Permits, Variances, and other permits for individual development projects	8-5
Phasing	8-6
The CLSP Phasing Program	8-6
Infrastructure Administration.....	8-6
Capital Improvement and Operation/ Maintenance Responsibilities	8-9
Interpretation and Amendment of Specific Plan.....	8-9
Specific Plan Consistency and Enforcement	8-11

Chapter Nine: Financing.....9-1

Introduction	9-1
Financing Plan.....	9-1
Updates of Financing Plan	9-2
Financing/Fiscal Measures	9-2
Reimbursement Agreements	9-5

List of Tables

Table 1.1: Relationship between the 2004 CLSP and CLSP-2 Amendment.....	1-6
Table 1.2: Goals from the 2022 Lathrop General Plan	1-8
Table 2.1: CLSP-2 Amendment Land Use Summary.....	2-5
Table 6.1: Estimated Water Demand.....	6-2
Table 6.2: Estimated Sewer Demand.....	6-6
Table 6.3: Watershed Detention Facilities and Pump Station Sizes.....	6-13
Table 8.1: Capital Improvement and Operation/Maintenance Responsibilities.....	8-9

List of Figures

Figure 1.1- Regional Map	1-14
Figure 1.2- Vicinity Map.....	1-15
Figure 1.3- Existing Ownership Map.....	1-18
Figure 1.4- Existing Conditions Map.....	1-19
Figure 2.1- Land Use Map	2-3
Figure 2.2- Landscape Buffer.....	2-4
Figure 3.1- Existing Circulation Plan	3-4
Figure 3.2- Existing Bus Service Plan.....	3-5
Figure 3.3- Existing Truck Route Plan.....	3-6
Figure 3.4- Vehicular Circulation Plan.....	3-9
Figure 3.5- Street Sections Key Map.....	3-10
Figure 3.6- Street Sections.....	3-11
Figure 3.7- Street Sections.....	3-12
Figure 3.8- Street Sections.....	3-13
Figure 3.9- Street Sections.....	3-14
Figure 3.10- Pedestrian and Bicycle Circulation Plan.....	3-16
Figure 3.11- Proposed Truck Route Plan.....	3-17
Figure 6.1- Potable Water Pipe Network.....	6-4
Figure 6.2- Wastewater Network.....	6-7
Figure 6.3- Offsite Wastewater Force Main Improvements	6-8
Figure 6.4- Recycled Water Pipe Network.....	6-10
Figure 6.5- Existing Watersheds	6-16
Figure 6.6- Proposed Watersheds.....	6-17
Figure 6.7- Stormwater Network.....	6-18
Figure 6.8- Existing Power Lines.....	6-20
Figure 7.1- Gateway Sign Locations.....	7-17
Figure 8.1- Phasing Map.....	8-8

Chapter One: Introduction

Overview and Applicability of the CLSP Phase 2 Amendment

The City of Lathrop adopted the Central Lathrop Specific Plan (CLSP) on November 9, 2004. The 2004 CLSP provided for the development of approximately 1,521 acres located south of the northern city limit line, west of Interstate-5, north of the Mossdale Village planning area, and east of the San Joaquin River as illustrated in Figure 1.1 and 1.2 (CLSP Plan Area).

The CLSP Plan Area consist of two primary development phases. Phase 1 of the CLSP covers approximately 797 acres in the southern portion (Phase 1 Plan Area), and Phase 2 applies to the 724-acre northern portion (Phase 2 Plan Area). Dos Reis Road serves as the dividing line between the two phases.

The City of Lathrop General Plan, in effect when the 2004 CLSP was adopted, provided for the development of a residential mixed use community in both Phases 1 and 2. The City of Lathrop recently adopted an update to the Lathrop General Plan on September 19, 2022. The 2022 Lathrop General Plan changed the prior General Plan residential, parks, schools, and commercial land use designations in the CLSP Phase 2 Plan Area to Limited Industrial, while maintaining the Open Space and Linear Park designation along the Mossdale Tract levee. The 2022 General Plan Update did not change the adopted land use designations in Phase 1 Area which allowed the development of residential neighborhoods, commercial areas, and public facilities including a high school, a community center and parks.

Development has occurred in the Phase 1 area, but no development has occurred within the Phase 2 area.

The Central Lathrop Specific Plan Phase 2 Amendment (“CLSP-2 Amendment”) includes updates and modifications only for the Phase 2 Plan Area portion of the Central Lathrop Specific Plan comprising the 724-acre area north of Dos Reis Road. **The CLSP-2 Amendment does not, in any way, alter, amend, or otherwise change the vested entitlements for the CLSP Phase 1 area, which is the 797-acre area south of Dos Reis Road. The original 2004 CLSP and the associated entitlements continue to govern the residential mixed use development in the CLSP Phase 1 Plan Area.**

The CLSP-2 Amendment revises all policies, regulations, land use concepts, and development standards with respect to Phase 2 and supersedes the 2004 CLSP for the area north of Dos Reis Road.

Table 1.1 identifies the chapters of the CLSP-2 Amendment and the corresponding chapters they supersede in the original 2004 CLSP.

The City of Lathrop is the sponsor of the CLSP-2 Amendment in order to amend the 2004 CLSP for the Phase 2 Plan Area so that the CLSP-2 Amendment is consistent with the recently adopted 2022 Lathrop General Plan. The 2004 CLSP designated residential, parks, schools, and commercial uses within the CLSP Phase 2 Plan Area. The CLSP-2 Amendment changes the residential, parks, schools, and commercial land uses within the Phase 2 Plan Area to Limited Industrial and retains the Open Space designation consistent with the 2022 Lathrop General Plan. The CLSP-2 amendment will implement the 2022 General Plan policies and establish clear direction for the development of the Plan Area. This land use change is consistent with the City’s efforts to support the Mossdale Tract’s provision of 200-year urban level of flood protection.

Table 1.1: Relationship between the 2004 CLSP and CLSP-2 Amendment

Chapter in 2004 CLSP (Superseded for the Phase 2 area)	Chapters in CLSP-2 Amendment for Phase 2 area
Chapter One: Introduction	Chapter One, Introduction
Chapter Two: Land Use	Chapter Two, Land Use
Chapter Three: Circulation and Transportation	Chapter Three, Circulation and Transportation
Chapter Four: Management of Natural Resources	Chapter Four, Natural Resources Management
Chapter Five: Community Services and Facilities	Chapter Five, Community Services and Facilities
Chapter Six: Utilities and Drainage Infrastructure	Chapter Six, Utilities and Drainage Infrastructure
Chapter Seven: Community Design	Chapter Seven, Design Guidelines
Chapter Eight: Implementation	Chapter Eight: Implementation
Chapter Nine: Financing	Chapter Nine: Financing

Purpose

The purpose of the CLSP-2 Amendment is to create a comprehensive planning framework that guides the development of the 724 acres within the Phase 2 Plan Area in a manner consistent with the 2022 Lathrop General Plan. The CLSP-2 Amendment is consistent with and based upon the 2022 Lathrop General Plan long-term vision for the Central Lathrop Specific Plan area.

The CLSP-2 Amendment contains policies, action items and exhibits regarding Phase 2 land use, circulation and transportation, management of natural resources, infrastructure, design guidelines, implementation, and financing.

Planning Vision

The Stockton-Tracy-Lathrop-Manteca region has experienced record growth that is anticipated

to continue. Of the cities located in San Joaquin County, Lathrop has become one of the fastest growing cities of its size, and financially stable cities in the State of California. This status is due to its location, availability of housing and jobs, and strategic planning that has provided a vast amount of land designated to create an ideal balance of housing, retail, services, leisure, and jobs creating industries for decades of sustainable growth.

The CLSP-2 Amendment designates land uses for a variety of business opportunities to support the skilled and educated workforce of Lathrop and the local area. Creating a relationship between jobs for the community and housing is paramount. Attracting businesses is essential in reducing the need for residents to commute out of the area, generating revenue for the city, as well as decreasing carbon emissions by reducing

vehicle miles travelled (VMT) of lengthy commutes throughout the County and beyond.

The 2022 Lathrop General Plan supports environmentally sensitive and sustainable employment growth by establishing land for industrial development within the Plan Area. The CLSP-2 Amendment is consistent with the 2022 General Plan in fulfilling the goals listed in Table 1.2 below. In addition the CLSP-2 Amendment complies with the LU-5 Implementation Actions outlined in the 2022 General Plan and listed in Table 1.3 below.

Table 1.2: Goals from the 2022 Lathrop General Plan

Land Uses
LU-1: Accommodate a mix of land uses that meet the needs of residents, businesses, and visitors with places to live, work, shop, be entertained and culturally engaged.
LU-2: Promote objectives and development in special planning areas consistent with adopted specific plans, overlay districts, master plans and density bonus provisions.
LU-3: Participate in coordinated local and regional land use planning activities.
LU-4: Coordinate and integrate land use planning and transportation objectives.
LU-5: Ensure that new development is compatible with existing development. <i>Refer to Table 1.3 for LU-5 Implementation Actions</i>
LU-6: Promote the development of job-generating land uses to support existing and future businesses.
LU-7: Preserve Lathrop's agricultural heritage by protecting and maintaining significant areas of agricultural lands around the city, and by reducing land use conflicts with agricultural operations.
Circulation
CIR-1: Develop and maintain a roadway system that accommodates all users.
CIR-2: Create a system of pedestrian, bicycle, and transit facilities that enables non-automotive accessibility and increases the health and livability of the community.
CIR-3: Support the movement of goods through trucking, rail, and other forms of freight service while maintaining quality of life for city residents.
CIR-4: Plan for the future of transportation to ensure accessibility for all, reduce the environmental impacts of transportation, and improve the quality of life.
Economic Development
ED-1: Retain and expand existing businesses.
ED-2: Broaden the local economic base.
ED-3: Provide diverse workforce housing options.
ED-4: Enhance community quality of life.

Public Facilities and Services
PFS-1: Provide effective, adequate, cost-efficient, and high-quality community services and facilities for residents, businesses, institutions, and visitors in Lathrop.
PFS-2: Provide existing and projected development with reliable, adequate access to clean, safe and potable water.
PFS-3: Provide the community with a wastewater system that is efficient, safe, cost-effective, and able to meet the needs of existing and future development.
PFS-4: Provide the community with an efficient, attractive, and environmentally sound stormwater system to accommodate runoff from existing and new development and prevent property damage due to flooding.
PFS-5: Ensure the community has access to adequate energy services, provided through economically and environmentally sustainable means.
PFS-6: Ensure state-of-the-art technology and telecommunications services for households, businesses, and the community is available throughout the city.
PFS-7: Provide the community with high-quality public safety services, facilities, and technology that protects against illicit activities and crime.
PFS-8: Coordinate with school districts to provide the community with educational facilities and opportunities that support the continued lifelong learning of all residents.
PFS-9: Provide the community with environmentally responsible waste disposal and recycling services that minimize the generation of disposal of waste.
PFS-10: Support the use of recycled water to meet water demands.
Public Safety
PS-1: Prepare the community for natural hazards related to landslides, geologic instability, and seismic activity to minimize loss of life, injury and property damage, and disruption of vital services.
PS-2: Protect the safety of life and property and prepare for urban and wildfire emergencies.
PS-3: Protect the community from potential flood hazards to minimize loss of life, injury, and property damage, and disruption of vital services.
PS-4: Protect the community from the potential for hazardous waste and materials contamination.
PS-5: Prepare and equip the community to handle emergency situations, in order to minimize loss of life, injury, property damage, and disruption of vital services.

PS-6: Prepare the community to adapt to climate change, including extreme weather events, in order to minimize risks to life, property, the economy, and the environment.
Recreation and Resources
RR-1: Provide the community with high-quality parks and recreational amenities.
RR-2: Protect and manage natural open space areas to provide scenic beauty and community enjoyment.
RR-3: Preserve and protect prehistoric, historic, archaeological, and paleontological resources, to bolster community identity and protect sensitive resources.
RR-4: Protect and maintain animal and plant species, city trees, waterways, and other supporting biological habitats within Lathrop.
RR-5: Balance the extraction of mineral resources with future development and conservation opportunities.
RR-6: Provide the community with optimal air quality.
RR-7: Protect the health of the bay delta.
RR-8: Promote water conservation throughout the region.
Noise
N-1: Protect residents from the harmful effects of exposure to excessive noise.
N-2: Protect the economic base of the city by preventing the encroachment of incompatible land uses near noise-producing roadways, industries, the railroad, commercial and mixed-use districts, and other sources.
Environmental Justice
EJ-1: Promote land use and development patterns that reduce greenhouse gas emissions, enhance air quality, and reduce climate change impacts in environmental justice communities.
EJ-2: Take measures to reduce pollution exposure and improve air quality in environmental justice communities.
EJ-3: Ensure that public facilities and services are equitably distributed throughout the city of Lathrop and are available to residents of environmental justice communities.
EJ-4: Expand access to healthy food and nutritional choices for all residents in the community.

EJ-5: Promote and ensure healthy living conditions for all residents, particularly those in environmental justice communities.
EJ-6: Promote land use and development patterns that encourage physical activity and improve multimodal access and connectivity to employment, shopping, services, schools, parks and other destinations.
EJ-7: Improve the physical fitness of the City's residents, particularly those who live in environmental justice communities.
EJ-8: Create accessible and culturally appropriate opportunities for all people regardless of race, color, national origin, or income to engage in the decision-making process.
EJ-9: Prioritize improvements and programs that address the needs of environmental justice communities.

Table 1.3: LU-5 Land Use Compatibility Implementation Actions from the 2022 Lathrop General Plan

LU-5.a: Through the development review process, screen development proposals for land use and transportation network compatibility with existing surrounding or abutting development or neighborhoods.
LU-5.b: Through the development review process, analyze land use compatibility and require adequate buffers and/or architectural enhancements to protect sensitive receptors from intrusion of development activities that may cause unwanted nuisances and health risks.
LU-5.c: When industrial projects, including warehouse projects, fulfillment centers, and other projects that may generate high volumes of truck trips and/or air quality emissions are proposed within 1,000 feet of existing or planned residential uses or other sensitive receptors, the City shall require the preparation of a Health Risk Assessment (HRA) that meets the standards established by the Office of Environmental Health Hazard Assessment (OEHHA), and the San Joaquin Valley Air Pollution Control District (SJVAPCD). Projects shall not be approved until it can be demonstrated that the project would not result in an exceedance of the established thresholds of significance for public health risks at nearby sensitive receptors.
LU-5.d: When industrial projects, including warehouse projects, fulfillment centers, and other projects that may generate high volumes of truck trips and/or air quality emissions are proposed within 1,000 feet of existing or planned residential uses or other sensitive receptors, the City shall require the implementation of best management practices (BMPs) to reduce pollution exposure to sensitive receptors, particularly diesel particulate matter (DPM). The appropriate BMPs shall be established on a case-by-case basis, and should consider the following tools, methods, and approaches:

- Creating physical, structural, and/or vegetative buffers that adequately prevent or substantially reduce pollutant dispersal between warehouses and any areas where sensitive receptors are likely to be present, such as homes, schools, daycare centers, hospitals, community centers, and parks.
- Providing adequate areas for on-site parking, on-site queuing, and truck check-in that prevent trucks and other vehicles from parking or idling on public streets.
- Placing facility entry and exit points from the public street away from sensitive receptors, e.g., placing these points on the north side of the facility if sensitive receptors are adjacent to the south side of the facility. Exceptions can be made for emergency vehicle access (EVA) points.
- Locating warehouse dock doors and other onsite areas with significant truck traffic and noise away from sensitive receptors.
- Screening dock doors and onsite areas with significant truck traffic and noise with physical, structural, and/or vegetative barriers that adequately prevent or substantially reduce pollutant dispersal from the facility towards sensitive receptors.
- Posting signs clearly showing the designated entry and exit points from the public street for trucks and service vehicles.
- Posting signs indicating that all parking and maintenance of trucks must be conducted within designated on-site areas and not within the surrounding community or public streets.

LU-5.e: Update the Lathrop Municipal Code to include Good Neighbor Guidelines for Warehouse Distribution Facilities. The new Good Neighbor Guidelines should include:

- a. A definition of the type and size of facility that is subject to the Guidelines;
- b. Standards to minimize exposure to diesel emissions to sensitive receptors that are situated in close proximity to the proposed facility;
- c. Standards and practices that eliminate diesel trucks from unnecessarily traversing through residential neighborhoods;
- d. Standards and practices that eliminate trucks from using residential areas and repairing vehicles on the streets;
- e. Strategies to reduce and/or eliminate diesel idling within the facility's site;

LU-5.f: Update the Central Lathrop Specific Plan (CLSP) to accomplish the following objectives:

- a. Bring the Specific Plan's land use map into consistency with the General Plan Land Use Map (Figure LU-1)
- b. Establish a circulation network that keeps future truck trips as far from existing and planned sensitive receptors as feasible; this includes, but is not limited to, the following requirements, which shall be incorporated into the Specific Plan:

<ul style="list-style-type: none"> i. Trucks shall be prohibited on Dos Reis Road west and east of Golden Valley Parkway, on Golden Valley Parkway south of Dos Reis Road to Lathrop Road, and on Lathrop Road east of Golden Valley Parkway to Interstate 5 southbound off-ramp. ii. Future truck dependent development projects shall be prohibited from providing driveway access points off of Dos Reis Road, west of Golden Valley Parkway, other than emergency vehicle access (EVA). iii. Truck traffic within the Limited Industrial Area of the Central Lathrop Specific Plan shall be limited to De Lima Road, and any future roadways north of Dos Reis Road, to connect to Manthey Road, Roth Road, and Interstate 5. <ul style="list-style-type: none"> c. Establish site design standards for new industrial projects; d. Identify financing and cost-recovery methods to fund roadway and infrastructure improvements. e. Circulation design standards that promote safe transportation routes that limit impacts to developed areas to the south, and connectivity enhancements to provide better connectivity to I-5. f. Infrastructure improvements to improve roadway operations g. Opportunities to provide employee-serving amenities onsite, such as parks and plazas, outdoor seating areas, fitness facilities, and daycare centers as a means to reduce vehicle trips, while supporting air quality, public health, and sustainability goals. h. Include provisions that all development projects proposed north of Dos Reis Road and south of De Lima Road be required to obtain a Conditional Use Permit (CUP), which shall be subject to discretionary review by the City Council. 	<p>LU-5.g: During the interim period following adoption of this General Plan, and the adoption of the updates to the Central Lathrop Specific Plan, identified in Action LU-5f, the City shall enforce the following requirements for all Limited Industrial development projects, including warehouse, distribution, and logistics projects, within the Central Lathrop Specific Plan Area:</p> <ul style="list-style-type: none"> a. Trucks shall be prohibited on Dos Reis Road west and east of Golden Valley Parkway, on Golden Valley Parkway south of Dos Reis Road to Lathrop Road, and on Lathrop Road east of Golden Valley Parkway to Interstate 5 southbound off-ramp. b. Future truck dependent development projects shall be prohibited from providing driveway access points off of Dos Reis Road, west of Golden Valley Parkway, other than emergency vehicle access (EVA). c. Truck traffic within the Limited Industrial Area of the Central Lathrop Specific Plan shall be limited to De Lima Road, and any future roadways north of Dos Reis Road, to connect to Manthey Road, Roth Road, and Interstate 5.
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Figure 1.1- Regional Map

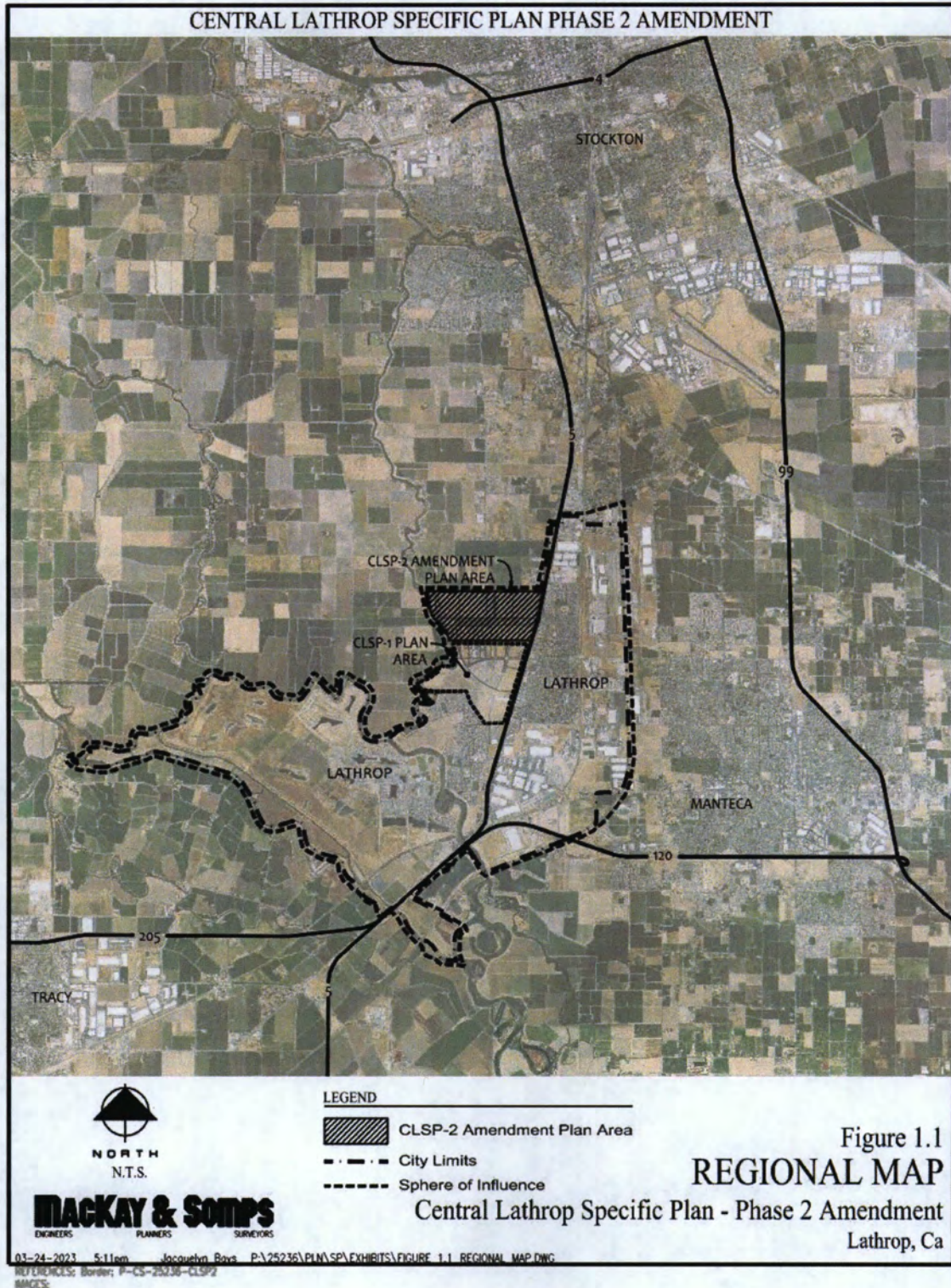
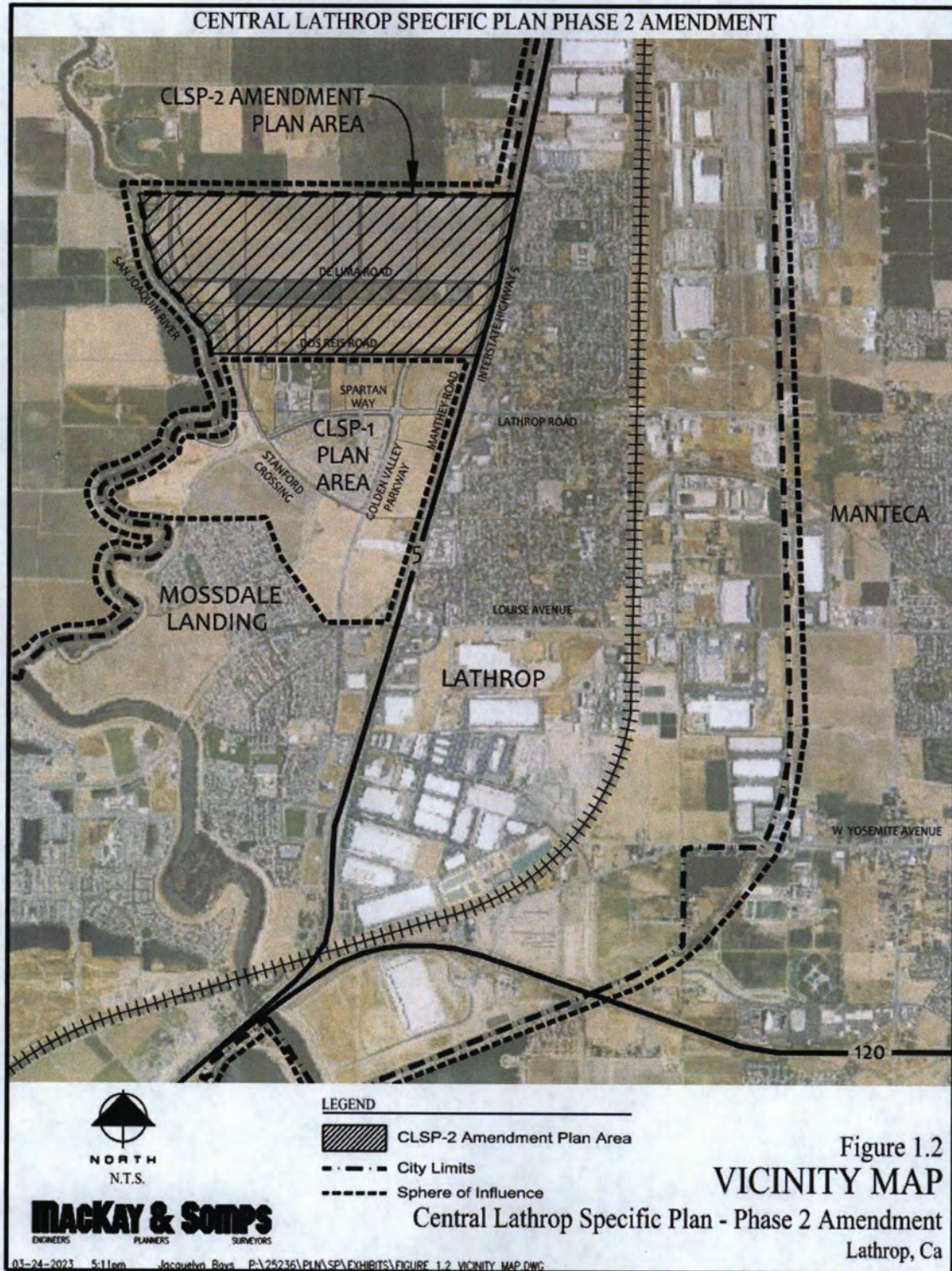


Figure 1.2- Vicinity Map



Goals of the Specific Plan

The CLSP is intended to provide for the orderly and systematic development of an integrated full-service community in a manner consistent with goals and policies of the City and compatible with site characteristics. The primary goals of the CLSP-2 Amendment are designed to achieve the following:

- Establish a comprehensive land use plan that will guide development of the approximately 724-acre CLSP-2 Amendment Plan Area.

Update the City's long-term vision for the CLSP-2 Amendment Plan Area in accordance with the 2022 Lathrop General Plan, by incorporating refinements designed to reflect evolving innovation in land use planning concepts.

Establish a regional industrial development area adjacent to the I-5 freeway that makes use of the visibility and prime freeway access provided by the Roth Road Interchange.

Maximize passive recreational opportunities through the creation of a comprehensive linear park and open space system located adjacent to and providing access to the San Joaquin River.

Generate positive fiscal benefits for the City resulting from the regional industrial development.

Increase employment and shopping opportunities for City residents.

Provide job-generating land uses in close proximity to residential uses in order to minimize home-to-work vehicular trip lengths, automobile usage and related air quality impacts.

Provide an integrated, efficient, and safe circulation system for pedestrians, bicyclists, transit and vehicles.

Provide roadway improvements and land use planning that will tie together with existing development.

Establish a logical phasing plan that assures that each phase of development will include all necessary public improvements required to meet City standards.

Add value to the existing and future City of Lathrop community and contribute to the establishment of a strong local economic base through (a) job creation and (b) the economic stimulus that comes from the multi-million-dollar investment required to develop the Central Lathrop Specific Plan and the disposable income of the people who live and work in the Plan Area.

Implement the development program envisioned for the Central Lathrop Specific Plan on property that the Lathrop 2022 General Plan designates for Limited Industrial uses.

To the extent feasible, provide a self-mitigating project, where mitigation measures are incorporated into the CLSP-2 Amendment and future project designs so as to minimize environmental impacts.

Provide a logical and orderly extension of the City of Lathrop that is compatible with and complements existing and planned land uses within other portions of the City.

Satisfy the City policies, regulations and expectations as defined in the Lathrop General Plan and Municipal Code.

Provide services and infrastructure that meet or exceed City standards and that do not diminish services to existing residents of the City.

Enrich the relationship between the City and the San Joaquin River by incorporating the river's edge as a critical component of the

Central Lathrop Specific Plan parks and open space program.

These Central Lathrop Specific Plan goals are consistent with the goals of the Lathrop General Plan.

Context

Location

Lathrop is located within the southwest quadrant of San Joaquin County. The Central Lathrop Specific Plan area is located within the northwest area of the City. See Figure 1.1: Regional Map.

The CLSP-2 Amendment Plan Area encompasses approximately 724 acres located south of the city limit line, north of Dos Reis Rd, west of Interstate 5, and east of the San Joaquin River. See Figure 1.2 for the Vicinity Map.

Property Ownership

The CLSP-2 Amendment encompasses 724 acres divided among 25 existing parcels. Figure 1.3 lists the property owners.

Existing Site Conditions and Uses

The CLSP-2 Amendment Plan Area consists primarily of undeveloped land and agriculture uses, along with the existing Dos Reis Regional Park and boat launch, and various existing rural residences. The existing Dos Reis Regional Park is located adjacent to the San Joaquin River along the west side of the CLSP-2 Amendment Plan Area. The undeveloped land and existing agriculture uses comprise the majority of the remaining land acreage extending from the San Joaquin River, east to Manthey Road and Interstate-5. See Figure 1.4 for Existing Conditions Map.

Dos Reis Park, a county/state facility located along the San Joaquin River at the end of Dos Reis Road, while a part of the CLSP-2 Amendment Plan Area, is intended to remain under county/state ownership and maintenance.

Few trees, aside from the orchard trees, exist beyond those along the riverbed and on rural residential sites. A few rural roads (Manthey Road, De Lima Road, and Dos Reis Road) cross or border the Plan Area to provide access to the river, farmlands, and rural residences. No known major utility easements or facilities are present, except for water lines in Dos Reis Road, De Lima Road, and a portion of Manthey Roads; and a storm drain force main in Dos Reis Road that serves existing develop east of Interstate-5.

Plant habitats are isolated within narrow corridors located along portions of the San Joaquin River. All lands have been modified by human activities. The area is generally flat, with a slight fall from east to west towards the San Joaquin River. The area is protected from flood hazards by the levee paralleling the river. Groundwater is relatively shallow. No parcels are under Williamson Act contracts.

Adjacent Uses

A variety of existing land uses surrounds the CLSP-2 Amendment Plan Area. To the south of Dos Reis Road from west to east is a planned community park and open space trail along the levee; the existing Lathrop High School sports fields and auxiliary parking area, undeveloped land designated as Residential Mixed Use, and undeveloped land designated as Office Commercial. To the west is the San Joaquin River and to the north is San Joaquin County land with existing agriculture and industrial uses. Interstate 5 is east of the Plan Area.

Jurisdictional Context

Since the City approved the 2004 CLSP, the CLSP Plan Area has been annexed into the City of Lathrop. The area or portions thereof, are within the jurisdiction of the Manteca Unified School District, Reclamation District 17 (RD-17), and the Lathrop Manteca Fire District (LMFD). No changes to the boundaries of these districts are proposed.

Figure 1.3- Existing Ownership Map

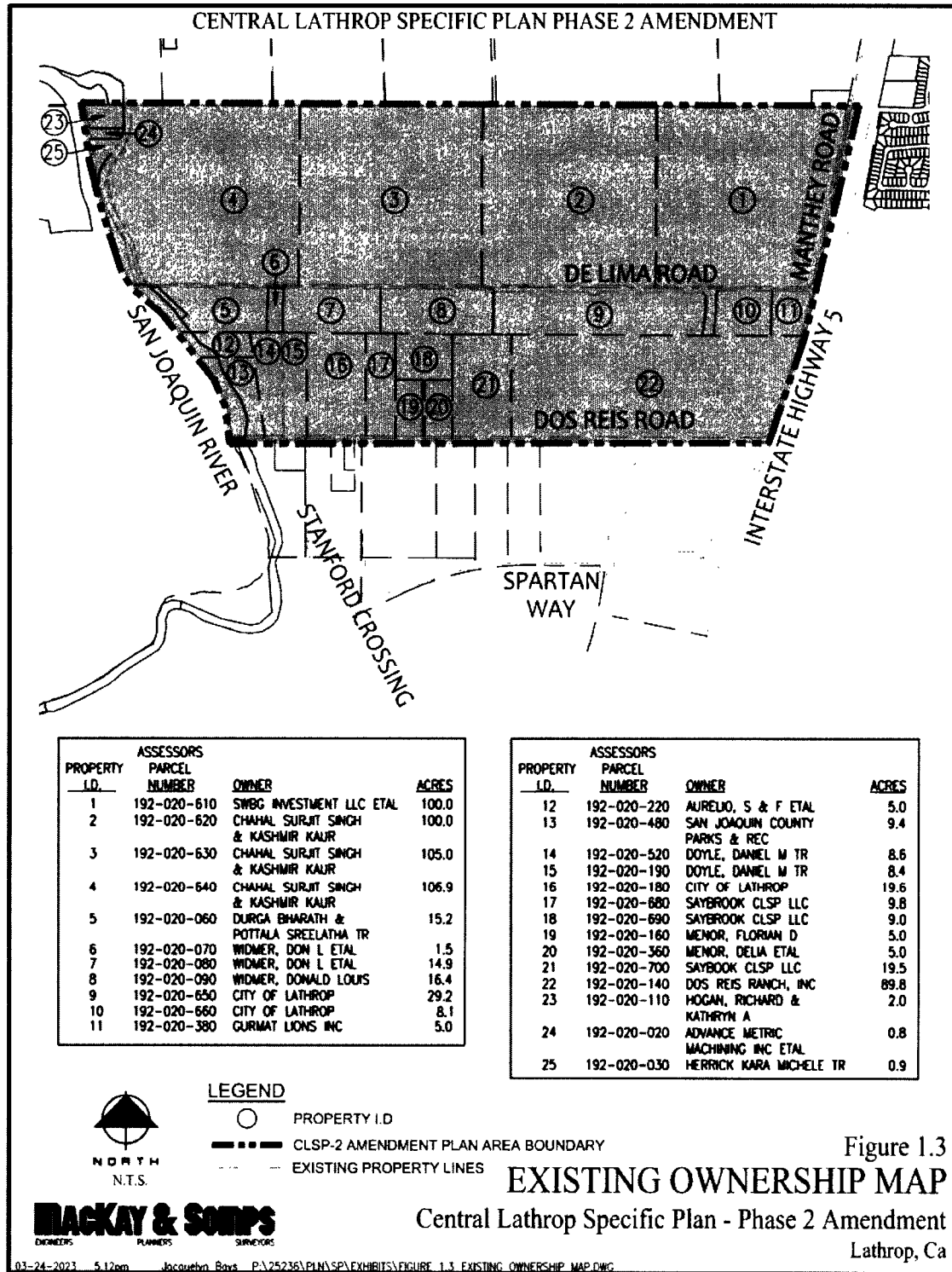
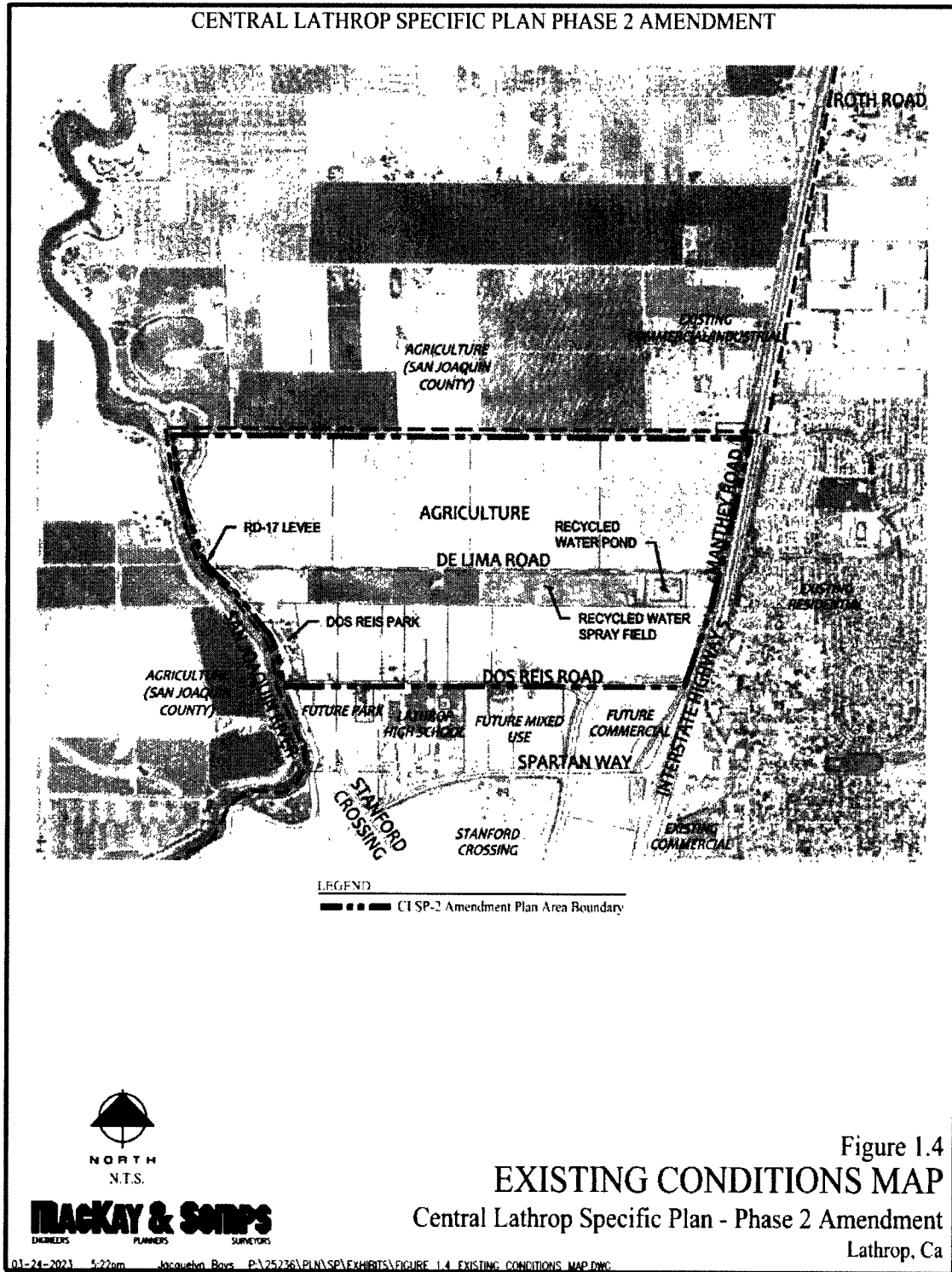


Figure 1.4- Existing Conditions Map



Legal Authority

The City of Lathrop, as a general law city, will adopt this Specific Plan Amendment, and other project related documents by resolution in accordance with the provisions of Article 8, Sections 65450 through 65457 of the California Government Code. These provisions require that a specific plan be consistent with the City's adopted general plan. All other subsequent entitlements and approvals must also be consistent with the Lathrop General Plan.

State law also requires that all subsequent subdivisions and developments (including public works projects) within the Phase 2 Plan Area, as well as all zoning regulations applicable to the Phase 2 Plan Area, must be consistent with this CLSP-2 Amendment.

Relationship to the Lathrop General Plan

The General Plan establishes the goals, policies, land uses, and standards for development within the City. The following related plans, incorporated by reference, provide additional detailed direction for future development of the CLSP-2 Amendment Plan Area.

Wastewater, Water and Recycled Water Master Plans

Wastewater (collection and treatment), water (supply and distribution), and recycled water (wastewater disposal) master plans were adopted by the City. These plans identify improvements needed to serve current and future land uses at build out and provide a basis for the orderly expansion of potable, waste, and recycled water facilities. In conjunction with other plans, these documents establish phasing and costs.

Bicycle Transportation Master Plan

The City of Lathrop's Bicycle Transportation Master Plan establishes goals, policies, routes and standards for bicycle transportation and facilities within the City.

Relationship to Other City Policies, Programs, and Documents

The supporting documents described below establish the foundation and/or provide direction for the implementation of this CLSP-2 Amendment. These documents will be utilized in conjunction with the CLSP-2 Amendment to ensure the implementation of the General Plan's goals and policies.

Capital Facilities Fee Program

The City's Capital Facilities Fee program identifies the capital improvements needed for development. This document establishes a variety of financing vehicles and fees to pay for public infrastructure and community facilities to serve the new development areas.

Municipal Code

Special zoning districts have been created for the CLSP Plan Area. These special zoning districts end in "CL" to designate these land use categories as unique to the Central Lathrop Specific Plan area. The amended zoning categories for the Phase 2 Plan Area are described in detail later in this CLSP-2 Amendment and are incorporated into the Lathrop Municipal Code.

Development Agreement

Development Agreements to be potentially entered into between the City and landowners within the Plan Area can vest, or "lock in" development rights. Development agreements can establish the responsibilities of landowners with respect to the construction and financing of public infrastructure, the dedication of land, and other development-related obligations.

Environmental Impact Report

Refer to the Implementation chapter for details regarding the relationship between the CLSP-2 Amendment and the EIRs prepared with the original 2004 CLSP and the 2022 General Plan.

Organization of the Specific Plan

The CLSP-2 Amendment is organized as follows:

Chapter One: Introduction - discusses the purpose, planning context, primary goals, and scope of the Specific Plan Amendment.

Chapter Two: Land Use - describes the way in which the land uses that comprise the CLSP-2 Amendment Plan Area are organized and includes a discussion of the general character of such uses, their location within the Plan Area, the intensities of use, and the goals associated with each of the designated land uses.

Chapter Three: Circulation and Transportation - explains the CLSP-2 Amendment roadway network in the context of the local, city, and regional transportation and circulation patterns, and the system of pedestrian and bicycle paths.

Chapter Four: Natural Resources Management - describes the ways in which the environmental features of the plan area are integrated into the CLSP-2 Amendment and the program to protect these features, as well as to allow them to be enjoyed by residents and non-residents alike.

Chapter Five: Community Services and Facilities - describes the needs for community services and facilities that will result from the development of the CLSP-2 Amendment and the way in which these needs will be addressed.

Chapter Six: Utilities and Drainage Infrastructure - discusses the various utility and drainage improvements required to serve the Phase 2 Plan Area.

Chapter Seven: Design Guidelines - provides the site planning, including landscape and open space, and architectural standards for each land use, further ensuring a high-quality and unique development.

Chapter Eight: Implementation - describes the way in which the CLSP-2 Amendment will be

executed, including development phasing strategies and the permitting process for individual development proposals.

Chapter Nine: Financing - describes anticipated project construction and maintenance needs and financing mechanisms, and the key financing options that are available to fund these costs.

Chapter Two: Land Use

Introduction

The Land Use and Development Plan is the primary implementing component of the CLSP-2 Amendment. This chapter summarizes the different land uses proposed, refines land use types that are identified in the 2022 General Plan and lists the development standards. This chapter, including the Land Use Plan, describes the land use designations and zoning. The 2022 General Plan Land Use Map and the CLSP-2 Amendment Land Use Plan govern the land uses in the CLSP Phase 2 Plan Area.

Existing and Interim Land Uses

Existing agricultural uses, recycled water storage ponds, agricultural irrigated with recycled water and several rural residences are located within the CLSP-2 Amendment Plan Area. These existing uses will remain until the property is developed and therefore referred to in this document as Interim Uses.

The existing uses within the CLSP Phase 1 Plan Area include various residential neighborhoods commonly referred to as Stanford Crossing, a high school, a community center, teen center/library, several public neighborhood parks, and some commercial development. Some agricultural uses and rural residences remain will remain until developed in the future in accordance with the Lathrop General Plan.

The CLSP-2 Amendment development standards for the Phase 2 Plan Area are consistent with the development standards in the City of Lathrop's Zoning Ordinance. Separate Design Guidelines apply as set forth in Chapter Seven.

The Land Use Plan was influenced by a variety of factors including physical site constraints and adjacent land uses as discussed in Chapter One.

This CLSP-2 Amendment may evolve over time, taking into consideration market change and community desires and needs. As property owners and builders develop their properties, they will be required to follow the Site Plan Review process and, if applicable, obtain a Conditional Use Permit. The development plans for each property will be designed based on the policies and standards contained in this Specific Plan Amendment.

Overall, the CLSP-2 Amendment designates 618.2 acres of Limited Industrial uses, 11.2 acres of Parks, and 29.3 acres of Open Space in Phase 2.

Land Use Plan

The CLSP-2 Amendment is designed to create a range of employment uses along with some recreational uses along the San Joaquin River levee system for City residents and employees. The CLSP-2 Amendment Plan Area encompasses approximately 724 acres. Refer to Figure 2.1. The overall Phase 2 Plan Area land uses, acreages, and intensities of use are summarized in Table 2.1; this summary represents the build-out of the CLSP-2 Amendment Plan Area.

The Land Use Map (Figure 2.1) illustrates the land uses within the CLSP-2 Amendment Plan Area. Table 2.1 provides a summary of these land uses. The acreage and allowable square footages for each land use category may vary slightly from these acreages shown depending on more accurate survey data and the final alignment

of roadways and required open space; however, the total acreages and building square footage establish an approximate carrying capacity for the Plan Area.

Landscape Buffer

A landscape buffer shall be provided along the north side of Dos Reis Road as illustrated in Figure 2.2 with two (2) different design themes. At locations where existing or proposed Land Use on the south side of Dos Reis Road includes sensitive receptors, the landscape buffer shall include a 30-foot-wide landscape corridor within the public right-of-way including 22' of landscaping and a 8' paved sidewalk as well as an additional buffer on the adjacent private development parcels. At other locations on Dos Reis Road where Commercial or Industrial use is proposed to the south, the landscape buffer shall include a 26-foot-wide landscape corridor within the public right-of-way including 18 feet of landscaping and an 8 foot paved sidewalk as well as an additional buffer on the adjacent private development parcels. The additional buffer on the adjacent private development parcels in both scenarios shall be determined during the Site Plan Review process for each specific development project.

Figure 2.1- Land Use Map

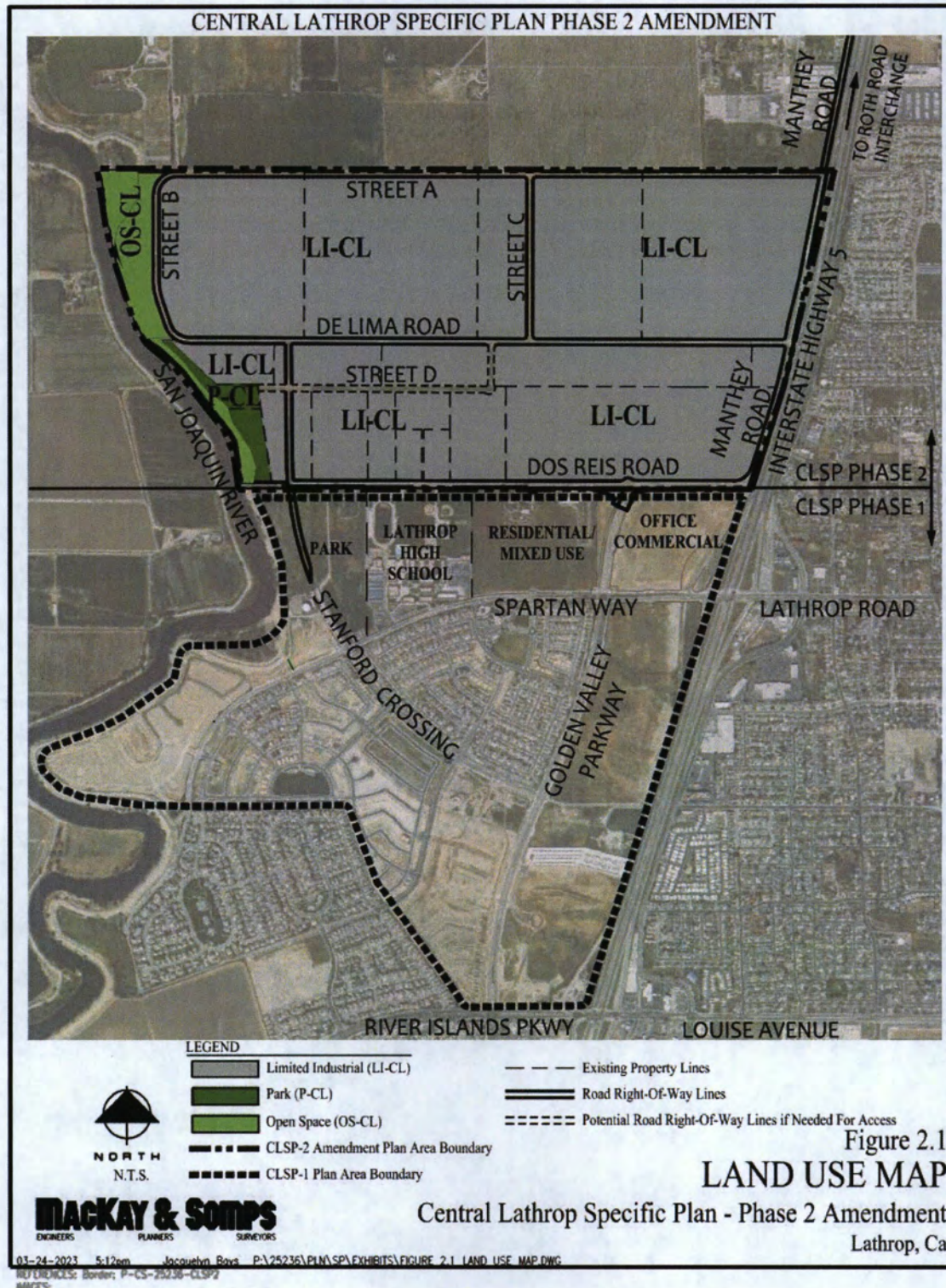


Figure 2.2- Landscape Buffer

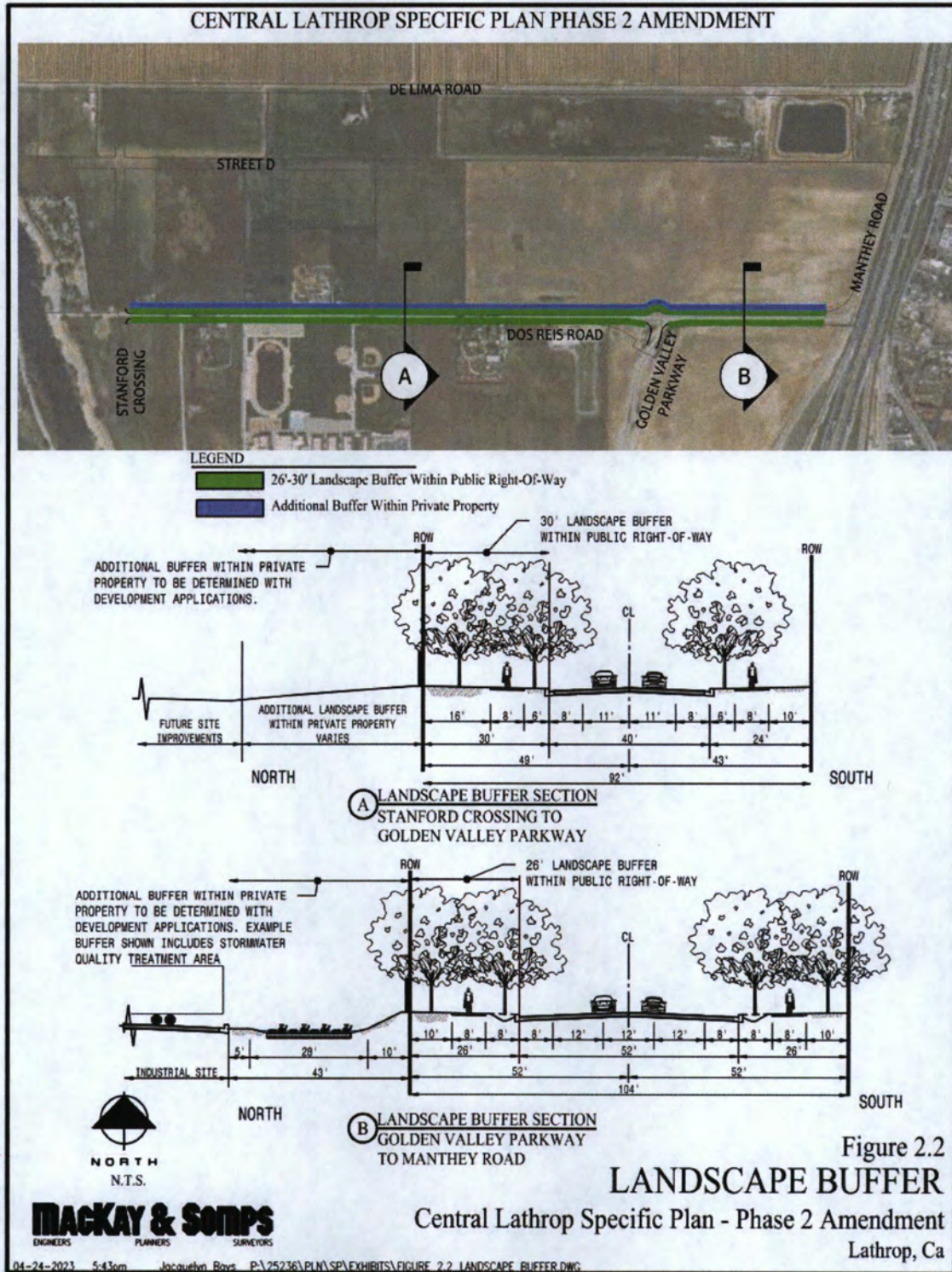


Table 2.1: CLSP-2 Amendment Land Use Summary

Designation	Land Use	Area (acres)	Maximum Building Square Footage at Max FAR of 1.0 (SF)	Potential Building Square Footage at Target FAR of 0.75 (SF)
LI-CL	Limited Industrial [1]	618.2	26,928,792	20,196,594
OS-CL	Open Space	29.3	1,276,308	957,231
P-CL	Park	11.2	487,872	365,904
	Major Road Right-of-Way	65.3	2,844,468	2,133,351
	Total	724.0	31,537,440	23,653,080

[1] Allowable FAR. of 1.0 per the 2022 General Plan

[2] Target FAR of 0.75

The above table represents the proposed development acreages by land use. Calculated acres are based upon the overlay of the land uses onto a property boundary map compiled from record dimensions only (not a field survey). Actual acres may vary slightly, but will be confirmed with each development application.

Land Use Designations

The following sections define and discuss the land use designations that occur within the Plan Area. The Central Lathrop combining district (CL) is applied to all properties located within the CLSP-2 Amendment Plan Area. The designation of CL after any zoning district indicates that the zoning district so combined is modified by the regulations included in the CLSP-2 Amendment and those districts included in Chapter 17.62 of the Lathrop Municipal Code.

Permitted uses, conditionally permitted uses, and development criteria can be found in the same chapter of the Code. Of particular note is that the 2022 General Plan requires a Conditional Use Permit (CUP) for all development between Dos Reis Road and De Lima Road.

The Plan Area consists of three land use designations including Limited Industrial, Park, and Open Space. A well thought out circulation pattern allows for vehicular, bicycle and pedestrian connections between the uses.

Limited Industrial

The Limited Industrial (LI) use applies to most of the Plan Area. The Limited Industrial use spans from the northern project boundary along Lathrop's city limits, southern boundary along Dos Reis Road, and eastern boundary along Interstate Highway 5 as shown in Figure 2.1. It is anticipated that uses such as warehousing and manufacturing that do not require a high degree of visibility and are truck dependent, will be located in areas of the Plan Area that minimize the potential for air quality and noise impacts to sensitive receptors outside the Plan Area. The CLSP-2 Amendment Plan Area is envisioned to accommodate a wide range of jobs generating uses, including business parks; clean light industrial; research and development (R&D); science, technology, engineering, and math (STEM); tech/biotech manufacturing; high-tech services that incorporate some combination of assembly; warehousing, and/or sales; hospitals, labs and other health care-related uses, and distribution centers. Refer to the City of Lathrop's Zoning Ordinance for the full range of

permitted and conditionally permitted uses under this land use category. A maximum allowable Floor Area Ratio (FAR) of 1.0 is permitted consistent with the 2022 General Plan.

Open Space

The CLSP-2 Amendment designates Open Space (OS) uses along the San Joaquin River and this designation spans the length of the Plan Area. This area is designed to provide an open space corridor consistent with the Lathrop General Plan. The open space corridor along the San Joaquin River is intended as a local community wide facility with the possibility of regional linkage. This Open Space Corridor would also connect the CLSP-2 Amendment Plan Area with developing and existing segments of this open space corridor to the south within CLSP Phase 1 and the Mossdale Village developments. Though not required or mandated, this CLSP-2 Amendment accommodates the construction and use of outdoor recreation facilities such as recreation fields, fitness equipment and courses, or other such uses intended for the physical recreation and well-being of the community and/or the employee users. Refer to the CLSP-2 Amendment Zoning Ordinance for the full range of permitted uses in this land use category.

Park

The CLSP-2 Amendment retains the Dos Reis County Park designation, a County park within City limits. An additional Park area is proposed to connect the park to the future open space corridor described above.

Because the build-out of the CLSP-2 Amendment Plan Area is anticipated to occur over an extended period of years, these Interim Uses may remain present for many years.

Interim Agricultural uses are subject to Agricultural Development Standards and Use Regulations set forth in the Lathrop Zoning Ordinance. Refer to Chapter 17.116 of the Lathrop Zoning Ordinance for specific

information regarding Nonconforming Uses and Structures.

Right-to-Farm provisions are discussed in Chapter Four of this document.

Calculation of Land Use Intensities and Allowable Square Footages

Future project-specific development applications will be based on the maximum allowable net square footage for a particular parcel or parcels. The maximum allowable square footage for a particular parcel will be calculated by multiplying the surveyed net developable area (in acres) comprising the subject parcel by the allowable Floor Area Ratio (FAR) for the associated land use designation. The acreage used in this calculation may vary slightly from the acreage shown in the Land Use Map and Table 2.1 and will be determined by more accurate survey and boundary data and the final street alignments and right of way width.

The CLSP-2 Amendment contemplates Limited Industrial development at an average rather than a maximum Floor Area Ratio (FAR) as specified in Table 2.1. Specific development sites will likely develop at a target FAR of 0.75 or lower depending on parking demand, landscaping and open space, stormwater management, and other site requirements.

Land Use and Site Layout Flexibility

The Land Use Map (Figure 2.1) illustrates the general locations and distribution of land uses in the Plan Area as described earlier in this chapter. This Land Use Plan is diagrammatic and does not necessarily represent final road alignments, land use configurations or acreages.

The CLSP-2 Amendment land uses may be further refined in conjunction with the processing of future parcel maps and site plan applications, without requiring a Specific Plan Amendment as further discussed below. Given that the Land Use Map is conceptual in nature,

the CLSP-2 Amendment provides flexibility with respect to the location, design, and detailed implementation of the Land Use Plan during the City's reviews of future detailed applications. Land Use and Site Design flexibility may include, but is not limited to, the following:

- Relocating collector roads and/or intersections to correspond to existing property lines,
- Relocating collector roads and/or intersections to accommodate a specific development program, building product types, or parcel layout arrangement,
- Relocating collector roads to allow for more efficient use of parcelization for building and parking areas on-site,
- Minor deviations in land use intensity (Floor Area Ratio) and development standards for particular projects, with the concurrence of reviewing agencies, as determined by CDD and if compatible and consistent with the purpose and intent of the Specific Plan
- Allowance for use types not specified in Lathrop's Zoning Ordinance, which are compatible and consistent with the purpose and intent of the land use designation and zoning classification (to be approved by the Community Development Director)
- Adjustments to travel lanes as supported by traffic studies.
- Acceptability of final land use and site layouts will be evaluated based upon the following criteria/findings:
 - Consistency with the prescribed land use development and design standards, in accord with the CLSP-2 Amendment to the Specific Plan,
 - Building, parking, and site design consistency for each land use parcel as

described in the Design Guidelines (Chapter Seven),

- Consistent application of the stated principles set forth in the CLSP-2 Amendment and the City General Plan,
- Potential economic benefits of a particular land use, building type, site feature, configuration of buildings, road alignment, or other deviation from the Specific Plan that would outweigh the benefits of strict adherence to the CLSP-2 Amendment development standards and Zoning Code, and/or
- The employment benefit of a land use, configuration, or other factor within the CLSP-2 Plan Area which deviates from the CLSP-2 Amendment.

Refer to Chapter 8: Implementation for more information regarding site plan and land use flexibility at the site plan review stage including project review procedures, development agreements, specific plan amendment procedures, enforcement, mitigation monitoring, and other review and approvals required during the implementation of the CLSP-2 Amendment.

Land Use Regulations and Development Standards

The CLSP-2 Amendment is consistent with the 2022 General Plan land use designations as listed below and consistent with the development standards in the Lathrop Zoning Ordinance and the Warehouse Good Neighbor Guidelines.

Limited Industrial (LI) Development Standards

The Lathrop Zoning Ordinance specifies the minimum lot area, lot width, setbacks, and other development standards for the Limited Industrial (LI) designation. Limited Industrial developments shall be further subject to the design guidelines in Chapter Seven.

Open Space (OS) Development Standards

The Lathrop Zoning Ordinance includes development standards for the Open Space (OS) designation. Open Space uses may also be subject to design guidelines contained within Chapter Seven.

Park Development Standards

The Zoning Ordinance defines the development standards for the Park designation. Park uses may also be subject to design guidelines contained in Chapter Seven.

Chapter Three: Circulation and Transportation

Introduction

This chapter describes the proposed circulation system and transportation improvements included in the CLSP-2 Amendment Plan Area.

The Circulation Plan is designed to allow for efficient circulation to and from the CLSP-2 Amendment Plan Area. The plan provides for multiple modes of transportation including automobile, truck, bus transit, bicycle, and pedestrian. This chapter provides the requirements of Plan Area roadways, bikeways, and walkways as well as public transit. The implementation of the CLSP-2 Amendment will provide additional roadway, bus transit, bicycle, and pedestrian linkages between the Plan Area and the surrounding communities, improving connectivity within this portion of the City.

The Circulation Plan provides connections to existing and future roadways as identified in the City of Lathrop's General Plan Circulation Diagram. These connections provide both regional and local mobility between land uses within and adjacent to the Plan Area. It is the intent of the Circulation Plan to comply with the requirements of the Surface Transportation Assistance Act (STAA). The phasing and financing of the proposed roadway improvements is summarized in Chapter Nine Financing Plan.

Circulation and Transportation Goals

The transportation system for the CLSP-2 Amendment Plan Area provides a multi-modal network that serves the needs of all the proposed land uses in the Plan Area by establishing an integrated, efficient, and safe circulation system for transit and vehicles; linking roadways and transit routes in the Plan Area to the City's existing transportation network, and providing

an interconnected system of trails, which are pedestrian and bicycle friendly.

Existing Conditions

On-Site Roadway Network

Land uses at the time of the CLSP-2 Amendment approval are agricultural and large lot/rural residential parcels. Because of this land use pattern, the existing roadway network is sparse with one north-south roadway (Manthey Road) and two east-west roadways (De Lima Road and Dos Reis Road).

Manthey Road is a paved two-lane roadway that parallels I-5 from the CLSP-2 Amendment Plan Area and continues North towards the Roth Road interchange and beyond. This roadway has no curb and gutter with minimal shoulders. De Lima Road and Dos Reis Road are two-lane roadways that extend west from Manthey Road to the San Joaquin River levee. The roadways have shoulders but no curb and gutter.

See Figure 3.1 for Existing Circulation Plan.

Off-Site Roadway Network (Regional Area)

There are a number of major regional roadways that are located in close proximity to the CLSP-2 Amendment Plan Area. These roadways include Interstate 5, Interstate 205, State Route 120, and State Route 99. These roadways are outside of the Plan Area but will be utilized by vehicles entering and exiting the CLSP-2 Plan Area.

Interstate 5, one of the major freeways in the state of California, forms the eastern boundary of the CLSP Plan Area. In San Joaquin County, I-5 connects Stockton to Tracy and passes through Lathrop. Given its location, I-5 will serve as one

of the primary routes for traffic entering and exiting the Plan Area.

There are three freeway interchanges adjacent to the Plan Area. The first interchange, Louise Avenue/River Islands Parkway, is located to the south and provides access to the CLSP Plan Area, Mossdale Village and River Islands. The second interchange, Lathrop Road/Spartan Way, is located in the middle of the overall CLSP and provides direct access to the Plan Area. The third interchange, Roth Road, is located north of the CLSP-2 Amendment Plan Area, and will be the primary point of access for trucks to the Plan Area. A study of the Roth Road corridor from Manthey Road to State Route 99 is being conducted by San Joaquin County, through the San Joaquin Council of Governments (SJCOG) at the time this CLSP-2 Amendment is being written. It is anticipated that the ramps will be widened, and traffic signals will be installed in the future.

Interstate 205 lies to the south of the City of Lathrop and provides a connection to the City of Tracy and the San Francisco Bay Area.

State Route 120 is another major regional roadway in San Joaquin County and provides a connection from I-5 and I-205 to State Route 99, south and east of the Plan Area. SR 120 will serve as a likely access route for trips accessing the Plan Area from Manteca. The I-5/SR 120 interchange located South of the Plan Area provides a connection between these two roadways through a system of ramps.

State Route 99 is a regional roadway in the regional area. This roadway serves as one of the major north-south routes in San Joaquin County and provides a connection between the City of Stockton in the north and Manteca in the south. SR 99 continues south through Stanislaus County and parallels I-5 throughout much of California.

Existing Bicycle and Pedestrian Network

There are essentially no existing bicycle or pedestrian facilities in the CLSP-2 Amendment Plan Area. However, there are pedestrian and bicycle facilities in the CLSP Phase 1 area and in the adjacent specific plan areas including Mossdale Village and River Islands that will be connected to the planned facilities within the CLSP-2 Amendment Plan Area at Golden Valley Parkway and Stanford Crossing as displayed on Figure 3.10 Pedestrian and Bicycle Circulation Plan.

Existing Transit Network

The City of Lathrop does not operate any local serving transit routes. However, there are transit routes that operate in the regional area. These routes include fixed-route regional bus service and flexible fixed route bus service. The San Joaquin Regional Transit District (SJRTD) operates the bus routes while Altamont Commuter Express operates the commuter rail service. These transit services are described in detail below.

SJRTD Fixed-Route Service

The SJRTD operates two fixed-route bus lines (Route 290 and 97) that serve the City of Lathrop. Route 97 connects Manteca Transit Center to Tracy Transit Center through Lathrop via Louise Avenue and Interstate 5. Route 97. Route 90 connects Lathrop to Stockton and Tracy via Interstate 5. The route map for Route 90 and 97 are shown on Figure 3.2. These routes include several existing bus stops within Lathrop's City limits. An additional proposed bus stop is suggested at Manthey Road just south of De Lima Road to serve commuters to the CLSP-2 area. This suggested stops are shown on Figure 3.4.

SJRTD Flexible Fixed-Route Service

SJRTD also operates Route 90, which is a flexible fixed-route line. A flexible fixed-route bus operation follows a general route but can deviate within limited areas to pick-up or drop-off passengers. This line links the City of Lathrop

with Stockton and Tracy via a route that provides access into the City of Lathrop by Lathrop Road and Louise Avenue.

SJRTD Commuter Bus Service

The SJRTD operates a number of commuter bus lines which connect cities in San Joaquin County with major employment locations in the San Francisco Bay Area including Pleasanton, Dublin, Livermore, Mountain View, Palo Alto, and Sunnyvale. The existing Commuter Bus service in Lathrop connects Lathrop to the Dublin/Pleasanton BART station and also Sunnyvale. Commuters access the bus service at the Lathrop Park and Ride Lot south of the Plan Area, which is located between Lathrop Road and Louise Avenue on 5th Street.

Altamont Commuter Express Rail Service (ACE) & Valley Link

Altamont Commuter Express Rail Service

Altamont Commuter Express (ACE) is a passenger rail service connecting Stockton to San Jose. The closest ACE station to the Plan Area is located on the border of the City of Lathrop and the City of Manteca to the north of SR 120.

Valley Link is a new 42 -mile, 7-station passenger rail project connecting BART's rapid transit system in the Bay Area's Tri-Valley and the ACE Commuter Express (ACE). Future Valley Link/ACE Stations are anticipated at two locations within City limits. One proposed location near the River Islands development North of Highway 5 along the Union Pacific Railroad. A second location is proposed in North Lathrop at Lathrop Road along the Union Pacific Railroad and McKinley Avenue.

Existing Truck Routes

Existing truck routes within the vicinity of the Plan Area, including STAA truck routes and non-STAA truck routes are shown on Figure 3.3.

Figure 3.1- Existing Circulation Plan

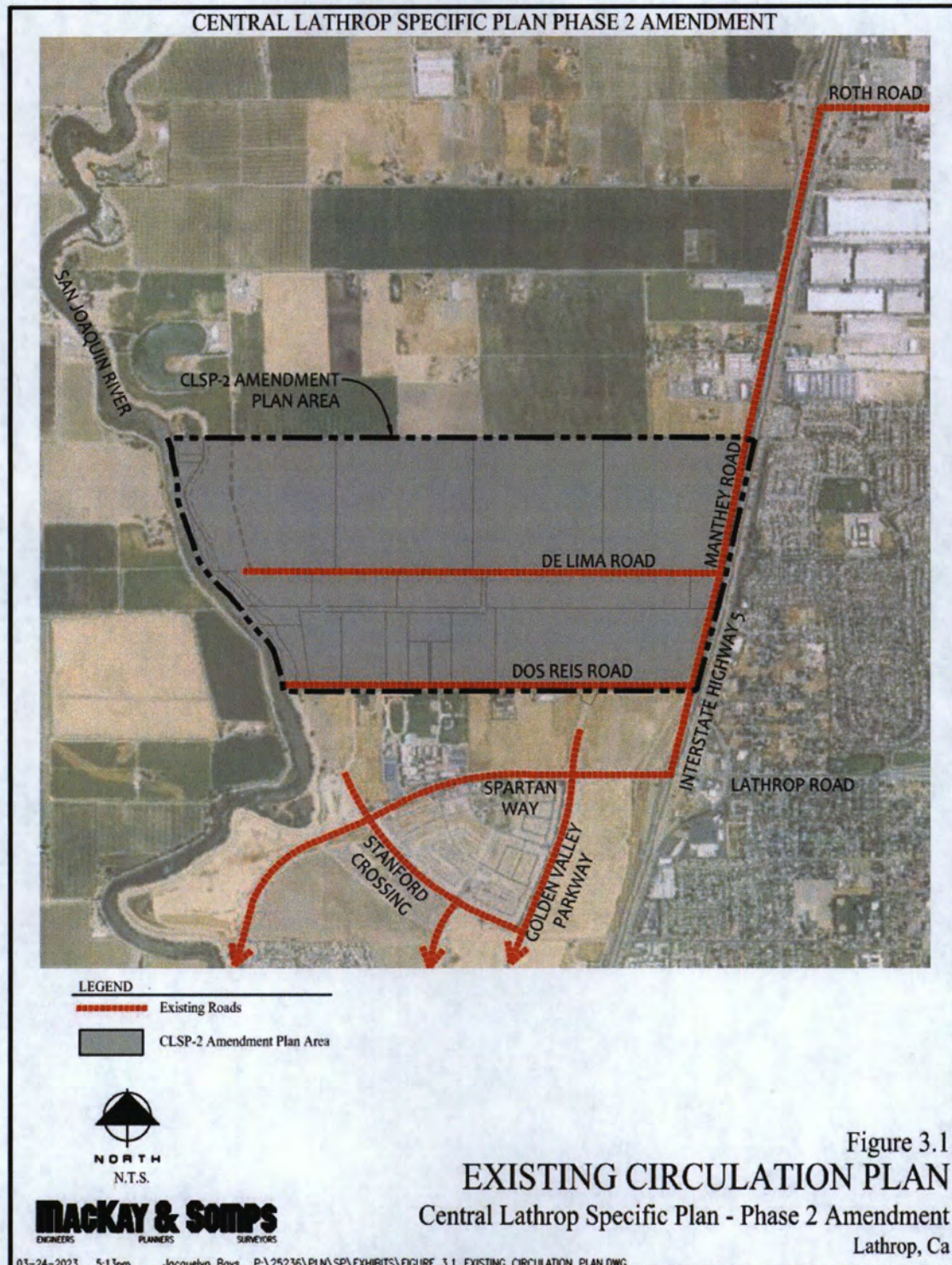


Figure 3.2- Existing Bus Service Plan



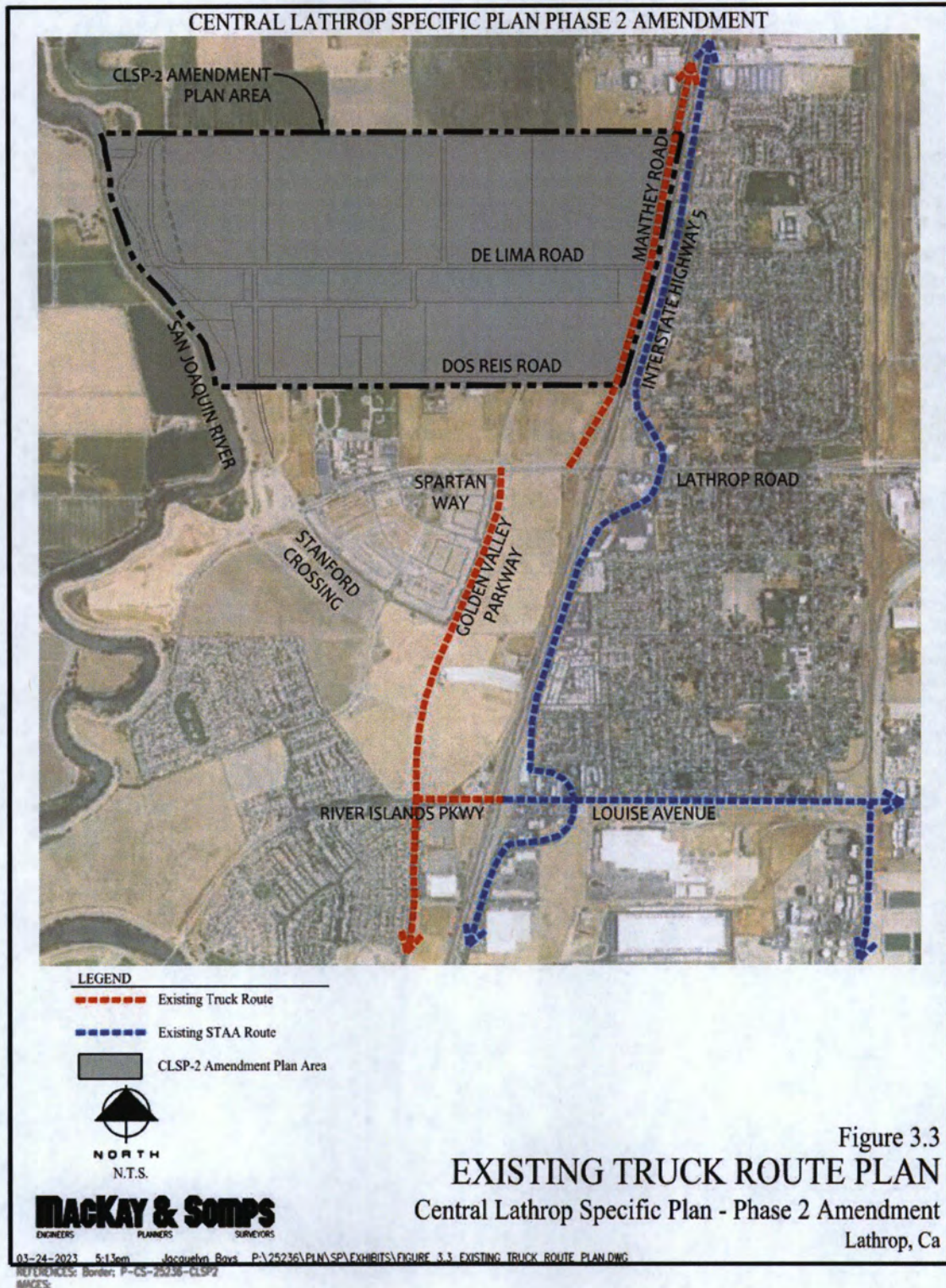
Figure 3.3- Existing Truck Route Plan

Figure 3.3
EXISTING TRUCK ROUTE PLAN
Central Lathrop Specific Plan - Phase 2 Amendment
Lathrop, Ca

Proposed Transportation Improvements

With the anticipated growth in the City of Lathrop and San Joaquin County, both jurisdictions have identified transportation improvement projects in the CLSP-2 Amendment Plan Area and the regional area along with various funding sources.

City of Lathrop

The 2022 General Plan and the various Lathrop specific plans identify near-term and long-term transportation improvements. The City of Lathrop Traffic Monitoring Program (TMP) helps to identify when the near-term projects are required to be constructed based on a level of services analysis. Local funding sources for select transportation improvements include the City of Lathrop Capital Facilities Fee (CFF) Program. Fees collected through the CFF Program can be used to fund or reimburse the construction of new and improved roadways such as:

- Golden Valley Parkway
- Lathrop Road/I-5 interchange
- Louise Avenue/I-5 interchange
- Roth Road/I-5 interchange

Regional Transportation Plan (RTP)

San Joaquin County, through the San Joaquin Council of Governments (SJCOG), periodically updates the Regional Transportation Plan, which outlines countywide transportation expenditures based on funding from sources such as the Federal Government, the State of California, and locally collected funds. These funds typically are allocated to mainline freeway improvements in the region.

Measure K

Measure K sales tax funds additional roadway improvements. The Measure K Strategic Plan provides for the expenditure of these funds.

CLSP-2 Amendment Plan Area Transportation Network

The CLSP-2 Amendment outlines a well-structured network of roadways, bikeways and walkways to serve the CLSP-2 Amendment Plan Area. The circulation system will provide convenient and safe access to all areas within the Plan Area, as illustrated in Figure 3.4, Vehicular Circulation Plan. A well-connected hierarchy of travel modes will provide for the efficient flow of vehicular traffic, but also encourage and facilitate walking, biking, public transit, and other alternatives to single-occupancy vehicles.

The CLSP-2 Amendment includes connections to the off-street bicycle and pedestrian paths within the CLSP Phase 1 Plan Area. Class I (off-street) bike routes along Golden Valley Parkway are proposed to be extended into the CLSP-2 Amendment Plan Area and transition into Class II bike lanes throughout the local industrial streets. Class I (off-street) and Class II (on-street) bike routes along Stanford Crossing are proposed to be extended into the CLSP-2 Amendment Plan Area. To encourage pedestrian trips within the CLSP-2 Amendment Plan Area and to surrounding areas, all arterial and local streets include sidewalks.

The Traffic Impact Analysis prepared with the 2022 General Plan provides the basis for the number of lanes required based on a level of services analysis.

Roadways

The CLSP-2 Amendment Plan Area includes several new roadways within an interconnected roadway system. These new roadways, along with improvements to existing roadways, provide the necessary access for the Plan Area. The roadway network is shown on the Vehicular Circulation Plan (Figure 3.4), while the locations of each individual street section are identified on the Street Sections Key Map (Figure 3.5).

The proposed CLSP-2 Amendment roadway system is based on a pattern of streets that provides safe and efficient access for vehicles, bicycles and pedestrians. The roadway system includes an extension of Golden Valley Parkway and Stanford Crossing, widening of Dos Reis Road, De Lima Road, and Manthey Road, and the construction of several new local industrial roads consistent with the 2022 Lathrop General Plan. The addition of traffic signals may be required at various intersections as determined for future specific project developments in the CLSP-2 Amendment Plan Area.

Generally, the proposed Phasing and Capital Improvement Program will fund and construct full roadway improvements curb-to-curb and required street lighting for roadways from intersection to intersection as specific development proposals in the CLSP-2 Amendment Plan Area trigger the need for these roadway segment improvements. The approach to and the timing of roadway improvements should be logical and comprehensive as to accommodate development phases and demands, while avoiding piecemeal improvements within the CLSP-2 Amendment Plan Area.

Functional classification systems divide roadways into a hierarchy based on their ability to serve traffic and provide access to development.

Arterials – These roadways are intended to serve as the major routes of travel. Arterials are designed to link facilities such as freeways and expressways (which prioritize the movement of through vehicles) with lower hierarchy roadways, which provide direct access to parcels. Arterials can provide some level of direct access with limitations. These limitations can include restrictions on spacing and turn movements into and out of driveway locations. Arterials can also serve as bicycle and pedestrian routes.

Collectors – These roadways serve as intermediate links between arterials and local roads. Traffic is collected from local roads and distributed onto

the arterial system. Collector roadways also provide direct access to parcels. Collector roadways can be classified as both major collectors and minor collectors. Collectors in the Plan Area generally have two lanes with a center turn lane/median, though additional lanes may be provided at intersections to provide sufficient intersection capacity.

Local Roads – Local roads provide direct access to parcels and connect to collectors. Traffic volumes on these roads are low and through traffic is discouraged.

CLSP-2 Amendment Plan Area Truck Routes

The 2022 General Plan prohibits Golden Valley Parkway and Dos Reis Road within the CLSP-2 Amendment Plan Area from being designated as truck routes. Manthey Road is the designated truck route connecting the CLSP-2 Amendment Plan Area to the Roth Road interchange north of the CLSP-2 Amendment Plan Area. In addition, the local industrial streets within the CLSP-2 Amendment Plan Area are proposed to be designated as truck routes as illustrated in Figure 3.11. Truck access is prohibited on Dos Reis Road and Manthey Road south of Dos Reis. Refer to the Lathrop Municipal Code Chapter 10.16 Truck Routes and Commercial Vehicles for details regarding designated truck routes.

Figure 3.4- Vehicular Circulation Plan

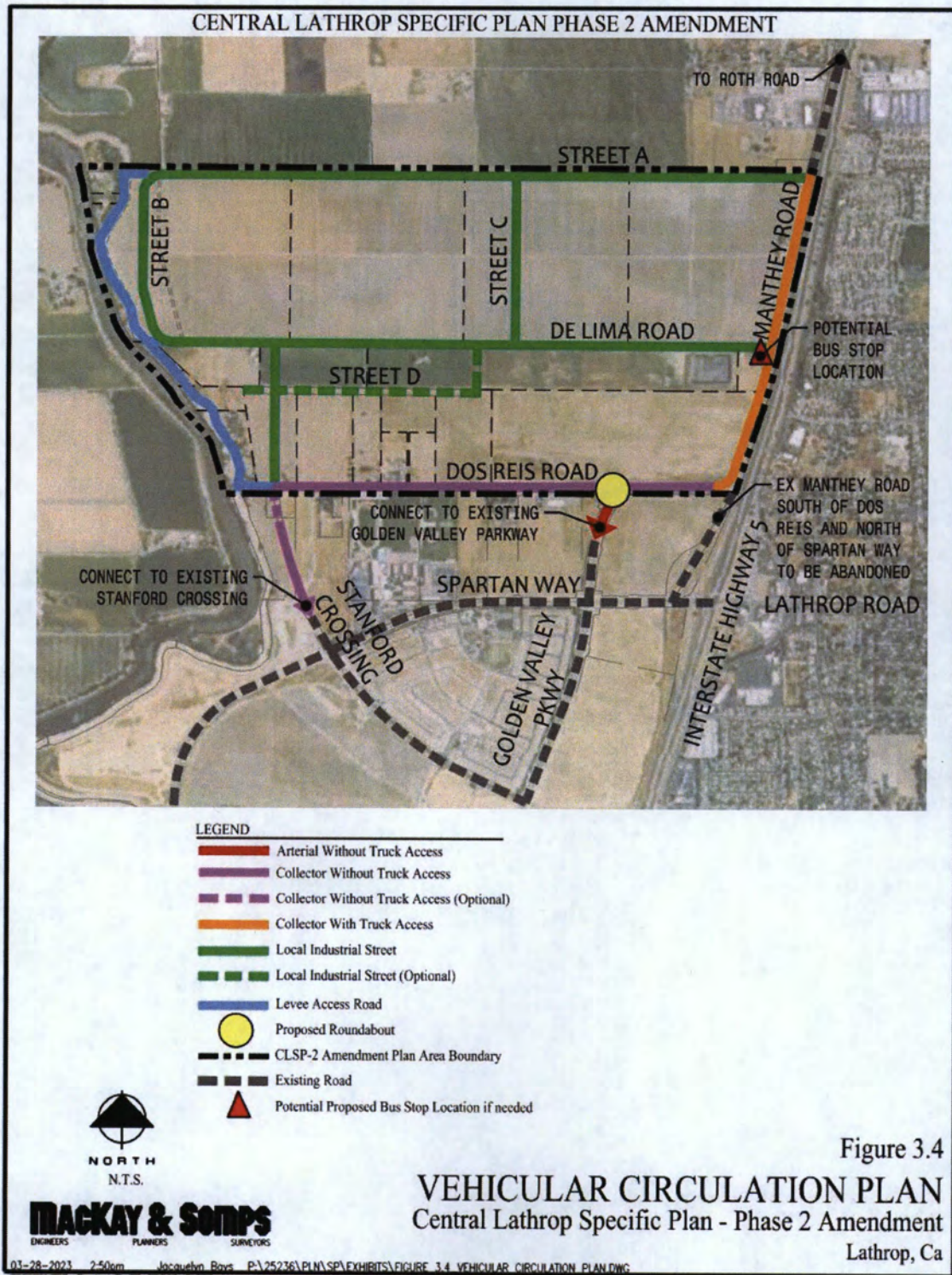


Figure 3.5- Street Sections Key Map

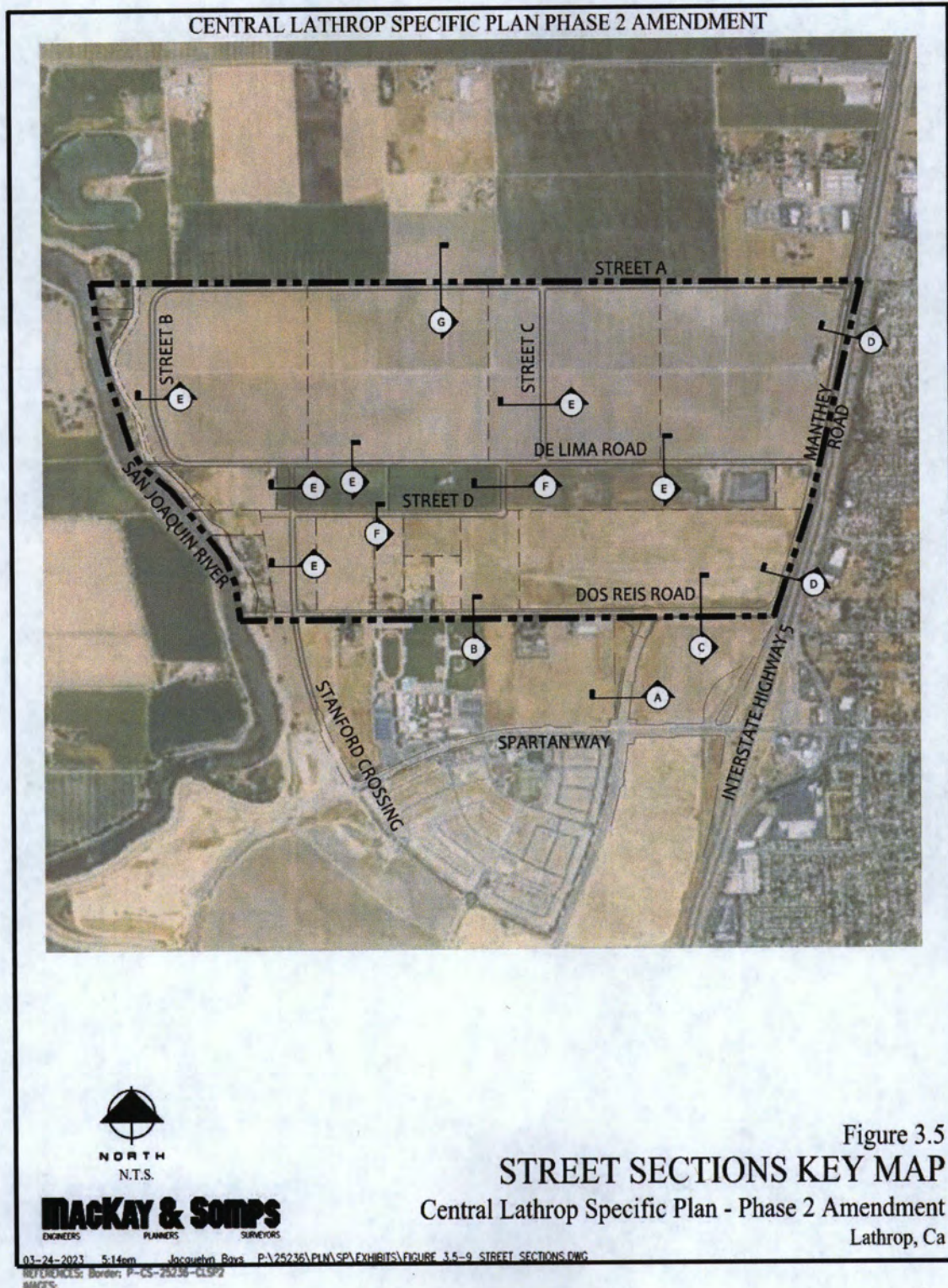


Figure 3.6- Street Sections

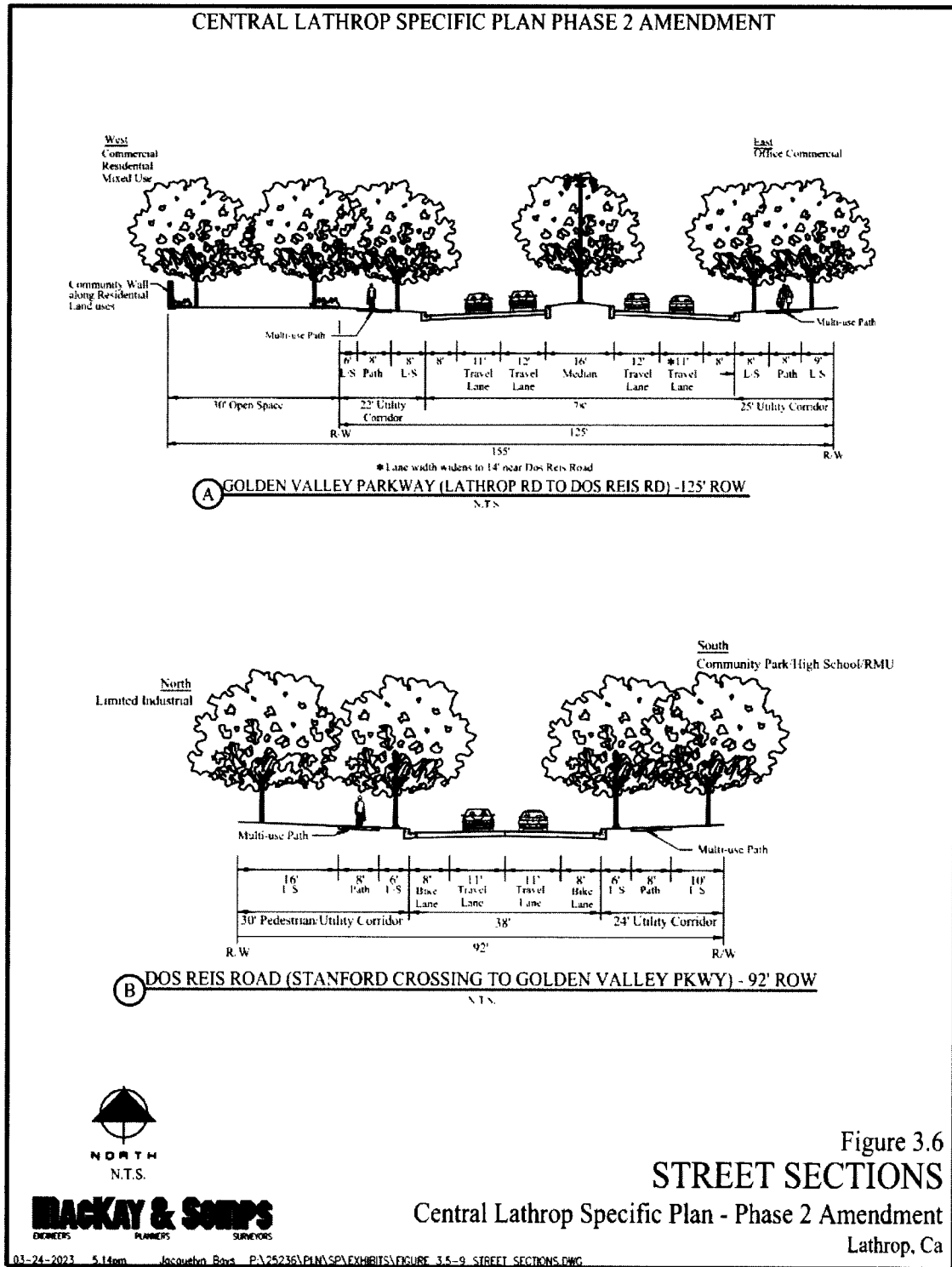


Figure 3.7- Street Sections

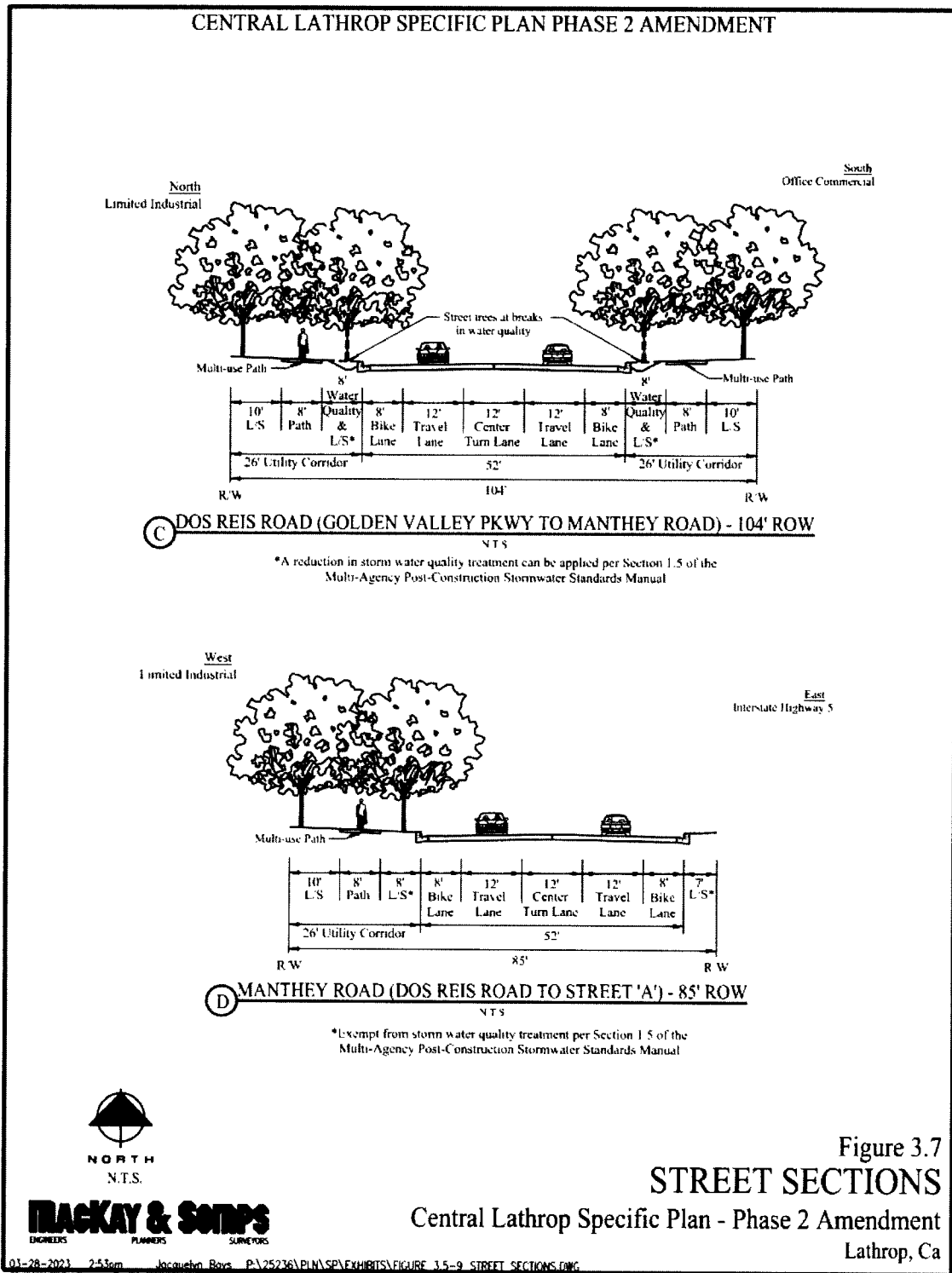


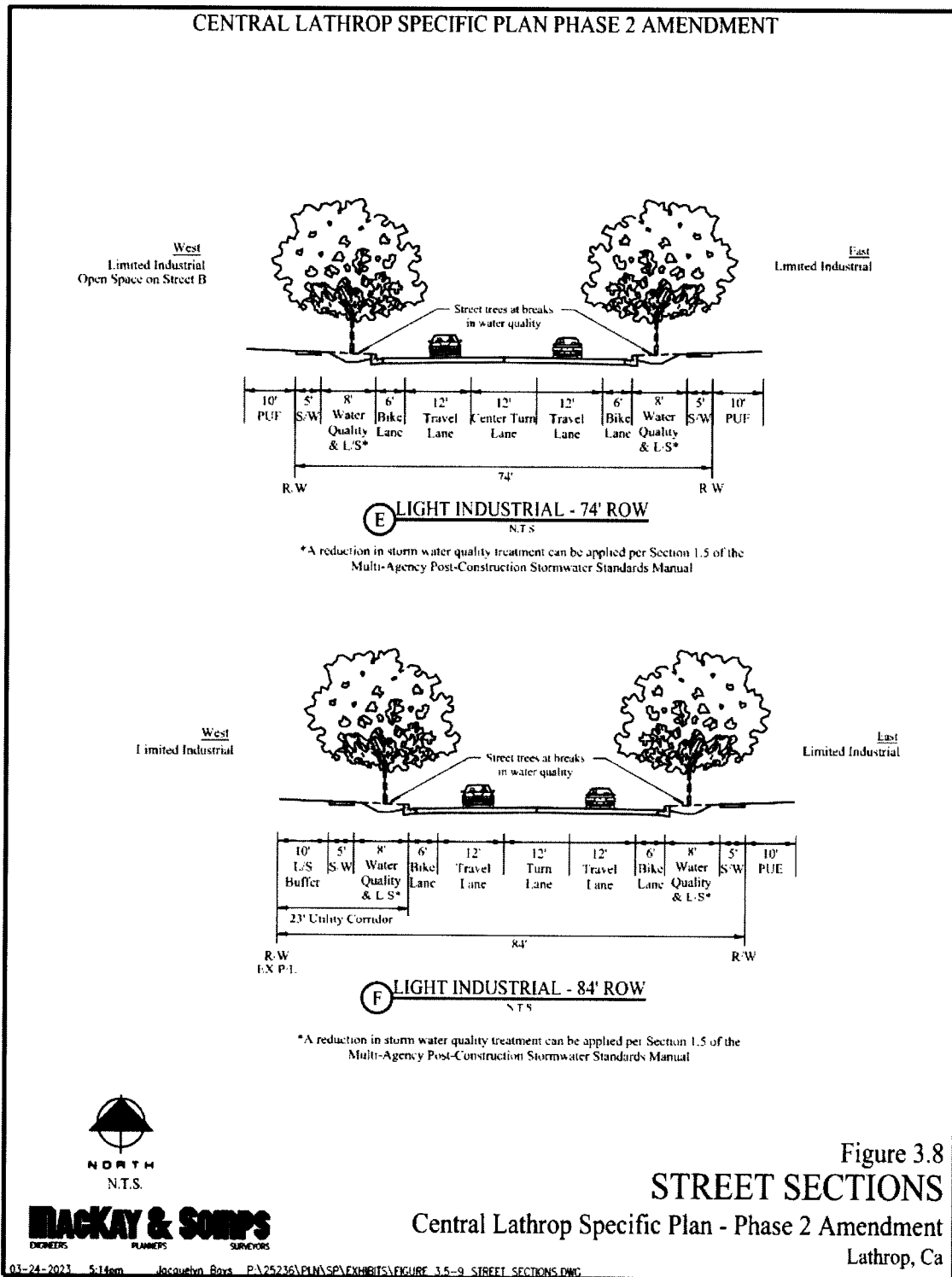
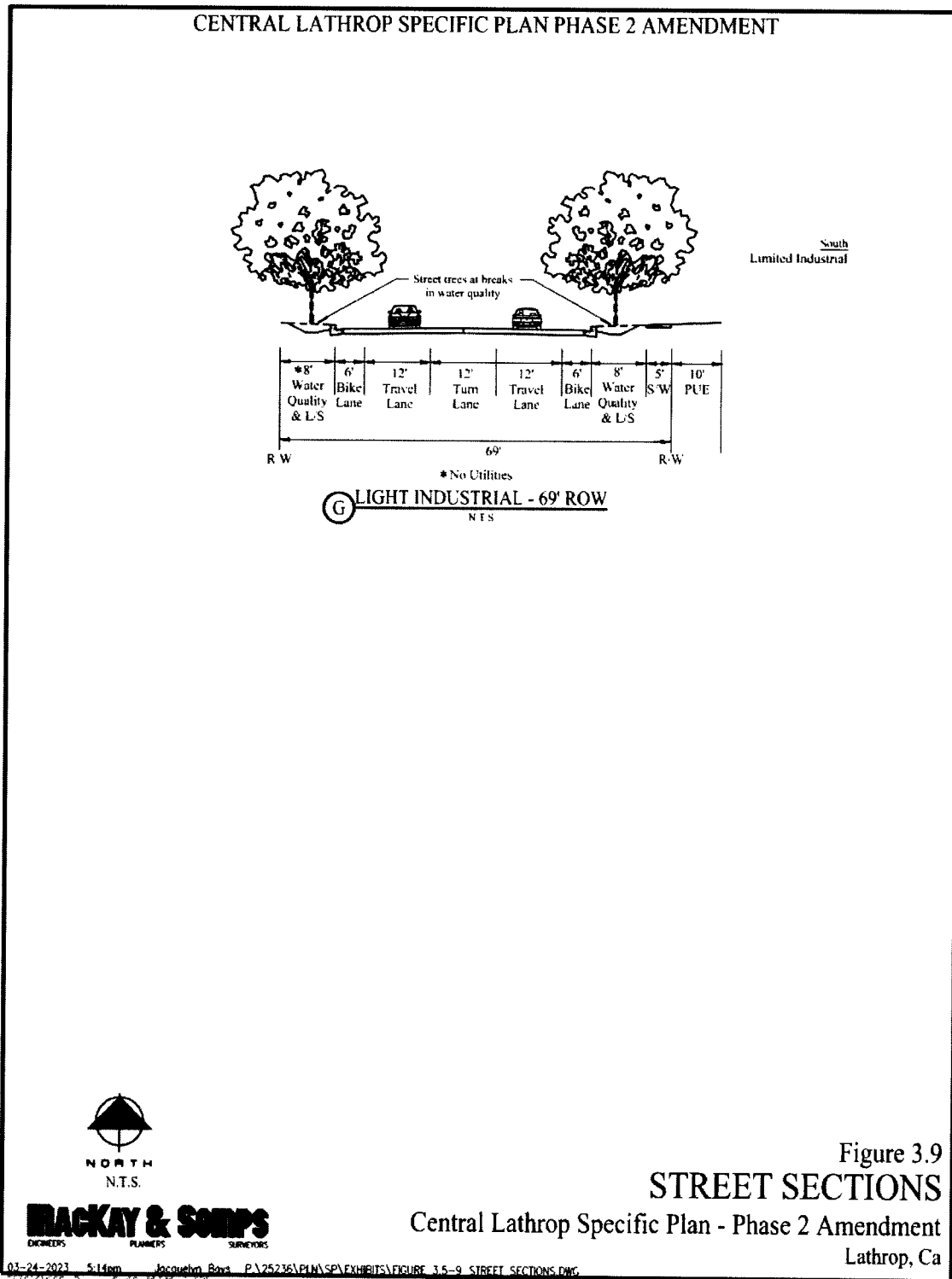
Figure 3.8- Street Sections

Figure 3.9- Street Sections

Utility Corridors

As shown on the CLSP-2 Amendment Roadway Vehicular Circulation Network and street sections, many of the streets within the CLSP-2 Amendment Plan Area include utility corridors within the public right-of-way. The purpose of utility corridors is to provide a location for the installation of joint trench utilities (power, gas, telephone, cable T.V. and other similar dry utilities).

The mainline joint trench will be installed beneath the multi-use path or sidewalk. The area between the curb and the multi-use path/sidewalk is envisioned to be used for the placement of underground vaults and structures such as splice boxes, transformers and other similar equipment. In instances where these structures cannot be constructed underground, the portion of the utility corridor located behind the multi-use path/sidewalk to the right of way line is envisioned to be used for above ground cabinets, where they can be placed away from the travel way and where landscaping can be used for visual screening. If there is not adequate space for above ground cabinets in the utility corridor behind the multi-use trail/sidewalk, then a public utility easement may be added for this purpose.

Utilities that are typically owned and maintained by the City (such as sewer, water, recycled water and drainage systems) are intended to be placed under the paved roadway sections. However, in some instances, the City Engineer may approve the use of utility corridors for the placement of these utilities. This situation might occur if there is not adequate room to meet separation requirements between the utilities within the paved section. It may also occur if phasing of construction requires early placement of pipelines (before roadway improvements) and the risk of subsequent damage to the pipeline during road construction justifies.

Bicycle and Pedestrian Network

The CLSP-2 Amendment Plan Area provides a comprehensive and extensive system of integrated bicycle and pedestrian paths and sidewalks. This system connects residential neighborhoods, public facilities, open spaces, and commercial areas with the limited industrial use. Major elements of this network include both off-street and on-street facilities. Refer to Figure 3.10 for the Pedestrian and Bicycle Circulation Plan. Improvements such as driveways shall be designed to maintain a safe environment for pedestrians and bicycles and to avoid conflicts with truck traffic.

The off-street facilities include eight-foot-wide paved multi-use paths located adjacent to arterials and some of the collector roadways. A multi-use trail adjacent to the San Joaquin River levee if approved by the City of Lathrop and Reclamation District- 17. Other off-street facilities include dedicated sidewalks.

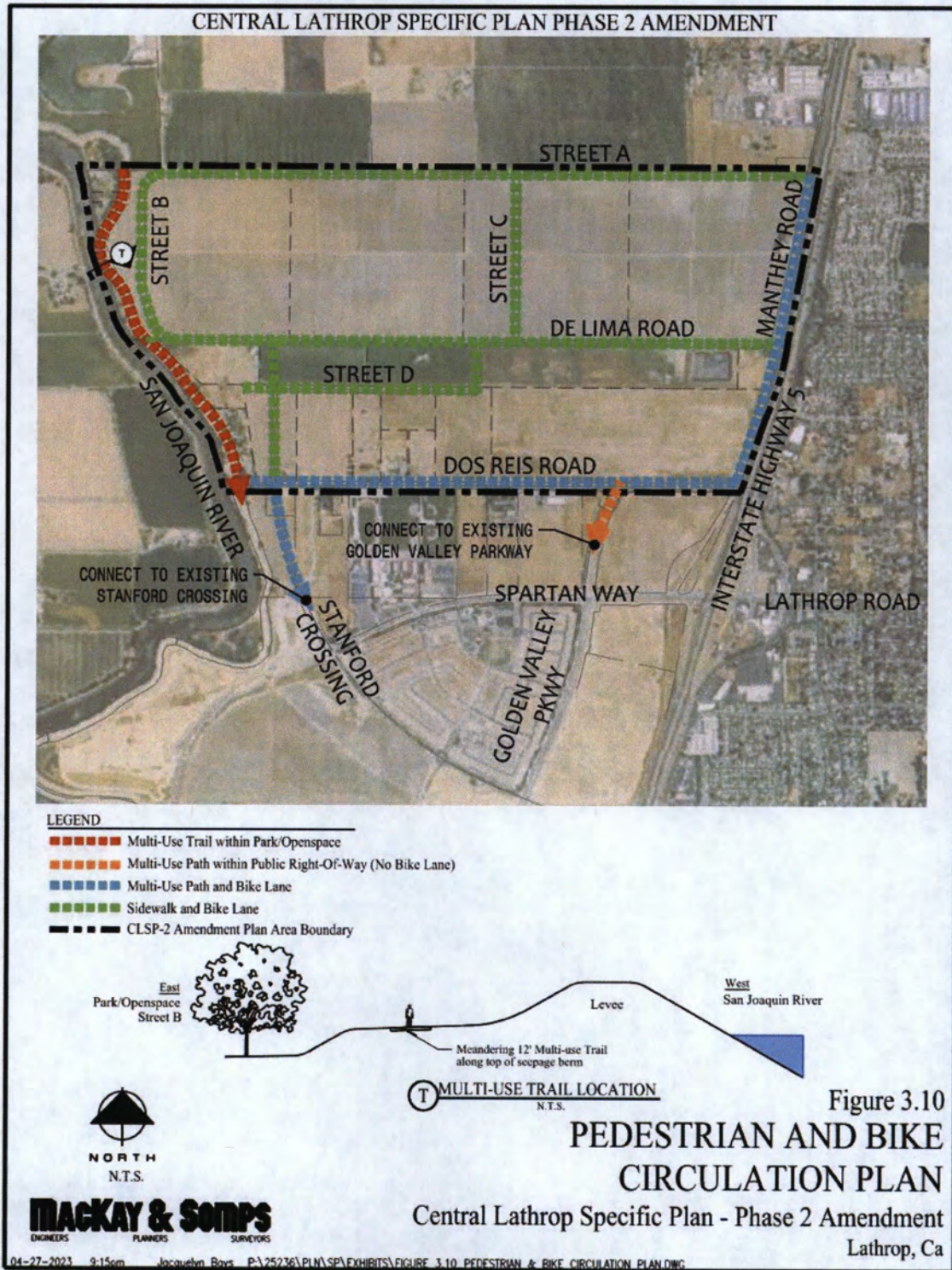
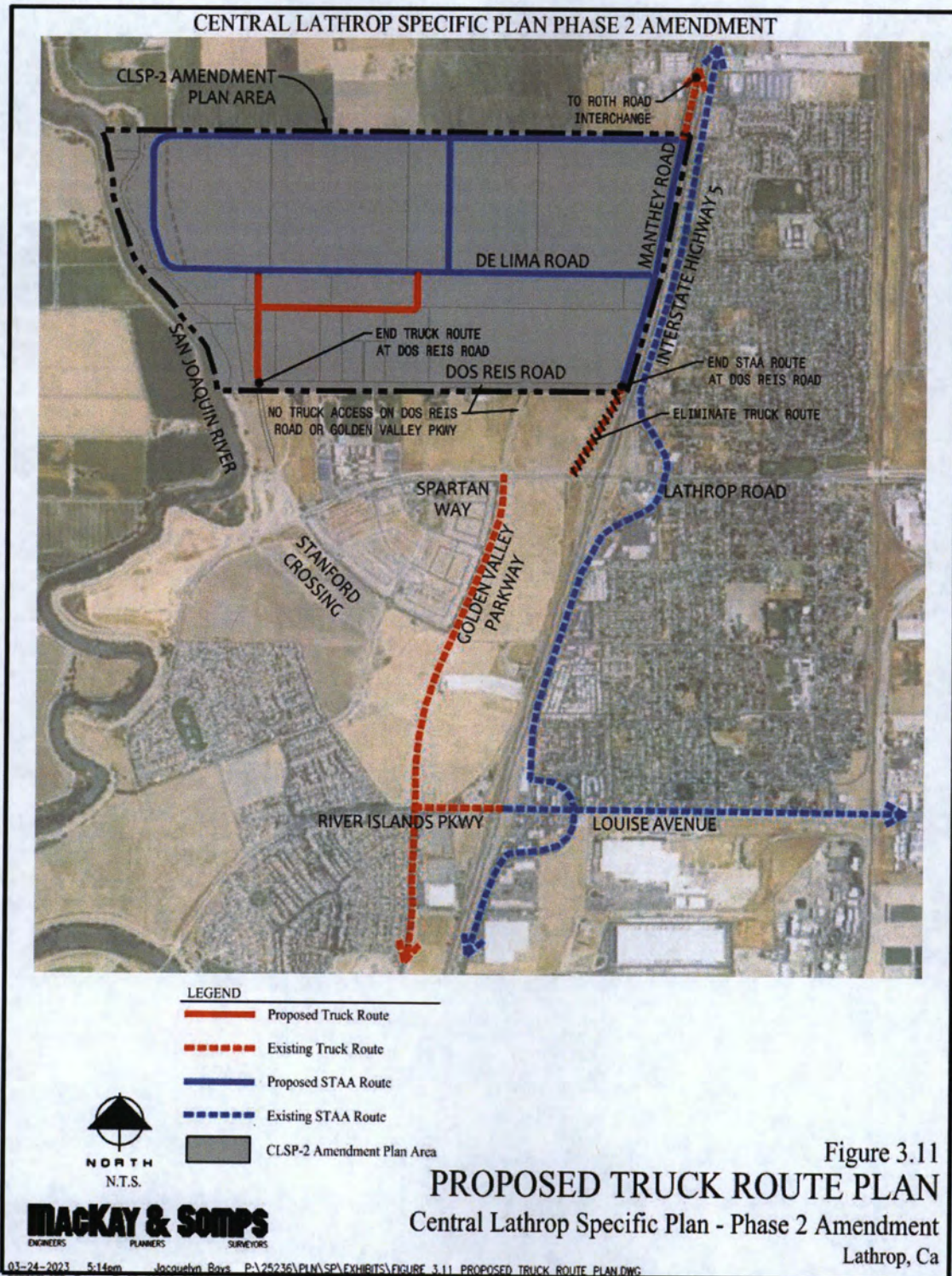
Figure 3.10- Pedestrian and Bicycle Circulation Plan

Figure 3.11- Proposed Truck Route Plan



Chapter Four: Natural Resources Management

Introduction

This chapter addresses the natural resource opportunities of the CLSP-2 Amendment Plan Area and how they are integrated and managed for their preservation and benefit of the community. Additionally, this chapter identifies and discusses how other facilities may be integrated into the CLSP-2 to provide for the provision of new natural resource systems.

Open Space and Parks

The CLSP-2 Amendment makes extensive use of dedicated open space to create an integrated and interconnected resource management system. The preservation and management of existing natural resources within and adjacent to the CLSP Plan Area and the establishment of new natural resource systems are a principal feature of the CLSP-2. Open space can be both privately owned and maintained or publicly owned and maintained. The Open Space and Parks proposed as a part of this specific plan are continuation of the efforts begun with the original CLSP to expand open space and park systems within City limits.

Open Space features include the San Joaquin River and those areas associated with the levee—its side slopes, its top, and the area within close proximity of the outer (land side) levee toe; open space corridors that may contain linear detention basins; and other areas where either natural resources or community design warrants an open space use. Open space areas are typically characterized by the inclusion of internal trail systems.

With the establishment of the linear open space corridor along the river, sensitive riparian

vegetation and habitat will be preserved and protected, except as determined by RD-17 for levee safety or maintenance reasons. Public access to and along the top of the levee may be provided if approved by the City of Lathrop and RD-17, affording the community views of the river and its environs, as well as greater views of the valley.

A linear park also provides open space area within the CLSP-2 Amendment Plan Area. The linear park offers opportunities for passive activities and contributes towards community identity. The park expands upon Dos Reis Park.

Refer to Chapter Five: Community Services and Facilities for more information on parks.

Williamson Act Lands

No parcels within CLSP-2 are under Williamson Act contracts. Parcels that were previously under contract at the time the 2004 CLSP was prepared filed Notices of Non-Renewal and are no longer under the contracts.

Right to Farm

The City of Lathrop has adopted an Agricultural Land Preservation Ordinance, also known as a “right to farm” ordinance, to protect the activities, operations, and facilities associated with agricultural production from encroaching urban uses and conflict. The CLSP EIR identifies mitigation to alleviate potential impacts of development within the CLSP-2 Amendment Plan Area upon functioning agricultural activities. Mitigation is comprised of setback buffers between development and farming activities.

To reduce potential public pressure to restrict agricultural operations that future residents may consider a nuisance, the City requires that a disclosure statement be provided to new homebuyers notifying them of preexisting agricultural land uses within the surrounding area.

Biological Resources

The CLSP-2 Amendment Plan Area is comprised mostly of intensively managed and irrigated agricultural fields with a few large lot homesteads. As a result, natural habitats within the CLSP-2 Amendment Plan Area are restricted to narrow patches of riparian vegetation along the San Joaquin River, marshy vegetation in some agricultural ditches, and scattered individual or small clumps of valley oak trees.

The CLSP-2 Amendment Plan Area vegetation is dominated by cropland and other developed or previously disturbed habitats. A relatively small amount of native vegetation occurs along the San Joaquin River, which borders the western edge of the CLSP-2 area, and within several of the drainage ditches that traverse the area. Vegetation types present in the CLSP-2 Amendment Plan Area are classified according to the categories designated in the SJMSCP. The CLSP EIR describes these categories. Present vegetation categories are cropland, freshwater emergent wetland, Great Valley cottonwood riparian forest, Great Valley oak riparian forest, Great Valley riparian scrub, ruderal, and park/residential.

Some habitat types in the CLSP-2 area could be considered sensitive by regulatory agencies. These include freshwater emergent wetland, Great Valley cottonwood riparian forest, and Great Valley riparian scrub.

Valley elderberry longhorn beetles require blue elderberry shrubs for reproduction and survival.

Although focused surveys for elderberry shrubs have not been conducted, isolated shrubs and

clumps of shrubs have been observed. Based on the presence of blue elderberry shrubs, valley elderberry longhorn beetle could occur in the CLSP-2 Amendment Plan Area.

Several special status raptor species are expected to occur in the CLSP-2 area, including Swainson's hawk, white-tailed kite, and northern harrier. Agricultural fields provide suitable foraging habitats for all of these special-status raptors and the oak and riparian forest communities provide nesting opportunities for tree nesting species.

Riparian brush rabbits have been located in the CLSP-2 Amendment Plan Area. Although riparian brush rabbits occur in the CLSP-2 Amendment Plan Area, the small patches of suitable habitat are unlikely to support a long-term viable population of the species.

The predominance of agricultural lands limits the overall wildlife habitat value of the CLSP-2 Amendment Plan Area and supports a relatively low diversity of wildlife species. However, some species heavily utilize agricultural fields. Alfalfa fields in the CLSP-2 Amendment Plan Area are expected to support small mammals, such as Botta's pocket gopher, western harvest mouse, and California meadow vole. These small mammals are prey for a variety of raptor species known to occur in the CLSP-2 area, including American kestrel, northern harrier, red-tailed hawk, and Swainson's hawk. A variety of other birds were observed or are expected to forage in CLSP-2 Amendment Plan Area agricultural fields, including western kingbird, barn swallow, western meadowlark, and Brewer's blackbird.

Ornamental vegetation and landscaping associated with developed areas, such as rural residences and the County park, also support a relatively low wildlife diversity. These areas are typically utilized by species adapted to highly disturbed and altered environments, such as house sparrow, house finch, raccoon, and opossum.

Wildlife diversity in agricultural ditches is limited due to the regular disturbance of the ditches for clearing and maintenance and the absence of natural vegetation in uplands adjacent to the ditches (e.g., agricultural lands). However, the marsh vegetation in the ditches may support species typical of this plant community such as marsh wren, song sparrow, and Pacific tree frog. Riparian vegetation and oak trees provide nesting habitat for a much wider variety of bird species and also provide potential nest sites for raptors.

The CLSP EIR contains a detailed description of sensitive habitats and wildlife, potential impacts and mitigation measures to alleviate development effects upon these resources.

CLSP-2 Plan Amendment designates some natural habitats as Open Space within the CLSP-2 Amendment Plan Area to assure their preservation. These habitats are located primarily along the San Joaquin River and will be integrated into the CLSP levee open space areas, river areas, and adjacent linear community park. The preservation of the levee open space corridor and parallel linear community park forms and continues a strong framework of continuous open space within and beyond the CLSP-2 area, maintains an interconnected habitat system that allows for the connectivity of plant and wildlife communities, and support daily wildlife needs, while permitting limited public access to these areas. Public access along the potential levee top trail will permit scenic views from and access along the levee and to certain open space areas; this will protect sensitive habitats and wildlife from effects associated with human interaction.

Habitat Conservation Plan

The City of Lathrop adopted the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) on January 16, 2001, and signed the implementation agreement. The SJMSCP provides a process for plan participants to offset impacts to biological resources, conserve open space, maintain the agricultural

economy, and allow development within the County. With the adoption of the SJMSCP, U.S. Fish and Wildlife Service and the California Department of Fish and Game (now known as the Department of Fish & Wildlife) issued incidental take permits (ITPs). The ITPs authorized the incidental take of federally listed and state-listed threatened and endangered species and their habitats for a period of 50 years in exchange for participating project applicants paying mitigation fees. Fees are based on the amount and type of land converted from agricultural or open space uses to urban uses.

Ninety-seven species are covered by the SJMSCP, which is intended to provide comprehensive mitigation pursuant to local, state, and federal regulations for impacts on these species from SJMSCP-permitted activities.

Focused surveys for special-status species were not conducted for this project. Reconnaissance level surveys were conducted that included a habitat evaluation for all potentially occurring special-status species. Development of the CLSP-2 Amendment Plan Area is covered under the SJMSCP, with comprehensive habitat evaluations and focused surveys, when necessary, to be conducted for covered special-status species in accordance with the SJMSCP prior to ground disturbance.

Impacts to fishery and wetland resources that might occur in the CLSP-2 Amendment Plan Area that are not covered under the SJMSCP program must be permitted separately. Such permits may include authorization of dredge or fill of wetlands under Section 404 of the Clean Water Act and Incidental Take Authorization under Section 7 or Section 10 of the federal Endangered Species Act.

Historic and Cultural Resources

Based on a series of archaeological and historical resource surveys and records searches performed for the project, no archaeological sites have been identified within the CLSP-2 Amendment Plan

Area, nor would construction of the project affect any known prehistoric archaeological site.

The CLSP EIR provides mitigation and direction for further analysis of project related impacts on historical and cultural resources, as needed, and on how to proceed if any previously undiscovered or sub-surface archaeological artifacts or historical sites are discovered in the Plan Area. Refer to the CLSP EIR for additional information.

Chapter Five: Community Services and Facilities

Introduction

A wide array of public services and facilities are required to address the recreational, governmental, and emergency response needs of the CLSP-2 Amendment Plan Area. These services and facilities include parks; police, fire, and animal control services; civic facilities; and solid waste services. As the CLSP-2 Amendment Plan area develops, the City and other responsible agencies will review the plans to ensure that adequate public facilities and improvements are provided in a timely manner.

Parks and Recreation

Recreation is a key component in the lifestyle of people residing in any community environment. Recreation facilities and parks, in their active and passive forms, are an important asset contributing to the stability, attractiveness, and quality of life of a community. The City of Lathrop does not have adopted park/open space dedication or fee requirements for non-residential development. Such requirements are associated with residential uses which create the primary demand for, and benefit from proximity to, recreational facilities. The CLSP-2 Amendment designates an open space corridor along the San Joaquin River levee frontage. The open space provides opportunities to create an interconnected trail system from the CLSP-2 area to the Phase 1 Central Lathrop Specific Plan area, the West Lathrop Specific Plan area, and the South Lathrop Specific Plan area.

The general location of CLSP-2 Amendment parks, open space, and trails are included on Figure 5.1.

CLSP-2 Open Space

Open Space, Levee and River areas provide significant recreational, visual and aesthetic amenity to the CLSP-2. These areas offer a variety of functions and elements including passive recreation, scenic corridors, resource preservation, interpretive signage and informal recreation activities (i.e. picnic tables). In addition, the open space and levee corridor will improve the interface between urban and natural areas and define the City's edge.

The CLSP-2 Amendment open space and recreational areas consist of the levee and San Joaquin River that border the entire west side of the CLSP-2 Amendment Plan Area. The river provides several different recreational opportunities for the community, including fishing, bird watching, scenic views, camping and boating launch facilities at Dos Reis Regional Park. A regional gravel multi-use trail may be located within the open space adjacent to the levee if approved by the City of Lathrop and RD-17. The accessibility to the regional trail system, if approved, and the San Joaquin River will be direct and easy, with walking paths and bicycle trails extending to the north and south project boundaries.

CLSP-2 Open Space Interface

Linear Community Park, Open Space, Levee and Neighborhood Interface

The interface between the linear community park, open space and levee areas and adjacent development presents opportunities within the CLSP-2 Amendment Plan Area. Multiple edge treatments are required to maximize the opportunities therein. Access along the open space/levee frontage shall be provided as required by RD-17 and the City of Lathrop.

Where appropriate, the interface should be designed to allow residents to enjoy and appreciate the adjacent trails, park facilities, and open space areas, while providing a safe environment.

Dos Reis Regional Park Interface

The County operates and maintains Dos Reis Park, an existing park within the CLSP-2 Area. Dos Reis Regional Park provides for boat access to the San Joaquin River as well as camping and recreational opportunities for those from out of town. The Central Lathrop Park Master Plan design integrates with and thereby enhances the existing Dos Reis Regional Park. The interface of the Dos Reis Park with the community park will benefit both park systems and their users. Dos Reis Park will continue to be accessed via Dos Reis Road. No additional boat parking facilities will be provided as part of this Project. The interface between Dos Reis Park and the future adjacent limited industrial parcel shall include a masonry wall. See Chapter 7 Design Guidelines for more information.

Police and Animal Control Services

The City of Lathrop operates its own police department for police protection services. The City of Lathrop Police Department is located at 940 River Islands Parkway within Lathrop, approximately two and a half miles south of the Plan Area. The Lathrop Police Department provides services such as emergency law enforcement, routine patrol, traffic enforcement, a Crime Stoppers program, and a Crime Prevention program. The Police Department has 35 sworn officers and 12 non-sworn professional personnel.

New development in the CLSP-2 Amendment Plan Area will be required to pay the City's Capital Facility Development Fee to offset capital facility costs associated with police protection. In addition, development will be required to pay its pro rata share of start-up and ongoing costs.

The City of Lathrop will provide animal services to the CLSP-2 Plan Area. Animal Services Officers protect the health and safety of humans and animals and are responsible for enforcing local and state laws regarding animals and their humane treatment. Services include, but are not limited to, patrol, stray/abandoned animal pick-up, aggressive animal impounds, injured animal pick-up, humane investigations, nuisance investigations, wild animal complaints/impounds, licensing, dead animal impounds, adoption, and education.

New CLSP-2 Amendment development will be required to pay the City's Capital Facility Development Fee to offset capital facility costs associated with animal services. In addition, development will be required to pay its pro rata share of start-up and ongoing costs.

Fire and Emergency Services

The CLSP-2 Amendment Plan Area is within the service area of the Lathrop-Manteca Fire Protection District (LMFD). The District has multiple fire stations, three of which are located within the City of Lathrop. Station 34, located near the intersection of River Islands Parkways and Golden Valley Parkway, will initially be the first responder to serve the CLSP-2 area. In addition, Station 31, located on East J Street in Lathrop, and Station 35, on Somerston near River Islands, will both also provide service to the CLSP-2 area.

The LMFD maintains delivery standards for the provision of emergency services that adhere to the National Fire Protection Associations national standards and outlined in the LMFD Annual Report.

Development in the CLSP-2 Amendment Plan Area will pay applicable fire service fees and assessments required to fund its fair share of LMFD facilities and services. In addition, all development is required to conform to the California Fire Code, the City's Fire Sprinkler

Ordinance, fire flow standards, and other applicable requirements.

Solid Waste

Republic Services is the franchise waste hauler for residential and non-residential uses. The County of San Joaquin provides solid waste disposal facilities, including transfer stations and landfills. The City utilizes designated carts for the storage and collection of garbage, green (yard) waste, and paper, plastic, can, and bottle recycling. To reduce solid waste collection, builders, as mandated by AB 939, are required to implement and utilize construction debris recycling programs.

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Chapter Six: Utilities and Drainage Infrastructure

Introduction

There is a very limited amount of infrastructure currently serving existing development within the CLSP-2 Amendment Plan Area. In order to accommodate the proposed development, numerous onsite and offsite infrastructure improvements will be needed. This chapter describes the major infrastructure improvements needed to serve the CLSP-2 Amendment Plan Area. Other infrastructure elements are discussed in other chapters of this Specific Plan as follows:

- Circulation and Transportation (roads, bike paths, and trails) - Chapter Three
- Emergency Services (fire and police) - Chapter Five

Potable Water

Supply

The City will supply potable water to the CLSP-2 Amendment Plan Area. The CLSP-2 Amendment Developers will fund the provision of water service. The City will provide potable groundwater from the City's existing well field and potable surface water from Phase 1 and/or the Phase 2 expansion of the South County Surface Water Supply Program (SCSWSP) by the South San Joaquin Irrigation District (SSJID).

The City has prepared a citywide 2020 Urban Water Management Plan (UWMP). The Plan reflects the City's existing and future water

demands (including those of the Plan Area) compared to available water supplies to ensure that adequate water is, or will be, available to accommodate the CLSP-2 Amendment. The studies conclude that with the combined groundwater and SCSWSP surface water sources adequate water supplies would be available to serve the CLSP-2 Amendment Plan Area.

Table 6.1 identifies Plan Area water demand for the CLSP-2 Amendment. The availability of potable water is a primary factor regulating the level of development in the CLSP-2 Amendment Plan Area.

In addition to the potable supply, the CLSP-2 Amendment makes maximum use of recycled water (treated wastewater) for the irrigation of public rights of way and open space. Further, the potential exists for the irrigation of private open space areas and other landscaping with the use of recycled water to the extent allowed by the City of Lathrop's Waste Discharge Permit issued by the RWQCB.

Treatment

Treatment of water supply occurs, as necessary, to meet federal, state, and local standards. The SCSWSP surface water supply is treated at a centralized facility located outside the City of Lathrop, with Lathrop's groundwater treated at the wellhead. As a result, there is not a need for potable water treatment facilities within the Plan Area.

Table 6.1: Estimated Water Demand

Designation	Land Use	Area (acres)	Demand Factor (gpd/ac)	Demand (gpd)
LI-CL	Limited Industrial	618.2	926	572,453
OS-CL	Open Space	29.3	0	
P-CL	Park	11.2	0	
	Major Road Right-of-Way	65.3	0	
	Total	724.0		572,453

Storage and Pressure

Potable water storage and distribution will be provided to the CLSP-2 Amendment Plan Area by extending the City's existing pipe network into the CLSP-2 Amendment Plan Area generally consistent with the City Master Utility Plan. Project proponents in the CLSP-2 Amendment will construct and/or contribute fees toward its proportional share of water storage as specified in the City Master Utility Plan.

The City's 2020 Urban Water Management Plan identifies three components of water storage including emergency, fire and equalization. Emergency storage is intended to provide water supply in the event there is a problem with the typical daily supply. Emergency supply can consist of "emergency only" wells and/or tank storage. Fire storage is intended to provide water supply to fight fires and must be accommodated by tank storage. Equalization storage is intended to help dampen out the impact of daily fluctuations in demand and must be accommodated by tank storage. The timing and size of the water storage tank and booster pump will be determined with future planning efforts such as during tentative map and/or site plan review processing. The water tank could potentially be located anywhere within the CLSP-1 or CLSP-2 Amendment Plan Area. A 1.6-million-gallon water tank and booster pump station was constructed within the CLSP Phase 1

area, and this site can accommodate a second tank to serve development of the CLSP-2 Amendment. Booster pump modifications may be required. The exact location of the water tank will be determined when more detailed development proposals are submitted. The first project to develop within the CLSP-2 Amendment Plan Area will be responsible for preparing the water study to determine the size, location, and construction timing of the water tank.

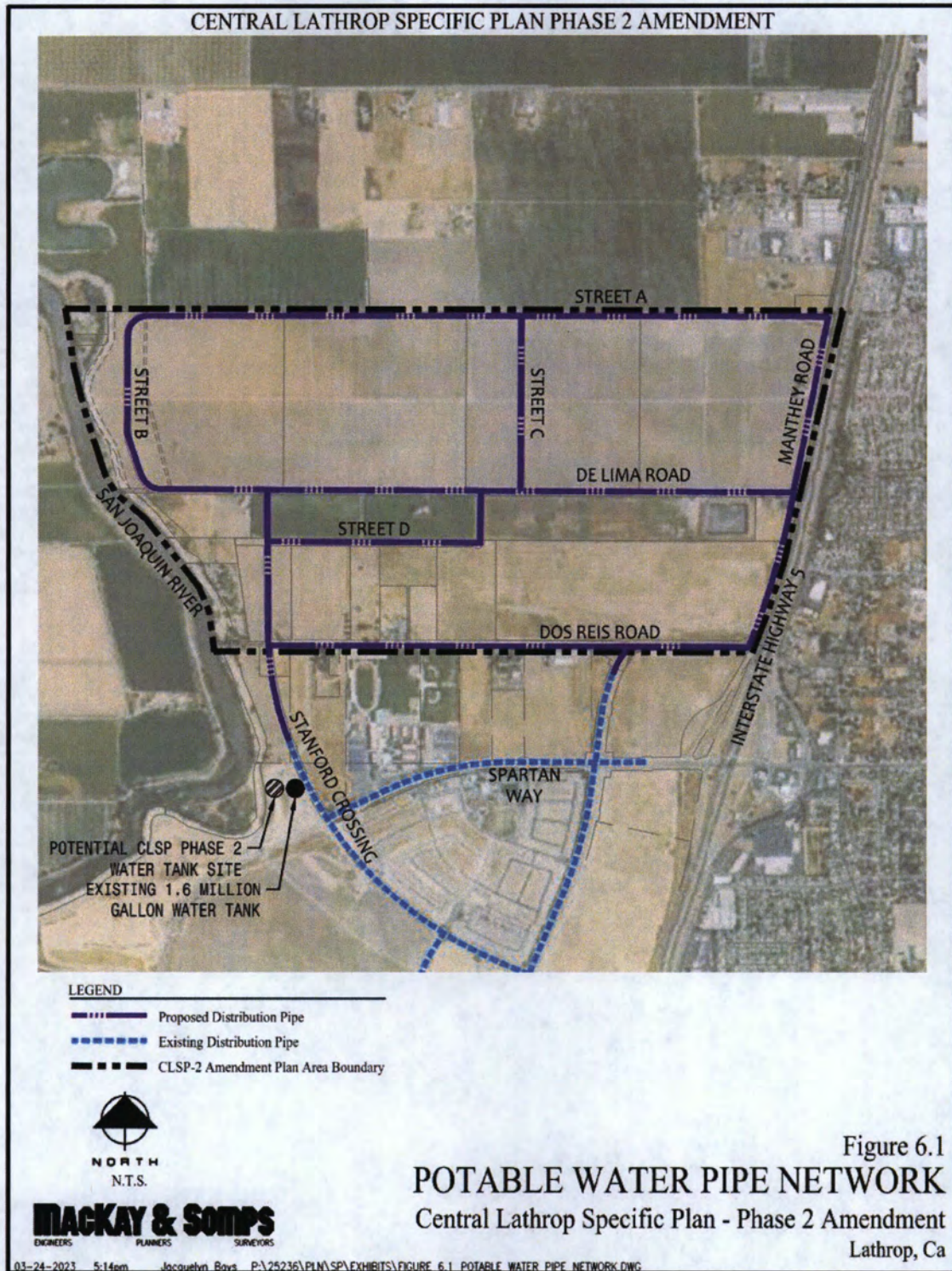
Potable Water Pipe Network

The City currently serves properties along Dos Reis, De Lima and a portion of Manthey Roads with potable water via old pipes. It is possible that some, if not all, of these existing pipes may need to be replaced to accommodate pipe and street improvements associated with development of the CLSP-2 Amendment.

Each of the major roadways in the Plan Area includes a water main as shown on Figure 6.1. These proposed mains form a looped infrastructure water system into which individual industrial and commercial parcels in the CLSP-2 Amendment Plan Area and will subsequently be connected. It is estimated that the water mains will be 12" diameter pipes. The exact size of the mains will be determined through a water model analysis that considers the rest of the City's water system and pressures necessary to meet fire flow

requirements. The water model will be prepared with future planning efforts such as during tentative map and/or site plan review processing.

Figure 6.1- Potable Water Pipe Network



Wastewater

When the City adopted the CLSP in 2004, a public sewer system did not exist in the CLSP Plan Area. Existing rural residences and other developments disposed of their wastewater through private septic systems and/or leech fields. However, a public sewer system was installed with the CLSP Phase 1 development that was oversized for the CLSP Phase 2 Plan Area. New pipes and a new pump station will be required within the CLSP-2 Amendment Plan Area that will connect to the existing infrastructure within Phase 1. CLSP-2 Amendment Developers will fund or construct the new infrastructure through the payment of development impact fees.

Estimated Wastewater Generation

The estimated wastewater generation from the CLSP-2 Amendment Plan Area is approximately 219,461 gallons per day average dry weather flow (ADWF). The City of Lathrop utilizes two different demand factors for wastewater generation. Dry uses can assume a demand factor of 172 gpd/ac and other uses can assume a demand factor of 355 gpd/ac. If the dry use demand is used for a particular development a deed restriction would need to be recorded. The more conservative 355 gpd/ac was used to generate wastewater demands in order to size the infrastructure. Table 6.2 summarizing the estimated wastewater generation.

Collection System

The CLSP-2 Amendment would rely on a gravity wastewater collection infrastructure system as shown on Figure 6.2. Due to the flat topography of the area, a lift or pump station will be needed to convey wastewater to the existing Central Lathrop Specific Plan Phase 1 pump station. From that pump station, force main systems convey wastewater to the treatment plant.

Once cumulative wastewater generation from Central Lathrop Specific Plan Phases 1 & 2 exceeds 400,000 gpd, offsite force main improvements are required to increase the overall capacity of the system. To achieve the increased capacity for the wastewater system within the CLSP Plan Area the following improvements are needed:

- Adjust the pump flow control restrictions as required at the existing Central Lathrop Specific Plan Phase 1 pump station.
- Disconnect the Central Lathrop Specific Plan to Mossdale intertie and construct a manifold connecting the Central Lathrop Specific Plan 14" and 18" force mains to the River Islands 12" and 18" force mains near the end of Harlan Road at the I-5 crossing. Construct a new 20" force main from the Central Lathrop Specific Plan/River Islands manifold to the Consolidated Treatment Facility (CTF) manifold.

The offsite wastewater improvements are shown in Figure 6.3.

Treatment

Wastewater generated by development in the CLSP-2 Amendment Plan Area will be treated to meet Federal, State, and City standards before it is disposed of. As shown on Figure 6.2, wastewater will be treated by existing capacity and future expansions to the Consolidated Treatment Facility (CTF).

The City has a river discharge permit that will allow for the disposal of recycled water to the San Joaquin River. The City constructed the outfall in the Fall of 2022.

Table 6.2: Estimated Sewer Demand

Designation	Land Use	Area (acres)	Demand Factor (gpd/ac)	Demand (gpd)
LI-CL	Limited Industrial	618.2	355	219,461
OS-CL	Open Space	29.3	0	
P-CL	Park	11.2	0	
	Major Road Right-of-Way	65.3	0	
	Total	724.0		219,461

Figure 6.2- Wastewater Network

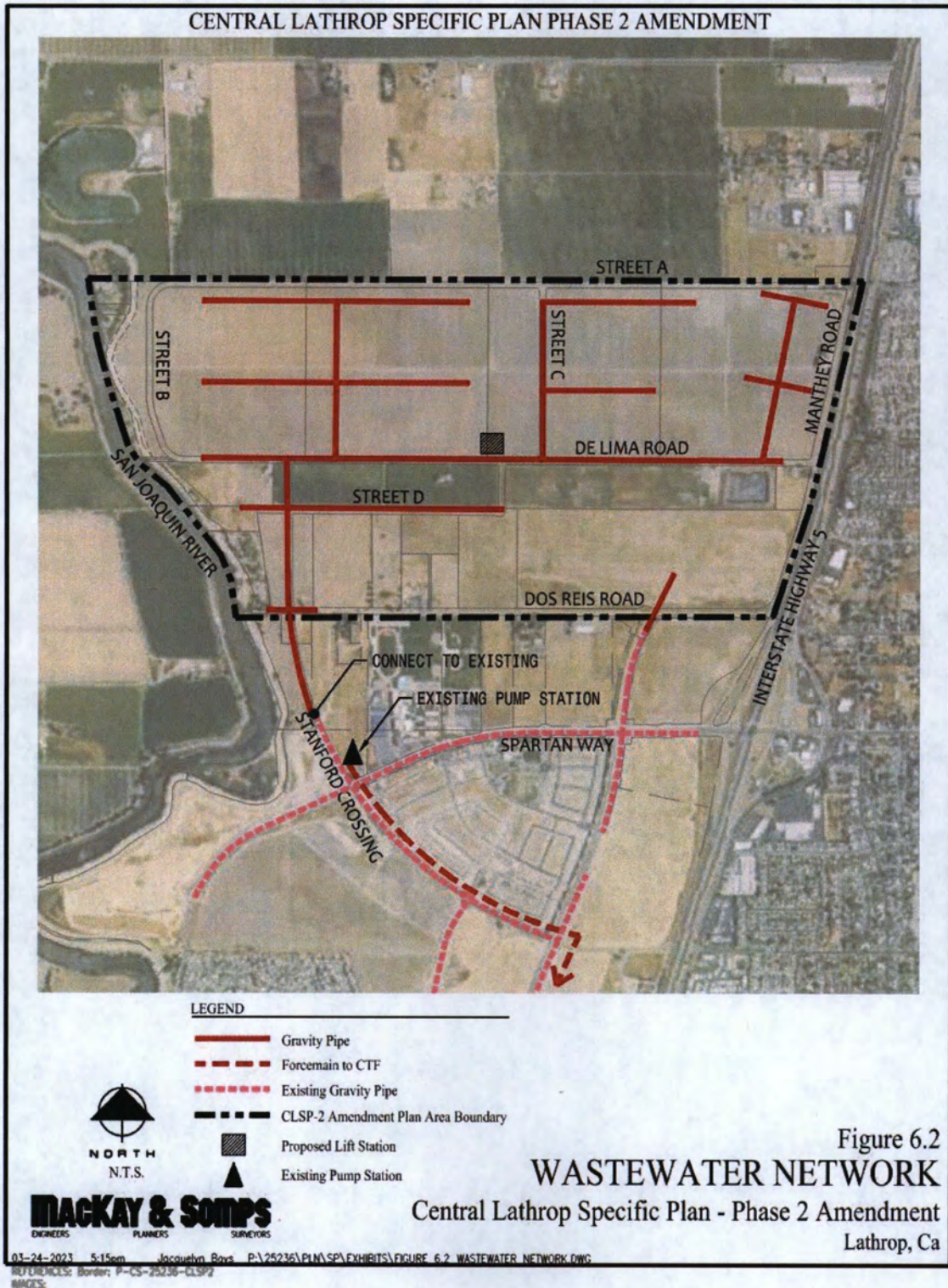
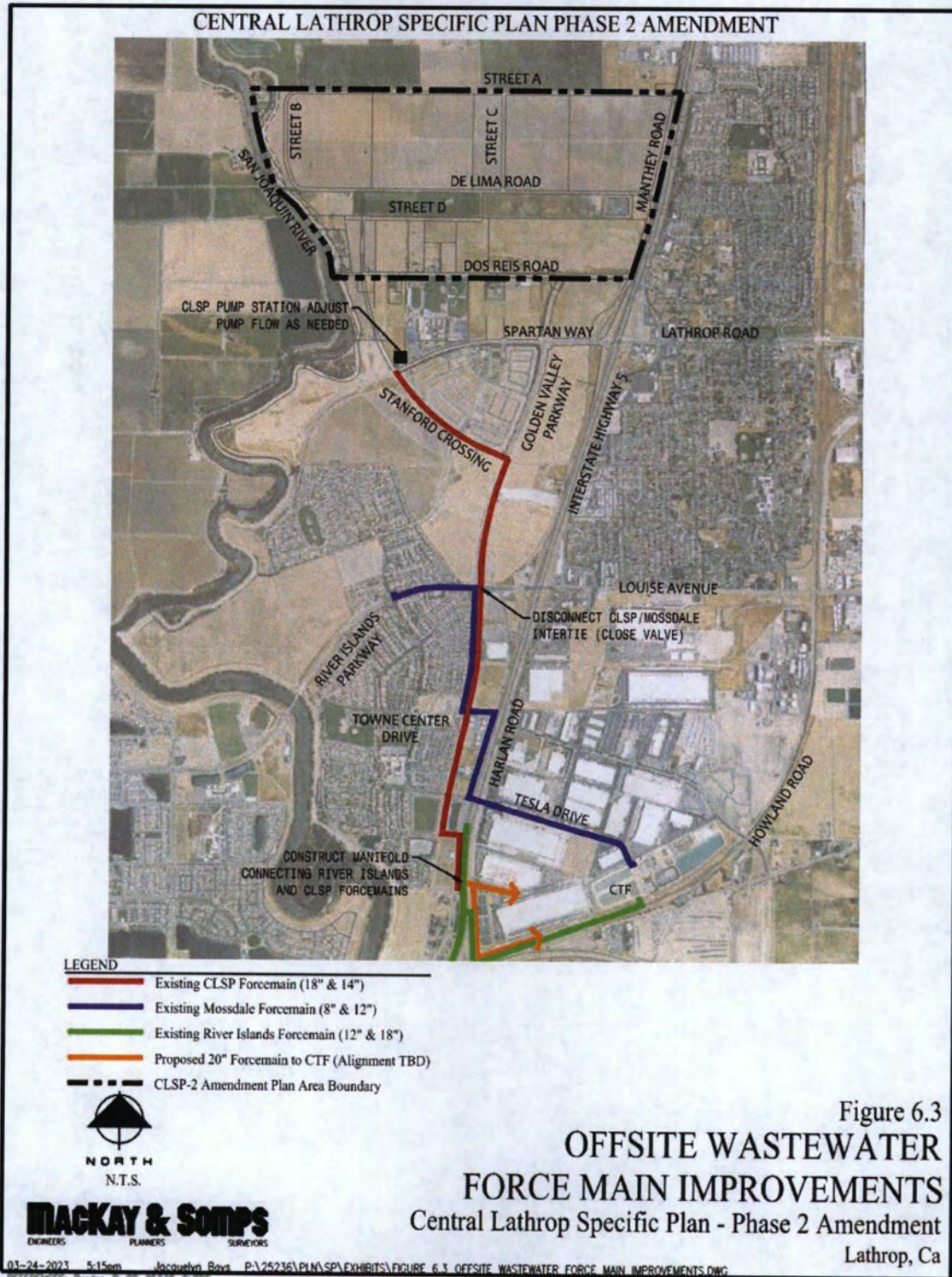


Figure 6.3- Offsite Wastewater Force Main Improvements

Recycled Water

The CLSP-2 Amendment will maximize reuse opportunities for recycled water. The term “recycled water” refers to wastewater that has been treated and disinfected to tertiary levels. Water treated to this level has been determined by governmental regulations to be acceptable for human contact without cause for concern and is commonly used for irrigation. The use of recycled water is regulated by the Regional Water Quality Control Board (RWQCB) and the Department of Health Services, which apply stringent water quality, treatment and disinfection standards.

The use of recycled water for irrigation serves to conserve potable water for other uses. In addition, in the event the potable water supply is limited at any time, such as a “dry year” situation, the use of recycled water ensures a supply for landscaped areas and reduces the likelihood that potable water would be needed for this purpose.

The CLSP-2 Amendment proposes to make recycled water available for public irrigation uses. This includes irrigation of landscaped areas within street rights-of-way and open space. In addition, there may be potential for the use of recycled water for private irrigation uses as well,

such as common open space areas and landscaping around buildings.

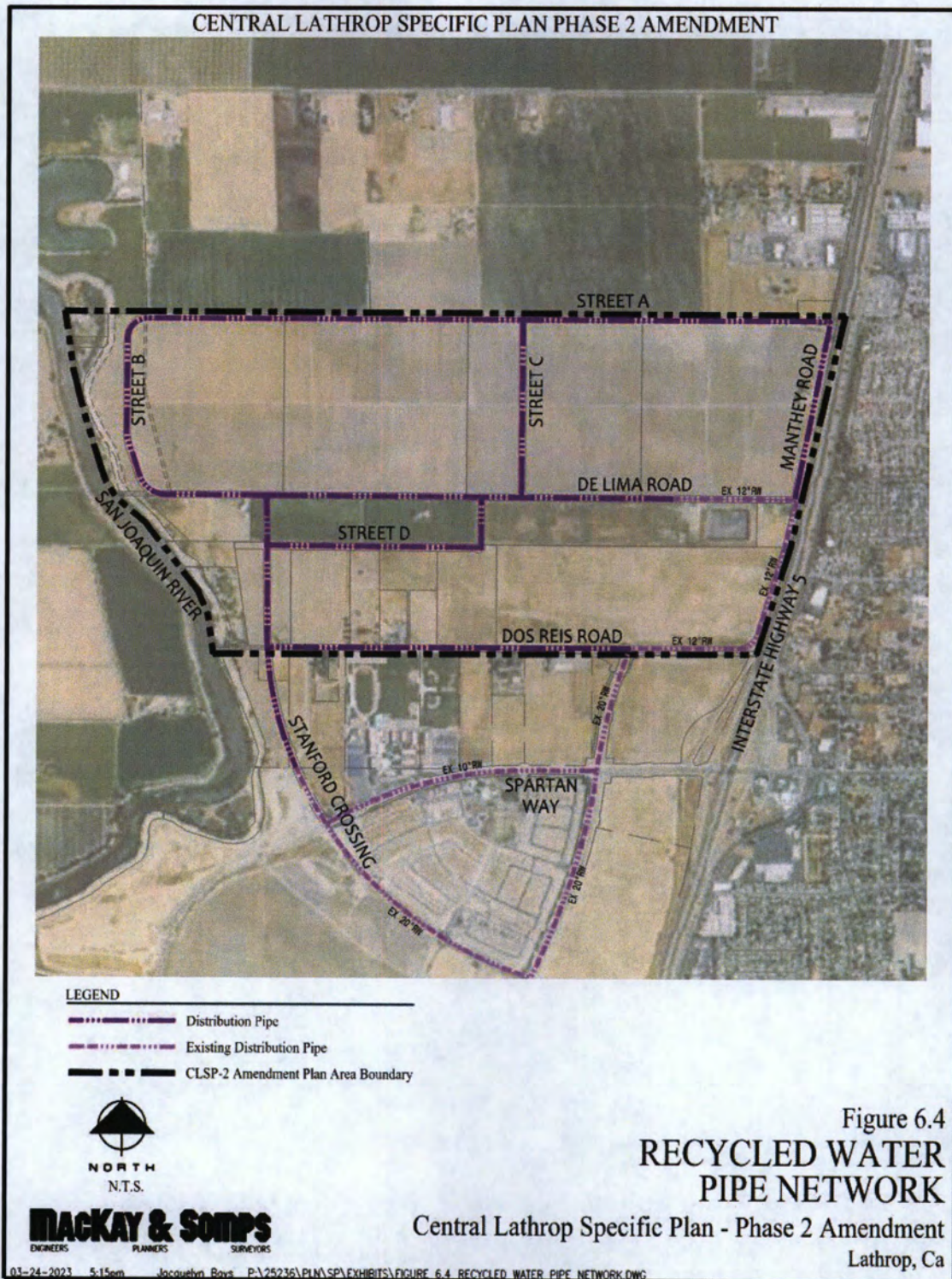
Criteria for management of the recycled water system and public education about it will be established in future reports (or other documents) and will be subject to City approval.

Recycled Water Pipe Network

An existing recycled water pipeline is located in Golden Valley Parkway and Stanford Crossing and will be the connection point for the Plan Area. Each of the major roadways in the Plan Area includes a recycled water main as shown in Figure 6.4. These proposed mains form a looped infrastructure recycled water system into which public and potentially private landscaped areas can be connected.

Due to the limited demand for recycled water within the Plan Area, the City Engineer can determine the need for recycled water improvements with future development applications. The pipe network illustrated on Figure 6.4 is conceptual and subject to final review by the City Engineer when public improvement plan are prepared.

Figure 6.4- Recycled Water Pipe Network



Flood Protection and Storm Water Quality

Background

An existing levee along the San Joaquin River protects the Plan Area from flooding RD-17 operates and maintains the levee. The Federal Emergency Management Agency (FEMA) has categorized the Plan Area as being in Zone X as shown on Flood Insurance Rate Map (FIRM) panel numbers 06077C0605F and 06077C0610F. The Zone X definition relevant to the Plan Area is “areas protected by levees from 1% annual chance flood”.

The RD-17 levee system has been undergoing seepage berm and/or other improvement repair/upgrade projects to increase the resistance to under-seepage and through-seepage in order maintain compliance with applicable Federal, State, and local standards. A minimum 120 foot “no-build” buffer along the levee as measured from the levee toe is provided within the CLSP-2 Amendment Plan Area to allow adequate space for future improvements if/when needed.

RD-17 has been working with the Department of Water Resources (DWR) and the Central Valley Flood Protection Board (CVFPB) to evaluate options for providing 200-year protection for the Mossdale Tract including the CLSP-2 Amendment Plan Area. The 120’ “no-build” buffer within the CLSP-2 Amendment Plan Area provides sufficient area to accommodate any 100-year improvements and any additional incremental improvements to provide 200-year protection in the future in conjunction with the Mossdale Tract 200-year flood protection improvements to meet the urban level of flood protection criteria.

Using design standards developed in cooperation with the City, the CLSP drainage improvement program will provide for efficient discharge of runoff from a 10-year storm event while also protecting the site from flooding during a 100-year storm event. It is also desirable that a high

degree of design flexibility be incorporated into the drainage program. This flexibility will allow sufficient latitude for each new development within the CLSP-2 Amendment Plan Area to design an internal system that meets its site-specific needs, so long as the design is consistent with the overall CLSP-2 Amendment Plan Area Drainage Plan.

Existing Conditions and Constraints

The CLSP area is part of a larger watershed known as “the Northern Area” that includes areas both east and west of Interstate 5.

The CLSP-2 Amendment Plan Area is about 20 feet lower than the top of the adjacent San Joaquin River levee. Therefore, runoff must be pumped over/through the levee. To avoid adverse impact to the levees near the CLSP Plan Area, peak discharge is limited to 30% of the 100-year flow rate from the watershed as stated in the 2004 CLSP and CLSP EIR. Therefore, the CLSP-2 Amendment incorporates on-site detention to store excess runoff during periods of peak storm activity.

Two storm drain outfalls to the San Joaquin River exist within the CLSP Plan Area. One outfall is located within the Phase 1 area and the other is located within the Phase 2 area. The outfalls are sized to accommodate the development of the CLSP-2 Amendment Plan Area.

An existing storm drain force main is located within Dos Reis Road and connects existing development east of Interstate-5 to the existing outfall located at the end of Dos Reis Road.

When the City approved the 2004 CLSP, runoff from the CLSP Plan Area was collected in a system of shallow agricultural ditches, roadside ditches, and percolation basins with some small private agricultural pumps that discharged water to the San Joaquin River. However, public storm drain infrastructure is now available that was built with Phase 1 of the CLSP. Existing pipes

removed and replaced near to the top of the levees to increase the elevation of the pipes. New valves will also need to be added to the pipes as required by the current design standards. The Storm drain-system illustrated in Figure 6.7 is conceptual and subject to change based on future planning and engineering efforts.

The proposed stormwater collection system functions by discharging all runoff directly into the river up to the point where the runoff rate exceeds the capacity of the pump station. When the rate of runoff exceeds the pump station capacity, water “backs up” into the detention pipes until the runoff rate declines and once again equals the capacity of the pump station. The water level in the storage pipes then decreases, emptying completely.

Based on a preliminary design analysis the approximate volume of the underground storage and maximum allowable discharge rates are summarized in Table 6.3. Storage is based on the maximum discharge rate shown.

Table 6.3: Watershed Detention Facilities and Pump Station Sizes

Watershed	Maximum Pumping Rate	Total Storage
	CFS	Acre-feet
3	176.7	1.53
4	78.6	17.36
Total	255.3	18.89

Flood Protection

A key element of the CLSP-2 Amendment Plan Area storm drain system is its ability to handle the runoff that occurs during a high intensity storm. The drainage system provides multiple layers of protection based on the severity of storm events:

- 10-year Event - The underground system is designed with capacity to accommodate the drainage flows anticipated to occur as a result of a 10-year storm event.

- 10 to 100-year Event - When the capacity of the underground system is exceeded during an intense storm event (in excess of a ten-year event), water flows will be detained in underground storage pipes, designed for the 100-year storm event and distributed throughout the CLSP-2 Amendment Plan Area. This design method keeps the flow depth underground, within acceptable limits (i.e., one foot below floor elevations) and the threat of flooding posed to private property is minimized. An alternative design could be to allow the streets to flood and provide overland release by means of a descending gradient directing surface flow towards a proposed detention basin. This type of design would require flow in the streets.
- 10 to 100-year Event with Pump Discharge limited – The CLSP-2 Amendment Plan Area storm drain system is also designed to provide flood protection in circumstances requiring a reduction in flow rates of the system pumps that discharge into the San Joaquin River. The Central Valley Flood Protection Board and the City may limit river discharge to pre-development levels whenever the river stage exceeds certain flood elevations. When pump discharge is limited, the CLSP-2 Amendment Plan Area must be able to accommodate the volume of a 100-year, 24-hour storm without flooding buildings. Under these extreme circumstances, the volume of water that must be stored in the Plan Area may exceed the capacity of the detention facilities and will be held in the streets, parking lots and/or other areas.

The CLSP-2 Amendment Plan Area grading concept preserves the elevation of the streets within the watershed at approximately the same elevation as existing conditions. During a rare condition, when the San Joaquin River is high and the stormwater pumps must be reduced, the underground storage allows runoff to be spread

throughout the shed avoiding excessive depth of inundation in any one area.

The 2022 Lathrop General Plan amendment changing residential uses to Limited Industrial uses in the CLSP-2 Amendment Plan Area is consistent with the floodplain management strategy included in the San Joaquin Area Flood Control Agency (SJAFC) 200-year Fix-in-Place levee improvement project for the Mossdale Tract.

Stormwater Quality

The CLSP- 2 Amendment Plan Area drainage system will include features designed to ensure that the stormwater quality meets current water quality standards in conformance with Phase II MS4 National Pollutant Discharge Elimination System (NPDES) regulations. Because the site discharges into the San Joaquin River, runoff quality must also meet standards of the regulatory agencies.

Runoff will be treated to the “maximum extent practicable” by implementing appropriate source and treatment control Best Management Practices (BMPs). These practices may include, but are not limited to:

- Bioretention
- Infiltration basin
- Underground water quality vaults (i.e., CDS vaults)
- Disconnected roof leaders (i.e., roof leaders connect to “bubble-up” inlets in landscaped areas away from building foundations rather than to the storm drain system)
- Swales
- Downspout and/or inlet filters
- Porous Pavements

- Inlet stenciling
- Street sweeping

Stormwater treatment must meet the criteria of the Multi-Agency Post Construction Stormwater Standards Manual. Additional requirements may be imposed on some industrial and commercial uses.

It is anticipated that new public roads within the CLSP-2 Amendment Plan Area will be treated with roadside bioretention areas and stormwater quality for the individual developments will be treated onsite in bioretention areas, prior to discharging into the public storm drain system. Per Section 1.5 of the Multi-Agency Post Construction Stormwater Standards Manual public roadway replacements and widenings allow for reductions and/or exceptions in storm water quality treatment requirements.

The storm water runoff on Dos Reis Road between Stanford Crossing and Golden Valley Parkway is exempt from storm water quality requirements per Section 1.5 of the Multi-Agency Post Construction Stormwater Standards Manual because the addition of traffic lanes results in an alteration of 50% or less of the existing Dos Reis Road impervious area in this section of roadway and the proposed 8' trail and bicycle lane are graded to runoff to adjacent vegetated areas.

Similarly, the storm water runoff from Manthey Road is exempt from storm water quality requirements per Section 1.5 of the Multi-Agency Post Construction Stormwater Standards Manual because the addition of traffic lanes results in an alteration of 50% or less of the existing Manthey Road impervious area in this section of improvement and the proposed 8' trail and bicycle lane are graded to runoff to adjacent vegetated areas.

Section 1.5 of the Multi-Agency Post Construction Stormwater Standards Manual also allows for the reduction of storm water treatment area required to treat runoff from Dos Reis Road

between Golden Valley Parkway and Manthey Road because the addition of traffic lanes results in an alteration of 50% or less of the existing Dos Reis Road impervious area in this section of roadway and the proposed 8' trail and bicycle lane are graded to runoff to adjacent vegetated areas.

It is likely other street replacements/widenings in the CLSP-2 Amendment Area will fall into these reductions/exceptions categories in the future reducing the required treatment areas for public roadways as directed by the City.

Figure 6.5- Existing Watersheds

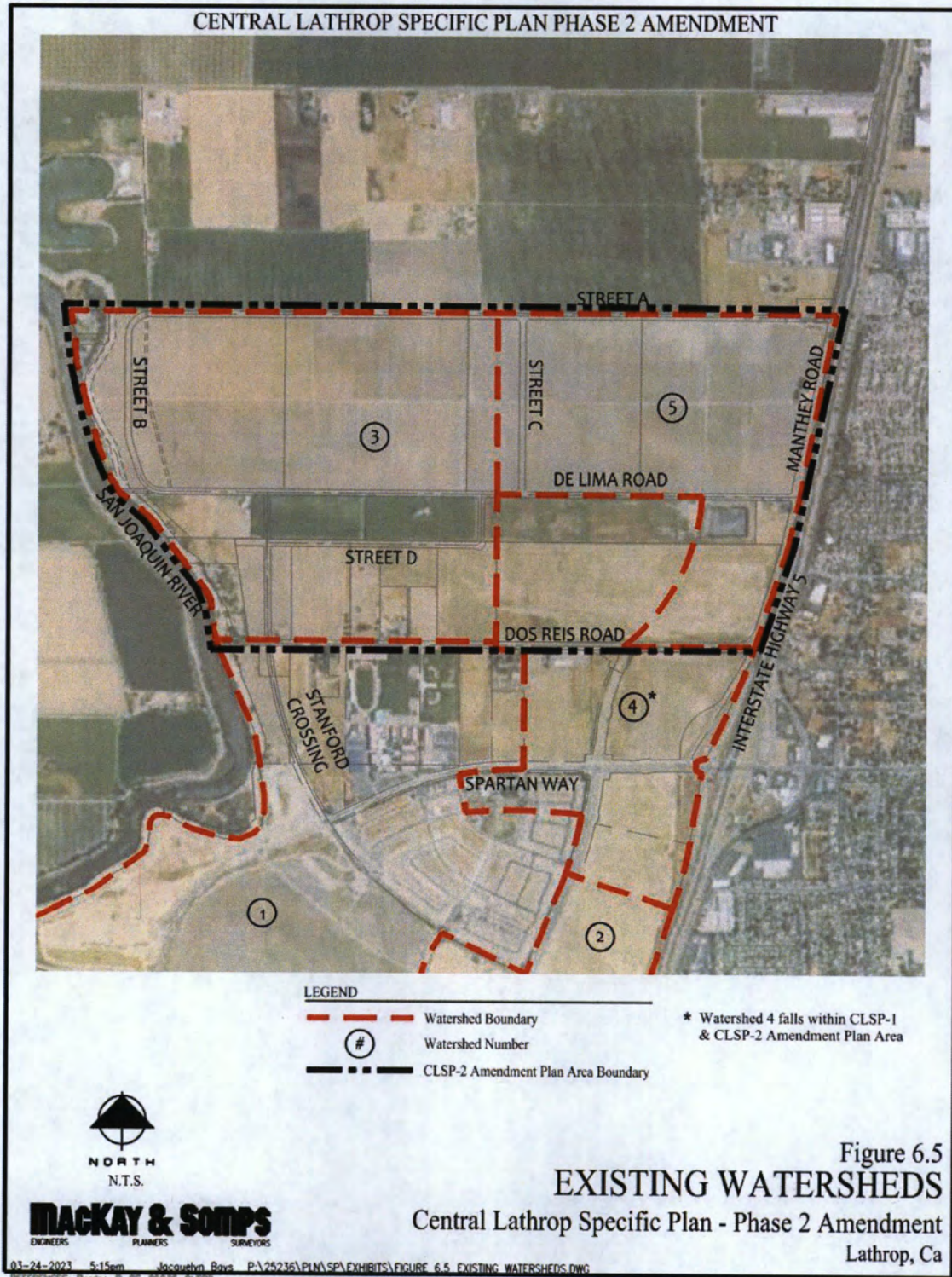


Figure 6.6- Proposed Watersheds

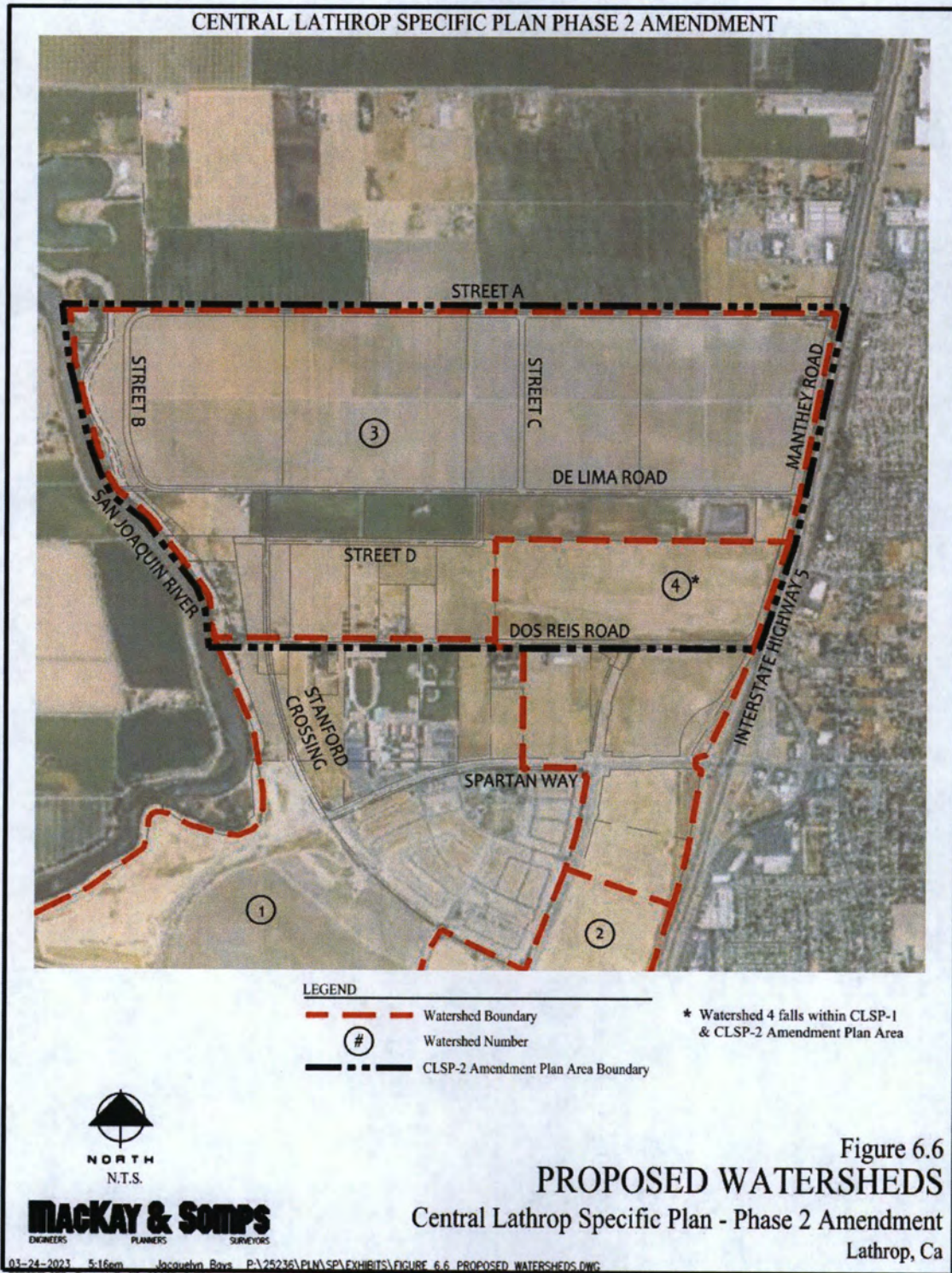
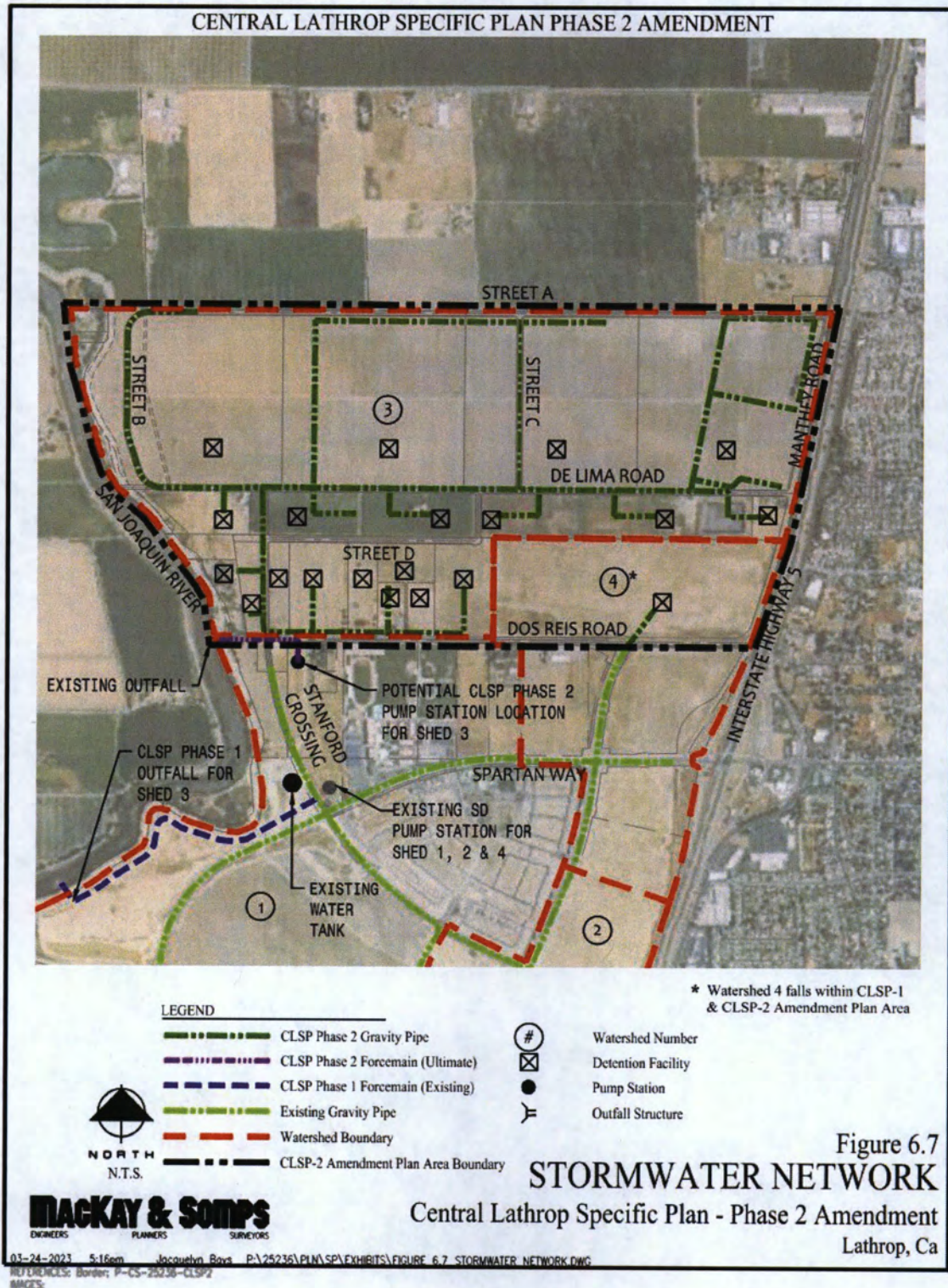


Figure 6.7- Stormwater Network



Public Utility Easements and Utility Corridors

For a discussion regarding the location and use of public utility easements and utility corridors, please refer to Chapter Three: Circulation and Transportation.

Energy and Telecommunications***Power***

Electrical service will be provided to the CLSP-2 Amendment Plan Area by Pacific Gas and Electric (PG&E). Existing high voltage power lines, within PG&E power line easements, traverse through a portion of the CLSP-2 Amendment Plan Area. Existing power lines within the CLSP-2 Amendment Plan Area 1 are shown on Figure 6.8.

It is anticipated that all existing overhead power lines 34.5Kv and under will be relocated and/or be placed underground as the CLSP-2 Amendment Plan Area develops. New power lines constructed to serve the Plan Area, as well as all other utilities, will be installed underground in a typical joint trench.

PG&E will extend electricity service in a timely manner to serve each development as needed during the phased implementation of the CLSP-2 Amendment.

Gas

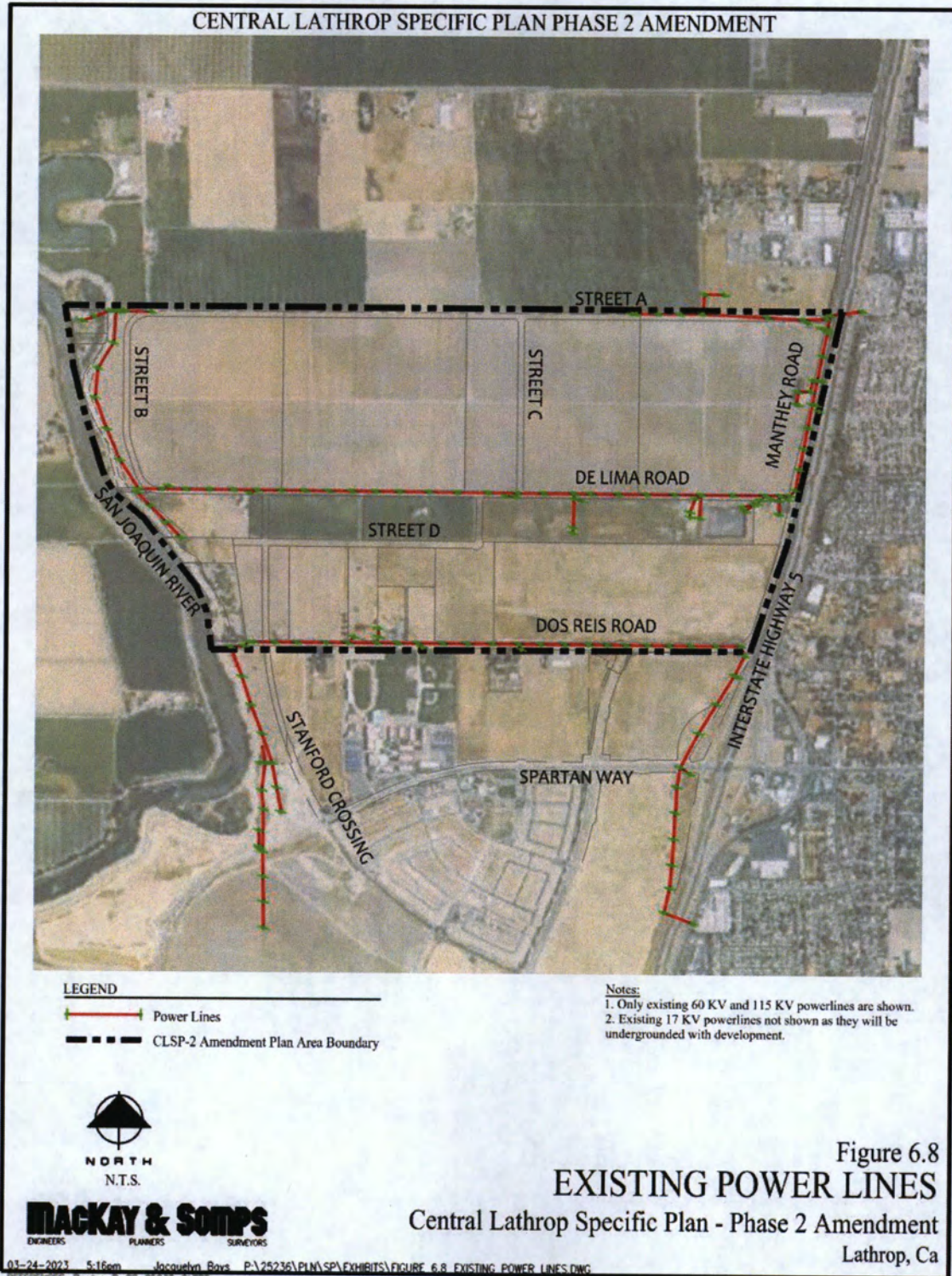
PG&E will provide natural gas service to the CLSP-2 Amendment Plan Area. The CLSP-2 Amendment Plan Area ties into existing natural gas lines located within the CLSP Phase 1 area.

Telecommunications

Telephone service, cable television service, and possibly high-speed data lines to the CLSP-2 Amendment Plan Area are to be provided by the appropriate utility companies. Telecommunication systems will be located

underground in a joint trench with gas and electric facilities.

Figure 6.8- Existing Power Lines



Chapter Seven: Design Guidelines

Introduction

The Design Guidelines provide the vision for the CLSP-2 Amendment Plan Area by establishing minimum standards for character, building design and landscape elements. The 2022 General Plan, the CLSP-2 Amendment and the City's Zoning Code, ensure a coherent well thought out design for the CLSP-2 Amendment Plan Area.

The following guidelines provide site design and architectural standards, including provisions for landscaping and sustainability efforts applicable to development within the CLSP-2 Amendment Plan Area. All development proposals in the CLSP-2 Amendment Plan Area must adhere to the standards and guidelines set forth in this amended specific plan.

These guidelines and standards are consistent with and provide a companion document to the City's Zoning Ordinance. Standards not addressed in the CLSP-2 Amendment shall be those set forth in the Lathrop Municipal Code.

Purpose

The purpose of the guidelines and standards for industrial development, park, and open space is to ensure consistency of design between the various uses within the CLSP Plan Area.

These guidelines provide for the development of a well-designed project, that is compatible with adjacent land uses of the overall CLSP Plan Area, and is designed to promote accessibility and provides the ability for pedestrians and alternative modes of transportation to, from and within the CLSP-2 Amendment Plan Area.

Land Use

A brief description and the vision of each land use designation within the CLSP-2 Amendment Plan Area are provided below:

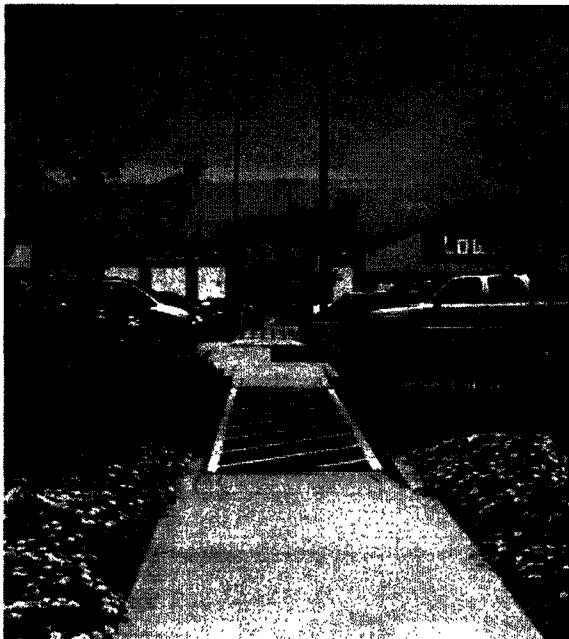
Limited Industrial

Envisioned as a prominent employment-generating land use, this designation shall provide a high degree of functionality, including convenient access to major roadways. Buildings within this area may likely be warehouse, manufacturing, assembly and repair-type buildings. Careful consideration shall be placed in the material, color, and scale of buildings as well as the articulation of each façade. Although multiple industries would likely be located in the CLSP-2 Amendment Plan Area, the architecture styles of buildings should create cohesion and compatibility across the CLSP-2 Amendment Plan Area.

Open Space & Parks

The Open Space and Park uses are located along San Joaquin River and span the length of the CLSP-2 Amendment Plan Area Project Area. The existing Dos Reis Country Park will remain, with additional park areas proposed to connect to the open space corridor. The open space corridor along the San Joaquin River is intended as a local community wide facility with the possibility of regional linkage. This Open Space Corridor would also provide the ability to connect the CLSP-2 Amendment Plan Area to CLSP Phase 1 and other developments to the south. Though not required or mandated, provision is made within this CLSP-2 Amendment for the construction and use of outdoor recreation facilities such as recreation fields, fitness equipment and courses, or other such uses intended for the physical recreation

2. Each development should provide pedestrian and bicycle connection to adjacent uses within the Central Lathrop Specific Plan - Phase 2. This would include public sidewalk connections to internal project circulation for pedestrians and public right-of-way bicycle paths to internal on and off-street routes for bicycles. These connections should be well lit and marked for the safety of its users.



*Photo Example 3
Pedestrian/bicycle safe crossing*

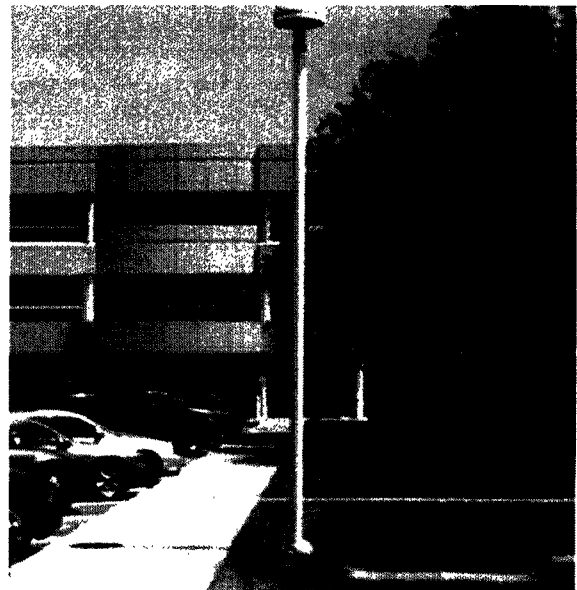
B. Building Placement & Parking

Building placement and orientation is key in creating a safe and efficient site design. Buildings with uses that rely on visibility should be placed close to adjacent streets and specifically on high-volume corners. Optimal building placement on individual development sites can create opportunities for public or employee spaces, encourage pedestrian connections, establish streetscapes, and provide drive-by advertising for the companies. Building placement and parking orientation considerations can greatly increase the efficiency of a building.

The following building placement and parking design guidelines apply to all individual

development sites of the Central Lathrop Specific Plan - Phase 2:

1. Where feasible and desirable, buildings should maintain close proximity to streets;
2. Buildings should be sited to be conveniently located and attract users:
 - Entrances should be designed to accommodate safe pedestrian travel;
 - Parking should have close proximity to buildings;



*Photo Example 4
Parking near buildings*

- Create spaces with gathering areas, plantings, bicycle parking, or other amenities between or adjacent to buildings;



*Photo Example 5
Encouraging gathering areas in open spaces*

- Minimize excessive building setbacks that detract from the streetscape, or optimize excessive setback areas by providing distinctive landscaping within the setback;
 - Building elevations should consider the human-scale design elements on ground floor facades and specifically at building entrances.
3. Parking areas should be designed for circulation efficiency and safety of all users:
- Large parking areas should be screened from view and placed away from major rights-of-way, behind buildings, or obscured with landscape treatments, such as berms, tall shrubs, and trees;
 - Landscaping should be provided in parking areas as specified by the landscaping section in this chapter;
 - Pedestrian pathways and walkways, clearly marked with enhanced paving material, should be provided through parking areas as direct routes to building entries.

4. Loading and delivery areas should be located appropriately to minimize their visibility, avoid pedestrian/loading zone activity conflicts, and minimize potential circulation, noise, and lighting conflicts. Screening these areas with landscaping, buildings, fences or walls is encouraged.
5. Corner and mid-block buildings should be oriented towards the public right-of-way and should be designed to achieve the following:
- Where feasible and desirable, driveway entrances and stacking lanes should be separated from public pedestrian spaces and crossings.

C. Refuse, Storage & Equipment Areas

The design and placement of refuse containers, service areas, loading docks, and similar facilities shall be considered as part of the overall site design of a project. In general, these uses should be located as to not interfere or detract from circulation, parking, and adjacent uses, and in most cases should be screened from view.

The following design guidelines apply to all development areas of the Central Lathrop Specific Plan - Phase 2 Amendment Plan Area as it relates to refuse, storage and equipment areas:

1. Trash/recycling enclosures and service and loading docks areas should be sufficiently sized to accommodate the site's needs, but located in areas as to not interfere with on-site circulation and parking;

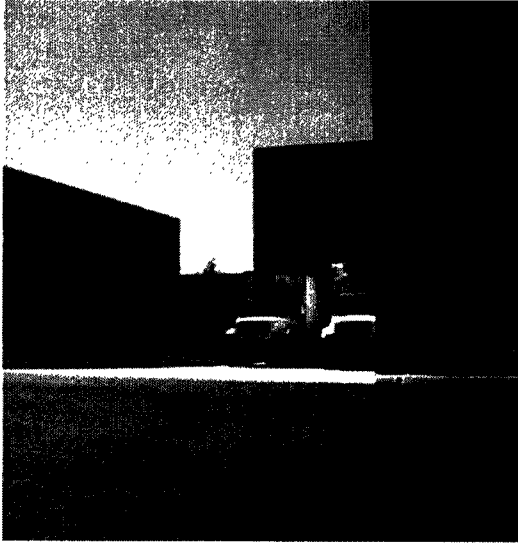


Photo Example 6
Sufficiently sized loading docks

2. Trash and outdoor storage facilities should be placed away from public streets and/or screened from view with materials consistent to adjacent building exteriors or other mature plantings; and

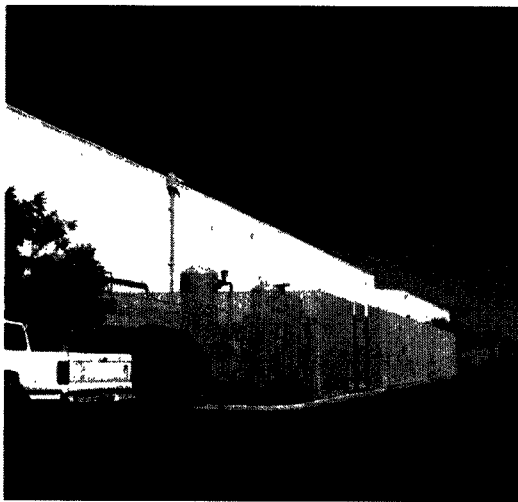


Photo Example 7
Screened outdoor storage area placed away from public streets.

3. Trash and outdoor storage that is visible from upper stories, arterial roads or freeways should be screened with trellis or other horizontal cover and should be consistent with the architectural style of adjacent buildings. Furthermore, trash enclosures should be designed—through colors, materials, details, and/or forms, that serve to compliment associated building design for the particular building complex it serves.
4. Trash and outdoor storage facilities are required to include a covered roof and sewer drain as described in the Public Works Stormwater Standards.

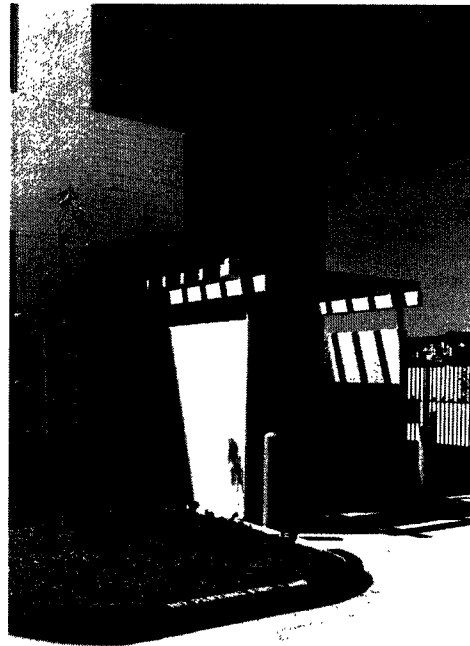


Photo Example 8
Enclosed refuse areas

D. Landscaping

The intent of the landscape design is to provide continuity throughout the CLSP-2 Amendment Plan Area. Landscaping guidelines will specify standards for streetscape, public space, and parking lot design within the development area. Through the use of deciduous and evergreen plant material, year-round interest will be given to the site with an evenly layered plant design. This layered plant design will screen or diminish adverse views and utilities. Plant materials should be easy to maintain while attractive and diverse. Designers shall emphasize the use of low-water use plants with a lush character and vibrant colors.

The streetscape within the CLSP-2 Amendment Plan Area will be unified through a consistent palette of ground cover, shrubs, and street trees. The street tree will create a canopy along all public streets to increase aesthetics of the project while providing shade and creating a walkable development. Street trees size required at time of planting will be determined during the Site Plan Review process for each development. Street trees shall be centered in the parkway strip or planted at least 4' behind the sidewalk. A mix of evergreen and deciduous trees is encouraged as primary and accent tree options. Where it is determined by City staff that more screening is required, an increase in evergreen tree locations may be required.

The landscaping of public spaces should be carefully considered to attract visitors. Trees with a consistent canopy should be used in areas where shade is desirable. In general, the landscaping of public spaces should complement the other features and amenities of the area, becoming a backdrop to pedestrian activities.

Parking lots will have drive aisles and parking aisles delineated through parking lot medians and planter strips. Ground cover, shrubs, and trees will be planted within the medians and planter strips, where feasible and practical. When a median or planter strip is adjacent to a parking

stall, all plant material and irrigation shall be kept eighteen inches from the curb, or confined to low groundcover or lawn, to allow for car overhang and door swing. Trees should provide a shade canopy, reducing heat island effect: a sustainable site planning measure. It is recommended that 50% shade be provided within vehicular parking lots. (Estimated shade diameter is projected at 15 years from time of planting.) Vehicular parking lot shade trees shall conform, at a minimum, to standards and requirements shown in Chapter 17.9 Landscape and Screening Standards of the Lathrop Municipal Code.

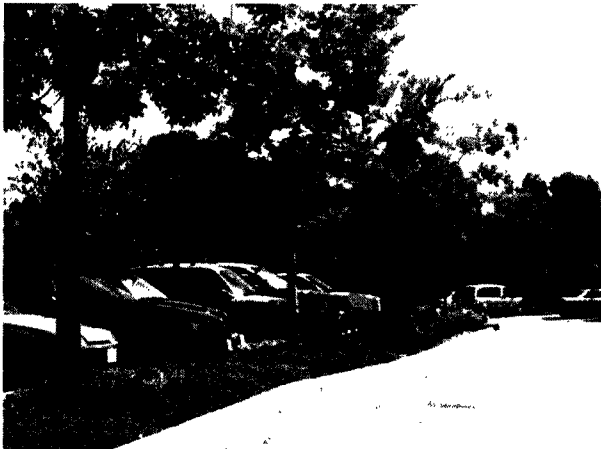
Irrigation and water efficiency/conservation is mandatory in accordance with the "Model Water Efficient Landscape Ordinance." Irrigation systems should be designed to ensure the efficient use of water and avoidance of overspray and overwatering. To help ensure an efficient irrigation system, plants should be grouped in hydro-zones, which is a combination of plants with similar water needs. The use of low-water native and adaptive plants is highly encouraged. All landscape areas must be irrigated with an automatic irrigation system controlled by a timer. Use of drip irrigation is encouraged where practical and most effective, especially in shrub and tree areas.

Where feasible and desirable, drainage and water quality measures should be used in on-site landscape areas. Using landscape strips and medians for percolation, drainage swales, and rain gardens is highly encouraged. Use of many sustainable landscape techniques is highly recommended and can result in substantial maintenance cost savings.

The following design guidelines apply to all development areas of the Central Lathrop Specific Plan - Phase 2 as it relates to landscaping:

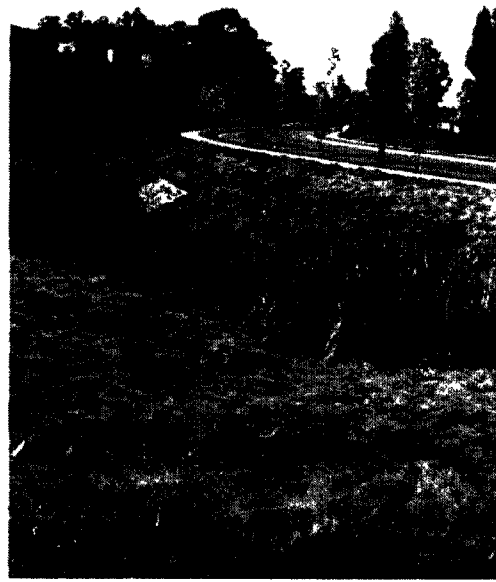
1. Landscaping should be used to define outdoor spaces, softening and complementing structures, and should also be used for utilitarian qualities:

- Become a backdrop to pedestrian outdoor gathering places;
 - Screening parking, loading, storage, and equipment areas;
 - Provide shade and enhancement to the streetscape, parking lots, and pedestrian outdoor gathering places; and
 - Directional, defining entries and pedestrian ways.
2. Landscaping and trees should be employed in parking areas to break up expanses of hardscape and to minimize heat island effect;



*Photo Example 9
Landscaping in parking areas*

3. Where feasible and desirable, mature trees and plantings should be maintained and incorporated into the landscape design;
4. Natural and existing vegetation should be preserved where possible and incorporated into the new landscaping. Retention and detention areas should be planted to create the appearance of natural vegetation. Careful selection of plant types is necessary to ensure survival and be compatible with the proper functioning of the drainage system;



*Photo Example 10
Preserved Natural Vegetation*

5. Conservation and efficient use of water is at the forefront of the Central Lathrop Specific Plan - Phase 2 landscaping objectives. Landscaping and irrigation shall comply with the City Municipal Code Section 17.92.060 "Water Efficient Landscape Ordinance" and the following guidelines:
- Plants should be selected and grouped according to their maintenance and water use profile. In all cases, low-maintenance and drought tolerant plantings are highly encouraged;
 - Planting of turf areas should be kept at a minimum. A maximum of 10% of the total landscaped site area may be irrigated turf. Drought-tolerant ground covers and shrubs are lower maintenance and seen as more desirable;
 - All landscaped areas should be designed for maximum water efficiency and irrigated through an automatic irrigation system controlled by a timer. Non-potable or recycled water should be used to the extent feasible;

- Use alternative and porous paving options for pedestrian pathways and non-vehicular and bicycle circulation to maximize infiltration of water runoff;
 - Curb, header boards, pavers, and other materials should be used to minimize water run-off and define landscaped areas; and
 - Water features should be designed for maximum maintenance and water efficiency.
6. Where feasible and desirable, landscape strips and medians should be programmed for the treatment and conveyance of water run-off. Landscaping used for percolation, drainage swales, and rain gardens are highly encouraged.
 7. A landscape buffer shall be provided along Dos Reis Road, across from existing and proposed sensitive receptors. The landscape buffer is intended to soften the transition from non-industrial uses to the future industrial uses of the site. A 30 minimum foot wide landscape buffer including 22 feet of landscaping with an 8 foot wide paved trail will be provided in the public right-of-way behind the curb. An additional buffer will be provided on private property to be designed with individual development applications. Refer to the Land Use chapter of this specific plan amendment for additional information.



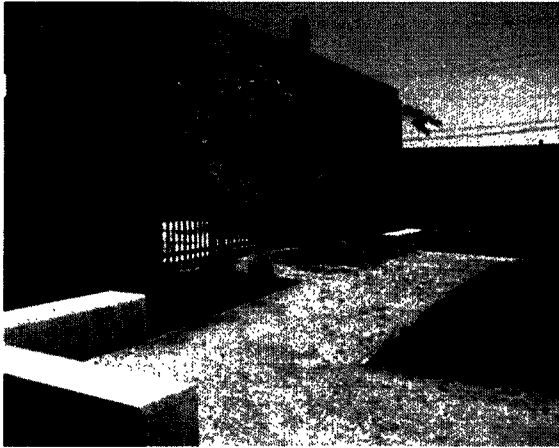
*Photo Example 11
Landscape buffer at entry monumentation*

E. Walls & Fences

Walls and fences in the Plan Area are intended to provide screening between projects and adjacent uses where necessary, helping to define edges of arterial and collector streetscapes and providing security to property. It is anticipated that there will be limited use of walls, except where needed for sound attenuation or where desired for entry features or for screening unsightly elements, such as trash areas. The material and design for the walls and fencing may vary throughout the development area, depending on location and specific project needs. However, the color and materials of the walls through the CLSP-2 Plan Area should be complimentary. Both masonry and wood fences are permitted in the Plan Area.

The following design guidelines apply Central Lathrop Specific Plan - Phase 2 as it relates to walls and fences:

1. Walls and fences will not be permitted if they aren't necessary for noise attenuation, specific screening, gateway, aesthetic, or security purposes;



*Photo Example 12
Site walls and fences*

2. Tall walls and fences are discouraged along arterial and collector roadways, as they diminish the street scene. Fences and walls should not exceed a maximum height of seven feet, unless special screening and/or security issues are demonstrated which necessitates a higher fence. Low decorative or auto-screening walls, 2 to 4-feet in height, may serve to enhance a building area or streetscape, if tastefully designed. Maximum wall heights should be inclusive of fill from existing ground (ie berms). At locations where industrial land use is proposed adjacent to sensitive receptor land use (like along Dos Reis Road), an 8 ft. masonry wall for special screening shall be installed;
3. Walls and fences, used at property frontages or for screening, should be designed as an extension of a building's architecture; top caps on masonry walls and tubular steel fences are encouraged. Self-clinging or supported vines shall be planted at regular intervals along walls to ensure coverage within 5 years in order to discourage graffiti and soften the overall appearance of the wall;
4. Where long expanses of wall or fence are unavoidable, articulation in the form of wall offsets or landscaping should be implemented; and



*Photo Example 13
Landscape screening at wall*

5. Where security fencing is required, a combination of solid and open grill work is encouraged. Barbed, razor, wire or similar fences shall comply with LMC Section 17.92.070.
6. At the interface between Dos Reis Regional Park and the adjacent industrial site a shall include a masonry wall for screening.

F. Public Spaces and Pedestrian Amenities

It is the intent of the public spaces and pedestrian amenities section to promote usable public gathering spaces oriented toward pedestrian users that function as an amenity to the development. These outdoor spaces should be visually pleasing, appropriately scaled, and should encourage greater activity within each development area. As well as providing pedestrian-oriented features and amenities, these spaces should connect pedestrians with the site and surrounding uses.

An employee or public gathering place should be provided for appropriate projects in each development area. The scale and program of the

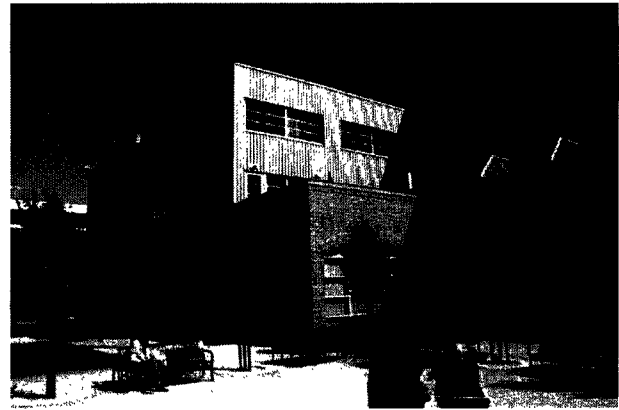
space should be appropriate to the adjacent building and type of users. It is encouraged to site these spaces in well-lit, shaded, secure, and interactive areas where they can become an integrated feature.



*Photo Example 14
Shaded employee break area*

The following design guidelines apply to all of the Central Lathrop Specific Plan - Phase 2 as it relates to public spaces and pedestrian amenities:

1. An employee or public gathering and break area spaces should be encouraged in appropriate projects within each development area. These amenities can include, but are not limited to, small recreation areas or other open space facilities. These areas will count toward the landscape requirement designated for each land use district.



*Photo Example 15
Employee well-being area*

2. Within the Limited Industrial designation, gathering places should be placed between or adjacent to buildings to encourage employee health and well-being.



*Photo Example 16
Employee break area*

3. Pedestrian connections should be established within projects and development areas, where logical and practical. Areas for respite for users should be encouraged.

G. Lighting & Furniture

Lighting is an important element in the landscape and should be used to contribute to a safe and attractive environment. Natural areas will need little light while street intersections will require illumination levels safe for pedestrian crossings. Lighting is also used to reinforce the development's overall design theme and create a consistent sense of place by adding a common,

thematic element that is repeated along all major roadways. Streetlighting within public right of way shall comply with the City of Lathrop design & construction standard details. The height of lights will vary depending on application. Light standards will typically be higher along roadways and will be lower in pedestrian areas. High Efficiency lighting is required within all buildings as well as on the exterior. Outdoor lighting shall be provided for safety and security but shall be minimized from spilling over to adjacent properties.

Site furniture is encouraged in outdoor areas and public spaces. The driving goal for the use of landscape elements is to create enjoyable outdoor spaces and furnish comfortable amenities for relaxation and leisure. Site furniture visible from public streets, plazas, and pedestrian linkages should be of a compatible style and design. Fixtures and furniture may vary in style, color, and materials from this standard design if they are used in enclosed courtyards or other locations where land uses require unique appeal. Designers shall give emphasis to vandalism-resistant criteria when selecting all site fixtures and furniture.

The following design guidelines apply to all of the Central Lathrop Specific Plan - Phase 2 as it relates to lighting and furniture:

1. Outdoor lighting should be specified and designed consistent with the zoning code for this Plan Area;
2. Exterior lighting, including parking areas, should be architecturally integrated with the style of the building and colors and materials used;
3. Parking lighting should be arranged to provide uniform illumination throughout parking areas and should achieve a minimum average of one foot-candle and a maximum of three;
4. Low energy LED lighting should be used for streetscapes and parking lots.

5. Architectural lighting may be used to highlight special features on or around the building, or to illuminate key entrances or other areas of access;
6. All lighting should utilize cut-off type fixture to minimize visibility from adjacent areas and should be the appropriate size and height given the activities for which they are designed. Lighting used for pedestrian connectors and gathering spaces should be lower, bollard-type or footlight fixtures and should not exceed 3-4 feet in height;
7. Where feasible and desirable, the use of pedestrian amenities, such as benches, drinking fountains, lighting, and trash receptacles, is encouraged. These elements may be sited in public gathering places and as respite along pedestrian connectors; and
8. The design of site lighting and furniture should be compatible throughout the CLSP-2 Amendment Plan Area.

Architecture

Architecture should establish project identity and enhance the character of the development in the CLSP-2 Amendment Plan Area and the City of Lathrop. As a high-quality development, a complementary design language should be established throughout the CLSP-2 Amendment Plan Area.

The architecture section is divided into two sub-sections:

- Massing, Scale, and Form
- Style and Design Details

A. Massing, Scale and Form

The design objective of this section is to encourage buildings that consider the human scale, include active areas, and are compatible with adjacent development. Buildings should be clustered to create compact, multi-story

structures that concentrate activities and related programmatic uses. Building height and massing should consider the surrounding context. Projects should consider the human scale at the ground floor and at entries to buildings. Buildings should take on varying form to increase visual interest and break up the monotony of large structures. In addition, horizontal and vertical wall articulation should be encouraged through the use of wall and second floor offsets, recessed entries and windows, human-scale awnings, overhangs and arcades.

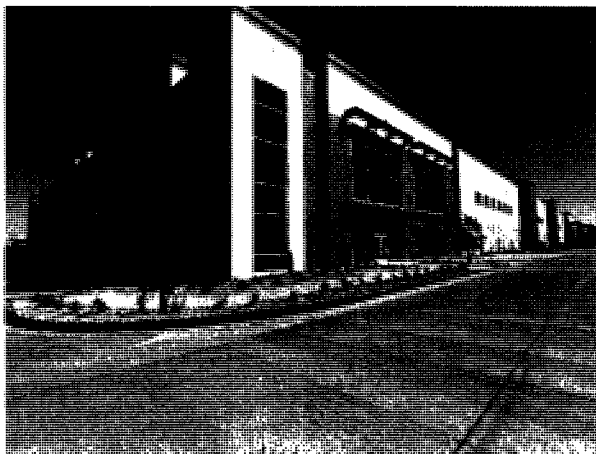


Photo Example 17
Visual interest in articulation

B. Style and Design Details

The objective of the style and design detail section is to establish clear direction in terms of architectural styles and themes for future development in the CLSP-2 Amendment Plan Area. The style and design of the buildings will enhance the character of the Central Lathrop Specific Plan - Phase 2 and set it apart as a distinct and high-quality development. While these guidelines do not prescribe a specific style of architecture for the CLSP-2 Amendment Plan Area, the objective is to allow a diversity of styles while considering the context of surrounding development.

C. Roofline

1. Rooflines should be clearly articulated by using the following feature:

- Parapets are encouraged to conceal flat roofs and to screen any rooftop equipment, such as HVAC units, from public view. Parapets should not exceed 15% or 1/3 of the supporting wall height. All parapets should feature three-dimensional cornice treatments.

D. Entries

1. Building entrances should be designed for access both by patrons arriving via automobile and by foot or bicycle;
2. Each entry should be protected from the elements;

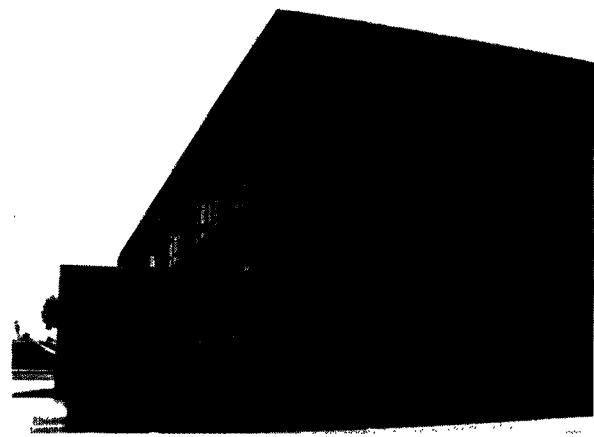


Photo Example 18
Entry protected from the elements.

3. Entries should create an architectural point of interest using one or more of the following methods:
 - Wall recesses;
 - Roof overhangs;
 - Canopies;
 - Arches or arcades;
 - Columns; and/or
 - Signage.



Photo Example 19
Architectural points of interest at entryways

4. Entries should incorporate windows to provide natural light and air; and
5. Where feasible and desired, pedestrian amenities, such as seating, lighting, fountains, sculptures, boulders, etc., should be incorporated into entry designs

E. Materials & Colors

1. All building elevations must include architectural patterns that include at least (2) of the following elements:
 - Color change;
 - Texture change;
 - Material change; and/or
 - A wall offset, reveal, or projection of at least 12 inches in depth.



Photo Example 20
Architectural color, texture and material changes with offset/projections

2. Exterior materials should be durable and high quality to prevent degradation and for the ease of maintenance:
 - Large expanses of smooth material such as concrete should be broken up with expansion joints, reveals, recesses, or changes in texture and color;
 - Large expanses of highly reflective surface and mirror glass exterior walls should be avoided to prevent heat and glare impacts on the adjacent public streets and properties;
 - Colors should be compatible throughout the CLSP-2 Amendment Plan Area, while allowing for individuality to each development area. A varied and rich color palette is encouraged, although color should not be used as an attention-seeking device. Colors should be used to enhance a building's presence and integrate other materials throughout the project;
3. Building trim and other accent elements may feature brighter colors, if desired, but should always complement the base color.



Photo Example 21
Contrast in reflective surfaces – pop of color trim accents

F. Windows & Doors

1. Ground floor, storefront-type glazing for display purposes along public façade frontages should be used as appropriate to enhance the exterior wall area;
2. Windows and/or other appropriate building features should be used on upper levels to break up large wall areas and create visual interest;



Photo Example 22
Window placement at upper levels - creating visual interest with architectural elements

3. Window and door openings should be framed with trim, or recessed a minimum of 4 inches from the building face;
4. Where feasible and useful, use operable windows for maximum environment control and passive heating/cooling options

G. Facades

1. Facades of 100-feet or more in length are encouraged to break-up the elevation using one of the following techniques:
 - Wall and/or second floor offsets; or
 - Recessed entries or windows.
2. Facades that face public streets should create visual interest by using one or more of the following techniques:
 - Human-scale elements, like awnings or overhangs;
 - Arcades or recesses; or
 - Entry areas.

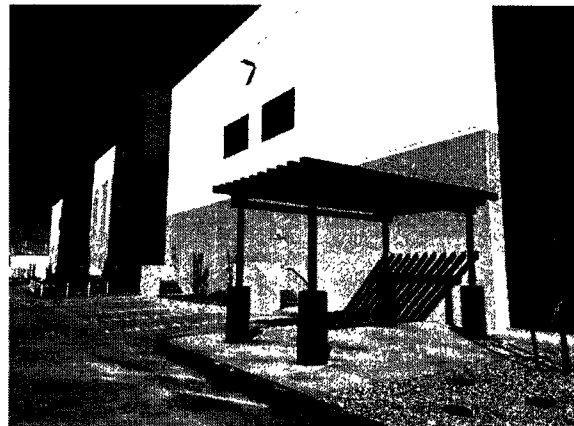
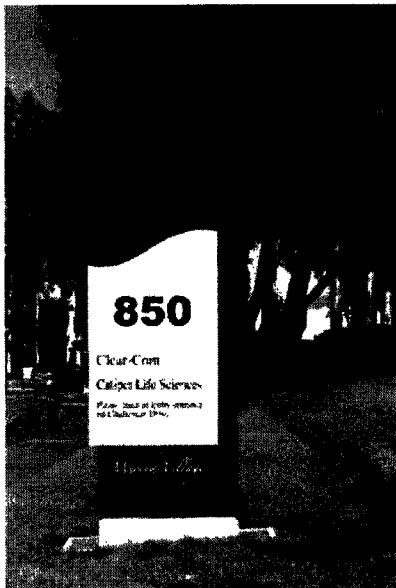


Photo Example 23
Human-scale awning element

H. Signage

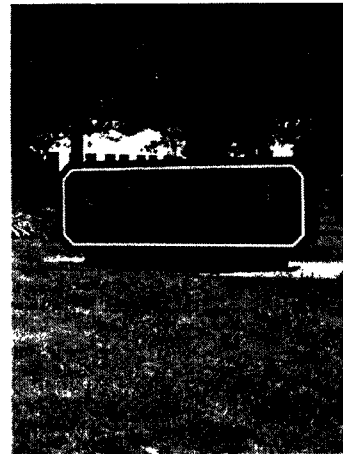
1. Signage shall comply with Lathrop Municipal Code Chapter 17.84 Signs;

2. Color and material options for signs should always complement the architectural style of the building;
3. Signage should be scaled appropriately for its given location;
4. Building signage should be located near the related business entry, or as identity feature as seen from major travel ways;



*Photo Example 24
Monument signage*

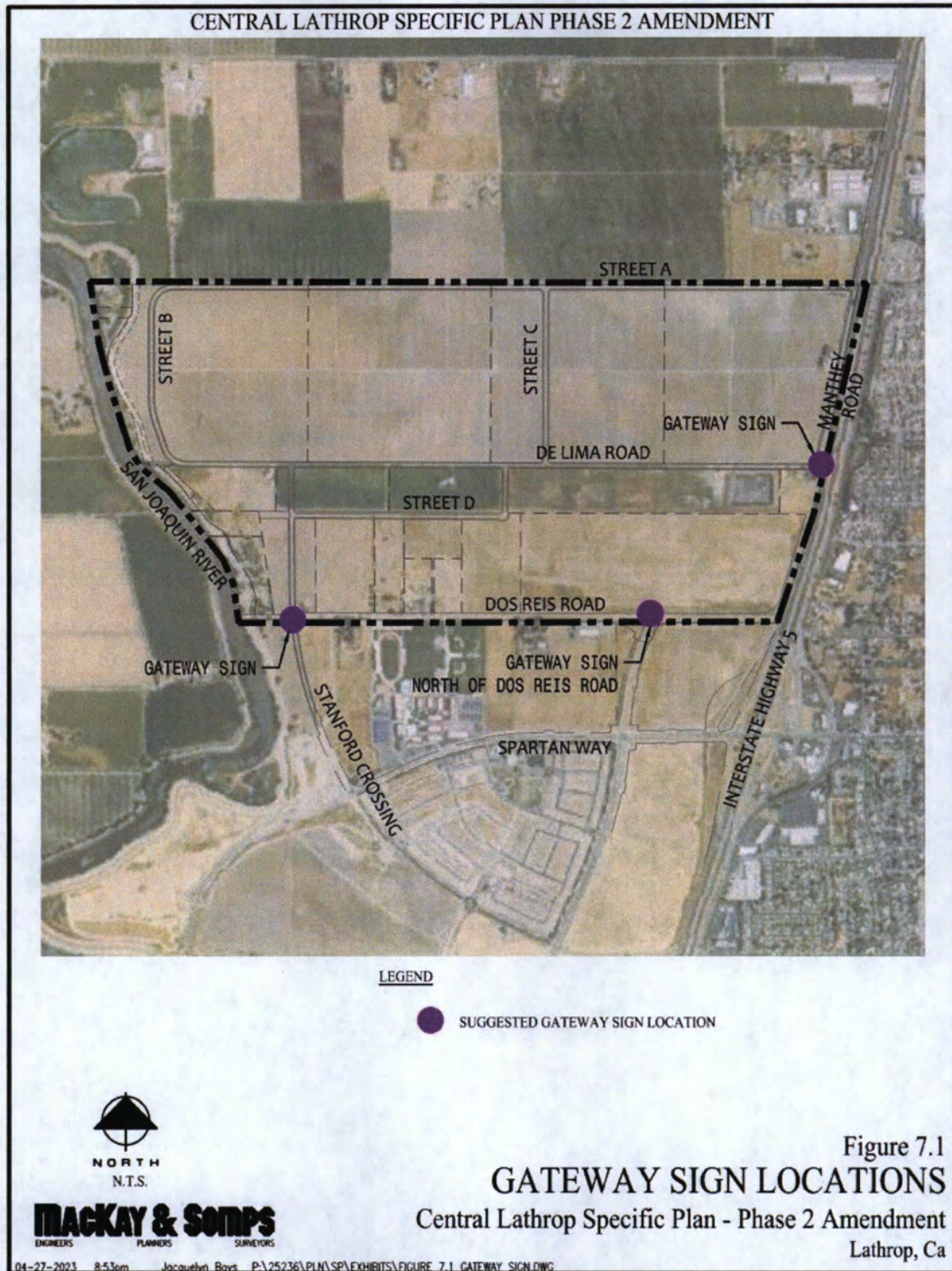
5. Signage should maintain a visual consistency throughout CLSP-2 Amendment Plan Area. When more than one sign is required for a given business or area, both signs should maintain visual compatibility with one another;
6. Signage text should be kept to a minimum and scaled appropriately for placement and legibility purposes;
7. Wall signs, monument signs, and low-profile freestanding signs are encouraged;



*Photo Example 25
Low profile monument sign*

8. Signage for pedestrian and bicycle way-finding is encouraged; and
9. Lighting is allowed to illuminate signage at night. Lighting should be designed appropriately as to not create hazardous glare for pedestrians, bicyclists, and vehicles. Both externally and internally illuminated signage is allowed.
10. At key entry areas along De Lima Road, Manthey Road, and future Street A, project-wide decorative entry features and monument signs shall be located to identify and enhance the image of the Central Lathrop Specific Plan - Phase 2 Area. Developers and builders of the project shall work with City Staff to establish appropriate locations and criteria for this project-wide monumentation and signage.
11. On-site directional signs at gateways and entries are encouraged to be provided for both pedestrian and vehicular visitors to the site.
12. Suggested Gateway Sign locations are shown on Figure 7.1.

Figure 7.1- Gateway Sign Locations



Chapter Eight: Implementation

Introduction

This chapter describes the CLSP-2 Amendment implementation, including project review procedures, development agreements, specific plan amendment procedures, enforcement, mitigation monitoring and other review and approvals required during the implementation of the CLSP-2 Amendment.

Specific Plan Implementation

The City would implement the CLSP-2 Amendment in accordance with the terms and conditions of several related planning and program documents, including, in particular, the landowner development agreements, the project CEQA analysis, the CLSP-2 Amendment Design Guidelines (this document), the City of Lathrop General Plan, related Master Plans, and the Zoning Ordinance. These documents provide guidance and direction and otherwise inform City discretion in the review and approval of future development within the CLSP-2 Amendment Plan Area.

Central Lathrop Design Guidelines

As described in Chapter Seven, the CLSP-2 Design Guidelines contain architectural, site planning, and landscaping design principles and guidelines.

City of Lathrop General Plan

Development within the CLSP-2 Amendment Plan Area must be consistent with the City of Lathrop General Plan.

The Lathrop General Plan requires Conditional Use Permits for industrial

development located between Dos Reis Road and De Lima Road.

Municipal Code

The City of Lathrop Municipal Code has been amended to include special zoning districts for the purpose of defining for each parcel the permitted, conditionally permitted, and administratively permitted land uses that may be developed within the CLSP-2 area, the process pursuant to which such land uses are approved and the development standards applicable to each land use.

Drainage Plan Implementation

A detailed drainage report, including hydrologic and hydraulic calculations and focused geotechnical investigations relating to soil and groundwater conditions, will be a critical part of the individual application for each project proposed for development.

There are two distinct watersheds within the CLSP-2 Amendment Plan Area. The parcels within each watershed are linked by the drainage system and therefore, the detailed planning of any portion of a watershed must take into consideration the rest of the proposed development within that watershed.

If an individual development does not encompass the entire watershed, the individual project must show that it will implement the requirements of the CLSP-2 Amendment Drainage Plan as described in the Utilities and Drainage chapter.

Right to Farm Provisions

justification. The application may also be subject to environmental review as discussed in the following section.

Conditional Use Permits (CUP)

Per the City of Lathrop General Plan, conditional use permits will be required for any development within the CLSP-2 Amendment Plan Area located between Dos Reis Road to the south and De Lima Road to the north. A CUP may also be required within the CLSP-2 area if the proposed use requires a CUP per the Lathrop Municipal Code.

Site Plan/Architectural Design Review

Generally, all industrial projects within the CLSP-2 Amendment Plan Area will be subject to Site Plan/Architectural Design Review by the City; design review shall be implemented before issuance of building permits. Also, all public improvements (such as landscape plantings, street and entry signs, lighting, or special paving) are subject to Site Plan/Architectural Design Review. All Site Plan/Architectural Design Review procedures will be conducted in compliance with Chapters 17.100 and 17.104 of the Lathrop Municipal Code.

Public Improvement Plans

The on-site and off-site public improvements necessary to serve the CLSP-2 area need to be specifically designed. The applicants shall prepare for City review and approval Public Improvement Plans, consisting of detailed engineering designs and documents for all utilities necessary to develop the land uses identified in the Specific Plan. These plans shall include an infrastructure sequencing program that will allow orderly development throughout the Specific Plan area. The sequencing program shall prioritize roads, water, sewer, storm drainage and other utilities that must be in place prior to specific levels of development. Refer to Section 6.3.3 for additional details regarding infrastructure phasing.

Environmental Review

The EIR certified for the 2022 General Plan established a program level environmental review for development within the City including the CLSP-2 Amendment Plan Area and supports the Amendment. Individual project applications will be reviewed for consistency with the 2022 GP EIR. If consistency is determined and the project meets the criteria established in Section 15162 of the CEQA guidelines no subsequent environmental review is necessary. The intent of the EIR associated with the specific plan is to cover all development consistent with this document, stream-lining the permitting and review process.

The City of Lathrop Community Development Department is the lead agency in processing the review of development projects within the Plan Area. Upon receipt of an application the City shall initiate an initial study and environmental review of the project which may require the preparation of additional environmental or engineering studies to address site-specific concerns.

The foregoing discussion details the initial project review and environmental review submittal procedures. Projects submitted for consideration will be reviewed for consistency with established development standards and design guidelines of the Specific Plan.

Habitat Conservation Plan

All individual project applications must comply with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). The SJMSCP, prepared by San Joaquin County and other participating agencies, protects special-status plants and wildlife and their habitats, while allowing for planned growth in the County. This protection is accomplished by, 1) identifying important habitats and habitat features to aid in the development of protection areas, and 2) establishing a funding mechanism through which project proponents can provide

replacement habitat while enabling them to meet their no net loss of habitat value goals. Project proponents as part of this Specific Plan will be required to participate in the SJMSCP by contributing appropriate impact fees and implementing mitigation as identified by the SJMSCP.

Amendments to CLSP-2

An applicant for a specific development proposal may request amendments to the CLSP-2 to respond to changing circumstances and conditions. Amendments to the CLSP-2 should be categorized as minor or major. This determination is to be made by the Community Development Director or his/her designee. The Community Development Director or his/her designee shall administratively make a written determination as to whether or not a requested amendment is major or minor. The Community Development Director's decision may be appealed to the Planning Commission.

Major Amendments

The following are examples of what could be considered major amendments:

- Introduction of a new land use category not specifically discussed in this CLSP-2.
- Significant changes to the distribution of land uses, major acreage changes of land uses, or other changes affecting land use which may substantially affect the key planning concepts set for this in this CLSP-2.
- Significant changes to the collector street system that would substantially alter the land use or circulation concepts set forth in this CLSP-2.
- Changes to design guidelines and/or development standards which, if adopted would substantially change the

physical character of the plan area as envisioned by this CLSP-2.

- Any change that could significantly increase environmental impacts.

All Amendments to CLSP-2 shall be consistent with the City's General Plan. Major amendments may therefore require an accompanying General Plan Amendment and Zoning Ordinance revision. Generally, the process for amending the CLSP-2 Amendment is similar to that for amending the City's General Plan, with the main difference that there is no limitation of the number of amendments that may be approved in any one year. The materials and documents necessary to process a major amendment application should be consistent with those outlined in the City's Discretionary Permit Form for Rezones/Amendments. A detailed justification statement shall be submitted which explains in detail why an amendment to the CLSP-2 Amendment is warranted. All requirements of CEQA will be applicable. Application fees associated with the major amendment shall be submitted to cover all processing costs. Major amendments shall require City Council approval, with a recommendation forwarded by the Planning Commission.

Minor Amendments

An amendment shall be considered a minor amendment when it is determined that it does not have a significant impact on the character of the plan or the environment. The following are examples of what could be considered minor amendments:

- Change in the configuration of a particular CLSP-2 Amendment land use which does not significantly alter its relationship to other land uses or compromise the concept and principles of the CLSP-2 Amendment.

- Minor changes to land uses which result in minor acreage changes of land uses, or other changes altering land uses, which do not significantly affect the key planning concepts or principles set forth in this CLSP-2 Amendment.
- Changes to the collector street system and alignments that do not significantly alter the intended land uses or circulation functioning as set forth in this CLSP-2 Amendment.
- The relocation or reconfiguration of open space that is not less in acreage size than specified minimums in the CLSP-2 Amendment.
- Changes to design guidelines (architectural types and materials, landscape materials, etc.) and/or development standards that do not substantially change the physical character of the CLSP-2 Amendment development as envisioned.
- Clarification and interpretation of land uses.
- Any change to the CLSP-2 Amendment that would not significantly increase environmental impacts.

Applications for minor amendments shall be submitted to the Planning Division and shall include a description of the requested amendment, a justification statement, and the application processing fee (determined by the City Council). Minor amendments shall require Community Development Director approval.

An amendment or amendments to this CLSP-2 Amendment shall not require a concurrent general plan amendment unless City Staff determines that the proposed specific plan amendment would not be consistent with the General Plan goals, objectives, or policies.

Overview of Development Approval Process

The approval of any development project within CLSP-2 Amendment Plan Area shall be based on its consistency with the Lathrop General Plan, the CLSP-2 Amendment, the CLSP-2 Amendment Design Guidelines, and the Lathrop Zoning Code. In addition, each application for a development project within the CLSP-2 Amendment Plan Area will be evaluated to assess the applicability of environmental mitigation measures included in the 2022 Lathrop General Plan EIR to determine whether future environmental review is required under CEQA (Public Resources Code Sections 21166; 21083.3. See also CEQA Guidelines Sections 15162-15164, 15182, and 15183).

Development projects within the CLSP-2 Amendment Plan Area are subject to the standard permit and approval requirements of the City of Lathrop's Zoning and Subdivision Ordinances, except as modified by this Specific Plan Amendment and related approvals.

Site Plan Review Conditional Use Permits, Variances, and other permits for individual development projects

Site Plan/Architectural Design Review

Generally, all industrial projects within the CLSP-2 Amendment Plan Area will be subject to Site Plan/Architectural Design Review by the City; design review shall be implemented before issuance of building permits. Also, all public improvements (such as landscape plantings, street and entry signs, lighting, or special paving) are subject to Site Plan/Architectural Design Review. All Site Plan/Architectural Design Review procedures will be conducted in compliance with Chapters 17.100 and 17.104 of the Lathrop Municipal Code.

Conditional Use Permits

The development of certain land uses within the CLSP-2 Amendment Plan Area or within certain locations may require a conditional use permit (CUP) based on the Lathrop Zoning Ordinance. Issuance of conditional use permits are governed by Lathrop Municipal Code, which specifies the application process, including the submittal of plans, processing fees and related information as may be needed. CUPs are subject to a public hearing held by the Planning Commission that must make findings prior to approval.

The 2022 Lathrop General Plan, Land Use Element, Implementation Action, LU-5.f, b., iii., h., requires that all development projects proposed north of Dos Reis Road and south of De Lima Road be required to obtain a Conditional Use Permit (CUP), which shall be subject to discretionary review by the City Council.

Variances

In some instances due to special circumstances applicable to a property, Chapter 17.120 of the Lathrop Municipal Code authorizes the Planning Commission to consider and grant “major” variances to specific development standards as set forth in the zoning code. The Community Development Director may consider and grant “minor” variances. Chapter 17.120 of the Municipal Code includes a discussion of major and minor variances, submittal requirements and requirements for a public hearing.

Building, Grading and Demolition Permits

A building permit is required prior to the construction, alteration, or renovation of buildings, including interior improvements. Grading permits are required for the excavation, fill or moving of dirt in excess of 50 cubic yards on any building site within the CLSP-2 area. Issuance of a demolition permit by the Lathrop Building Department is required prior to removal of existing buildings.

Phasing

The implementation program for the CLSP-2 Amendment is designed to allow development of the CLSP-2 Amendment Plan Area and construction of supporting public improvements to be phased. Phasing is a critical component of the CLSP-2 Amendment for the following reasons:

- It allows the backbone infrastructure necessary to support development to be constructed and financed in manageable increments on an as-needed basis.
- It assures the construction of backbone infrastructure will stay ahead of the development it serves while, at the same time, providing the flexibility to respond to changes in market conditions.
- It is more efficient because it minimizes the extent to which costly public improvements requiring on-going maintenance will be constructed only to sit unused until development occurs.
- It provides an opportunity to coordinate land secured infrastructure financing more closely with market absorption resulting in higher lien to value ratios.

The CLSP Phasing Program

The CLSP-2 Amendment land uses, and the backbone infrastructure (refer to Chapter Six for details), are designed to be developed in two primary phases, with the possibility of multiple sub phases. The two primary phases of development are shown in Figure 8-1. Both development phases within the CLSP-2 Amendment Plan Area rely on infrastructure that was constructed to the south within the original CLSP Phase 1 Plan Area such as the underground utilities and pump stations. Reimbursements for the oversized utilities within the original CLSP Phase 1 Plan Area will be paid through the City of Lathrop’s Capital Facility Fee (CFF) Program.

The first phase of the CLSP-2 Amendment Plan Area is a single parcel adjacent to Dos Reis Road near the intersection of Golden Valley Parkway that is approximately 90 acres. The second phase is the remaining area within the CLSP-2 Amendment Plan Area. Development phasing may be further divided into sub-phases as market conditions and infrastructure financing options warrant. The timing of the ultimate buildout will depend upon market conditions.

Infrastructure Administration

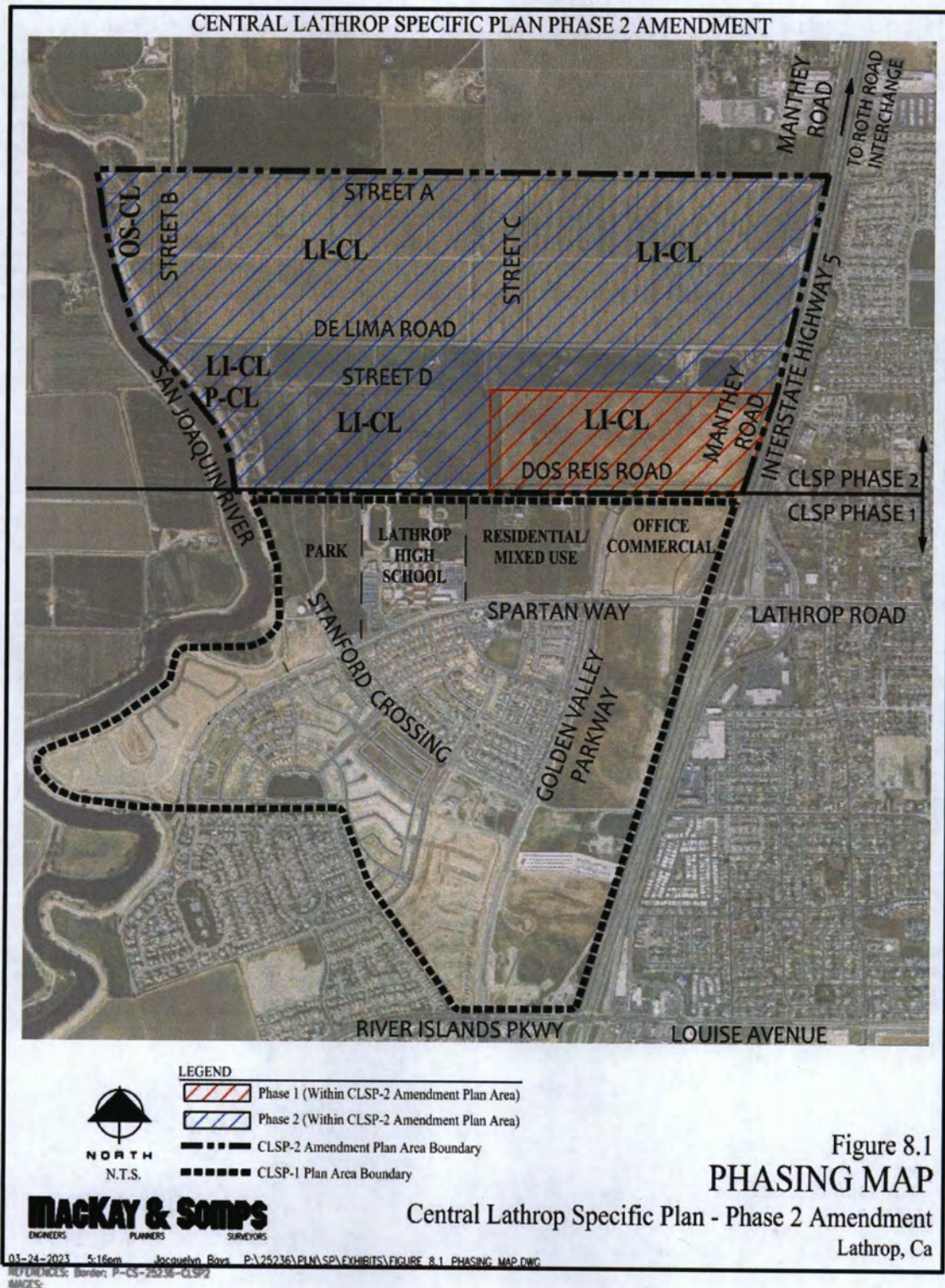
A developer may request either changes to the initial infrastructure phasing plan shown in Figure 8.1 or the establishment of sub phases. Changes to the initial infrastructure phasing plan or the establishment of sub phases are explicitly allowed without amendment to the CLSP-2 provided a developer demonstrates, to the satisfaction of the Public Works Director and Community Development Director, that infrastructure improvements necessary to adequately serve the phased development will be provided in a timely manner and will be sufficient if no further development occurs. For example:

- Roadways may be constructed at less than full width, or full length so long as the interim roadways are functional and safe and meet City improvement standards as determined by the Public Works Director or City Engineer;
- Certain segments of the water and/or recycled water systems may be deferred until needed to serve a particular phase or sub phase so long as adequate looping and pressure are provided as determined by the Public Works Director or City Engineer.;
- As it relates to stormwater runoff from individual developments, interim drainage solutions, such as temporary retention basins may be employed until off-site facilities (i.e., permanent detention pipes, pump stations, force mains and/or outfall structures) are

complete so long as a demonstration is made, to the satisfaction of the Public Works Director or City Engineer, showing that an interim alternate solution can be constructed, and that flooding will not occur. Projects shall comply with NPDES standards.

A developer may also request that changes be made to the backbone infrastructure required to serve the CLSP-2 (as such infrastructure requirements are set forth in Chapter Six) in order to respond to changing conditions of development or the availability of new technologies to address the infrastructure needs created by development. Such changes in the backbone infrastructure plan are explicitly allowed without amendment to the CLSP-2 provided a developer demonstrates, to the satisfaction of the Public Works Director and Community Development Director, that the proposed changes meet certain performance or level of service standards prescribed in the project development agreements or, where applicable performance or level of service standards are not prescribed, results in a level of service that is at least comparable to the level of service that would have been provided had the changes not been proposed.

Figure 8.1- Phasing Map



Capital Improvement and Operation/ Maintenance Responsibilities

The responsibilities for capital improvement provisions and ongoing operation and maintenance of public facilities and services are another important element of the overall CLSP-2 implementation program. The City is to

operate and maintain all public facilities in the CLSP-2 with the exception of those operated and maintained by special service providers, such as the reclamation district maintaining the levees. Refer to Table 8.3 for a matrix identifying the types of capital improvements and who is responsible for the associated operation/maintenance.

Table 8.1: Capital Improvement and Operation/Maintenance Responsibilities

Capital Improvement	Capital Improvement Responsibility	Operation and Maintenance Responsibility
On-site streets, alleys, and shared driveways (within CLSP-2 boundary)	Developer Individual Property Owner	City for public streets Owners Association for private streets
Off-site streets (outside of the CLSP-2 boundary)	Developer (fair share as identified in Capital Facility Fee program)	City or other public agency
Potable Water Distribution Facilities	Developer Individual Property Owner	City
Potable Surface Water Supply	South San Joaquin Irrigation District City	City
Potable Surface Water Treatment and Transmission Facilities	South San Joaquin Irrigation District City	City
Potable Groundwater Supply	Developer City	City
Potable Groundwater Treatment Facilities	Developer City	City
Wastewater Collection Facilities, including pump station(s)	Developer Individual Property Owner	City
Wastewater Treatment Facilities	City	City
Recycled Water Distribution Facilities	Developer City	City
Storm Drainage (includes all facilities including pipes, pumps, and basins)	Developer Individual Property Owner	City
Dry Utilities (electric, gas, communications)	Utility Companies Developer Individual Property Owner	Utility Companies
Public Parks and Open Space, including trails and public rights-of-way landscaping	City[1] Developer Individual Property Owner	City or other Public entity
Fire Station and Equipment	Lathrop-Manteca Fire District	Lathrop-Manteca Fire District
Police Station and Equipment	City	City
Levee and related easements	Reclamation District 17	Reclamation District 17

[1] The potential trail along the levee adjacent open space shown on Figure 3.10 will be funded by a capital improvement fee program and constructed by the City.

Interpretation of Specific Plan

Amendments to the Specific Plan, including the Design Guidelines, may be proposed by a developer or property owner or initiated by the City, and shall be processed in accordance with the provisions described in this chapter.

Two of the primary objectives of the Central Lathrop Specific Plan-2 Amendment are:

- to maintain flexibility and the ability of the City and property owners to react quickly to changes in the marketplace, and

- to ensure, to the extent reasonably possible, the ultimate development of the CLSP-2 Amendment at the overall level of intensity of land use assumed in the CLSP-2 Amendment as approved.

The latter objective is intended to ensure the recovery of infrastructure investments made in reliance on such assumed intensities and densities. To achieve these two objectives, the City intends that the CLSP-2 Amendment be interpreted and applied with as much flexibility and creativity as is permissible within the reasonable scope of the language of the CLSP-2 Amendment. Where these two objectives can be achieved through the reasonable interpretation of the CLSP-2 Amendment, rather than through formal amendment, such interpretations is desirable and favorable over amendment. Accordingly, formal amendments shall not be necessary where a specific development proposal is in “substantial conformity” with the CLSP-2 Amendment.

The Community Development Director may determine that a specific development proposal is in substantial conformity with the CLSP-2 Amendment, where, considering all aspects of the proposal, the he/she determines that the proposal will further the objectives and policies of the CLSP-2 Amendment and not obstruct their attainment. Such as proposal need not be in perfect conformity with each and very provision of the CLSP-2 Amendment policy, provided it is consistent with the intent and basic objectives, policies, general land uses, and programs specified in the CLSP-2 Amendment. Where the Community Development Director determines that a particular development proposal is not in substantial conformity with the CLSP-2 Amendment, the land owner making the proposal has the right to appeal that determination to the Planning Commission and, if necessary, to the City Council.

The following general categories of proposals shall necessarily be determined to be in substantial conformity with the CLSP-2 Amendment, being:

- those proposals by which a developer or land owner, in response to changing conditions of development or the availability of new technologies, proposes to modify the initially-approved phasing plan provided by a developer demonstrates, to the satisfaction of the Public Works Director and the Community Development Director, that the infrastructure improvements necessary to adequately serve the developing portion of the site will be provided in a timely manner. Such proposals shall be deemed to be in substantial conformity with the CLSP-2 Amendment.
- those by which a developer or land owner seeks to modify trail alignments, fence locations or types, or similar CLSP-2 Amendment features in common areas such as parks, trails, and other public amenities. Such proposal shall be deemed to be in substantial conformity with the CLSP-2 Amendment unless the proposal is fundamentally inconsistent with the development patterns envisioned in the CLSP-2 Amendment in terms of the general locations of public amenities, trail locations and alignments, and other private land uses.
- those by which a developer or land owner seeks to add new architectural styles or planning concepts to the Design Guidelines. Such proposal might include, but not necessarily be limited to, changes in permitted building materials or detailing, additional design styles, changes to plant palettes, and different entry concepts. Proposal for such new architectural styles or planning concepts shall be accompanied by a written description of the style, a schematic drawing, and an illustration of architectural or planning elements that

typify the proposed style or concept. Such proposal shall be deemed to be in substantial conformity with the CLSP-2 Amendment unless the new architectural style or planning concept is fundamentally inconsistent with the aesthetic vision embodied in the original Design Guidelines.

Specific Plan Consistency and Enforcement

Any violation of the requirements of the CLSP-2 Amendment as adopted by the City Council shall be enforced in the same manner as a violation of the Municipal Code.

Chapter Nine: Financing

Introduction

Development in the CLSP-2 Amendment Plan Area is to be constructed and maintained through a combination of financing mechanisms. This chapter describes a preliminary Financing Plan and identifies various financing options that may be utilized to implement the CLSP-2 Amendment.

Financing Plan

The funding mechanisms for improvements within CLSP-2 Amendment Plan Area may include development impact fees and fee credits, private financing and reimbursements, Mello-Roos community facilities and assessment districts, and other public and private strategies.

Once City staff, the Developer(s), and other public entities agree upon specific improvements and facilities that need to be constructed in the CLSP-2 Amendment Plan Area, appropriate funding mechanisms will be identified for each individual improvement and facility.

The following principles shall govern the implementation of the Financing Plan unless otherwise stated in an applicable Development Agreement:

Principle 1 — New development in the CLSP-2 Plan Area shall be required to pay its own way. There shall be no cost to the City's existing residents for facilities or services necessary to serve the CLSP-2 Amendment Plan Area. All costs of municipal services related to the CLSP-2, be they on-site or off-site, shall be borne by the individual development.

Principle 2 — The City will consider the establishment of appropriate public financing mechanisms to help finance the initial development and ongoing maintenance of

backbone infrastructure, community facilities, and public services in the CLSP-2 Amendment Plan Area. These mechanisms include but are not limited to:

- Community Facilities Districts, Assessment Districts, Benefit Districts, Infrastructure Financing Districts, and Joint Powers Arrangements for capital construction.
- Lighting and Landscape Districts, Community Facilities Districts, other maintenance assessment districts, and/or user charges for ongoing operation and maintenance purposes.

Principle 3 — The City may enter into a Joint Powers Agreement with the County, State, or any other appropriate governmental agencies that facilitates the financing of infrastructure improvements.

Principle 4 — The City shall establish appropriate reimbursement mechanisms in the event that the CLSP-2 Amendment Plan Area is required to pay for oversizing of backbone infrastructure or public facilities beyond its fair share to the benefit of existing or other new development in the City.

Principle 5 — The City shall consider implementing funding and reimbursement mechanisms to help facilitate the fair allocation of backbone infrastructure and public facilities construction costs among the various landowners in the CLSP-2 Amendment Plan Area.

Principle 6 — The City will reasonably assist developers in the CLSP-2 Amendment Plan Area in obtaining public financing for construction of both on- and off- site public improvements.

Principle 7 — The City may help fund public improvements such as the levee adjacent open

space benefiting the entire population of the City. These improvements may be supplemented by including them in the Capital Improvement Fee Program.

Updates of Financing Plan

Updates of the Financing Plan shall occur as significant new information becomes available regarding backbone infrastructure and public facilities cost estimates, land uses, and funding strategies. An administration-and-monitoring process shall be established to provide for implementation and updating of the Financing Plan.

Financing/Fiscal Measures

Various financing measures could be utilized to implement both the development and the operation and maintenance of backbone infrastructure, public facilities, and community services.

Before the recordation of any tentative tract map within the boundaries of the CLSP-2, appropriate financing mechanisms will be established to ensure adequate funding of capital improvements is available at the time when the improvements need to be constructed. Payment schedules and sources of funds for the repayment of any proposed debt will be identified for each such mechanism.

Ongoing special tax and/or assessment revenues are to be earmarked to fund operations and services in the CLSP-2 Amendment Plan Area. The level of public facilities and services in the CLSP-2 Amendment Plan Area are to be of the same or higher quality as presently being provided elsewhere in the City. Such ongoing operational concerns would include police and fire services, park and road maintenance, and other municipal services generally provided in a city.

The various mechanisms that may be used to implement the development and the operation and maintenance of backbone infrastructure, public

facilities, and community services include, but are not limited to:

Infrastructure Financing Districts

An Infrastructure Financing District (IFD) allocates a portion of new property taxes to pay for capital improvements. Essentially, when tax increment financing is utilized, subsequent increases in tax revenues are set aside for the use of the financing district. A requirement of an IFD is that it is used only in areas that are substantially underdeveloped. Formation of an IFD and issuance of bonds is contingent upon the two-thirds approval of the registered voters or property owners in the area.

Facilities eligible per Government Code section 53395.3 for financing through an IFD include the following facilities:

- Highway interchanges, bridges, arterial streets, parking facilities and transit facilities
- Sewage treatment and water reclamation plants and interceptor lines
- Water collection and treatment facilities for urban use
- Flood control structures
- Child care facilities
- Libraries
- Parks, recreational facilities and open space
- Solid waste transfer and disposal facilities.

Capital Facilities Fees

A range of Capital Facilities Fees (CFF) has been established in the City of Lathrop for funding of sewer, drainage, environmental mitigation, transportation, culture and leisure, and municipal service facilities. Some of the backbone infrastructure and public facility improvements that need to be constructed in the CLSP-2 area fall into the CFF category.

Special Taxes

Special taxes typically are generated through formation of Mello Roos Community Facilities Districts or other similar mechanisms. Formation of Mello Roos Districts require approval by two-thirds of the property owners or the electorate within the proposed district boundary if there are twelve or more registered resident voters. The special taxes generated from Mello Roos Districts may be used to pay for purchase, construction, expansion, improvement, operations and maintenance, or rehabilitation of real property with a useful life of five years or more. Alternatively, the special taxes can be used to fund the debt service for bonds that have been issued for financing of such improvements.

Special Assessments

Most of the special assessment acts provide for the issuance of bonds. These bonds generally are secured by the property in the district, and the bonded indebtedness is repaid with the money generated through the assessments. Some of the most common types of special assessments are outlined in the Improvement Act of 1911, the Municipal Improvement Act of 1913, and the Improvement Bond Act of 1915.

Landscape and Lighting Districts

The most commonly known and widely used special assessment is a Landscape and Lighting District, enabled by the Landscape and Lighting Act of 1972 (Streets and Highways Code Section 22500 *et seq.*). A Landscape and Lighting District may be formed to assist in funding of the ongoing

operation and maintenance of street rights of ways and other public improvements.

General Obligation Bonds

In 1986, with the passage of Proposition 46, cities and counties were empowered with the right to issue general obligation bonds. General obligation bonds, which are repaid with revenues from increased property taxes, may be used to finance land acquisition and construction of capital improvements. A general obligation bond requires a two-thirds voter approval.

Revenue Bonds

Cities, counties, and some special districts can issue bonds to finance facilities for revenue-producing enterprises such as water and sewer improvements, golf courses, harbors, etc. The bonds are repaid solely from the revenues generated by the financed facility. Revenue bond issuance may require voter authorization.

Plan Area Development Impact Fees

Generally paid at the time of building permit, development impact fees may be charged for construction of facilities benefiting the affected area. A nexus study is required to justify the imposition of the plan area development impact fees. The City can adopt the fees through approval of an ordinance and/or resolution.

Third Party Assistance

Some costs may be eligible for outside financing assistance. For example, schools and libraries may be partially financed by state contributions.

Private Developer Financing

In addition to the use of public financing mechanisms, private developers in the CLSP will be required to pay for a significant portion of the backbone infrastructure and public facilities development costs.

Financing of Ongoing Operation and Maintenance

Financing of ongoing operation and maintenance of the public facilities and services is another important element of the overall financing program for the CLSP. The City is to operate and maintain all public facilities in the CLSP with the exception of those operated and maintained by special service providers. For example, the reclamation district maintains levees.

A Landscape and Lighting District or a Mello Roos CFD Services District may be formed to assist in funding of the ongoing operation and maintenance of street rights of ways and other components.

A detailed operation and maintenance budget is to be developed for each public facility and service prior to the recordation of the first tentative tract map in the CLSP-2. The budget will identify the appropriate sources of funds and the agencies responsible for maintenance and operation of the facilities and services.

The City intends to utilize a variety of financing measures for operation and maintenance. These measures include but are not limited to:

Property Taxes

The City receives a portion of the 1-percent property tax paid by all residential and commercial property owners within the City limits. As the CLSP develops, the incremental property tax is to be used to pay for the services required by new residents. In addition, existing special districts, like the Lathrop-Manteca Fire District, that also receive a direct allocation of the 1-percent property tax, will use the incremental taxes to provide required services. Property taxes are likely to be the primary funding source for operation and maintenance of the special districts.

Sales Taxes

Retail establishments in the CLSP-2 Amendment Plan Area generate sales tax revenues for the City. These taxes, of which the City receives a large portion, are to be used by the City to pay for services provided to its new and existing residents.

User Fees

Primarily charged by utility providers, user fees may be charged to pay for the cost of services. For example, the City, through its Public Works Department, will determine and assess a user fee for water and sewer services in the CLSP-2 Amendment Plan Area.

Regional Transportation Fees

In 1990, San Joaquin voters passed the Measure K Ordinance and Expenditure Plan (Measure K), which establishes and implements a 1/2- cent sales tax for transportation purposes up to year 2011. Measure K provides for the implementation of the San Joaquin Expenditure Plan, resulting in countywide transportation facility and service improvements including highway, public transit, railroad grade crossing, and passenger rail improvements.

In addition, the San Joaquin Council Governments, the regional planning agency for San Joaquin County, established a countywide regional transportation impact fee (RTIF). Mitigation Fees

Payment of fees may be required to mitigate the impact(s) that the development of the CLSP-2 has on the environment and existing development.

Special Assessments

Special assessments may be charged to the CLSP-2 Amendment users to pay for operation and maintenance of public infrastructure. Special assessments cannot exceed the cost of providing services and are limited to special benefit properties subject to the assessment received. The most commonly known and widely used special assessment is a Landscape and Lighting District, enabled by the Landscape and Lighting Act of 1972 (Streets and Highways Code Section 22500 et seq.).

Special Taxes

Mello Roos Community Facilities Districts (CFD) also allow for collection of special taxes to fund

operations and maintenance of facilities built or financed with CFD bond proceeds. The operations and maintenance costs funded by the special taxes have to be new costs associated with the new development. The special taxes cannot be used to replace general fund revenues.

Dedications and Exactions

Under the Subdivision Map Act, developers may be required to dedicate land or make cash payments for public facilities required or affected by their project (e.g., road right-of-way fronting individual properties). Dedications are typically made for road and utility rights-of-way, park sites, and land for other public facilities. Cash contributions are made for other public facilities that are directly required by their projects (e.g., payments for a traffic signal).

Development Agreements

The City and developers in the CLSP-2 may enter into development agreements. These agreements outline responsibilities for financing and construction of backbone infrastructure and public facilities, as well as for funding of ongoing operations and maintenance of the facilities and services in the CLSP-2 Amendment Plan Area. The City may design and build the required infrastructure and public facilities and fund the construction through collection of development impact fees, issuance of bonds, or any other appropriate financing mechanism. If a developer is required to design and build the improvements, fee credits and acquisition agreements with the City or other public agencies may be utilized along with issuance of bonds, private financing, and other funding mechanisms.

Federal and State Grants

The City has in the past received funding for public facilities from other levels of government, including the State and federal government. Historically, these funding sources were more available; however, several sources of grant funding still remain and several new programs have

recently been established. Further investigation of potential funding sources is appropriate. However, since the availability of funding from these sources is unknown, it has not been assumed that these sources would be available for development financing.

An example would be the EIFD for funding 200-year flood control improvements for the Fix in Place Project.

Reimbursement Agreements

Each benefiting property in the CLSP-2 Amendment Plan Area is required to pay its fair share of the backbone infrastructure and public facilities construction, maintenance, and land acquisition costs. To the extent a developer or landowner may be required to dedicate land for public purpose; fund the acquisition, construction, or operation and maintenance, or otherwise contribute to the provision of public facilities and/or services (including the oversizing of such facilities); finance the preparation of this Specific Plan amendment and the processing of the related entitlements including annexation; or incur costs related to the legal defense of such entitlements in excess of his or her fair share to the benefit of other properties, a reimbursement mechanism shall be executed to ensure a fair-share cost allocation among all properties. The reimbursement mechanism can be in the form of a benefit or another type of a financing district, a private or public reimbursement agreement, and/or any other appropriate arrangement that can guarantee a fair allocation of costs.

A fair share cost allocation shall be implemented through the Financing Plan for on- and off-site improvements, based on net costs after accounting for any Federal, State, regional, or other public funding that may have been obtained.

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Chapter 17.62 Central Lathrop Zoning Districts

[...]

Article 6. IL-CL: Limited Industrial Zoning District

17.62.061 Purposes and application.

The IL-CL district is intended to provide opportunities for certain types of limited industrial uses to provide adequate space to meet the needs of modern industrial development, including off-street parking and truck loading areas; and to provide industrial employment opportunities for residents of the city and region. The IL designation accommodates a wide range of job -generating uses, including business parks; clean light industrial; research and development (R&D); science, technology, engineering, and math (STEM); tech/biotech manufacturing; high-tech services that incorporate some combination of assembly, warehousing, and/or sales, hospitals and other health care-related uses, warehouses and distribution centers.

Special provisions apply to properties located between Dos Reis Road and De Lima Road. See Section 17.62.068.

17.62.062 Permitted uses.

- A. Light industrial and related uses, including:
 - 1. Off-street parking lots improved in conformity with Chapter 17.76;
 - 2. Assembly of small electric appliances, such as lighting fixtures, irons, fans, toasters and electric toys, refrigerators, washing machines, dryers, dishwashers and similar home appliances;
 - 3. Assembly of small electrical equipment, such as home motion picture equipment, stereos, video cameras and radio and television receivers, but not including electrical machinery;
 - 4. Manufacture of scientific, medical, dental and drafting instruments, orthopedic and medical appliances, cameras and photographic equipment, except film, electronic equipment, musical instruments, precision instruments, optical goods, watches and clocks;
 - 5. Manufacture of ceramic products, such as pottery, figurines and small glazed tile;
 - 6. Manufacturing, assembling, compounding, packaging and processing of cosmetics, drugs, pharmaceuticals, (not including refining or rendering of fats or oils) and toiletries;

7. Manufacture and assembly of electrical supplies, such as coils, condensers, crystal holders, insulation, lamps, switches and wire and cable assembly, provided no noxious or offensive fumes or odors are produced;
8. Manufacture of cutlery, hardware, hand tools and furniture, dye and pattern making, metal stamping and extrusion of small products, such as costume jewelry, pins and needles, razor blades, bottle caps, buttons and kitchen utensils;
9. Manufacturing, assembling, compounding, packaging, crating and processing of articles or merchandise from the following previously prepared materials: bone, canvas, cellophane, cellulose, cloth, cork, feathers, felt, fiber and synthetic fiber, fur, glass, hair, horn, leather, paint (not employing a boiling process), paper, plastics, precious or semi-precious metals or stones, rubber and synthetic rubber, shell, straw, textiles, tobacco and wood;
10. Manufacturing, assembling, compounding, processing, packaging or treatment of such products as bakery goods, candy, dairy products, food products, including fruits and vegetables, but not including fish and meat products, pickles, sauerkraut, vinegar or yeast, or refining or rendering of fats and oils;
11. Blacksmith shops, boat building, electric motor rebuilding, machine shops and paint shops;
12. Gasoline service stations, including dispensing of diesel, natural gas, and liquid petroleum gas fuels and complete truck service;
13. Lumber yards, including planning mills and saw mills; mattress manufacture; storage yards for commercial vehicles or feed; flour, feed and grain mills; grain elevators;
14. Manufacture and maintenance of electric and neon signs, billboards and commercial advertising structures;
15. Public utility and public service structures and facilities, such as communications equipment buildings, electric distribution substations, electric transmission substations, gas regulator stations, pumping stations, public utility service yards, corporation yards, railroad rights-of-way and stations, reservoirs and storage tanks;
16. Public buildings and grounds.
17. Incidental and accessory structures and uses such as retail, office, etc., located on the same site as a permitted use;
18. Wineries and wine cellars, small, medium and large;
19. Business parks and incubator spaces;
20. Research development industry and business support services;

21. Warehouse and distribution facilities;
22. Other uses which are added to this list according to the procedure in Section 17.16.020.

17.62.063 Permitted uses—Administrative approval required.

- A. The following uses may be permitted in accordance with the provisions of Chapter 17.108:
 1. Gas and electric transmission lines in accordance with Section 17.108.080;
 2. Watchpersons' living-quarters incidental to and on the same site with a permitted limited industrial use;
 3. Mobile or modular offices in accordance with the requirements of mobile or modular offices;
 4. Other uses which have been added to this list according to the procedure in Section 17.16.020;
 5. Temporary uses pursuant to Section 17.108.090.

17.62.064 Conditional uses

- A. The following uses may be permitted in accordance with the provisions of Chapter 17.112:
 1. Hospitals;
 2. Bulk storage and delivery of liquefied petroleum gas;
 3. Excavations according to the requirements of Chapter 17.88;
 4. Expansion, remodeling, or additions to a conditional use that are not considered an incidental or accessory use as defined in Section 17.04.080;
 5. Outdoor vending stalls for the sale or trade of new and used articles at specified times of the day and week as either a temporary or permanent use of land;
 6. Other uses which are added to this list according to the procedure in Section 17.16.020;

17.62.065 Property development standards.

All uses shall be consistent with Article 12, Development Standards, of this chapter. Where development standards are not specifically identified in this document, reference the city of

Lathrop Zoning Ordinance.

17.62.066 Site plan and architectural design review.

No use shall be erected on any lot or site in any IL district until a site plan and architectural plans shall have been submitted to and approved by the city pursuant to the provisions of Chapters 17.100 and 17.104. Design review is required for all proposed structures, whether residential or nonresidential, together with related site plans, landscaping, and public improvements associated with new development within the Central Lathrop Specific Plan Phase 2 area.

17.62.067 City Council Review.

All development projects proposed north of Dos Reis Road and South of De Lima Road shall obtain a Conditional Use Permit. Property located in this area is subject to discretionary review by the City Council with recommendation from the Planning Commission. Proposed development and uses may be permitted in accordance with the provisions of Chapter 17.112, except that the City Council serves as the final reviewing authority.

17.62.068 General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions in Chapter 17.16, except if a development project is proposed north of Dos Reis Road and South of De Lima Road, the Planning Commission serves as a recommending body to the City Council. The City Council reserves the right to provide discretionary review.

The community development director may approve use interpretations and minor deviations related to the zoning herein.

Article 12. Non-Residential Development StandardsTable 17.62.120 A Central Lathrop Specific Plan: Non-Residential Site Development Standards

	Office Commercial (CO-CL)	Neighborhood Commercial (NC-CL)	Park (P-CL)	Residential Mixed-Use (R/MU-CL)	Public/Semi-Public/ Neighborhood Commercial (P/SP/NC-CL)
Lathrop Center District	n/a ¹	0	n/a ¹	0	0
Golden Valley Parkway	10	10	n/a	n/a ¹	n/a ¹
Other Streets	10	n/a ¹	10	n/a	10
Other Setbacks					
Front, Rear and Side Yards	0	0	0	0	0
Height Requirements					
Maximum Building Height ³	75	45	45	65	45
Special Tower Elements	n/a	70	70	70	70
Minimum Building Height	n/a	15	15	15	15
Building Separation					
Standard	Per CBC ²	Per CBC ²	Per CBC ²	Per CBC ²	Per CBC ²
Pedestrian Access Width	15	15	15	15	15
Lot Size and Coverage					
Minimum Parcel Area	None	None	None	None	None
Minimum Width	None	None	None	None	None
Minimum Depth	None	None	None	None	None
Maximum FAR	0.60	0.60	0.60	4.0	0.60
Maximum Coverage	70%	60%	70%	90%	70%
Off-Street Parking					
Remainder of CLSP	1 stall per 400 net usable sq. ft. for office; other uses per Chapter 17.76 of the Lathrop Municipal Code				

Notes to Table 17.62.120

1 n/a = not applicable.

2 Building or parking area fronting any public street - measured from property line or right-of-way.

- 3 Exceptions to maximum height may be granted through Design Review for towers, steeples, cupolas, dormers, flagpoles and other architectural elements.
- 4 Minimum width between structures when pedestrian access way provided.
- 5 California Building Code.
- 6 Reductions of parking standards may be granted for shared parking subject to approval of a parking study concurrent with Design Review.

Table 17.62.120 B Central Lathrop Specific Plan: Industrial Development Standards

	<u>IL-CL</u>
<u>Minimum Parcel Size (sf)</u>	<u>5,000</u>
<u>Minimum Lot</u>	
<u>Width</u>	<u>50'</u>
<u>Depth</u>	<u>100'</u>
<u>Street Frontage</u>	<u>50' ⁽¹⁾</u>
<u>Minimum setbacks</u>	
<u>Front Yard</u>	<u>15'</u>
<u>Side Yard</u>	<u>0' ⁽²⁾</u>
<u>Rear Yard</u>	<u>0' ⁽²⁾</u>
<u>Distance Between Structures</u>	<u>Per CBC</u>
<u>Maximum Lot Coverage</u>	<u>70%</u>
<u>Maximum Building Height</u>	<u>76' ⁽³⁾</u>
<u>Landscape Requirements⁽⁴⁾</u>	
<u>Landscape Coverage (Minimum) ⁽⁵⁾</u>	<u>10%</u>
<u>Parking Requirements</u>	<u>Per Lathrop Zoning Ordinance, Chapter 17.76</u>
<u>Signage</u>	<u>Per Master Signage Program, and/or Chapter 17.84</u>

Footnotes to Table 17.62.120 B:

Minimum standards may need to be revised based on parcel configuration and proposed land use; Community Development Director to approve minor deviations.

(1) Those sites with public street frontage on a curve or cul-de-sac may have frontages of not less than 40', provided that the width of the site as measured along the front yard setback line is at least 50'.

(2) Except where abutting an existing adjacent residential use, the minimum setback shall be 15'.

(3) The building height shall be no greater than seventy-six (76) feet, unless a taller building height is determined to be warranted by the approving authority.

(4) For landscape standards reference Chapter 17.92 of the Lathrop Municipal Code.

(5) Measured as a percentage of net lot acreage.

(Ord. 22-431 § 1; Ord. 08-276 § 1)

[...]

Attachment 5

Central Lathrop Specific Plan (CLSP) Phase 2 Amendment and Code Text Amendment No. TA-23-104

**Environmental Checklist, prepared by De Novo Planning Group, dated
August, 2023**

Due to the size of this document, it has not been reproduced in the staff report. A copy of the Environmental Checklist is available for viewing and download on the City's website at the following links:

Environmental Checklist without Appendices:

https://www.ci.lathrop.ca.us/sites/default/files/fileattachments/community_development/page/5622/lathrop_ashley_warehouse_15183_no_appendices.pdf

Environmental Checklist with Appendices:

https://www.ci.lathrop.ca.us/sites/default/files/fileattachments/community_development/page/5622/lathrop_ashley_warehouse_15183_clean.pdf

The Environmental Checklist can also be viewed at the following link:

<https://www.ci.lathrop.ca.us/com-dev/page/public-review-documents>

Individuals that are unable to access the Environmental Checklist at the website listed above or would require a computer disk or thumb drive containing a copy of the document should contact Planning Staff at planning@ci.lathrop.ca.us or (209) 941-7290 to obtain a copy.

**CITY OF LATHROP
PLANNING COMMISSION RESOLUTION NO. 23-12**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LATHROP
RECOMMENDING THE CITY COUNCIL FIND THE PROJECT EXEMPT FROM
FURTHER ENVIRONMENTAL REVIEW PURSUANT TO PUBLIC RESOURCES
CODE SECTION 21083.3 AND CEQA GUIDELINES SECTION 15183 AND ADOPT AN
ORDINANCE APPROVING THE CENTRAL LATHROP SPECIFIC PLAN PHASE 2
AMENDMENT AND A MUNICIPAL CODE TEXT AMENDMENT TO CHAPTER
17.62, CENTRAL LATHROP ZONING DISTRICTS OF THE LATHROP MUNICIPAL
CODE (TA-23-104)**

WHEREAS, Section 65450 *et. seq.* of the California Government Code provides for the preparation and adoption of Specific Plans by general law cities for implementation of all or part of an adopted General Plan; and

WHEREAS, Section 65453 of the California Government Code provides that a Specific Plan may be adopted or amended by either Resolution or Ordinance as provided by the local jurisdiction; and

WHEREAS, the Central Lathrop Specific Plan Phase 2 Amendment and Zoning Code Text Amendment applies only to Phase 2 (the project) and does not in any way apply to the Central Lathrop Specific Plan Phase 1 Project; and

WHEREAS, the Amendment to the Central Lathrop Specific Plan as it affects Central Lathrop Specific Plan Phase 2 Amendment is a stand-alone document for the Phase 2 portion of Central Lathrop; and

WHEREAS, pursuant to Government Code Section 65090, notice of the Planning Commission hearing was published in accordance with State law in at least one newspaper of general circulation within the City of Lathrop at least ten calendar days before the Planning Commission's public hearing; and

WHEREAS, prior to the City's approval of the 2022 General Plan Update, the City prepared an Environmental Impact Report (EIR) which analyzed the environmental impacts of buildout under the General Plan Update pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, *et seq.*), and the Lathrop City Council certified the General Plan Update Final EIR on September 19, 2022 (State Clearinghouse # 2021100139); and

WHEREAS, the analysis in the General Plan Update EIR allows the use of CEQA exemption/streamlining provisions for projects developed under the General Plan Update, including the proposed Project; and

WHEREAS, the proposed Amendment to the Central Lathrop Specific Plan, as it affects the Phase 2 Project, is an amendment to the adopted 2004 Central Lathrop Specific Plan, which was adopted by Resolution No. 04-1779 on November 9, 2004; and

WHEREAS, the City intends to retain the 2004 Central Lathrop Specific Plan as the governing land use regulations for certain specified portions of the Specific Plan area including properties within the Phase 1 Specific Plan area; and

WHEREAS, the proposed Zoning Code Text Amendment amends Chapter 17.62, *Central Lathrop Zoning Districts* to implement the Central Lathrop Specific Plan Phase 2 Amendment; and

WHEREAS, Chapter 17.124 of the Lathrop Municipal Code mandates that the Planning Commission transmit its recommendation to the City Council by resolution; and

WHEREAS, proper notice of this public hearing was given in all respects as required by law including the publishing of a legal notice of the hearing in the Manteca Bulletin on or about August 31, 2023 and mailed out to property owners located within a 300-foot radius from the Central Lathrop Specific Plan Phase 2 Amendment Project area on August 31, 2023, emailed to the City's Public Hearing subscribers and interested parties and posted at three (3) locations accessible to the public; and

WHEREAS, the Planning Commission has utilized its own independent judgement in adopting this Resolution.

NOW, THEREFORE, BE IT RESOLVED the Planning Commission of the City of Lathrop does hereby make the following findings:

Section 1. This Resolution incorporates, and by this reference makes a part hereof, that certain Amendment to the Central Lathrop Specific Plan as it affects the Central Lathrop Specific Plan Phase 2 Amendment Project, as shown in Attachment 2 of the Planning Commission Staff Report, relative to the proposed development of the Central Lathrop Specific Plan Phase 2 Amendment Project area on certain real property consisting of approximately 724-acres located in the City of Lathrop.

Section 2. California Environmental Quality Act (CEQA) Findings. Pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183, the Planning Commission finds as follows:

1. The project complies with CEQA based on the CEQA exemption/streamlining provisions contained in Public Resources Code section 21083.3 and CEQA Guidelines section 15183;

2. Pursuant to the Planning Commission Staff Report and the attachments and exhibits thereto, including but not limited to, the Environmental Checklist, prepared by De Novo Planning Group, dated August, 2023, which are incorporated herein by reference, the proposed Project will not result in any significant impacts that: 1) are peculiar to the project or project site; 2) were not identified as significant project-level, cumulative, or off-site effects in the General Plan EIR; or 3) were previously identified significant effects, which as a result of substantial new information that was not known at the time that the General Plan EIR was certified, are determined to have a more severe adverse impact than discussed in the General Plan EIR. As a result, pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183, the proposed Project is exempt from further environmental review under CEQA.
3. All applicable General Plan policy and implementation actions and uniformly applied development policies, standards and/or regulations are, hereby imposed on the proposed project and must be adhered to by the Project applicant in accordance with the Amendment to the Central Lathrop Specific Plan. To the extent the City has not previously made findings regarding any/all of those referenced General Plan Update policy and implementation actions and uniformly applied development policies, standards and/or regulations, the Planning Commission hereby finds that all of those General Plan Update policy and implementation actions and uniformly applied development policies, standards and/or regulations, were adopted, in whole or in part, to substantially mitigate the potential environmental effects to which they pertain (i.e., aesthetics, agricultural and forest resources, air quality, biological resources, cultural and tribal resources, geology and soils, greenhouse gases, climate change, and energy, hazards and hazardous materials, hydrology and water quality, land use, population, and housing, mineral resources noise, public services and recreation, circulation, utilities and services systems, and wildfire).

Section 3. Specific Plan Findings. Pursuant to State of California Planning and Zoning Law, the Planning Commission finds and determines as follows:

1. The 2004 Central Lathrop Specific Plan adopted pursuant to Resolution No. 04-1779 shall be in full force and effect as to that portion of the Specific Plan that covers Phase 1.
2. The 2004 Central Lathrop Specific Plan, as modified by the proposed related Amendments for Phase 2 is consistent with the goals, policies, implementation measures, and general land uses specified in the 2022 General Plan Update because it promotes job-generating land uses within the Phase 2 Amendment area and specifically implements Implementation Measure LU-5.f of the General Plan, which requires the City to update the Central Lathrop Specific Plan to be consistent with the adopted General Plan Update.

3. The 2004 Central Lathrop Specific Plan, as modified by the proposed related Amendments is consistent with the goals, policies, implementation measures specified in the General Plan Update related to promoting the development of job-generating land uses to support existing and future businesses. The Central Lathrop Specific Plan Phase 2 Amendment ensures that the City's economic base will be strengthened by promoting development which will create a variety of high quality long-term jobs and shorter term construction jobs and encourages future developers to finance public facilities for long-term infrastructure solutions and public services. Additionally, the 2004 Central Lathrop Specific Plan, as amended by the proposed Phase 2 Amendment is consistent with the General Plan Update goals related to achieving visual and functional quality of new development because it requires the provision of open space within the planning area and the provision of landscape buffers between the Phase 2 area and sensitive receptors.
4. The 2004 Central Lathrop Specific Plan, as modified by the proposed related Amendment, is consistent with the goals, policies, general land uses and implementation measures specified in the General Plan Update because it ensures that proposed land uses will receive an adequate level of public services, facilities and protection by implementing the goals and policies of the Public Facilities and Services and Public Safety Elements of the General Plan.
5. The 2004 Central Lathrop Specific Plan, as modified by the proposed related Amendment, is consistent with the goals, policies, general land uses, and implementation measures specified in the General Plan Circulation Element because it ensures that streets and highways will be constructed in accordance with the Traffic Monitoring Program to serve the new development.
6. The 2004 Central Lathrop Specific Plan, as modified by the proposed related Amendments, is consistent with the goals, policies, general land uses, and implementation measures specified in the Environmental Justice Element because it ensures that measures are in place to promote land use and development patterns that reduce greenhouse gas emissions, enhance air quality, and reduce climate change impacts.
7. The 2004 Central Lathrop Specific Plan, as modified by the proposed related Amendments, is consistent with the goals, policies, general land uses and implementation measures of the General Plan because it will promote orderly development of the plan through flexible phasing which is tied to the provisions of supporting infrastructure capacity in the construction of off-site infrastructure improvements. The 2004 Central Lathrop Specific Plan, as modified by the proposed related Phase 2 Amendment, provides for the construction of roadways to provide improved access to the project and adjacent properties, and the extension of utilities such as water, sanitary sewer, and storm drainage facilities necessary to accommodate the project.

8. The 2004 Central Lathrop Specific Plan, as modified by the proposed related Phase 2 Amendment, is consistent with the goals, policies and implementation measures of the General Plan Public Safety Element because it ensures that all new buildings construction shall conform to the latest California Building Code and seismic standards, gives priority to support police protection, and to fire suppression, and implements practices and regulations which avoid hazardous land use relationships.

Section 4. Code Text Amendment Findings. Pursuant to State of California Planning and Zoning Law, the Planning Commission finds and determines as follows:

1. The proposed Zoning Code Text Amendment is consistent with the City's General Plan Update, as enumerated in the Consistency Findings in the Staff Report.
2. The proposed Zoning Code Text Amendment furthers the public interest, convenience, and general welfare of the City by implementing the Central Lathrop Specific Phase 2 Amendment. The amendments would ensure consistency with the CLSP Phase 2 Amendment, General Plan, and Lathrop Municipal Code and update the zoning standards that are relevant to the CLSP Phase 2 Amendment.

Section 5. Upon adoption by the City Council, the Central Lathrop Specific Plan Phase 2 Amendment applies only to the Central Lathrop Specific Plan Phase 2 Project and does not change the adopted Central Lathrop Specific Plan as it applies to the balance of the CLSP area (Phase 1); and

Section 6. Upon adoption by the City Council, the Community Development Director is hereby directed to retain said 2004 Central Lathrop Specific Plan, as modified by the proposed related Amendments, on permanent public display in the Community Development Department, Planning Division in the City of Lathrop.

Section 7. Based on the findings set forth in this Resolution, and the evidence in the Staff Report, the Planning Commission hereby recommends to the City Council that the Central Lathrop Specific Plan Phase 2 Amendment be added to the 2004 Specific Plan as a stand-alone document for Phase 2. These documents shall be substantially in the form on file with the City Clerk.

BE IT FURTHER RESOLVED, based on substantial evidence in the administrative record of proceedings, its above findings, including the staff report and associated attachments, pursuant to its independent review and consideration, the Planning Commission does hereby recommend the City Council approve both the Central Lathrop Specific Plan Phase 2 Amendment, as illustrated and incorporated by reference as Attachment 2 of the Planning Commission Staff Report and Municipal Code Text Amendment No. TA-23-104 as illustrated and incorporated by reference as Attachment 3 of the Planning Commission Staff Report.

PASSED AND ADOPTED by the Planning Commission of the City of Lathrop at a Special meeting on the 13th day of September, 2023 by the following vote:

AYES: Ishihara, Camarena, Jackson, Rhodes

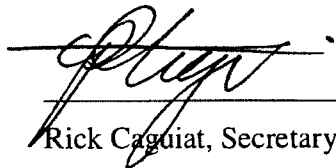
NOES: None

ABSTAIN: None

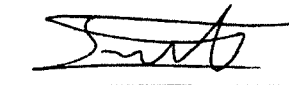
ABSENT: Ralmilay


Tosh Ishihara, Chair

ATTEST:


Rick Caguiat, Secretary

APPROVED AS TO FORM:


Salvador Navarrete, City Attorney

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ITEM 5.3

CITY MANAGER'S REPORT OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

ITEM: **PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER CONDITIONAL USE PERMIT NO. CUP-23-08 AND SITE PLAN REVIEW NO. SPR-23-09 FOR THE ASHLEY FURNITURE PROJECT**

RECOMMENDATION: **Council to Consider the Following:**

- 1. Hold a Public Hearing;**
- 2. Adopt a Resolution to Find the Project Exempt from Further Environmental Review Pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183; and**
- 3. Adopt a Resolution to Approve a Conditional Use Permit and Site Plan Review for the Ashley Furniture Project to Allow for the Construction of an Approximately 1.5 Million Square Foot Concrete Tilt-Up Building Located within the Central Lathrop Specific Plan Phase 2 Area.**

SUMMARY:

The applicant, Hodgdon Group Realty, Inc., is requesting a Conditional Use Permit and Site Plan Review to allow for the development of a 1,486,607 sq. ft. concrete tilt-up building on an 89.82-acre property located at the northwest corner of Dos Reis Road and Manthey Road and within the Central Lathrop Specific Plan Phase 2 area. The proposed building will include a 24,000 sq. ft. office, a 110,260 sq. ft. retail outlet and showroom and a 1,352,347 sq. ft. warehouse distribution center.

The project includes related on- and off-site improvements, including but not limited to off-street parking, lighting, landscaping, solid wall and wrought iron fencing, outdoor employee break area, paving, and street improvements (landscaping, curb, gutter, and sidewalk).

The Planning Commission and staff recommend that City Council consider all information provided and submitted, take and consider all public testimony and, if determined to be appropriate, adopt a Resolution to find the project exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183 and adopt a Resolution to approve the Conditional Use Permit (CUP-23-08) and Site Plan Review (SPR-23-09) for the Ashley Furniture Project.

**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
ASHLEY FURNITURE PROJECT**

PAGE 2

SITE DESCRIPTION:

The project site is located at the northwest corner of Dos Reis Road and Manthey Road, north of terminus of Golden Valley Parkway at Dos Reis Road. The property address is 14101 S. Manthey Road and has an Accessor Parcel Number (APN) of 192-020-14). The project site is 89.82-acres in size and is generally flat and historically been used for agricultural purposes. The site has been planned for urban development and is within the CLSP Phase 2 area. Planned infrastructure extensions will be constructed to the site for public water, sewer and stormwater. The City's General Plan designates the project site for Light Industrial (LI) land uses, and will be zoned IL-CL, Limited Industrial. The project site is bounded by agricultural properties to the north, Manthey Road and Interstate 5 (I-5) to the east, Dos Reis Road and ranchette properties to the south and agricultural properties to the west. The table below depicts the surrounding land uses of the project site:

	Land Use	Zoning District	General Plan (GP) Designation
North	Agricultural Properties, City of Lathrop pond	IL-CL, Limited Industrial	LI-CL, Limited Industrial
South	Vacant Properties and Ranchette Properties Dos Reis Road	CO/DS-CL, Commercial Office R/MU/DS-CL, Residential/Mixed Use	OC-CL, Office Commercial, and R/MU-CL, Residential Mixed Use
East	Manthey Road and Interstate 5	CC, Central Commercial, R-1-5 One Family Residential R-1-5, R One Family Residential (across I-5 Highway)	CC, Central commercial and LD, Low Density Residential (across I-5 Highway)
West	Agricultural Properties	IL-CL, Limited Industrial	LI-CL, Limited Industrial

Location Map:



BACKGROUND:

The existing Ashley Furniture Outlet and Distribution Warehouse facility is located within the Crossroads Industrial area at 18290 S. Harlan Road (APN: 198-130-39), just north of the Home Depot Distribution Center. The 525,000 sq. ft. concrete tilt-up building was constructed in 2018 and includes a 50,000 sq. ft. retail outlet and distribution warehouse.

The Ashley Furniture Outlet and Warehouse serves as an Ashley Homestore and Outlet and distribution center. The facility will serve Northern California and adjacent States with regional offices and a call center. The applicant informed staff that Ashley Furniture's business operation has outgrown its existing facility on S. Harlan Road, and it is expected that the facility will be unable to accommodate the future operations anticipated for the company. As such, the proposed project will support the expansion needs of the company. Upon completion of the proposed project and relocation of the company to the new site, it is anticipated that subject to market conditions, the S. Harlan Road site will be completely vacated and listed for lease or sale.

**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
ASHLEY FURNITURE PROJECT**

PAGE 4

The proposed project is located within the Central Lathrop Specific Plan (CLSP) Phase 2 area. The CLSP was approved by the City Council on November 9, 2004. The project included certification of the Environmental Impact Report (EIR) (SCH# 2003072132), for the CLSP, adoption of the Specific Plan document, General Plan Land Use Map amendments, Zoning Map, and text amendments to the Lathrop Municipal Code (LMC). The CLSP is separated into two (2) major phases of development. Phase 1 is generally located south of Dos Reis Road and includes a High School, development of a regional park (adjacent to the High School), residential and commercial uses. Phase 2 is located north of Dos Reis Road and previously included development of residential and commercial uses, parks, and school sites (K-8).

The Lathrop General Plan Update in 2022 (adopted by City Council on September 19, 2022) modified the Phase 2 area (north of Dos Reis Road to the City limit boundary) of the CLSP from Residential and Commercial Land Use Designations to Limited Industrial. As a result of the newly adopted General Plan, the City is also initiating an update to the Lathrop Municipal Code and Zoning Map to bring both into consistency with the General Plan. An Amendment to the CLSP for Phase 2 is being processed by the City concurrently with the proposed Ashley Furniture Project. The Amendment would update the Specific Plan to provide development standards and design guidelines for the development of limited industrial uses to be consistent with the intent of the recently assigned Limited Industrial General Plan Land Use Designation. As such, all aspects of the proposed project have been reviewed in relationship to the Central Lathrop Specific Plan Phase 2 design criteria illustrated in Chapter 7, "Design Guidelines" of the Specific Plan Amendment.

ANALYSIS:

Site Plan Review

As stated above, the proposed project includes the construction of a new 1,486,607 sq. ft. concrete tilt-up building on an 89.82-acre site located at the northwest corner of Dos Reis Road and Manthey Road. The building will include the following uses:

Use	Square Footage (sq. ft.)
Office	24,000
Retail Outlet	110,260
Warehouse Distribution Facility	1,352,347
Total	1,486,607

The building is generally located in the center of the subject parcel with a drive aisle providing access to all sides of the building.

**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
ASHLEY FURNITURE PROJECT**

PAGE 5

Off-street parking is provided both for passenger vehicles (employee parking and customer/public parking) and for commercial trucks and trailers. Additionally, a customer pick-up area is located at the southeastern portion of the building, north of the Dos Reis automobile driveway. Customers will be guided to the customer pick up area office and directed to the specific pick-up bay.

Use	Square Footage (sq. ft.)	Automobile Parking Spaces Required	Automobile Parking Spaces Provided	Commercial Truck and Trailer Spaces
Office	24,000	1 per 400 sq. ft. 60 spaces	942 total (Employee stalls = 462) (Public stalls = 480)	1,104 (12' x 30' = 46) (12' x 40') = 261) (12' x 53' = 797)
Retail Outlet	110,260	1 per 600 sq. ft. 184 spaces		
Warehouse	1,352,347	1 per 2,000 sq. ft.		
Total		920 Spaces	942	1,104

Automobile parking spaces are nine (9) by eighteen (18) feet in size, meeting the dimension requirements pursuant to Section 17.76.030, *Standards for off-street and on-street parking facilities*. Of the 942 automobile parking spaces provided, twenty (20) are handicap accessible (including four (4) van accessible), 188 are Electric Vehicle (EV) capable parking spaces, and twelve (12) are EV parking spaces pursuant to California building Code (CBC) requirements.

As noted in the table above, the commercial truck and trailer spaces include a variety of sizes to accommodate single trailers and the commercial truck cab and trailer. Commercial truck and trailer parking is located primarily on the eastern portion of the Site Plan and along the northern and southern property line.

Architecture

The proposed building is designed as a concrete tilt-up structure with colored wall accents and glass treatments near the outlet/showroom entrance and employee entrances. The elevation facing S. Manthey Road and Interstate 5 (I-5) will convey a high-quality office/retail appearance while maintaining key functions, including customer pick-up area along the southeast elevation. The appearance is achieved with glazing to indicate an office appearance and clerestory windows along the upper portions of the façade. The building also includes accent shading features, variations in parapet height and colors. Collectively, these provide for enhanced visual interest and varied building massing, to create distinctive points of entry for users.

**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
ASHLEY FURNITURE PROJECT**

PAGE 6

The following is a portion of the east elevation and a rendering looking at the building from S. Manthey Road.



Looking West from S. Manthey Road



Looking West from S. Manthey Road

The building varies in height from 46 feet to 60 feet. The tallest height of the building is located at the entrance, facing S. Manthey Road (illustrated above). The distribution warehouse portion of the building is 46 feet to the parapet. The height fluctuates between 43 feet to 46 feet for the majority of the building.

**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
ASHLEY FURNITURE PROJECT**

PAGE 7

The maximum height allowed under the Limited Industrial Zoning District in the CLSP Phase 2 Amendment is 76 feet.

Floor Plan

As noted above, the proposed building will include a three-story, 24,000 sq. ft. office, two-story 110,260 sq. ft. retail outlet and showroom, and a 1,352,347 sq. ft. warehouse distribution center. The office is located within the northeastern portion of the building and will include a variety of offices, conference rooms, restrooms, and breakroom for each floor. The retail outlet and showroom will have an open floor plan, similar to the existing Ashley Furniture Outlet on S. Harlan Road. An escalator will provide access to the second floor retail outlet and showroom.

Lighting

Lighting is proposed to be shielded and directed towards the parking and access areas only. As illustrated on the Photometric Plan (Attachment 6), lighting levels beyond the property line are at 0 candle power. Specific lighting detail, beyond the photometric plan will be refined as part of the Building Permit process.

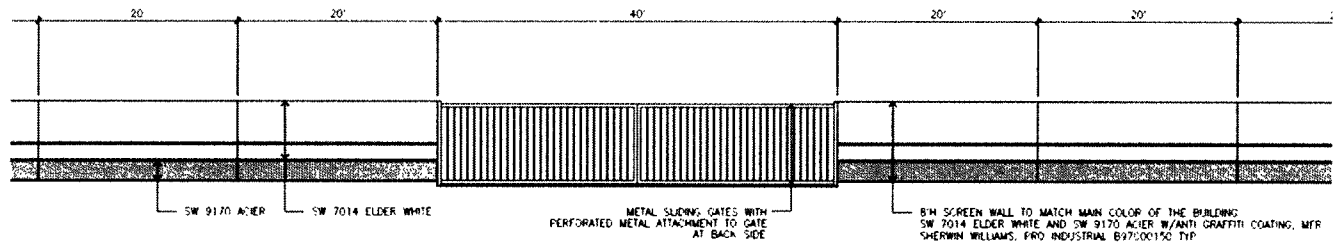
Landscaping

Landscaping is provided throughout the project area and represents 10.4% (388,479 sq. ft.) of the entire project area (excluding stormwater detention basins). Landscape treatment along Dos Reis Road and S. Manthey Road include a variety of large trees, screening trees (discussed further below), medium trees, shrubs and ground cover. Shade trees are proposed throughout the parking lot (public and employee parking areas) and at maturity, 73% of the parking area will be shaded, exceeding the City's requirement of 50%. The Preliminary Landscape Plan is attached to this Staff Report as Attachment 8.

Fencing and Walls

Proposed fencing and walls for the project are illustrated in the Screen Wall and Fencing Plan (Attachment 6). The proposed project will include three (3) fence types: wrought iron fencing, steel gate and solid tilt-up screen all. The wrought iron fencing will be utilized within the interior of the project, particularly to secure the employee parking area and along the northern and western property line. A steel sliding gate will be utilized at the access points to the employee parking area and the off-street parking area for trucks/trailers. A solid tilt-up screen wall will be utilized along a portion of the northern property line (along the commercial truck driveway) and the southern property line to screen the project from uses to the south.

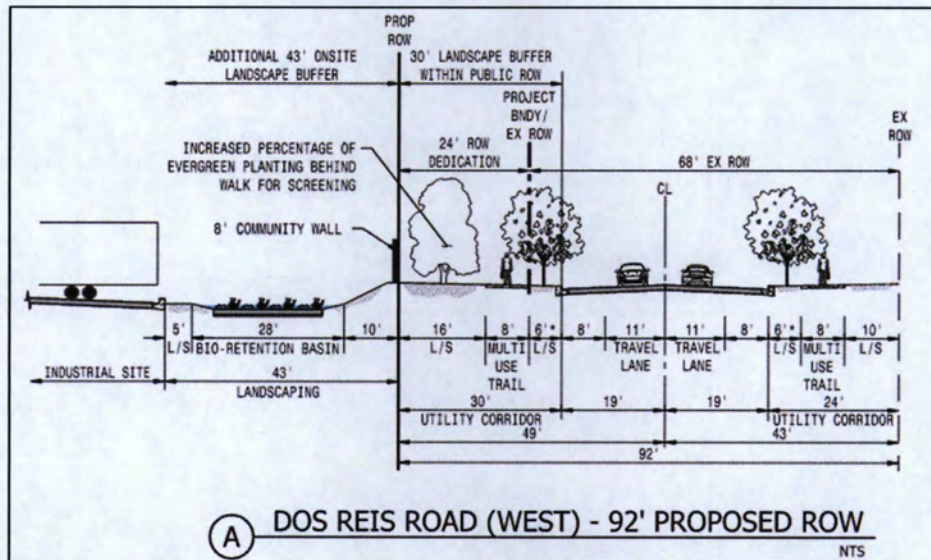
The following is a detail of the screen wall and metal gate:



Screening along Dos Reis Road

The proposed project includes a variety of strategies to screen the building and off-street parking of commercial vehicles and trailers from Dos Reis Road and adjacent properties to the south. These strategies include the following:

1. Installation of an 8-foot tall solid screen wall at the southern property line.
2. Planting of a mixture of deciduous shade trees and large evergreen trees for purposes of screening. As illustrated in the Preliminary Landscape Plan (Attachment 8), Deodar Cedar trees will be planted along Dos Reis Road at a maximum spacing of 40 feet. Deodar Cedar trees are a type of evergreen tree that keep its foliage year-round. Chinese Flame Trees will also be planted along Dos Reis Road to assist in screening. The trees and landscaping will be installed between the 8 foot sidewalk and the 8' wall along Dos Reis Road.
3. Providing an additional landscape buffer along Dos Reis Road. As illustrated in the cross-section of Dos Reis Road below, the project includes an additional 43 foot on-site landscape buffer adjacent to the public right-of-way. In addition to the landscape buffer north of Dos Reis Road within the public right-of-way, there is a total of 73 feet between the roadway and the off-street parking of commercial trucks/trailers.



4. The building is setback 279 feet from the property line, which assists in limiting the sight line from Dos Reis Road. As illustrated in the Sight Line Exhibit below, the building is screened from view from the northern sidewalk along Dos Reis Road.

The applicant has prepared renderings of the proposed screening along Dos Reis Road, with mature trees and associated landscaping. The images below illustrate the proposed landscaping and screening strategies along Dos Reis Road. The full set of renderings are attached to this Staff Report as Attachment 9.



Looking North from Golden Valley Parkway



Looking Northeast from Dos Reis Road

Traffic and Circulation

Passenger vehicle access to the project is provided via Dos Reis Road and S. Manthey Road. As noted above, the proposed project includes two (2) driveways from passenger vehicles, one (1) along Dos Reis Road, east of Golden Valley Parkway and the other along S. Manthey Road. An Emergency Vehicle Access (EVA) driveway is located on Dos Reis Road, west of Golden Valley Parkway.

A Traffic Impact Analysis (TIA) was prepared for the proposed project by TJKM Transportation Consultants. The Traffic Impact Analysis analyzed the following scenarios:

- Existing Conditions – Intersection Level of Service
- Existing Conditions – Freeway Mainline Level of Service
- Baseline Conditions – Intersection Level of Service
- Baseline Conditions – Freeway Mainline Level of Service
- Baseline plus Project Conditions – Intersection Level of Service
- Baseline plus Project Conditions – Freeway Mainline Level of Service
- Cumulative Conditions – Intersection level of Service
- Cumulative plus Project Conditions – Intersection Level of Service

In addition to the Level of Service scenarios analyzed above, the Traffic Impact Analysis included a Vehicle Miles Traveled (VMT) Analysis, consistent with California Environmental Quality Act (CEQA) Guidelines and Senate Bill 743.

**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
ASHLEY FURNITURE PROJECT**

PAGE 11

Trip Generation

To determine the amount of peak hour and daily trips generated by the project, TJKM conducted a 24-hour count at the existing Ashley Furniture facility located on S. Harlan Road. The approximate square footage of the existing Ashley Furniture facility is 525,000 sq. ft. and with this information and data collected from the 24-hour count, TJKM developed trip rates for the proposed project for passenger vehicles and heavy trucks. The following tables illustrate the trip generation for the proposed project.

Table 13: Project Trip Generation for Passenger Vehicles

	Size		Daily		Rate	A.M. Peak				Rate	P.M. Peak			
			Rate	Trips		In:Out	In	Out	Total		In:Out	In	Out	Total
Proposed Uses														
Ashley Furniture	1,500	ksf	1.87	2,798	0.135	61:39	124	79	203	0.170	43:57	110	145	255
Net Trips				2,798			124	79	203			110	145	255

Table 14: Project Trip Generation for Heavy Trucks

Land Use	Size		Daily		Rate	A.M. Peak				Rate	P.M. Peak			
			Rate	Trips		In:Out	In	Out	Total		In:Out	In	Out	Total
Proposed Uses														
Ashley Furniture	1,500	ksf	0.453	680	0.063	15:85	14	81	95	0.030	69:31	31	14	45
Net Trips				680			14	81	95			31	14	45

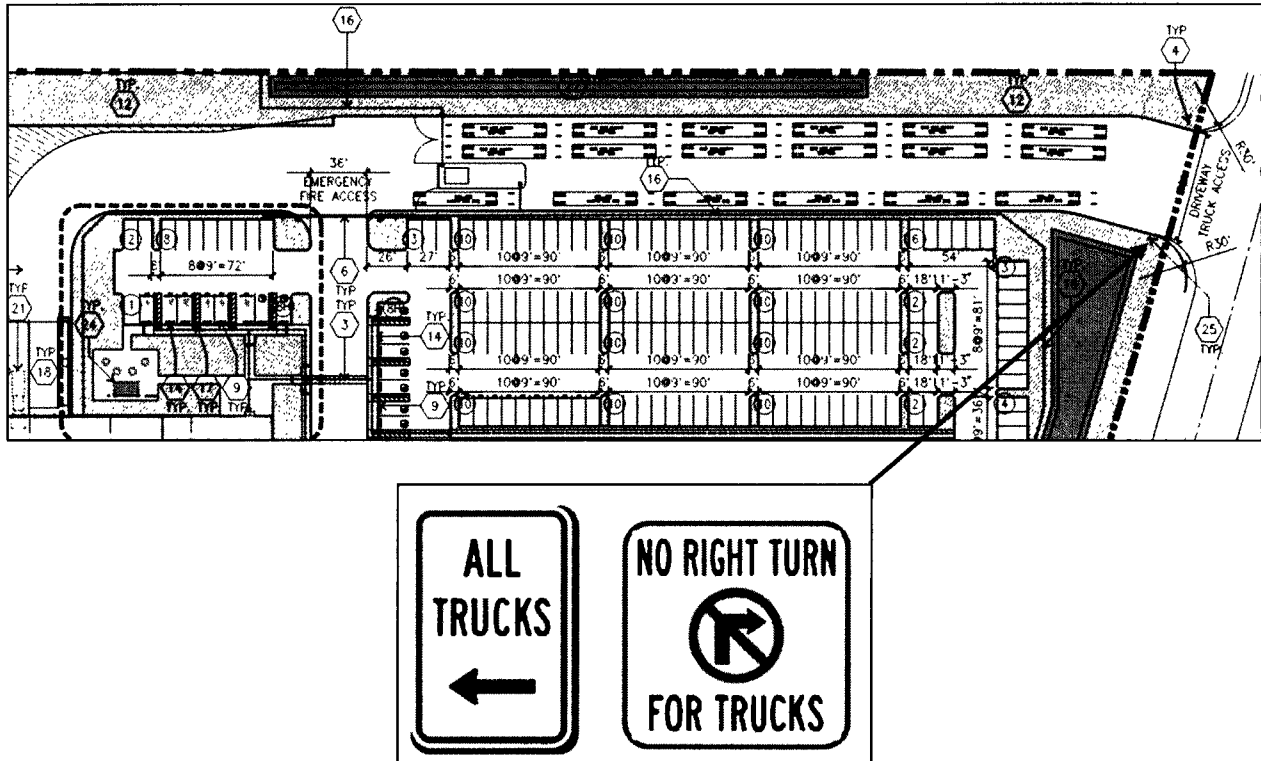
As shown in the table above, the proposed project is projected to generate 2,798 daily passenger vehicles, 203 a.m. peak hour passenger vehicles, and 255 p.m. peak hour passenger vehicles. For heavy trucks, the proposed project is projected to generate 680 daily heavy trucks, 95 a.m. peak hour trucks, and 45 p.m. peak hour trucks.

Trip Distribution

Pursuant to General Plan Implementation Action Lu-5.f and the Central Lathrop Specific Plan Amendment for Phase 2, truck traffic within the Limited Industrial area of the Specific Plan shall be limited to De Lima Road, and any future roadways north of Dos Reis Road, to connect to Manthey Road, Roth Road, and Interstate 5. Additionally, truck dependent development projects shall be prohibited from providing driveway access points off of Dos Reis Road, west of Golden Valley Parkway, other than Emergency Vehicle Access (EVA) (Implementation Action LU-5.f (b)(iii)).

The proposed project includes one (1) driveway dedicated to commercial trucks and is located on S. Manthey Road, within the northeastern portion of the project.

Signage is proposed that will direct traffic north on S. Manthey Road and prohibit trucks from turning right on to S. Manthey Road toward Dos Reis Road and Golden Valley Parkway.



Traffic Impact Analysis Results

The intersection level of service analysis for Baseline plus Project Conditions results in three (3) intersections operating at unacceptable service levels during the a.m. and p.m. peak hour. It is important to note that the following intersection already operates at unacceptable level of service without the addition of project traffic:

- Lathrop Road/I-5 Northbound Ramps degrades to LOS F in the p.m. peak hour, with an increase in average delay of 19.1 seconds.

The following two (2) intersections would degrade from acceptable to unacceptable level of service with the addition of project traffic:

- Lathrop Road-Spartan Way/I-5 Southbound Ramps would degrade from LOS D to LOS E in the a.m. and p.m. peak hour, a substantial degradation.

- Spartan Way/Golden Valley Parkway intersection would degrade from LOS C to LOS E in the a.m. peak hour and LOS D to LOS F in the p.m. peak hour, a substantial degradation.

To improve the traffic flow for the three (3) above noted intersections, the Traffic Impact Analysis recommends the following improvements:

- A separate right-turn lane added to the Lathrop Road/I-5 Northbound off-ramp as well as signal timing to improve the intersection operation to LOS C in the a.m. and p.m. peak hours. The new lane should provide at least 400 ft. of vehicle storage.
- For the Lathrop Road/I-5 Southbound off-ramp, adjusting the signal timing of the existing traffic lights will improve the intersection operate to LOS D in the a.m. and p.m. peak hour. Widening is not necessary for the Baseline plus Project Conditions at the southbound off-ramp.
- For Spartan Way/Golden Valley parkway, the TIA recommends making adjustments to the lane geometry (number of turn lanes, through lanes, and right-turn lanes) to improve the efficiency of the intersection.

These improvements have been incorporated into the proposed project's Conditions of Approval. The TIA is attached to this Staff Report as Attachment 10.

Utilities

Potable water will be supplied to the proposed project by the City of Lathrop via connection to an existing 12" water line in Golden Valley Parkway, south of Dos Reis Road. The CLSP Phase 2 Amendment states that water supply to the plan area will be provided from the City's existing groundwater wells and potable surface water from the South County Surface Water Supply Program (SCSWSP) by the South San Joaquin Irrigation District (SSJID).

Wastewater generated by the project will be treated by the City's Consolidated Treatment Facility (CTF) along Christopher Way, southeast of the project site. The project will connect to an existing 24" sanitary sewer line in Golden Valley parkway, south of Dos Reis Road. As part of the project's Conditions of Approval, the applicant is required to secure sufficient sewer treatment capacity, including treatment at the City's CTF.

Per the CLSP Phase 2 Amendment, stormwater runoff from the plan area is designed to discharge into the San Joaquin River through an existing outfall located near the southwest corner of the CLSP Phase 2 Amendment Plan Area at the end of Dos Reis Road and the existing outfall within the Phase 1 area.

The CLSP Phase 2 Amendment Plan Area consists of two (2) major drainage sheds with underground storage pipes to reduce the peak discharge from the plan area to the San Joaquin River. The project site is located within Watershed 4, which includes both CLSP Phase 1 and the CLSP Phase 2 Amendment areas. The proposed project will connect to the existing 54" Stormdrain line in Golden Valley Parkway, south of Dos Reis Road. Stormwater will be treated on-site with Best Management Practices (BMPs) through a series of bio-detention basins prior to entering the City system. The Civil Plans are attached to this Staff Report as Attachment 7.

Zoning Consistency

The project site will be located within the IL-CL, Limited Industrial Zoning District in which a Zoning Map and Municipal Code Amendment is also being processed by the City for consistency with the recently adopted General Plan. Chapter 17.62, Article 6, and Article 12 will provide guidance and development requirements for projects located within this District. Section 17.62.061 of the Zoning Ordinance will be amended as part of the General Plan consistency effort to state the following: "the IL-CL district is intended to provide opportunities for certain types of limited industrial uses; provide adequate space to meet the needs of modern industrial development, including off-street parking and truck loading areas; and to provide industrial employment opportunities for residents of the city and region." Principal uses include but are not limited to assembly of small electrical equipment and appliances, various manufacturing uses, lumber yards, public utility and public service structures, public buildings and grounds, business parks and incubator spaces, research development industry and business support services and warehouse and distribution facilities. The proposed project is considered a principal use.

Table 17.62.120(B), *Central Lathrop Specific Plan: Industrial Development Standards* provides the development standards required of the IL-CL District, and the table below depicts the conformance determination between the Zoning Ordinance and the proposed project.

**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
ASHLEY FURNITURE PROJECT**

PAGE 15

Development Standard	IL-CL Zone District	Proposed Project
<i>Lot Dimensions</i>		
Lot Size (Minimum)	No Minimum or Maximum Requirement	89.82-acres
<i>Setbacks (Minimum)</i>		
Front/Rear/Side	15 feet / 0 feet / 0 feet	Front: Approximately 418-feet from S. Manthey Road Side: Approximately 279-feet from Dos Reis Road and 220-feet from then northern property line. Rear: Approximately 704-feet from the rear property line.
Maximum Building Height	Seventy-six (76) feet	60-feet
Off-Street Parking	Office – 1 per 400 square feet = 60 spaces Retail – 1 per 600 square feet = 184 spaces Warehouse – 1 per 2,000 square feet = 676 spaces Total required: 920	942 total (Employee stalls = 462) (Public stalls = 480) 1,104 truck and trailer spaces (12' x 30', 40', and 53')
Landscaping	10% of Site shall be landscaped	10.4% (388,618 square feet of landscaping)
Hours of Operation	No Specific Limit	Retail – 9:00 am to 9:00pm Office – TBD Distribution – TBD

Based on Staff's review, the proposed project is consistent with the requirements of the IL-CL Zoning District.

Design Guidelines

The Central Lathrop Specific Plan (CLSP) Phase 2 Amendment includes a variety of principles and standards related to land use, site design, and architecture. Staff has reviewed the proposed project Site Plan, Building Elevations, Landscape Plans, and Architecture (Attachments 6 through 8) and has determined that overall compliance with the Design Guidelines listed in the CLSP Phase 2 Amendment has been achieved.

Where applicable, Conditions of Approval have been incorporated to the proposed project to address the following improvements: perimeter wall treatment, on-site lighting, screening of exterior building equipment (e.g., mechanical equipment, A/C, etc.), screening of commercial truck and trailer storage, and landscape buffer requirements and treatment.

General Plan

The project site has a General Plan Land Use Designation of LI, Limited Industrial. The intent of the IL land use designation is to, "accommodate a wide range of jobs-generating uses, including business parks; clean light industrial; research and development (R&D); science, technology, engineering, and math (STEM); tech/biotech manufacturing; high-tech services that incorporate some combination of assembly, warehousing, and/or sales, hospitals and other health care-related uses, warehouses and distribution centers."

The Ashley Furniture Project has been reviewed by Staff for consistency with the General Plan and finds that the proposed project is consistent with the following General Plan Policies and Implementation Actions (consistency statements are in italics):

- LU-5.1** Require new development to be compatible and complementary to existing development. Where appropriate and feasible, promote connections between neighborhoods and services and facilities.

As noted above, the subject property has a General Plan Land Use Designation of LI, Limited Industrial and will be located within the Central Lathrop Specific Plan (CLSP) Phase 2 Amendment area IL, Limited Industrial Zoning District. The proposed project would improve and extend Golden Valley Parkway and construct a roundabout at the intersection of Dos Reis Road and Golden Valley Parkway which would provide connection to the CLSP Phase 1 area for passenger vehicles. The proposed use is compatible with the IL, Limited Industrial Zoning District and the CLSP Phase 2 Amendment.

- LU-5.4** In industrial areas located within 1,000 feet of existing or planned sensitive receptors, promote industrial uses that are environmentally sustainable with limited potential to create nuisances such as noise and odors.

An Environmental Noise Assessment, prepared by Saxelby Acoustics and a Health Risk Assessment (HRA), prepared by De Novo Planning Group were prepared to analyze the noise and health risks impacts associated with the proposed project, respectively.

**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
ASHLEY FURNITURE PROJECT**

PAGE 17

As noted in the Environmental Noise Assessment, the City's General Plan limits stationary noise increases to 3 dBA, or the City's noise standards (daytime (7:00 am to 10:00 pm) maximum of 55 dBA and nighttime (10:00 pm to 7:00 am) maximum of 45 dBA). The average ambient noise level during nighttime hours at the closest sensitive receptors to the southwest is 54 dBA L_{eq} . At the sensitive receptors to the southwest, a project-generated noise level of 51 dBA L_{eq} would result in a total noise level of 54 dBA L_{eq} , resulting in a 3dBA increase. Therefore, the nighttime noise level standard applicable to the proposed project is 51 dBA L_{eq} .

The primary noise source associated with operation of the proposed project is truck and automobile circulation and loading docks. Single family residential land uses are located to the north, west, and south of the project, Lathrop High School is located to the west of the project, and Interstate 5 is located directly east of the project. Saxelby Acoustics conducted noise measurements at the existing Ashley Facility located on S. Harlan Road. Measurements were conducted in the loading dock area during a weekday peak hour of use. Activities during the peak hour include truck arrival/departures, truck idling, truck backing, air brake release, passenger vehicle trips to and from docks, and operation of forklifts. Loading dock activity was found to generate continuous average noise levels of approximately 57 dBA L_{eq} at the edge of the truck maneuvering lanes, approximately 120 feet from the façade of the building at the center of the loading area. Saxelby Acoustics took these measurements and utilized SoundPLAN to predict noise levels for the proposed project.

The proposed project is predicted to generate noise levels up to 45 dBA L_{eq} at the nearest residences to the southwest and 39 dBA L_{eq} at the residences to the northeast, resulting in a maximum increase of 0.9 dBA at nearby residences. This complies with the adjusted nighttime noise level standard of 51 dBA L_{eq} and limit of 3 dBA increase. Therefore, the Environmental Noise Assessment did not recommend any additional noise control measures to achieve compliance with the City's noise level standards.

Although not specifically required to achieve noise level standards, the proposed project includes an 8-foot tall solid wall along the southern property line and a portion of the northern property as required by the Lathrop Municipal Code when an industrial use is adjacent to a residential use and for screening purposes along Dos Reis Road. This will assist in reducing noise exposure from the operation of the Ashley Furniture project. Additionally, the project is required to adhere to California Air Resources Board (CARB) rules and regulations for use of diesel fueled fleets, including limiting the idling time for heavy trucks to five (5) minutes.

The HRA was prepared to evaluate whether or not the estimated construction and operational toxic air contaminant (TAC) emissions generated from the proposed project will cause significant impacts to the local air resources in the project area, in particular, sensitive receptors such as residences located in proximity to the project. The results of the risk analysis indicate that cancer risks vary depending on the exposure scenario (residential or worker) and on location. Locations nearest the project site have the greatest exposure and the associated risks are considerably lower as distance from the project site increases. None of the exposure levels at any of the nearby sensitive receptors exceed any of the thresholds of significance established by the San Joaquin Valley Air Pollution Control District (SJVAPCD) for residents or workers. This finding applies to both cancer risks and non-cancer chronic long term exposure to diesel particulate matter (DPM).

- LU-5.5** Ensure that industrial development projects, including warehouse, distribution, logistics, and fulfillment projects, mitigate adverse impacts (including health risks and nuisances) to nearby residential land uses and other existing and planned sensitive receptors.

As noted above, a Health Risk Assessment, prepared by De Novo Planning Group has been prepared as part of the Environmental Checklist. The HRA findings are described above. The HRA concluded that the project would not exceed any of the applicable thresholds of significance related to toxic air contaminants and health risks.

- LU-5a** Through the development review process, screen development proposals for land use and transportation network compatibility with existing surrounding or abutting development or neighborhoods.

As noted above, a Traffic Impact Analysis (TIA) was prepared for the proposed project by TJKM Transportation Consultants to evaluate the impacts of the transportation infrastructure due to the addition of traffic from the proposed project. The report also evaluates project site access and on-site circulation for vehicles, bicycles, and pedestrians. The proposed project includes a dedicated truck driveway located at the northeastern portion of the project site with full access to S. Manthey Road. This driveway is approximately 488-feet in length and provides double-stacking for trucks entering the site and a single lane exiting the site. As required by the City's General Plan, trucks are prohibited from utilizing Golden Valley Parkway, Dos Reis Road west of Golden Valley Parkway, Spartan Way, and Lathrop Road. As such, trucks entering and exiting the site will utilize Roth Road and S. Manthey Road.

- LU-5.b** Through the development review process, analyze land use compatibility and require adequate buffers and/or architectural enhancements to protect sensitive receptors from intrusion of development activities that may cause unwanted nuisances and health risks.

The proposed project includes a landscape buffer and screening along Dos Reis Road. The buffer includes a 43 feet of on-site landscaping in addition to the 30 feet of landscaping within the public right-of-way adjacent to Dos Reis Road. Landscaping will include a mixture of deciduous shade trees and large evergreen trees for the purpose of screening.

- LU-5.c** When industrial projects, including warehouse projects, fulfillment centers, and other projects that may generate high volumes of truck trips and/or air quality emissions are proposed within 1,000 feet of existing or planned residential uses or other sensitive receptors, the City shall require the preparation of a Health Risk Assessment (HRA) that meets the standards established by the Office of Environmental Hazard Assessment (OEHHA), and the San Joaquin Valley Air Pollution Control District (SJVAPCD). Projects shall not be approved until it can be demonstrated that the project would not result in an exceedance of the established threshold of significance for public health risks at nearby sensitive receptors.

As noted above, an HRA, prepared by De Novo Planning Group, has been prepared as part of the Initial Study Checklist. The HRA was prepared in accordance with the standards established by OEHHA and SJVAPCD. The HRA findings are presented above.

- LU-5.d** When industrial projects, including warehouse projects, fulfillment centers, and other projects that may generate high volumes of truck trips and/or air quality emissions are proposed within 1,000 feet of existing or planned residential uses or other sensitive receptors, the City shall require the implementation of best management practices (BMPs) to reduce pollution exposure to sensitive receptors, particularly diesel particulate matter (DPM). The appropriate BMPs shall be established on a case-by-case basis, and should consider the following tools, methods, and approaches:

- Creating physical, structural, and/or vegetative buffers that adequately prevent or substantially reduce pollutant dispersal between warehouses and any areas where sensitive receptors are

likely to be present, such as homes, schools, daycare centers, hospitals, community centers, and parks.

- Providing adequate areas for on-site parking, on-site queueing and truck check-in that prevent trucks and other vehicles from parking or idling on public streets.
- Placing facility entry and exit points from the public street away from sensitive receptors, e.g., placing these points on the north side of the facility if sensitive receptors are adjacent to the south side of the facility. Exceptions can be made for emergency vehicle access (EVA) points.
- Locating warehouse dock doors and other onsite areas with significant truck traffic and noise away from sensitive receptors.
- Screening dock doors and onsite areas with significant truck traffic and noise with physical, structural, and/or vegetative barriers that adequately prevent or substantially reduce pollutant dispersal from the facility towards sensitive receptors.
- Posting signs clearly showing the designated entry and exit points from the public street for trucks and service vehicles.
- Posting signs indicating that all parking and maintenance of trucks must be conducted within designated on-site areas and not within the surrounding community or public streets.

The proposed project is consistent with Implementation Action LU-5.d as follows:

- *As noted above, the proposed project includes the construction of an 8 foot tall solid wall along the majority of the southern property line and a portion of the northern property line. Additionally, the proposed project includes a on-site landscape buffer along Dos Reis Road approximately 43-feet in width and 30 feet of landscaping within the public right-of-way.*
- *Off-street parking is provided for passenger vehicles (employee parking and customer/public parking) and for commercial trucks and trailers. As noted above, the amount of off-street parking provided exceeds the minimum required pursuant to the Lathrop Municipal Code.*

- *The proposed project includes one (1) dedicated driveway for trucks, located along S. Manthey Road at the northeastern portion of the project site. The driveway allows stacking of approximately 488-feet with two (2) entry lanes and one (1) exit lane. Automobile driveways are located along S. Manthey Road (primary entry/exit) and Dos Reis Road. An additional Emergency Vehicle Access (EVA) driveway is located on Dos Reis Road, west of Golden Valley Parkway.*
- *As noted above, the warehouse dock doors are located on the north and south sides of the proposed building.*
- *As noted above, the proposed project includes screening via an 8 foot solid wall and landscaping along the majority of the southern property line. Additionally, an 8 foot solid wall will be constructed along a portion of the northern property line, screening the truck entrance/exit drive aisle.*
- *The proposed project will be required to place on-site and off-site signage indicating that trucks must adhere to the City's Truck Route Ordinance.*

LU-5.f Update the Central Lathrop Specific Plan (CLSP) to accomplish the following objectives:

- a. Bring the Specific Plan's land use map into consistency with the General Plan Land Use Map (Figure LU-1)
- b. Establish a circulation network that keeps future truck trips as far from existing and planned sensitive receptors as feasible; this includes, but not limited to, the following requirements, which shall be incorporated into the Specific Plan:
 - i. Trucks shall be prohibited on Dos Reis Road west and east of Golden Valley Parkway, on Golden Valley Parkway south of Dos Reis Road to Lathrop Road, and on Lathrop Road east of Golden Valley Parkway to Interstate 5 southbound off-ramp.
 - ii. Future truck dependent development projects shall be prohibited from providing driveway access points off of Dos Reis Road, west of Golden Valley Parkway, other than emergency vehicle access (EVA).

- iii. Truck traffic within the Limited Industrial Area of the Central Lathrop Specific Plan shall be limited to De Lima Road, and any future roadways north of Dos Reis Road, to connect to Manthey Road, Roth Road, and Interstate 5.
- c. Establish site design standards for new industrial projects;
- d. Identify financing and cost-recovery methods to fund roadway and infrastructure improvements.
- e. Circulation design standards that promote safe transportation routes that limit impacts to developed areas to the south, and connectivity enhancements to provide better connectivity to I-5.
- f. Infrastructure improvements to improve roadway operations.
- g. Opportunities to provide employee-serving amenities onsite, such as parks and plazas, outdoor seating areas, fitness facilities, and daycare centers as a means to reduce vehicle trips, while supporting air quality, public health, and sustainability goals.
- h. Include provisions that all development projects proposed north of Dos Reis Road and south of De Lima Road be required to obtain a Conditional Use Permit (CUP), which shall be subject to discretionary review by the City Council.

The proposed project is consistent with the CLSP Phase 2 Amendment design guidelines, policies, and land uses. The City is processing the CLSP Phase 2 Amendment concurrently with the Zoning Consistency Update and the Ashley Furniture Project. The CLSP Phase 2 Amendment has been prepared consistent with the requirements established by this General Plan Action.

Conditional Use Permit

The General Plan and Central Lathrop Specific Plan (CLSP) Phase 2 Amendment requires all development projects proposed between Dos Reis Road and De Lima Road to obtain a Conditional Use Permit (CUP) subject to discretionary review by the Planning Commission and the City Council.

**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
ASHLEY FURNITURE PROJECT**

PAGE 23

The Planning Commission and City Council must make certain findings when approving a Conditional Use Permit:

1. That there are circumstances or conditions applicable to the land, structure, or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right;
2. That the proposed location of the conditional use is in accordance with the objectives of the zoning code and the purposes of the district in which the site is located;
3. That the proposed use will comply with each of the applicable provisions of this the LMC.

Staff has reviewed each of the findings presented above and suggests that the proposed project location is consistent with the City's zoning code and is a permitted use within the zoning district in which the site is located.

Site Plan Review

In accordance with Chapter 17.100, *Site Plan Review*, of the Lathrop Municipal Code (LMC), the Planning Commission must make the following findings when approving a Site Plan:

1. That the site plan complies with all applicable provisions of this chapter;
2. That the site improvements listed (a. through i.) are so arranged that traffic congestion is avoided and that pedestrian and vehicular safety and welfare are protected, and there will not be adverse effect on surrounding property;
3. Proposed lighting is so arranged as to deflect the light away from adjoining properties;
4. Proposed signs will comply with all of the applicable provisions of Section 17.16.010 and Chapters 17.64 through 17.72, 17.80 and 17.84;
5. That adequate provision is made to reduce adverse or potentially adverse environmental impacts to acceptable levels.

Staff has reviewed each of the findings presented above and suggests that the proposed project has been designed so that the use is compatible with the surrounding land uses and will not be detrimental to the health, safety, or general welfare of the City.

**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
ASHLEY FURNITURE PROJECT**

PAGE 24

Conditions of Approval

Planning staff routed the project plans on February 14, 2023 and May 17, 2023 to the Building Division, Public Works Department, Lathrop-Manteca Fire District, Lathrop Police Department for review and to ensure compliance with applicable codes and requirements. Planning staff also routed the project plans on June 1, 2023 to various non-City agencies. The City received comments from the following agencies:

- Caltrans
- San Joaquin Council of Governments
- San Joaquin County Environmental Health Department
- San Joaquin Valley Air Pollution Control District
- South San Joaquin Irrigation District
- Pacific Gas & Electric

The Caltrans letter stated that the project has the potential to significantly impact the interchange and requested that a Traffic Impact Study be submitted to Caltrans for review and comment prior to project approval.

As noted above, City staff routed the Traffic Impact Analysis, prepared by TJKM to Caltrans on July 12, 2023. The City received a letter from Caltrans on August 9, 2023 with comments on the Traffic Impact Study. The majority of the comments were associated with the technical aspects of the Traffic Impact Study, such utilizing Caltrans' Three County Travel Demand Model, trip count year, and request for an explanation why Lathrop Interchange is not being utilized by trucks. TJKM will continue to work with Caltrans to refine the Traffic Impact Study. As noted above, the applicant will be required to construct a separate right-turn lane to the Lathrop Road/I-5 Northbound off-ramp (400 ft. of vehicle storage) which will require an Encroachment Permit from Caltrans. The applicant is working with Caltrans to address their concerns.

SJCOG provided information regarding the project's participation in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) and that the project is located within the Airport Influence Zone pursuant to the Airport Land Use Compatibility Plan (ALUC). Additional review has been completed by SJCOG and the project was found to be compatible with the ALUC.

The San Joaquin County Environmental Health Department provided requirements for geotechnical drilling and process for abandonment and destruction of any wells or septic systems on the property.

San Joaquin Valley Air Pollution Control District (SJVAPCD) provided comments on measures to reduce air quality impacts associated with diesel vehicles and industrial projects, instructions for preparation of a Health Risk Screening/Assessment and the District's Rules and Regulations.

The Pacific Gas & Electric (PGE) letter provided requirements for planting trees and shrubs along S. Manthey Road and underneath existing PG&E overhead pole line and that any planting in this area must comply with PG&E's guide to *Trees and Shrubs for Power Line-Friendly Landscaping*.

As a result, staff developed a consolidated list of conditions (Attachment 3). Staff finds that the proposed project has been properly conditioned to meet the City's standards and requirements.

Public Notice

A Notice of Public Hearing was advertised in the Manteca Bulletin on September 27, 2023. Staff also mailed the public hearing notice to notify property owners located within a 300-foot radius from the project site boundary. In addition, the Public Notice was emailed to the City's Public Hearing subscribers and interested parties and posted at three (3) locations accessible to the public and the City website.

PLANNING COMMISSION:

On September 13, 2023, the Planning Commission held a public hearing on the proposed Conditional Use Permit (CUP-23-08) and Site Plan Review (SPR-23-09) for the Ashley Furniture Project. The Planning Commission received written correspondence from Lozeau Drury, LLP, representing LIUNA regarding the City's environmental analysis for the Ashley Warehouse Project prepared under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 (the "Environmental Analysis"). The comment letter incorrectly asserts that additional CEQA analysis must be completed for the Ashley Warehouse project, and the City must adopt a statement of overriding considerations.

The City relied on the exemption provisions provided under Public Resources Code Section 21083.3 and Section 15183 of the CEQA Guidelines. Public Resources Code Section 21083.3 and corresponding State CEQA Guidelines Section 15183 allows a streamlined environmental review process for projects that are consistent with the densities established by existing zoning, community plan or general plan policies for which an EIR was certified. The Ashley Warehouse project is consistent with the City of Lathrop General Plan land uses and development intensities designated on the project site.

**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
ASHLEY FURNITURE PROJECT**

PAGE 26

As such, the application of CEQA to the approval of development projects, such as the proposed Ashley Project, shall be limited to effects on the environment which are peculiar to the parcel or to the Project and which were not addressed as significant effects in the prior environmental impact report, or which substantial new information shows will be more significant than described in the prior environmental impact report. (Pub. Res. Code § 21083.3.) Further, an effect of a project on the environment is not considered peculiar to the parcel or the project, if uniformly applied development policies or standards have been adopted by the local agency with a finding that they will substantially mitigate that effect when applied to future projects. (State CEQA Guidelines § 15183(f).)

The lead agency must make a finding at a public hearing that any mitigation measures in the prior EIR that apply to the project's specific effects, and that the lead agency found to be feasible, will be undertaken. (Pub. Res. Code § 21083.3(c); State CEQA Guidelines § 15183(e).) The City has done that here, by incorporating relevant policies, actions, standards, and other mitigating requirements as Conditions of Approval for the Ashley Warehouse project. These requirements and standards are specifically identified throughout the Environmental Analysis the City prepared for the Ashley Warehouse project. Such a finding is not required for potentially significant environmental effects that are *not* considered peculiar to the parcel or the project if uniformly applied development policies or standards were previously adopted by the agency with a finding that the policies or standards would substantially mitigate the environmental effect when applied to future projects. (State CEQA Guidelines § 15183(f).) When the agency has failed to make such a finding previously, it can do so when it approves the later project.

Often, such certified prior EIRs are Program EIRs and, in fact, the factual questions as to whether project impacts fall within the scope of the prior EIR are very similar. As to reliance on a Program EIR, later activities are examined to determine whether an additional environmental document must be prepared. (State CEQA Guidelines § 15168(c).) As the commenter notes, if a later activity would result in environmental effects that were not examined in the Program EIR, the agency must prepare an initial study to determine whether an EIR or negative declaration is required to address those effects. (*Id.*) However, as is the case here, if a later activity would not have any effects that were not examined in the Program EIR (including any new or more severe impacts), the agency can approve the activity as being within the scope of the project covered by the Program EIR, and no new environmental document would be required. (*Id.*)

Factors that an agency may consider in determining whether a later activity is within the scope of a Program EIR include “consistency of the later activity with the type of allowable land use, overall planned density and building intensity, geographic area analyzed for environmental impacts, and covered infrastructure as described in the program EIR.” (State CEQA Guidelines § 15168(c).) An agency must incorporate feasible mitigation measures and alternatives developed in the Program EIR into later activities in the program. (*Id.*) “Where the later activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were within the scope of the program EIR.” (*Id.*)

The City’s Environmental Analysis complies with both Section 15183 and Section 15168 of the State CEQA Guidelines. The commenter claims that an EIR is required for the Project. While the applicability of the exemption provided by State CEQA Guidelines 15183 does not turn on whether the City completes some form of preliminary review, here the City did use an environmental checklist which identifies whether or not each CEQA Appendix G environmental checklist question, and its corresponding impacts, were adequately addressed in the Lathrop General Plan EIR, if there is a significant impact due to new information, or if the Project would result in a significant impact peculiar to the Project site that was not adequately addressed in the General Plan EIR. The Environmental Analysis identifies the applicable City of Lathrop development standards and policies that would apply to the proposed Project during both the construction and operational phases, identifies applicable state-level standards and requirements, and explains how the application of these uniformly applied standards and policies would ensure that no peculiar or site-specific environmental impacts would occur.

The commenter states that potential impacts to biological resources were not properly analyzed in the General Plan EIR or the Environmental Analysis. As demonstrated in the Environmental Analysis, all potential impacts related to biological resources specific to the project site were analyzed in detail, and it was determined that no significant or site-specific impacts would occur. With respect the valley elderberry longhorn beetle, the Environmental Analysis and the supporting Biological Resources Analysis Report (Attachment A of the Environmental Analysis) specifically address potential impacts to this federally-protected species, and uniformly applied standards and procedures are identified in order to ensure that no impacts to this species occur. As described on page 49 of the Environmental Analysis, an elderberry shrub (*Sambucus* sp.) was identified along the western fence line of the warehouse site. Elderberry is the host plant of the Valley elderberry longhorn beetle (VELB) (*Desmocerus californicus dimorphus*). If the plant can be maintained on the warehouse site, then a 20 foot setback buffer will need to be established around it’s dripline. If the plant cannot be maintained on the warehouse site, then VELB exit hole surveys will need to be conducted as outlined in the USFWS protocol (USFWS 2017).

Whether or not exit holes are identified will determine the required mitigation measures necessary under the SJMSCP (SJCOG 2000). As further noted on page 52 of the Environmental Analysis, a series of requirements have been imposed on the project to reduce any potential impacts to this species. These requirements comply with guidelines established by the USFWS and the SJMSCP and have been made conditions of approval for the project. The implementation of these measures and requirements would ensure that no significant impacts occur to this resource. As such, the project would not result in any impacts related to this environmental topic that are peculiar or site specific.

With respect to potential impacts to Swainson's Hawk, as noted on page 51 of the Environmental Analysis, no nesting hawks are located on the project site. While the conversion of the site to developed uses would convert potential foraging habitat, this conversion of foraging habitat is specifically contemplated under the SJMSCP, in which the project is required to participate via the payment of fees. According to Chapter 1 of the SJMSCP, its key purpose is to "provide a strategy for balancing the need to conserve open space and the need to convert open space to non-open space uses, while protecting the region's agricultural economy; preserving landowner property rights; providing for the long-term management of plant, fish and wildlife species, especially those that are currently listed, or may be listed in the future, under the Federal Endangered Species Act (ESA) or the California Endangered Species Act (CESA); providing and maintaining multiple use Open Spaces which contribute to the quality of life of the residents of San Joaquin County; and, accommodating a growing population while minimizing costs to project proponents and society at large."

In addition, the goals and principles of the SJMSCP include the following:

- Provide a County-wide strategy for balancing the need to conserve open space and the need to convert open space to non-open space uses, while protecting the region's agricultural economy.
- Preserve landowner property rights.
- Provide for the long-term management of plant, fish, and wildlife species, especially those that are currently listed, or may be listed in the future, under the ESA or the CESA.
- Provide and maintain multiple-use open spaces, which contribute to the quality of life of the residents of San Joaquin County.
- Accommodate a growing population while minimizing costs to project proponents and society at large.

In addition to providing compensation for conversion of open space to non-open space uses, which affect plant and animal species covered by the SJMSCP, the SJMSCP also provides some compensation to offset impacts of open space conversions on non-wildlife related resources such as recreation, agriculture, scenic values and other beneficial open space uses. Specifically, the SJMSCP compensates for conversions of open space to urban development and the expansion of existing urban boundaries, among other activities, for public and private activities throughout the County and within Escalon, Lathrop, Lodi, Manteca, Ripon, Stockton, and Tracy.

The commenter further asserts, without providing any supporting evidence, that traffic induced by the proposed project would lead to collisions with wildlife. Traffic volumes generated by the proposed project are consistent with the cumulative traffic volumes throughout the project vicinity and larger Lathrop General Plan Planning Area, which were the subject of detailed analysis in the General Plan EIR. The General Plan EIR included a cumulative analysis of potential impacts to biological resources associated with General Plan buildout. There is nothing peculiar about the project site that indicates the potential for site-specific impacts to wildlife.

The commenter asserts that the Environmental Analysis does not address potential energy impacts peculiar to the proposed Ashley Warehouse facility. However, the commenter provides no supporting evidence that the project would result in a wasteful or inefficient use of energy. As noted in the Environmental Analysis, on page 66, the proposed project would be in compliance with all applicable Federal, State, and local regulations regulating energy usage. Project-related electricity use results in indirect emissions, due to electricity generation activities occurring at off-site power plant locations. For the warehouse project, electrical power will be supplied by PG&E. PG&E is in the process of implementing the Statewide Renewable Portfolio Standard (RPS) to increase the proportion of renewable energy (e.g. solar and wind) within its energy portfolio. Additionally, energy-saving regulations, including the latest State Title 24 building energy efficiency standards ("part 6"), would be applicable to the proposed project. Other Statewide measures, including those intended to improve the energy efficiency of the statewide passenger and heavy-duty truck vehicle fleet (e.g. the Pavley Bill and the Low Carbon Fuel Standard), would improve vehicle fuel economies, thereby conserving gasoline and diesel fuel. These energy savings would continue to accrue over time. As a result, the proposed warehouse project would not result in any significant adverse impacts related to project energy requirements, energy use inefficiencies, and/or the energy intensiveness of materials by amount and fuel type for each stage of the project including construction, operations, maintenance, and/or removal. PG&E, the electricity and natural gas provider to the site, maintains sufficient capacity to serve the proposed project. The proposed warehouse project would comply with all adopted energy standards, including those adopted by the City of Lathrop, and would not result in significant adverse impacts on energy resources.

For these reasons, the proposed warehouse would not be expected cause an inefficient, wasteful, or unnecessary use of energy resources nor cause a significant impact on any of the threshold as described by Appendix G of the CEQA Guidelines.

The proposed warehouse project is consistent with the adopted vision and uses identified within the General Plan, and would not result in any new or increased energy-related impacts beyond those that were already addressed in the General Plan EIR.

The commenter expresses skepticism over the results of the project-specific and states that CalEEMod input files should be made available. These files are available to the public.

As described in detail above, contrary to the commenter's assertions, as evaluated in the City's Environmental Analysis, there are no significant impacts associated with the proposed project that would be different from, or exceed the level of severity of any significant impacts identified in the General Plan EIR. As such, there is no need for the City to prepare further environmental review or adopt a Statement of Overriding Considerations for the proposed Ashley Warehouse project.

Written correspondence from LIUNA is attached to this Staff Report as Attachment 12.

After review and consideration of all information provided, and after taking and considering all public testimony, the Planning Commission voted unanimously (4-0) to adopt Resolution No. 23-13, recommending the City Council find the project exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183 and approve the Conditional Use Permit (CUP-23-08) and Site Plan Review (SPR-23-09) for the proposed Ashley Furniture Project. The Planning Commission Resolution is attached to this Staff Report as Attachment 11.

CEQA REVIEW:

California Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183 allows for a streamlined environmental review process for projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.

If the above qualifications are met, as stated in Section 15183(b), "a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:

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

A detailed environmental analysis, prepared in the form of an Environmental Checklist with supporting technical analysis, has been prepared by De Novo Planning Group, to provide analysis of three distinct, yet closely related actions being contemplated by the City. These include an update to the Lathrop Municipal Code (LMC) and Zoning Map (Zoning Consistency Update), and update to the Phase 2 (CLSP Phase 2 Amendment) and the proposed Ashley Furniture Project.

The three (3) projects are being implemented as a result of the City's comprehensive General Plan update, which was adopted on September 19, 2022. The General Plan Update provides a framework for future growth and projects the development reasonably expected during the build-out of the City. The Lathrop General Plan Update EIR analyzed the environmental impacts associated with adoption and implementation of the General Plan. All three of the actions analyzed in the Environmental Checklist are consistent with the General Plan, and were analyzed and accounted for in the General Plan EIR.

- Biological Resources Analysis Report;
- Preliminary Geotechnical Engineering Report;
- Phase 1 Environmental Site Assessment Report;
- Shallow Soil Investigation Report;
- The CLSP Phase 2 Document;
- Acoustical Assessment;
- Air Quality-Health Risk Assessment Technical Report;
- Traffic Impact Analysis; and
- Ashley Furniture Project CalEEMod output file.

The Environmental Analysis includes a discussion and analysis of any peculiar or site-specific environmental impacts associated with adoption of the Municipal Code and Zoning Map Update, adoption of the CLSP Phase 2 Amendment, and construction and operation of the proposed Ashley Furniture Project.

The Environmental Analysis identifies whether or not each CEQA Appendix G environmental checklist question, and its corresponding impacts, were adequately addressed in the 2022 Lathrop General Plan EIR, if there is a significant impact due to new information, or if the project would result in a significant impact peculiar to the project site that was not adequately addressed in the General Plan EIR. The Environmental Analysis identifies the applicable City of Lathrop development standards and policies that would apply to the proposed project during both the construction and operational phases, identifies applicable minimization measures from the General Plan EIR that must be implemented, identifies applicable state-level standards and policies that would ensure that no peculiar or site-specific environmental impacts would occur.

The Environmental Analysis concluded that the proposed project is consistent with the land uses and development intensities assigned to the project site by the General Plan. Impacts from buildout of the General Plan including cumulative impacts associated with development and buildout of the CLSP Phase 2 plan area and the Ashley Furniture Project, as proposed, were fully addressed in the General Plan EIR (State Clearinghouse No. 2021100139), and implementation of the proposed project would not result in any new or altered impacts beyond those addressed in the General Plan EIR.

All project requirements identified in the Environmental Checklist are incorporated in project Consolidated Conditions of Approval (Attachment 3). The Environmental Checklist is attached to this Staff Report as Attachment 10.

RECOMMENDATION:

The Planning Commission and staff recommend that the City Council consider all information provided and submitted, take and consider all public testimony and, if determined to be appropriate, adopt a Resolution to Find the Project Exempt from Further Environmental Review Pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183 and Adopt a Resolution to Approve a Conditional Use Permit and Site Plan Review for the Ashley Furniture Project.

**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
ASHLEY FURNITURE PROJECT**

PAGE 33

FISCAL IMPACT:

All application processing fees and costs are charged to the applicant. The request has no fiscal impact to the City.

ATTACHMENT:

1. City Council Resolution to Find the Project Exempt from Further Environmental Review Pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183
2. City Council Resolution to Approve a Conditional Use Permit and Site Plan Review for the Ashley Furniture Project
3. Consolidated Conditions of Approval, dated September 13, 2023
4. Vicinity Map
5. Project Description
6. Architectural Plans
7. Preliminary Civil Plans
8. Preliminary Landscape Plan
9. Perspective Views/Renderings
10. Environmental Checklist, prepared by De Novo Planning Group, dated August, 2023 with Appendices
11. Planning Commission Resolution No. 23-13 Recommending City Council Approval
12. Comment Letter, dated September 13, 2023, from Lozeau Drury LLP regarding the Ashley Furniture Project

**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
ASHLEY FURNITURE PROJECT**

PAGE 34

APPROVALS:



David Niskanen
Contract Planner

10/4/2023

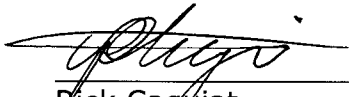
Date



John B. Anderson
Contract Planner

10/4/2023

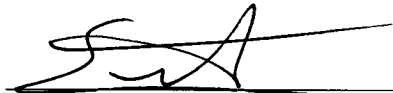
Date



Rick Caguiat
Community Development Director

10/4/23

Date



Salvador Navarrete
City Attorney

10.4.2023

Date



Stephen J. Salvatore
City Manager

10.4.23

Date

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP FINDING THE PROJECT EXEMPTION FROM FURTHER ENVIRONMENTAL REVIEW PURSUANT TO PUBLIC RESOURCES CODE SECTION 21083.3 AND CEQA GUIDELINES SECTION 15183 (CUP-23-08 AND SPR-23-09)

WHEREAS, the City of Lathrop City Council held a duly noticed public hearing to consider the Conditional Use Permit and Site Plan Review pursuant to the General Plan and Lathrop Municipal Code; and

WHEREAS, the request is for approval of a Conditional Use Permit and Site Plan Review to allow the construction of an approximately 1.5 million square foot concrete tilt-up building and all necessary supporting infrastructure on a property located within the Central Lathrop Specific Plan Phase 2 Amendment area as further defined below in the third recital (the proposed Project or the Project); and

WHEREAS, the property is located at 14101 S. Manthey Road (APN: 192-020-14) (the property); and

WHEREAS, prior to the City's approval of the 2022 General Plan Update, the City prepared an Environmental Impact Report (EIR) which analyzed the environmental impacts of buildout under the General Plan Update pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, et. seq.), and the City of Lathrop City Council certified the Final EIR on September 19, 2022 (State Clearinghouse #2021100139); and

WHEREAS, the analysis in the General Plan Update EIR allows the use of CEQA exemption/streamlining provisions for projects under the General Plan Update, including the proposed Project; and

WHEREAS, an Environmental Checklist has been prepared for the proposed Project, which is attached to the City Council Staff Report as Attachment 9 and can also be found in the Planning Division project files located at 390 Towne Centre Drive, Lathrop, CA 95330; and

WHEREAS, the City Council finds that the proposed Project is consistent with the Limited Industrial land use goals and policies of the City of Lathrop General Plan and is also consistent with the development standards for the IL-CL, Limited Industrial Zoning District and the Central Lathrop Specific Plan Phase 2 Amendment as further implemented through the Zoning Code Text Amendment; and

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public hearing on September 13, 2023, to consider the proposed Project and after reviewing and considering all information provided and submitted, and after taking and considering all public testimony adopted Resolution No. 23-13 recommending City Council find the Project exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183; and

WHEREAS, proper notice of this public hearing was given in all respects as required by law including the publishing of a legal notice of the hearing in the Manteca Bulletin on or about September 27, 2023 and mailed out to property owners located within a 300-foot radius from the project site boundary on September 27, 2023, emailed to the City's Public Hearing subscribers and interested parties and posted at three (3) locations accessible to the public and the City website; and

WHEREAS, the City Council has utilized its own independent judgement in adopting this Resolution.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Lathrop does hereby make the following findings:

Section 1. California Environmental Quality Act (CEQA) Findings. Pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183, the City Council finds and determines as follows:

- a. The project complies with CEQA based on the CEQA exemption/streamlining provisions contained in Public Resources Code section 21083.3 and CEQA Guidelines section 15183;
- b. Pursuant to the City Council Staff Report and the attachments and exhibits thereto, including but not limited to, the CEQA Environmental Checklist, which are incorporated herein by reference, the proposed Project will not result in any significant impacts that: 1) are peculiar to the project or project site; 2) were not identified as significant project-level, cumulative, or off-site effects in the General Plan Update EIR; or 3) were previously identified significant effects, which as a result of substantial new information that was not known at the time that the General Plan Update EIR was certified, are determined to have a more severe adverse impact than discussed in the General Plan Update EIR. As a result, pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183, the proposed Project is exempt from further environmental review under CEQA.
- c. All applicable General Plan Update policy and implementation actions and uniformly applied development policies, standards and/or regulations are, hereby imposed on the proposed Project and must be adhered to by the Project applicant.

To the extent the City has not previously made findings regarding any/all of these referenced General Plan policy and implementation actions and uniformly applied development policies, standards and/or regulations, the City Council finds that all of those General Plan Update policy and implementation actions and uniformly applied development policies, standards and/or regulations, were adopted, in whole or in part, to substantially mitigate the potential environmental effects to which they pertain (i.e., aesthetics, agricultural and forest resources, air quality, biological resources, cultural and tribal resources, geology and soils, greenhouse gases, climate change, and energy, hazards and hazardous materials, hydrology and water quality, land use, population, and housing, mineral resources, noise, public services and recreation, circulation, utilities and service systems, and wildfire).

Section 2. Based on the findings set forth in this Resolution and the evidence in the Staff Report, the City Council hereby find the Project Exempt from Further Environmental Review Pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183 as illustrated and incorporated by reference as Attachment 10 of the City Council Staff Report.

BE IT FURTHER RESOLVED that the City Council of the City of Lathrop, based on substantial evidence in the administrative record of proceedings, its above findings, including the staff report and associated attachments, pursuant to its independent review and consideration, does hereby find the Project exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183.

The foregoing resolution was passed and adopted this 9th day of October 2023 by the following vote of the City Council, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING A CONDITIONAL USE PERMIT AND SITE PLAN REVIEW FOR THE ASHLEY FURNITURE PROJECT (CUP-23-08 AND SPR-23-09)

WHEREAS, the City of Lathrop City Council held a duly noticed public hearing to consider the Conditional Use Permit and Site Plan Review pursuant to the General Plan and Lathrop Municipal Code; and

WHEREAS, the request is for approval of a Conditional Use Permit and Site Plan Review to allow the construction of an approximately 1.5 million square foot concrete tilt-up building and all necessary supporting infrastructure on a property located within the Central Lathrop Specific Plan Phase 2 Amendment area as further defined below in the third recital (the proposed Project or the Project); and

WHEREAS, the property is located at 14101 S. Manthey Road (APN: 192-020-14) (the property); and

WHEREAS, prior to the City's approval of the 2022 General Plan Update, the City prepared an Environmental Impact Report (EIR) which analyzed the environmental impacts of buildout under the General Plan Update pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, et. seq.), and the City of Lathrop City Council certified the Final EIR on September 19, 2022 (State Clearinghouse #2021100139); and

WHEREAS, the analysis in the General Plan Update EIR allows the use of CEQA exemption/streamlining provisions for projects under the General Plan Update, including the proposed Project; and

WHEREAS, an Environmental Checklist has been prepared for the proposed Project, which is attached to the City Council Staff Report as Attachment 10 and can also be found in the Planning Division project files located at 390 Towne Centre Drive, Lathrop, CA 95330; and

WHEREAS, prior to approval of the Project, the City Council adopted a Resolution to find the Project exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guidelines Section 15183; and

WHEREAS, the City Council finds that the proposed Project is consistent with the Limited Industrial land use goals and policies of the City of Lathrop General Plan and is also consistent with the development standards for the IL-CL, Limited Industrial Zoning District and the Central Lathrop Specific Plan Phase 2 Amendment as further implemented through the Zoning Code Text Amendment; and

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public hearing on September 13, 2023, to consider the proposed Project and after reviewing and considering all information provided and submitted, and after taking and considering all public testimony adopted Resolution No. 23-13 recommending City Council approval of the proposed Project; and

WHEREAS, proper notice of this public hearing was given in all respects as required by law including the publishing of a legal notice of the hearing in the Manteca Bulletin on or about September 27, 2023 and mailed out to property owners located within a 300-foot radius from the project site boundary on September 27, 2023, emailed to the City's Public Hearing subscribers and interested parties and posted at three (3) locations accessible to the public and the City website; and

WHEREAS, the City Council has utilized its own independent judgement in adopting this Resolution.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Lathrop does hereby make the following findings:

Section 1. Conditional Use Permit Findings. Pursuant to Section 17.112.060 of the Lathrop Municipal Code (LMC), the City Council finds as follows:

- a. That there are circumstances or conditions applicable to the land, structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right. *The proposed Project represents a major expansion of the existing Ashley Furniture Distribution Center and Retail Outlet located on S. Harlan Road. The proposed Project is consistent with the City's development standards for Limited Industrial.*
- b. That the proposed location of the conditional use is in accordance with the objectives of the zoning code and the purposes of the district in which the site is located. *The proposed Project is located in the IL-CL, Limited Industrial Zoning District and the Central Lathrop Specific Plan Phase 2 Amendment area and is a permitted use within the zoning district for which it is located as further established in the Zoning Code Text Amendment.*
- c. That the proposed use will comply with each of the applicable provisions of the LMC, as amended. *As noted above and as described in the Staff Report, the proposed Project is a permitted use in the IL-CL, Limited Industrial Zoning District and is consistent with the applicable provisions in the LMC, including screening requirements pursuant to the Central Lathrop Specific Plan Phase 2 Amendment. Additionally, the General Plan requires updates to the LMC and Central Lathrop Specific Plan Phase 2 in order to ensure that new development is compatible with existing development (Goal LU-5).*

The proposed Project is consistent with the LMC, Policies and Implementation Actions of the General Plan as it relates to truck traffic impacts and land use compatibility.

Section 2. Site Plan Review Findings. Pursuant to Section 17.100.050 of the Lathrop Municipal Code (LMC), the City Council finds as follows:

- a. The proposed Site Plan Review complies with all applicable provisions of Chapter 17.100;
- b. The proposed Site Plan Review is consistent with the site improvements listed in Chapter 17.100 (a. through i.) and improvements are such that traffic congestion is avoided and pedestrian and vehicular safety and welfare are protected and there will not be adverse effects on surrounding properties;
- c. Proposed lighting for the project area is so arranged as to deflect away from adjoining properties; and
- d. The proposed Site Plan Review is compatible with surrounding land uses and will not be detrimental to the health, safety and general welfare of the City as further evaluated in the Environmental Checklist.

Section 3. Based on the findings set forth in this Resolution and the evidence in the Staff Report, the City Council hereby approve Conditional Use Permit No. CUP-23-08 and Site Plan Review No. SPR-23-09 subject to the Consolidated Conditions of Approval as illustrated and incorporated by reference as Attachment 3 of the City Council Staff Report.

BE IT FURTHER RESOLVED that the City Council of the City of Lathrop, based on substantial evidence in the administrative record of proceedings, its above findings, including the staff report and associated attachments, pursuant to its independent review and consideration, does hereby approve Conditional Use Permit No. CUP-23-08 and Site Plan Review No. SPR-23-09, subject to the Consolidated Conditions of Approval listed in Attachment 3 of the October 9, 2023 City Council Staff Report and incorporated by reference herein

The foregoing resolution was passed and adopted this 9th day of October 2023 by the following vote of the City Council, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

Community Development Department – Planning Division

Consolidated Conditions of Approval

September 13, 2023

Project Name: Ashley Furniture Project
File Number: Conditional Use Permit No. CUP-23-08 and Site Plan Review No. SPR-23-09
Project Address: 14101 S. Manthey Road (APN: 192-020-14)
Prepared: July 20, 2023
Approved by:
Amended by:

The following list of conditions shall be incorporated into the final construction plans and development phases of the project. The list of conditions are not intended to be all-inclusive or a comprehensive listing of all City or district regulations. Please note that additional comments and/or conditions may be added pending the response to the comments noted below and/or changes to the proposed project. The following comments and conditions of approval are based on the application and diagrams dated May, 2023.

PROJECT DESCRIPTION

Approval of this project authorizes the construction of a 1,486,607 sq. ft. concrete tilt-up building on a 89.82-acre property located at the northwest corner of Dos Reis Road and Manthey Road and within the Central Lathrop Specific Plan Phase 2 Amendment area. The proposed building will include an up to three-story, 24,000 sq. ft. office, an up to two-story 110,260 sq. ft. retail outlet and showroom and a 1,352,347 sq. ft. warehouse distribution center. The project includes related on- and off-site improvements, including but not limited to off-street parking, lighting, landscaping, solid wall and wrought iron fencing, outdoor employee break area, paving, and street improvements (landscaping, curb, gutter, and sidewalk

CEQA DETERMINATION

Exempt in accordance with Section 21083.3 of the Public Resources Code and Section 15183 of the California Environmental Quality Act (CEQA) Guidelines.

PLANNING

1. The project is subject to and shall comply with the Project Requirements resulting from the Environmental Checklist prepared by De Novo Planning Group. The Project Requirements are incorporated by reference into this list of conditions (attached).
2. The Conditional Use Permit and Site Plan Review shall not be in effect until the Rezone that is part of the City's Zoning Consistency Project and Central Lathrop Specific Plan (CLSP) Phase 2 Amendment are approved and in effect.

3. Signs (Directional Signs) shall be placed on-site directing trucks north on S. Manthey Road towards Roth Road from the site. Signage shall be maintained by the applicant/property owner and replaced if damaged, destroyed or otherwise unreadable. Signage shall be reviewed and approved by the Planning Division.
4. Sign(s) shall be placed in the drivers' lounge and/or breakroom associated with the project building directing trucks north on S. Manthey Road toward Roth Road from the site. The sign shall illustrate the Truck Route to and from the site, the City's Truck Route Map and a reference to Chapter 10.16, *Truck Routes and Commercial Vehicles* of the Lathrop Municipal Code (LMC).
5. Evergreen trees planted along Dos Reis Road for the purposes of screening shall be in compliance with the CLSP Phase 2 Amendment.
6. Outdoor employee break area(s) shall include trash receptacles, shade structure(s), and seating areas. The final design and location of employee break area(s) shall be subject to review and approval by the Planning Division.
7. Passenger vehicle entryways shall include enhanced paving materials, such as herringbone design or stamped concrete. The extent of the enhanced paving materials shall be subject to review and approval by the Planning Division.
8. Interior truck operator lounge(s) and/or employee break area(s) shall include on-site amenities, such as restrooms, vending machines, air conditioning, seating areas, etc. The truck operator lounge(s) and/or employee break area(s) shall be subject to review and approval by the Planning Division.
9. With the exception of parking and storage of truck cabs and truck trailers, storage containers, and temporary load transfers, outdoor storage is prohibited, unless otherwise reviewed and approved by the Planning Division.
10. Installation of driveway entry/security gates or interior site fencing shall subject to review and approval by the Planning Division, Building Department and Lathrop Manteca Fire District prior to installation. All driveway entry/security gates shall provide truck queuing in front of the gate of at least seventy-five (75) feet in order to allow trucks with trailers to pull onto the site without blocking adjacent street rights-of-ways.
11. The security gate building (guard shack) shall be architecturally compatible with the primary building as it relates to color, aesthetic, and material.
12. On-site fencing shall be maintained and in good working order for the life of the project. Damage and/or wear-and-tear shall be repaired by the applicant/property owner in a timely manner.
13. Prior to any ground disturbance, the project shall consult with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) for biological coverage, mitigation and participation in the plan. Participation in the SJMSCP satisfies requirements of both the State and Federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA).
14. The applicant shall coordinate with the San Joaquin Valley Air Pollution Control District to comply with District rules and regulation including but not limited to Rule 9510, Indirect Source Review. The applicant shall provide proof of compliance prior to building permit issuance.
15. The project shall comply with applicable site development provisions contained in the Central Lathrop Specific Plan Phase 2 Amendment Design Guidelines and Lathrop Municipal Code including but not limited to parking, lighting, landscaping, etc.

16. All areas not used for structures, parking, driveways, walkways, or other hardscape shall be landscaped and maintained by the property owner per Section 17.92.030(A)(1) of the Lathrop Municipal Code to the satisfaction of the City.
17. The applicant shall submit appropriate plans to the Community Development Department for plan check and building permit. Final site plan, elevation, landscaping and irrigation, exterior lighting and site improvement plans and details, etc. shall be reviewed and approved by the Planning Division. Any significant change or modification to the approved plan is subject to review and approval by the Community Development Director.
18. Landscaping and irrigation must be consistent with the City's Water Conservation Requirements (LMC 17.92.060) and the State Water Efficient Landscape Ordinance (AB 1881). The applicant shall include with the landscape and irrigation plan a water efficient landscape worksheet with water budget calculations identifying the water allowance and estimated water use.
19. The applicant/property owner shall ensure the entire site including landscaping areas shall be maintained in a healthy, weed free condition to the satisfaction of the City.
20. Trash enclosure(s) shall include but not be limited to a covered roof, metal gate and have three solid walls. Details and/or alternative designs or location shall be subject to review and approval of the Planning, Building, and Public Works Department. The trash enclosure design, material and color shall match or compliment the main building.
21. It shall be the responsibility of the applicant/property owner to ensure that any building or parking area lighting including security lighting associated with the project, be arranged so as to not cast light onto adjoining properties.
22. A final site lighting photometric plan with detailed specifications of all lighting fixtures, poles, and wall packs as well as a manufacture's catalog sheet containing photometric data, shall be submitted with Building Permits for City review and approval. Parking lots, driveways, trash enclosure/areas shall be illuminated during the hours of darkness with a minimum maintained one foot-candle of light and an average not to exceed four foot-candles of light. The illumination shall not exceed ten (10) foot-candles in any one location.
23. No signs are approved for this project. A Master Sign Program for the project shall be prepared and submitted for review and approval by the Planning Division per Chapter 17.84 of the Zoning Code. All signs shall require a Planning Division Sign Design application and a separate Building Permit application, subject to review and approval of the Planning and Building Divisions.
24. Bicycle parking shall be installed consistent with Chapter 17.76.120 of the LMC. In accordance with LMC Section 17.76.120(D), the proposed project shall provide changing facilities for employees/workers utilizing bicycle to get to and from the use and bicycle lockers in a secure room equal to the minimum number of bicycle parking stalls required by Chapter 17.76. Bicycle lockers should be in close proximity to the employee entrance. The final location(s) shall be subject to review and approval by the Planning Division. The secure room shall include electrical outlets for the purpose of charging electric bicycles (e-bikes).
25. Roof-mounted mechanical equipment shall be screened and not visible from the public right-of-way. Screening materials shall be compatible with the architectural style, materials and color of the building upon which the equipment is located, subject to the approval of the Community Development Director or designee.

26. Ground-mounted equipment that is not required to be visible, shall be screened not visible from the public right-of-way using the most practical means of screening, such as landscaping, a freestanding wall/fence, matching paint, subject to approval of the Community Development Director or designee.
27. Unless otherwise specified, all conditions of approval shall be complied with prior to the issuance of any Building Permits.
28. The Site Plan shall expire thirty-six (36) months from the date of approval unless a time extension is granted consistent with the policies and procedure of the Lathrop Municipal Code. Prior to the expiration date of August 30, 2026 a building permit must be issued and construction commenced and diligently pursued toward completion of the site or structures.
29. In the event clarification is required for an interpretation of these Conditions of Approval, the Community Development Director and City Engineer shall have the authority either to administratively clarify the intent and wording of these Conditions of Approval without the requirement of a public hearing or to refer questions regarding the interpretation of these Conditions of Approval to the Planning Commission. If the applicant take issue with the clarification provided administratively, the applicant shall have the right to appeal the administrative clarification to the Planning Commission. The Community Development Director and City Engineer shall also have the authority to make minor modifications to these conditions provided a request is made in writing by the applicant and it is determined such modifications are consistent with and in furtherance of the underlying intent of the condition being modified.
30. The City of Lathrop may conduct annual and or spot inspections to ensure that compliance with the required site improvements and conditions are being maintained.

BUILDING

1. All construction associated with this project shall comply with the most recent adopted City and State building codes.
2. Special Inspections – As indicated by California Building Code Section 1704, the property owner/developer shall employ one or more special inspectors who shall provide special inspections when required by CBC section 1704. The property owner/developer shall contact the Building Department at time of plan submittal to obtain application for special inspections.
3. The Title Sheet of the plans shall include:

Occupancy Group	Type of Construction
Occupant Load	Height of Building
Description of Use	Floor area of building(s) by occupancy group
Area Analysis	Code Used
4. The property owner/developer shall be responsible for payment of school impact fees prior to the issuance of a building permit.
5. Dimensioned building setbacks and property lines, street centerlines and distances between buildings and structures shall be provided on the project site plan.

6. The project shall be designed to conform with energy conservation measures articulated in Title 24 of the California Code of Regulations and address measures to reduce energy consumption such as flow restrictors for toilets, low consumption light fixtures, and insulation and shall use to the extent feasible drought landscaping.
7. All property lines and easements shall be shown on the site plan. A statement shall be provided that indicates such lines and easements are shown is required.
8. Public and private site improvements shall be designed in accordance with the Americans with Disabilities Act and Chapter 11 of the California Building Code. The site plan shall include a site accessibility plan identifying exterior routes of travel and detailing running slope, cross slope, width, pedestrian ramp, curb ramps, handrails, signage and truncated domes. The path of travel shall be provided from the public right of way and accessible parking to building. The design professional shall ensure that the site accessibility plan is in compliance with the latest Federal and State regulations. A site accessibility plan shall be required per the attached policy from the link below:
https://www.ci.lathrop.ca.us/sites/default/files/fileattachments/building_division/page/24708/site_accessibility_plan_requirements.pdf
9. At the time of building permit application submittal a design professional shall be required to prepare the formal construction plans for proposed improvements per the Business and Professions' Code.
10. Grading and Site Improvement permits from Public Works may be required separately from the accessibility plan in compliance with item 8.

PUBLIC WORKS

Land

1. The applicant shall dedicate all right-of-way (ROW) necessary for the ultimate ROW width as represented in the approved Improvement Plans. A 10-foot public utility easement (PUE) shall also be dedicated along all ROW frontages.

Public/Frontage Improvements

1. The applicant shall submit an encroachment permit for all work within the public right-of-way and City owned or controlled property.
2. The applicant shall be required to install full street frontage improvements along all frontages of the parcel being developed or improved. Frontage improvements shall include but are not limited to curb, gutter, sidewalk, street lights, hydrants, asphalt concrete paving, striping, driveways, and landscaping. The extent of paving shall include one-half ultimate street width or as otherwise stated in the City of Lathrop Municipal Code. The applicant shall submit the off-site plans for approval along with the applicable plan check and inspection fees.
3. The applicant shall underground all existing and new overhead utilities on both sides of the frontage street in compliance with the Lathrop Municipal Code. Overhead power lines in excess of 34.5 KVA are not required to be undergrounded.

4. As recommended in the TJKM Traffic Impact Analysis Report, the applicant shall complete the following improvements prior to issuance of a certificate of occupancy, including a temporary certificate of occupancy:
 - a. Lathrop Road/I-5 SB Ramps: Optimize signal timing to achieve an acceptable level of service. Align signal timing with coordination plan for the Lathrop Road corridor.
 - b. Golden Valley Parkway & Spartan Way/Lathrop Road Intersection: Grind existing striping, slurry seal extents of striping and restripe the following configuration to City Standards:
 - i. NB Approach: One left-turn lane, one through lane, two right-turn lanes
 - ii. SB Approach: Two left-turn lanes, two through lanes, one right-turn lane
 - iii. EB Approach: One left turn-lane, two through lanes, one right-turn lane
 - iv. WB Approach: Two left-turn lanes, two through lanes, one right-turn lane
5. The TJKM Traffic Impact Analysis Report found that the Lathrop Road/I-5 NB Ramp will degrade from LOS E to LOS F with the Project in the Baseline plus Project condition, which will require the construction of a 400 foot separate right turn lane on the NB Ramp. The applicant shall conduct current traffic counts for the NB Ramp to confirm the baseline condition and complete a technical memorandum to document the findings of the traffic counts. If the results of the technical memorandum indicate that the impact is negligible or that the level of service does not degrade below LOS D in the Current Baseline plus Project condition, the project shall not be required to construct the 400 foot separate right turn lane on the NB Ramp. If the results of the traffic counts indicate that the project operations would cause the LOS to degrade below a LOS D with the Project, the applicant shall be required to construct the 400 foot separate right turn lane on the NB Ramp. If the improvements are required, applicant shall design, estimate construction cost and provide performance and labor & materials guarantee to the City for the improvements and enter into a deferred frontage improvement agreement with the City prior to issuance of a building permit for the Project. If required, the applicant shall work towards construction of the improvements in a timely manner for completion as close to the occupancy of the Project as possible.
6. The applicant shall be required to improve Golden Valley Parkway from Spartan Way to Dos Reis Road. Golden Valley Parkway is currently improved from Spartan Way to about 240 feet south of Does Reis Road and includes utilities, curb & gutter, and bottom lift pavement and subgrade. The applicant shall be required to complete the improvements on Golden Valley Parkway to include but not limited to sidewalk, top lift pavement, striping, signing, landscaping and lighting. The improvements are eligible in part for City Transportation Capital Facility Fee (CFF) credit or reimbursement as portions are included in the existing City CFF program and this roadway provides a regional benefit.
7. The applicant shall be required to construct a roundabout at the intersection of Golden Valley Parkway and Dos Reis Road. The roundabout shall be an enhanced gateway to the CLSP Phase 2 area and shall include components such as monumentation, art, enhanced landscaping, lighting, etc. The final design shall be approved by the City Engineer. The applicant shall submit the roundabout plans for approval as part of the offsite improvement plans.
8. The applicant shall be required to abandon and barricade Manthey Road between Lathrop Road and Dos Reis Road upon completion of the improvement of Golden Valley Parkway. This abandonment is necessary to facility the proper traffic circulation for the project.

9. The applicant shall be required to install signage on Lathrop Road, Spartan Way, Golden Valley Parkway, Dos Reis Road and Manthey Road south of Dos Reis Road prohibiting trucks from utilizing these roadways. Location and size of the signage shall be reviewed and approved by the City Engineer prior to issuance of an occupancy permit.
10. Applicant shall comply with Chapter 10.16, *Truck Routes and Commercial Vehicles* of the LMC.

Wastewater

1. The applicant shall be required to connect to the City sewer system prior to certificate of occupancy for the first building within the project.
2. The applicant shall secure sufficient sewer capacity for the project and pay all connection fees and reimbursements.
3. The project will connect to the existing Central Lathrop Phase 1 gravity sewer main system and the wastewater will be conveyed to the City's Treatment Plant by use of the existing Central Lathrop Phase 1 wastewater pump station and force mains. The applicant shall provide calculations to the City Engineer proving that these existing facilities can support the additional wastewater discharge from the project and shall install any improvements needed to accommodate the project if the existing facilities are deficient.

Potable Water

1. The applicant shall be required to connect to the water utility for domestic supply prior to certificate of occupancy and pay all applicable connection fees. All existing groundwater wells on site shall be abandoned under a permit from San Joaquin County prior to connecting potable water to the site.
2. The applicant shall secure sufficient water capacity for the project and pay all connection fees and reimbursements.
3. The project will connect to the existing Central Lathrop Phase 1 potable water system. The applicant shall provide calculations to the City Engineer proving that these existing facilities can support the projects needs and shall install any improvements needed to accommodate the project if the existing facilities are deficient.

Recycled Water

1. Applicant shall install recycled water mains along all frontages if not existing. All public landscaping shall be irrigated with recycled water and a recycled water hydrant shall be placed in an accessible location along the frontage to provide a filling station for street sweeping activities and construction.
2. All recycled water points of connection for irrigation require the installation of a recycled water meter.

Storm Drain

1. The applicant shall be required to connect to storm drain utility and pay all applicable connection fees.
2. Hydrology and hydraulic calculations and plans for on-site and off-site storm drainage systems shall be submitted to the City for review and approval.

3. As part of their onsite improvements, the applicant shall install all necessary Best Management Practices (BMP's) for post construction in accordance with City guidelines and standards. The BMP's must be in place prior to final occupancy for the project.
4. The applicant shall execute a maintenance agreement for all onsite storm water quality treatment devices, swales, and/or ponds.
5. The project will connect to the existing Central Lathrop Phase 1 storm water system for Watershed 4. The applicant shall provide calculations to the City Engineer proving that these existing facilities can support the projects needs and shall install any improvements needed to accommodate the project if the existing facilities are deficient.

General

1. The applicant shall retain the services of a California licensed civil engineer to design the project utility plans for sewer, water, storm drain lines and systems.
2. The applicant shall ensure that all off-site and on-site improvements comply with City Standards as illustrated on the approved Improvement Plans.
3. All on-site water, sewer, and storm drain systems that are privately owned shall be maintained by the property owner.
4. The parking areas and drive aisles on site shall be paved with asphalt concrete.
5. The project shall comply with the Multi-Agency Post Construction Storm Water Manual.
6. Grading and other construction activities that may cause dust shall be watered to control dust at the City Engineer's direction. A water vehicle shall be available on site for dust control operations at all times during grading operations. The adjacent public street shall be kept free and clean of any project dirt, mud, materials, and debris.
7. The applicant shall pay all appropriate fees including, but not limited to, North Lathrop Transportation Fee, Levee Impact Fee, Capital Facilities Fees, and Plan Check and Inspection Fees.
8. A geotechnical report shall be submitted for the project, which includes groundwater elevations, percolation rates for retention basins, soil compaction requirements, and recommendations for asphalt paving and concrete. Building PAD certification is required from Geotechnical Engineer and/or Special Inspector.
9. All water meters shall be installed within the public right of way or public utility easement. The City shall not be the responsible party for maintaining water and sewer lines beyond existing main line stub outs or on private property, unless otherwise agreed to by the City.
10. The applicant has the option to enter into a reimbursement agreement with the City for construction cost reimbursement of any infrastructure that provides regional benefit.
11. All improvements shall be designed and constructed per the most current City Standards.
12. The applicant shall create or participate in a Community Facilities District (CFD) to fund the maintenance of all public infrastructure prior to issuance of the first building permit associated with the project.
13. If the project is greater than one acre; the applicant shall complete a SWPPP, obtain a WDID number and list the number on the improvement plans, and submit the SWPPP to the City for review and approval.

LATHROP-MANTECA FIRE DISTRICT (LMFD)

1. The project shall conform to the most currently adopted edition of the California Fire Code and all related standards.
2. Permits shall be obtained from the fire code official. Permit(s) and fees, shall be paid prior to issuance of any and/or all permits. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official. (Permits are to be renewed on an annual basis).
3. Depending on the proposed Occupancy Type & fire area occupant load, Automatic Fire Sprinklers may be required. In the case where automatic fire sprinkler systems are required, such systems shall comply with California Fire Code Section 903.2 and the Tenant/Occupant/Owner shall have the responsibility to ensure that the correct fire suppressions system is added/modified/tested and accepted by the (AHJ) Fire District for review and approval prior to modification. Deferred submittal accepted.
4. All residential structures shall be Fire Sprinkler protected, as per the City of Lathrop's Fire Sprinkler Ordinance, California Fire Code, California Residential Code, and the California Building Standards Codes. Fire suppression system plans shall be modified under separate fire permit and shall be submitted by a licensed fire contractor, to the (AHJ) Fire District for review and approval prior installation. Deferred plan submittals are accepted.
5. Fire Sprinkler System alterations and plans shall be submitted directly to LMFD.
6. Fire Alarm System upgrades and plans shall be submitted directly to LMFD.
7. A means of Ingress and Egress Plan shall be submitted with the project Tenant Improvement Plans.
8. An approved fire alarm system shall be installed in accordance with CFC §907.2 and NFPA 72.
9. Fire Department Development Impact Fees for all new buildings shall be paid in accordance with the City of Lathrop Municipal Code and Resolutions of the adopted fee schedule.
10. An approved Fire Flow test shall be conducted prior to ground breaking to determine allowable Fire Fighting capabilities for the site.
11. An approved water supply for fire protection, either temporary or permanent, shall be made available prior to commencing construction beyond the foundation stage, or as soon as combustible material arrives on the site.
12. Deferred Plan Submittals for Fire Alarm, Fire Sprinklers and Fire Underground shall be submitted directly to LMFD.
13. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with California Fire Code (CFC) Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). Adequate turnaround shall be provided per City of Lathrop Standards and Appendix D of the 2022 CFC.

14. Where access to the development is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, a key “knox” box is required to be installed in an approved location. The key “knox” box shall be of an approved type and shall contain keys to gain necessary access as required by the fire code official. In addition to key “knox” box(es), any automatic gates shall have Opticom access ability to provide necessary access for emergency apparatus.
15. Where a portion of the added street is constructed more than 200 feet (61 meters) from a hydrant on a fire apparatus access road, as measured by an approved route, the developer shall provide an additional fire hydrant and main shall be provided. NOTE: The developer shall provide exact locations and distances of existing hydrants in the area. (CFC Appendix C, and City of Lathrop Water System Standards).
16. The developer shall be responsible for providing approved vehicle access for firefighting to all construction and demolition sites. Vehicle access shall be provided to within 100 feet (30,480 mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available.
17. The Fire Department Fire Access Roads shall meet the requirements established by the San Joaquin County Fire Chief’s Association.
18. The turning radius for this project shall be a minimum of 41 feet for all Emergency Fire Apparatus.
19. Buildings exceed 30 feet in height shall have a minimum unobstructed fire apparatus access width of 26 feet.
20. Commercial cooking equipment that produce grease laden vapors shall be provided with a Type I Hood, in accordance with the California Mechanical Code, and automatic fire extinguishing system that is listed and labeled for its intended use as follows:
 - a. Wet chemical extinguishing system, complying with UL 300
 - b. Carbon dioxide extinguishing systems
 - c. Automatic fire sprinkler systems
21. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 meters) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.
22. At LMFD’s discretion the proposed project may be subject to other fire & life safety requirements at the time of building plan review.
23. Final approval is subject to field inspections. A minimum 48 to 72-hour notice is required prior to any life-safety fire inspections. Other conditions may apply at time of inspections and are subject to correction.

LATHROP POLICE DEPARTMENT (LPD)

1. The applicant shall paint the address on the roof top for each individual building. The numbers shall be at least 3 feet tall, 2 feet wide, 9 inches apart, with 6-inch brush stroke with a color that contrast the roof top, top of numbers/letters should point north.
2. The applicant shall install dedicated lights in the parking lot that are properly maintained including the drive access.
3. The applicant shall install an indoor and outdoor recording security camera system that shall be maintained by the property owner and accessible to LPD with camera views covering all ingress and egress to all building(s) and parking areas. The quantity and location shall be reviewed and approved by LPD prior to issuance of an occupancy permit.
4. Where access to the development is restricted because of secured openings or where immediate access is necessary for life-saving or emergency purposes, a key “knox” box is required to be installed in an approved location. The key “knox” box shall be of an approved type and shall contain keys to gain necessary access as required by the police chief. In addition to key “knox” box(es), any automatic gates shall have Opticom access ability to provide necessary access for emergency vehicles.
5. The proposed landscaping for this project shall conform to the following CPTED measurements:
 - a. Maintain natural visible surveillance to building from parking lot and street.
 - b. Plants taller than 8 feet shall be trimmed up to 4 feet from ground.
 - c. Plans under 8 feet shall be trimmed to allow ground level surveillance.

ADMINISTRATIVE SERVICES

1. By exercising this approval, the applicant hereby agrees to indemnify, hold harmless and defend the City, its officers, agents, elected and appointed officials, and employees, from any and all liability or claims that may be brought against the City arising out of its approval of this Site Plan Review and Conditional Use Permit to the fullest extent permitted by law.

SAN JOAQUIN COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

See attached memorandum dated June 21, 2023.

SAN JOAQUIN
COUNTY

Environmental Health Department

Jasjit Kang, REHS, Director

Muniappa Naidu, REHS, Assistant Director

PROGRAM COORDINATORS

Jeff Carrasco, REHS, RDI

Willy Ng, REHS

Steven Shih, REHS

Elena Manzo, REHS

Natalia Subbotnikova, REHS

June 21, 2023

To: City of Lathrop Community Development Department Planning Division
Attention: David Niskanen

From: Cesar Ruvalcaba (209) 953-6213
Lead Senior Registered Environmental Health Specialist

RE: CUP-23-08, SPR-23-09, Referral, SU0015642, SU0015641
14101 S. Manthey Road (APN: 192-020-14)

OK

The San Joaquin County Environmental Health Department (EHD) recommends the following conditions as a part of developing this project:

1. Any geotechnical drilling shall be conducted under permit and inspection by The Environmental Health Department (San Joaquin County Development Title, Section 9-601.010(b) and 9-601.020(i)).
2. Any abandoned wells or septic systems shall be destroyed under permit and inspection by the EHD (San Joaquin County Development Title, Section 9-605.010 & 9-601.020)

ENVIRONMENTAL CHECKLIST
SUMMARY OF PROJECT REQUIREMENTS

Summary of CEQA Project Requirements for the Ashley Warehouse Project

Requirement AG-1: Implement Lathrop Municipal Code Chapter 3.40 AGRICULTURAL MITIGATION FEE Section 3.40.030 Collection of Agricultural Mitigation Fee.

The Agricultural Mitigation Fee enacted pursuant to this chapter is to be collected by the city before the issuance of building permits, or at approval of any discretionary permit if no building permit is required. (Ord. 05-248 § 1)

Requirement AG-2: Require all development to coordinate with and participate with SJCOG in the SJMSCP Agricultural Mitigation Fee program as required.

Requirement AQ-1: Comply with SJVAPCD Rule 9510 Indirect Source Review

Requirement AQ-2: Comply with SSJVAPCD Regulation VIII for all sites and implementation control measures indicated in Tables 6-2 and 6-3 of the SJVAPCD's Guide for Assessing and Mitigating Air Quality Impacts.

Requirement BIO-1: Compliance with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP)

Requirement BIO-2: Compliance with the mitigation recommendations included within Biological Resources Analysis Report (Attachment A).

- VELB Buffer and/or Survey – VELB is a species covered by the SJMSCP (SJCOG 2000), and the incidental take minimization and mitigation measures outlined in the document are as follows:

“In areas with elderberry bushes, as indicated by the SJMSCP Vegetation Maps or per a preconstruction survey identification or other sources indicated in Section 5.2.2.3, the following shall occur:

 - A. If elderberry shrubs are present on the project site, a setback of 20 feet from the dripline of each elderberry bush shall be established.
 - B. Brightly colored flags or fencing shall be placed surrounding elderberry shrubs throughout the construction process.
 - C. For all shrubs without evidence of VELB exit holes which cannot be retained on the project site as described in A and B, above, the JPA shall, during preconstruction surveys, count all stems of 1" or greater in diameter at ground level. Compensation for removal of these stems shall be provided by the JPA within SJMSCP Preserves as provided in SJMSCP Section 5.5.4(B).
 - D. For all shrubs with evidence of VELB exit holes, the JPA shall undertake transplanting of elderberry shrubs displaying evidence of VELB occupation to VELB mitigation sites during the dormant period for elderberry shrubs (November 1 - February 15). For elderberry shrubs displaying evidence of VELB occupation which cannot be transplanted, compensation for removal of shrubs shall be as provided in SJMSCP Section 5.5.4 (C).”

If the elderberry shrub can be maintained on the project site, then a 20 ft. setback will need to be established around the shrub (See Figure 11). If the shrub cannot be maintained on the project site, then VELB exit hole surveys consistent with the USFWS protocol (USFWS 2017) will be performed prior to any ground disturbance. Depending on the results of this survey, either mitigation measure C or D above will be used.

- Pre-construction Reptile Survey – Both California glossy snake and San Joaquin coachwhip have a low potential to occur on the Property and therefore a pre-construction survey should be performed no more than 48 hours prior to ground disturbance or vegetation removal. Surveys would be required to determine presence/absence of this species. If the species are found to occur on the project site, then passive relocation methods should be attempted before ground disturbance.
- Pre-Construction Avian Survey – If project construction-related activities would take place during the nesting season (February through August), preconstruction surveys for nesting passerine birds and raptors (birds of prey) in large trees adjacent to the project site should be conducted by a competent biologist 14 days prior to the commencement of the tree removal or site grading activities. Specific attention should be paid to the active Swainson's hawk nest that was identified across Dos Reis Road from the project site. As per the Incidental Take Minimization Measures for Swainson's hawk that are outlined in Section 5.2.4.11 of the SJMSCP (SJCOG 2000):

"If a nest tree becomes occupied during construction activities, then all construction activities shall remain a distance of two times the dripline of the tree, measured from the nest."

The dripline for the tree where the Swainson's hawk nest was observed is estimated to be 25 feet, making the required buffer for this nest 50 feet. The nest location and buffer are shown in Figure 11.

If any other birds listed under the Migratory Bird Treaty Act are found to be nesting within the project site or within the area of influence, an adequate protective buffer zone should be established by a qualified biologist to protect the nesting site. This buffer shall be a minimum of 50 feet from the project activities for passerine birds, and a minimum of 250 feet for other raptors. The distance shall be determined by a competent biologist based on the site conditions (topography, if the nest is in a line of sight of the construction and the sensitivity of the birds nesting). The nest site(s) shall be monitored by a competent biologist periodically to see if the birds are stressed by the construction activities and if the protective buffer needs to be increased. Once the young have fledged and are flying well enough to avoid project construction zones (typically by August), the project can proceed without further regard to the nest site(s).

- Burrowing Owl Surveys – Burrowing owls were not identified on the project site during May 2021 survey. However, a burrowing owl pre-construction survey should take place before any construction activities commence. It is recommended that they be conducted whenever burrowing owl habitat or sign is encountered on or adjacent to (within 150 meters) a project site. Occupancy of burrowing owl habitat is confirmed at a site when at least one burrowing owl or its sign at or near a burrow entrance is observed within the last three years. If a burrowing owl or sign is present on the project site three additional protocol level surveys will be initiated. As per the incidental take minimization and mitigation measures outlined in the SJMSCO (SJCOG 2000): If burrowing owls are identified and work is to commence during the non-breeding season (September 1 through January 31), then the owls should be evicted from the project site by passive relocation as described in the CDFW's report on burrowing owls (1995). If work occurs during the breeding season (February 1 through August 31) then the burrows shall not be disturbed and will be provided with a 75-meter protective buffer. However, if it is determined that the birds have not begun laying eggs, or the juveniles from the occupied burrows are foraging independently and are capable of independent survival, then the burrows can be destroyed.

- Erosion Control – Grading and excavation activities could expose soil to increased rates of erosion during construction periods. During construction, runoff from the warehouse site could adversely surrounding habitats and cause increased particulate matter to enter the storm drain system. Implementation of appropriate mitigation measures would ensure that impacts to aquatic systems would be avoided or minimized. Mitigation measures may include best management practices (BMP's) such as hay bales, silt fencing, placement of straw mulch and hydro seeding of exposed soils after construction as identified in the Storm Water Pollution Prevention Plan (SWPPP).

Requirement CUL-1: Implement General Plan Action: RR 3b

- RR-3b: Require all new development, infrastructure, and other ground-disturbing projects to comply with the following conditions in the event of an inadvertent discovery of cultural resources or human remains:
- A. If construction or grading activities result in the discovery of significant historic or prehistoric archaeological artifacts or unique paleontological resources, all work within 100 feet of the discovery shall cease, the Community Development Director shall be notified, the resources shall be examined by a qualified archaeologist, paleontologist, or historian for appropriate protection and preservation measures; and work may only resume when appropriate protections are in place and have been approved by the Community Development Director; and
 - B. If human remains are discovered during any ground disturbing activity, work shall stop until the Community Development Director and the San Joaquin County Coroner have been contacted. If the human remains are determined to be of Native American origin, the Native American Heritage Commission and the most likely descendants shall be consulted; and work may only resume when appropriate measures have been taken and approved by the Community Development Director.

Requirement GEO-1: Implement recommendations presented in the Preliminary Geotechnical Engineering Report. Prepared by: Terracon Consultants, Inc. during the project design and construction.

Requirement HAZ-1: If the project will store, transport or handle hazardous materials the project shall be required to prepare and file a Hazardous Materials Business Plan (HMBP) with the City prior to issuance of Certificate of Occupancy.

Project Requirement Hydro-1: The project applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) that includes specific types and sources of stormwater pollutants, determine the location and nature of potential impacts, and specify appropriate control measures to eliminate impacts on receiving water quality from stormwater runoff. The SWPPP shall require treatment BMPs that incorporate, at a minimum, the required hydraulic sizing design criteria for volume and flow to treat projected stormwater runoff. The SWPPP shall comply with the most current standards established by the RWQCB, and the Lathrop Storm Water Program. Best Management Practices shall be subject to approval by the City Engineer and RWQCB.

Project Requirement Hydro 2: Prior to approval of the building permit, the project applicant shall submit a detailed Stormwater Control Plan constant with General Plan Action PFS-4.5, and the criteria set forth in the Lathrop Stormwater Program.


Requirement N-1: Implement General Plan Policy N-1.15, and Lathrop Municipal Code Section 8.20.110 (Construction of buildings and projects).

- N-1.15 Construction Noise. Require construction activities to reduce noise impacts on adjacent uses to the criteria identified in Table N-3, or, if the criteria cannot be met, to the maximum extent feasible complying with Title 15 of the LMC (Building and Construction) and use best practices. Construction activities outside of the permitted construction hours identified in the LMC may be approved on a case-by-case basis by the Building Official.

Lathrop Municipal Code Section 8.20.110 (Construction of buildings and projects) "It shall be unlawful for any person within a residential zone or within a radius of five hundred (500) feet therefrom, to operate equipment or perform any outside construction or repair work on buildings, structures or projects or to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist, or any other construction type device between the hours of ten p.m. of one day and seven a.m. of the next day, or eleven p.m. and nine a.m. Fridays, Saturdays and legal holidays, in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance unless beforehand a permit therefore has been duly obtained from the office or body of the city having the function to issue permits of this kind. No permit shall be required to perform emergency work as defined in Sections 8.20.010 through 8.20.040. (Prior code § 99.40)"

ACKNOWLEDGEMENT OF TERMS AND CONDITIONS

I have read, understand and acknowledge the Conditions of Approval dated 9/13/2023 for the Ashley Furniture Project.



Signature of Applicant(s)

Aaron Hodgdon

Print Applicant(s) Name

9/6/2023

Date



**PLANNING DIVISION
Vicinity Map**



**CUP-23-08, and SPR-23-09
Conditional Use Permit and Site Plan
Review
Ashley Furniture Project
14101 S. Manthey Road
APN: 192-020-14**



Ashley Furniture

PROJECT SPECIFIC SITE PLAN REVIEW APPROVAL

Case No. SPR-23-09

Development Team

Applicant	Hodgdon Management and Construction, Inc. 1461 E Cooley Dr, Ste 230 Colton, CA 92324
Developer	Hodgdon Management and Construction, Inc. 1461 E Cooley Dr, Ste 230 Colton, CA 92324
Architect	HPA Architects 18831 Bardeen Ave Irvine, CA 92612
Civil Engineer/Landscape	MacKay & Soms 5142 Franklin Dr, STE B Pleasanton, CA 94588
Traffic Engineer	TJKM 4305 Hacienda Dr, STE 550 Pleasanton, CA 94588
Acoustical Consultant – Noise Assessment	Saxelby Acoustics 915 Highland Pointe Drive, STE 250 Roseville, CA 95678
CEQA Consultant and Air Toxics Health Risk Assessment	De Novo Planning 1020 Suncast Ln, #106 El Dorado Hills, CA 95762

TABLE OF CONTENTS

A. REQUEST AND PROPERTY DESCRIPTION..... 3

B. PROJECT DESCRIPTION 3

C. PERMITTED USES..... 4

D. SITE DETAILS 5

E. ARCHITECTURAL DESIGN 7

F. SITE DESIGN CRITERIA 7

G. LANDSCAPING 7

H. EMPLOYEE AMENITIES..... 8

I. GRADING AND DRAINAGE 8

J. UTILITIES AND INFRASTRUCTURE..... 9

K. PROJECT SCHEDULE..... 9

L. SUMMARY..... 9

ASHLEY FURNITURE

Project Specific Site Plan Review Approval Narrative

A. Request and Property Description

The applicant is requesting a conditional use permit for the development of a new integrated, high-quality warehouse/light industrial/retail office development on approximately 89.5-acre property located at the northwest corner of Dos Reis Rd and Manthey Road (the "Property"). The proposed development will support the expansion needs of an international company specializing in uses that include light-industrial, warehouse and distribution, office, and retail sales of targeted bulk consumer goods.

The 2022 Lathrop General Plan Update designates the Property within an industrial area in the Central Lathrop Phase II area. The City of Lathrop is currently processing the Central Lathrop Specific Plan Phase II amendment and rezoning to implement the new General Plan Update designation for this area. The Property was formerly agricultural but now currently fallow. The Property is bound by fallow agricultural land directly to the north and De Lima Rd & Manthey Rd and Interstate 5 freeway to the east. The Property's western boundary is vacant, fallow agricultural land and the south boundary is Dos Reis Rd adjacent to vacant commercially zoned land and mixed vacant land and commercial/residential.

B. Project Description

The proposed development includes an approximately 1,486,607 square foot single or multi-tenant building with a mix of retail, office/call center, and warehouse and distribution uses (the "Project").

The Project is anticipated to be an attractive, high-quality development that will provide substantial employment opportunities within the City of Lathrop, including up to 500 diverse jobs at full operation.

The Project consists of a single building, with a mix of tenant-related uses. The primary mix of uses within the Project building include an up to 100,000 square foot retail showroom, a 24,000 square foot, 2-3 story office space consisting of call center and a regional office for up to 50 people. Warehouse and distribution uses will comprise the balance of the 1,352,347 square feet. The proposed building's height is approximately 50 feet, with architectural features that may extend to approximately 60 feet.

Vehicular & Truck access to the Property is proposed via four (4) access drives; one (1) access drive on Manthey Rd at the far northeast corner is dedicated for truck ingress/egress onto and from the Project. One (1) public and employee vehicular access mid-block on Manthey Rd is proposed for ingress/egress of the public and employees' access to the retail and office. Two (2) additional access points are

proposed along Dos Reis Rd with the most eastern access proposed for public vehicular access to the retail and customer pick-up areas located at the southeast corner of the building. A fourth and final access is closed to the public and trucks and is reserved only for emergency vehicle access. Per the Traffic Impact Analysis completed by TJKM as a part of the Site Design Review package approval the project is expected to generate 680 daily truck trips including 95 a.m. peak hour trips and 45 p.m. peak hour trips.

The developer will widen Dos Reis Road and Manthey Road to their ultimate condition and compliant with the Central Lathrop Specific Plan Phase 2 Amendment (CLSP 2). Landscape and sidewalk improvements beyond the back of curb along the southern portion of Dos Reis Road will be constructed by future developers of the adjacent properties.

Per the Traffic Impact Analysis completed by TJKM as a part of the Site Design Review package approval the project is expected to generate 680 daily truck trips including 95 a.m. peak hour trips and 45 p.m. peak hour trips.

Once customers are on site, internal circulation roads will route them to the retail entrance in the center of the building. For furniture pick up, customers are directed to a separate waiting area labeled on the plan as "Customer Pick-up", ("CPU") located on the southeast corner of the building where customers will be guided to the CPU office and their pickup location.

Hours of operation will vary among the distribution, call center, and retail portions of the development. Retail hours are anticipated to align with the typical store hours of other Ashley Furniture locations in the Bay Area, running from 9:00 am to 9:00 pm 7 days a week. However, these hours are subject to change with final design.

The call and distribution centers are expected to have a broader range of operating hours, accommodating several shift changes throughout the day to ensure efficient operations. The specific number of shifts and their timeframes will be determined during the final design phase, considering operational requirements and workforce needs.

During final design, more detailed information regarding the hours of operations, the number of shifts, days of operation and the specific timeframes of shifts will be provided.

C. Permitted Uses

I. Permitted land uses for the Project include:

1. Call center
2. General retail sales
3. Office
4. Outdoor trailer parking
5. Outdoor storage associated with an on-site primary use, excluding vehicles

6. Sale of products including those assembled on-site as well as imported product
7. Retail showroom
8. Warehousing and Distribution

D. Site Details

I. Lighting

Light levels are not to exceed 1-foot candle at the property line. All proposed site lighting will comply with city zoning requirements.

II. Screening

The project proposes a 30-foot landscape buffer along the Dos Reis Road project frontage, in accordance with the Central Lathrop Specific Plan Phase 2 Amendment (CLSP 2). To further enhance screening for trailer parking areas, an 8-foot-tall community wall is proposed along the right-of-way of Dos Reis Road at the project frontage. Additionally, the project proposes an increased number of deciduous trees between the 8-foot paved sidewalk and the 8-foot-tall community wall. This condition will extend along the south boundary of the property until the first driveway east of the proposed Dos Reis Road and Golden Valley Parkway roundabout. Proceeding north along Manthey Road, the tree spacing, and landscape design will transition to a less dense arrangement typically found in retail areas.

III. Air Quality Best Management Practices

The project demonstrates compliance with the City of Lathrop General Plan Best Management Practices, as outlined in Implementation Action LU-5. d. The following measures have been implemented to align with these practices:

- The 30-foot landscape buffer described in section D.II provides a physical and structural buffer between possible sensitive receptors and the warehouse/trailer parking area.
- Sufficient onsite parking and queuing locations have been included in the project site plan, accommodating multiple truck lengths. This design ensures that trucks do not idle within public right-of-way.
- The project site plan is designed so that truck ingress/egress is largely isolated to the most Northeastern corner of the development along Manthey Road.
- Generous setbacks have been incorporated between loading docks and property lines.
- In areas where trailer parking is present, a community wall has been strategically placed along visible sections of right-of-way and property lines to screen views.

- Wayfinding signs have been specifically designed and positioned at truck ingress/egress locations, clearly indicating that truck traffic is restricted to Roth Road only.

IV. Walls & Fences

See Screen Wall & Fencing Plan; Sheet DAB-A4.2

V. Parking Standards

On-site parking for the Project shall be provided in accordance with Table 1 below:

Table 1

SITE AREA		
In s.f.	3,767,820	s.f.
In acres	86.50	ac
BUILDING AREA		
Office - 1st floor	8,000	s.f.
Office - 2nd floor	8,000	s.f.
Office - 3rd floor	8,000	s.f.
Retail - 1st floor	55,130	s.f.
Retail - 2nd floor	55,130	s.f.
Warehouse	1,352,347	s.f.
TOTAL	1,486,607	s.f.
AUTO PARKING REQUIRED		
Office - 1/400 s.f.	60	spaces
Retail - 1/600 s.f.	184	spaces
Warehouse - 1/2,000 s.f.	676	spaces
TOTAL	920	spaces
AUTO PARKING PROVIDED		
Standard (9' x 20')	942	spaces
TOTAL	942	spaces
Required Accessible Parking for Disabled		
Standard Accessible (9' x 20')	16	spaces
Van Accessible (12' x 20')	4	spaces
Total	20	spaces
Required EV parking		
EV Capable Space (9' x 20')	144	spaces
EVCS Standard (9' x 20')	49	spaces
Total EV Capable Space	188	spaces
ADA EV Parking (CBC Table 11B-228.7.2.1)		
EVCS Van Accessible (12' x 20')	1	spaces
EVCS Standard Accessible (9' x 20')	5	spaces
EVCS Ambulatory (10' x 20')	5	spaces
Total ADA EV	11	spaces
Total EV Capable Space	144	spaces
Total EVCS Standard + ADA EVCS	38	spaces
Total - ADA EVSC	11	spaces
Total	193	spaces
Provided Parking Breakdown		
Standard (9' x 20')	722	spaces
Standard Accessible (9' x 20')	19	spaces
Van Accessible (12' x 20')	6	spaces
EV Capable Space (9' x 20')	145	spaces
EVCS Standard (9' x 20')	38	spaces
EVCS Van Accessible (12' x 20')	2	spaces
EVCS Standard Accessible (9' x 20')	5	spaces
EVCS Ambulatory (10' x 20')	5	spaces
Total	942	spaces
TRAILER PARKING PROVIDED		
Trailer (12' x 30')	46	spaces
Trailer (12' x 40')	261	spaces
Trailer (12' x 53')	797	spaces
TOTAL	1,104	spaces

E. Architectural Design

The architectural character of the development will have a high-tech contemporary appearance. This will be established using clean edges and forms, and colors. The development's east elevation, facing Manthey Rd & Interstate 5, will convey a high-quality office/retail appearance while maintaining key functions, including customer pick-up areas along the southeast elevation. This is achieved with glazing to indicate an office appearance and clerestory windows along the upper portions of the façade. Please refer to the conceptual building elevations on Sheet DAB-A3.3.

The conceptual building elevations include strong architectural forms and distinct design elements, such as accent shading features, variations in parapet height and colors. Collectively these provide for enhanced visual interest and varied building massing, to create distinctive points of entry for users. A combination of concrete tilt up wall panels with a series of reveals and patterns in the tilts will accent the building elevations. Curtain wall glazing systems at each entry location will highlight the material variation, with portions that reach a high elevation to accommodate two to three-story office/retail within the building. These various treatments will be incorporated into the project design to provide variation and texture to the building façade.

F. Site Design Criteria

The conceptual site plan orients the Project to Manthey Rd. Public access to the Property will be provided via Manthey and Dos Reis Roads in the locations shown on the site plan. These points of access and internal circulation provide good access to users, employees, and customers. Generous landscaping along Dos Reis effectively screens the south elevation from Dos Reis Rd, while dense and tasteful landscape accents the east elevation and the retail portion of the project.

Dedicated truck access located at the very northeast corner of the property is the only access point for ingress and egress of truck traffic. Trucks are restricted from going south of this access point and will come from and to the north towards Roth Rd interchange only.

The conceptual site plan identifies approximately 2,046 parking spaces provided throughout the development. Parking for trucks and employees is provided behind secured, gated access points as depicted on the conceptual site plan. Approximately 1,104 trailer parking spaces are provided behind secured, gated access points.

G. Landscaping

Project landscaping will be consistent with the Site Plan Review package's landscape plan and area renderings included for conceptual design. The landscape design along rights-of-way and parking areas will be consistent with the Central Lathrop Specific Plan 2 Amendment (CLSP 2) and city zoning requirements for retail. The landscape design in stormwater quality areas will be compliant with the Multi-Agency Post-Construction Stormwater Standards Manual.

Vehicular entries and street frontages will provide a formal entry design sequence, including the use of “offset” of trees along with formal masses of shrubs and groundcovers. The project will match the City of Lathrop’s retail design criteria for retail along Manthey Rd. The city’s criteria identify London Plane Tree and Chinese Flame trees as primary and secondary trees. A more diverse plant palette will be used. Additional street trees along the Dos Reis Rd frontage include Deodar Cedar, and Chinese Flame trees. Massed shrubs will further screen perimeter screen walls around the Project perimeter and colorful accent shrubs and groundcover plantings will be used around all signage.

The landscape design in proximity to the building will complement the building’s high-tech contemporary appearance, as well as the size. Trees and shrubs will provide pedestrian shade and visual interest and will contrast the architectural pop-outs to provide human scale at the entries. Pedestrian walks that connect the Project and parking lots to storefront entries will be appropriately shaded.

H. Employee Amenities

Employee outdoor break areas with shading and benches/seating have been incorporated into the site plan to allow employees an outdoor space to enjoy break periods. Employee break areas are compliant with the Design Guidelines (Chapter 7) section of the Central Lathrop Specific Plan 2 Amendment (CLSP 2).

I. Grading and Drainage

The grading and drainage plan for the Property will comply with the City of Lathrop’s drainage design standards and the Multi-Agency Post-Construction Stormwater Standards Manual. Storm drainage will be conveyed via internalized roof drains and downspouts, as well as overland flow across the parking lots and truck dock areas. This flow will be directed to curb openings at stormwater quality treatment areas distributed throughout the site. These treatment areas will effectively treat stormwater before it is discharged into the site’s storm drain system. Ultimately the onsite storm drain system connects to the existing Watershed 4 storm drain line in Dos Reis Road where that storm water continues west to the existing storm drain pump station at Stanford Crossing and Spartan Way. The stormwater quality treatment areas and the underground storm drainpipe system have been sized to together accommodate a 100-year storm event.

J. Utilities and Infrastructure

The City of Lathrop will provide water to the Property via a 12-inch public waterline within Golden Valley Parkway. The project proposes new 12-inch public water lines in Manthey Road and Dos Reis Road.

The City of Lathrop will provide storm sewer and wastewater treatment service. There is an existing sewer main within Golden Valley Parkway. It is anticipated that existing sewer main is to provide a gravity sewer connection to the Property.

K. Project Schedule

The design phase of the project is expected to begin immediately after the public approval of the Central Lathrop Specific Plan 2 Amendment, Site Plan Review Package, and Conditional Use Permit. Assuming an Improvement/Grading Plan approval in the first half of 2024 construction is expected to commence in the second half of 2024.

L. Summary

The proposed development will provide benefits to the City of Lathrop by adding a diversity of up to 500 new jobs at full operation involving a significant capital investment more than \$100 million, and anticipated retail sales exceeding \$30 million annually and will activate an undeveloped, long-term vacant parcel of land with a quality use that will provide considerable sales tax revenues and other economic benefits to the City of Lathrop.

This Project implements the General Plan, Central Lathrop Specific Plan Phase 2 Amendment (CLSP 2), zoning, and Design Guidelines that encourage site development and architectural design that will be integrated with the surrounding mixed use residential development. The project's frontage improvement of Dos Reis Road and Manthey Road into their ultimate condition including the landscape buffer previously mentioned along Dos Reis Road will positively influence the area. In summary, this proposal is consistent with the City's long-term vision for this area, it is compatible with the surrounding area.



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haddon
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OWNERS REPRESENTATIVE

Project:
**ASHLEY
LATHROP**

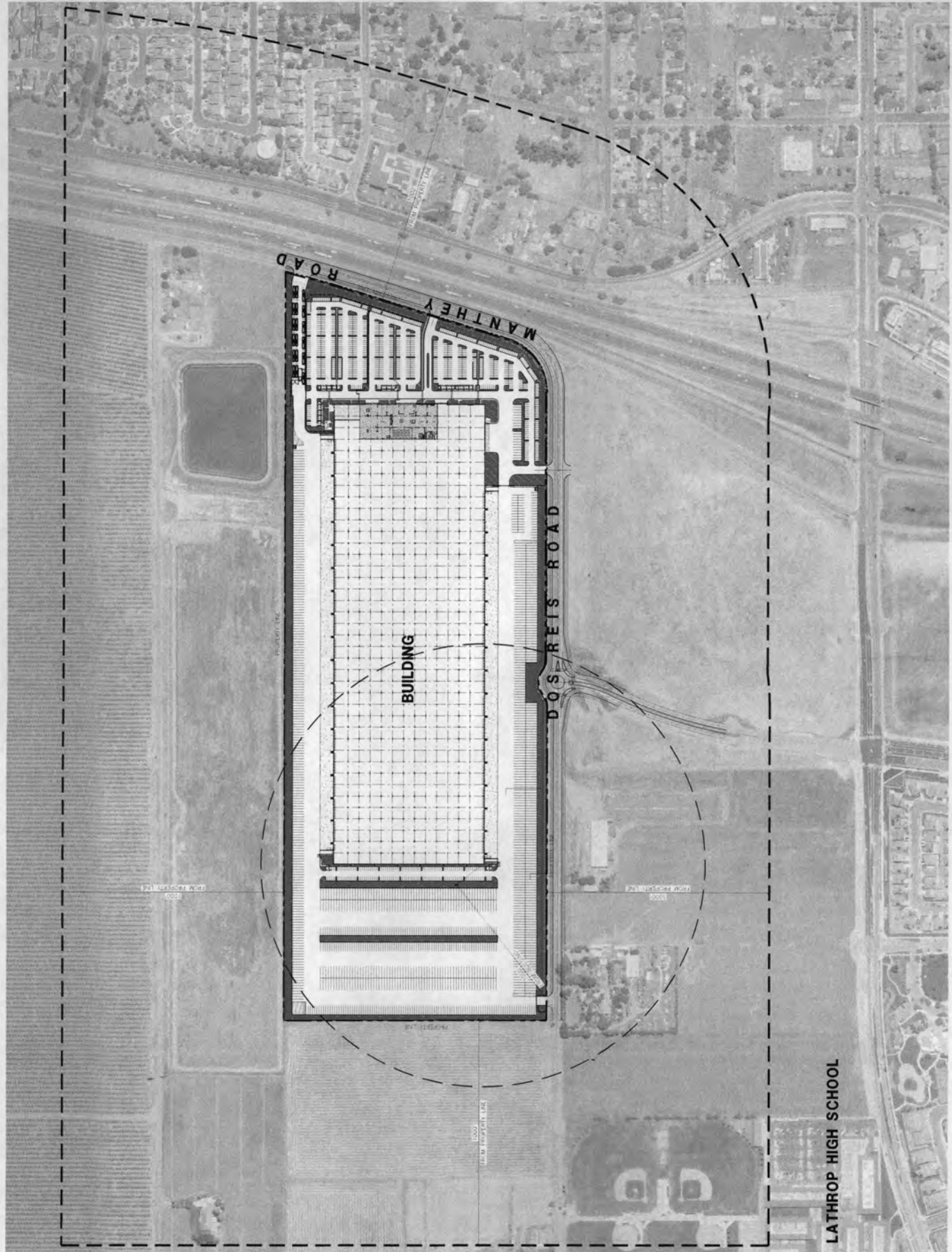
INT. DOS REIS RD. &
MANTHEY RD.
LATHROP, CA 95330

Consultants:
Civil: MCKAY & SONS
Structural: MCKAY & SONS
Mechanical: MCKAY & SONS
Plumbing: MCKAY & SONS
Electrical: MCKAY & SONS
Landscape: MCKAY & SONS
GREEN DESIGN: MCKAY & SONS
Fire Protection: MCKAY & SONS
Soils Engineering: MCKAY & SONS

Title: 1,000' RADIUS SITE MAP

Project Number: 21590
Drawn By: CH
Date: 5/2/23
Revision:

Sheet:
DAB-A1.0



1,000' RADIUS SITE MAP
A



Year	Percentage of respondents (%)
1997	65
1998	68
1999	70
2000	72
2001	75
2002	78
2003	80
2004	82
2005	84
2006	85
2007	85

END

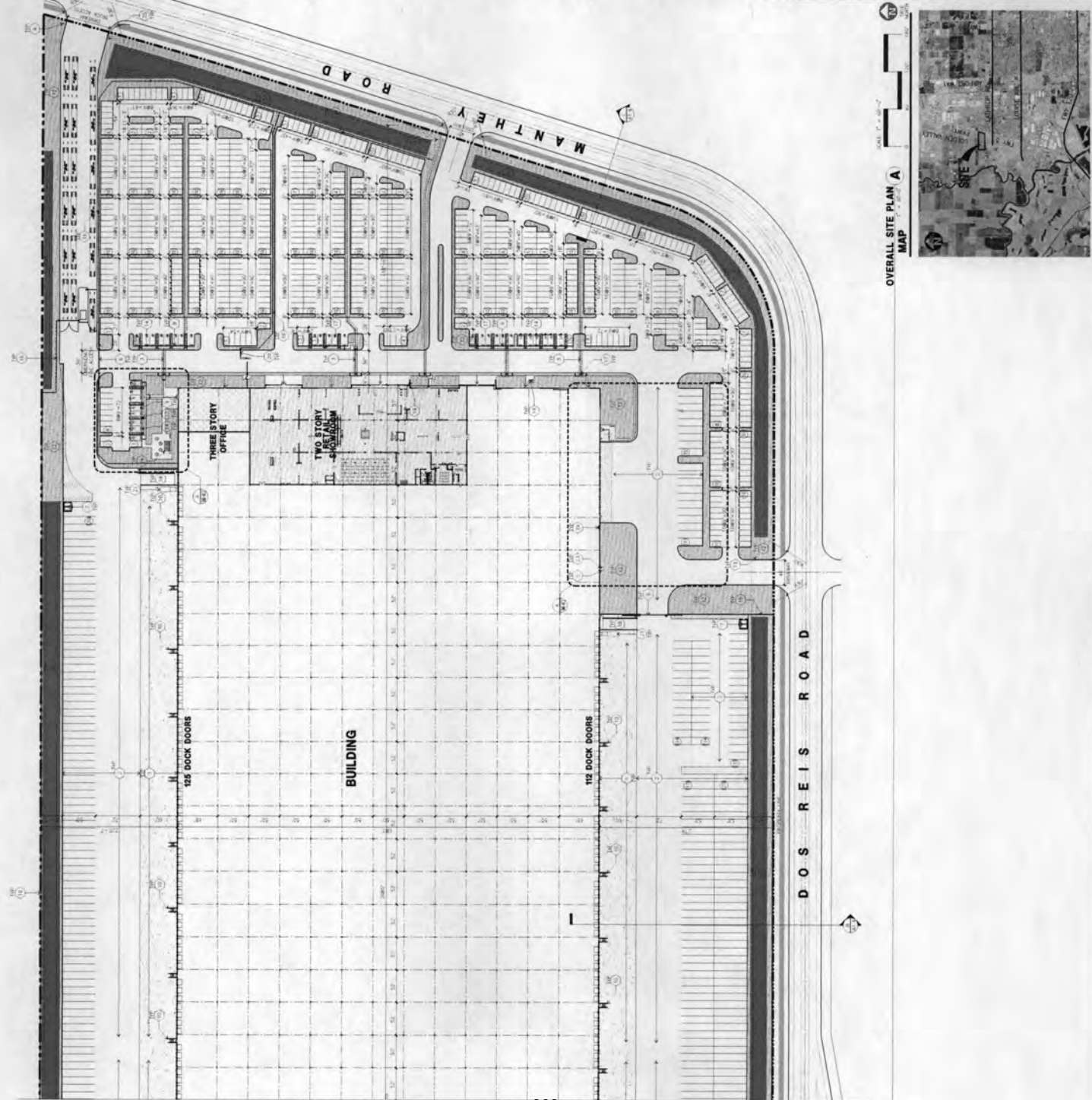
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ES

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Overall site plan (A) showing a large rectangular building with a grid of columns and rows. The building is labeled "BUILDING" and has "125 DOCK DOORS" on the left side and "112 DOCK DOORS" on the right side. The building is situated along "DOS REIS ROAD". The plan includes dimensions, column numbers (1-125), and row numbers (A-M). A scale bar indicates 1 inch = 50 feet. An inset map shows the location of the site within a larger area.





SITE PLAN GENERAL NOTES

SITE PLAN KEYNOTES

- [illegible]



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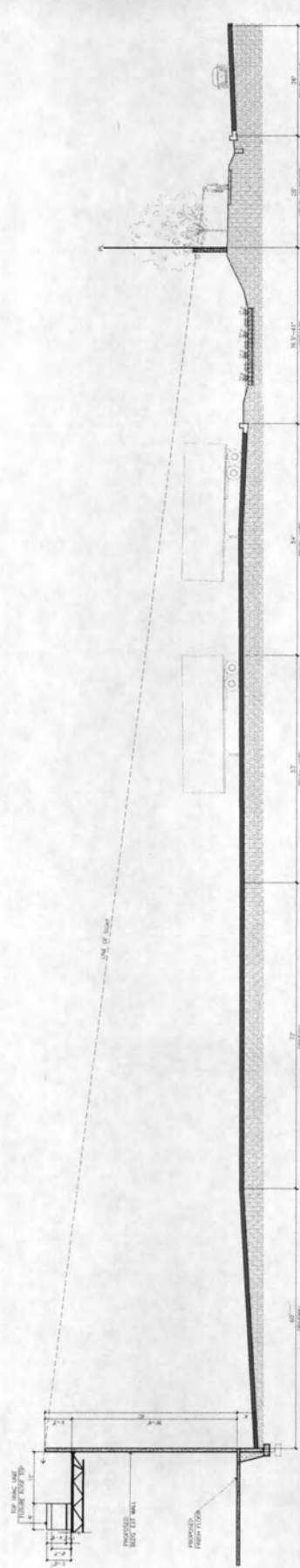
Project:
**ASHLEY
LATHROP**
101. DOS REIS RD. &
WATNEY RD.
LATHROP, CA 95330

Consultants
MACKEY & BOWEN
Civil
Structural
Mechanical
Plumbing
Electrical
Landscaping
Fire Protection
Soils Engineering
GREEN DESIGN

Task: **ENLARGED SITE PLAN**

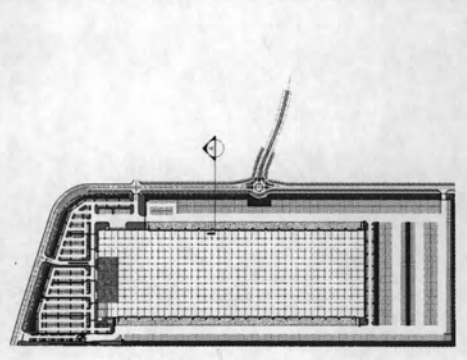
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Date: 5/2/23
Revised:

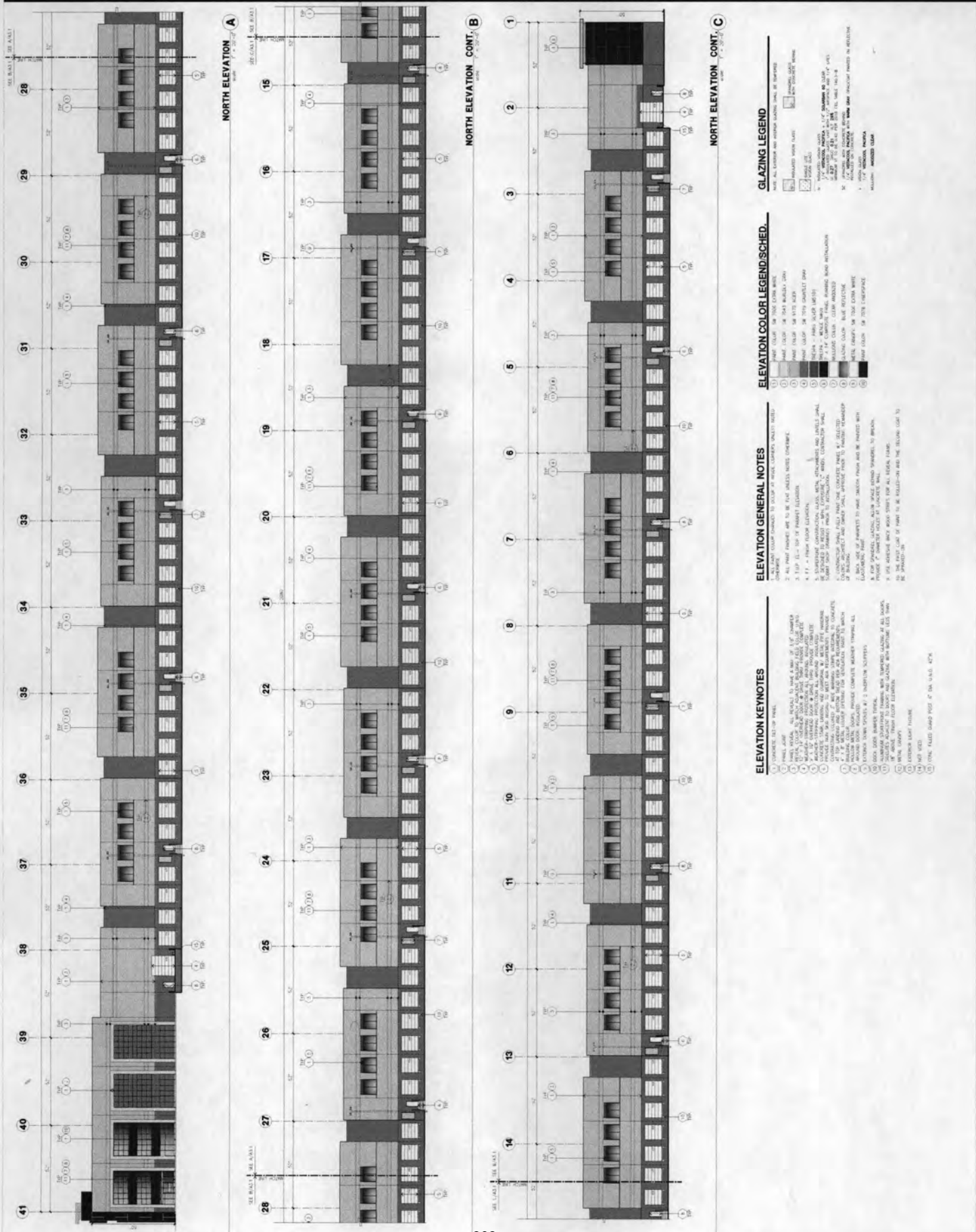
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SITE SECTION A-DOS REIS ROAD (WEST) B

KEYMAP





EVALUATION KEYNOTES

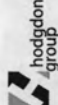
NAME: MR. J. B. SMITH ADDRESS: 123 MAIN STREET, ST. LOUIS, MO. 63101 PHONE: (314) 555-1234 FAX: (314) 555-5678 E-MAIL: J.B.SMITH@EXAMPLE.COM	
DATE: 10/26/2023 TIME: 14:30 STATUS: URGENT PRIORITY: HIGH	
SUBJECT: URGENT: SYSTEM CRASH - IMMEDIATE ACTION REQUIRED	
FROM: IT DEPT. (J. B. SMITH) TO: MANAGEMENT (J. B. SMITH)	
RE: URGENT: SYSTEM CRASH - IMMEDIATE ACTION REQUIRED	
INFO: URGENT: SYSTEM CRASH - IMMEDIATE ACTION REQUIRED	
ACTION: URGENT: SYSTEM CRASH - IMMEDIATE ACTION REQUIRED	
COMMENTS: URGENT: SYSTEM CRASH - IMMEDIATE ACTION REQUIRED	
ATTACHMENTS: URGENT: SYSTEM CRASH - IMMEDIATE ACTION REQUIRED	
DISTRIBUTION: URGENT: SYSTEM CRASH - IMMEDIATE ACTION REQUIRED	
HISTORY: URGENT: SYSTEM CRASH - IMMEDIATE ACTION REQUIRED	
STATUS: URGENT: SYSTEM CRASH - IMMEDIATE ACTION REQUIRED	
PRIORITY: URGENT: SYSTEM CRASH - IMMEDIATE ACTION REQUIRED	
URGENT: SYSTEM CRASH - IMMEDIATE ACTION REQUIRED	



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OWNER'S REPRESENTATIVE

Project:
ASHLEY
LATHROP

INT. 003 BOD. 0. &
LATHROP, CA 95320

Consultants:

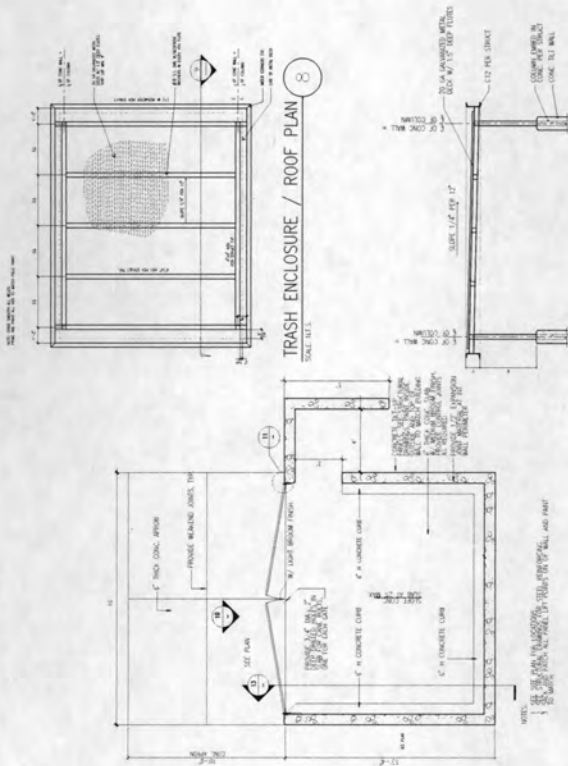
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GREEN DESIGN
Fire Protection
Soils Engineering

TRASH ENCLOSURE

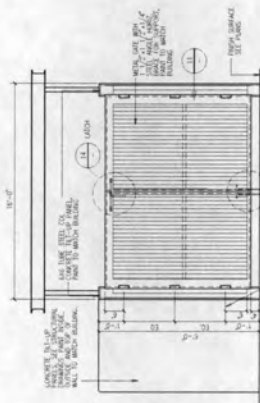
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Drawn By: CH
Date: 5/2/23
Revised:

Sheet:

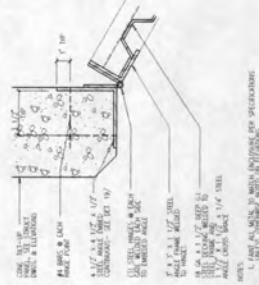
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TRASH ENCLOSURE / CANOPY DETAIL (9)



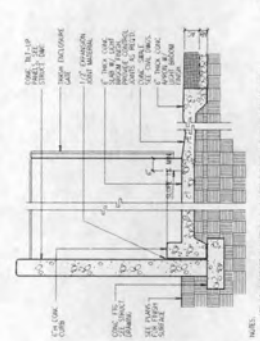
TRASH ENCLOSURE GATE ELEVATION (10)



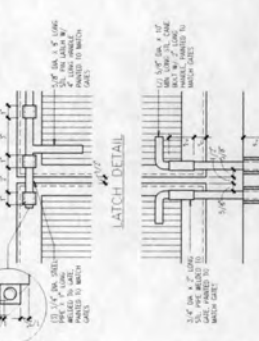
TRASH ENCLOSURE GATE & HINGE (11)

SCALE: 1/8" = 1'-0"

TRASH ENCLOSURE PLAN (12)



TRASH ENCLOSURE SECTION (13)



TRASH ENCLOSURE GATE LATCHES (14)

SCALE: 1/8" = 1'-0"



TRUCK ENTRY SIGN (15)



TRUCK EXIT SIGN (16)

813

1)	OWNERS	DON BEEB RANCH, INC. 7000 SOUTH IRLAND DRIVE STOUGHTON, CA 95066 (925) 947-4000 (925) 947-4005
2)	APPLICANT	HOGDON GROUP REALTY, INC. 1481 E. COOLEY DRIVE, SUITE 200 OAKLAND, CA 94612 CONTACT: CAROL ANNUS SEANING@HOGDONGROUP.COM
3)	CIVIL ENGINEER	MICHAEL & SONS CIVIL ENGINEERS, INC. 5142 FRANKLIN DRIVE, STE B OAKLAND, CA 94612 CONTACT: COLBY HAYES JBAY@ENGINE.COM (925) 225-0660
4)	GEOTECHNICAL	TERMACON CONSULTANTS, INC. 10000 SHILOH ROAD, SUITE 100 OAK, CA 94640 (925) 967-3701
5)	ASSESSOR'S PARCEL NUMBER	192-000-140

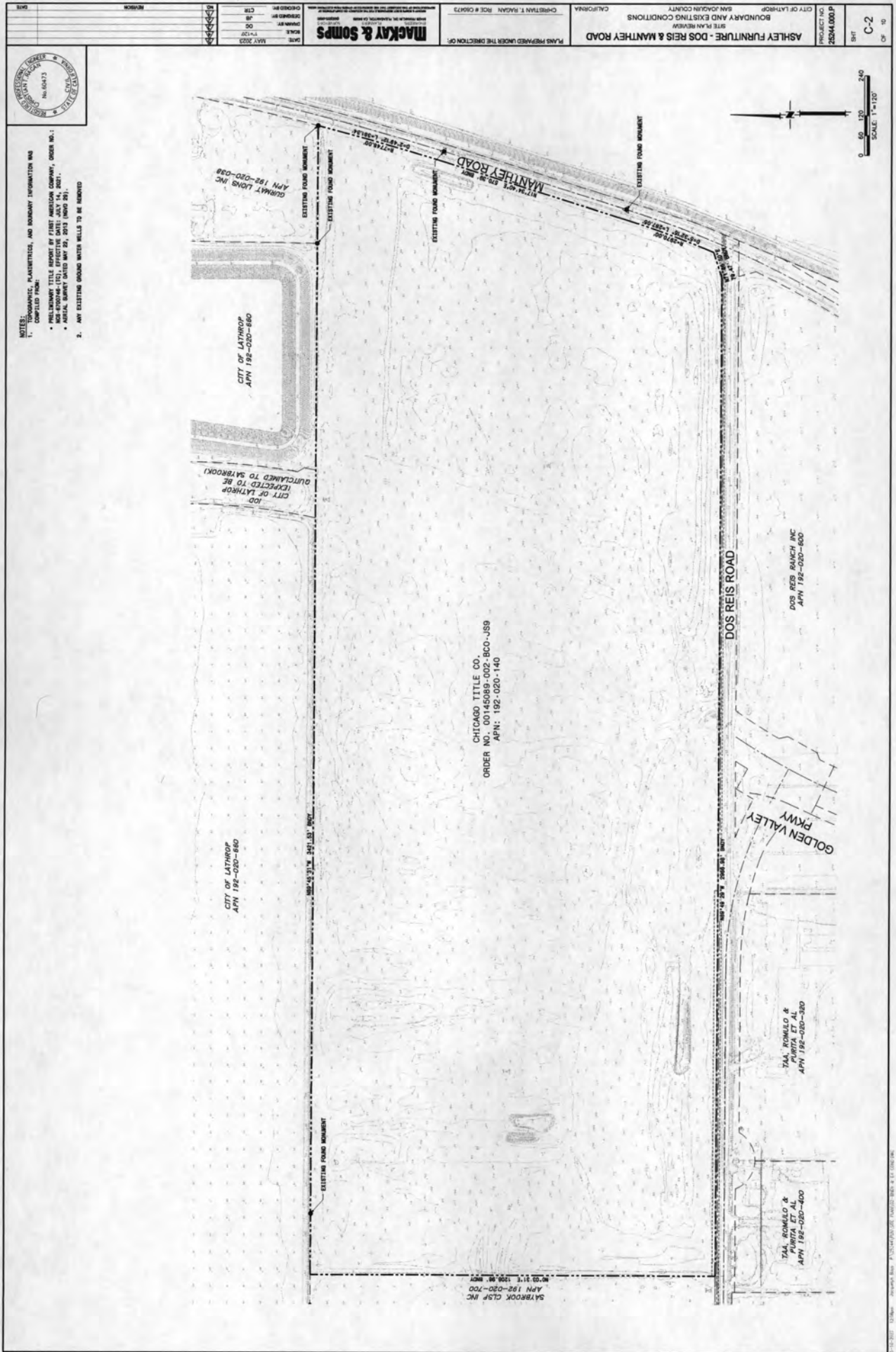
TOTAL ASSESSED VALUE: \$1,200,000

- 7) TOTAL NUMBER OF LOTS & EXISTING LOT
- 8) SUBJECT PROPERTY SHOWN TO BE IN ZONE X ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) WAS DATED OCTOBER 15, 2009. THE FIRM WAS DERIVED FROM A 1% ANNUAL CHANCE FLOOD EFFECTIVE DATE OF OCTOBER 15, 2009. (OMB DATE SEPTEMBER 2, 2011)
- 9) UTILITIES
ACTUAL WATER DISTRIBUTION, CONNECTION TO CITY OF LATHROP WATER SYSTEM
SANITARY SEWER CONVEYANCE, CONNECTION TO CITY OF LATHROP SEWER SYSTEM
STORM DRAIN, CONNECTION TO CITY OF LATHROP STORM DRAIN SYSTEM
DETENTION TO BE DESIGNED IN ACCORDANCE WITH CENTRAL LATHROP SPECIFIC PLAN PHASE 2
AMENDMENT AND THE CITY OF LATHROP DESIGN & CONSTRUCTION STANDARDS
STORMWATER QUALITY STORMWATER QUALITY REQUIREMENTS TO BE MET THROUGH
PORTIONED AREAS AROUND INFILTRATION BASINS, BASINS TO BE SIZED IN
ACCORDANCE WITH THE LATHROP POST CONSTRUCTION STORMWATER
STANDARDS MANUAL
GAS AND ELECTRIC SERVICE TO BE PROVIDED BY PACIFIC GAS & ELECTRIC
INSTALLATION SHALL BE UNDERGROUND IN ACCORDANCE WITH CITY REQUIREMENTS
EXISTING DETENTION POWER POLES AND OVERHEAD POWER LINES THAT ARE AND
UNDER ANY OR IN CONFLICT WITH IMPROVEMENTS SHALL BE RELOCATED, REMOVED
OR UNDERGROUND IN ACCORDANCE WITH CITY REQUIREMENTS
TELEPHONE SERVICE TO BE PROVIDED BY VERIZON, INSTALLATION SHALL BE
UNDERGROUND IN ACCORDANCE WITH CITY REQUIREMENTS
EXISTING GENERAL PLAN AND USE DESIGNATION 11-C LIMITED INDUSTRIAL (NO
CHANGES PROPOSED)
UTILITY LOCATIONS (UTILITY SIZES, AND GRADING ARE PRELIMINARY AND SUBJECT TO
FINAL ENGINEERING DESIGN.
BOUNDARY INFORMATION AS SHOWN BASED ON A SURVEY COMPLETED BY MCKAY &
SCOTT'S DATED NOVEMBER 2017. SURVEY IS BASED ON RECORD INFORMATION
COMPILER INTERVAL IS AS SHOWN. THE ELEVATION DATA IS PER THE CITY OF
LATHROP BENCHMARKS (NOVO 29N, AERIAL, TOPO DATED MAY 22, 2013
PRELIMINARY GEOTECHNICAL REPORT BY TERRACON DATED AUGUST 16, 2021

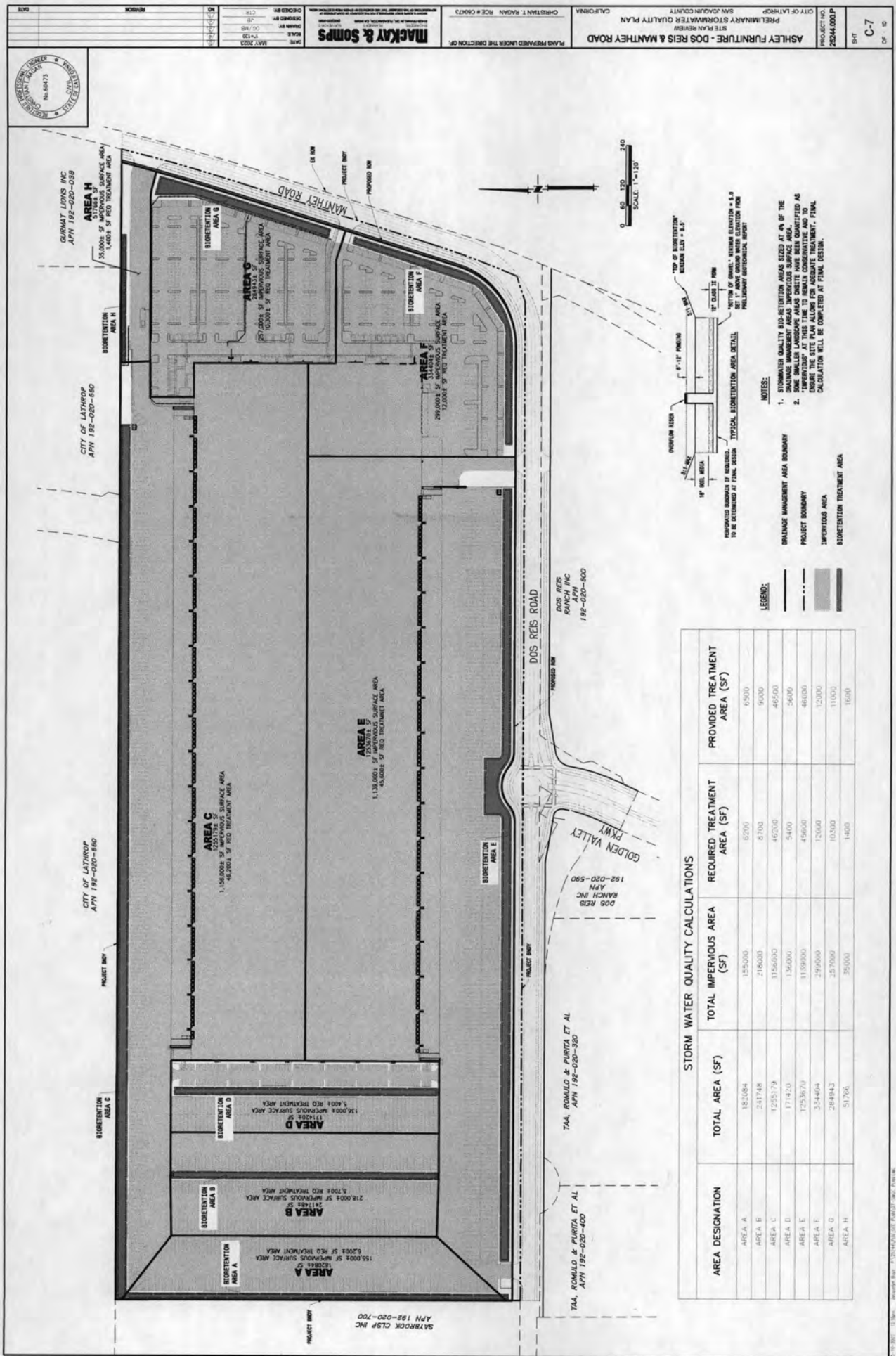
SHEET	DESCRIPTION
C-1	COVER SHEET
C-2	BOUNDARY AND EXISTING CONDITIONS
C-3	HORIZONTAL CONTROL PLAN
C-4	RIGHT-OF-WAY DEDICATION AND PUBLIC STREET SECTIONS
C-5	PRELIMINARY GRADING AND DRAINAGE PLAN
C-6	PRELIMINARY UTILITY PLAN
C-7	FINAL UTILITY PLAN
C-8	STAKE TRUCK ACCESS PLAN
C-9	FIRE TRUCK ACCESS PLAN
C-10	REFUSE TRUCK ACCESS PLAN

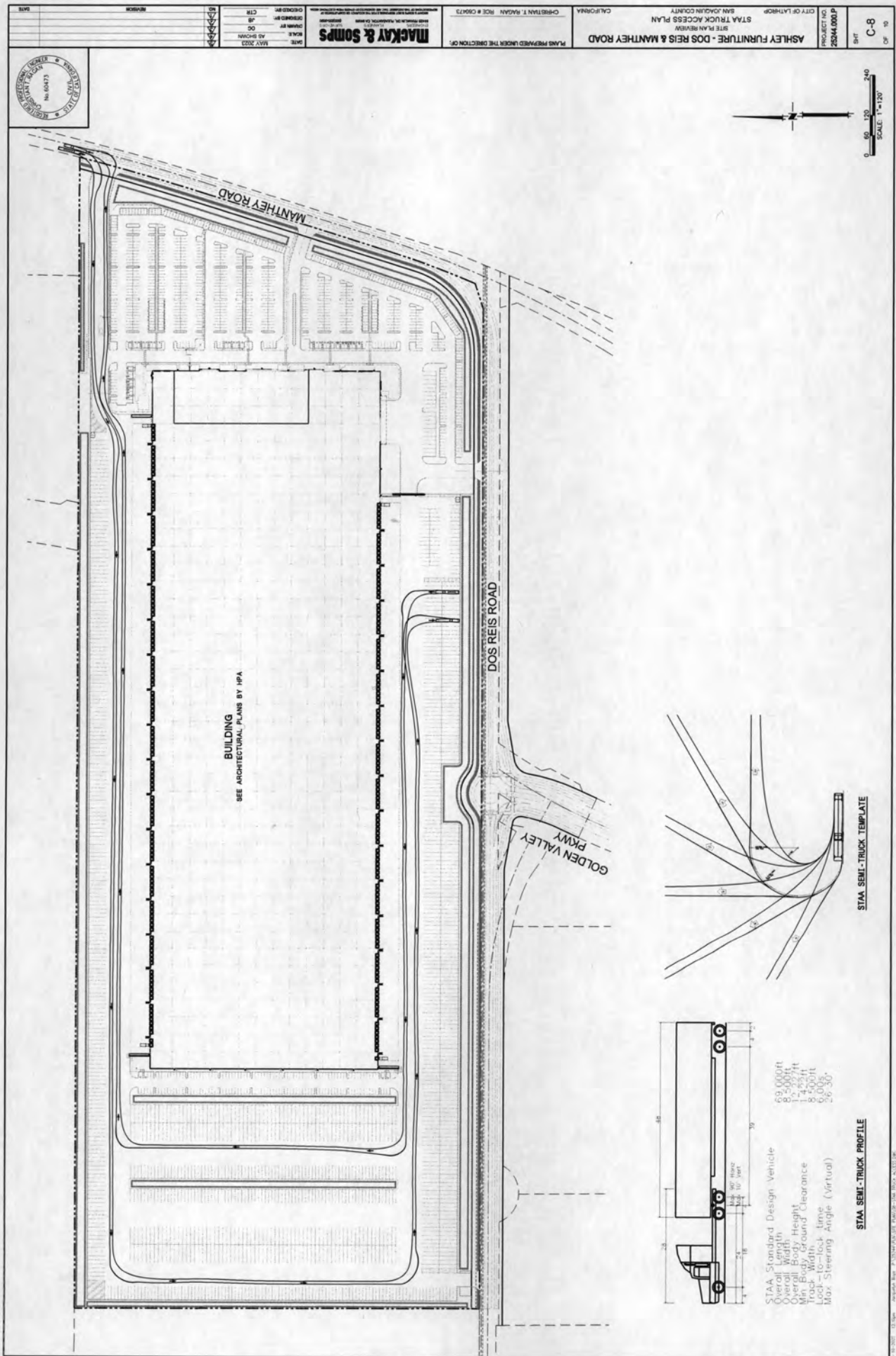
[illegible]

THIS SITE PLAN WAS APPROVED
WITH CONDITIONS ON

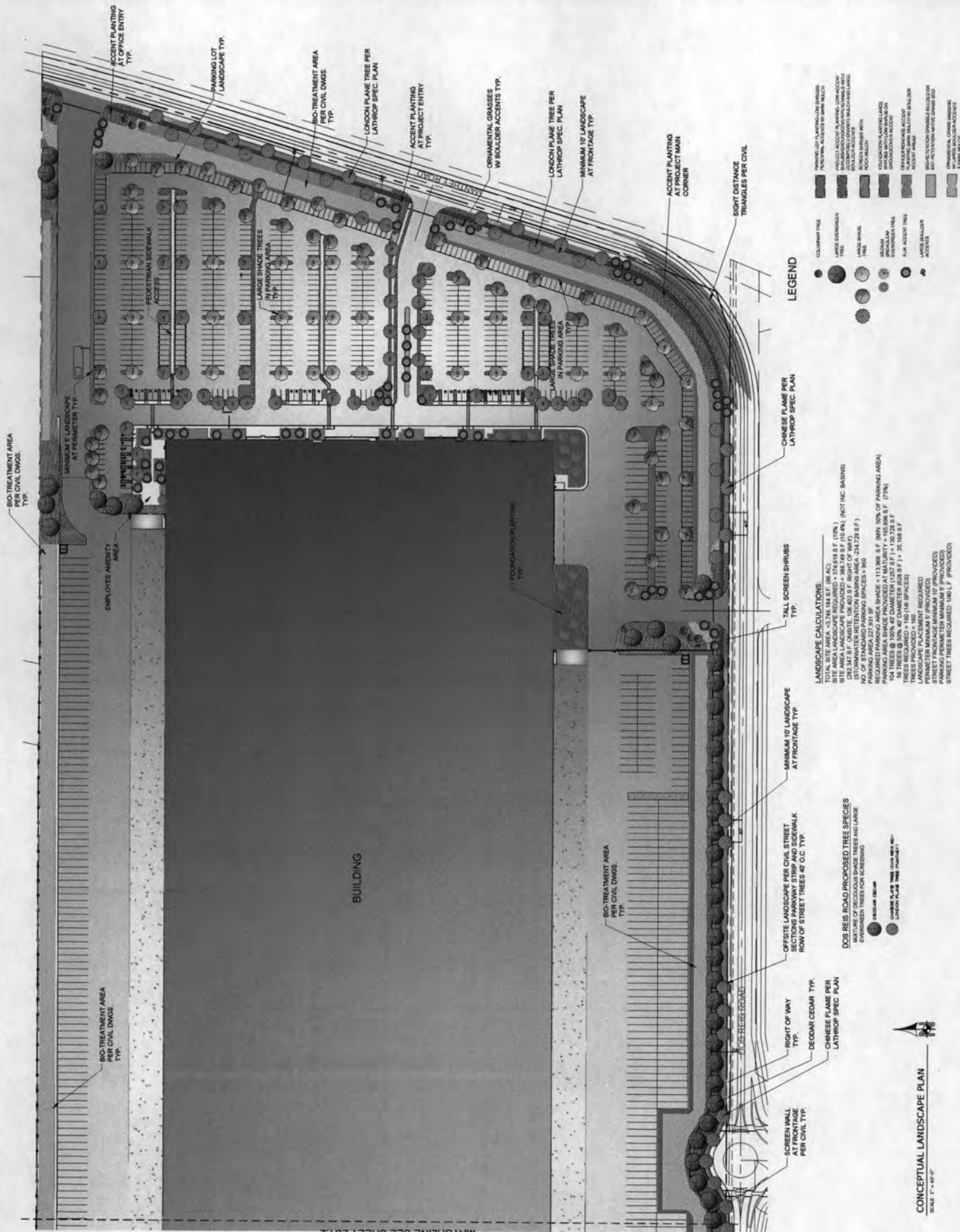




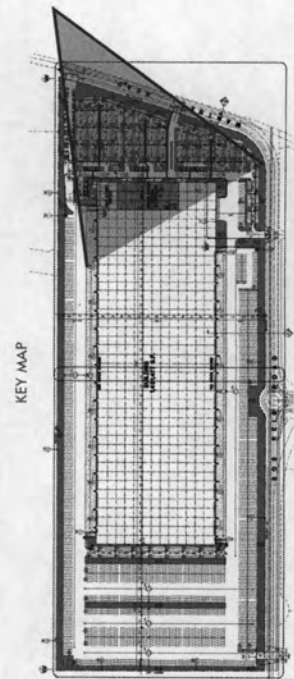
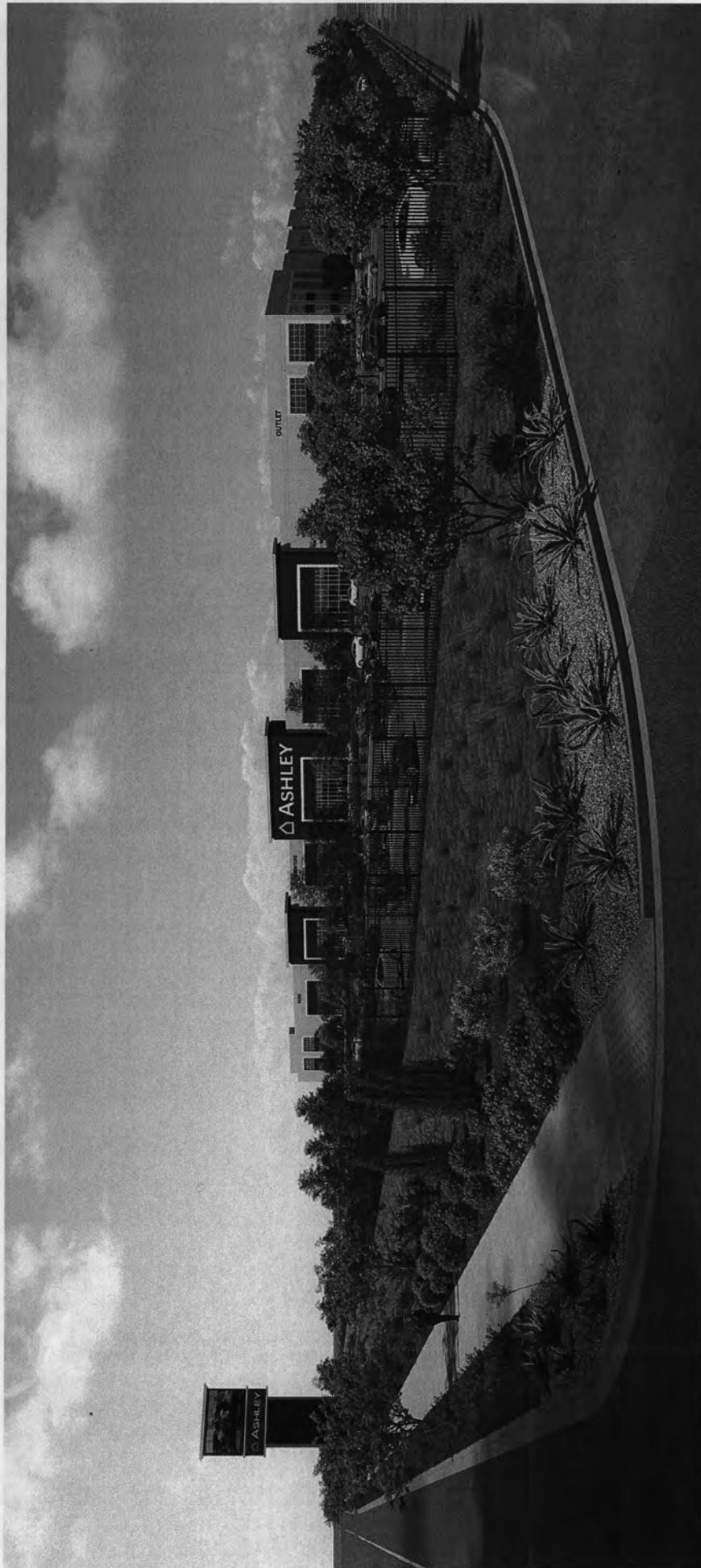




<p>HPA architecture</p> <p>Typ. Inc. 18811 Wilshire Blvd. #100 Irvine, CA 92614 tel: 949/251-7773 ext: 100 e-mail: hpa@hpa.com</p>	<p><i>Green Design</i> Green Design Group, Inc. 144 Pacific Ave. New York, NY 10038 tel: 212/693-1384 e-mail: info@greendesign.net</p>	<p> hodge don group</p> <p>OWNERS REPRESENTATIVE</p>	<p>Project: ASHLEY LATHROP</p> <p>INT. 100 BROAD & LATHROP CA 94508</p>	<p>Consultants:</p> <p>CHT Structural Mechanical Plumbing Electrical Landscape Fire Protection Soils Engineer</p>	<p>Consultants:</p> <p>K&J Mechanical Plumbing Electrical GREEN DESIGN Fire Protection Soils Engineer</p>	<p>THE CONCEPTUAL LANDSCAPE PLAN</p> <p>Project Number 21000 Drawn by GH Date 06/05/01 Revision REVISED 10-30-22 REVISED 12-21-22 REVISED 03-31-23 REVISED 04-17-23</p>	<p>Sheet</p> <p>LC1.1</p>
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MATCHLINE SEE SHEET LC1.2



KEY MAP

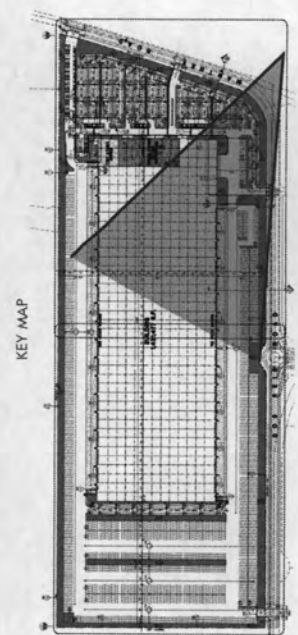
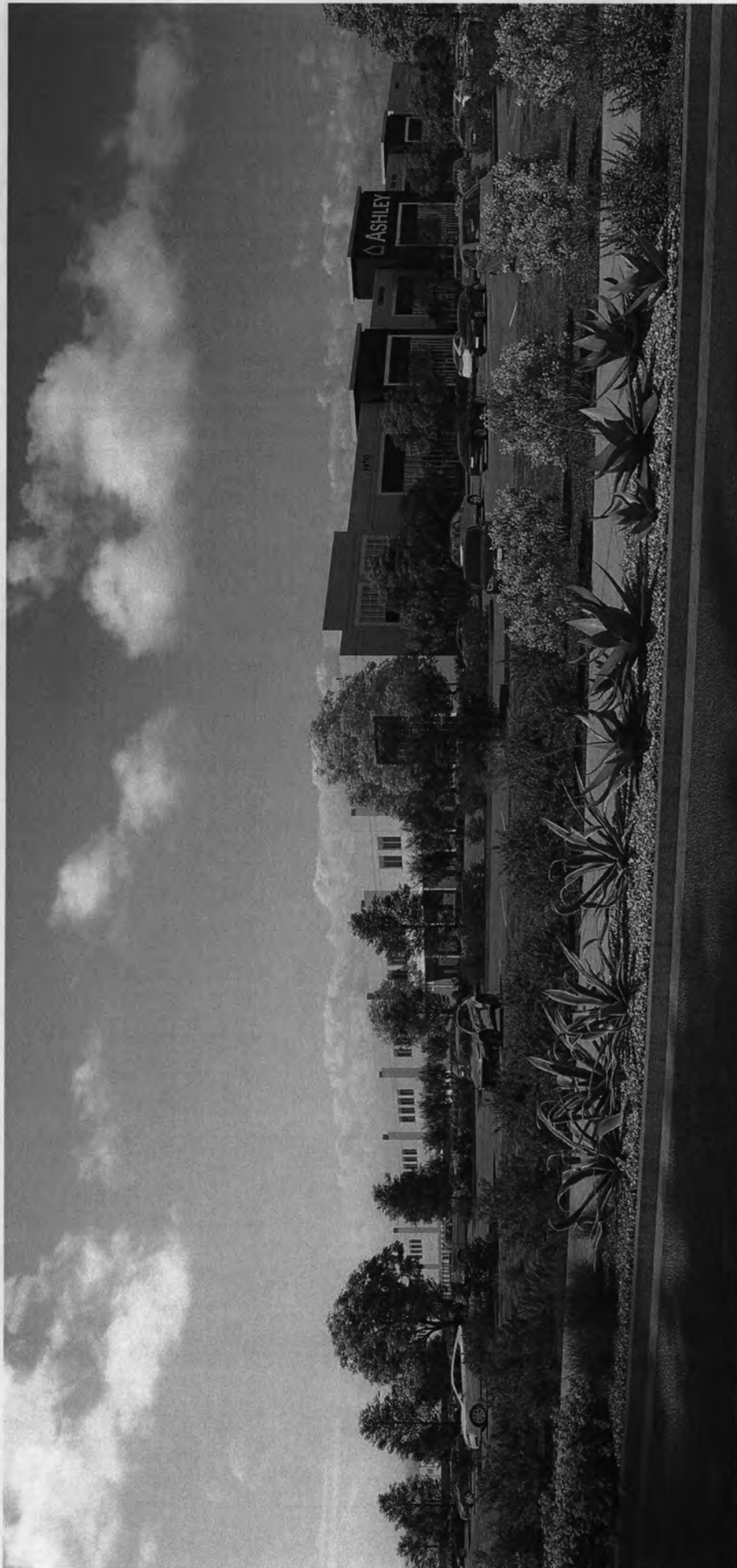


LATHROP, CA

ASHLEY LATHROP

Perspective View at Mantney Rd. 1

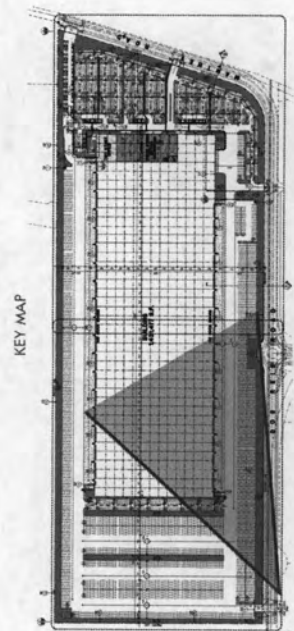




LATHROP, CA
ASHLEY LATHROP

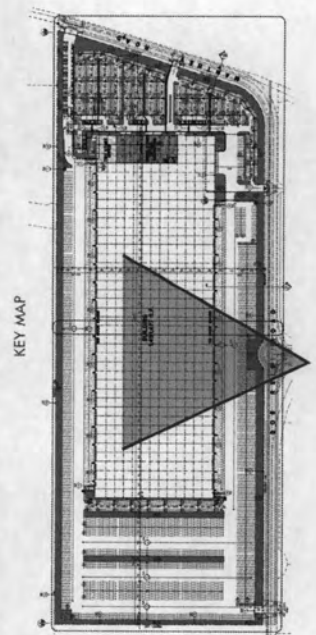
Perspective View at Mantney Rd. & Dos Reis Rd





LATHROP, CA
ASHLEY LATHROP
 Perspective View Dos Reis Rd. 1





KEY MAP

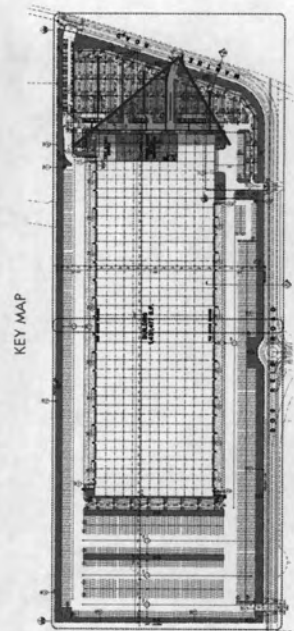
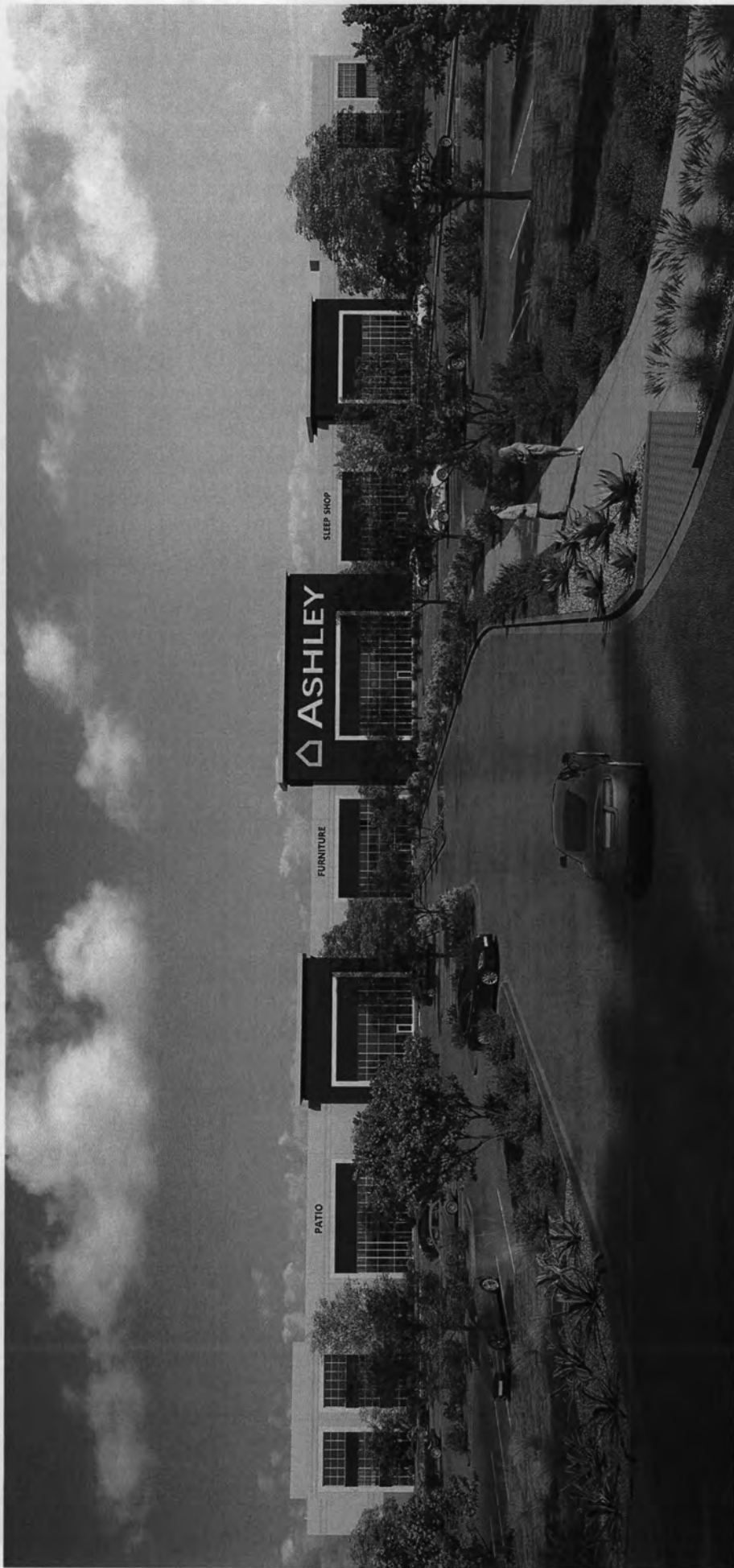


LATHROP, CA

ASHLEY LATHROP

Perspective View at Dos Reis Rd. 2



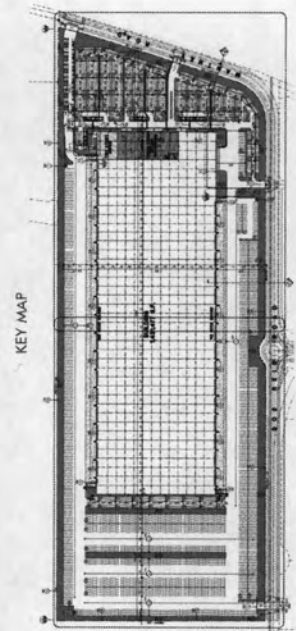
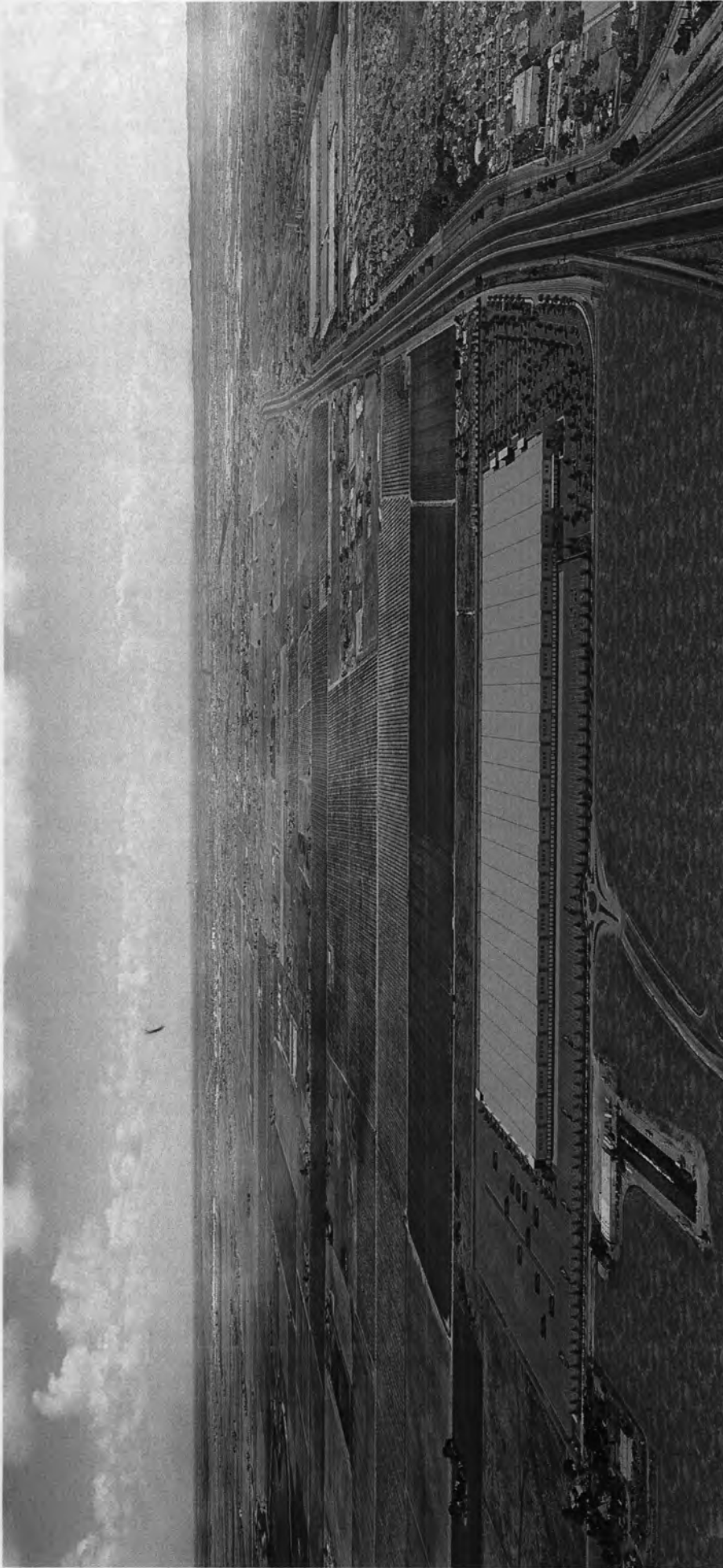


LATHROP, CA
ASHLEY LATHROP
 Perspective View at Mantney Rd. 2





LATHROP, CA
ASHLEY LATHROP
Aerial View - South Perspective



Attachment 10

Ashley Furniture Project CUP-23-08 and SPR-23-09

Environmental Checklist, prepared by De Novo Planning Group, dated
August, 2023

Due to the size of this document, it has not been reproduced in the staff report. A copy of the Environmental Checklist is available for viewing and download on the City's website at the following links:

Environmental Checklist without Appendices:

https://www.ci.lathrop.ca.us/sites/default/files/fileattachments/community_development/page/5622/lathrop_ashley_warehouse_15183_no_appendices.pdf

Environmental Checklist with Appendices:

https://www.ci.lathrop.ca.us/sites/default/files/fileattachments/community_development/page/5622/lathrop_ashley_warehouse_15183_clean.pdf

The Environmental Checklist can also be viewed at the following link:

<https://www.ci.lathrop.ca.us/com-dev/page/public-review-documents>

Individuals that are unable to access the Environmental Checklist at the website listed above or would require a computer disk or thumb drive containing a copy of the document should contact Planning Staff at planning@ci.lathrop.ca.us or (209) 941-7290 to obtain a copy.

**CITY OF LATHROP
PLANNING COMMISSION RESOLUTION NO. 23-13**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LATHROP
RECOMMENDING THE CITY COUNCIL FIND THE PROJECT EXEMPT FROM
FURTHER ENVIRONMENTAL REVIEW PURSUANT TO PUBLIC RESOURCES
CODE SECTION 21083.3 AND CEQA GUIDELINES SECTION 15183 AND APPROVE
THE CONDITIONAL USE PERMIT AND THE SITE PLAN REVIEW FOR THE
PROPOSED ASHLEY FURNITURE PROJECT (CUP-23-08 AND SPR-23-09)**

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public hearing to consider the Conditional Use Permit and Site Plan Review pursuant to the Lathrop Municipal Code; and

WHEREAS, the request is for approval of a Conditional Use Permit and Site Plan Review to allow the construction of an approximately 1.5 million square foot concrete tilt-up building and all necessary supporting infrastructure on property located within the Central Lathrop Specific Plan Phase 2 Amendment area as further defined below in the third recital (the proposed Project); and

WHEREAS, the property is located at 14101 S. Manthey Road (APN: 192-020-14) (the property); and

WHEREAS, prior to the City's approval of the 2022 General Plan Update, the City prepared an Environmental Impact Report (EIR) which analyzed the environmental impacts of buildout under the General Plan Update pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, et seq.), and the City of Lathrop City Council certified the Final EIR on September 19, 2022 (State Clearinghouse # 2021100139); and

WHEREAS, the analysis in the General Plan Update EIR allows the use of CEQA exemption/streamlining provisions for projects developed under the General Plan Update, including the proposed Project; and

WHEREAS, an Environmental Checklist has been prepared for the proposed Project, which is attached to the Planning Commission Staff Report as Attachment 9 and can also be found in the Planning Division project files located at 390 Towne Centre Drive, Lathrop, CA 95330; and

WHEREAS, the Planning Commission finds that the proposed Project is consistent with the Limited Industrial land use goals and policies of the City of Lathrop General Plan and is also consistent with the development standards for the IL-CL, Limited Industrial Zoning District and the Central Lathrop Specific Plan Phase 2 Amendment as further implemented through the Zoning Code Text Amendment; and

WHEREAS, proper notice of this public meeting was given in all respects as required by law including the publishing of a legal notice of the hearing in the Manteca Bulletin on or about September 1, 2023, mailed the public notice to notify property owners located within a 300-foot radius from the project site boundary, emailed to the City's Public Hearing subscribers and interested parties and posted at three (3) locations accessible to the public and the City website; and

WHEREAS, the Planning Commission has reviewed all written evidence and oral testimony presented to date.

NOW, THEREFORE BE IT RESOLVED, the Planning Commission of the City of Lathrop does hereby make the following findings:

1. California Environmental Quality Act (CEQA) Findings. Pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183, the Planning Commission finds as follows:
 - a. The project complies with CEQA based on the CEQA exemption/streamlining provisions contained in Public Resources Code section 21083.3 and CEQA Guidelines section 15183;
 - b. Pursuant to the Planning Commission Staff Report and the attachments and exhibits thereto, including but not limited to, the CEQA Initial Study Checklist, which are incorporated herein by reference, the proposed Project will not result in any significant impacts that: 1) are peculiar to the project or project site; 2) were not identified as significant project-level, cumulative, or off-site effects in the General Plan Update EIR; or 3) were previously identified significant effects, which as a result of substantial new information that was not known at the time that the General Plan Update EIR was certified, are determined to have a more severe adverse impact than discussed in the General Plan Update EIR. As a result, pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183, the proposed Project is exempt from further environmental review under CEQA.
 - c. All applicable General Plan Update policy and implementation actions and uniformly applied development policies, standards and/or regulations are, hereby imposed on the proposed Project and must be adhered to by the Project applicant. To the extent the City has not previously made findings regarding any/all of those referenced General Plan policy and implementation actions and uniformly applied development policies, standards and/or regulations, the Planning Commission hereby finds that all of those General Plan Update policy and implementation actions and uniformly applied development policies, standards and/or regulations, were adopted, in whole or in part, to substantially mitigate the potential environmental effects to which they pertain (i.e., aesthetics, agricultural and forest resources, air quality, biological resources, cultural and tribal resources, geology and soils, greenhouse gases, climate change, and energy, hazards and hazardous materials, hydrology and water

quality, land use, population, and housing, mineral resources noise, public services and recreation, circulation, utilities and services systems, and wildfire).

2. Conditional Use Permit Findings. Pursuant to Section 17.112.060 of the Lathrop Municipal Code (LMC), the Planning Commission finds as follows:

- a. That there are circumstances or conditions applicable to the land, structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right.
The proposed Project represents a major expansion of the existing Ashley Furniture Distribution Center and Retail Outlet located on S. Harlan Road. The proposed Project is consistent with the City's development standards for Limited Industrial.
- b. That the proposed location of the conditional use is in accordance with the objectives of the zoning code and the purposes of the district in which the site is located. *The proposed project is located in the IL-CL, Limited Industrial Zoning District and the Central Lathrop Specific Plan Phase 2 Amendment area and is a permitted use within the zoning district for which it is located as further established in the Zoning Code Text Amendment.*
- c. That the proposed use will comply with each of the applicable provisions of the LMC, as amended. *As noted above and as described in the Staff Report, the proposed project is a permitted use in the IL-CL, Limited Industrial Zoning District and is consistent with the applicable provisions in the LMC, including screening requirements pursuant to the Central Lathrop Specific Plan Phase 2 Amendment. Additionally, the General Plan required updates to the LMC and Central Lathrop Specific Plan Phase 2 in order to ensure that new development is compatible with existing development (Goal LU-5). The proposed project is consistent with the LMC, Policies and Implementation Actions of the General Plan as it relates to truck traffic impacts and land use compatibility.*

3. Site Plan Review Findings. Pursuant to Section 17.100.050 of the Lathrop Municipal Code (LMC), the Planning Commission finds as follows:

- a. The proposed Site Plan Review complies with all applicable provisions of Chapter 17.100;
- b. The proposed Site Plan Review is consistent with the site improvements listed in Chapter 17.100 (a. through i.) and improvements are such that traffic congestion is avoided and pedestrian and vehicular safety and welfare are protected and there will not be adverse effects on surrounding properties;

- c. Proposed lighting for the project area is so arranged as to deflect away from adjoining properties; and
- d. The proposed Site Plan Review is compatible with surrounding land uses and will not be detrimental to the health, safety and general welfare of the City as further evaluated in the Environmental Checklist.

BE IT FURTHER RESOLVED, based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, the Lathrop Planning Commission does hereby recommend that the Lathrop City Council approve Conditional Use Permit No. CUP-23-08 and Site Plan Review No. SPR-23-09, subject to the Conditions of Approval listed in Attachment 2 of the September 13, 2023 Staff Report and incorporated by reference herein.


PASSED AND ADOPTED by the Planning Commission of the City of Lathrop at a Special meeting on the 13th day of September, 2023 by the following vote:

AYES: Ishihara, Camarena, Jackson, Rhodes

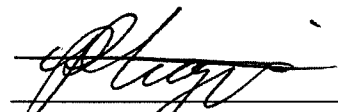
NOES: None

ABSTAIN: None

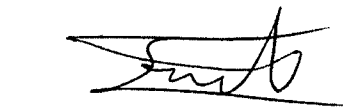
ABSENT: Ralmilay


Tosh Ishihara, Chair

ATTEST:


Rick Cagulat, Secretary

APPROVED AS TO FORM:


Salvador Navarrete, City Attorney



T 510.836.4200
F 510.836.4205

1939 Harrison Street, Ste. 150
Oakland, CA 94612

www.lozeaudrury.com
michael@lozeaudrury.com

BY E-MAIL

September 13, 2023

Rick Caguiat
Community Development Director
Planning Commission Secretary
Community Development Department
390 Towne Centre Drive
Lathrop, California 95330
planning@ci.lathrop.ca.us

**Re: Comment on Planning Commission Agenda Items No. 8.3 Regarding
the Ashley Furniture Project (Conditional Use Permit No. CUP-23-08;
Site Plan Review No. SPR 23-09)**

Dear Mr. Caguiat and Honorable Members of the Planning Commission:

I am writing on behalf of Laborers' International Union of North America, Local Union No. 73 ("LIUNA") regarding the proposed Ashley Furniture Project proposed to be located at the northwest corner of Dos Reis Rd and Manthey Road. The Planning Commission staff have determined that the project is exempt from the requirement for preparation of environmental documents pursuant to California Environmental Quality Act ("CEQA") Guidelines, Section 15183 and Public Resources Code § 21083.3. However, after reviewing the Environmental Checklist and relevant appendices prepared for the Project, and the 2022 General Plan Update EIR that the Project relies upon, we conclude that the Project does not meet the requirements for an exemption under CEQA Guideline § 15183 and PRC § 21083.3. LIUNA respectfully requests that the Planning Commission not recommend approval of each of the agenda items addressed by the proposed exemption and, in particular, the proposed Ashley Furniture Project, and instead request staff to prepare the necessary environmental documents under CEQA.

I. PROJECT DESCRIPTION

The Project proposes to construct and operate a 1,486,607 square foot industrial building including a mix of retail, office/call center, and warehouse and distribution uses. About 110,000 square feet would be dedicated to retail use, 24,000 square feet to office and call-center uses, and 1,352,347 square feet to warehouse and distribution center uses.

The Project proposes to construct approximately 2,046 parking spaces throughout the development site, with 942 spaces for passenger vehicles and 1,104 spaces for truck trailer parking. The Project expects to generate 2,798 daily passenger vehicle trips, including 203 a.m. peak hour trips (124 inbound, 79 outbound) and 255 p.m. peak hour trips (110 inbound, 145 outbound) for passenger vehicles. Another 680 daily truck trips also are expected, including 95 a.m. peak hour trips and 45 p.m. peak hour trips.

II. LEGAL STANDARD

To achieve its objectives of environmental protection, CEQA has a three-tiered structure. 14 CCR § 15002(k); *Committee to Save the Hollywoodland Specific Plan v. City of Los Angeles* (2008) 161 Cal.App.4th 1168, 1185-86 (“*Hollywoodland*”). First, if a project falls into an exempt category, or it can be seen with certainty that the activity in question will not have a significant effect on the environment, no further agency evaluation is required. *Id.* Second, if there is a possibility the project will have a significant effect on the environment, the agency must perform an initial threshold study. *Id.*; 14 CCR § 15063(a). If the study indicates that there is no substantial evidence that the project or any of its aspects may cause a significant effect on the environment the agency may issue a negative declaration. *Id.*; 14 CCR §§ 15063(b)(2), 15070. Finally, if the project will have a significant effect on the environment, an environmental impact report (“EIR”) is required. *Id.*

Here, since the City purports to exempt the Project from CEQA entirely, the first step of the CEQA process applies. “Exemptions to CEQA are narrowly construed and ‘[e]xemption categories are not to be expanded beyond the reasonable scope of their statutory language.’” *Mountain Lion Foundation v. Fish & Game Com.* (1997) 16 Cal.4th 105, 125. The determination as to the appropriate scope of an exemption is a question of law subject to independent, or de novo, review. *San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School Dist.*, (2006) 139 Cal. App. 4th 1356, 1375 (“[Q]uestions of interpretation or application of the requirements of CEQA are matters of law. Thus, for example, interpreting the scope of a CEQA exemption presents ‘a question of law, subject to de novo review by this court.’”))

Here, the City proposes that the Project is exempt from CEQA review under Section 15183 and PRC § 21083.3. However, as discussed below, the use of these streamlining provisions is improper, and instead, a full CEQA analysis, such as an EIR, must be prepared for this Project.

///

///

III. DISCUSSION

a. The City Incorrectly Applied CEQA's Section 15183 Categorical Exemption to the Project and Thus a Full CEQA Analysis is Required.

Section 15183 of the California Environmental Quality Act allows a project to avoid environmental review if it is "consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified . . . **except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.**" 14 CCR 15183 (emphasis added). See PRC § 21083.3(b). The intention of this section is to "streamline[]" CEQA review for projects and avoid the preparation of repetitive documents. While the City refers to these provisions as exemptions from CEQA, environmental review is still required for various types of impacts, including those "peculiar to the project or parcel on which the project would be located," those which "were not analyzed as significant effects in a prior EIR," "are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR," or "[a]re previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR."

Section (f) of section 15183 states that a Project's environmental effects are not peculiar to a project if "uniformly applied development policies or standards have been previously adopted" which serve to mitigate environmental impacts, "unless substantial new information shows that the policies or standards will not substantially mitigate the environmental effect." The standard set forth by the statute for this analysis is substantial evidence.

Here, there is substantial evidence demonstrating that the Project will have significant impacts which were not addressed in the EIR prepared for the 2022 General Plan Update. Section 15183 therefore does not apply, and the City must prepare appropriate CEQA documents for this Project.

b. The City Must Prepare a Statement of Overriding Considerations With Regard to This Project.

The 2022 General Plan Update concluded that several of the impacts identified as a result of the General Plan Update project were significant and unavoidable. These impacts included agricultural resources, air quality, greenhouse gas, and traffic noise impacts. In the Environmental Checklist prepared for the Project, the City acknowledges these significant and unavoidable impacts, but states that:

Impacts from buildout of the General Plan including cumulative impacts associated with development and buildout of the CLSP Phase 2 plan area

Comment re: Ashley Furniture Project
City of Lathrop
September 13, 2023
Planning Commission Hearing

and the warehouse Project site, as proposed, were fully addressed in the General Plan EIR (State Clearinghouse No. 2021100139), and implementation of the proposed project would not result in any new or altered impacts beyond those addressed in the General Plan EIR.

Env't Checklist, p. 13. Similar statements are repeated for each of the specific unavoidable significant impacts. This conclusion does not, however, address all of the City's obligations to grapple with acknowledged significant and unavoidable cumulative impacts.

In the case of *Communities for a Better Environment v. Cal. Resources Agency*, the court of appeal held that, although tiering may allow a later project to rely on the environmental analysis contained in a prior program-level EIR, that procedure does not relieve the agency of acknowledging the significant and unavoidable impacts and reconsidering its statement of overriding considerations. As the Court explained:

The section appears to allow an agency, in approving a later project that has significant unavoidable impacts, to forego making a statement of overriding considerations *specifically tied to that project*. This is contrary to CEQA law. CEQA section 21094, subdivision (d) requires agencies that approve a later project to comply with CEQA section 21081. Under CEQA section 21081, an agency approving a project with significant environmental effects must find that each effect will be mitigated or avoided, or "that *specific* overriding economic, legal, social, technological, or other benefits of *the project* outweigh the ... effect[]"⁶⁵ The requirement of a statement of overriding considerations is central to CEQA's role as a public accountability statute; it requires public officials, in approving environmentally detrimental projects, to justify their decisions based on counterbalancing social, economic or other benefits, and to point to substantial evidence in support.⁶⁶ Under Guidelines section 15152(f)(3)(C), however, an agency apparently could adopt one statement of overriding considerations for a prior, more general EIR, and then avoid future political accountability by approving later, more specific projects with significant unavoidable impacts pursuant to the prior EIR and statement of overriding considerations. Even though a prior EIR's *analysis* of environmental effects may be subject to being incorporated in a later EIR for a later, more specific project, the responsible public officials must still go on the record and explain specifically why they are approving the later project despite *its* significant unavoidable impacts.

Communities for a Better Env't v. California Res. Agency, 103 Cal. App. 4th 98, 124–25, 126 Cal. Rptr. 2d 441 (2002), *as modified* (Nov. 21, 2002), and *disapproved of on other grounds by Berkeley Hillside Pres. v. City of Berkeley*, 60 Cal. 4th 1086, 343 P.3d 834 (2015).

The same reasoning applies to the implementation of Pub. Res. Code § 21083.3 and 14 Cal. Admin. Code § 15183. The Project, based on its reliance on the 2022 General Plan Update EIR, will have cumulative impacts on agricultural resources, air quality, greenhouse gas emissions, and traffic noise. Although sections 21083 and 15183 provide for streamlining of the environmental review of a subsequent project, neither section relieves the City from its obligation to make a statement of overriding considerations for the Project. PRC § 21081. Prior to recommending the Project and applying the streamlining provisions, the Planning Commission should prepare a statement of overriding considerations supported by substantial evidence and which evaluates whether any additional feasible mitigation measures applicable to this specific project should be required in order to address the acknowledged cumulative impacts.

c. The Project Will Have Project-Specific Significant Effects Which Were Not Addressed in the 2022 General Plan Update EIR.

LIUNA is concerned that a number of significant environmental impacts peculiar to the Project were not addressed in the 2022 General Plan Update EIR. As a result, Pub. Res. Code § 21083.3 and 14 Cal. Admin. Code § 15183 do not apply and either a mitigated negative declaration or EIR must be prepared to address these unanalyzed impacts.

i. Biological Resources

According to the 2022 General Plan EIR, the federally-listed, endangered valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) did not occur within one-mile of the planning area. GP EIR, p. 3.4-15. As a result, there is no focused discussion in the 2022 General Plan EIR on any impacts to this federally-listed species. In general, the 2022 General Plan EIR concludes that there will be no significant impacts to listed species from the General Plan's implementation. GP EIR, p. 2.4-28 – 3.4-29. The valley elderberry longhorn beetle relies on a particular host plant for its survival – the red or blue elderberry. See Biological Resources Analysis Report, p. 18. The reconnaissance survey conducted for the Biological Resources Analysis observed a 6-foot by 15-foot elderberry shrub on the property. *Id.*, p. 19. The presence of that host plant, the enhanced likelihood of the presence of the endangered valley elderberry longhorn beetle, and the heightened risk of adverse affects on the host plant or potentially present beetles are not addressed as a significant impact in the 2022 General Plan EIR and these effects are peculiar to the Project site. Pub. Res. Code § 21083.3. Given these facts peculiar to the site, it "might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site." 14 CCR 15183.

Likewise, the observed presence of a Swainson's hawk foraging on the project site and nesting within 20 feet of the site also results in obvious effects peculiar to the

Comment re: Ashley Furniture Project
City of Lathrop
September 13, 2023
Planning Commission Hearing

project site, including not only the direct loss of foraging habitat but also disturbances from construction activities at the site and a dramatic increase in vehicles using Dos Reis Road to access the project once it is operational. Because impacts to Swainson's hawks were not addressed as significant impacts in the 2022 General Plan EIR and impact to a Swainson's hawk is peculiar to the site, those potential impacts must be addressed in a proper CEQA environmental review document and reliance on Pub. Res. Code § 21083.3 and 14 Cal. Admin. Code § 15183 is inappropriate.

Given the very limited reconnaissance-level survey performed on a single day at the Project site on May 5, 2021, LIUNA is concerned that there are numerous other listed and sensitive species foraging or located at the Project site. No effort has been made to determine the current presence of burrowing owls at the site. The past presence of red-tailed hawks and white-tailed kites foraging at the site also excludes the proposed streamlining exemption. A current and more robust survey of the Project site is necessary for the City to make any decision on these potential impacts based on substantial evidence.

In addition, the 2022 General Plan EIR does not identify the significant potential impact of the Project's thousands of trucks and car trips on wildlife from vehicle collisions with wildlife. This impact is peculiar to the Project given its proposed 2,798 daily passenger vehicle trips and 680 daily truck trips which will lead to wildlife collisions in the vicinity of the Project. Because this project-specific direct and cumulative effect was not addressed at all in the 2022 General Plan EIR, it must be addressed in an EIR or potentially a mitigated negative declaration for the Project. See PRC § 21083.3(c) ("Nothing in this section affects any requirement to analyze potentially significant offsite impacts and cumulative impacts of the project not discussed in the prior environmental impact report with respect to the general plan").

ii. Energy

The 2022 General Plan EIR's discussion of the General Plan's energy impacts boils down to stating that by complying with California's Building Energy Efficiency Standards ("CalGreen"), promoting the use of renewable energy sources and encouraging public transportation and bicycle use, and the fact that PG&E will generally make progress on adding new renewable energy sources to its portfolio, projects within the planning area will not have energy impacts. GP EIR, p. 3.7-41 – 3.7-42. The Environmental Checklist focuses on the Ashley Furniture Project's compliance with CalGreen and PG&E's long-term efforts. Env't Checklist, p. 66. None of these considerations address the energy effects that are peculiar to a 1.4 million square feet furniture distribution and retail center.

The standard under CEQA is whether the Project would result in wasteful, inefficient, or unnecessary consumption of energy resources. Failing to undertake "an investigation into renewable energy options that might be available or appropriate for a

Comment re: Ashley Furniture Project
City of Lathrop
September 13, 2023
Planning Commission Hearing

project" violates CEQA. *California Clean Energy Committee v. City of Woodland* (2014) 225 Cal.App.4th 173, 213. Energy conservation under CEQA is defined as the "wise and efficient use of energy." CEQA Guidelines, app. F, § I. The "wise and efficient use of energy" is achieved by "(1) decreasing overall per capita energy consumption, (2) decreasing reliance on fossil fuels such as coal, natural gas and oil, and (3) increasing reliance on renewable energy resources." *Id.*

Noting compliance with the California Building Energy Efficiency Standards (Cal.Code Regs., tit. 24, part 6 (Title 24) does not constitute an adequate analysis of energy impacts. *Ukiah Citizens for Safety First v. City of Ukiah* (2016) 248 Cal.App.4th 256, 264-65. Similarly, the court in *City of Woodland* held unlawful an energy analysis that relied on compliance with Title 24, that failed to assess transportation energy impacts, and that failed to address renewable energy impacts. *California Clean Energy Committee v. City of Woodland*, 225 Cal.App.4th 173, 209-13. As such, the General Plan EIR's reliance on Title 24 compliance does not address the proposed furniture warehouse Project's energy impacts. The energy effects of the Project are, by definition, peculiar to the Project. Given the vast expanse of roofing provided by the proposed Project, any evaluation of its energy impacts cannot ignore the obvious feasibility of an array of solar panels on the roof or covering the extensive parking proposed at the site. Energy efficiency, in the context of the Proposed project and site would require the consideration and implementation of sufficient solar panels to meet all of the Project's direct electricity demand, as well as solar power that would offset the considerable GHG and other air pollution emissions that will result from the thousands of trucks and cars driving to and from the Project every day once it's operational.

The Environmental Checklist contains no discussion of the project's cost effectiveness in terms of energy requirements. There is no discussion of energy consuming equipment and processes that will be used during the construction or operation of the project. The project's energy use efficiencies by amount and fuel type for each stage of the project including construction and operation were not identified. The effect of the project on peak and base period demands for electricity has not been addressed. As such, the Environmental Checklist's conclusions are unsupported by the necessary discussions of the Project's energy impacts under CEQA. An EIR or possibly a mitigated negative declaration must be prepared to assess these impacts.

iii. Greenhouse Gases and Air Quality.

The 2022 General Plan EIR did not project air pollution emissions for any given project that would be allowed by the plan. Instead, it identifies the implementation measure in the General Plan that the City "[review development, infrastructure, and planning projects for consistency with SJVAPCD requirements during the CEQA review process." GP EIR, p. 3.3-35 (RR-6a). The General Plan and the EIR go on to further require that:

Comment re: Ashley Furniture Project
City of Lathrop
September 13, 2023
Planning Commission Hearing

Require project applicants to prepare air quality analyses to address SJVAPCD and General Plan requirements, which include analysis and identification of:


- A. Air pollutant emissions associated with the project during construction, project operation, and cumulative conditions.
- B. Potential exposure of sensitive receptors to toxic air contaminants.
- C. Significant air quality impacts associated with the project for construction, project operation, and cumulative conditions.
- D. Mitigation measures to reduce significant impacts to less than significant or the maximum extent feasible where impacts cannot be mitigated to less than significant.

Id. Although the Environmental Checklist purports to describe these evaluation efforts, the Checklist does not provide any of the input files for the air pollution modeling conducted for the proposed Project. Only the output files are provided. Environmental Checklist, Attachment I, p. 162. Given the size of the warehouse and the number of expected daily truck trips, LIUNA is skeptical that the emissions forecasts identified for its construction and operation can be substantiated. Before making a recommendation to the Council, the Planning Commission should require staff and the applicant to share their input files for the CalEEMod modeling in order for the public to be able to assess the accuracy of the model outputs and whether or not the Project's may have a significant effect on air quality and GHG emissions and the extent of necessary mitigation measures as required by the General Plan.

IV. CONCLUSION

In light of the above comments, the City must prepare an EIR or, if appropriate, a mitigated negative declaration for the Project. LIUNA reserves its right to submit additional comments and evidence for any subsequent Planning Commission hearing or the City Council's consideration of the Project. Thank you for considering these comments.

Sincerely,



Michael R. Lozeau
LOZEAU DRURY LLP

ITEM 5.4

CITY MANAGER'S REPORT OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

ITEM: PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER ADOPTING AN ORDINANCE AMENDING THE LATHROP MUNICIPAL CODE TITLE 12 "STREETS, SIDEWALKS AND PUBLIC PLACES", CHAPTER 12.12 "IMPROVEMENTS AND DEDICATIONS", SECTION 12.12.060 "IMPROVEMENTS TO EXISTING BUILDINGS"

RECOMMENDATION: City Council to Consider the Following Items:

1. Hold a Public Hearing; and
2. First Reading and Introduction of an Ordinance Amending Title 12 "Streets, Sidewalks and Public Places", Chapter 12.12 "Improvements and Dedications", Section 12.12.060 "Improvements to Existing Buildings" to Modify the Language to Require Frontage Improvements Upon Addition of Improvements to Existing Sites

SUMMARY:

The proposed Municipal Code Text Amendment is a staff-initiated proposal to modify Section 12.12.060 of the Lathrop Municipal Code (LMC) to include additional types of development which may be required to construct public improvements listed in Section 12.12.060 if a certain threshold is met. Developer-built public improvements mitigate impacts that the development has on the City. Staff is requesting City Council approval of the proposed Municipal Code Text Amendment to improve clarity and promote development of public infrastructure.

BACKGROUND:

In 2009, the City adopted an Economic Development Strategic Plan to guide the City Council in making decisions regarding economic growth for the City. In 2011, the City Council indicated a desire to accelerate economic and business development efforts by creating an Economic Development Program.

On February 8, 2020, Council approved staff requests to update various sections of the LMC to streamline procedures, clarifications of code, and imported updated policies. The update included two additional sentences to Section 12.12.060 regarding undergrounding overhead utilities.

The intent of the proposed amendment is to provide concise and clear requirements for residents, developers and staff.

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

PUBLIC HEARING TO CONSIDER ADOPTING AN ORDINANCE AMENDING THE LATHROP MUNICIPAL CODE TITLE 12 "STREETS, SIDEWALKS AND PUBLIC PLACES", CHAPTER 12.12 "IMPROVEMENTS AND DEDICATIONS", SECTION 12.12.060 "IMPROVEMENTS TO EXISTING BUILDINGS"**ANALYSIS:**

The proposed Municipal Code Text Amendment will modify the following Chapter and Section of the LMC:

CHAPTER 12.12 IMPROVEMENTS AND DEDICATIONS**12.12.060 Improvements to existing sites buildings.**

Except as may be otherwise provided in this chapter or by any other applicable law, the improvement of any existing building or construction of any new building which does not increase the total floor area of such building on the site to an extent of twenty-five percent (25%) or more within any five-year period shall be excepted from application of the provisions of this chapter. However, any person constructing, adding to, or arranging for the construction of, or addition to any off-street parking facilities, or any building, or any improvements (hereinafter collectively referred to as "Improvements") resulting in an increase of twenty-five percent (25%) or more in area or value of Improvements ~~area increase thereto of twenty-five percent (25%) or more, or increase in value of any building in excess of twenty-five percent (25%) thereof~~, within the five-year period, shall also provide for the construction of curbs, gutters, sidewalks, storm drain facilities, street lights, underground utilities, and street paving to the sound structural section of the existing street pavement, unless such improvements constructed in accordance with the standards already exist. Underground utilities shall include the undergrounding of existing and new electrical distribution (34.5 kVA and under), cable, phone and any other overhead line for both sides of the street within the frontage of the project. The project shall be responsible for fifty percent (50%) of the cost of the undergrounding of the utilities. For purposes of this section, the value of a building shall be deemed to be the current appraised market value thereof as determined by the county assessor in determining the assessed value for tax purposes.

Public Notice

A Notice of Public Hearing was advertised in the Manteca Bulletin newspaper on September 28, 2023.

REASON FOR RECOMMENDATION:

The proposed amendment clarifies the existing LMC language to ensure that all development over a certain size and value would be required to provide public improvements to align with the original intent of the LMC.

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

PUBLIC HEARING TO CONSIDER ADOPTING AN ORDINANCE AMENDING THE LATHROP MUNICIPAL CODE TITLE 12 "STREETS, SIDEWALKS AND PUBLIC PLACES", CHAPTER 12.12 "IMPROVEMENTS AND DEDICATIONS", SECTION 12.12.060 "IMPROVEMENTS TO EXISTING BUILDINGS"

FISCAL IMPACT:

There is no fiscal impact at this time. Staff will incorporate activities related to this item into current council adopted operating budgets.

ATTACHMENTS:

- A. Ordinance Amending Title 12 "Street, Sidewalks and Public Places", Chapter 12.12 "Improvements and Dedications", Section 12.12.060 "Improvements to Existing Buildings" to Modify Language to Require Frontage Improvements Upon Addition of Improvements to Existing Sites

CITY MANAGER'S REPORT

PAGE 4

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

PUBLIC HEARING TO CONSIDER ADOPTING AN ORDINANCE AMENDING THE LATHROP MUNICIPAL CODE TITLE 12 "STREETS, SIDEWALKS AND PUBLIC PLACES", CHAPTER 12.12 "IMPROVEMENTS AND DEDICATIONS", SECTION 12.12.060 "IMPROVEMENTS TO EXISTING BUILDINGS"

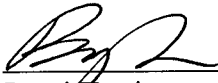
APPROVALS:



Bellal Nabizadah
Assistant Engineer

9/29/23

Date



Brad Taylor
City Engineer

9/25/2023

Date



Cari James
Finance Director

9/27/2023

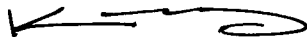
Date



Thomas Hedegard
Deputy City Manager

9/27/2023

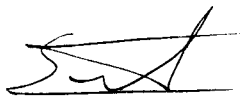
Date



Michael King
Assistant City Manager

9-27-2023

Date



Salvador Navarrete
City Attorney

9-25-2023

Date



Stephen J. Salvatore
City Manager

10.4.23

Date

ORDINANCE NO. 23-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP AMENDING TITLE 12 "STREET, SIDEWALKS AND PUBLIC PLACES", CHAPTER 12.12 "IMPROVEMENTS AND DEDICATIONS", SECTION 12.12.060 "IMPROVEMENTS TO EXISTING BUILDINGS" TO MODIFY LANGUAGE TO REQUIRE FRONTAGE IMPROVEMENTS UPON ADDITION OF IMPROVEMENTS TO EXISTING SITES

WHEREAS, in 2009, the City adopted an Economic Development Strategic Plan to guide the City Council in making decisions regarding economic growth for the City; and

WHEREAS, in 2011, the City Council indicated a desire to accelerate economic and business development efforts by creating an Economic Development Program; and

WHEREAS, on February 8, 2020, Council approved staff requests to update various sections of the Lathrop Municipal Code (LMC) to streamline procedures, clarifications of code, and imported updated policies. The update included two additional sentences to Section 12.12.060 regarding undergrounding overhead utilities; and

WHEREAS, with the significant increase in development from both public and private agencies, staff now proposes an amendment to provide concise and clear requirements for residents, developers and staff; and

WHEREAS, a Notice of Public Hearing was advertised in the Manteca Bulletin on September 28th, 2023; and

WHEREAS, staff requests that City Council hold a public hearing, consider all information and public testimony and, if determined to be appropriate, adopt an Ordinance amending Lathrop Municipal Code Title 12 "Streets, Sidewalks and Public Places", Chapter 12.12 "Improvements and Dedications", Section 12.12.060 "Improvements to Existing Buildings"; and

WHEREAS, the proposed amendment clarifies to the existing LMC language to ensure that all development over a certain size and value would be required to provide public improvements to align with the original intent of the LMC.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lathrop does hereby ordain as follows:

Note: New text is shown by underline. Deleted text is shown by ~~strikethrough~~

Section 1.

Title 12 of the Lathrop Municipal Code, "Street Sidewalks and Public Places" is hereby amended by amending Chapter 12.12 "Improvements and Dedications", Section 12.12.060 "Improvements to Existing Buildings", to incorporate the changes as follows:

CHAPTER 12.12 IMPROVEMENTS AND DEDICATIONS

12.12.060 Improvements to existing sites buildings.

Except as may be otherwise provided in this chapter or by any other applicable law, the improvement of any existing building or construction of any new building which does not increase the total floor area of such building on the site to an extent of twenty-five percent (25%) or more within any five-year period shall be excepted from application of the provisions of this chapter. However, any person constructing, adding to, or arranging for the construction of, or addition to any off-street parking facilities, or any building, or any improvements (hereinafter collectively referred to as "Improvements") resulting in an increase of twenty-five percent (25%) or more in area or value of Improvements ~~area increase thereto of twenty five percent (25%) or more, or increase in value of any building in excess of twenty five percent (25%) thereof,~~ within the five-year period, shall also provide for the construction of curbs, gutters, sidewalks, storm drain facilities, street lights, underground utilities, and street paving to the sound structural section of the existing street pavement, unless such improvements constructed in accordance with the standards already exist. Underground utilities shall include the undergrounding of existing and new electrical distribution (34.5 kVA and under), cable, phone and any other overhead line for both sides of the street within the frontage of the project. The project shall be responsible for fifty percent (50%) of the cost of the undergrounding of the utilities. For purposes of this section, the value of a building shall be deemed to be the current appraised market value thereof as determined by the county assessor in determining the assessed value for tax purposes.

Section 2.

This Ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3. Severability.

If any section, subsequent subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance.

The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of

the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

Section 4. Effective Date.

This Ordinance shall take legal effect 30 days from and after the date of its passage.

Section 5. Publication.

Within fifteen days of the adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance, to be published in full accordance with Section 36933 of the Government Code.

THIS ORDINANCE was introduced at a meeting of the City Council of the City of Lathrop on the 9th day of October, 2023, and was **PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Lathrop on the ____ day of _____ 2023, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney

**CITY MANAGER'S REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING**

**ITEM: REVIEW AND CONSIDER TRAFFIC SAFETY
ENHANCEMENT OPTIONS FOR RIVER ISLANDS
PARKWAY AT THE INTERSECTIONS OF BOSCH
AVENUE AND IMPERIAL DRIVE, CIP PS 24-07**

**RECOMMENDATION: Council to Consider Options for Traffic Safety
Enhancement for River Islands Parkway at the
Intersections of Bosch Avenue and Imperial Drive,
CIP PS 24-07**

SUMMARY:

Staff has received complaints from residents regarding the safety of vehicles turning onto River Islands Parkway from Bosch Avenue. In December 2021, City staff responded to resident complaints by removing some landscaping as well as installing several warning signs to improve the safety of this intersection. However, the residents are now requesting stop control on River Islands Parkway.

Staff has also received complaints from residents regarding the safety of pedestrians crossing River Islands Parkway at Imperial Drive. Staff recently replaced the all-way stop control with two-way stop control and an enhanced pedestrian crossing over River Islands Parkway to facilitate the function of the newly installed adjacent traffic signals at Dell'Osso Drive and Somerston Parkway.

Staff evaluated these intersections utilizing the California Manual on Uniform Traffic Control Devices (MUTCD) and provided three Options to enhance the traffic safety as listed below and detailed in the Background Section of this Report.

River Islands Parkway & Bosch Avenue

Option 1 – Yellow Flashing Beacons and Sight Distance Improvement

Option 2 – Prohibit Left Turns

Option 3 – Install Temporary All-Way Stop Control

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING**REVIEW AND CONSIDER TRAFFIC SAFETY ENHANCEMENT OPTIONS FOR RIVER ISLANDS PARKWAY AT THE INTERSECTIONS OF BOSCH AVENUE AND IMPERIAL DRIVE, CIP PS 24-07****River Islands Parkway & Imperial Drive**

Option 1 – Yellow Flashing Beacons

Option 2 – Install Pedestrian Hybrid Beacon

Option 3 – Install Temporary All-Way Stop Control

Staff recommends that Council consider Option 1 and/or Option 2 for both Bosch Avenue and Imperial Drive, however staff will proceed with Council's elected options accordingly.

BACKGROUND:

The City of Lathrop established the Traffic Calming Program to address and resolve local neighborhood traffic concerns. This program provides traffic calming measures that can reduce traffic speed, motor-vehicle collisions, and improve safety for pedestrians, cyclists, and motorists. The funds allocated for the Traffic Calming Program will be unitized towards improving River Islands Parkway at Bosch Avenue and Imperial Drive. If Option 2 for Imperial Drive is selected, staff will bring an item back to Council to approve a CIP and budget given the high cost.

City staff has received complaints from residents regarding the safety of vehicles turning on to River Islands Parkway from Bosch Avenue. In December 2021, City staff responded to resident complaints by removing some landscaping as well as installing several warning signs to improve the safety of this intersection. The residents are now requesting stop control on River Islands Parkway.

Staff has also received complaints from residents regarding the safety of pedestrians crossing River Islands Parkway at Imperial Drive. Staff recently replaced the all-way stop control with two-way stop control and an enhanced pedestrian crossing over River Islands Parkway to facilitate the function of the newly installed adjacent traffic signals at Dell'Osso Drive and Somerston Parkway.

Staff evaluated these intersections utilizing the California Manual on Uniform Traffic Control Devices (MUTCD). There have been no reported collisions at the River Islands Parkway and Bosch Avenue intersection and one reported collision that may have been caused by the recent change in traffic control at the River Islands Parkway & Imperial Drive intersection. The following options are being presented to Council for review and consideration:

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

REVIEW AND CONSIDER TRAFFIC SAFETY ENHANCEMENT OPTIONS FOR RIVER ISLANDS PARKWAY AT THE INTERSECTIONS OF BOSCH AVENUE AND IMPERIAL DRIVE, CIP PS 24-07

River Islands Parkway & Bosch Avenue

Option 1 – Install Yellow Flashing Beacons to the Intersection Warning Signs on River Islands Parkway and Further Reduce Landscaping to Improve Sight Distance

(Approximate cost is \$2,000)

- Recommended: This will allow for enhanced warning of an intersection to vehicles traveling on River Islands Parkway and increase the visibility of vehicles turning from Bosch Avenue

Option 2 – Prohibit Left Turns from Bosch Avenue to River Islands Parkway during Peak Traffic Hours

(Approximate cost of \$500)

- Recommended: Prohibiting left turns from Bosch Avenue to River Islands Parkway from 6 AM – 9 AM and 3 PM – 6 PM will encourage residents to use the adjacent stop controlled or roundabout intersections during the peak traffic hours to ensure safe egress from the neighborhood

Option 3 – Install Temporary All-Way Stop Control until the Adjacent Sidwell Drive Traffic Signal is installed

(Approximate cost of \$6,000)

- Not Recommended:
 - MUTCD Section 2B.07 Multi-Way Stop Applications criteria is not met
 - Currently no reported collisions at this intersection and All-Way Stop Control can increase collisions on the major road (River Islands Parkway)
 - In the future, All-Way Stop Control will cause traffic delays of 1.5 minutes on River Islands Parkway and the intersection will operate at an unacceptable LOS F

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

REVIEW AND CONSIDER TRAFFIC SAFETY ENHANCEMENT OPTIONS FOR RIVER ISLANDS PARKWAY AT THE INTERSECTIONS OF BOSCH AVENUE AND IMPERIAL DRIVE, CIP PS 24-07

River Islands Parkway & Imperial Drive**Option 1 – Install Pedestrian Activated Yellow Flashing Beacons to Pedestrian Crossing Warning Signs**

(Approximate cost is \$8,000)

- Recommended: The flashing lights will provide an enhanced warning to vehicles that a pedestrian is crossing River Islands Parkway while maintaining the flow of traffic necessary for the proper function of the adjacent traffic signals

Option 2 – Install Pedestrian Hybrid Beacon

(Approximate cost of \$400,000)

- Recommended: The Pedestrian Hybrid Beacon is pedestrian activated and will stop traffic on River Islands Parkway with a red light. Once the pedestrian has cleared the intersection, the light will go dark to allow traffic on River Islands Parkway to flow as needed to maintain the proper function of the adjacent traffic signals

Option 3 – Install Temporary All-Way Stop Control until Option 1 or 2 can be installed or traffic delays are observed by staff

(Approximate cost of \$6,000)

- Not Recommended:
 - MUTCD Section 2B.07 Multi-Way Stop Applications criteria is not met
 - All-Way stop control will negatively affect the operation of the adjacent signals on River Islands Parkway at Dell'Osso Drive and Somerston Parkway
 - In the future, All-Way Stop Control will cause traffic delays of 9 minutes on River Islands Parkway and the intersection will operate at an unacceptable LOS F

Staff recommends that Council consider Option 1 and/or Option 2 for both Bosch Avenue and Imperial Drive. However staff will proceed with Council's elected options accordingly.

REASON FOR RECOMMENDATION:

The intersections of River Islands Parkway at Bosch Avenue and Imperial Drive have some challenges that require enhanced safety improvements. The recommended Options in the Summary above will improve the safety within these intersections.

CITY MANAGER’S REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
REVIEW AND CONSIDER TRAFFIC SAFETY ENHANCEMENT OPTIONS FOR
RIVER ISLANDS PARKWAY AT THE INTERSECTIONS OF BOSCH AVENUE AND
IMPERIAL DRIVE, CIP PS 24-07

PAGE 5

FISCAL IMPACT:

Staff estimates the approximate construction costs below for all the options for the two intersections:

River Islands Parkway & Bosch Avenue

Option 1 – Yellow Flashing Beacons and Sight Distance Improvement	\$2,000
Option 2 – Prohibit Left Turns	\$500
Option 3 – Install Temporary All-Way Stop Control	\$6,000

River Islands Parkway & Imperial Drive

Option 1 – Yellow Flashing Beacons	\$8,000
Option 2 – Install Pedestrian Hybrid Beacon	\$400,000
Option 3 – Install Temporary All-Way Stop Control	\$6,000

Staff will pursue the option selected by Council, develop construction documents, and secure bids for the project. Sufficient funds have been allocated in FY 23-24 approved budget, CIP PS 24-07 Traffic Calming Measure fund (3310) for all options except River Islands Parkway & Imperial Drive Option 2; if this Option is selected, staff will bring an item back to Council to approve a CIP and budget given the high cost.

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

REVIEW AND CONSIDER TRAFFIC SAFETY ENHANCEMENT OPTIONS FOR RIVER ISLANDS PARKWAY AT THE INTERSECTIONS OF BOSCH AVENUE AND IMPERIAL DRIVE, CIP PS 24-07

ATTACHMENTS:

- A. Bosch Avenue Option 1: Install Yellow Flashing Beacons to the Intersection Warning Signs on River Islands Parkway and further Reduce Landscaping to Improve Sight Distance
- B. Bosch Avenue Option 2: Prohibit Left Turns from Bosch Avenue to River Islands Parkway During Peak Traffic Hours
- C. Bosch Avenue Option 3: Install Temporary All-Way Stop Control until the Adjacent Sidwell Drive Traffic Signal is Installed
- D. Imperial Drive Option 1: Install Pedestrian Activated Yellow Flashing Beacons to Pedestrian Crossing Warning Signs
- E. Imperial Drive Option 2: Install Pedestrian Hybrid Beacon
- F. Imperial Drive Option 3: Install Temporary All-Way Stop Control until Option 1 or 2 can be installed or the traffic volume exceeds the capacity of the all-way stop


CITY MANAGER'S REPORT

PAGE 7

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

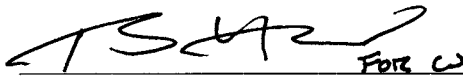
**REVIEW AND CONSIDER TRAFFIC SAFETY ENHANCEMENT OPTIONS FOR
RIVER ISLANDS PARKWAY AT THE INTERSECTIONS OF BOSCH AVENUE AND
IMPERIAL DRIVE, CIP PS 24-07**

APPROVALS:



Brad Taylor
City Engineer

10/3/2023
Date



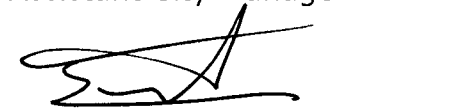
Cari James
Finance Director

10/04/2023
Date



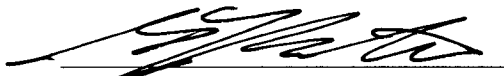
Michael King
Assistant City Manager

10.3.2023
Date



Salvador Navarrete
City Attorney

10.4.2023
Date



Stephen J. Salvatore
City Manager

10.4.23
Date

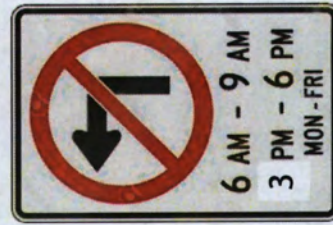


RIVER ISLANDS PARKWAY AND BOSCH AVENUE

OPTION 2: PROHIBIT LEFT-TURNS ON AM/PM PEAK HOURS



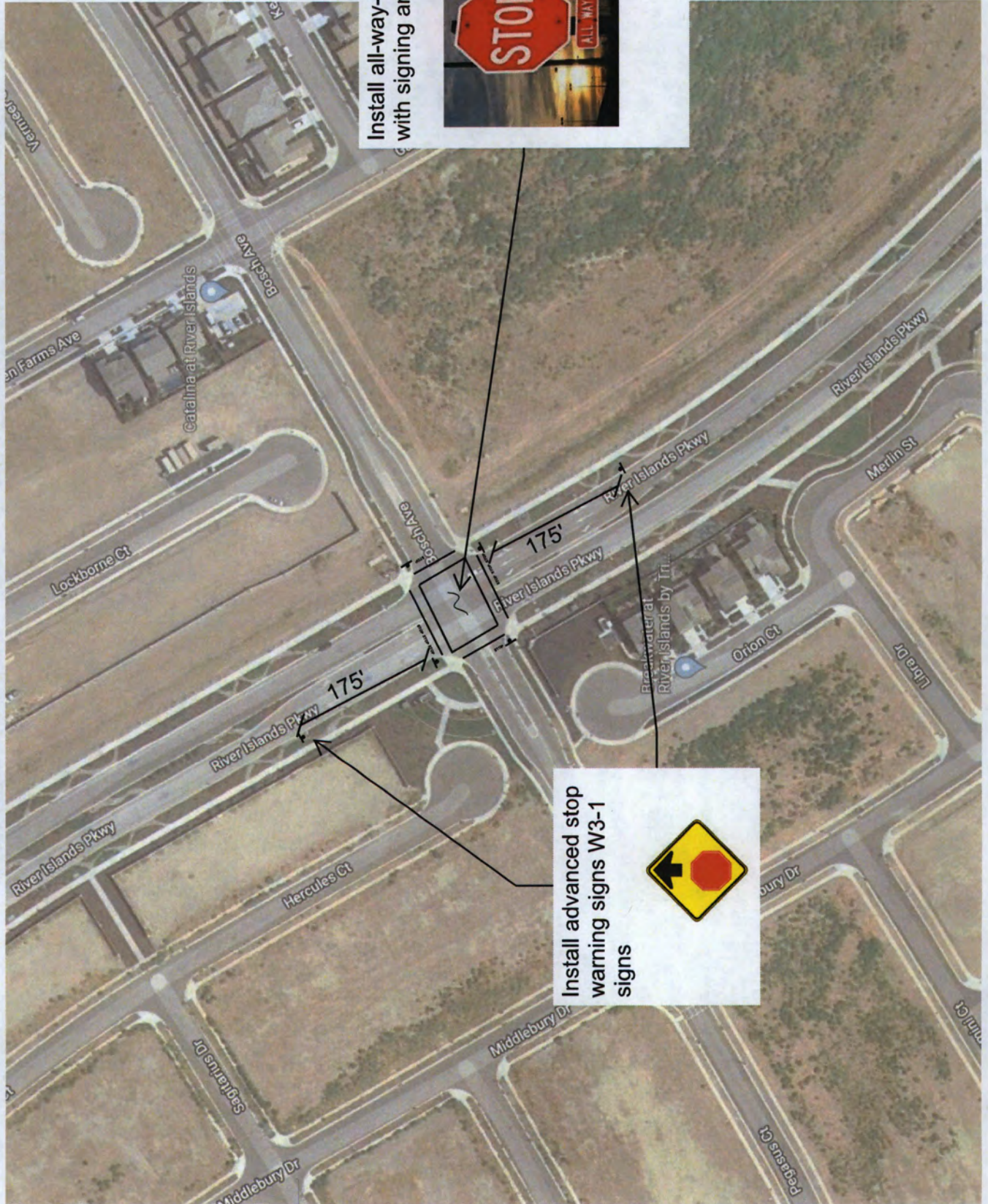
Install new sign to restrict left-turns during:



ATTACHMENT
"B"

RIVER ISLANDS PARKWAY AND BOSCH AVENUE

OPTION 3: INSTALL ALL-WAY-STOP-CONTROL (AWSC)



Install all-way-stop-control
with signing and striping



Install advanced stop
warning signs W3-1
signs

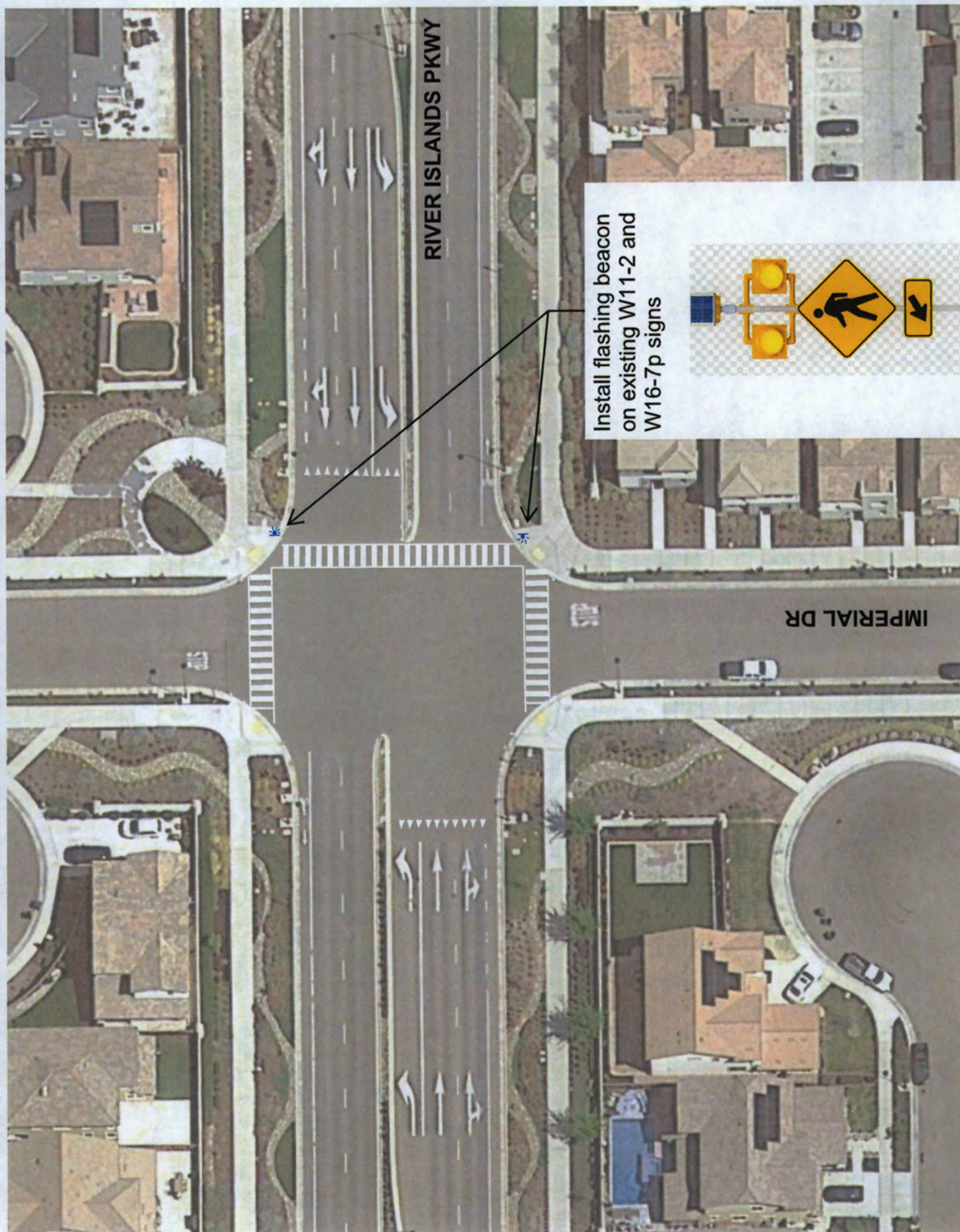


ATTACHMENT
"C"

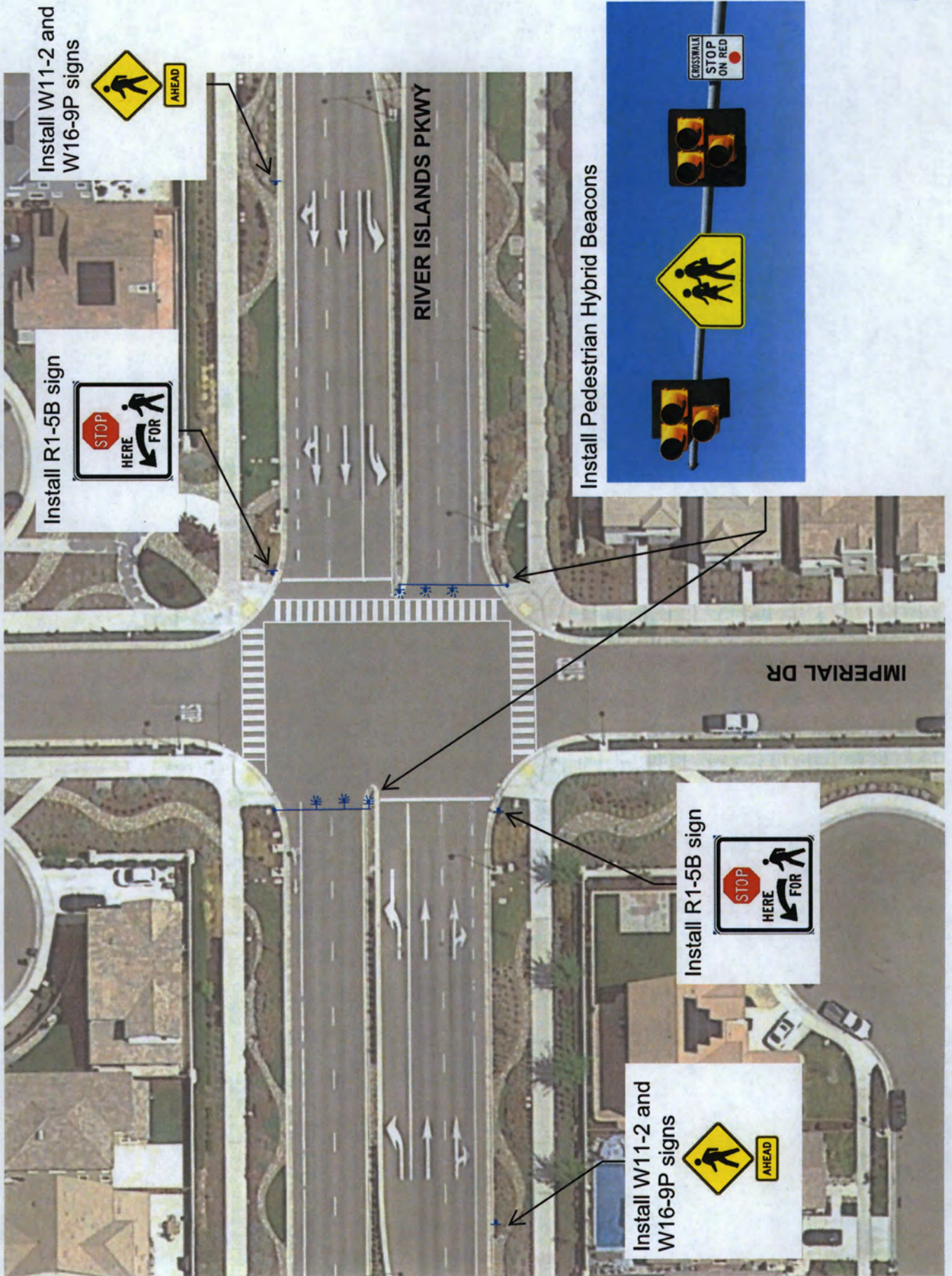


RIVER ISLANDS PARKWAY AND IMPERIAL DRIVE

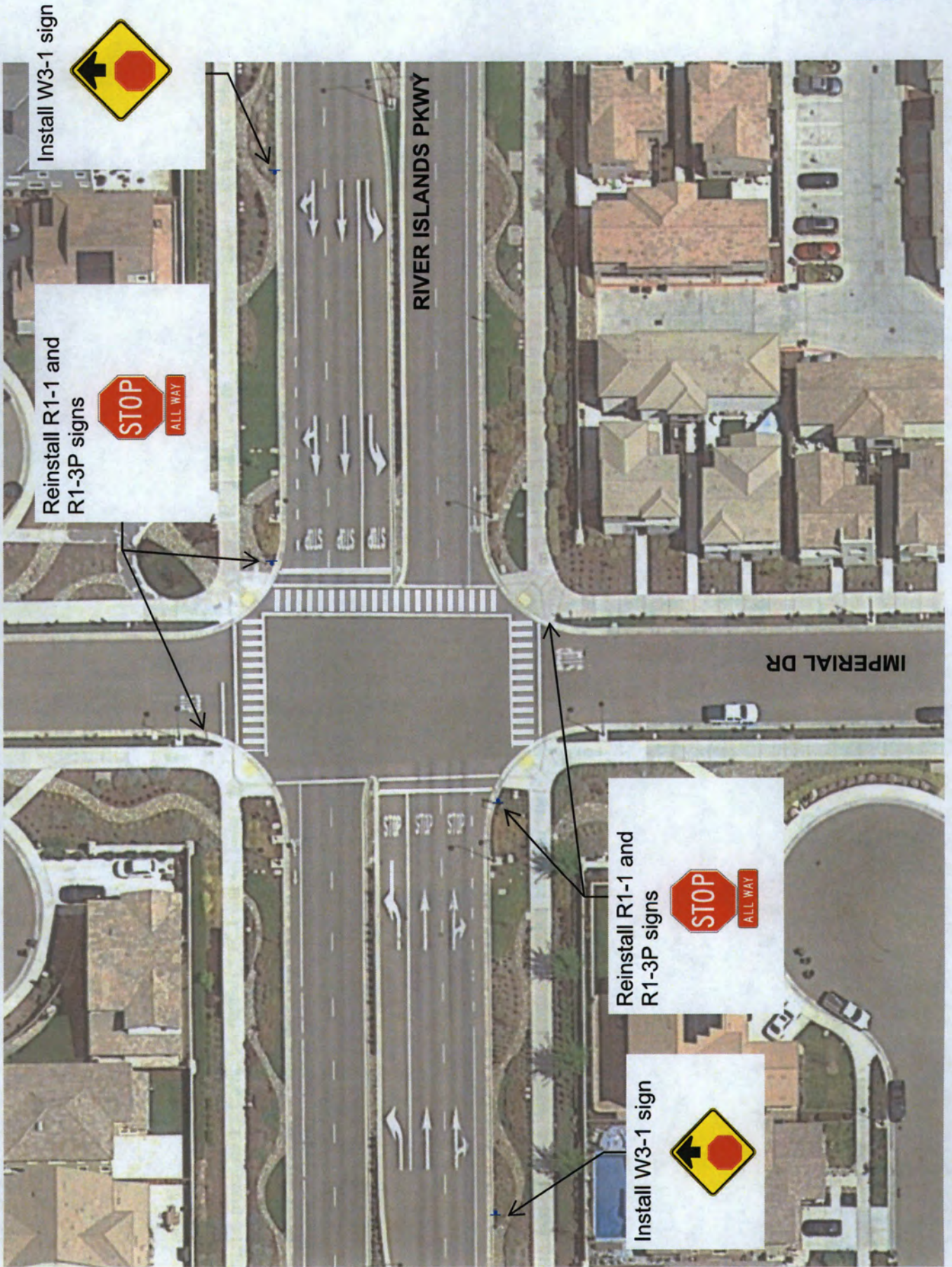
OPTION 1: INSTALL PEDESTRIAN ACTIVATED YELLOW FLASHING BEACONS



OPTION 2: INSTALL PEDESTRIAN HYBRID BEACONS



OPTION 3: INSTALL ALL-WAY STOP CONTROL (AWSC)



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ITEM 5.6

CITY MANAGER'S REPORT OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

ITEM: CITY COUNCIL DISCUSSION REGARDING
REGULATION AND PERMIT OPTIONS FOR HOOKAH
LOUNGE

RECOMMENDATION: City Council to Discuss and Provide Staff Direction as to Whether to Prepare an Ordinance for Review by the Planning Commission and Subsequent Consideration of the City Council, for Regulation and Permit Options for Hookah Lounge Establishments.

SUMMARY:

The Lathrop Municipal Code (LMC) currently doesn't list or have any regulations for Hookah Lounge within the city limits. On September 11, 2023, the City Council directed staff to research permitting requirements in surrounding jurisdictions.

The purpose of this discussion item is to obtain input and direction from City Council related to the potential options for regulation and permit requirements for Hookah Lounge establishments.

ANALYSIS:

"Hookah Lounge" is defined as:

- An establishment holding a valid Tobacco Retail License that exclusively occupies an indoor space and is primarily engaged in the retail sale of hookah tobacco for consumption by customers on site.
- Hookah is a device used to smoke tobacco (called shisha).
- A typical hookah has a head, a metal body, a water bowl, and a flexible hose with a mouthpiece that is used to inhale the smoke. In most hookah, hot charcoal is placed on top of the tobacco to heat it.

State Regulations pertaining to hookah lounge:

- Hookah lounges (that meet the definition of a "retail or wholesale tobacco shop" per CA Labor Code 6404.5) are exempt from California's Smoke-free Workplace Law, allowing smoking indoors legal.
- Hookah lounges are exempt from California's ban on flavored tobacco products (Senate Bill 793).

- The minimum age of sale for tobacco products in CA is 21 (18 for active duty military personnel). There is no minimum age requirement to enter a hookah lounge.
- Tobacco shops are not allowed to sell alcoholic beverages or food for consumption on the premises (BPC 22962 (a) (f)).

The list below identifies the permitting requirements for Hookah Lounge Establishments in surrounding jurisdictions:

- San Joaquin County
 - Permitted in Commercial Zoning Districts
- City of Manteca
 - Conditional Use Permit – Mixed Use and General Commercial Zoning.
- City of Modesto
 - Permitted – Commercial and Industrial Zoning Districts. Conditional Use Permit if associated with on-site alcohol consumption.
- City of Riverbank
 - Conditional Use Permit - Neighborhood Commercial with distance requirements – 1,000 ft. from other hookah, 500 ft. from residential, and 600 ft. from schools and parks.
- Not permitted in Tracy, Lodi, and Stockton.

RECOMMENDATION:

Staff recommends that the City Council discuss the information contained in the presentation and provide direction.

FISCAL IMPACT:

There is no fiscal impact to the City of Lathrop, only staff time to prepare this report.

**CITY MANAGERS REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
HOOKAH LOUNGE**


PAGE 3

APPROVALS:




Rick Caguiat
Community Development Director

9/22/23
Date



Salvador Navarrete
City Attorney

9.25.2023
Date



Stephen J. Salvatore
City Manager

9.27.23
Date

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**ITEM: FISCAL YEAR (FY) 2022/23 YEAR-END BUDGET
REPORT AND RELATED AMENDMENTS AND
AMENDMENTS TO THE FISCAL YEAR 2023/24
BUDGET**

**RECOMMENDATION: Adopt Resolution Approving the FY 2022/23 Year-
End Report and Related Budget Amendments and
Amending the FY 2023/24 Budget**

SUMMARY:

In June 2021, City Council adopted their Biennial Budget for fiscal years 2021/22 and 2022/23 by Resolution No. 21-4885. Staff has continued to present Council budget updates through the formal Mid-Year and Year-End reviews and budget amendments. At the end of Year 2 of the biennial budget, the General Fund unallocated fund balance at June 30, 2023 was estimated at \$8.7 million. Higher than projected property and sales tax collections combined with lower than budgeted expenditures due to operational efficiencies and salary savings from vacant positions have resulted in a General Fund surplus at the end of fiscal year (FY) 2022/23.

Staff recommends applying approximately \$11.0 million in FY 22/23 surplus funds to the following unfunded liabilities:

- Transfer \$7.0 million to the Street Repair Reserves to maintain deteriorating City roads.
- Transfer \$3.0 million to the Landscape Reserves to fund City wide landscape projects.
- Transfer \$1.0 million to the Retirement Stabilization Reserves to set aside funds for future retirement unfunded liability.

With the proposed uses of the fund balance unassigned reserves, the estimated General Fund Balance at June 30, 2023 is \$8.9 million or 28% of actual operating expenditures. The estimated fund balance remains above the 25% recommended target.

In addition, staff is proposing amendments to the City Clerk's budget. The proposed adjustments in the amount of \$11,500 is due to increases in closed captioning costs. In mid FY 2022/23, all City commission meetings were moved to council chambers to provide closed captioning services in order to comply with ADA requirements.

BACKGROUND:

In June 2021, City Council adopted their Biennial Budget for fiscal years 2021/22 and 2022/23 by Resolution No. 21-4885. Staff has presented to Council updates on the budget during the Mid-Year and Year-End Budget reviews. At the end of Year 2 the projected (unaudited) General Fund Balance at June 30, 2023 was estimated at \$8.7 million. At year-end, revenues and expenditures are again reviewed and amendments are proposed as needed. After conducting a thorough review, the City

CITY MANAGER'S REPORT **PAGE 2**
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
FISCAL YEAR (FY) 2022/23 YEAR-END BUDGET REPORT AND RELATED
AMENDMENTS AND AMENDMENTS TO FISCAL YEAR 2023/2024 BUDGET

received higher than expected property and sales tax collections combined with lower than projected expenditures due to operational efficiencies and salary savings from vacant positions resulted in a General Fund surplus at fiscal year-end.

Staff recommends applying approximately \$11 million in FY 22/23 surplus funds to designated unfunded liability accounts as identified in the General Fund Reserves/ Fund Balance Section below.

GF Reserves/ Fund Balance:

Staff recommends applying approximately \$11.0 million in FY 22/23 surplus funds to the following unfunded liabilities:

- Transfer \$7 million to the Street Repair Reserves to maintain deteriorating City roads.
- Transfer \$1 million to the Landscape Reserves to fund city wide landscape projects.
- Transfer \$1 million to the Retirement Stabilization Reserves to set aside funds for future retirement unfunded liability.

With the proposed uses of the Fund Balance Unassigned reserves above, the estimated General Fund Balance at June 30, 2023 is \$8.9 million or 28% of actual expenditures. The estimated fund balance remains above the 25% recommended target.

In addition, staff is proposing amendments to the City Clerk's budget. The proposed adjustments in the amount of \$11,500 is due to increases in closed captioning costs. In mid FY 2022/23, all City commission meetings were moved to council chambers to provide closed captioning services in order to comply with ADA requirements.

Year-End Transfer Requests

As part of the Biennial Budget process approved by Council in June 2021, a mid-cycle review is conducted on the second year's programmed allocations (Year 2 or FY 2023). The Year-End Budget Report includes budget transfers reflecting transfers between funds to accommodate changes to Capital Improvement Projects (CIP's) revenues, expenses and staffing in the fiscal plan.

REASON FOR RECOMMENDATION:

The recommended FY 2022/23 budget amendments result from changes in estimates and activity through June 30, 2023, and are necessary in order for the City to meet auditing and budgetary requirements.

In addition, setting aside funds for Street Repair, Landscaping, and Retirement Stabilization Reserves will allow the City to be proactive in its approach to these areas without affecting its structure and core services.

CITY MANAGER'S REPORT **PAGE 3**
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
FISCAL YEAR (FY) 2022/23 YEAR-END BUDGET REPORT AND RELATED
AMENDMENTS AND AMENDMENTS TO FISCAL YEAR 2023/2024 BUDGET

FISCAL IMPACTS:

The FY 2022/23 and FY 2023/24 budget amendments are as follows:

FISCAL YEAR 2022/23		
REVENUE – BUDGET AMENDMENTS		
[Increase/(Decrease)]		
Source	GL Account	Amount
Measure C – City Services	1060-19-10-313-03-00	\$4,024,137
Federal Grants	2150-80-00-333-05-00	(376,484)
CFD 2013-1 – RI Services	2640-50-68-355-01-25	497,610
CIP GG2201 – Developers	2710-80-00-372-01-00	68,425
CIP PS1404 – Developers	2710-80-00-372-01-00	1,432,567
Revenue Total:		\$5,646,255
EXPENDITURE – BUDGET AMENDMENTS		
[Increase/(Decrease)]		
Source	GL Account	Amount
General Fund – City Clerk	1010-12-10-410-11-00	\$11,500
General Fund – Public Works	1010-50-01-420-01-00	214,508
General Fund – Maintenance Srvcs	1010-30-05-420-01-00	(29,500)
General Fund – Maintenance Srvcs	1010-30-05-420-25-00	(51,000)
General Fund – Maintenance Srvcs	1010-30-20-420-01-00	(90,000)
General Fund – Maintenance Srvcs	1010-30-20-420-25-00	(44,008)
Street Fund – CIP PS2112	2080-30-10-420-30-00	(154,090)
Measure C - LMFD	2010-19-20-425-16-00	1,768,010
Culture & Leisure CFF Fund – Reimb	2260-80-00-440-50-00	7,819,057
W/C Lathrop CFF Fund – Reimb.	2320-80-00-440-50-00	457,122
RTIF CFF Fund – Reimbursement	2360-80-00-440-50-00	883,826
CIP GG2201 – Developer	3010-80-00-420-12-00	68,425
CIP PS2112 – Streets	3310-80-00-420-12-00	154,090
CIP PS2112 – Federal Grants	3310-80-00-420-01-00	(376,484)
CIP PS1404 – Developers	3310-80-00-420-12-00	1,432,567
Expenditure Total:		\$12,064,023
TRANSFER IN – BUDGET AMENDMENTS		
[Increase/(Decrease)]		
Source	GL Account	Amount
General Fund – CFD 2023-1	1010-99-00-393-00-00	95,000
Measure C – LMFD	2010-99-00-393-00-00	\$1,768,010
CIP PS2112 – Streets	3310-99-00-393-00-00	154,090
CIP PS1404 – Developers	3310-99-00-393-00-00	1,432,567
Transfer In Total:		\$3,354,667

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

FISCAL YEAR (FY) 2022/23 YEAR-END BUDGET REPORT AND RELATED AMENDMENTS AND AMENDMENTS TO FISCAL YEAR 2023/2024 BUDGET

TRANSFER OUT – BUDGET AMENDMENTS [Increase/(Decrease)]		
Source	GL Account	Amount
Measure C – City Services	1060-99-00-990-90-10	\$1,768,010
CIP PS2112 – Streets	2080-99-00-990-90-10	154,090
CFD 2023-1 – RI Services	2640-99-00-990-90-10	95,000
CIP PS1404 – Developers	2710-99-00-990-90-10	1,432,567
Transfer Out Total:		\$3,354,667
FUND BALANCE RESERVES – BUDGET AMENDMENTS [Increase/(Decrease)]		
Source	GL Account	Amount
General Fund – Street Repair	1010-251-03-00	\$7,000,000
General Fund – Retirement	1010-251-06-00	1,000,000
General Fund – Landscape	1010-251-07-00	3,000,000
Fund Balance Reserves Total:		\$11,000,000
FISCAL YEAR 2023/24		
REVENUE – BUDGET AMENDMENTS (YEAR 1) [Increase/(Decrease)]		
Source	GL Account	Amount
State Grant – GF	2160-80-00-331-05-00	\$32,792
State Grant – CIP PK2002	2160-80-00-331-05-00	14,668
Federal Grant – CIP PK2002	2150-80-00-331-05-00	(\$163,273)
State Grant – CIP PK2002	2160-80-00-331-05-00	163,273
State Grant – CIP PW2236	2160-80-00-331-05-00	(1,500,000)
DWR Grant – CIP PW2236	2900-80-00-331-05-00	1,500,000
Expenditure Total:		\$47,460
EXPENDITURE – BUDGET AMENDMENTS (YEAR 1) [Increase/(Decrease)]		
Source	GL Account	Amount
Community Development	1010-20-10-420-01-00	\$32,792
CIP GG2022 – GF	3010-80-00-420-12-00	(57,139)
CIP GG2019 – GF	3010-80-00-420-12-00	57,139
CIP PK2002 – State Grant	3010-80-00-420-12-00	14,668
CIP PS2218 – Measure K – Pedes	3310-80-00-420-12-00	(39,709)
CIP PS2218 – Measure K – Pedes	3310-80-00-420-12-00	39,709
CIP RW1916 – Developer	6091-80-00-420-01-00	(83,342)
CIP RW2416 – Developer	6091-80-00-420-86-00	83,342
Expenditure Total:		\$47,460
TRANSFER IN – BUDGET AMENDMENTS [Increase/(Decrease)]		
Source	GL Account	Amount
General Fund – State Grant	1010-99-00-393-00-00	\$32,792
CIP PK2002 – State Grant	3010-99-00-393-00-00	14,668
CIP PS2218 – Measure K – Pedes	3310-99-00-393-00-00	28,683
Transfer In Total:		\$76,143

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

FISCAL YEAR (FY) 2022/23 YEAR-END BUDGET REPORT AND RELATED
AMENDMENTS AND AMENDMENTS TO FISCAL YEAR 2023/2024 BUDGET

TRANSFER OUT – BUDGET AMENDMENTS		
[Increase/(Decrease)]		
<u>Source</u>	<u>GL Account</u>	<u>Amount</u>
CIP 2218 – Measure K – Pedestrian	2110-99-00-990-90-10	\$28,683
State Grant – GF	2160-99-00-990-90-10	32,792
CIP PK2002 – State Grant	2160-99-00-990-90-10	14,668
CIP PK2002 – Federal Grant	2150-99-00-990-90-10	(163,273)
CIP PK2002 – State Grant	2160-99-00-990-90-10	163,273
CIP PW2236 – State Grant	2160-99-00-990-90-10	(1,500,000)
CIP PW2236 – DWR Grant	2900-99-00-990-90-10	1,500,000
Transfer Out Total:		\$76,143

All proposed FY 2022/23 expenditure adjustments have an offsetting revenue stream; therefore, there is no impact to the projected ending fund balance.

ATTACHMENTS:

- A. Resolution Approving the Fiscal Year 2022/23 Year-End Budget Report and Related Amendments and Amending the FY 2023/24 Budget.

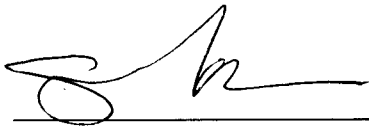
CITY MANAGER'S REPORT

PAGE 6

OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

**FISCAL YEAR (FY) 2022/23 YEAR-END BUDGET REPORT AND RELATED
AMENDMENTS AND ADMENDMENTS TO FISCAL YEAR 2023/24 BUDGET**

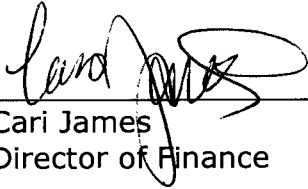
APPROVALS:



Sandra Frias
Senior Management Analyst

9/22/23

Date



Cari James
Director of Finance

9/22/2023

Date



Thomas Hedegard
Deputy City Manager

9/26/2023

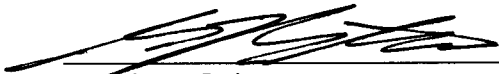
Date



Salvador Navarrete
City Attorney

9.22.2023

Date



Stephen Salvatore
City Manager

9.28.23

Date

RESOLUTION NO. 23-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP
APPROVING THE FISCAL YEAR 2022/23 YEAR-END BUDGET REPORT AND
RELATED AMENDMENTS AND AMENDING TO THE FISCAL YEAR 2023/24
BUDGET**

WHEREAS, the City Council of the City of Lathrop adopted the 2021/22 and 2022/23 Expenditure Budget on June 3, 2021 by Resolution No. 21-4885; and

WHEREAS, the City Council of the City of Lathrop has amended the 2022/23 Fiscal Year Expenditure Budget in subsequent actions during the fiscal year; and

WHEREAS, City Staff have proposed amendments to revenues and expenditures to more accurately project estimates for activity in the General Fund and certain other funds; and

WHEREAS, at the end of Year 2 of the biennial budget, the General Fund unallocated fund balance at June 30, 2023 was estimated to be \$8.7 million; and

WHEREAS, higher than projected property and sales tax collections combined with lower than budgeted expenditures due to operational efficiencies and salary savings from vacant positions have resulted in a General Fund surplus at the end of fiscal year 2022/23.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Lathrop does hereby approve the year-end budget/ position control amendments to the Fiscal Year 2022/23 and 2023/24 Operating Budget as shown below and provided in the City Manager's Report;

FISCAL YEAR 2022/23		
REVENUE – BUDGET AMENDMENTS		
[Increase/(Decrease)]		
Source	GL Account	Amount
Measure C – City Services	1060-19-10-313-03-00	\$4,024,137
Federal Grants	2150-80-00-333-05-00	(376,484)
CFD 2013-1 – RI Services	2640-50-68-355-01-25	497,610
CIP GG2201 – Developers	2710-80-00-372-01-00	68,425
CIP PS1404 – Developers	2710-80-00-372-01-00	1,432,567
Revenue Total:		\$5,646,255

EXPENDITURE – BUDGET AMENDMENTS [Increase/(Decrease)]		
<u>Source</u>	<u>GL Account</u>	<u>Amount</u>
General Fund – City Clerk	1010-12-10-410-11-00	\$11,500
General Fund – Public Works	1010-50-01-420-01-00	214,508
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General Fund – Maintenance Srvcs	1010-30-20-420-01-00	(90,000)
General Fund – Maintenance Srvcs	1010-30-20-420-25-00	(44,008)
Street Fund – CIP PS2112	2080-30-10-420-30-00	(154,090)
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W/C Lathrop CFF Fund – Reimb.	2320-80-00-440-50-00	457,122
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CIP PS1404 – Developers	3310-80-00-420-12-00	1,432,567
Expenditure Total:		\$12,064,023
TRANSFER IN – BUDGET AMENDMENTS [Increase/(Decrease)]		
<u>Source</u>	<u>GL Account</u>	<u>Amount</u>
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Measure C – City Services	1060-99-00-990-90-10	\$1,768,010
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General Fund – Retirement	1010-251-06-00	1,000,000
General Fund – Landscape	1010-251-07-00	3,000,000
Fund Balance Reserves Total:		\$11,000,000

FISCAL YEAR 2023/24		
REVENUE – BUDGET AMENDMENTS (YEAR 1)		
[Increase/(Decrease)]		
Source	GL Account	Amount
State Grant – GF	2160-80-00-331-05-00	\$32,792
State Grant – CIP PK2002	2160-80-00-331-05-00	14,668
Federal Grant – CIP PK2002	2150-80-00-331-05-00	(\$163,273)
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CIP PK2002 – State Grant	3010-99-00-393-00-00	14,668
CIP PS2218 – Measure K – Pedes	3310-99-00-393-00-00	28,683
Transfer In Total:		\$76,143
TRANSFER OUT – BUDGET AMENDMENTS		
[Increase/(Decrease)]		
Source	GL Account	Amount
CIP 2218 – Measure K – Pedestrian	2110-99-00-990-90-10	\$28,683
State Grant – GF	2160-99-00-990-90-10	32,792
CIP PK2002 – State Grant	2160-99-00-990-90-10	14,668
CIP PK2002 – Federal Grant	2150-99-00-990-90-10	(163,273)
CIP PK2002 – State Grant	2160-99-00-990-90-10	163,273
CIP PW2236 – State Grant	2160-99-00-990-90-10	(1,500,000)
CIP PW2236 – DWR Grant	2900-99-00-990-90-10	1,500,000
Transfer Out Total:		\$76,143

The foregoing resolution was passed and adopted this 9th day of October 2023, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSENT:


ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney