

ERRATA
to
MARIPOSA LAKES SPECIFIC PLAN
(Final Screen Check July 1, 2008)

August 28, 2008

The following revisions are hereby made to the Mariposa Lakes Specific Plan (Final Screen Check July 1, 2008), presented to the City of Stockton Planning Commission for consideration on August 28, 2008:

The following two global revisions are made:

1. Where appropriate, all reference shall be made to the 2035 General Plan NOT the 1990 General Plan or draft 2035 General Plan.
2. As a result of Caltrans not selecting the alternative to realign State Route 4 through the MLSP project site, all text and graphics will be revised which discusses or presents providing Proposed State Route 4 Re-Alignment through the project.

CHAPTER 2

The last sentence of Section 2.1.1 (page 2-2) is DELETED, and REPLACED with the following:

Modifications and amendments to the MLSP shall be made in accordance with Section 13.1.3 of this MLSP.

The two paragraphs of Section 2.4.1 (page 2-6 and 2-7) shall be DELETED and REPLACED with the following:

Under the Planning and Zoning Law, a specific plan adopted by a city or county must be consistent with the city's or county's general plan. During the development evaluation of the MLSP, the MLSP was originally being processed under the 1990 General Plan. Prior to the adoption of the MLSP, the City approved their 2035 General Plan. Therefore, the MLSP was approved under the 2035 General Plan and is consistent with its goals and policies.

The following sentence is ADDED immediately following the first paragraph of Section 2.4.2 (page 2-7):

The Public Financing Plan also establishes fiscal and financial objectives, policies and guidelines for development of the Community, identifies funding programs for Community-wide facilities and services, and sets forth the fiscal analyses to demonstrate that development of the Community will not result in adverse fiscal impacts on the City.

CHAPTER 4

Figure 4.5 on page 4-11 shall be REPLACED with the approved 2035 General Plan land use map.

The two paragraphs of Section 4.4 (page 4-12) shall be DELETED and REPLACED with the following:

The 2035 General Plan, prior to its amendment for the MLSP had indicated this area to be Industrial and Village. As a result of the General Plan amendment for the MLSP, the land uses designations for the MLSP are described in this Chapter. Within the MLSP there are three primary Village Centers (Austin Road Town Center, Farmington Road Village Center and Duck Creek Village Center). Each Village Center will provide a mix of land uses, as described in Section 4.4.1, and act as the nucleus of each of the three Villages (Austin Road Village, Farmington Village and Duck Creek Village) as depicted on Figure 4.2 and Table 4.2.

Subject to Section 2.5 of the MLSP, standards for each MLSP land use designation are contained within this document or when silent are found in the Stockton Municipal Code, Chapter 16 (Development Code). The MLSP shall govern

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land use decisions, however when not specifically addressed within the MLSP, the Stockton Municipal Code shall govern.

The following footnote is ADDED to Table 4.6 (page 4-28) to the second row under the heading “Parking” to clarify the “Additional” parking requirement currently described as “1 space within specific development”:

In addition to the two garage parking spaces which are required per medium density residential dwelling unit, there shall be one parking space provided for each medium density residential unit. The additional parking space shall be provided within the specific medium density residential village / tentative subdivision map area for that medium density residential project.

The heading “Planned Development (PD)” and the first paragraph under “Planned Development (PD)” of page 4-20 shall be DELETED and REPLACED with the following:

New heading: Open Space within Small Lot Residential Subdivisions

First paragraph: Residential subdivisions which consist of residential lots smaller than 5,000 square feet are required to provide open space. This open space compensates for the reduced amount of private open space which typically occurs with small lot residential subdivisions.

The first paragraph of Section 4.4.3 (page 4-21) shall be DELETED and REPLACED with the following:

The western portion of the Community is proposed for industrial and business / professional uses. The two land uses are designated with the MLSP as Village Industrial (IV) and Business Professional (BP). While the MLSP utilizes the term Business Professional (BP) the direct correlating Zoning District within the City is Commercial, Office (CO).

The last paragraph of Section 4.5.4 (page 4-31) shall be DELETED and REPLACED with the following directly below the title “Special Purpose Zoning District”:

All development within the Mariposa Lakes Specific Plan shall conform to the land use designations as shown on the Land Use Plan, Figure 4.3. All Special Purpose Zoning Districts shall defer to the City’s Zoning District and Zoning District Development Standards (Div. 16-230) for development regulations. Special Purpose Zoning District ML-MX, as described below, is not found in the Specific Plan. This District is being presented so that in the event the Specific Plan is amended in the future, this Zoning District could be utilized.

CHAPTER 6

The following policy is REVISED to Section 6.4 (page 6-4):

Policy 6.4: Establish residential neighborhoods with varying levels of amenities based upon density. Medium and High density residential developments shall have a higher level / degree of amenities provided.

CHAPTER 8

The only paragraph of Section 8.3.3 (page 8-21) shall be DELETED and REPLACED with the following:

Wastewater flows generated by the Community initially will be diverted to the City’s existing Wastewater Collection System No. 8, which has been deemed by the City to have available capacity sufficient to serve Phase 1 of the Community. Wastewater Collection System No. 8 will be extended to the Community through either an extension of its gravity main line or an onsite wastewater pumping station and connecting force main, both of which would

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terminate at the upstream end of the existing 42-inch sewer main line on Marfargoa Drive. Applicants for tentative maps in subsequent phases of the Community's development will be required to demonstrate that there remains sufficient capacity in System 8, at the time the tentative map application is submitted, to accommodate the development proposed by the tentative map. On the basis System 8 is unable to accommodate all of the wastewater flows generated by the Community, then all or some portion of the Community's wastewater will be diverted to a new City wastewater collection system, Wastewater Collection System No. 12, which is proposed as part of the City's 2035 General Plan and associated Wastewater Collection System Master Plan Update. Future wastewater facilities to collect and convey wastewater generated by the Community include gravity sewer trunk lines, a sewer pumping facility, and dual force mains.

The owners, developers, and/or successors-in-interest (the "ODS") shall be required to participate in an evaluation and determination by the City regarding the Project's fair share cost and/or expense on a phased basis to utilize City of Stockton Municipal Utilities District Wastewater System No. 8 Facilities as otherwise required to be substantially consistent with to CFD 90-1. The ODS shall be allowed to review and approve of the City's process, methodology and determination. Said approval shall not be unreasonably withheld, delayed or conditioned.

The following policy is REVISED to Section 8.3.4 (page 8-21):

Policy 8.3.5 The owners, developers, and/or successors-in-interest shall design and construct off-site elements of master planned wastewater collection system improvements as required to meet demands generated by the Community. This would include the required extension of System 8 facilities from the east end of Marfargoa Road to the Community as Part of Phase 1, then System 12, when needed.

The following two paragraphs are ADDED immediately following the last paragraph of Section 8.7.2, (page 8-45):

The Owner, Developer and/or successors-in-interest (ODS) shall prepare a detailed security plan for each tentative map and/or development area and submit same for the approval of the Police Department. The security plan shall provide for an on-site full time (24/7) security patrol service funded by the Homeowners Association and shall also include video surveillance equipment with 14-day continuous recording capability and 30 day archival capacity at strategic locations in the community which shall all be subject to the approval of the Police Department.

Prior to recordation of any Final Map (or concurrent when forming an homeowners association), the Owner, Developer, successor-in-interest (ODS) shall establish a financing entity acceptable to the Police Department to provide funding for the maintenance of a private security force and related camera / surveillance system and if necessary replacement at the end of the useful life of physical improvements (i.e. cameras, monitors, cabling) and all "Improvements" serving or for the special benefit of this subdivision.

CHAPTER 11

The following new policy is ADDED to Section 11.1.8 (page 11-5):

Policy 11.1.1: Neighborhoods with higher residential densities will be located near the Village Centers.

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The following new sub-section is ADDED to Section 11.1 (page 11-5) as 11.1.8 (existing sub-section 11.1.8 Policies is now sub-section 11.1.9):

11.1.8 Multi Family Performance Standards

The following performance standards shall be incorporated into all high density residential apartment developments:

- The owner, developer and/or successors-in-interest (ODS) shall submit a Management Plan for an apartment complex to the Community Development Director for approval prior to the issuance of any building permits. The Plan shall, at a minimum, include the owner's name and contact information, tenant interviewing and screening procedures, deposit and refund policies, interior and exterior maintenance policies, occupancy and use restrictions, dispute resolution policies and procedures, eviction procedures and sample documents and forms (including a rental agreement). In addition, The ODS shall implement a Crime Free Multi-Housing Program as administered by the Police Department to reduce crime, drugs and gangs on apartment property.
- A licensed, uniformed private security guard shall be required to present on the site during evenings between 5 p.m. and 8:00 a.m., 24 hours on weekends and holidays once the apartment complex begins operation and occupancy. The security guard shall be readily available via telephone communication with the Police Department.
- Any graffiti on the property shall be removed within forty-eight (48) hours.
- Trash enclosures shall be installed out of public view and be constructed with solid, six-foot high solid walls on three sides and gated on the fourth side with an opaque material. The design of the trash enclosures shall be approved by the Community Development Director and shall be installed prior to the initiation of the approved use.
- All signs shall be subject to approval by the Community Development Director or Planning Commission.
- There shall be no chain-link fencing, barbed/concertina wire or similar material visible from a public right-of-way.
- A Landscaping Maintenance Agreement for an apartment complex shall be submitted for review and approval by the Community Development Director and the City Attorney prior to the issuance of any building permit. The approved Landscaping Maintenance Agreement shall be recorded by the property owner(s)/developer(s) in the office of the County Recorder and a copy shall be filed with the Community Development Department within 30 days of the issuance of the first apartment building permit. All recording expenses shall be paid by the property owner/developer.
- All landscaped areas on the site shall comply with the applicable requirements of the Stockton Municipal Code. Landscaping and irrigation plans for the entire project area and public streets shall be submitted to the Community Development Department, Planning Division, for review and approval by the Community Development Director prior to the issuance of any residential building permits. Low-growth vegetation shall be employed around the buildings and parking areas to facilitate maximum visibility. Landscaped areas, including a timed/automatic irrigation system, shall be installed at the time that the masonry walls along a public street, and adjacent residential neighborhoods are constructed and be maintained by the property owners.

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- Structures and other improvements shall be constructed, installed and maintained in accordance with the approved site plan, floor plans, elevations, color rendering and conditions of approval and be maintained in a manner so as not to be blighted or deteriorated.
- No loitering shall be allowed on the premises. The operator shall discourage loitering on immediately abutting public rights-of-way and shall post "No Loitering" signs on the outside of the property.
- Security lighting within an apartment complex shall be installed in all parking and common areas as well as at the main entrances. Any lighting on the site shall be shielded so as not to shine onto nearby residential properties.
- Prior to the occupancy of any dwelling unit, a video surveillance system, with 14-day continuous recording capability, shall be in place and archived for least 30 days. The video surveillance system shall cover the exterior of the buildings, parking areas, landscaped areas, and the entrance to the project site. The locations of surveillance system shall be subject to the approval of the Police Department.

The fourth, fifth and sixth sentences of Section 11.2.4 (page 11-7) are DELETED, and REPLACED with the following:

The builders of residential construction in the Project will comply with City's "Build-It-Green," green point rated guidelines in effect at the time of construction. The builders of non-residential construction (commercial, industrial) in the Project will comply with LEED Silver-certified standards in effect at the time of construction. The builders of non-residential construction will be required to participate in the formal LEED Silver inspection and certification process.

In addition, at the time of publication of this Specific Plan, the City and the State of California Attorney General were negotiating an agreement ("Agreement") to address the Attorney General's request that the City amend its 2035 General Plan to more fully and effectively address the potential impacts of global climate changes. All builders in the Project (residential and all non-residential) will comply with all amendments and modifications to the 2035 General Plan required under the City's and the Attorney General's Agreement, as approved by the Stockton City Council.

A new entry shall be ADDED to Figure 11.2 (page 11-11), Figure 11.3 (page 11-13), Figure 11.4 (page 11-15), and Figure 11.5 (page 11-17), to state the allowable house square footage, as a range (e.g., "3,800 – 6,000 sq. ft.") for the following types of residential lots: One Acre Estate Lots (Fig. 11.2); Lake-Oriented Lots (Fig. 11.3); Non-Lake Oriented Lots (Fig. 11.4); and Medium Density Lots (Fig. 11.5).

CHAPTER 13

The following three paragraphs are ADDED immediately following the first paragraph of Section 13.3, (page 13-4):

In order to proceed to a next Phase, the prior Phase must have completed at least 50% or more of the final mapping for that Phase and, in addition, at least 50% or more of the requisite off-site infrastructure shall be either in place or bonded for.

The requisite infrastructure for the commercial and industrial land uses shall be built in equal proportions to the residential land uses developed. For example, if 50% of the residential is to be developed for any particular Phase, then 50% of the backbone and arterial infrastructure (excluding curb, gutter, sidewalk, and frontage street improvements) for the commercial and industrial land uses in that same Phase shall also be installed concurrently. For all commercial and industrial uses, the Developer shall use commercially reasonable efforts to market such commercial and industrial land uses and shall report such marketing activity on an annual basis to the City.

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In any event, the Owner, Developer, and/or successors-in-interest shall be entitled to a revision to the Phasing Plan if a high employment land use application is made for any future Phase.

TEMPORARY APPENDIX F

The title of Appendix F is REVISED on page F-1 from “Revised Tables and Graphics” to:

Prior Tables and Graphics

NOTE TO PLANNING COMMISSION REVIEWERS: All of the above changes, as well as all changes shown in strikeout-underline format in the July 1, 2008 Final Screen Check Mariposa Lakes Specific Plan, will be incorporated into a “clean” updated version of the Mariposa Lakes Specific Plan. The updated version will also reflect modifications, if any, made by the Planning Commission at the August 28, 2008 hearing. In addition, text will be added to clarify that the Mariposa Lakes Specific Plan is being processed under the 2035 General Plan and not the 1990 General Plan.