

FINAL PLANNED DEVELOPMENT CONDITIONS OF APPROVAL

TABLE OF CONTENTS

I.	GENERAL REQUIREMENTS, FEES, AND TIME LIMITS.....	1
II.	GRADING, SITE DEVELOPMENT, SITE PLAN, AND PARKING.....	3
	A. Prior to Grading or Site Disturbance.....	3
	B. Plan Check Review.....	3
	C. Prior to Construction.....	5
	D. Prior to Certificate of Occupancy.....	5
	E. Ongoing.....	6
III.	BUILDING DESIGN.....	6
	A. Plan Check Review.....	6
	B. Ongoing.....	7
IV.	LANDSCAPING.....	7
	A. Plan Check Review.....	7
	B. During Construction.....	8
	C. Prior to Certificate of Occupancy (University Flats and Cannery Lofts).....	9
	D. Ongoing.....	9
V.	AFFORDABLE HOUSING.....	9
VI.	ACCESSIBILITY.....	10
VII.	RESIDENTIAL SUBDIVISIONS.....	11
VIII.	ENVIRONMENT AND SUSTAINABILITY.....	13
	A. Plan Check Review.....	13
	B. During Construction.....	14
	C. Prior to Certificate of Occupancy.....	14
	D. Ongoing.....	14
IX.	EXHIBITS	
	A. Subarea Summary Map	
	B. Typical Residential Development Standards, by Subarea (Final Planned Development Exhibit p.21).	
	C. Final Planned Development Neighborhood Design Guidelines (separate document; incorporated by reference)	

I. GENERAL REQUIREMENTS, FEES, AND TIME LIMITS

1. **APPLICABILITY.** This Final Planned Development is applicable to the residential subareas of The Cannery (Park Homes, Cannery Village, Cottages, Bungalow Alleys, Courts, Row Homes, University Flats, and Lofts subareas, as shown on the attached Subarea Summary). Any development in the Neighborhood Mixed-Use subarea is subject to separated Final Planned Development review and approval.
2. **SUBSTANTIAL CONFORMANCE.** The project shall be completed in substantial conformance to the plans presented to the City Council on (insert date), except as modified therein.
3. **COMPLIANCE WITH CONDITIONS OF APPROVAL.** Prior to issuance of Certificate of Occupancy, conditions of approval and required improvements deemed necessary for a Certificate of Occupancy shall be completed to the satisfaction of the Community Development & Sustainability Department.
4. **RUN WITH THE LAND.** The terms and conditions of this approval shall run with the land and shall be binding upon and be to the benefit of the heirs, legal representatives, successors, and assignees of the property owner.
5. **PERMIT EXPIRATION.** The approval period for Final Planned Development shall become null and void after a period of 18 months if substantial construction in good faith reliance on the approval has not commenced subsequent to such approval, unless otherwise specified in the Development Agreement for the project. The Community Development & Sustainability Department may extend the expiration date for one or more periods not exceeding a total of 18 months, except CUP's which have expiration time table of six months, upon a showing that the circumstances and conditions upon which the approval was based have not changed. A written request for a time extension, application, required exhibits and plans, and applicable fees must be submitted at least thirty days prior to the expiration.
6. **APPLICANT'S NOTIFICATION RESPONSIBILITY.** The applicant shall be responsible for informing all subcontractors, consultants engineers, or other business entities providing services related to the project of their responsibilities to comply with all pertinent requirements herein, in the City of Davis Municipal Code, including obtaining a business license, hours of operation, noise ordinance requirements, all applicable state and federal laws and regulations.
7. **CONFLICTS.** When exhibits and/or written conditions of approval are in conflict, the written conditions shall prevail, unless specifically stated in the conditions of approval. When the Final Planned Development exhibits and/or written conditions of approval are in conflict with the Neighborhood Design Guidelines, this Final Planned Development shall prevail, unless specifically stated in the conditions of approval. The fact that exhibits were included in City Staff Reports, or not appropriately corrected when signed off by the department does not override and invalidate the approved written conditions of approval.

8. **CONTINGENCIES.** This project is contingent upon the approval of General Plan Amendment #01-11 and Rezoning and Preliminary Planned Development #01-11 for The Cannery.
 9. **INDEMNIFICATION.** The applicant shall defend, indemnify, and hold harmless the City of Davis, its officers, employees, or agents to attack, set aside, void, or annul any approval or condition of approval of the City of Davis concerning this approval, including but not limited to any approval of condition of approval of the City Council. The City shall promptly notify the applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officers, employees and agents in the defense of the matter.
 10. **ENCROACHMENT PERMIT REQUIRED (WORK WITHIN ROW).** All work within the public right-of-way (ROW), including but not limited to utilities and grading, shall be explicitly noted with the building plans. The applicant shall obtain all necessary encroachment permits from the City of Davis Public Works Department prior to issuance of building permits for all work and construction that encroach within or over the public right-of-way, including, but not limited to: balconies, fire ladders, outdoor restaurant seating, bike racks, water meters, backflow devices, signs and curb/gutter/sidewalk improvements.
 11. **FIRE SAFETY REQUIREMENTS.** Plans shall be submitted to the Fire Department for review and approval prior to issuance of building permits. All new development shall comply with the fire safety requirements of the California Fire Code and California Building Code as adopted by the City of Davis.
 12. **POLICE SAFETY REQUIREMENTS.** Plans shall be submitted to the Police Department for review and approval prior to issuance of building permits. All new development shall comply with the City Building and Security Ordinance and other safety recommendations and requirements regarding building security, prior to issuance of building permits.
 13. **PLAN CHECK FEES.** A plan check fee shall be required by the Community Development & Sustainability Department when an application for a building permit is submitted.
 14. **PLAN CHECK FEES.** In the event that building permit applications will be made by a different entity than the applicant, the applicant is responsible for informing the Planning Division that plan check fees shall be paid by a different entity. Failure to notify and seek approval from Planning Division regarding separate payment for plan checking after entitlement application approval shall result in Planning Division charges being made to the project account.
-

II. GRADING, SITE DEVELOPMENT, SITE PLAN, AND PARKING

A. Prior to Grading or Site Disturbance

1. **BIOLOGICAL SURVEY REQUIRED.** Prior to issuance of a grading/building permit or other improvement activities on the site, the applicant shall obtain approval from the City as established in the Mitigation Monitoring Plan for The Cannery.
2. **GRADING PERMIT REQUIRED.** The applicant shall obtain a grading permit from the Community Development & Sustainability Department no more than 30 days before any grading or disking is commenced on the site. A separate grading permit shall be required for any off-site borrow disposal, or staging site, if within the City limits.
3. **CONSTRUCTION MANAGEMENT PLAN.** Prior to issuance of any permit or inception of any construction activity on the site, the developer shall submit a construction impact management plan including a project development schedule and “good neighbor” information for review and approval by the Community Development and Public Works Departments. The plan shall include, but is not limited to, public notice requirements for periods of significant impacts (noise/vibration/street or parking lot closures, etc.), special street posting, construction vehicle parking plan, phone listing for community concerns, names of persons who can be contacted to correct problems, hours of construction activity, noise limits, dust control measures, and security fencing and temporary walkways. Work and/or storage of material or equipment within a City right-of-way shall be reviewed on a case-by-case basis and is subject to review and approval of the City Engineer. Such use of the right-of-way may require a separate Encroachment Permit.

B. Plan Check Review

1. **FIRE DEPARTMENT REQUIREMENTS.** Prior to the issuance of permits, the owner/developer shall obtain approval from the fire department that: a) All necessary public services, including water service and fire hydrants, meet fire department standards; and b) Vehicle access is sufficient to accommodate fire department equipment and fire sprinklers are provided in any building as required by the California Residential Code.
2. **PARKING SPACES REQUIRED.** Parking spaces for the residential lots shall be as established in the Typical Residential Development Standards, Exhibit B to this Final Planned Development. Parking areas, driveways, and parking spaces shall meet minimum parking requirements established in Section 40.25 of the Zoning Code, unless otherwise specified herein or in the Design Guidelines. Details of parking space location and configuration, consistent with these requirements, shall be submitted with the Design Review or Building Permit application. The Community Development & Sustainability Department may approve minor changes in parking space number (for the University Flats and Lofts subareas only), location, and configuration through the minor improvement process.

3. **BICYCLE PARKING SPACES REQUIRED.** A minimum of 2 bicycle parking spaces shall be provided per dwelling unit, and a minimum of 1 bicycle parking spaces per Accessory Dwelling Unit. The Design Review or Building Permit application shall include a plan showing location of bicycle parking spaces and path of travel , with no conflicts with landscaping. If bicycle parking is not provided for in the garage, bicycle racks shall be installed (rack model will be subject to review by Community Development & Sustainability Department).
4. **FIRE ACCESS.** All Fire Department access and fire lanes shall be posted as “No Parking, Fire Lane.” Signage, paint and location are subject to review and approval by the Fire Department.
5. **PARKING LOT SHADING.** Plans and construction shall comply with the City’s Parking Lot Shading and Master Parking Lot Tree list guides. A separate parking lot shading diagram shall be reviewed and approved by the Community Development & Sustainability Department prior to issuance of building permits. The parking lot shading diagram shall include all light poles and utility boxes. Parking lot trees shall be located so as to not interfere with parking lot light poles.
6. **EXTERIOR LIGHTING.** All exterior residential lighting shall be directed so as to not adversely impact traffic or adjacent sites. Light standards should generally not exceed 15 feet in total height and shall comply with the provisions of the City’s Outdoor Lighting Control Ordinance as well as the City’s Security Ordinance. A detailed on-site lighting plan, including a photometric diagram and details of all exterior light fixtures shall be reviewed and approved by the Community Development & Sustainability Department prior to the issuance of permits.
7. **PROPERTY MAINTENANCE.** The following statement shall be included on the site plan: “Applicants are responsible for maintaining all buildings, yards, structures, signs, parking areas and other improvements in such a manner that does not detract from the appearance of the surrounding area. Parking lots shall be maintained in an attractive and suitable fashion with any potholes, significantly cracked or uneven paving, and any other significant damage repaired in a timely fashion throughout the life of the project.”
8. **TRASH ENCLOSURES.** Trash enclosures shall comply with the City’s Stormwater Management and Discharge Control Ordinance (Ordinance) as amended over time. In addition, all required trash enclosure areas shall be constructed with a minimum 6’ high wall and shall have a self closing gate constructed of solid metal materials and attached to posts embedded in concrete. Details of trash enclosure design shall be submitted for review and approval by the Community Development & Sustainability Department and Public Works Department prior to the issuance of building permits. Trash enclosure and recycling areas shall be adequately screened from public view and shall be architecturally compatible with proposed building design by utilizing consistent materials and colors. Evidence of approval from Davis Waste Removal for the quantity, location and size of proposed project trash and recycling enclosures shall be submitted with the building permit application

9. **UTILITY PLAN.** A utility plan shall be approved by all applicable utility providers prior to the issuance of permits for any building in the University Flats or Lofts subareas. The applicant shall prepare a final site plan and elevations of all on-site mechanical equipment (including HVAC condensers, transformers, switch boxes, backflow devices, PG&E transformers, etc...) and specifics of how such equipment shall be screened from public view. This plan, with an approval stamp from the City of Davis Community Development & Sustainability Department, shall be submitted by the applicant to the utility provider for review. Any necessary changes or deviations from the approved utility location and/or screening shall be reviewed by the Community Development & Sustainability Department prior to installation and may be subject to discretionary Design Review processing and fees by the Community Development & Sustainability Department.
10. **EXTERIOR STORAGE.** All outside storage areas shall be permanently screened from view. Design details shall be reviewed and approved by the Community Development & Sustainability Department prior to the issuance of permits.
11. **EQUIPMENT SCREENING.** All ground mounted utility appurtenances such as transformers, AC condensers, backflow devices, etc., shall be located out of public view and adequately screened in such a manner as to minimize the visual and acoustical impact. To the extent possible, equipment shall be located behind the building setback, on the side of the building or outside public view. Equipment within public view shall be screened to the satisfaction of the Community Development Director and may include a combination of landscaping and/or masonry or lattice walls or berms. All gas and electrical meters shall be concealed and/or painted to match the building.

C. Prior to Construction

1. **PRECONSTRUCTION MEETING.** Prior to the start of any work on-site, the applicant shall request and attend a preconstruction meeting to include project general contractor, owner representative, as well as City representatives including Community Development and Public Works.

D. Prior to Certificate of Occupancy

1. **PARKING SPACES.** All parking lot spaces in the University Flats and the Lofts subareas shall be striped and labeled to the satisfaction of the Community Development & Sustainability Department prior to the issuance of the Certificate of Occupancy.
2. **COMPLIANCE WITH CONDITIONS.** Prior to any occupancy on an individual parcel, Conditions of Approval applicable to the parcel and deemed necessary for a Certificate of Occupancy shall be completed to the satisfaction of the City of Davis Department of Community Development and Sustainability. The site and buildings shall be inspected for compliance prior to the issuance of a certificate of occupancy.

E. Ongoing

1. **DEVELOPMENT AND MAINTENANCE.** The site shall be developed and maintained in accordance with the approved plans which include site plans, architectural elevations, exterior materials and colors, landscaping and grading on file in the Community Development & Sustainability Department, the conditions contained herein, Municipal Code regulations, and PD # 01-11 regulations. The Cannery Design Guidelines are intended to guide the initial development of the site, but will not be enforced by the City after occupancy of any property in the Park Homes, Cannery Village, Cottages, Bungalow Alleys, or University Flats, Row Homes subarea.
 2. **UNDEVELOPED SITE MAINTENANCE.** The applicant shall be responsible for the ongoing maintenance and upkeep of undeveloped portions of the project site in accordance with the City of Davis Municipal Code. All building pads shall be hydro-seeded for erosion control.
 3. **TRASH MAINTENANCE.** The entire site shall be kept free of trash or debris at all times.
 4. **BACKFLOW EQUIPMENT.** Backflow preventer valve wheels and stems shall be maintained in a manner which enables inspection in order to determine whether or not the valve is open.
-

III. BUILDING DESIGN

A. Plan Check Review

1. **APPROVED BUILDING DESIGN.** No substantive deviations from the approved building design may be permitted without Design Review approval. However, minor changes may be approved through the minor improvement application process.
2. **ROOF MOUNTED EQUIPMENT.** All roof appurtenances, including air conditioners and other roof mounted equipment and/or projections (excluding photovoltaic systems) shall be screened from view and the sound buffered from adjacent properties and streets. Such screening shall be architecturally integrated with the building design to the satisfaction of the Community Development & Sustainability Department prior to the issuance of building permits.
3. **ROOF DRAINAGE.** Internal roof drains are encouraged in the University Flats and the Lofts subareas. All other appurtenant equipment on the building shall be concealed unless painted to match or harmonize with the surface to which it is attached. Run-off shall not discharge over sidewalk and direct connections from roof drains to storm drain pipes shall not be allowed
4. **CLOTHES LINES.** Every multifamily unit shall be provided with facilities for drying clothes outside, in accordance with section 40.26.080 of the Municipal Code.

B. Ongoing

1. **BALCONIES/PATIOS/PORCHES.** Balconies, patios and porches are approved for use as private usable open space and may not be used for storage purposes. Storage of materials that detract from the buildings is prohibited in the above-mentioned locations as well as anywhere visible to the public. The project owners shall include in all leases and the project CC&R provisions prohibiting storage of boxes, indoor furniture, and other items that detract from the building and the area. A copy of the lease/CC&R language shall be provided for review and approval prior to the issuance of permits. The property owner shall regularly manage and enforce this condition.
-

IV. LANDSCAPING

A. Plan Check Review

1. **LANDSCAPE PLAN REQUIRED.** Detailed landscape and irrigation plans shall be submitted and approved by the Community Development and Parks and Community Services Departments prior to the issuance of building permits. Landscape plans shall specify the following:
 - a. Location, size and quantity of all plant materials;
 - b. A plant legend specifying species type (botanical and common names), container size, maximum growth habit, and quantity of all plant materials.
 - c. Location of all pavements, fencing, buildings, accessory structures, parking lot light poles, property lines, and other pertinent site plan features;
 - d. Planting and installation details and notes including soil amendments;
 - e. Existing trees on site shall be identified. Identification shall include species type, trunk diameter at 4'-6" above adjacent grade, and location on site. Trees planned for removal or relocation shall be marked on the plans, methodology to preserve trees in place shall be provided on the plans;
 - f. Details of all irrigation (drip and sprinkler) as well as all equipment such as backflow, controller and meter devices identified;
 - g. Two deep watering tubes per tree planted in an isolated parking lot planter island.
2. **MAINTENANCE STATEMENT.** The following statement shall be included on the final landscape plan set for the University Flats and the Lofts: "All landscaped areas shall be maintained in perpetuity upon completion and kept free from weeds and debris and maintained in a healthy, growing condition and shall receive regular pruning, fertilizing, mowing and trimming. Any damaged, dead, diseased, or decaying plant material shall be replaced within 30 days. Significant trimming or pruning will not be permitted without prior City approval. Trees shall be planted and continuously maintained throughout the surface parking lot to insure that within 15 years after establishment of the parking lot; at least fifty percent (50%) of the parking area will be shaded at noon on August 21st."

3. **TREE PLANTING.** All street trees in any subarea shall be a minimum of 15 gallons in size. All trees shall be planted and staked in accordance with Parks and Community Services Department standards. All parking lot trees shall be irrigated with a minimum of two deep watering tubes.
4. **LANDSCAPING STANDARDS.** Shrubs shall be a minimum of 2 gallons in size. Ground cover may be 1 gallon or less in size. Ground cover areas shall be supplemented with additional larger size materials to provide variation and texture.
5. **ACCENT LANDSCAPING.** Bark and other surface materials may be utilized in planter areas as a mulch or accent material. Large areas that utilize only bark, decomposed granite, or other surface/mulch material are not acceptable and shall include shrubs, trees and groundcover to provide variation, texture and shade.
6. **LANDSCAPE WATER CONSERVATION.** The project shall comply with the Landscape and Water Conservation requirements (Section 40.26.190 of the Davis Municipal Code). Verification of compliance with this ordinance shall be to the satisfaction of the Community Development & Sustainability Department and shown on the building permit plans set with the irrigation plan. The plant list shall incorporate native species whenever possible throughout the site, as specified in the Final Planned Development Neighborhood Design Guidelines.
7. **IRRIGATION SYSTEMS.** All plant materials, including ground cover shall be serviced with an automatic irrigation system. All irrigation systems shall be subject to review and approval by the Community Development & Sustainability Department and the Public Works Department prior to issuance of permits. Any front yard turf in the Park Homes subarea shall have subsurface irrigation. Front yard turf is prohibited in all other single-family subareas.
8. **PARKING LOT PLANTERS.** Minimum parking lot planters shall be provided in accordance with the City's Parking Lot Shading Guidelines. A minimum 6' by 6' planting area shall be provided for each tree planted in a tree well or planter strip. A minimum 6' by 8' planting area shall be provided for each tree planted in a planter island. Planter dimensions are measured from the interior side of the curb. (DR/FPD)
9. **PERIMETER WALLS.** The final design of any perimeter walls, landscaping and sidewalks shall be included in the required landscape plans and shall be subject to review and approval by the Community Development Director and City Engineer and shall be coordinated for consistency with any green-street planting that may be required.

B. During Construction

1. **TREE PRESERVATION.** Compliance with the tree preservation plan is required before and during any site disturbance and construction activity.

C. Prior to Certificate of Occupancy (University Flats and Cannery Lofts)

1. **LANDSCAPE WATER CONSERVATION.** The landscape architect for the approved plan shall submit a signed statement to the City upon installation confirming that the landscape irrigation and water conservation measures have been installed consistent with the approved plans and specifications.

D. Ongoing

1. **LANDSCAPING/IRRIGATION.** Landscaping and irrigation systems required to be installed within the public right-of-way or within planter areas adjacent to the public right-of-way shall be the responsibility of the developer, which shall begin upon completion of the landscaping and prior to issuance of certificate of occupancy, and shall be continuously maintained by the developer/owner in a healthy and weed-free condition, until such time the improved area is turned over to the City.
 2. **TREE MAINTENANCE.** All trees (including street trees and trees within the Lofts and Flats subareas) planted or preserved in accordance with this approval shall be trimmed and maintained per guidelines established and approved by the International Society of Arboriculture (ISA). Any pruning of the trees, other than light pruning of no more than 25 percent of the foliage within any one growing season, requires review and approval of a Tree Modification Permit prior to the commencement of the work.
 3. **CONTINUED MAINTENANCE.** The property owner shall maintain all landscaped areas in perpetuity upon completion and they shall be kept free from weeds and debris and maintained in a healthy, growing condition and shall receive regular pruning, fertilizing, mowing and trimming. Any damaged, dead, diseased, or decaying plant material shall be replaced within 30 days.
-

V. AFFORDABLE HOUSING

1. **REQUIRED UNITS.** A minimum of 62 affordable units shall be provided, as established in the Affordable Housing Plan and Section 18.05 of the City of Davis Municipal Code. Should the ultimate unit counts vary from that shown on the Subarea Summary Map (Exhibit A), the affordable housing requirements shall be increased or decreased accordingly.
2. **AFFORDABLE UNITS ANTICIPATED.** The affordable housing units to be provided shall be a combination of permanently affordable rental units and accessory dwelling units, as established in the Affordable Housing Plan for The Cannery.

3. **AFFORDABILITY REQUIREMENTS.** 40-60 affordable units shall be provided in the Cannery Lofts subarea. These units shall remain affordable in perpetuity, as established in the Affordable Housing Program. This requirement shall be established in a deed restriction or covenant recorded on the property, subject to review and approval by the City Manager's Office prior to issuance of building permit in the Lofts subarea.
 4. **ACCESSORY DWELLING UNITS.** 28-40 Accessory Dwelling Units shall be provided, for credit as 14-20 affordable units, as established in the affordable housing plan. Accessory Dwelling Units receiving credit toward affordable housing requirements shall meet the standards of Subsection 18.05.(3)(e)(1). Accessory Dwelling Units in the Cannery Village subarea shall meet Livable Design Standards. The Accessory Dwelling Units will be constructed at the same time as the primary unit. Every Cannery Village home has an Accessory Dwelling Unit. For the Bungalow Alleys, developer will work with the Community Development and Sustainability Department on distribution of Accessory Dwelling Units at time of Final Map.
 5. **AFFORDABLE HOUSING CONSTRUCTION.** The developer shall diligently pursue financing for the affordable apartments. If the affordable apartments are not under substantial construction within five years of the first building permit issued for a residential unit at The Cannery, the developer shall transfer the parcel to the City of Davis, for use as permanently affordable housing. The land shall be free of any encumbrances or unusual easements, subject to the review and approval of the City Manager's Office and the City Attorney.
 6. **AFFORDABLE HOUSING DISCLOSURE.** Developer shall provide written notice to all purchasers of lots or homes within the subdivision of the location and zoning for the affordable housing. The disclosure shall explicitly note that the housing may be developed for very-low and low-income residents or special needs residents. Wording is subject to review and approval by the Community Development & Sustainability Department.
-

VI. ACCESSIBILITY

1. **LIVABLE DESIGN REQUIREMENTS FOR SINGLE-FAMILY UNITS.** All primary units within the Park Homes, Cannery Village, Cottages, Bungalow Alleys, Courts, and Row Homes shall meet standards of the Livable Design Program, as established in the Final Planned Development Neighborhood Design Guidelines. In addition, Accessory Dwelling Units in the Cannery Village subarea shall meet Livable Design Standards.

2. **ADDITIONAL CITY OF DAVIS REQUIREMENTS.** All primary units within the Park Homes, Cannery Village, Cottages, Bungalow Alleys, Courts, and shall meet City of Davis standards for accessibility pursuant to Resolution 12-169 dated November 13, 2012, with the exception of the Row Homes as provided herein. These required features include the following:
 - One low threshold entry at either front door or from garage to house
 - An exterior zero-step walkway to low threshold entry
 - A zero-step interior path of travel on ground floor with wider hallways and doorways
 - A bathroom or half bath/powder room with wider doorways and reinforced walls(to facilitate easy grab bar installation)
 - A common room with no steps that is connected to the 36-inch wide path of travel (living room, dining room, den, or other similar rooms)
 - In units with two or more stories, stairs accommodation (electrical outlets for a future chairlift or stacked closets to accommodate a future home elevator) or
 - Accessible electrical panel on interior of the unit
 - Rocker, touch, or motion-sensitive light switches and lever door handles
3. **REQUIREMENTS FOR ACCESSORY DWELLING UNITS.** Accessory Dwelling Units in the Cannery Village subarea receiving credit against affordable housing obligations shall meet Livable Design Standards and the City of Davis Universal Access requirements listed above.
4. **UNIVERSITY FLATS.** All units developed in the University Flats subarea shall have single-story living and meet ADA and Title 24 accessibility standards. All units above the ground floor shall be served by elevators.
5. **CANNERY LOFTS.** All units developed in the Cannery Lofts subarea shall meet ADA and Title 24 accessibility standards.. Accessibility standards will be reviewed by the City at the time of site plan review of the Cannery Lofts subarea.
6. **DESIGN GUIDELINES.** The Design Guidelines shall include specific minimal measurements and descriptions of all Livable Design features (derived from industry-based universal design) to be provided, and a description of which features are mandatory and which are optional.

VII. RESIDENTIAL SUBDIVISIONS

1. **DEVELOPMENT AND ARCHITECTURE CRITERIA.** All development and architecture criteria for the houses shall be as established in the R-1-6 Zoning District (for the Park Homes, Cannery Village, Cottages, Bungalow Alleys, and Courts) and R-3-M (for the Row Homes, University Flats, and Lofts), and the Final Planned Development Neighborhood Design Guidelines except as modified herein.

2. **PARKING SPACES REQUIRED.** Parking spaces for the residential lots shall be as established in the Typical Residential Development Standards, Exhibit B to this Final Planned Development, except as modified herein. Parking spaces for Accessory Dwelling Units shall not be required. Parking areas, driveways, and parking spaces shall meet minimum parking requirements established in Section 40.25 of the Zoning Code, unless otherwise specified herein or in the Design Guidelines. . Details of parking space location and configuration, consistent with these requirements, shall be submitted with the Design Review or Building Permit application. The Community Development & Sustainability Department may approve minor changes in parking space number (for the University Flats and Lofts subareas only), location, and configuration through the minor improvement process.
3. **GARAGES.** Width of any front-loaded garage door shall be limited to 18 feet.
4. **ELECTRIC VEHICLE RECHARGE.** All new garages shall be pre-wired for 240-volt EV recharge stations.
5. **PORCH DIMENSIONS.** The minimum dimension for a usable porch/patio/deck that is creditable against usable open space is 6 feet.
6. **DESIGN REVIEW FOR INITIAL CONSTRUCTION.** Design review approval shall be required prior to issuance of building permits for any dwelling unit in the project. The Design review shall include an evaluation of consistency with the the Final Planned Development Neighborhood Design Guidelines. Deviations and adjustments may be approved by the Director of Community Development and Sustainability.
7. **FPD / EXTERIOR ALTERATIONS/ADDITIONS.** Upon construction of each home, the builder shall submit an “as-built” plot plan to the Department of Community Development and Sustainability. The “as-built” plot plan shall become the Final Planned Development for that parcel. No subsequent additions will be permitted without review and approval of a Revised Planned Development.
8. **ELEVATIONS.** All dwellings shall have the front, side and rear elevations upgraded with architectural detailing and increased delineation of surface treatment consistent with the Final Planned Development Neighborhood Design Guidelines subject to review and approval of the Community Development & Sustainability Department prior to issuance of building permits.
9. **GARAGE CONVERSION.** No garage conversions shall be permitted without a revision to this Final Planned Development. Adequate parking space for vehicles shall be provided, accessible and free and clear of stored items.

10. **FENCING.** Concurrent with application for the first building permit within a subarea or Final Subdivision Map area, developer shall submit a plan showing location and design for all fences adjacent to public or private open space, roads, or bicycle paths, subject to review and approval by the Community Development & Sustainability and Public Works Departments. Amendments to the approved fencing plan may be considered through the Design Review process.
11. **TEMPORARY STRUCTURES.** Any temporary building, trailer, commercial coach, etc. installed or used in connection with construction of this project shall comply with the requirements of Section 40.26.360 of the Municipal Code.
12. **TRASH RECEPTACLES.** If no centralized trash receptacles are provided, all trash pick-ups shall be for individual units with all receptacle storage shielded from public view. Locations for placement of receptacles for pick-up shall be identified prior to issuance of building permit, and secured within the CC&Rs as necessary. Details of the trash pick-up/storage plan shall be subject to Community Development & Sustainability Department and Public Works Department review and approval prior to issuance of building permits.

VIII. ENVIRONMENT AND SUSTAINABILITY

1. **MITIGATION MEASURES.** The applicant shall comply with and satisfy the mitigation measures, which are part of Environmental Impact Report SCH# 2012032022.
2. **GREEN BUILDING MEASURES.** All new development shall comply with the Green Building Ordinance. All projects shall be constructed using the guidelines, green building rating systems, and green building project checklists as set forth in section 8.01.065(A) of the Davis Municipal Code. Compliance shall be demonstrated prior to issuance of building permits.
3. **SUSTAINABILITY PLAN.** The project shall comply with all commitments of The Cannery Sustainability Plan, dated September 4, 2013.

A. Plan Check Review

1. **WASTE REDUCTION AND RECYCLING.** All new construction, renovation and demolition projects shall comply with the Construction and Demolition Ordinance by diverting at least 50% of construction and demolition waste from the landfill, through recycling, reuse and or waste reduction. Compliance shall be demonstrated as set forth in section 32.04.080 of the Davis Municipal Code.
2. **RECYCLING.** An appropriate recycling storage area and containers shall be provided within each unit in the project to the satisfaction of the Community Development & Sustainability Department.

3. **ACOUSTICAL.** Prior to issuance of permits, an acoustical report shall be submitted to the Community Development & Sustainability Department for review and approval. The report shall discuss the level of interior noise attenuation to below 45 CNEL and the building materials and construction techniques provided, including such features as ventilation systems, solid core doors, weather-stripping, low air filtration window frames, insulating wall materials, and baffled vents.
4. **SOLAR ACCESS.** Solar access shall be provided such that each lot or dwelling unit shall have the right to receive sunlight across adjacent lots or units for use of a solar energy system. Solar access shall be contained in a Declaration of Restrictions for the subdivision which shall be recorded concurrently with the recordation of the final map or issuance of permits, whichever comes first. The Restriction shall prohibit the casting of shadows by vegetation, structures, fixtures, or any other object.

B. During Construction

1. **NOISE REDUCTION PRACTICES.** The applicant shall employ noise-reducing construction practices. The following measures shall be incorporated into contract specifications to reduce the impact of construction noise.
 - a. All equipment shall have sound-control devices no less effective than those provided on the original equipment. No equipment shall have an un-muffled exhaust.
 - b. As directed by the City, the developer shall implement appropriate additional noise mitigation measures including, but not limited to, changing the location of stationary construction equipment, shutting off idling equipment, rescheduling construction activity, notifying adjacent residents in advance of construction work, or installing acoustic barriers around stationary construction noise sources.

C. Prior To Certificate of Occupancy

1. **CONSTRUCTION TIMES AND NOISE IMPACTS/MITIGATION MEASURES.** The developer/applicant shall be responsible for informing all subcontractors and construction crews about construction start and finish times including appropriate ambient noise impacts consistent with city code and of all applicable mitigation measures.

D. Ongoing

1. **RIGHT TO FARM ORDINANCE.** The applicant shall notify and include in pertinent deeds, a right to farm restriction, consistent with Ordinance 1832 (Right to Farm Ordinance), that states: “You are hereby notified that the property you are purchasing is located within 1000 feet of agricultural operations or agricultural processing facilities or operations”.