

LIBERTY BUSINESS PARK SPECIFIC PLAN

CITY OF ESCALON



Adopted November 5, 2007



Quad Knopf

LIBERTY BUSINESS PARK SPECIFIC PLAN

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CHAPTER ONE

SUMMARY

CHAPTER 1 – SUMMARY

The City of Escalon has prepared the Liberty Business Park Specific Plan (LBPSP) to facilitate economic and job development through orderly growth and development. The Plan was prepared during a time of significant change in the structure of the national economy. Many types of manufacturing jobs have declined nationally or been transferred elsewhere. Yet the nation's fundamental need for food and agricultural products and related industries provides an opportunity for Escalon to establish an enduring and sustainable economy based on these essential products.

The Liberty Business Park (LBP) will provide space for the growth of light industrial, rail-oriented industrial, commercial and office uses in an aesthetically pleasing industrial park setting. The LBP is envisioned as a major employment center for the City of Escalon and surrounding area, and will bridge contemporary agricultural industries with new technology and products.

The Specific Plan provides the project vision and objectives, and establishes development policies, land use regulations, design standards, and a phasing plan that will guide the orderly growth of new industrial, commercial, and office uses.

1.1 Planning Area Location

The Plan Area encompasses 178 acres in the northwest corner of Escalon adjacent and north of State Route 120 (SR 120). The Plan Area is currently undeveloped with the exception of four rural-residential homes and a produce stand.

Most of the Plan Area is currently used for agriculture, including corn and other row crops.

Escalon is well situated in the Central Valley to serve as a center for industrial and related services, and the Plan Area is adjacent to SR 120, a major east-west transportation route. Figures 2-1 through 2-3 provide the location of the LBP.

1.2 Land Use Summary

The Plan Area land use is allocated primarily to industrial use that would accommodate a wide range of light to heavy rail-oriented industrial activity. However, the plan also provides for office and commercial use that would facilitate the expansion of existing industries and the addition of new, related industries. A triangular parcel (38 acres) north of the Plan Area will be designated "Future Industrial Reserve" for future industrial expansion. Table 1-1 provides a Land Use Summary.

**Table 1-1
Summary of Land Use (Acres)**

Land Use	Acres	% of Total
Light Industrial	50.0	28.0
Office	25.1	14.1
Commercial/Retail	39.0	21.9
Rail-Oriented Industrial	49.4	27.7
Open Space	14.9	8.4
Total	178.4	100.0

Note: Right-of-Way is included in acreage count.

1.3 Development and Conservation Issues Addressed in the Plan

The LBPSP proposes the development of a mix of industrial, office and commercial uses in an area that is primarily under agricultural use. The Plan Area does not contain any environmental resources or features that require unusual approaches to development.

A number of factors including City policy and desires, adjacent uses, facility needs, circulation and infrastructure opportunities, market demand and fiscal realities influence the land use, urban design and circulation features of the LBPSP.

The following list provides a brief summation of the development and conservation issues addressed in the Plan.

- North-South Circulation Connections – The Plan Area will need to provide one or more major north-south connectors.
- Gateway Opportunities – The Plan Area provides opportunities to establish a high quality visual presence for the City along the SR 120 frontage.
- On-Going Agricultural Activity – Agriculture will continue in the Plan Area for many years.
- Incremental Growth – Development of the Plan Area is likely to extend over many years.
- Fiscal Stability and Capital Finance – The requirement for new infrastructure will need to be balanced with the ability to fund such improvements over a period of years.
- South County Surface Water Project – This project is located at Woodward Reservoir. When completed, water from the Woodward Reservoir will be treated and then delivered to Escalon providing an additional water supply to the City and Plan Area. However, a new water well will be needed prior to this project.

The Specific Plan reflects policies found within the adopted Escalon General Plan (June 2005), which identified light industrial uses in the Plan Area; an appropriate mix of parcel sites; 20 percent of the parcels to be served by rail; that there is adequate zoned and vacant land; and to maintain a balance of commercial and industrial uses in Escalon.

1.4 Summary of Preparation Process

The City of Escalon General Plan 2025, adopted in June 2005 identifies the basic spatial structure of the City. Lands located to the south and east of the Plan Area are designated for residential development, and light industrial and commercial use would be located in the Plan Area.

The LBSP is one of an on-going series of plans prepared by the City to systematically implement its adopted General Plan.

The Specific Plan process was initiated in February, 2005. Quad Knopf, a multi-disciplinary planning firm was retained to assist the City in preparation of the Specific Plan.

An initial public workshop was held in Spring 2005 to discuss the project intent and process with land owners in the area.

An additional public workshop was held in June 2005 to provide land owners with an overview of the Plan.

- The public review Draft of the Specific Plan and the Draft Environmental Impact Report were distributed for public review and comment in February, 2007.
- A public workshop was held to present the plan and receive comments on March 5, 2007.
- A public hearing was held with the City Planning Commission on August 14, 2007.
- The City Council held a public hearing on November 5, 2007, certified the Environmental Impact Report, and approved the Specific Plan on November 5, 2007.

1.5 Environmental Review

Each subsequent development project in the Plan Area shall be reviewed to ensure compliance with the California Environmental Quality Act (CEQA) and the Environmental Impact Report prepared and certified for the Liberty Business Park Specific Plan. In general, if it is determined that a subsequent project is consistent with the Specific Plan and within the scope of the EIR, no further environmental review may be necessary. If it is determined that a development application is inconsistent with the Specific Plan and/or subsequent evidence exists that supports the occurrence of any of the events set forth in *CEQA Guidelines* Section 15183, a determination will be made as to the appropriate subsequent environmental document.

CHAPTER TWO

INTRODUCTION

CHAPTER 2 – INTRODUCTION

The fundamental purpose of the LBSP is to implement the General Plan goal for a major industrial park in northwest Escalon. The Specific Plan provides the project vision and objectives, and establishes development policies, land use regulations, design standards, and a phasing plan that will guide the orderly growth of new industrial, commercial and office uses.

The Plan Area includes 178.4 gross acres allocated in a mix of industrial, industrial/business-professional, office, and commercial uses.

2.1 *Plan Objectives*

Industrial development is an essential component of the City of Escalon’s economic development strategy. The Specific Plan establishes the framework to implement that strategy.

The Specific Plan objectives are:

- Objective 1** Implement the City of Escalon General Plan.
- Objective 2** Provide a new employment center for commerce and industrial uses compatible with the Plan Area.
- Objective 3** Improve the jobs/housing balance in the region by providing local job opportunities in Escalon and, thereby, reducing the home-to-work commute by Escalon residents.
- Objective 4** Establish high quality development that will provide landscaping and building design appropriate to the type of business activity present and create a distinctive gateway to Escalon along SR 120.
- Objective 5** Provide an attractive, pleasant work place, as reflected in the landscaping, quality buildings, access to parking, and employee oriented amenities. Such amenities can include on-site recreation, outdoor and indoor lunch areas, and walking paths that connect to other businesses, restaurants, and services.
- Objective 6** Provide development sites that are appropriate to the industrial and commercial user needs in terms of access, the size and configuration of available land parcels, availability of suitable buildings, and compatibility with surrounding land uses.
- Objective 7** Provide infrastructure and circulation improvements to support economic development.
- Objective 9** Develop a comprehensive transportation system to provide convenient and quick access to the work place, which minimizes commute time and costs.

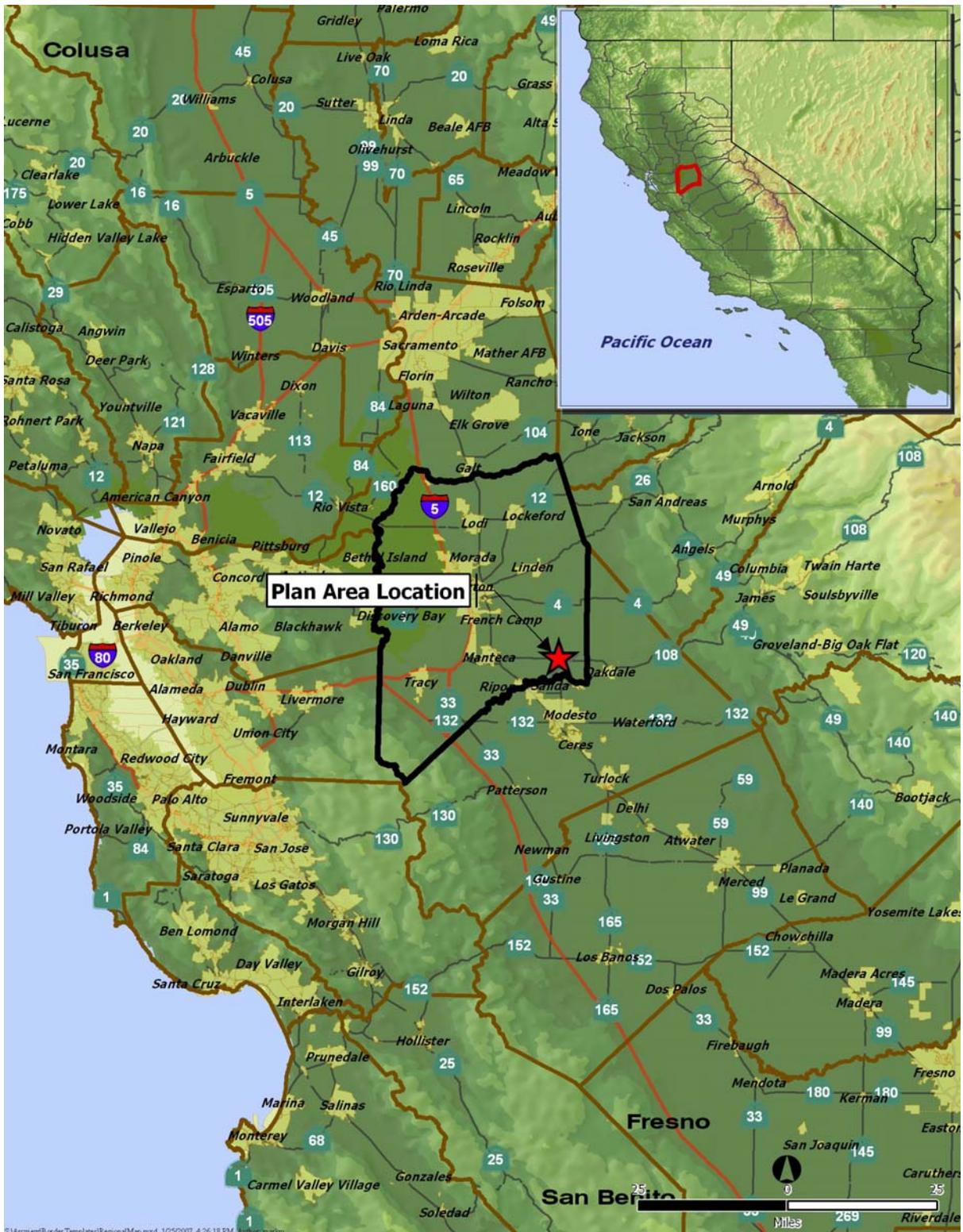
- Objective 10** Provide convenient access to personal services and conveniences near the work place, such as day care, medical and dental care, banking, professional services, recreation, retail shops and restaurants.
- Objective 11** Provide a location for start-up businesses near high support services and opportunities for business interaction.
- Objective 12** Develop an industrial park that is noteworthy for technological innovation in communications and building design with regard to lighting, heating and cooling, materials re-use, water and energy conservation.
- Objective 13** Plan for and provide efficient extension of infrastructure to serve new development.
- Objective 14** Provide a basis for funding mechanisms to secure necessary improvements.
- Objective 15** Expedite development permit applicants that are consistent with the Specific Plan.
- Objective 16** Provide a mix of land use classifications to accommodate all appropriate industrial, office and commercial uses at all times.
- Objective 17** Provide clear, implementable development standards.
- Objective 18** Encourage the private sector to maintain an adequate supply of “project ready” land.

2.2 Planning Area Location

The Plan Area is well suited for the proposed uses, with SR 120 as the southern boundary and the railroad tracks as the eastern boundary.

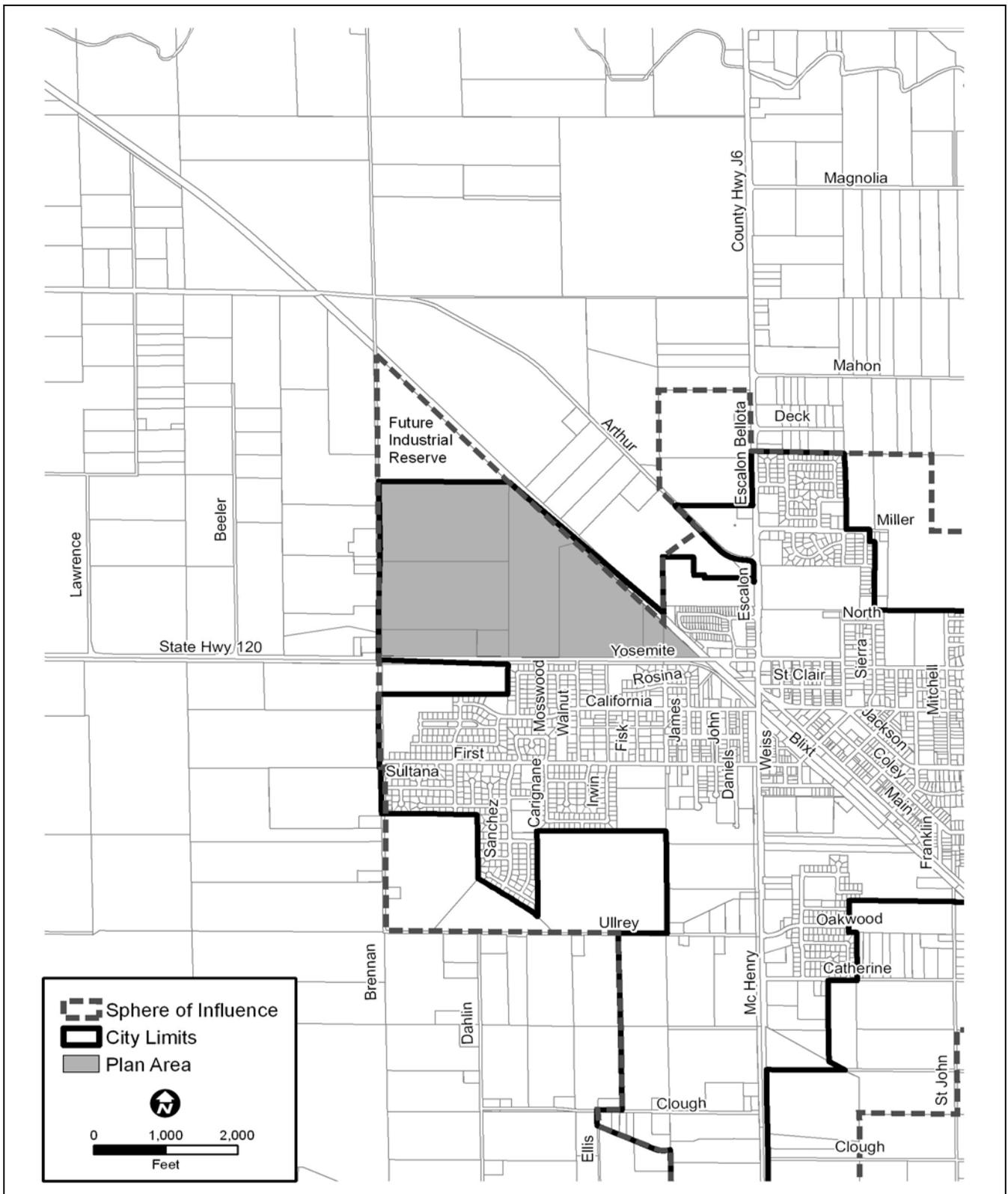
Escalon is well located in the Central Valley to serve as a center of industrial and related services, and the Plan Area is adjacent to SR 120, a major east-west transportation route. Reference Figure 2-1 for the Regional Location map.

The Plan Area is bounded on the west by Brennan Avenue, on the south by SR 120, and on the east by the railroad tracks (reference Figure 2-2). Figure 2-3 is an aerial photo of the Plan Area. All of the Plan Area is within the incorporated boundary of the City of Escalon. The City will annex the unincorporated Future Industrial Reserve area (northern-most 38 acres) as the Plan Area develops.



REGIONAL LOCATION

Figure 2 - 1



PLAN AREA LOCATION

Figure 2 - 2



AERIAL PHOTO OF THE PLAN AREA

Figure
2 - 3

2.3 Development and Conservation Issues Addressed in the Plan

The LBSPSP proposes the development of a mix of industrial, office and commercial uses in an area that is primarily undeveloped. The Plan Area does not contain any environmental resources or features that require unusual approaches to development. A number of factors including City policy and desires, adjacent uses, facility needs, circulation and infrastructure opportunities, market demand and fiscal realities influence the land use, urban design and circulation features of the LBSPSP. The following list provides a brief summation of the development and conservation issues and the characteristics of the Plan Area relative to the surrounding community that are addressed in the Plan.

- North-South Circulation Connections – The Plan Area will need to provide one or more major north-south roadway connectors.
- Gateway Opportunities – The Plan Area provides opportunities to establish a high quality visual presence for the City along the SR 120 frontage.
- On-Going Agricultural Activity – Agriculture will continue in the Plan Area for many years.
- Incremental Growth – Development of the Plan Area is likely to extend over many years (approximately 20 years).
- Fiscal Stability and Capital Finance – The requirement for new infrastructure will need to be balanced with the ability to fund such improvements over a period of years.
- South County Surface Water Project – This project is located at Woodward Reservoir. When completed, water from the Woodward Reservoir will be treated and then delivered to Escalon providing an additional water supply to the City and Plan Area. The City was initially slated to take delivery of up to 2,015 acre-feet of treated water after completion of Phase 1 and has been allotted up to 2,799 acre-feet of treated water through Phase II. The City opted to defer delivery of project water until Phase II to defer costs and rely on the groundwater supply in the interim. Even if the South San Joaquin Irrigation District (SSJID) project is delayed after 2012, the City will be able to meet projected demands with wells, and not be effected negatively by the lack of surface water by constructing storage facilities and new wells.

2.4 Planning Area Description

2.4.1 SITE CONDITIONS

The Specific Plan provides suitable settings for the diverse mix of industrial, light industrial-professional, business professional and



Existing produce stand in the southern portion of the Plan Area.

commercial building types and parcel sizes required to attract and accommodate a variety of industries.

A substantial portion of the Plan Area remains in active agricultural production, including corn and other row crops. Land in the Plan Area is also being used for cattle grazing. Active agricultural uses are also present to the north and west of the Plan Area. Agricultural activity will continue to be a part of the Plan Area for many years.

Highway oriented commercial uses are clustered near the SR 120 and Escalon Bellota intersection adjacent and to the east of the Plan Area. A produce store is currently located along SR 120 in the southern portion of the Plan Area.

Single family homes are located to the east and south of the Plan Area. There are four rural residential homes currently scattered throughout the Plan Area. Railroad tracks run along the eastern border of the Plan Area in a northwest to southeast direction.



Railroad tracks and commercial east of the Plan Area

2.4.2 ENVIRONMENTAL CONDITIONS



Typical row crop (corn) within the Plan Area

Land uses in the Plan Area are primarily agricultural not urban. Habitat types potentially affected in the Plan Area include agriculture, irrigation ditches, and small residential farms. Historical agricultural practices in this area are not consistent with maintaining wildlife habitat, and therefore, biological resources are scarce.



Residential to the south

The Environmental Impact Report (EIR) for the LBSP is a source of additional information on the natural resources in the Plan Area.

2.4.3 ADJACENT USES

The Plan Area is located in the northwest portion of the city. Land to the west and north of the Plan Area is generally made up of row crops, orchards, small residential farms, and dairies.

The land immediately east of the Plan Area is a mix of agricultural land, single family residential, and commercial uses. The land further east is a mixture of commercial, residential, educational and recreational uses. Land south of the Plan Area is primarily residential.

2.5 The Specific Plan Organization

The Liberty Business Park Specific Plan is organized into five topical sections.

- Land Use deals with all aspects of physical development, primarily on private lands. It describes the permitted uses, and the regulations and standards that will control development.
- Design Guidelines deals with the visual quality of the development.
- Public Utilities Plan deals with the public facilities and services required for development.
- Traffic and Circulation Plan deals with the general layout and design standards for the roadway network in the Plan Area.
- Implementation deals with the methods used to create and fund public facilities and services.

2.5.1 POLICY AND REGULATORY STRUCTURE

Each section provides Objectives, Policies and Regulations that will guide the development of private lands and public facilities and services.

Objectives

Objectives are qualitative statements that describe the desired development result and the purposes underlying the proposed plan. Each section of the Plan includes objectives that are specific to the Plan Area, but also include objectives derived from the Escalon General Plan. The Specific Plan is designed to implement General Plan Policies 7.4 #2 and 7.4 #4, which encourage the creation of an industrial park in this area. Inclusion of the relevant General Plan objectives provides a clear linkage between the General Plan and the LBPSP.

Policies

Policies provide qualitative guidance for interpreting the objectives in a variety of circumstances that may occur in developing the Plan Area. Policies do not typically establish specific requirements for development, but provide a clear intent that can be applied in the evaluation of each development application. The Specific Plan may also include policy statements derived from the General Plan in order to provide a clear linkage between the General Plan and the LBPSP.

Specific Plan Regulations

The City of Escalon Zoning Ordinance includes City Design Guidelines for high quality commercial and industrial development (Title 17, Escalon Municipal Code, Chapter 17.17, and 17.22).

The Specific Plan applies the Zoning Ordinance throughout the Plan Area. However, the Plan Area includes conditions not directly addressed, or that require different standards than those found in the Zoning Ordinance. Therefore, the Specific Plan provides regulations that include the permitted land use and development standards associated with each land use category, and Development Standards that apply to private land use development and public improvements. The Design Guidelines section includes Design Standards that are mandatory for subsequent developments in the Plan Area. These are to be interpreted as specific requirements for the applicable land use or condition identified in that section of the Plan.

The LBPSP Design Standards complement the City's Zoning Ordinance Design Guidelines. Where the provisions of the LBPSP Design Standards differ from the Zoning Ordinance, the LBPSP Design Standards shall apply to development within the Plan Area.

The Specific Plan summarizes the essential development standards for each land use category, but project applicants must refer to the Zoning Ordinance development standards, and the City Design Guidelines to ensure that all applicable regulations are addressed.

2.5.2 RELATIONSHIP OF OBJECTIVES, POLICIES AND REGULATIONS IN IMPLEMENTING THE PLAN

The Objectives, Policies and Regulations established in this Plan are intended to provide a logical sequence from the broad vision to the specific requirements that implement the Plan. The Policies define the Objectives in relatively more specific terms, but retain the flexibility for interpretation in the Plan development. The Regulations are the precise application of the

Policies where a specific, quantified standard is appropriate. Together these components form a hierarchy of determinant steps for regulating the individual development applications that will emerge in the Plan Area and for creation of the infrastructure and services they will require.

2.6 Relationship to the General Plan

The Escalon General Plan (2005) designates the LBSPS Plan Area as one of the primary locations for job development in Escalon. The LBSPS implements the policies established in the City of Escalon General Plan.

The Plan Area is entirely within the Escalon city limits. A 38 acre triangular parcel just north of the Plan Area is not a part of the LBSPS; however, it will be designated future Industrial Reserve. Figure 2-4 shows the current General Plan land use designation, growth boundaries, the current city boundary, SOI and Planning Area.

2.7 Projects Must be Consistent with the Specific Plan

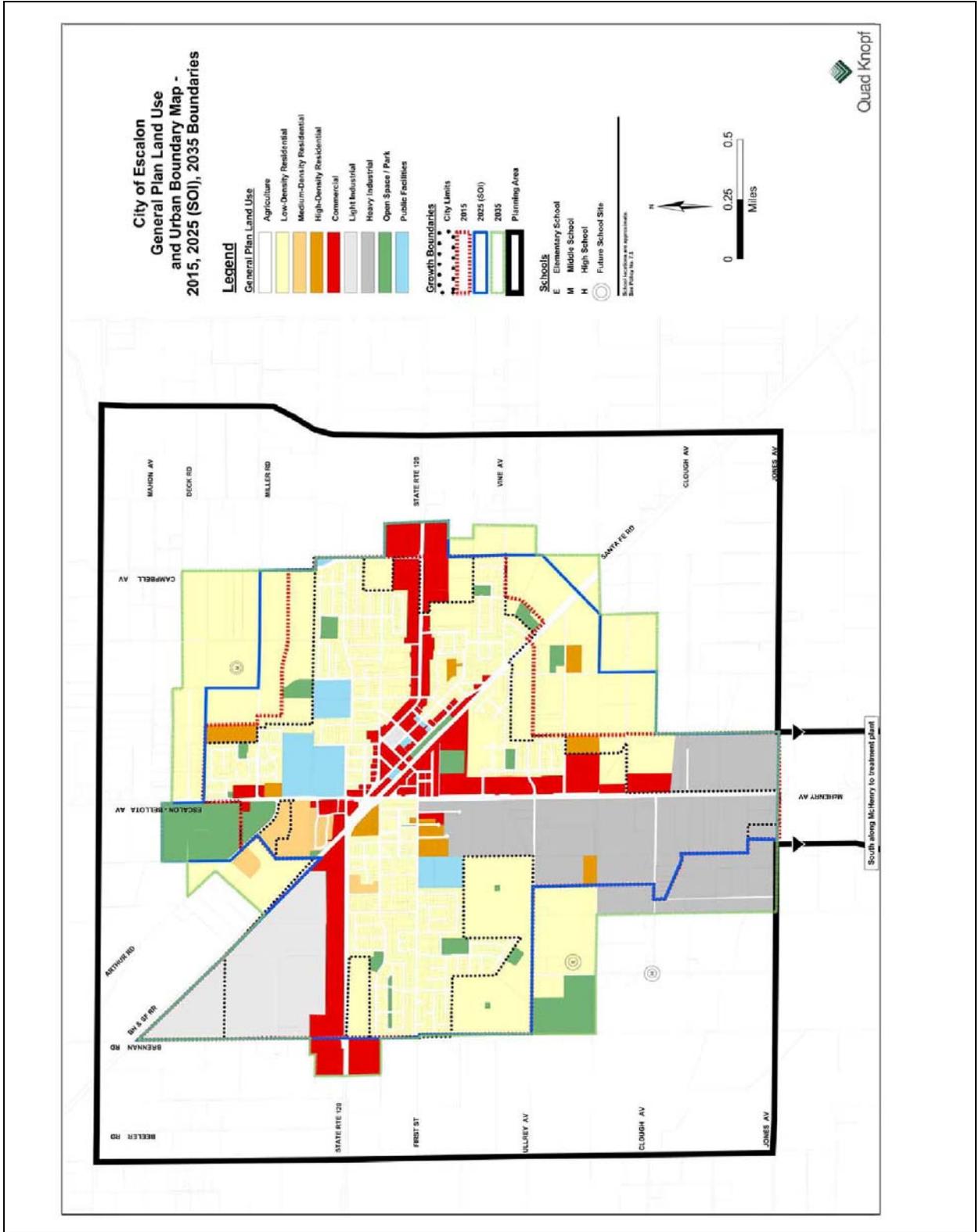
All individual development projects (including issuance of any discretionary land use entitlement) within the Plan Area will be subject to the requirements of the Specific Plan.

Subsequent projects within the Plan Area (including Tentative Parcel/Subdivision Maps, Conditional Use Permits) must be consistent with this Specific Plan and the City of Escalon General Plan.

2.8 Relationship of the Specific Plan Environmental Document to Subsequent Discretionary Projects

The Liberty Business Park Specific Plan EIR was certified before the adoption of this Specific Plan. The EIR examines the environmental impacts of the proposed plan and focuses on changes in the environment that would result from implementation of the plan. The EIR identifies mitigation measures as appropriate to reduce significant impacts, and incorporates a Mitigation Monitoring Plan.

Each subsequent development project shall be reviewed to ensure compliance with the California Environmental Quality Act (CEQA). In general, if it is determined that a subsequent project is consistent with the Specific Plan and within the scope of the EIR, no further environmental review may be necessary. If it is determined that a development application is inconsistent with the Specific Plan and/or subsequent evidence exists that supports the occurrence of any of the events set forth in *CEQA Guidelines* Section 15183, a determination will be made as to the appropriate subsequent environmental document.



ESCALON GENERAL PLAN LAND USE AND URBAN BOUNDARY MAP

Figure 2 - 4

CHAPTER THREE

LAND USE

CHAPTER 3 – LAND USE

This section describes location and characteristics of the various land uses that will develop in the Liberty Business Park. Land use characteristics include the type of use permitted and the development standards that will be applied in the review of individual development proposals.

3.1 Land Use Objectives

- Objective 1** Identify and plan for industrial, office, and retail land use to satisfy long term employment growth needs and sustain the economic viability of the community.
- Objective 2** Establish an aesthetically pleasing industrial park that will provide a high quality work environment and an attractive landmark for the City of Escalon along SR 120.
- Objective 3** Implement innovative technologies for communications, water and energy conservation in site design and architecture.
- Objective 4** Maintain coordination between land development and expansion of public utilities and streets to ensure that utilities are available in a timely manner.
- Objective 5** Provide attractive gateways to the industrial park at the south and west points of entry.
- Objective 6** Allocate land use in a manner that encourages and facilitates pedestrian access.

3.2 Land Use Policies

The following policies relate to the entire Plan Area. Additional policies and development standards will apply to individual development types and land use categories as defined in this section.

- LU-P 1** All development shall comply with the design standards established in this Specific Plan.
- LU-P 2** Land use shall be coordinated with reasonably foreseeable public transportation systems to ensure that land uses with a projected average employment density of 20 or more employees per acre are located within 1,200 feet of likely transit routes.
- LU-P 3** Heavy truck traffic shall turn north onto Brennan Avenue and enter the Plan Area approximately 1,500 feet from SR 120 (reference Figure 3-1).
- LU-P 4** Establish site plan review procedures for all commercial and industrial development, including provisions for building setbacks, lot coverage, parking, access and circulation, outdoor lighting, signage, and landscaping (GP Policy 8.3, 1).

- LU-P 5** Buildings on a site should be linked visually through architectural style, colors, materials, signage, landscaping, design details such as light fixtures, and the use of arcades, trellises or other open structures (GP Policy 8.3, 4).
- LU-P 6** All roof equipment shall be screened from a horizontal line of sight. Screening should be an integral part of the roof design and not appear as a “tacked on” afterthought. For flat roofs, a screen enclosure behind the parapet wall may be used if it is made to appear as an integral part of the structure’s design. Ground or interior-mounted mechanical equipment (with appropriate screening) is encouraged as an alternative to roof-mounting (GP Policy 8.3, 7).
- LU-P 7** Buildings shall be designed with a precise concept for adequate signage. Signs shall be integrated into the design of buildings and should be part of the architecture. All signage shall be compatible with the building and site design relative to colors, materials, placement, and shall respect established architectural and/or historical character (GP Policy 8.3, 11).
- LU-P 8** Monument-type signs are preferred over tall pole signs for business identification, wherever possible. Where several tenants occupy the same site, individual wall mounted signs are appropriate in combination with a monument sign identifying the development. Custom signs, which are unique and creative, are encouraged, provided that the style of the sign complements the style and design of the building.
- LU-P 9** Landscaping should be used to define areas such as entrances to buildings and parking lots, define edges of various land uses, provide transition between neighboring properties (buffering), and provide screening for outdoor storage, loading and equipment areas (GP Policy 8.3, 16).
- LU-P 10** Landscaping should be in scale with adjacent buildings, be of appropriate size at maturity to accomplish its intended purpose, and areas of a site not utilized for parking, circulation, storage or other uses, shall be landscaped.
- LU-P 11** Site plans shall provide safe and well-defined pedestrian connections from buildings to parking areas, from buildings to the adjoining street(s), and among buildings on the same site. Pedestrian connections between commercial development and surrounding residential neighborhoods should also be provided (GP Policy 8.3, 21).
- LU-P 12** Loading and delivery areas shall be clearly marked with directional signage where multiple access points are provided, shall be designed to accommodate trucks without them having to back onto or otherwise use the adjoining street when feasible; and loading and trash facilities shall be located where they may be adequately screened from view (generally at the rear of the structures, away from the street).
- LU-P 13** A variety of building and parking setbacks should be provided in order to avoid long monotonous building facades and create diversity, and to break up expansive fields of parking.

LU-P 14 Building setbacks should be provided proportionate to the scale of the structure and in consideration of existing development adjacent to it. Larger structures require more setback area for a balance of scale.

LU-P 15 Where industrial uses are adjacent to non-industrial uses, appropriate buffering techniques such as setbacks, screening, and landscaping need to be provided to mitigate any negative effects of industrial operations.

3.3 Land Use Concept

Not all land uses are compatible and therefore it is necessary to separate some activities from others through land use categories. It is also important that the uses are located where they can establish a strong identity for the Plan Area and can facilitate economic efficiency among diverse, but related businesses. Figure 3-1 shows the Conceptual Site Plan with land uses, acreage and approximate building square footage.

The land uses in the Plan Area are located in response to the following criteria.

Existing Land Use: The future land use pattern is partially established by the existing land uses. Notably, the railroad tracks along the eastern boundary of the Plan Area establish that as an area suited to heavy and light industrial uses. Similarly the existing commercial uses on SR 120 adjacent and east of the Plan Area suggest the continued expansion of similar uses along SR 120.

Relationship Among Uses: The Plan Area needs to locate uses adjacent to those that will have the least conflicts and also needs to provide transitions between incompatible land uses.

Road Capacity and Proximity to Rail Service: Both industrial uses and any other uses dependent on rail service should be located along the rail line or where spur lines can be extended. Likewise, those uses with heavy truck and/or employee traffic should be located where they will have access to roads with the greatest capacity.

Employee Access: Given the City of Escalon General Plan policies and historical growth pattern, the resident work force is and will continue to be located south and east of the Plan Area. Consequently, local employee traffic will tend to flow east-to-west along SR 120 before entering the Plan Area. The uses with the highest density of employment should be located near SR 120 as well as the major cross streets, in order to minimize traffic conflicts with heavy truck traffic, employees, and out of area commuters.

Retention Basin: The eleven (11) acre retention basin in the center of the Plan Area will be designated as Open Space and be used as a stormwater retention basin. A secondary use would be as a visual and recreation amenity. The basin's central location in the Plan Area could provide all employees with recreational opportunities such as but not limited to: pedestrian trails, passive recreation, picnic areas, shade trees, gazebo, etc. These uses would be located around the perimeter of the basin. A smaller secondary retention basin (2.6 acres) area is planned for the southeast corner of the Plan Area.

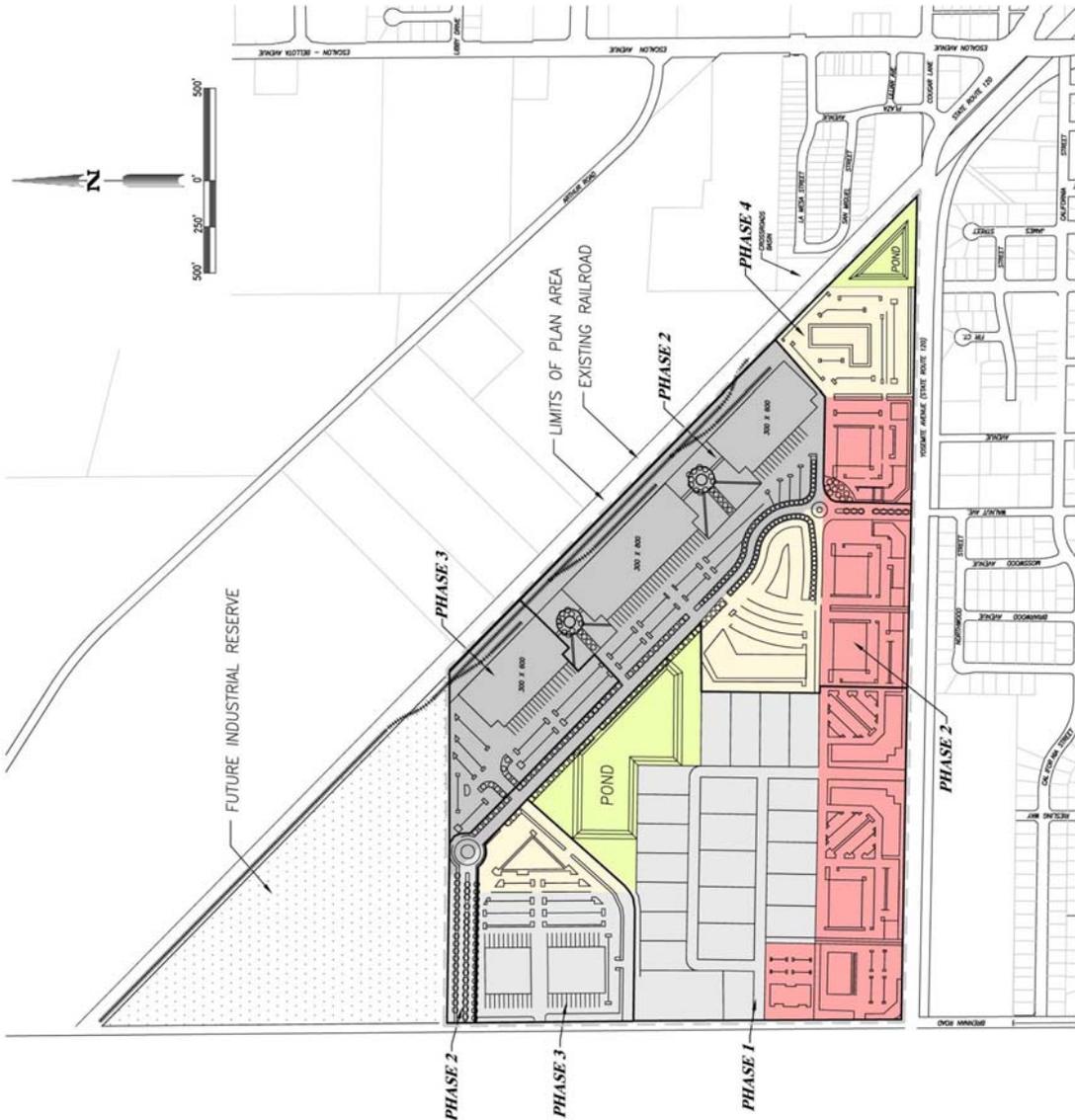
CITY OF ESCALON LIBERTY BUSINESS PARK SPECIFIC PLAN

PROJECT PHASING:

PHASE	LAND USE: BUILDINGS	AREA (AC)
PHASE 1:	LIGHT INDUSTRIAL	33.7 AC.
	COMMERCIAL: HOTELS (200 PARKS EACH); NEIGHBORHOOD STORES	22.0 AC. 715,560 SF 107,613 SF
	OPEN SPACE	12.3 AC.
PHASE 2:	RAIL ORIENTED INDUSTRIAL: WAREHOUSES	35.6 AC. 420,000 SF
	LIGHT INDUSTRIAL	3.1 AC.
PHASE 3:	COMMERCIAL: COMMUNITY SHOPPING	10.9 AC. 116,849 SF
	OFFICE PARK: OFFICE BUILDINGS	10.8 AC. 98,333 SF
PHASE 4:	RAIL ORIENTED INDUSTRIAL: WAREHOUSES	14.3 AC. 180,000 SF
	LIGHT INDUSTRIAL: INDUSTRIAL PARK	13.7 AC. 173,897 SF
PHASE 5:	OFFICE PARK: OFFICE BUILDINGS	5.3 AC. 59,267 SF
	COMMERCIAL: COMMUNITY SHOPPING	6.1 AC. 67,648 SF
	OFFICE PARK: OFFICE BUILDINGS	8.3 AC. 177,385 SF
	OPEN SPACE	2.7 AC.

SITE DATA:

LAND USE	GROSS ACRES
RAIL ORIENTED INDUST.	49.4 AC
LIGHT INDUSTRIAL	50.0 AC
OFFICE PARK DEVELOPMENT	25.1 AC
COMMERCIAL	39.0 AC
OPEN SPACE	14.9 AC
APPROX. TOTAL:	~178.4 AC
LAND USE	BUILDING SF:
RAIL ORIENTED INDUST.	600,000 SF
LIGHT INDUSTRIAL	173,897 SF
OFFICE PARK DEVELOPMENT	165,550 SF
COMMERCIAL	409,380 SF
APPROX. TOTAL:	~1,348,827 SF



CONCEPTUAL SITE PLAN

Figure 3 - 1

Visual Amenity: The SR 120 frontage between Brennan Avenue and Plaza Avenue provides an opportunity to establish a prominent visual statement for Escalon. This area should be used by land uses that have relatively high landscaping values and would use the highway frontage for architectural statements and signature.

3.4 Land Use Summary

The Plan Area totals 178.4 acres and incorporates approximately forty-nine (49) acres of rail-oriented industrial use, which is expected to be developed with distribution warehousing and trans-shipment facilities. Fifty (50) acres of light industrial use are proposed along Brennan Avenue, approximately 500 feet north of SR 120. An office park/corporate campus is proposed on approximately twenty-five (25) acres of the subject site and approximately thirty-nine (39) acres of retail commercial use are proposed along the north side of SR 120. Fifteen (15) acres of the subject site will be designated for Open Space and will be used as stormwater retention basins (reference Figure 3-1) and passive recreation areas.

The conceptual land use plan prepared for the Plan Area shows the following land use type and approximate square footage:

- Rail-Oriented Industrial Development: 600,000± sq. ft.
- Light Industrial Development: 174,000± sq. ft.
- Professional Office/Corporate Campus Development: 165,500± sq. ft.
- Retail Commercial: 409,400± sq. ft.

Table 3-1 shows the summary of land use in acreage for the Plan Area.

**Table 3-1
Summary of Land Use**

Land Use	Acres	% of Total
Light Industrial	50.0	28.0
Office	25.1	14.1
Commercial/Retail	39.0	21.9
Rail-Oriented Industrial	49.4	27.7
Open Space	14.9	8.4
Total	178.4	100.0

Note: Right-of-Way is included in acreage count.

3.5 Land Use Categories

The Plan Area includes five land use categories: Office Park, Light Industrial, Open Space, Rail Oriented Industrial and Commercial (Retail). The appropriate General Plan land use designation, zoning designation and purpose/intent of the land use is explained below.

Office Park

General Plan Designation: Commercial

Zoning: Community Commercial (C-2)

Purpose/Intent

The Office land use designation would accommodate conventional business and professional offices and campus type office space. The growth in this type of space is anticipated in support of business services and agricultural and related industries. Land designated Office Park will provide space for business headquarters and professional services, such as engineering services, financial services, attorneys, lenders, accountants and other businesses oriented to basic industries. The planned office park setting would also accommodate headquarters offices for computer, telecommunications, agri-science and other industries.

Light Industrial

General Plan Designation: Light Industrial

Zoning: Commercial-Industrial (C-M), Limited Manufacturing (M-1)

Purpose/Intent

The Light Industrial designation will accommodate a wide range of industrial uses. Heavy industrial uses such as used auto parts, quarry and gravel pits, asphalt plants, large-scale industry, incinerators, and other similar operations which create nuisances and hazardous effects beyond their premises will not be allowed. The purpose and intent of the Light Industrial zone is to provide an area for uses that are characterized by low intensity research and development, warehousing and limited manufacturing and production, assembling and packaging or treatment of food products from previously prepared materials, and business incubation for start-up and fledgling companies. Wet processing is more complex than dry processing, requiring specific equipment and typically large quantities of water. This process is discouraged in Escalon.

Open Space

General Plan Designation: Open Space/Park

Zoning: Public Facilities, Open Space/Park

Purpose/Intent

The Open Space designation will apply to the primary retention basin in the center of the Plan Area and the secondary retention basin in the southeast corner of the Plan Area, and will be used for stormwater retention. A secondary use would be as a visual and recreation amenity. The

primary retention basin's central location in the Plan Area will provide employees with recreational opportunities.

Rail-Oriented Industrial

General Plan Designation: Light Industrial

Zoning: Limited Manufacturing (M1)

Purpose/Intent

The purpose/intent of the Rail-Oriented Industrial designation is to provide land for industrial uses that will need to either ship their products or receive supplies and materials via the railroad. Appropriate Rail-Oriented Industrial uses include warehousing, research, designing and manufacturing. Such uses are intended to be enclosed within a building and external effects are not to be experienced beyond their property boundaries. Outdoor storage is intended to be minimal. All industrial uses should be adequately screened from adjacent residential uses to the east and those uses within the Plan Area as well.

Commercial (Retail)

General Plan Designation: Commercial

Zoning: Community Commercial (C-2), Commercial-Industrial (C-M)

Purpose/Intent

Commercial land uses along SR 120 will accommodate a range of commercial sites including larger retailers and small centers that would provide retail, personal and professional services, dining, and leisure/recreation facilities to meet the needs of tourists passing through town on SR 120, employees and residents. The commercial land uses also can include business and traveler oriented lodging, conference facilities, leisure and recreation activities.

3.6 Land Use Regulations

3.6.1 PURPOSE

The purpose of these regulations and design guidelines are to expand on or provide detail for those few areas not already addressed in the Zoning Ordinance and City Design Guidelines. The City of Escalon has established Community Design policies for commercial and industrial development (City of Escalon, General Plan, June 6, 2005 Community Design Element).

Development standards for site coverage and setbacks regulate the intensity and scale of the land use. Development standards for site development, landscaping, lighting, and building design address the overall visual and functional character of the development.

3.6.2 APPLICABILITY

The policies and standards apply to all commercial, office and industrial uses in the Plan Area. However, certain guidelines apply to all land use and building types where others apply only to commercial or to industrial uses. Site planning and architecture guidelines differ among different uses and therefore, the Site Planning and Architecture design guidelines are segregated among the principle land use types, Commercial and Industrial. Even within certain land use types the guidelines may differ.

3.6.3 EFFECTIVE DATE OF REGULATION

The effective date of the regulations is the date of adoption of the Specific Plan.

3.6.4 RELATIONSHIP TO CITY ORDINANCES

In general, project applicants shall comply with the permitted land uses and development standards established in the relevant sections of the City of Escalon Zoning Ordinance.

Project applicants and designers must refer to the Zoning Ordinance development standards, General Plan policies, and the LBSP Design Guidelines to adequately address all standards and design guidelines applicable to commercial, office and industrial land use and buildings in the Plan Area.

Where the provisions of the LBSP Design Guidelines differ from the Zoning Ordinance, the LBSP Design Guidelines shall apply to development within the Plan Area.

3.7 Permitted Uses

The list of uses suited to the Plan Area is not identical to the permitted uses in the Escalon Zoning Ordinance. Table 3-1 lists the proposed uses of the LBSP and Table 3-2 lists those uses identified in Sections 9.2, 10.2, 11.2, 12.2, and 13.2 of the Zoning Ordinance, corresponding to the planned uses in the LBSP.

The land uses are designated as “P” (Permitted), and “C” (Conditional Use Permit). These use classifications are administered under the Zoning Ordinance.

The Specific Plan expedites the project review process by ensuring that projects consistent with the standards of the LBSP can be reviewed at the staff level.

**Table 3-2
Permitted Land Use by Category**

LBPSP Land Use Activity	Land Use Categories in Zoning Ordinance	C-2	C-M	M-1
Light Industrial	Laboratories		C	P
	Warehouses		C	P
	Manufacturing: ceramics, tile, machine parts, photographic equipment, optical equipment appliances		P	P
	Food Processing & Wholesaling: dairy products, fruits, nuts, vegetables, honey, confections		C	P
Office	Office Uses: administrative, business, professional, medical, dental, or similar use	P	P	P
Retail	Retail Stores: art supplies, glassware, drugstore, delicatessen, produce, hardware, variety store	P	P	
Rail-Oriented Industrial	Warehouses		C	P
	Manufacturing: ceramics, tile, machine parts, photographic equipment, concrete, optical equipment, appliances		P	P
	Wholesaling: dairy products, fruits, nuts, vegetables, honey, confections		C	P
Open Space	No zoning designation currently exists	N/A	N/A	N/A

Note: not all uses in the Zoning Ordinance are included above. For additional information reference the City of Escalon Zoning Ordinance.

3.8 Development Standards

All land uses in the Plan Area shall comply with the development standards established by the Escalon Zoning Ordinance. Table 3-3 summarizes the property development regulations that apply to each of the land use zones in the Plan Area. These are minimum standards. Site Plan review may require modifications to these standards to accomplish the overall objectives of this plan and the specific conditions on an individual site.

**Table 3-3
Summary of Development Standards**

	C-2	C-M	M-1
Lot Size (sf)	N/A	N/A	N/A
Lot Width (ft)	N/A	N/A	N/A
Lot Depth (ft)	N/A	N/A	N/A
Yards			
Front, Max. (ft)	10	20	20 ⁴
Side, Max. (ft)	10 ¹	10 ¹	10 ¹
Rear, Max. (ft)	10 ²	10 ²	20 ⁵
Building Height, max. (ft)	75	75	75
Building Mass, max. (sf)	20,000 ³	20,000 ³	N/A

Note: reference the City of Escalon Zoning Ordinance for additional development standards, regulations and notations.

¹Where the side yard abuts a residential zoning district, side setbacks shall be a minimum of 10 feet.

²Where the rear yard abuts a residential district, minimum depth shall be 10 feet.

³The maximum square footage of any one (1) building footprint shall not exceed 20,000 square feet.

⁴The minimum depth of the front yard shall be 20 feet.

⁵Rear yards abutting residential districts shall be at least 20 feet in depth.

CHAPTER FOUR
DESIGN GUIDELINES

CHAPTER 4 – DESIGN GUIDELINES

4.1 Purpose

The following design guidelines are intended as a reference framework to assist the project designers in understanding the City’s goals and objectives for high quality development within the Liberty Business Park Specific Plan. The guidelines complement the mandatory site development regulations contained in this chapter by providing good examples of potential design solutions and by providing design interpretations of the various mandatory regulations.

The design guidelines are general and may be interpreted with some flexibility in their application to specific projects. The guidelines will be utilized during the City’s design review process to encourage the highest level of design quality while at the same time providing the flexibility necessary to encourage creativity on the part of project designers. Figure 4-1 provides a streetscape reference map for use when identifying the locations of different features.

4.2 Applicability

The provisions of this section shall apply to all development within the Liberty Business Park Specific Plan Area unless otherwise specified herein. Plan Area design specifications are found in Section 4.4.6.

4.3 Design Objectives

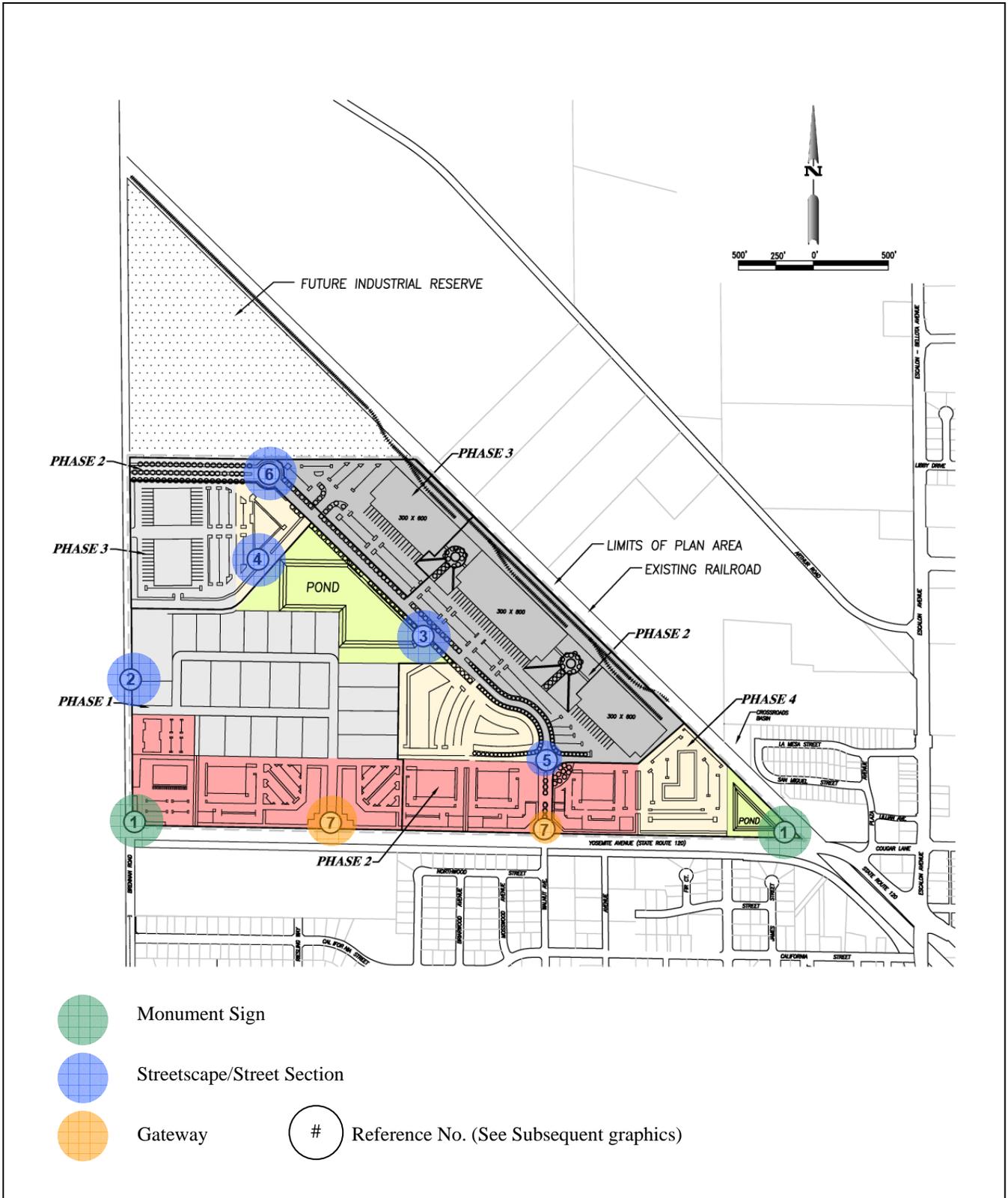
Despite the differences in function and character of individual uses and buildings it is important to establish some common design themes and principles that will be applied to all uses in the Plan Area.

The objectives apply to all land uses and all conditions, however, retail, office and office/industrial buildings would typically implement higher standards of landscaping, building design and employee amenities, whereas truck and rail dependent heavy industries will have less opportunity to implement high design standards.

Quality Design: Architecture and Grounds

Quality of design will produce buildings and public spaces that will endure and be maintained over a longer period of time. Poor design quality and/or trendy designs can result in buildings that are “disposable” within a relatively short period and thereby contribute to the overall decline of a community. Quality and durability of materials complements the quality of design.

The Plan Area will provide space for a variety of uses and these will require mix of building types. Many of the buildings will be strictly utilitarian, others will need to present an image of prestige or purpose that relates to the building users. Irrespective of the fundamental purpose and nature of the building, all should adhere to essential design principles that reflect on the entire business environment. Quality development will attract quality users and tenants.



STREETSCAPE REFERENCE MAP

Figure 4-1

The architectural design of individual buildings implements the vision of the architect and the needs and preferences of the building owner and tenants. Therefore, the design standards cannot and should not dictate a specific design style or period to mimic. Design standards that specify the use of standardized materials or forms throughout the entire Plan Area are not appropriate. Nonetheless, design principles can be applied in the design of individual buildings. The application of these principles contribute to architecture that reflects the individual needs and character of the building owners, but incorporates common characteristics as well. The common characteristics shall create a sense of overall consistency and common identity throughout the Plan Area.

Compatible Design

The Plan Area is likely to be developed over 20 years or more. Each phase of development must suit the individual objectives, tenant requirements, economics and aesthetics of the conditions at that time. Yet it is highly desirable that the total Plan Area development encompasses a certain style or design aesthetic in order to enhance the sense that this is a special place with a distinct identity.

Water Efficient Landscape Design

Landscape design and plant material selection shall consider water efficient species, and species that adapt to the water table of the area. Use of turf shall be limited to accent areas, activity areas, or in parkways, between sidewalk and street setbacks. Selection of the common area landscape materials should consider water conservation and their affect on the micro-climate around the buildings.

All landscaping shall comply with Chapter 17.44 of the Zoning Ordinance.

Pedestrian Access

The development should be pedestrian friendly to encourage people to walk in the Plan Area. All building groups should be accessible from a walkway system that connects throughout the developed areas.

4.4 Site Planning Principles

A. The main elements of sound site design include the following:

1. Controlled site access
2. Service areas located at the sides and rear of buildings
3. Convenient access, visitor parking and on-site circulation
4. Screening of outdoor storage, work areas, and equipment
5. Emphasis on the main building entry and landscaping
6. Landscaped open space

B. A variety of building and parking setbacks should be provided in order to avoid long monotonous building facades and to create diversity.

- C. Structures should be located on “turf islands”.
- D. Building setbacks should be provided proportionate to the scale of the structure and in consideration of existing development adjacent to it. Larger structures require more setback area for a balance of scale and so as not to impose on neighboring uses.
- E. Placement of structures which creates opportunities for plazas, courts, or gardens is encouraged. Setback areas between the parking lot and structure can often be used to provide space for patio areas.
- F. Where industrial uses are adjacent to non-industrial uses, appropriate buffering techniques such as setbacks, screening, and landscaping need to be provided to mitigate any negative effects of industrial operations.
- G. Proposed development should be designed to preserve/promote existing stands of trees wherever possible.
- H. Viewsheds along SR 120 shall be protected to ensure visibility of activities from the highway.

4.4.1 PARKING AND CIRCULATION

In considering the possibilities for developing a new parking area, a developer should analyze the following factors: ingress and egress with consideration to possible conflicts with street traffic; pedestrian and vehicular conflicts; on-site circulation and service vehicle zones; and the overall configurations and appearance of the parking area. The project must comply with Chapter 17.43 of the Zoning Ordinance.

- A. The parking lot and cars should not be the dominant visual elements of the site. Large expansive paved lots are to be avoided in favor of smaller multiple lots separated by landscaping and buildings.



Parking lot design emphasizing safety, efficiency and simplicity in design with trees, landscaping, and unique light fixtures. Patio areas and courtyard entries are encouraged as pedestrian gathering spaces.

- B. Site access and internal circulation should be designed in a straightforward manner which emphasizes safety and efficiency. The circulation system should be designed to reduce conflicts between vehicular and pedestrian traffic, combine circulation and access areas where possible, provide adequate maneuvering and stacking areas and consideration for emergency vehicle access. Circulation routes and parking areas should be separated.
- C. Entrances and exits to and from parking and loading facilities should be clearly marked with appropriate directional signage where multiple access points are provided.
- D. Vehicles should not be required to enter the street in order to move from one area to another on the same site.
- E. Parking lots adjacent to and visible from public streets must be adequately screened from view through the use of rolling earth berms, low screen walls, changes in elevation, landscaping or combinations thereof whenever possible.
- F. The site should be a self-contained development capable of accommodating its own parking needs. The use of public streets for parking and staging of trucks is not allowed. Shared private, off-street parking facilities should be encouraged.
- G. All parking spaces should be visible from the interior of the structures, especially entrances.
- H. All parking lots shall have at least two points of ingress/egress to the public right-of-way (street). Driveways shall be located no closer than 125 feet apart.
- I. Circular drives should be encouraged to facilitate passenger pick-up/delivery to front entrances.
- J. Pedestrian crosswalks between pavilions shall be well marked with “theme” treatments.
- K. All vehicle parking areas shall be accompanied by bicycle parking facilities.

4.4.2 LOADING FACILITIES

- A. To alleviate the unsightly appearance of loading facilities for industrial uses, these areas should not be located at the front of buildings where it is difficult to adequately screen them from view. Such facilities are more appropriate at the rear of the site where special screening may not be required. Some lots may be considered to have double frontage for aesthetic purposes.
- B. When it is not possible to locate loading facilities at the rear of the building, loading docks and doors should not dominate the frontage and must be screened from the street. Loading facilities should be offset from driveway openings.
- C. Backing from the public street onto the site for loading into front end docks causes unsafe truck maneuvering and should not be utilized except at the ends of industrial cul-de-sacs where each circumstance will be studied individually at the time of design review.

4.4.3 LANDSCAPING

Most of the landscaping in the commercial areas will be distinctly urban in character. The commercial area landscape will establish an overall image and visual order, provide shade in the summer; allow solar gain in the wintertime; buffer particular uses; guide and direct views.

The public areas between buildings will typically be covered with hard surface paving and the landscaping will be in distinct planting areas. Tree placement will be organized to define walkways and public spaces.

The standards are intended to provide for an aesthetic appearance in areas not covered by buildings or parking, to enhance the existing site character, to minimize the adverse visual and environmental impacts of large, paved areas and to promote the conservation of water.



Example of a commercial area with aesthetic landscaping, a variety of plant species, a pedestrian footpath, appropriate scale lighting, and rear parking.

- A. For uses within the LBPS, landscaping should be used to define areas by helping to focus on entrances to buildings, parking lots, loading areas, defining the edges of various land uses, providing transition between neighboring properties (buffering), and providing screening for outdoor storage, loading, and equipment areas.
- B. Landscaping should be in scale with adjacent buildings and be of appropriate size at maturity to accomplish its intended goals. A minimum landscape setback of 25 feet should be provided along SR 120.
- C. The use of vines on walls and climbing plants on buildings, trellises, and perimeter garden walls is encouraged.
- D. Landscaping around the entire base of buildings is recommended to soften the edge between the parking lot and the structure. This should be accented at entrances to provide focus.
- E. Trees should be located throughout the parking lot and not simply at the ends of parking aisles. In order to be considered within the parking lots, trees should be located in planters that are bounded on at least three sides by parking area paving. One tree per five parking spaces should be installed. Street trees shall be provided at a rate of one per 20 feet of frontage, planted in clusters.
- F. Landscaping should be protected from vehicular and pedestrian encroachment by raised planting surfaces, depressed walks, or the use of curbs. Concrete mow-strips are required per development regulations between turf and shrub areas.
- G. It shall be a priority to use deciduous trees along western and southern building exposures.

4.4.4 WALLS AND FENCES

- A. If walls are required for screening purposes, they should be kept as low as possible while performing their screening and security functions.
- B. Where walls are used at property frontages, or screenwalls are used to conceal storage and equipment areas, they should be designed to blend with the site's architecture. Both sides of all perimeter walls should be architecturally treated. Landscaping should be used in combination with such walls whenever possible. Walls shall be discouraged along the frontage of SR 120 and Brennan Avenue.
- C. When security fencing is required, it should be a combination of solid pillars or short solid wall segments and wrought iron style grill work.
- D. Long expanses of fence or wall surfaces should be offset and architecturally designed to prevent monotony. Landscape pockets should be provided.

4.4.5 SCREENING

- A. Screening for outdoor storage should be determined by the height of the material being screened. Chain link fencing with appropriate slatting is an acceptable screening material for areas of any lot not visible from the street. Exterior storage should be confined to portions of the site least visible to public view.
- B. Where screening is required, a combination of elements should be used including solid masonry walls, berms, and landscaping. Chain link fencing with wood or metal slatting is an acceptable screening material only for Light Industrial designated areas.
- C. Any equipment, whether on the roof, side of building, or ground, shall be screened. The method of screening shall be architecturally integrated in terms of materials, color, shape, and size. The screening design shall blend with the building design. Where individual equipment is provided, a continuous screen is desirable.
- D. The need to screen rooftop equipment should be taken into consideration during the initial design phase for the structure.

4.4.6 ARCHITECTURAL DESIGN



The architectural design of individual buildings implements the vision of the architect and the needs and preferences of the building owner and tenants. The design standards cannot and should not dictate a specific design style, however, the overall visual impression should convey a sense of cohesive design. All commercial buildings, including the

smaller strip commercial and stand-alone buildings should make a positive contribution to the visual character through application of the following design standards.

The industrial and office areas will include a broad range of land use types, including manufacturing, office and warehouse buildings. Many contemporary office and industrial buildings use a concrete, tilt-up shell as the basic structure. These structures may be embellished with additional finishes, doors and windows to create an office space.

Much of the design standards presented in this section apply equally to industrial, office and retail uses. All of the standards in this section should be consulted in developing a site plan and building design for each building. However, the industrial uses also include buildings that will be strictly utilitarian in function and character.

For the industrial uses, the range of architectural and site plan treatments is assumed to focus on least cost alternatives. Yet even the simplest buildings can provide clean, distinct design that will complement the overall objective of good quality of design that will produce buildings and public spaces that will endure and be well maintained over a long period of time.

- A. Heights of structures should relate to adjacent open spaces to allow maximum natural light and ventilation, protection from prevailing winds, enhance public views and minimize obstruction of view from adjoining structures.
- B. Height and scale of new development should be compatible with that of surrounding development. The development should “transition” from the height of adjacent development to the maximum height of the proposed structure.
- C. Large “box-like” structures are generally unattractive. The following are ways to reduce the appearance of large scale bulky structures.
 - Vary the planes of the exterior walls in depth and/or direction. Wall planes should not run in a continuous direction for more than 50 feet without an off-set.
 - Vary the height of buildings so they appear to be divided into distinct massing elements.
 - Articulate the different parts of a building’s façade by use of color, arrangement of façade elements, or a change in materials.
 - Avoid blank walls at the ground level floor. Utilize windows, trellises, wall articulation, arcades, change in materials, landscaping or other features to lessen the impact of an otherwise bulky building.
 - The rear and side elevations should incorporate some of the architectural features of the main façade.



Undesirable elements include large, blank unarticulated wall surfaces, false fronts, non-defined entries out of scale with the building, small and few windows, lack of landscaping and undefined parking area.

- D. Building scale can be reduced through the proper use of window patterns, structural bays, roof overhangs, siding, awnings, moldings, fixtures, and other details.
- E. Large dominating structures should be broken up by: 1) creating horizontal emphasis through the use of trim; 2) adding awnings, eaves, windows, or architectural ornamentation; 3) use of combinations of complementary colors; and 4) landscape materials.
- F. The roofline at the top of the structure should incorporate off-sets and jogs to reduce the monotony of an uninterrupted roof plane.
- G. Design elements which are undesirable and should be avoided include:
 - 1. Highly reflective surfaces at the ground story
 - 2. Large blank, unarticulated wall surfaces
 - 3. Exposed, untreated precision block walls
 - 4. Chain link fence
 - 5. False fronts
 - 6. “Stuck on” mansard roofs on small portion of the roofline
 - 7. Materials with high maintenance such as stained wood or shingles
- H. Choose wall materials that will withstand abuse by vandals or accidental damage from machinery.
- I. All metal buildings should be architecturally designed providing variety and visual interest to the streetscape, with articulated entries, large windows where appropriate in lobby areas, etc.
- J. Berming in conjunction with landscape can be used at the building edge to reduce structure mass and height along facades.
- K. Rolling shutter doors located on the inside of the building are the preferred method of providing large loading doors while keeping a clean, uncluttered appearance from the exterior.
- L. All building sides shall be designed with a complementary level of detailing and quality of materials. The design concept should be appropriate to the scale of the building. The use of overly dramatic features that may be out of scale on smaller buildings shall be avoided.

- M. Walls adjacent to a walkway shall include windows, trellises, wall articulation, wainscot, arcades, changes in materials or other features to ensure visual diversity and proper scale. Architectural detailing of each wall at ground level shall relate to the landscape to ensure an appropriate transition of the building and the ground plane.
- N. Large areas of intense white color should be avoided. While subdued colors usually work best as a dominant overall color, a bright trim color can be appropriate.
- O. The color palette chosen for new structures should be compatible with the colors of adjacent structures. An exception is where the color of adjacent structures strongly diverge from these design guidelines.
- P. Primary colors should only be used to accent elements, such as door and window frames and architectural details.
- Q. Material selection for industrial and office buildings should be appropriate for the building type, location and context.
- R. Exterior materials shall convey permanence and substance. The acceptable primary building materials shall be stucco and similar materials, painted or stained wood, site-cast concrete, architectural precast concrete, brick, concrete masonry units (CMU), or an Exterior Insulation and Finish Systems (EIFS).
- S. The City of Escalon shall encourage the incorporation of energy conserving features into the design and construction of all development projects in the Plan Area. Such features include:
 - a. Increased wall and ceiling insulation (beyond building code standards).
 - b. Energy efficient windows (double pane and/or coated).
 - c. High-reflecting roofing material.
 - d. Energy efficient lighting and appliance fixtures, cooling and heating systems, and tankless water heaters if feasible.
 - e. Installation of exterior electrical outlets to encourage use of electrical landscape maintenance equipment.

4.4.7 ROOFS

- A. The roof design should be considered as a component of the overall design theme. Roofs should be designed as integral elements of the building architecture. Flat roofs with a continuous parapet around the entire building are preferable to mansard or other superficial roof forms.
- B. Nearly vertical roofs (A-frames) and piecemeal mansard roofs (used on a portion of the building perimeter only) should not be utilized. Mansard roofs should wrap around the entire perimeter of the structure.

- C. All roof top equipment must be screened from public view by screening materials of the same nature as the building's basic materials. Mechanical equipment should be located below the highest vertical elements of the building.
- D. The following roof materials should not be used:
 1. Corrugated metal (standing rib metal roofs are permitted)
 2. Highly reflective surfaces
 3. Illuminated roofing
- E. Roof Flashing, rain gutters, down spouts and vents shall use materials and colors that complement the overall architecture of each structure.

4.4.8 SIGNS

The design criteria for signage will aid in eliminating excessive and confusing sign displays, preserve and enhance the appearance of the Plan Area, and will encourage signage, which is integrated and harmonious to the buildings and site.



Good example of a monument sign set in landscaping.

- A. Every structure should be designed with a precise concept for adequate signing. Provisions for sign placement, sign scale in relationship with building and the readability of the sign should be considered in developing the overall signing concept. All signs should be highly compatible with the structure and site design relative to color, material, and placement.
- B. Monument type signs are the preferred alternative for business identification whenever possible. Where several tenants occupy the same site, individual wall mounted signs are appropriate in combination with a monument sign identifying the development and address.
- C. The use of backlit individual letter signs is strongly encouraged.
- D. The industrial site should be appropriately signed to give directions to loading and receiving areas, visitor parking and other special areas.
- E. Building signs shall be integrated into building architecture and composed of materials compatible with the materials of the building. The colors and materials of signs shall complement the associated buildings to which they refer.

4.4.9 LIGHTING

- A. Lighting shall be used to provide illumination for security and safety of on-site areas such as parking, loading, shipping, and receiving, pathways, and working areas.
- B. The design of light fixtures and their structural support shall be architecturally compatible with main buildings on-site. Illuminators should be integrated within the architectural design for the buildings.
- C. As a security device, lighting should be adequate but not overly bright. All building entrances should be well-lighted.
- D. All lighting should be shielded to confine light spread within the site boundaries.
- E. One footcandle evenly distributed across a parking lot is the required minimum. At entrances and loading areas, up to 2 footcandles may be appropriate.
- F. All lighting should be shielded to confine light spread within the site boundaries. In no case will direct illumination of adjacent properties with a source that exceeds 0.5 footcandles be permitted. Shielding shall be sufficient to prevent indirect illumination on adjacent parcels from exceeding 0.5 footcandles.

Reference the City Zoning Ordinance, Section 17.41.065 (Lighting) for additional lighting guidelines.

4.4.10 GATEWAYS AND VIEWSHEDS

- A. Gateways define entrances to the primary spaces within the LBPSP. Primary gateways include:
 - The southwest and southeast corners of the Plan Area along SR 120.

Each gateway should be enhanced with typical City improvements including pave out, curb and gutter along with a monument-type sign identifying the entrance. Reference Figure 4-1 for the location of primary gateways within the Plan Area.

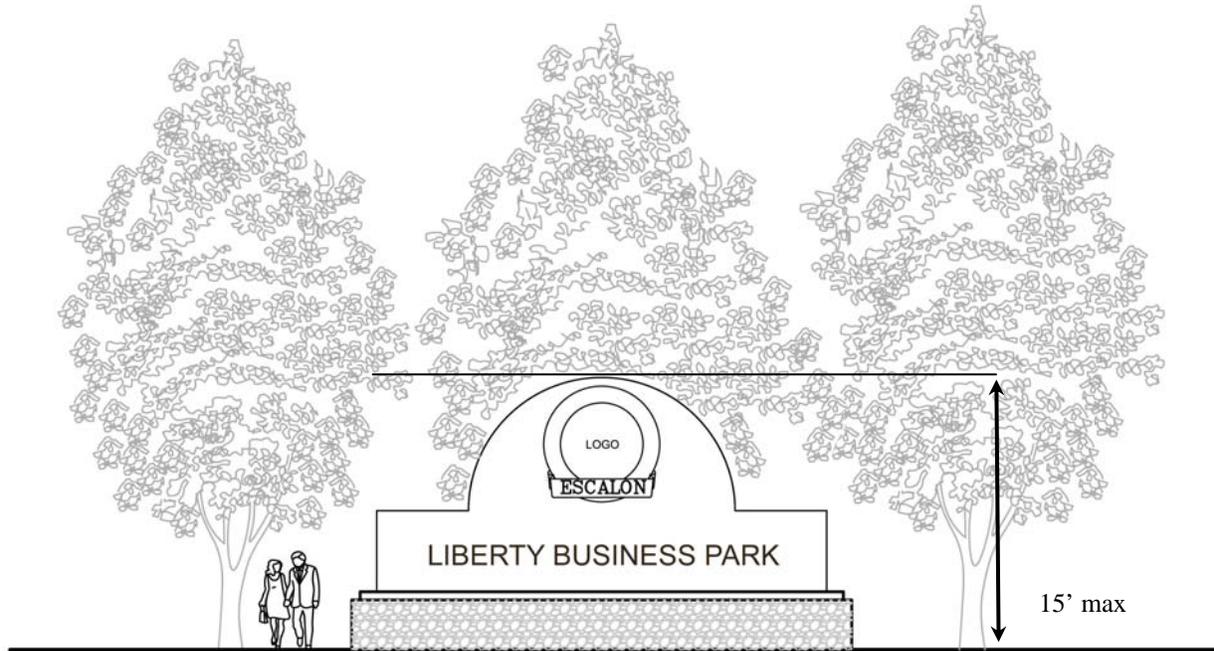
- B. Secondary gateways would be the drive entrance to each pavilion or structure within the Plan Area. Secondary gateways should receive enhanced landscaping at the points of ingress/egress which may include street trees, monumentation and other accents. Monumental gateways should only be used at key access points to the Plan Area, not for smaller pavilions.
- C. It is important to maintain the SR 120 viewshed between the Plan Area and residential uses to the south. Motorists should be aware of activities along SR 120. Motorists traveling east and west along SR 120 will catch several glimpses of the site while driving by. It is desirable

for motorists to interpret the area as a cluster of interrelated structures and spaces, rather than separate, discrete and independent buildings that bear no relation to one another.

4.4.11 LANDMARKS

- A. Landmark features should be located at the SR 120/Brennan Avenue intersection and at the southeast corner of the Plan Area along SR 120. The landmarks should be clearly visible from the east- and west-bound lanes.
- B. The landmarks should be at a scale that is easily read by highway travelers, but not taller than 15 feet.
- C. The City of Escalon logo and a signature element shall be prominently displayed in the landmark features.
- D. The landmark features design should include accent trees and special lighting effects that highlight the landscape and project name. These elements may be located on a raised planting area.
- E. The landmark features should be designed for simple, cost-effective maintenance.

Figure 4-2 below is an illustrative example of a landmark/monument sign for the LBPSP.



(Reference #1 on Figure 4-1)

4.4.12 STREETScape

The streetscape includes trees, groundcover, lighting, directional and entry signage, and walls. A coordinated streetscape design helps to establish the design identity framework for the overall

Plan Area, but allow the character of each business to be expressed in their signs and landscaping.

The objectives for the streetscape include:

- Establish a sense of quality development.
- Provide signs to identify the project, and guide pedestrians and motorists.
- Provide a comfortable, safe environment for pedestrians.

The streetscape includes landscaping in the public right-of-way. The Zoning Ordinance, Chapter 17.44 (Landscaping) includes landscaped areas.

Therefore, all landscaping in the streetscape must comply with the Zoning Ordinance, Chapter 17.44 (Landscaping). These development standards supplement the Zoning Ordinance standards with distinct streetscape features in the Plan Area. Various street widths and streetscapes will be used throughout the Plan Area depending on the character of the land use and the volumes of traffic anticipated.

Typical Landscape Corridor

All streetscapes will conform to a typical configuration that includes turf between the back of curb and the sidewalk. However, alternative landscape materials (such as low groundcover plants) may be allowed for the area between the curb and the sidewalk. Low shrubs, mulch or other ground cover would be used between the back of walk and the edge of the landscape corridor.

Street Trees

Street trees will be the dominant visual element in the street scene. Secondary street trees are used to add contrast to the linear plantings of primary street trees. Street trees shall be planted in accordance with the City of Escalon Master Tree List and in accordance with the requirements in Chapter 17.44 (Landscaping) of the City of Escalon Zoning Ordinance.

- A. Street trees should be deciduous, broadleaf species to provide substantial shade over the landscape setbacks and sidewalks.
- B. Street trees shall be planted at least 3 feet from the curb to accommodate their ultimate growth.
- C. Secondary and accent trees shall be:
 - Planted in informal fashion as determined by space and tree species.
 - Distinctive in form and/or color.
 - Complementary to the form of the dominant street trees.
- D. Sidewalks and street trees shall be installed along all internal roadways to encourage walking.

Shrubs and Groundcover

Shrubs and ground covers provide color, texture, and seasonal interest in the common pedestrian areas, parking lots and landscape setbacks. They also provide a visual transition to fences, walls and utility equipment. Shrubs and foliage-type groundcovers may also be used in project entries to soften the ground plane and visually link other landscape materials.

- E. A variety of non-living groundcovers such as bark, cobble and larger stones are encouraged to supplement the primary groundcover and thereby reduce maintenance and irrigation. Groundcovers may also include mulch, flowers or naturalized groundcover including native grasses and shrubs.
- F. Lawn may be installed in areas with slopes of 3:1 or less. Groundcover is to be installed on any steeper slope areas.

Street Furniture

Street furnishings (including benches, trash receptacles, bollards, planters, bus shelters, and other similar amenities) provide a unifying design element in the streetscape associated with commercial and office uses. The purpose of street furniture in the landscape setbacks is both aesthetic and functional.

- G. Street furniture is permitted within landscape setbacks provided placement does not interfere with clear-vision standards for street intersections, or pedestrian movement along the sidewalk.
- H. The design of street furnishing shall complement the design of surrounding elements including other furnishings, walls and fences, and building architecture.
- I. Metal components of street furnishings shall not be exposed such that they become harmful in high temperatures.
- J. Street furnishings shall be a low maintenance and vandal resistant design.
- K. Opportunities for art should be incorporated in the commercial use pedestrian areas. Art works located in the pedestrian areas and landscape setbacks shall be scaled to the pedestrian setting.

CHAPTER FIVE
PUBLIC UTILITIES PLAN

CHAPTER FIVE – PUBLIC UTILITIES PLAN

5.1 Existing Infrastructure System

Municipal services and public utilities that serve the Plan Area include:

- Sanitary sewers – City of Escalon
- Wastewater Treatment – City of Escalon
- Storm sewers – City of Escalon
- Water service – City of Escalon
- Electricity – Pacific Gas & Electric and Modesto Irrigation District
- Natural Gas – Pacific Gas & Electric
- Telecommunications – AT&T

Descriptions of existing utilities serving the Plan Area are as follows:

5.2 Wastewater Treatment and Collection

The City of Escalon owns and operates two wastewater treatment and disposal systems: the municipal system handles wastewater from residential, commercial, and small industrial sources in the City; the industrial system handles wastewater from the food processing industries in the City. Figure 5-1 depicts Escalon's Sewer Facilities.

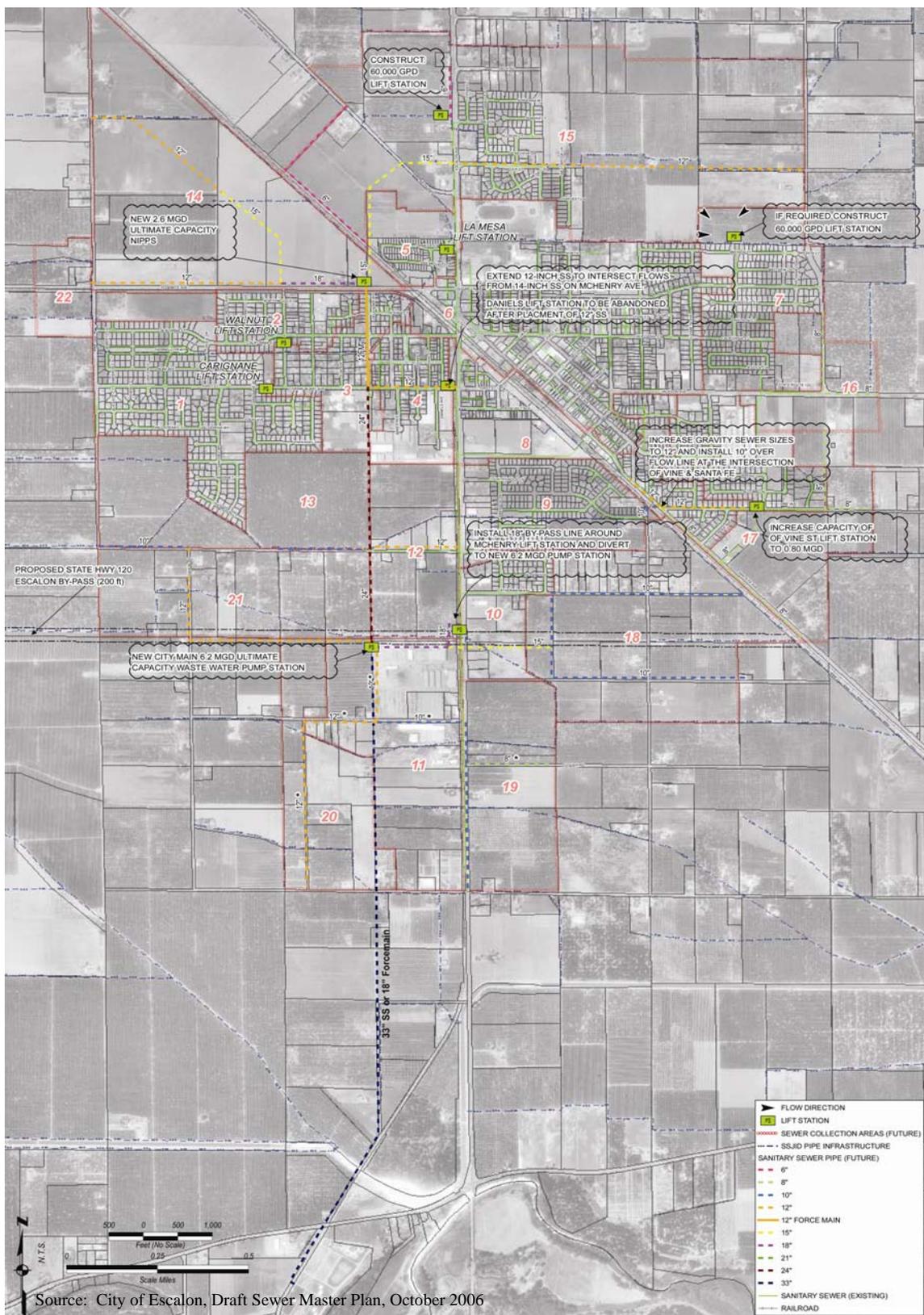
The major components of the existing municipal wastewater facility include the influent pumping station, influent flow meter, ponds, and the operations/laboratory building.

There are four major components to the existing industrial wastewater facility: influent flowmeter, interpond piping, treatment/percolation ponds, and ancillary facilities.

Methods of effluent disposal, whether industrial or municipal, in order of decreasing preference by involved regulatory agencies are as follows:

- **Reclamation:** Beneficial reuse of effluent. Reclamation of effluent in the San Joaquin Valley usually involves irrigation of fodder crops and pasture lands.
- **Land Disposal:** Evaporation of effluent into the atmosphere and/or percolation of effluent into the ground. This is the method of disposal currently used by the City for both municipal and industrial wastewaters.
- **Surface Water Discharge:** Discharge of effluent to surface waters. At Escalon, the only feasible surface water is the Stanislaus River.

Reclamation of clean industrial wastewater, e.g., cooling water, is already being practiced by the Escalon industries. Reclamation of the remaining high-strength industrial wastewater and municipal wastewater is not likely because of readily available alternative sources of water and the dominance of human food crop agriculture in the area, which cannot be irrigated with reclaimed wastewater unless an extremely high (and costly) level of treatment is provided.



EXISTING AND FUTURE CITY-WIDE SANITARY SEWER PLAN

Figure
5 - 1

Accordingly, reclamation beyond that currently being practiced by the industries with their clean cooling water does not appear to be a viable alternative at this time.

Based on the historical success of land disposal on the site, and the available groundwater data indicating no significant groundwater contamination from current practices, it is evident that land disposal via percolation and evaporation is feasible for the future.

Because land disposal is feasible, disposal via discharge to the Stanislaus River is inappropriate based on the Basin Plan of The California Regional Water Quality Control Board, Central Valley Region (Regional Board).

According to the City of Escalon Draft Sewer Master Plan (October, 2006), current influent flows to the WWTP are about 600,000 to 700,000 gallons per day on average during the dry summer months (0.6 to 0.7 million gallons per day). Influent flows are anticipated to increase to approximately 2.8 million gallons per day as development occurs by 2035. Based on the revised unit flow factor per equivalent single family dwelling unit (EDUs), the projected 2.8 million gallons per day future flow represents approximately 8,400 future EDUs to be connected to the sewer system. Currently, there are approximately 3,300 EDUs connected to the system with an average existing unit flow factor of approximately 210 gallons per day per existing EDU. An EDU is considered to be typical single family residence, for which average wastewater flow and organic load conditions can be established to facilities projections of future conditions.

The following city-wide improvements are recommended for increasing sewer system capacity for future development (consult the City's Sewer Master Plan for detailed information):

- Critical improvements to the existing sewer system to provide capacity for immediate development.
- Improvements needed to extend service to the Heritage Park subdivision and Liberty Business Park.
- Future improvements to the existing system to allow conveyance of future flows through existing facilities (improvements in addition to the "critical improvements").
- Sewer system expansion improvements, which consist of new sewer lines to extend service to currently unsewered areas within the City's growth boundaries.

5.3 Water

According to the City's Draft Water Master Plan (January, 2007), water supply within the City has historically originated from groundwater wells. Service was initially provided by the Escalon Water Company, a private company established in the early 1900's. In the late 1960s, the City took over the operation of a well and distribution system serving a small residential subdivision from a developer. In the early 1980s the City purchased the Escalon Water Company and took over the operation of the entire water system.

Water supply for domestic service and fire flow is currently supplied from four active wells which provide day-to-day domestic water and fire flow supply. One additional well is used for standby and only operated in emergency conditions, although all water quality testing is kept up to date. There is one 500,000-gallon storage tank located at the Well 1 site.

Well 1 has been equipped with two granular activated carbon (GAC) contactors that remove Dibromochloropropane (DBCP). Each vessel is rated for 700 gpm of capacity. The treated water from the contactors enters the 0.5 MGal storage tank and is then pumped into the system through the booster pump station. No other treatment is necessary throughout the system, although the City adds chlorine as a disinfectant as a preventative measure, which is considered to be good practice.

The existing distribution system consists of approximately 33 miles of piping. Pipeline diameters range from three to 16 inches. The original system was built with small diameter steel pipe, which was inadequate to convey flows at adequate pressures. Due to the dilapidated condition of the system, the City applied for and was awarded a state loan and federal grant in 1983 to replace the older, inadequate piping. To date, almost all of the old pipelines have been replaced, and as a result, the distribution system is in excellent condition. The existing distribution system is shown on Figure 5-2.

The system pressure is maintained automatically with a supervisory control and data acquisition system (SCADA). Operators enter the desired system pressure and configure the wells in a lead/lag configuration. If the well set in the primary position cannot maintain the system pressure, the second well in the series will start. The existing control system works well.

5.4 Storm Drainage

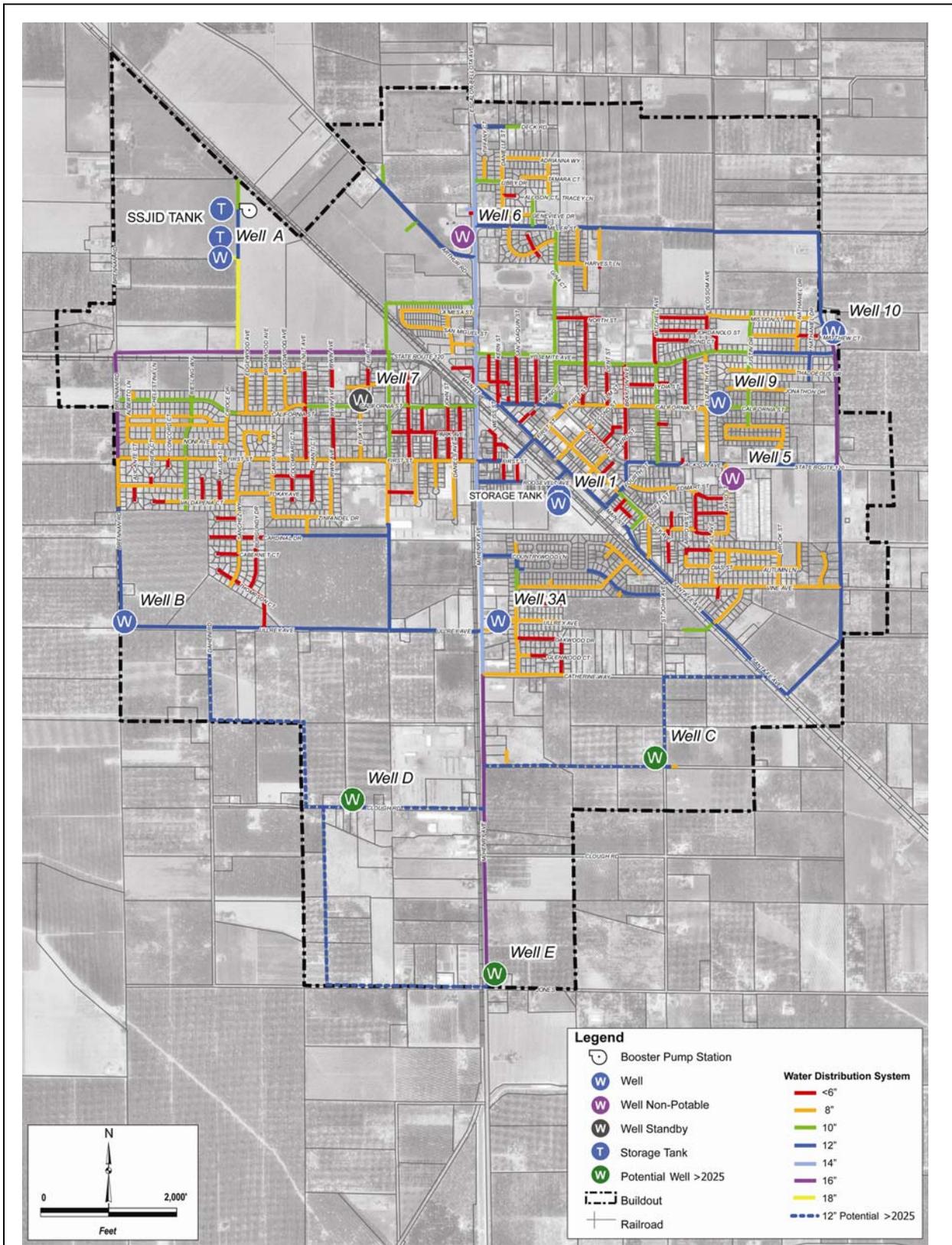
The City's existing drainage facilities consist of the storm drain collection system, basin, pump stations and SSJID laterals as explained below.

5.4.1 STORM DRAIN COLLECTION SYSTEMS

The storm drain collection system includes inlets, manholes and piping. The system collects storm drainage from the surrounding streets through inlets, and transports the drainage via a piping network to basins and/or pump stations.

5.4.2 BASINS

Detention basins are used to temporarily store runoff from the drainage sheds in order to reduce the flow rates that are pumped into the SSJID laterals. SSJID requires the flows entering the laterals be regulated to ensure that the capacities of the laterals are not exceeded. Basins allow the use of smaller pumps that reduce capital expense and energy costs. Detention basins are typically joint use facilities providing recreation and other uses when not occasionally being used for stormwater storage. There are currently ten existing basins within the City and thirteen new basins proposed in the Storm Drain Master Plan.



Source: City of Escalon, Draft Water Master Plan, January 2007

 <p>Quad Knopf</p>	<h2>WATER INFRASTRUCTURE PLAN – 2025 BUILDOUT</h2>	<p>Figure 5 - 2</p>
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5.4.3 PUMP STATIONS

With the exception of runoff from Storm Drain System 4, storm drainage from the City is pumped into the SSJID laterals. Pumps are sized according to the City's design criteria, and their operation is controlled by water levels in the pump station sump and in the downstream SSJID laterals. There are ten existing drainage pump stations in the City with an additional thirteen pump stations planned for each of the thirteen future detention basins.

5.4.4 SOUTH SAN JOAQUIN IRRIGATION DISTRICT

The City currently discharges to three SSJID laterals. The SSJID laterals deliver irrigation water and are also used to convey drainage. SSJID requires the capacity of the laterals be maintained year-round for the delivery of irrigation water. For this reason, the flow of drainage into laterals must be monitored to insure adequate capacity is maintained. The Storm Drain Master Plan proposed to use seven additional SSJID laterals. The SSJID laterals currently used to transport City storm drainage include:

- Lateral B – Lateral receives drainage from Drain Systems 1, 2, 3, 5 and 8
- Lateral Bd – Lateral receives drainage from Drain Systems 7 and 12
- Lateral K – Lateral receives drainage from Drain Systems 4 and 6

5.5 Other Public Facilities and Services

Electricity

The Pacific Gas and Electric Company (PG&E) and the Modesto Irrigation District (M.I.D.) are the providers of electricity for the City of Escalon. Existing trunk and transmission facilities are adequate to meet present and projected demand in the community. M.I.D. has preferred rates for both industrial and residential activities.

Natural Gas

Escalon is supplied with natural gas by PG&E. Existing service is good, and company officials indicate no current unforeseeable peak load or pressure deficiencies.

Telephone

Service in and around Escalon is provided by AT&T.

5.6 Planned Infrastructure

Sanitary Sewer

The sanitary sewer design for the Liberty Business Park uses city standard design criteria for average and peak flows based on proposed land use (City of Escalon Standard Details S1, S2).

The proposed sanitary sewer improvements connect to the City of Escalon system. The connection requires a sanitary lift station to pump from the Industrial Park into the city system. The plan also includes capacity for the Future Industrial Reserve and 10 acres of future industrial loads from west of Brennan Avenue.

The construction of sanitary sewer improvements is split into 4 phases (reference Figure 5-3). Improvements needed for the Liberty Business Park are as follows:

- 1,900-foot 12-inch and 1,200-foot 15-inch minimum diameter gravity sewers within the Industrial Park.
- 1,200-foot 18-inch gravity sewer along SR 120 south of the Industrial Park development.
- Construct Phase 1 of 2.6 MGD Ultimate Capacity Industrial Park Pump Station (Phase 1 at 1.3 MGD).
- Install 1,700-foot 12-inch minimum diameter force main from NIPPS to new manhole located on Oklahoma St. and south of SSJID pipe.
- Install 2,500-foot 24-inch minimum diameter gravity sewers south along Oklahoma St. and its extension through future Heritage Park development to drain at intersection of Oklahoma St. extension and Ullrey Ave.

Water

The water design for the Plan Area uses city standard design criteria for pipe sizing for peak flows and fire flows (City of Escalon Standards W1, W2). The proposed infrastructure uses the existing city water supply and assumed pressures. A well and pump are proposed for the open space in Phase 1.

According to the Draft Water Master (January, 2007), as illustrated in Figure 5-4, the following improvements are proposed for the Plan Area:

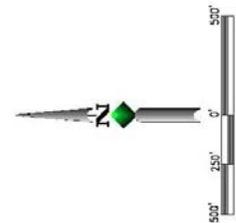
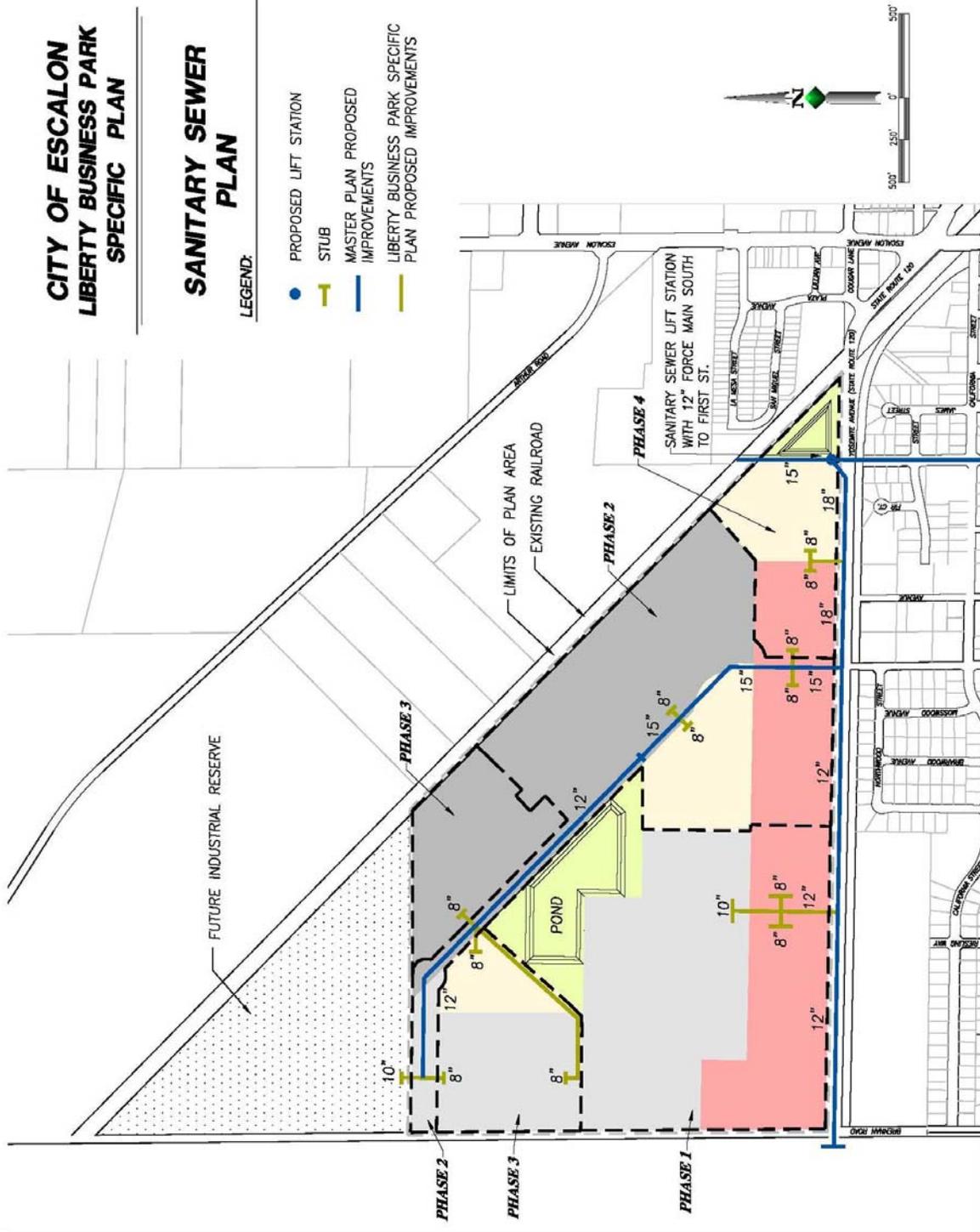
- New water supply well with minimum capacity of 1,200 gpm.
- New one million gallon treated water storage tank (site piping to allow for future tank).
- Construct 3,000 gpm booster pump station.
- Construction approximately 700 lf of 12-inch diameter pipeline north from Well A.
- Construct 1,400 lf of 18-inch diameter pipeline south from Well A to SR 120.
- Construct approximately 3,900 lf of 16-inch diameter pipeline parallel to SR 120 (preferably out of highway right-of-way). Reference Section 7.3.1 for Plan Area phasing information.

**CITY OF ESCALON
LIBERTY BUSINESS PARK
SPECIFIC PLAN**

**SANITARY SEWER
PLAN**

LEGEND:

- PROPOSED LIFT STATION
- ┆ STUB
- ┆ MASTER PLAN PROPOSED IMPROVEMENTS
- ┆ LIBERTY BUSINESS PARK SPECIFIC PLAN PROPOSED IMPROVEMENTS



**SEWER MASTER PLAN
AND PHASING**

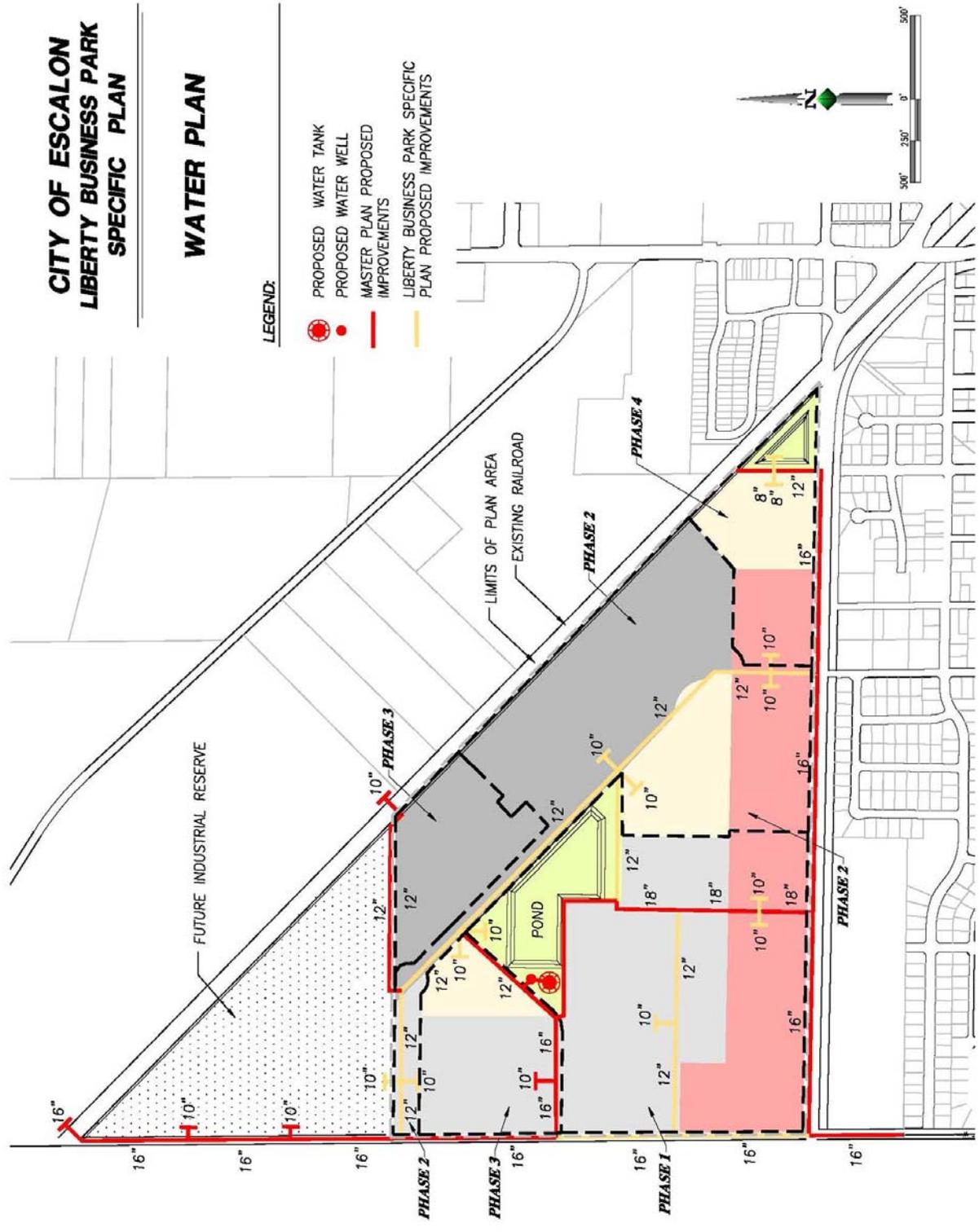
**Figure
5 - 3**

**CITY OF ESCALON
LIBERTY BUSINESS PARK
SPECIFIC PLAN**

WATER PLAN

LEGEND:

- PROPOSED WATER TANK
- PROPOSED WATER WELL
- MASTER PLAN PROPOSED IMPROVEMENTS
- LIBERTY BUSINESS PARK SPECIFIC PLAN PROPOSED IMPROVEMENTS



**WATER MASTER PLAN
AND PHASING**

**Figure
5 - 4**

- Provide additional 1,000 gpm of capacity to Booster Pump Station 2 (total reliable capacity of 4,000 gpm).
- Construct approximately 400 lf of 10-inch diameter pipeline north of Well A connecting to the 12-inch pipeline.

Storm Sewer

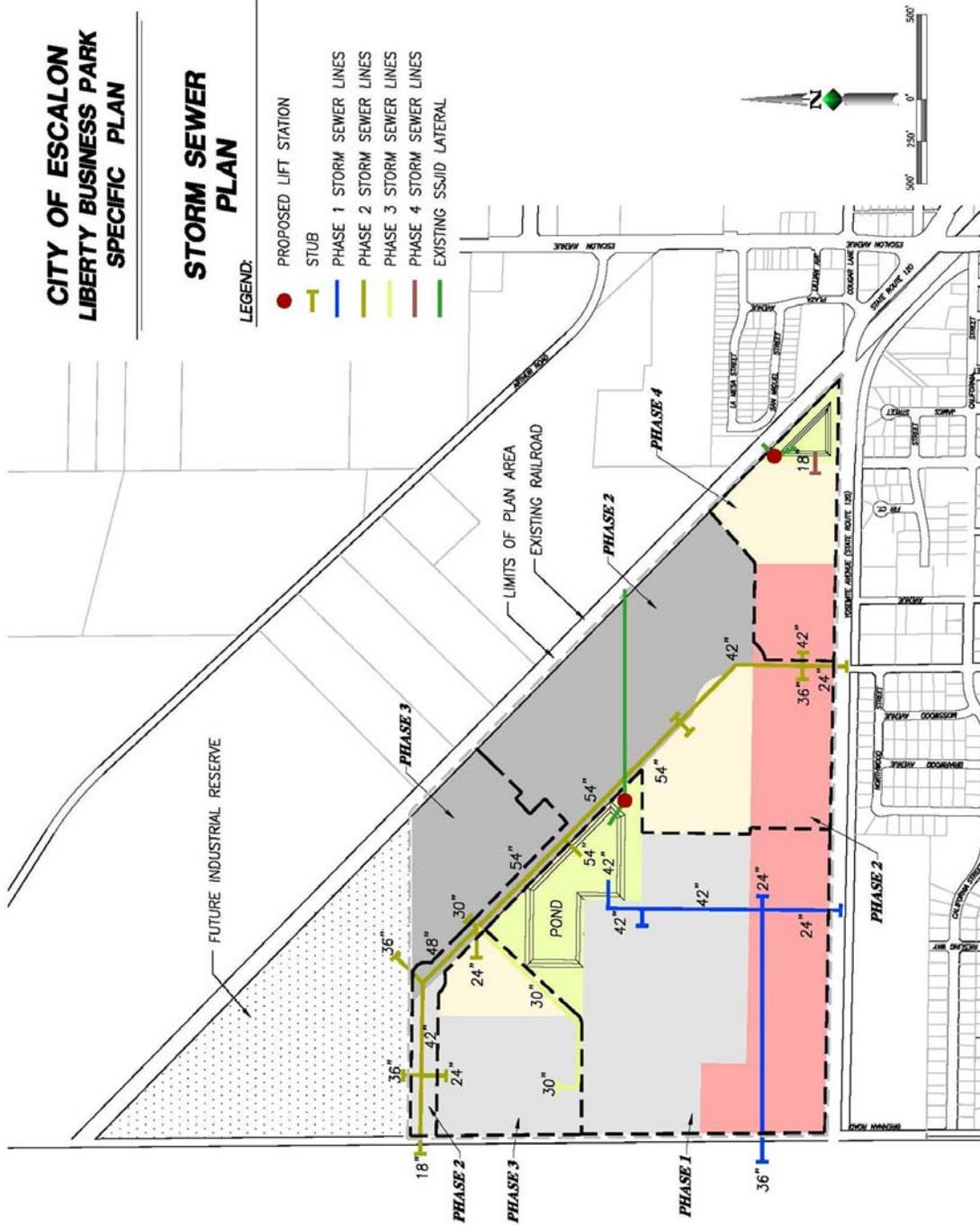
The storm drain design for the Plan Area shall conform to the City's Storm Drain Master Plan and the City's improvement standards. According to the Escalon Draft Storm Drain Master Plan (December, 2006), Future Drainage Shed A, also known as the Liberty Business Park, is bounded by the railroad on the northeast, SR 120 on the south and extends past Brennan on the west. The approximate location of the two future drainage shed detention basins are shown in Figure 5-5. One future pump station will discharge detained runoff into SSJID Lateral Be and another will discharge detained runoff into SSJID Lateral B. Reference Section 7.3.1 for Plan Area phasing information.

**CITY OF ESCALON
LIBERTY BUSINESS PARK
SPECIFIC PLAN**

**STORM SEWER
PLAN**

LEGEND:

- PROPOSED LIFT STATION
- ┆ STUB
- PHASE 1 STORM SEWER LINES
- PHASE 2 STORM SEWER LINES
- PHASE 3 STORM SEWER LINES
- PHASE 4 STORM SEWER LINES
- EXISTING SSJID LATERAL



**STORM DRAIN MASTER PLAN
AND PHASING**

**Figure
5 - 5**

CHAPTER SIX
TRAFFIC AND CIRCULATION PLAN

CHAPTER SIX – TRAFFIC AND CIRCULATION PLAN

This chapter reviews the current plans and related elements that affect the Industrial Park Circulation Plan. A complete description of the street and highway system and other transportation modes including transit, rail, bicycle and pedestrian, truck, transportation management systems, and goods movement are discussed.

6.1 Existing Circulation

This section describes the existing conditions of the street and highway network in the vicinity of the Plan Area. Also included is a discussion of functional classification, street capacity and level of service. The section will close with an assessment of the system's existing operating conditions and problems.

6.1.1 STREETS AND HIGHWAYS

A community's street system is composed of a wide range of facilities. Street and highway facilities serve two basic functions, mobility and land access. Mobility means the provision for the movement of motorists between their points of interest or from one place to another. Land access means providing for the parking, storage or driveway access at the origin or destination of a person's trip.

6.1.2 FUNCTIONAL CLASSIFICATION

Each facility type (e.g. arterial, collector) in a circulation element is designed to emphasize, to varying degrees, the mobility or land access function. Some facilities emphasize land access over mobility, while other streets emphasize mobility over land access. The following Table 6-1 is a hierarchy that delineates the typical function of the facilities used in this section.

**Table 6-1
Functional Classification**

Facility Type	Emphasis
Freeway	Mobility with no direct land access and access limited to interchanges.
Major Arterial	Mobility with connections to freeways, arterials and other collector streets, and access to major traffic generators.
Arterial	Mobility with connections to other arterials, collectors, some local streets and major traffic generators.
Collector	Connects local streets with arterials, also provides access to adjacent land uses; balances mobility and access.
Local	Access to adjacent land uses only; no mobility function.

6.1.3 FREEWAYS

The above functional classification table shows that freeways are designed to provide for higher volumes of traffic at higher speeds over longer distances. Greater volumes and speeds require limited access and this is generally regulated by interchanges spaced at a minimum of one mile in urban areas and two or more miles apart in rural areas.

6.1.4 MAJOR ARTERIALS

Major Arterials provide access to major travel generators and are typically designed with six lanes for through traffic, a parking/transit/right turn lane, and a median with dual left turn lanes at intersections. Access to adjacent land uses is limited. Arterials provide for moderate volumes at moderate speeds and distances with access to other arterials and collectors at half-mile intervals, and access to local streets and collectors at quarter mile intervals.

6.1.5 ARTERIALS

Arterials are intended to provide the majority of a community's traffic carrying capacity, and connections to the freeway system and to other arterials and collectors via intersections. More than any other type of street, arterials illustrate the conflicts which may arise between the provision of access and mobility. Typically, arterials are designed with two through lanes in each direction, a median with a left turn lane, and transit stop/right turn lanes on each side.

6.1.6 COLLECTORS

Collectors are to provide connectivity between local streets and the arterial street system. Also provides access to major activity centers (commercial or employment) and some abutting land uses. Collector streets are typically designed with one through lane in each direction, a left-turn lane, and parking/right turn lane/transit stop areas on both sides.

6.1.7 LOCAL STREETS

Local streets provide direct access to abutting land uses. Movement of traffic is secondary purpose. Local streets should not carry through traffic. Local streets also serve as easements for all types of utilities. Typically, these streets are designed with one lane in each direction and parking is provided on both sides.

The proper designation of the community's street network can assist in the development of an efficient system for both mobility and access. The proper balance not only ensures that a street is sized to function properly, but it allows a community to properly allocate its resources to the streets needing additional capacity or improvements. A properly designed system will also prevent the use of local streets for through trips or the overburdening of freeways, expressways, and arterials with traffic.

Problems begin to occur in a system when a street that is designated to provide mobility is asked to provide land access. Land access typically requires driveways and on-street parking to adequately address the land access function. When many access points or on-street parking is provided, traffic conflicts occur and the facility loses its ability to provide for mobility. Likewise, when a street designed for access is asked to provide for mobility, conflicts occur. This generally happens on arterial and collector streets that were not developed with adequate access control or on local streets that are asked to carry through traffic.

6.2 Existing Street System

6.2.1 TRANSIT

The City of Escalon is served by the San Joaquin Regional Transit District (RTD). RTD provides Escalon Dial-A-Ride, a general public demand responsive service within the City limits and surrounding unincorporated areas and Route 96, a deviated intercity fixed route between Escalon and Modesto, three times a day, Monday-Friday. These services are provided under contract to the City. RTD directly provides a rural general public dial-a-ride service, a deviated fixed route called Hopper Route 95 that operates between Escalon, Manteca, Lathrop and French Camp, daily and the San Joaquin Commuter Route 68 that operates weekdays with one trip between Escalon and Lawrence Livermore Labs. All of these services meet at the Escalon Main Street Park and Ride Lot, at Viking Drive.

6.2.2 BIKE

There are both existing and planned bike lanes in the Plan Area. Bike lanes currently exist on the north side of SR 120 and on the east side of McHenry Avenue at the SR 120 at McHenry Avenue intersection. Bike lanes are planned along SR 120, Brennan Avenue and Ullrey Avenue. Bike paths provide for bicycle travel on a right-of-way completely separated from any street or highway. Bike lanes provide for a striped lane for one-way travel on a street or highway. Bike routes provide for shared use with pedestrian or motor vehicle traffic.

6.2.3 ROADWAYS

Table 6-2 describes the Existing street system in the Plan Area including the street classification, number of lanes, and the posted speed limits.

Table 6-2
Description of Existing Street System

Street	Classification	No. of Lanes (2-dir)	Posted Speed Limit (mph)
SR 120	Arterial	2	30-55
Brennan Avenue	Major Collector	2	45
McHenry Avenue	Arterial	2	30
Irwin Avenue	Local	2	25
Walnut Avenue	Local	2	NPS
Plaza Avenue	Local	2	NPS
Main Street	Minor/Major Collector	2	25

NPS = no posted speed

Table 6-3 lists the Plan Area intersections and their associated intersection control.

**Table 6-3
Existing Intersection Control**

Intersection	Signalized/Unsignalized	Type
SR 120 at Brennan Avenue	Unsignalized	TWSC
SR 120 at McHenry Avenue	Signalized	AC
SR 120 at Irwin Avenue	Unsignalized	TWSC
SR 120 at Walnut Avenue	Unsignalized	TWSC
SR 120 at Plaza Avenue	Unsignalized	TWSC
SR 120 at Main Street	Signalized	AC

TWSC = two-way stop-controlled AC = Actuated Coordinated

Table 6-4 shows the Existing levels of service for the Plan Area segments. The Existing segment levels of service calculations are included in Appendix B of the Traffic Study (separately bound).

**Table 6-4
Existing Conditions Analysis
Segment Weekday and Weekend Level of Service**

Segment	AM		PM		Friday		Sunday	
	Peak Hour		Peak Hour		PM		Peak Hour	
	LOS	v/c	LOS	v/c	LOS	v/c	LOS	v/c
SR 120 west of Brennan Avenue	C	0.32	D	0.43	D	0.48	D	0.48
SR 120 between Brennan Avenue and Main Street	E	0.41	E	0.49	E	0.53	E	0.51
SR 120 east of Main Street	E	0.39	E	0.38	E	0.44	E	0.46

v/c = volume to capacity

6.3 Transportation Objectives and Policies

6.3.1 TRANSPORTATION OBJECTIVES

- Objective 1 Strive to maintain a minimum LOS Standard “C” on all roadway segments in the Plan Area.
- Objective 2 Strive to maintain a minimum LOS “D” on all intersections in the Plan Area.
- Objective 3 Encourage opportunities for employees to commute to work via carpooling, public transportation, local shuttle services, alternative vehicles, and bicycling.
- Objective 4 Maximize the opportunity for people to walk within the Plan Area.
- Objective 5 Accommodate truck traffic.

Objective 6 Protect the rail corridor to ensure that rail service continues to be available in the Plan Area.

Objective 7 Create efficient, interconnected street patterns.

6.3.2 TRANSPORTATION POLICIES

T-P-1 Incorporate features such as bus shelters, bicycle storage, bicycle racks and park and ride lots into the design of public and private development projects (GP Policy 6.1 #2).

T-P-2 Streets shall be designed in accordance with projected traffic volumes and city-adopted level of service standards. Oversized streets shall be discouraged (GP Policy 6.1 #23).

T-P-3 Collector streets shall be up to four lanes for through traffic and may include an optional median for left turn access to local streets and adjacent land uses. On street parking may be provided where street capacity does not require left turns or four through lanes (GP Policy 6.1 #41).

T-P-4 Soften the impact of expansive parking areas in all land use designations through landscaping and tree plantings as prescribed in the City Zoning Ordinance (GP Policy 6.2 #2).

T-P-5 Establish a signage system to direct trucks to the designated routes.

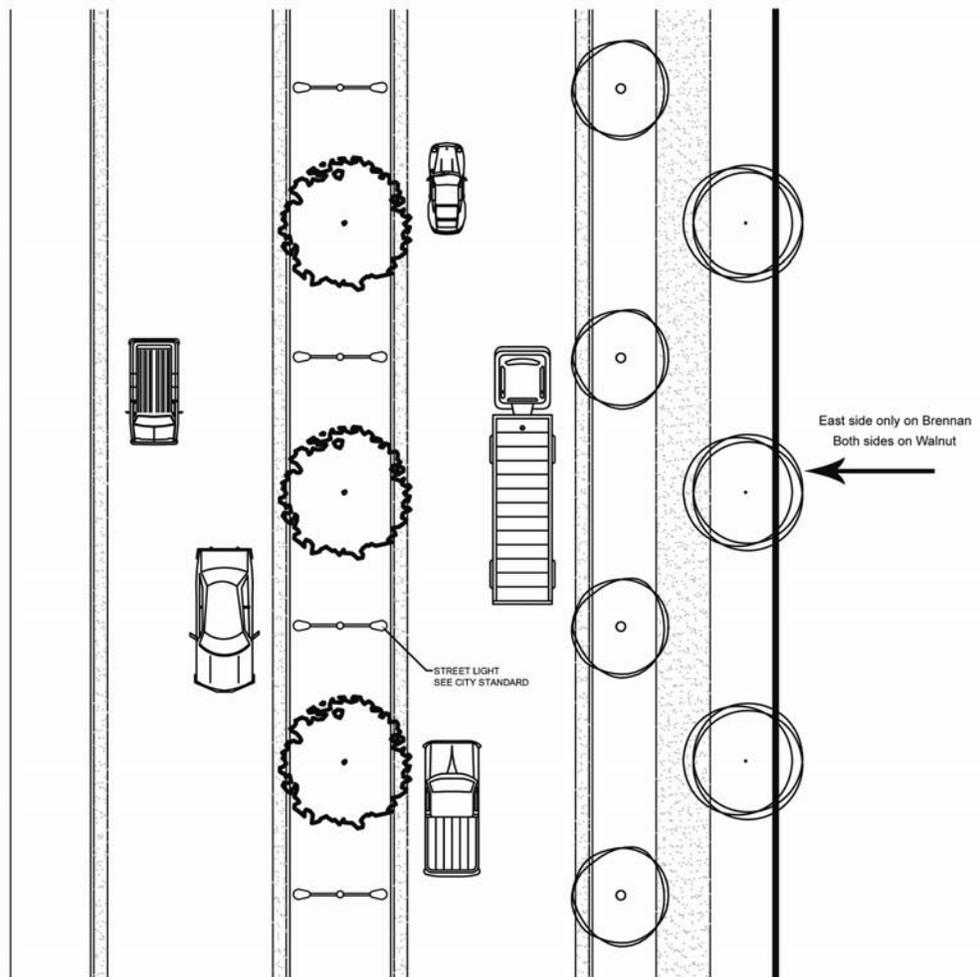
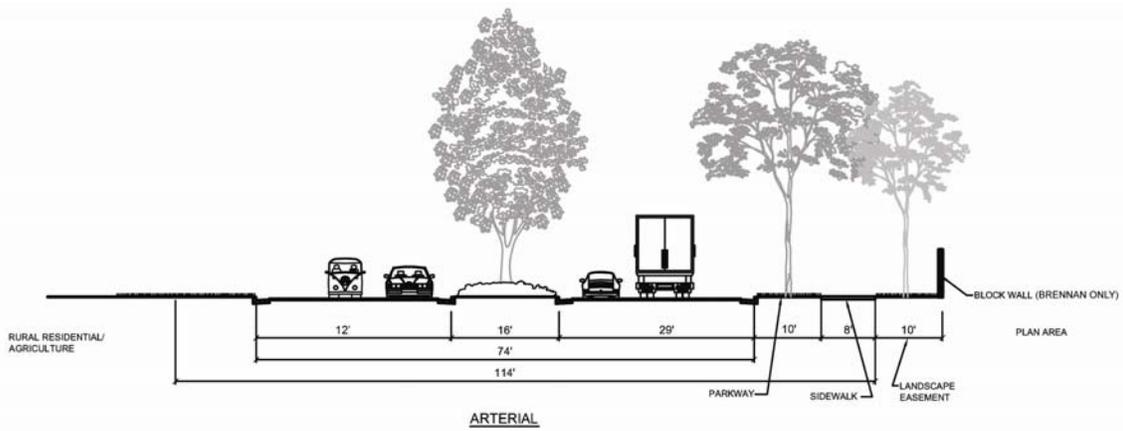
T-P-6 Commercial development along SR 120 shall be required to consolidate or limit driveways in order to minimize traffic conflicts.

T-P-7 The streets within the Plan Area must accommodate the flow of trucks and peak employee traffic. The alignment of these roads will be determined when the development of each portion of the Plan Area is submitted for approval.

T-P-8 The project applicant who develops first within the Plan Area shall be responsible for improvements to the eastern 2/3 of Brennan Avenue including the median (which will be striped until such time as the west side of Brennan develops), two travel lanes, planter strip, sidewalk, curb, and gutter (reference Figure 6-1). Anyone who develops along Brennan Avenue or needs accessibility to Brennan Avenue must also participate in the costs for widening and improvements to Brennan Avenue as required. A Reimbursement Agreement will be formulated for the adjacent property owner(s) to the west when the west side of Brennan Avenue develops. The project applicant(s) of the adjacent property to the west shall complete the rest of the roadway per LBPSP/City standard.

6.4 Transportation Plan

The Escalon General Plan establishes the alignment and configuration of all existing and future roads in and around the Plan Area. The addition of the collector and minor collector will provide sufficient circulation to the major land areas in the Plan. The primary new road improvement in



ARTERIAL 4 LANE STREET (BRENNAN AVE.)
(Reference #2 on Figure 4-1)

Figure
6 - 1

the Plan Area includes the extension of the collector roadway between SR 120 and Brennan Avenue. The extension of this road will create a new collector that will become the central northwest-southeast circulation route in the Plan Area.

In addition to this planned improvement identified in the General Plan, the Specific Plan and Traffic Impact study prepared for it, include several other road segment improvements.

The *Traffic Impact Study for the NW Industrial Park, Escalon, California* (TPG Consulting, Inc., August 2006) (separately bound) provides an analysis of traffic impacts and proposed mitigation measures and improvements. The analysis is based on Existing Conditions, 2026 No Project Conditions, 2026 Project Conditions and Mitigated 2026 Project Conditions. (Reference the Traffic Impact Study, available at City Hall for a detailed list of roadway segment and intersection improvements and mitigation measures.)

Figures 6-1 through 6-3 illustrate street cross sections for Brennan Avenue and both the collector and minor collector within the Plan Area. Figures 6-4 and 6-5 illustrate the roundabouts within the Plan Area.

6.4.1 LOCAL STREETS

The alignment of local or secondary streets are not shown in the Specific Plan except where the alignment is necessary to provide access to a specific land use. Typically, the alignment of these streets will be determined in the processing of subdivision maps on portions of the Plan Area, after adoption of this plan. Local streets shall be designed per City standards.

6.4.2 PUBLIC PARKING

Parking in all land use areas shall be regulated by the standards established in the Escalon Zoning Ordinance.

6.4.3 PEDESTRIAN PATHS AND BIKEWAYS

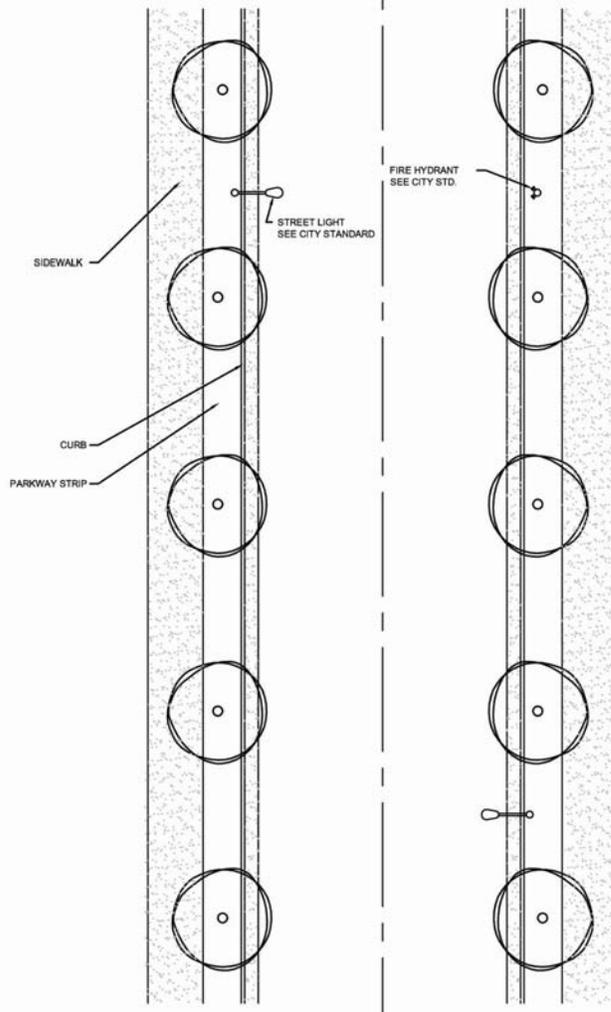
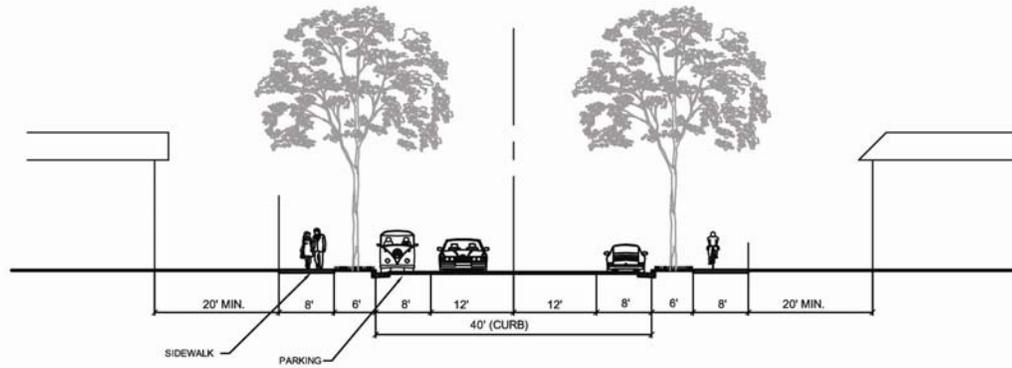
Escalon is a very walkable community. The terrain is not challenging and the straightforward street system provides direct routes to virtually all destinations in the community. Inclement weather and heat are primary constraints to walking or bicycling. The Plan Area shall include an interconnected pedestrian and bicycle path system.

T-P-9 The sidewalks must be designed to enable patrons to walk to commercial areas from their place of employment during suitable weather.

T-P-10 Class II bike paths will be provided on all collector and minor collector streets in the Plan Area.

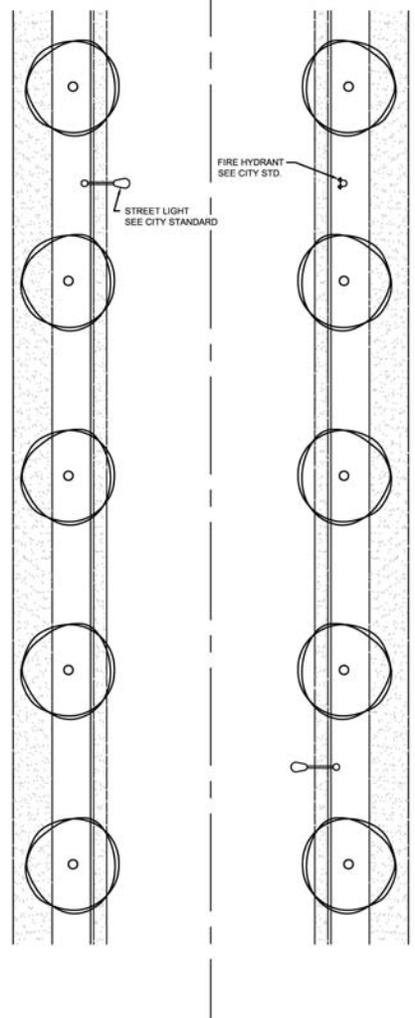
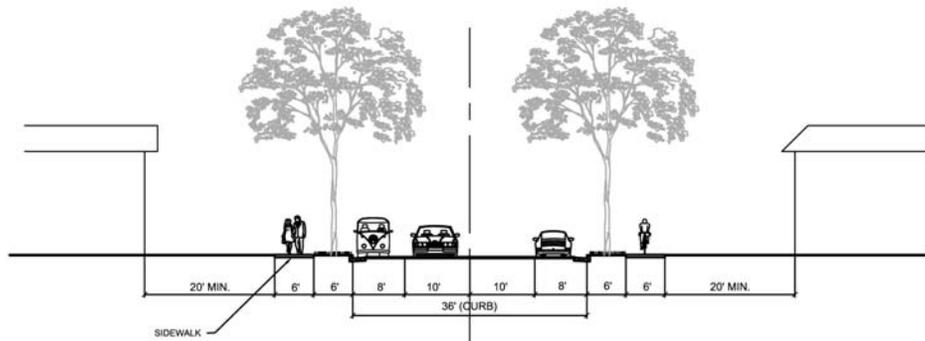
T-P-11 The pedestrian path system shall connect conveniently and directly to the location of any stop along a public transit route adjacent to commercial and office areas.

T-P-12 Provide safe, aesthetic, and pleasant space for pedestrians (GP Policy 6.3 #2).



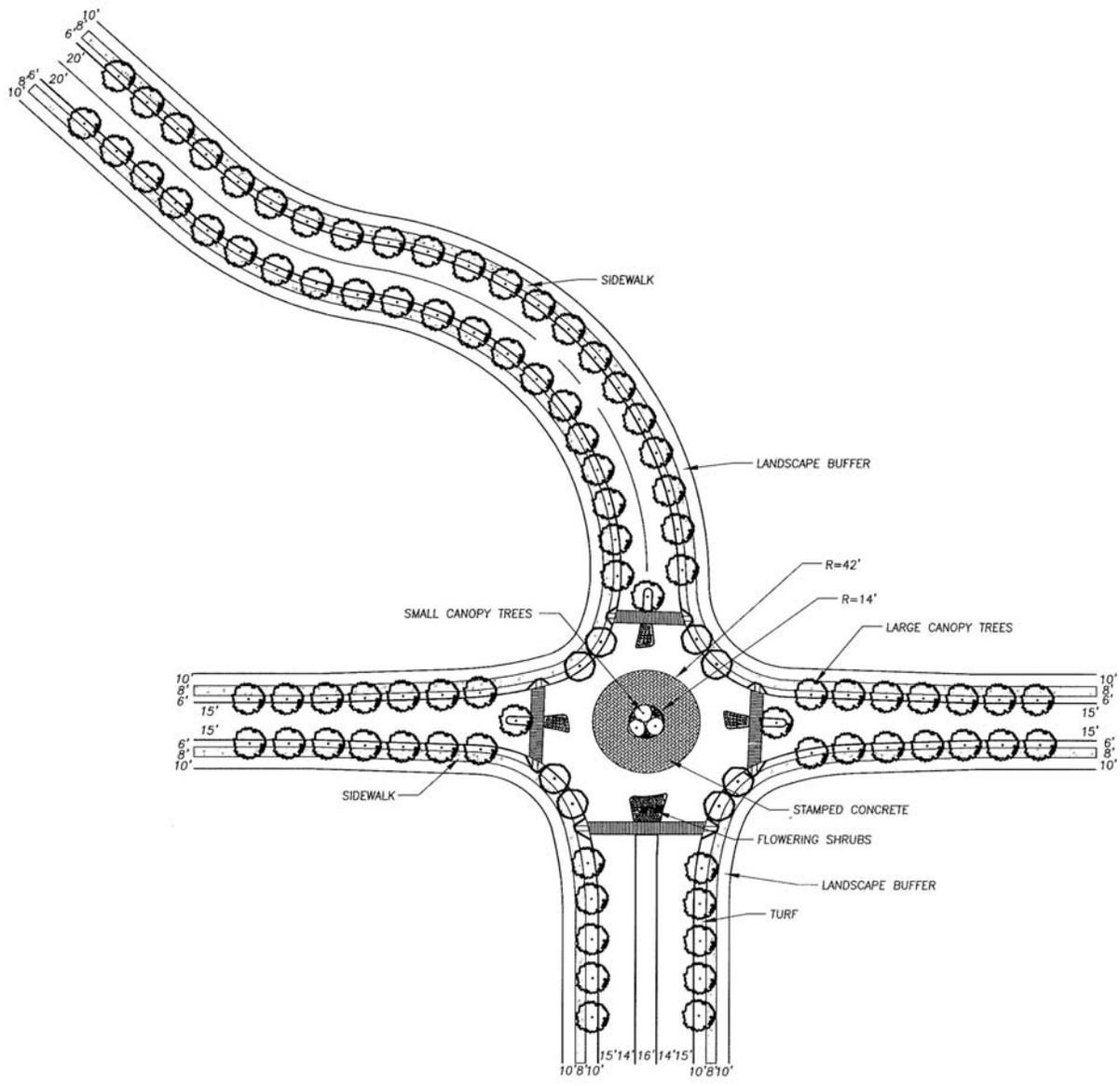
COLLECTOR 2 LANE STREET
(Reference #3 on Figure 4-1)

Figure
6 - 2



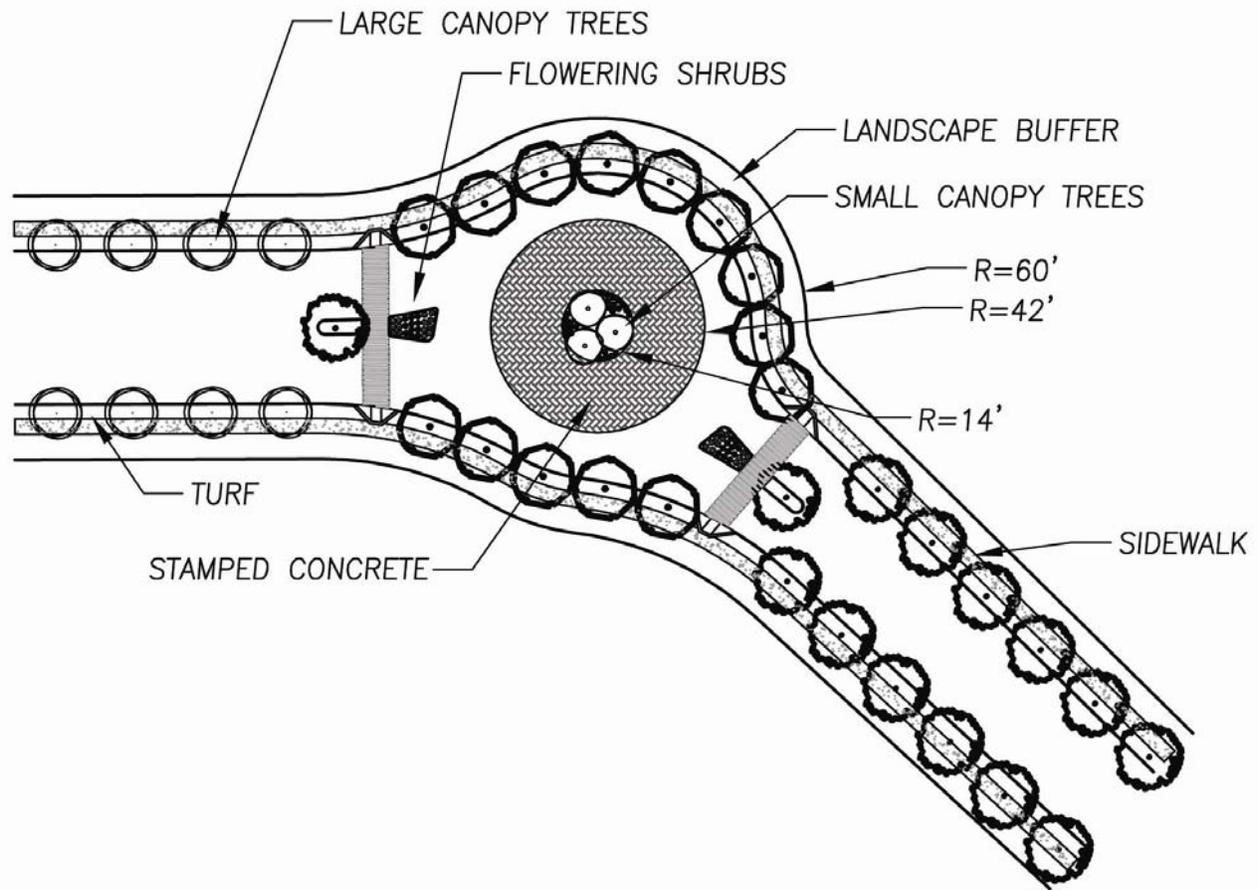
MINOR COLLECTOR 2 LANE STREET
 (Reference #4 on Figure 4-1)

Figure
6 - 3



SOUTHERN ROUNDABOUT
 (Reference #5 on Figure 4-1)

Figure 6 - 4



NORTHERN ROUNDABOUT
 (Reference #6 on Figure 4-1)

Figure
6 - 5

T-P-13 Design bicycle and pedestrian paths so that interaction with vehicular traffic is minimized (GP Policy 6.3 12).

T-P-14 Provide for the safe and convenient use of the bicycle as a means of transportation and recreation (GP Policy 6.3 14).

6.4.4 PUBLIC TRANSIT

Section 6.2.1 identifies public transit within the City of Escalon. As the community grows, the concentration of employment and commercial uses in the Plan Area provides an opportunity to establish public transit and/or a transit hub for the west side of the City of Escalon.

Development of commercial and industrial uses over time will determine the specific routing of future transit service.

6.4.5 RAIL

The B.N.S.F. Railroad operates a rail line that runs in a northwest to southeast direction along the Plan Area's eastern border. Approximately two trains per day enter and exit the City. Service provided by the railroad is dependent upon the number of businesses with the need and capabilities (railroad spurs) to utilize the railroad service.

The Conceptual Site Plan for the Liberty Business Park Specific Plan includes 49 acres designated Rail Oriented Industrial along the railroad tracks. The City of Escalon recognizes the strategic importance of rail access to promote economic development and investment, which was one of the primary factors for the creation of this Plan.

T-P-15 Since rail service is important to 10-25 percent of industrial users, and given the community's significant rail-service assets, at least 20 percent of the parcels should be available to be served by rail. Encourage rail service in undeveloped areas adjacent to the railroad tracks.

T-P-16 Preserve and protect rail access that serves sites suitable for rail dependent industries.

T-P-17 Prohibit uses that may undermine the viability of rail operations.

T-P-18 The design of circulation improvements, notably street expansions and extensions, shall consider the effect of future railroad spurs in the Plan Area.

T-P-19 To the greatest extent practicable, on-site rail spurs, sidings, freight handling facilities, etc., shall be designed and operated to prevent stopped or slow moving trains from blocking intersections or otherwise interfering with vehicle traffic.

6.4.6 TRANSPORTATION CONTROL MEASURES

The large number of employees anticipated in the Plan Area provides an opportunity to implement effective transportation control measures (TCM).

Employee Trip Reduction Measures

An Employee Trip Reduction Program (ETRP) includes methods that reduce traffic volumes during peak commute hours. Typical ETRP methods include flexible work schedules that facilitate off-peak commuting, ridesharing, distribution of information on public transit schedules and routing, and other methods that reduce reliance on single occupant vehicles during peak commute hours.

The type of businesses anticipated in the Plan Area could support a flexible work schedule. The supporting land uses in the Plan Area such as the recreation area at the storm drainage basin and the commercial areas, will attract employees before and after the typical work day, and thereby extend the normal morning and evening commute period.

Employee trip reduction programs are best implemented throughout a county or regional area to take advantage of the broadest mix of resident employees and employment centers. The San Joaquin Council of Governments' local TCM's include the following: bicycle and pedestrian facilities, traffic flow improvements, fixed route transit capital and operations, alternative fueled public vehicles, and CNG fueling facilities.

CHAPTER SEVEN
IMPLEMENTATION

CHAPTER SEVEN – IMPLEMENTATION

This section describes how the Liberty Business Park Specific Plan will be implemented.

Implementation of the Specific Plan addresses a wide range of considerations that take the project from a concept to its ultimate physical development. The primary considerations include:

- Administration of the Specific Plan, including annexations, application of design concepts to a diverse mix of industrial, commercial and office uses and administration of the plan policies and standards.
- Financing of major improvements.
- Cost effective coordination of improvements.
- Strategic application of economic development resources to achieve maximum value.

All of these considerations must be successful in order to achieve the overall goals of the Plan.

7.1 Implementation Challenges

The Plan Area contains characteristics that present challenges to the implementation of the Specific Plan in a coherent, sustainable fashion. Nonetheless, a framework for implementing the plan will allow development to proceed in a logical manner with minimal delay and cost. The challenges to plan implementation include the following.

MULTIPLE LAND OWNERS

The Plan Area includes multiple owners and a diverse mix of property sizes, uses, and access to development infrastructure. The diversity of these characteristics leads to correspondingly diverse land owner interests. Some owners will be anxious to proceed with development immediately. Others will take a longer view and will not be motivated to participate in investing in the public improvements that are necessary to allow development to move ahead. This can result in a sporadic pattern of development and inefficient extension of services. This Specific Plan establishes development sub areas that relate to logical and efficient infrastructure improvements.

INCREMENTAL GROWTH

The Plan Area is a large area that will develop sporadically over a period of years. During that time the market demand for certain land uses will rise and fall, the costs of land, buildings and infrastructure will vary, and a number of other factors will influence the rate and direction of development in the Plan Area. Consequently, the plan must allow flexibility to respond to variable demands, but also must provide a framework for logical and consistent development. This is provided through the incorporation of design guidelines that apply to all land uses. This is also provided through the phased expansion of infrastructure.

REALIGNMENT/EXTENSION OF STREETS

Realignment and/or extension of major streets are typical for a new Specific Plan Area. Walnut Avenue, for example, will be signalized at SR 120 and extended north across SR 120. The need for other realignments or extensions may arise from future site specific designs; such modifications are accommodated in the Plan by the process of major and minor plan amendments described below. New roads within the undeveloped parts of the Plan Area are normal in-tract requirements and will be addressed through the subdivision process.

CONTINUED AGRICULTURAL USE

Parts of the Plan Area are and will continue to remain in active agricultural use. The planned commercial, office and industrial uses are typically not impacted by agricultural activity in the same manner as residential use. The use of farm machinery and unusual hours of operation are not usually incompatible. Similarly, the planned non-residential uses are not likely to create conflicts with agriculture to the same level as residential would. Complaints due to agricultural activity and incursions by pets and children into active farmland will be less than would occur if the farmland were adjacent to residential uses. Nonetheless, spraying, disking and other normal agricultural activities can cause periodic, short term conflicts between agriculture and future urban development.

Agricultural uses will continue in the Plan Area until they are ultimately phased out in favor of other land uses designated by this Plan. The Escalon General Plan establishes the following policy that will apply to agricultural use in this Plan Area.

- 10.1 4. Prohibit the premature conversion of agricultural lands where agricultural preserves are present.

WILLIAMSON ACT LAND

One parcel just north of the Plan Area is subject to a Land Conservation Act (Williamson Act) contract that limits its use to agriculture. The property under Williamson Act contract is the 38-acre triangular parcel north of the Plan Area (APN 22502027). As noted earlier, this parcel will be designated Future Industrial Reserve. The contract is established between the County and the land owner for a minimum of 10 years. In exchange for a lower property tax rate the land owner has agreed to limit the land use to agriculture and related activity. The contract is automatically extended by one year at each anniversary so that the duration of the contract is always 10 years. Contracts can be terminated by non-renewal or cancellation. Under non-renewal the contract terminates over 10 years. Cancellation in less than 10 years is possible but requires a significant penalty. The City may terminate the contract on land annexed to the City provided that the City filed a protest at the time the contract was established. The City did not protest the contract when it was established.

Figure 7-1 shows the location of the property under Williamson Act contract just north of the Plan Area. The land under contract may not be available for development in less than 10 years, unless the contract is cancelled or terminated subsequent to annexation to the City.

VARIETY OF DEVELOPMENT TYPES AND STANDARDS

Although the Plan Area's land use designations are predominantly industrial, commercial and office uses, there will be significant variety in the development of individual sites. Some industrial uses will be essentially utilitarian while others require higher levels of amenities. All land uses will comply with basic standards for site design landscaping and streetscape. Administration of the plan will be complicated by this variety of use-specific conditions. However, the plan is also designed to expedite approval of project applications that comply with the design standards found in Chapter 4, Design Guidelines.

The procedures for administering these standards are described in this section.

EXISTING HOMES AND NEIGHBORHOODS

Residential use is not common in the Plan Area, however, four single family residences are distributed throughout the Plan Area. Ultimately, these residential uses would conflict with the long term uses of the Plan Area.

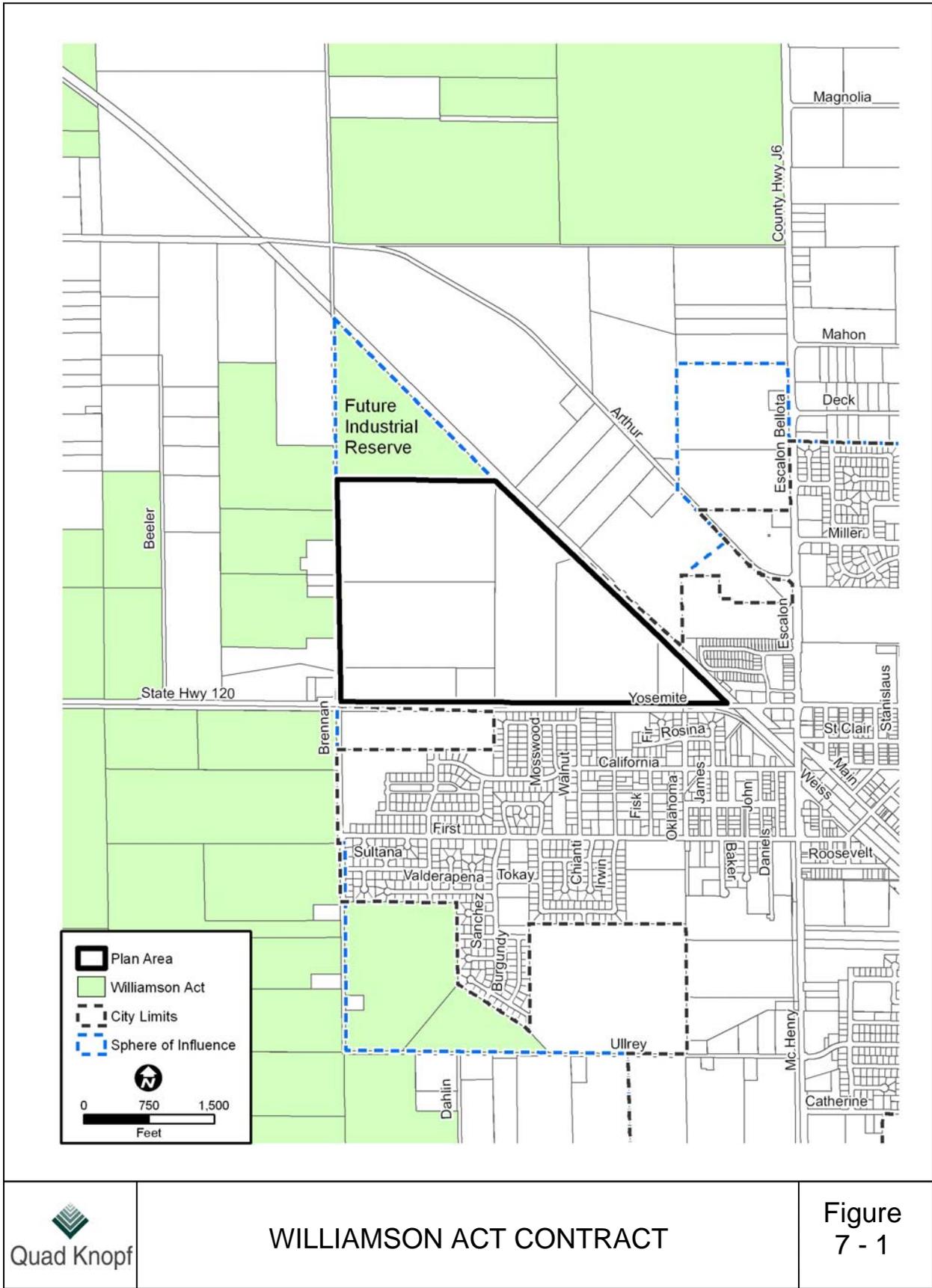
In those instances where the residential use will remain after non-residential uses are developed adjacent to them, the residential uses will be buffered by setback barriers and landscaping as required in this Specific Plan and the City Zoning Ordinance.

7.2 Administration of the Specific Plan

The City of Escalon is the public agency responsible for administration of the Specific Plan and related documents. The Liberty Business Park Specific Plan is to be consistent with all City rules, regulations and policies.

Plan Administration Objectives

- Objective 1** Expedite development that is consistent with this Specific Plan.
- Objective 2** Provide a mix of land use classifications to accommodate all appropriate industrial, commercial and office uses at all times.
- Objective 3** Provide clear and implemental development standards.
- Objective 4** Encourage the private sector to maintain an adequate supply of "project ready" land.



WILLIAMSON ACT CONTRACT

Figure 7 - 1

7.2.1 SUBSEQUENT DEVELOPMENT ENTITLEMENTS

The development of individual projects requires adoption of this Specific Plan and the following entitlements and approvals by the City of Escalon.

- Rezone to provide for specific uses identified in the Specific Plan.
- Subdivision maps.
- Use permits for specific land uses or activities as may be required under the Liberty Business Park Specific Plan and Escalon Zoning Ordinance.

7.2.2 ANNEXATIONS

Figure 7-1 illustrates that the Plan Area lies within the incorporated boundary of the City of Escalon. However, the area to the north identified for a Future Industrial Reserve designation is unincorporated and lies within the City's SOI. Annexation and an amendment to this Specific Plan would be required before development would be allowed under this Specific Plan. However, this currently unincorporated area is not expected to be needed for many years.

7.2.3 IMPLEMENTING REGULATIONS AND ORDINANCES

Zoning

The City of Escalon Zoning Ordinance is the underlying land use regulatory authority for the Specific Plan. In the event that a component or regulation of the Specific Plan differs from a requirement of the Zoning Ordinance, the Specific Plan will take precedence. Where the Specific Plan is silent, the Zoning Ordinance will be used for the purposes of interpretation, or applied as appropriate.

Subdivision Ordinance

The City of Escalon Subdivision Ordinance will regulate individual requests for land divisions within the Plan Area, unless otherwise noted herein. In the event that a component or regulation of the Specific Plan differs from a requirement of the Subdivision Ordinance, the Specific Plan will take precedence. Where the Specific Plan is silent, the Subdivision Ordinance will be used for purposes of interpretation, and/or directly applied as appropriate.

Improvement Standards, Specifications, and Details

The City of Escalon Improvement Standards, Specifications, and Details establish basic standards and detail sheets for construction of public infrastructure. These standards and specifications apply to all construction within the Plan Area, unless otherwise addressed herein. In the event that a component or regulation of the Specific Plan differs from a requirement of the Standards, the Specific Plan will take precedence. Where the Specific Plan is silent, the Standards will be used for purposes of interpretation, and/or directly applied as appropriate.

Project Review Processing

Individual development projects within the LBSP are subject to review and approval through subsequent permits and entitlements by the City of Escalon. Application and processing shall be in accordance with the City's Zoning Ordinance and other regulations, unless otherwise modified by this Specific Plan. All subsequent development projects, public improvements and other activities shall be consistent with this Specific Plan, any subsequent development agreements, and all applicable City of Escalon policies, requirements and standards. In acting to approve a subsequent project or permit, the City may impose conditions as are reasonably necessary to ensure that the project is in compliance with the Specific Plan and all applicable plans and regulations.

7.2.4 SPECIFIC PLAN AMENDMENTS

The LBSP is intended to be flexible in order to respond to changing conditions and expectations during the course of its implementation. To address this intent, the LBSP provides for both Minor and Major Specific Plan Amendments. The City Planner may authorize a Minor Specific Plan Amendment administratively. A Major Specific Plan Amendment shall be reviewed by the Planning Commission and adopted by the City Council. The City Planner shall determine whether a proposed Specific Plan Amendment is minor or major. Any proposed amendment may, at the sole discretion of the City Planner, be referred to the Planning Commission and City Council for action. Determinations and actions by the City Planner may be appealed to the Planning Commission.

Minor Specific Plan Amendment

A Minor Specific Plan Amendment may be processed if determined by the City Planner to be in substantial conformance with:

- The overall intent of the Liberty Business Park Specific Plan
- The applicable Specific Plan development agreement(s)
- The City of Escalon General Plan
- The Specific Plan Environmental Impact Report

Examples of Minor Specific Plan Amendments include, but are not limited to:

- The addition of new or updated information that does not substantively change the Specific Plan.
- Minor adjustments to land use boundaries and street alignments where the general land use pattern is maintained.

- Variation in permitted use types and development standards if such variations do not substantively change the character of the specific plan.
- Changes to the provision of public infrastructure and facilities that do not impact the level of service provided or affect the development capacity in the Plan Area.
- Changes to phasing boundaries that do not impact infrastructure sizing, financing districts or the provision of adequate services to associated development.
- Modifications to the Design Standards, such as revisions to design treatments or changes in specified plant materials, if it is determined that such changes achieve the design intent of the Plan.

Major Specific Plan Amendment

If the City Planner determines that a proposed amendment does not meet the criteria of a Minor Specific Plan Amendment, a Major Specific Plan Amendment shall be required. A Major Specific Plan Amendment shall be processed and reviewed in the same manner as the initial Specific Plan adoption.

Project Administration Policies

- IMP-P1** The City will review the permitting process and identify steps which can be approved by staff without planning commission or city council approval.
- IMP-P2** The City will assist the owners of smaller adjacent parcels to be able to offer their land as a single unit to a large user through assistance with marketing and parcel aggregation.
- IMP-P3** The City will assist the owners of smaller parcels to plan for coordinated development of two or more contiguous parcels and will consider sharing the cost or enter into a reimbursable cost sharing agreement with the land owners for engineering and planning studies necessary for project development.
- IMP-P4** The City will assist the owners of smaller adjacent parcels to allow them to offer their parcels to small business users in a manner that complies with the development standards for aggregated parcels. Examples include identifying opportunities for shared cost of utility extensions, shared driveway access, common area landscaping designs, common signage themes and shared parking under reciprocal agreements.
- IMP-P5** The City will establish criteria to identify sites that are “Project Ready” in the Light Industrial and Commercial land use classifications. The Project Ready sites shall be submitted to the City Planner for confirmation that they are in compliance with the development standards for the proposed development sites.

7.3 Capital Improvements Program

Most of the land within the Plan Area is not presently served by necessary municipal infrastructure. Due to the large size of the Plan Area and the incremental development anticipated in the Plan it is not practical to construct all necessary infrastructures in the entire area at a single time.

This section of the Plan describes a series of sub-areas that exhibit smaller characteristics and are logical infrastructure expansion groupings. The sub-areas described here do not necessarily imply a sequence of development. It is possible to develop lands further away from existing infrastructure, but only if all of the necessary connections and other components of the system are already constructed, or are constructed as part of the proposed development.

The infrastructure sub-areas described in this section are based on the planned infrastructure improvements described in Section 5.6 of this Plan.

7.3.1 DEVELOPMENT PHASING SUB-AREAS

The Liberty Business Park Specific Plan will develop in response to economic development opportunities over a period of years. Many of the infrastructure improvements required to serve development will occur on an incremental basis that correspond to specific development proposals. Development will respond to market conditions, as well as landowner and developer interests. Therefore, conventional phasing that identifies a specific sequence of development is not practical in this Specific Plan. Instead, it is practical to identify the improvements that are required to enable development within specific “sub-areas” or phases.

The infrastructure requirements for each sub-area of development include all roadway, sewer, water, storm drainage, and dry utilities necessary for that sub-area to develop. Backbone public facilities required for development of the Plan Area are discussed in Section 5.6.

Development will occur within a sub-area when the backbone infrastructure for that sub-area is completed and available, although sub-areas may be combined and interim improvements may allow for development of only a portion of a sub-area. The opportunity exists for certain parcels to move forward out of sequence, if their associated infrastructure is provided. In some cases, this infrastructure may be located in other sub-areas. Alternatives to the proposed improvement plan may be permitted if adequate circulation, looped water facilities, and other necessary infrastructure are provided to the satisfaction of the City of Escalon. Once development is initiated, some sub-areas may have reduced infrastructure requirements if improvements were provided in an earlier developed sub-area.

The plan is structured to ensure that the improvements in each sub-area can support associated development in compliance with City policies and standards, and that the development in each sub-area can support the costs of the required improvements.

The boundaries of each sub-area reflect the existing and planned capacity of the roads, sewer, water, and drainage infrastructure required to serve the planned land use. The extent of

infrastructure improvements differ from sub-area to sub-area and the service area boundaries for one infrastructure component do not necessarily align precisely with other components.

Phases may be developed in any order. Internal infrastructure and external sewer, water and storm drainage would be required to be constructed on a cumulative basis. For example, if Phase 4 develops before Phase 3, all of the infrastructure for both Phase 3 and Phase 4 will be required to be developed with Phase 4. Payback agreements would be appropriate in this case. The primary purpose of this requirement is to ensure that the internal major collector and the associated utilities are constructed early and that the water system can be looped upon original installation.

Each development within the Plan Area has the possibility of three financing mechanisms. The first is the backbone infrastructure, provided within the City Master Plans. The second is from this Specific Plan, which takes the utilities from where the Master Plan stopped and then to individual properties. Finally, the third financing mechanism takes the Specific Plan improvements to the developer's proposed site. The third cost is to be shared with all developers in the Plan Area who develop at a later date and who share the infrastructure. For example, if a site in Phase 2 is developed prior to any site in Phase 1, the developer will need to work with all three financing mechanisms described above to determine the costs of the installation.

Reference Figure 3-1 for the boundaries of each phase within the Plan Area. Phase 1 corresponds to Sub-Area 1, Phase 2 to Sub-Area 2, etc. Figures 5-3, 5-4 and 5-5 illustrate the sewer, water, and drainage improvements phasing respectively required to serve development in each sub-area.

7.3.2 IMPLEMENTATION OF THE LANDMARK GATEWAYS

The landmark and gateway features proposed in this Plan are located in areas that benefit the entire community, as well as businesses in the Plan Area.

IMP-P6 Landmark and gateway facilities shall reflect the high quality of design proposed in the Plan Area, and shall be installed by the developer of the phase in which they are located.

7.3.3 DEVELOPMENT AGREEMENTS

The City of Escalon and the property owners may execute separate project Development Agreements in accordance with Section 65864 through 65869.5 of the Government Code of California.

The Environmental Impact Report and, if executed, any Development Agreements, are subject to separate discretionary action from the Specific Plan.

7.3.4 FINANCING MEASURES

The construction of public improvements to serve the Liberty Business Park Specific Plan will be funded by a variety of mechanisms, including City Impact Fees, establishment of Plan Area fees, developer financing, and other potential methods.

City-Wide Impact Fees

The City of Escalon has adopted a series of development impact fees to finance capital improvements. The fee structure requires the payment of fees prior to issuance of a building permit. Many major improvements necessary to the proper functioning of development within the Specific Plan Area are identified in the appropriate Master Plans as eligible for funding from impact fee revenues. If funds are available at the time of installation of eligible improvements, the City of Escalon shall participate in the funding of the improvements. If impact fee funds are not available, eligible work will be subject to reimbursement from Impact Fee funds at such time as sufficient fees have been collected. Priority for funding and reimbursement shall be determined by the City Council.

Plan Area Fee

To fund Plan Area infrastructure not included in the existing City-wide Impact Fee program a fee based on a pro-rated level of benefit will be established.

Developer Financing

Direct builder/developer financing may be used to contribute towards backbone improvements and facilities, shortfall financing, and for lot improvement expenses.

Other financing mechanisms may be utilized, including creation of private districts or associations to fund maintenance of certain facilities within the Liberty Business Park Specific Plan. Specific financing requirements, improvement obligations, fees, reimbursements, land and easement dedications and conveyances, maintenance, and other financing and improvement related obligations will be detailed in separate development agreements.

Financing Measures Policies

IMP-P7. The City will encourage business park and industrial land development by adopting a fee structure that facilitates development consistent with the City's goals.

IMP-P8. The City will utilize funding sources such as the formation of an assessment district, entering into deferral agreements, or direct developer funding to fund infrastructure improvements that are most cost-effective in supporting economic development.

7.3.5 ANTICIPATED INFRASTRUCTURE DEVELOPMENT COSTS AND RESPONSIBILITY

NOTE: Any and all costs listed in section 7.3.5 (Anticipated Infrastructure Development Costs and Responsibility) and the Water, Sewer and Storm Drainage Calculations Appendix of the Liberty Business Park Specific Plan are considered preliminary estimates only and shall not be used as the basis for any financial planning or estimations in the development and sustainability of the Liberty Business Park.

The anticipated cost of constructing required storm drainage, wastewater, water, and road improvements has been estimated. Where such determinations can reasonably be made, the relative cost of providing infrastructure to each phase and type of development has also been calculated. Together, this information provides a basis for establishing financing and funding mechanisms for the project. The calculations underlying each of the following sections are presented in Appendix A. A critical component of the financing plan is to maintain maximum flexibility to allow all or a portion of the project to develop independently, while still providing a method to equitably share costs among developments which may occur as much as twenty years apart.

Sanitary Sewer Improvements

Development within the Plan Area will require the installation of sanitary sewer improvements. The majority of the required improvements have been incorporated into the City's proposed Sewer Master Plan and will be funded by impact fees as described in that document. In addition to the Master Plan improvements, 1,875 linear feet of sewer lines will be required for proper functioning within the Specific Plan Area. At current rates, the estimated cost of constructing the Specific Plan's entire sewer system is \$209,250.

The primary financing mechanism for on-site sanitary sewer improvements will be developer funded construction, with cost sharing based upon each user's impact on the overall system. The sanitary sewer system has been divided into eleven components (ten main lines and the lift station). A total of fourteen major connection points have been identified on the plan. All development on the site will rely on one of those points, with off-site users expected to use a fifteenth connection. The system components that will serve each connection point have been identified, as have the proportions of flow which will be generated at each connection point. Each developer making use of one of the connection points will be financially responsible for the appropriate percentage of the cost of the system that will serve the development.

It is anticipated that the initial developers of the project will be required to construct a substantial portion of the sanitary sewer system with their developments. Where such construction occurs, the City of Escalon will administer a program of "payback" agreements, which will ensure that subsequent developers will refund their share of the costs to earlier developers. Appendix A includes a chart showing the percentage of each component which is the responsibility of each of the developers.

Storm Sewer Improvements

All of the potentially shared storm drainage facilities necessary to serve the Specific Plan Area have been incorporated into the proposed Storm Drain Master Plan and will be funded by impact fees as described in that Plan. Upon construction, the drainage basins will be dedicated to the City of Escalon. Drainage basins shall be maintained by a Landscape and Lighting District (LLD) which shall be formed to include all of the properties in the Plan Area.

Water System Improvements

Domestic water will be provided to the site by extending the existing water system as shown on Figure 5-4. A substantial portion of the required improvements have been incorporated into the

proposed Water Master Plan and will be funded by impact fees as described in that Plan. In addition to the Master Plan improvements, a new well, 10,530 linear feet of water lines and an assortment of associated equipment will be required. In addition to improvements constructed as part of the Water Master Plan, the total cost of the system is estimated to be \$1,372,550.

There are a wide variety of potential development scenarios for the water system. Each development sub-area has the potential to get service from one of several planned water line loops, depending on which portions have already been developed at the time of new construction. As such, it is not feasible to assign costs based on the specific system components that will be constructed to serve each connection point. This responsibility for construction of the water system will be determined based on the area of the individual development. On this basis, each development is responsible for water system improvement costs at a rate of \$6,600 per acre, based on a \$1,372,550 initial cost. That rate will be increased annually by the Engineering News Record (ENR) Construction Cost Index.

Each development will be required to construct sufficient portions of the water system to serve the entire area proposed for development. Where such construction exceeds the financial responsibility of the development as determined by the acreage constructed, the City will maintain a “payback” program to ensure that subsequent developers will refund the cost of construction, based on their area affected to the initial developer. Initial improvement costs and acreage estimates are shown in Appendix A.

Street Improvements

Substantial street improvements will be necessary to provide access to the site and to allow traffic to move as freely as possible along the perimeter of the site. Major improvements include the expansion of SR 120 from two lanes to four lanes in the initial project implementation, then to six lanes in later phases. Considerable improvements are also proposed at intersections along SR 120. Traffic signals will be installed at Brennan Avenue and at the two major project entrances, with appropriate turn lanes. In total, the project is expected to generate approximately 33,113 Average Daily Trips (ADT). The road system will also be significantly impacted by increasing interregional traffic along SR 120. A “fair share” proportion has been identified for all of the required improvements to determine the amount of the cost of those improvements that are attributable to each project. The total cost of all improvements is estimated to be \$1,752,000, of which \$1,320,254 will be borne by the project, or an additional \$40.00 per average daily trip. This shall be paid as a supplemental traffic impact fee. Thus each development will pay a supplemental traffic impact fee that is calculated by multiplying the project’s total estimated average daily trip by \$40.00 per trip. The remainder of the cost is anticipated to be provided by traffic impact fees or other general revenue sources.

In addition to the costs listed above, each development will be required to improve the adjacent street frontage to typical city standards. Shared project costs will be based on those improvements which exceed typical city standards such as the widening of SR 120 from four to six lanes, and the installation of signals and turn lanes. The cost of shared improvements will be based on the number of trips generated by each use developed on the site (\$40 per trip, initially).

Each development will be required to construct sufficient portions of the street system to serve the area proposed for development. Where such construction exceeds the financial responsibility of the developed use as determined by the number of trips generated by that use, the City of Escalon will maintain a “payback” program to ensure that subsequent developers will refund the cost of construction, based on their area affected to the initial developer. Initial improvement costs are shown in Appendix A.

7.4 Economic Development

The long term success of the Specific Plan will be measured in new jobs created and the economic viability of the businesses attracted and retained in the Plan Area. The majority of this Specific Plan serves to “set the stage” for economic growth by providing appropriate sites and the mechanism for constructing necessary infrastructure. But in a highly competitive environment merely setting the state is not sufficient. The City of Escalon, both independently and in alliances with others in San Joaquin County, will actively promote and partner in economic development in the Plan Area. This will be accomplished by actively marketing and recruiting new businesses.

APPENDICES

APPENDIX A

WATER, SEWER, STORM SEWER, AND STREET IMPROVEMENT CALCULATIONS

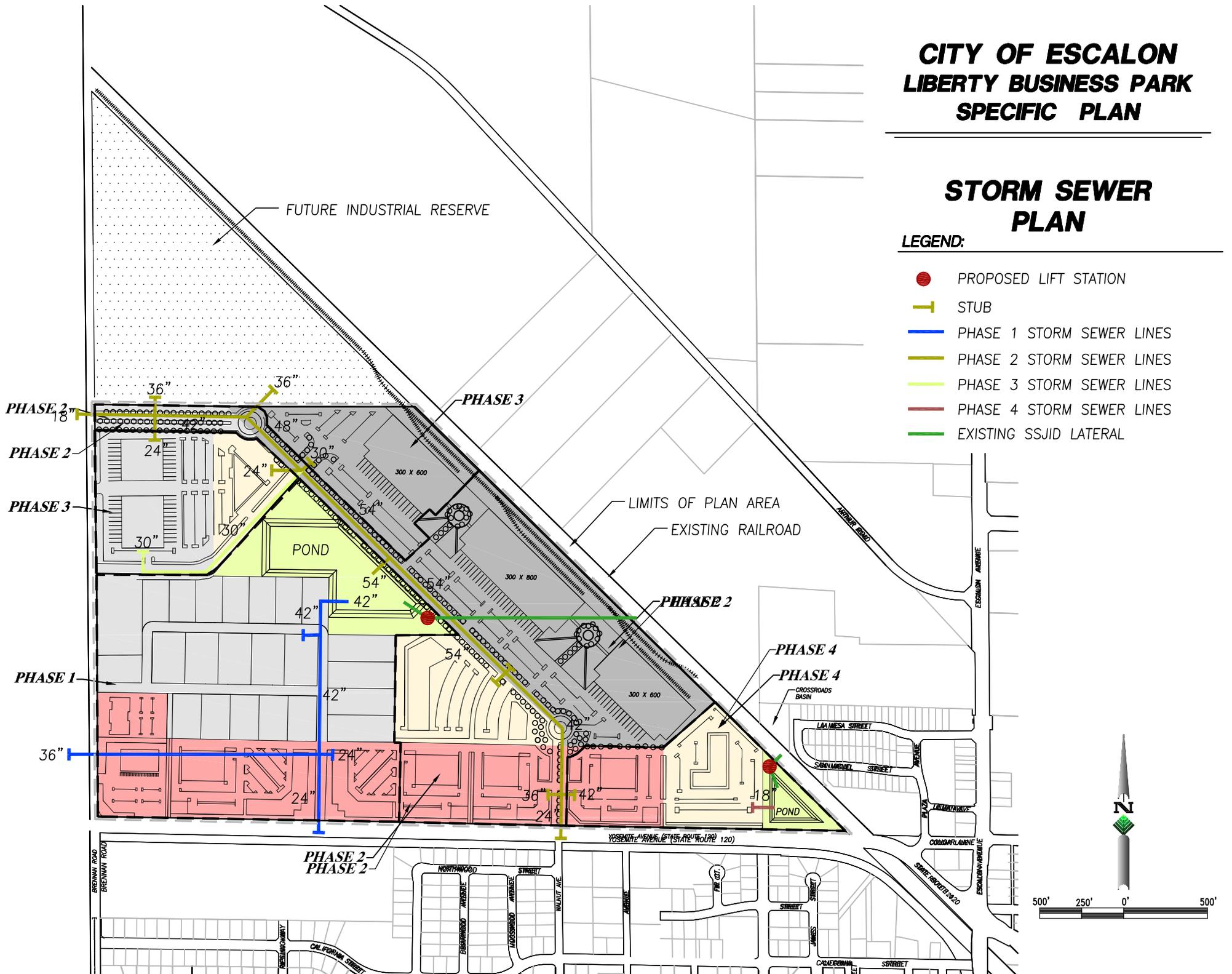
NOTE: Any and all costs listed in section 7.3.5 (Anticipated Infrastructure Development Costs and Responsibility) and the Water, Sewer and Storm Drainage Calculations Appendix of the Liberty Business Park Specific Plan are considered preliminary estimates only and shall not be used as the basis for any financial planning or estimations in the development and sustainability of the Liberty Business Park.

CITY OF ESCALON LIBERTY BUSINESS PARK SPECIFIC PLAN

STORM SEWER PLAN

LEGEND:

- PROPOSED LIFT STATION
- STUB
- PHASE 1 STORM SEWER LINES
- PHASE 2 STORM SEWER LINES
- PHASE 3 STORM SEWER LINES
- PHASE 4 STORM SEWER LINES
- EXISTING SSJID LATERAL

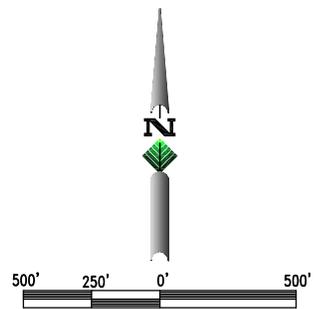
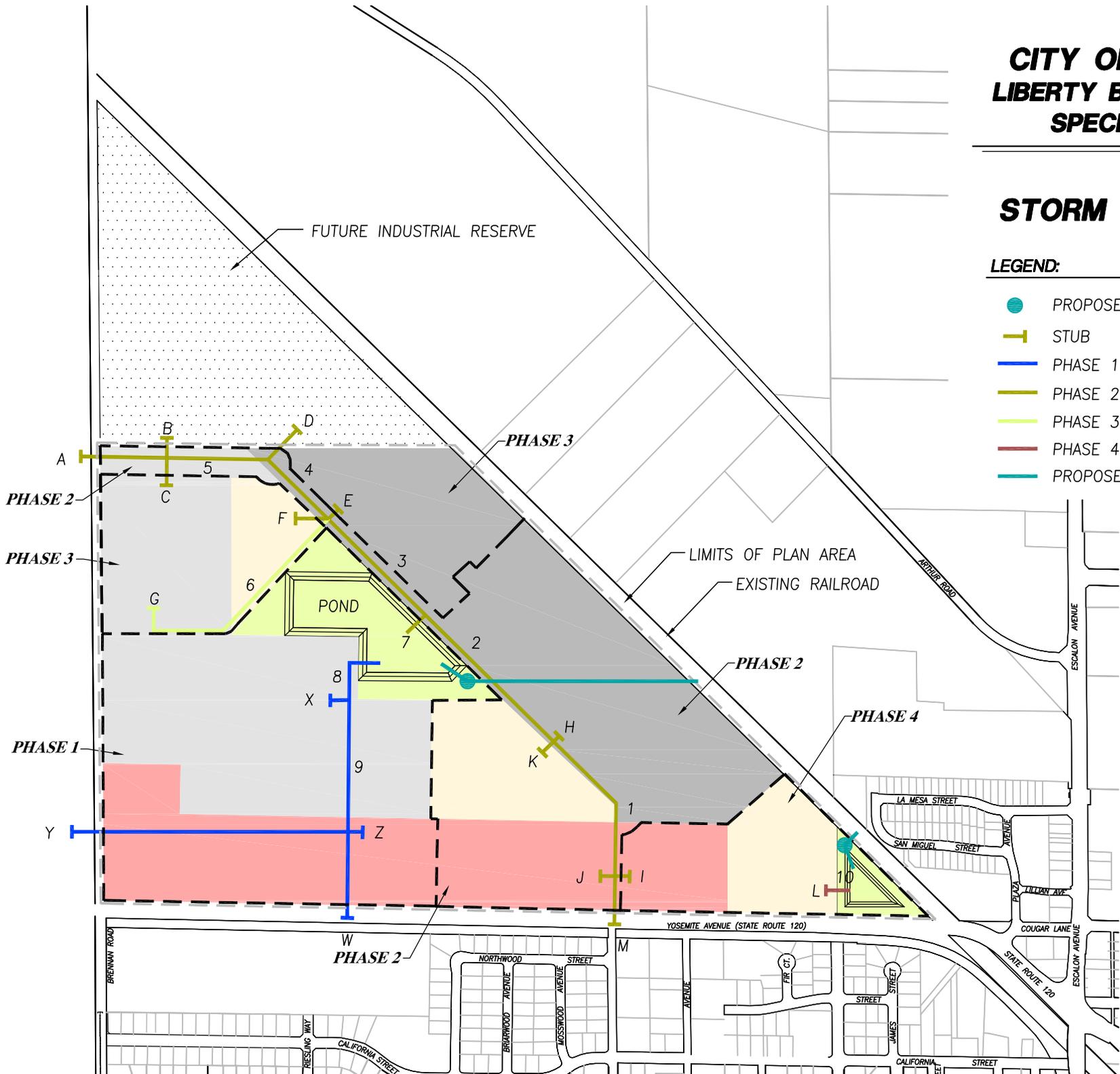


CITY OF ESCALON LIBERTY BUSINESS PARK SPECIFIC PLAN

STORM SEWER KEY

LEGEND:

-  PROPOSED LIFT STATION
-  STUB
-  PHASE 1 STORM SEWER LINES
-  PHASE 2 STORM SEWER LINES
-  PHASE 3 STORM SEWER LINES
-  PHASE 4 STORM SEWER LINES
-  PROPOSED SSJID LATERAL

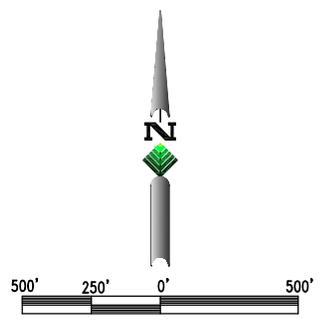
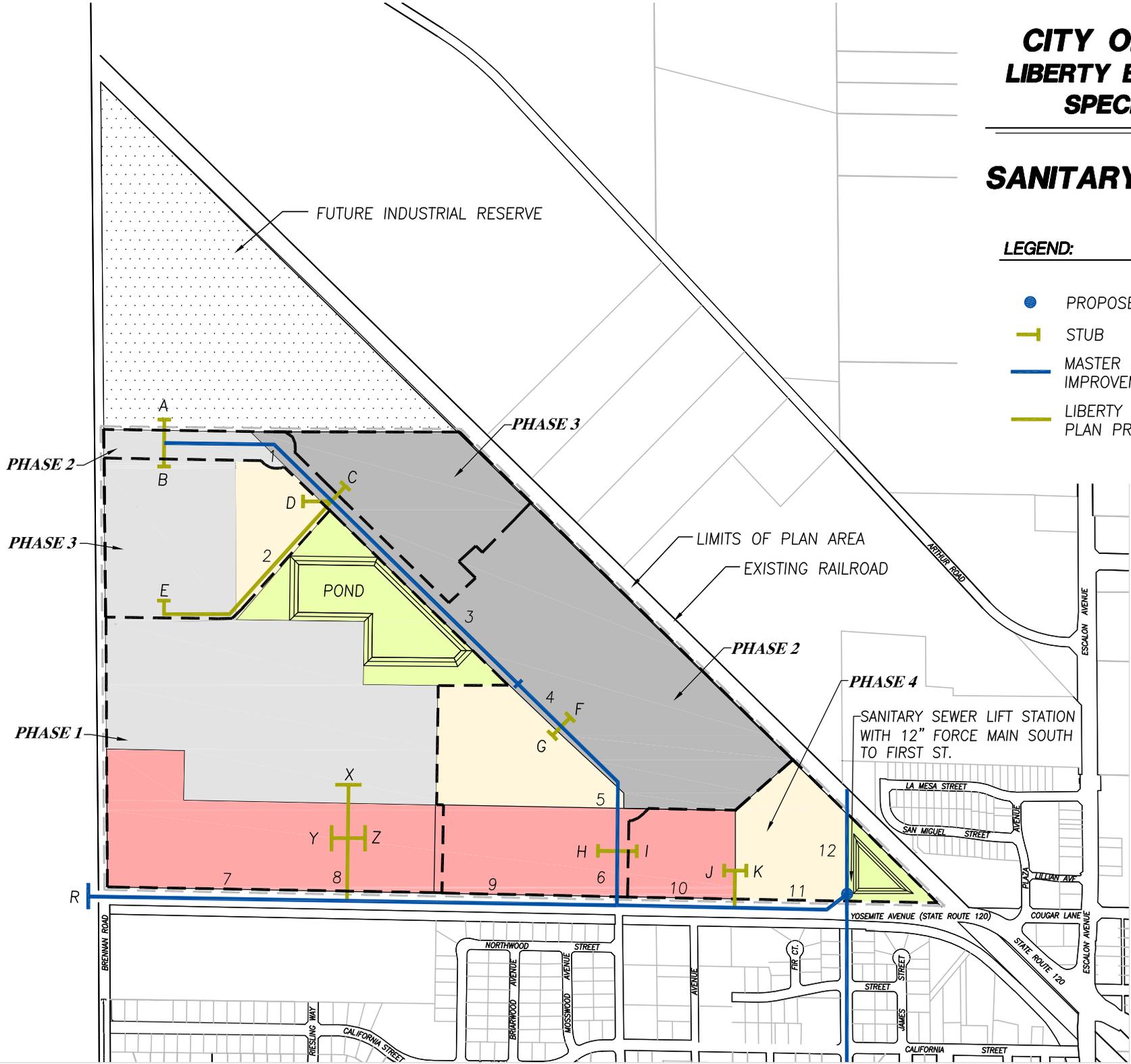


CITY OF ESCALON LIBERTY BUSINESS PARK SPECIFIC PLAN

SANITARY SEWER KEY

LEGEND:

-  PROPOSED LIFT STATION
-  STUB
-  MASTER PLAN PROPOSED IMPROVEMENTS
-  LIBERTY BUSINESS PARK SPECIFIC PLAN PROPOSED IMPROVEMENTS

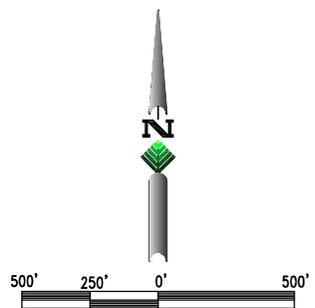
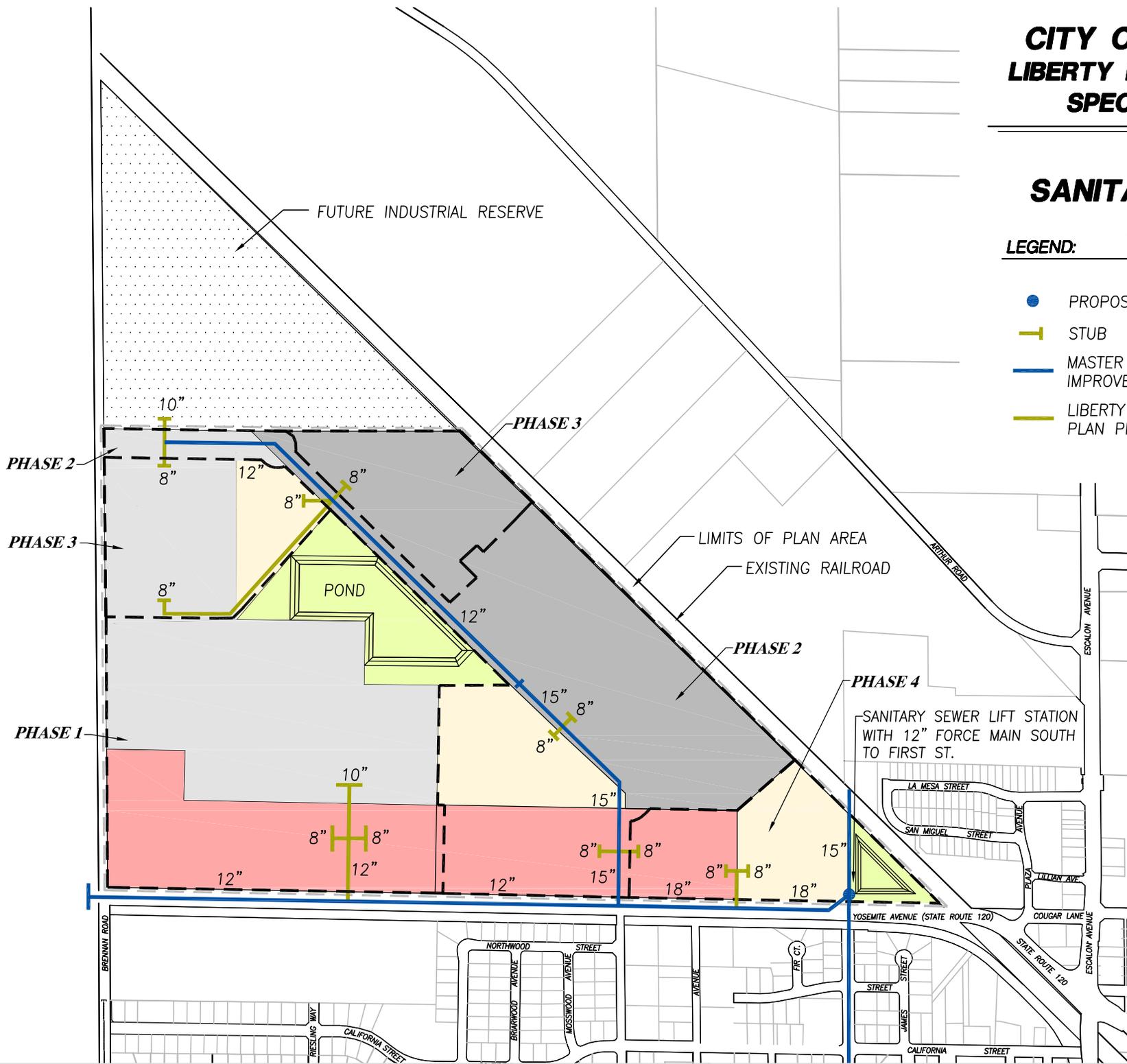


CITY OF ESCALON LIBERTY BUSINESS PARK SPECIFIC PLAN

SANITARY SEWER PLAN

LEGEND:

- PROPOSED LIFT STATION
- STUB
- MASTER PLAN PROPOSED IMPROVEMENTS
- LIBERTY BUSINESS PARK SPECIFIC PLAN PROPOSED IMPROVEMENTS



City of Escalon Liberty Business Park Specific Plan Sanitary Sewer Capital Improvement Plan

Note:

1. Plans are only guidelines for Capital Improvement reimbursement.
2. Plans are based upon parcel acreage and land use, and design flows.
3. Shared main lines are proportioned based on design flows.

Sewer Costs

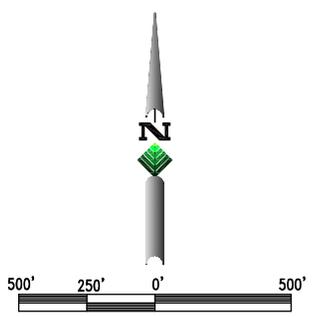
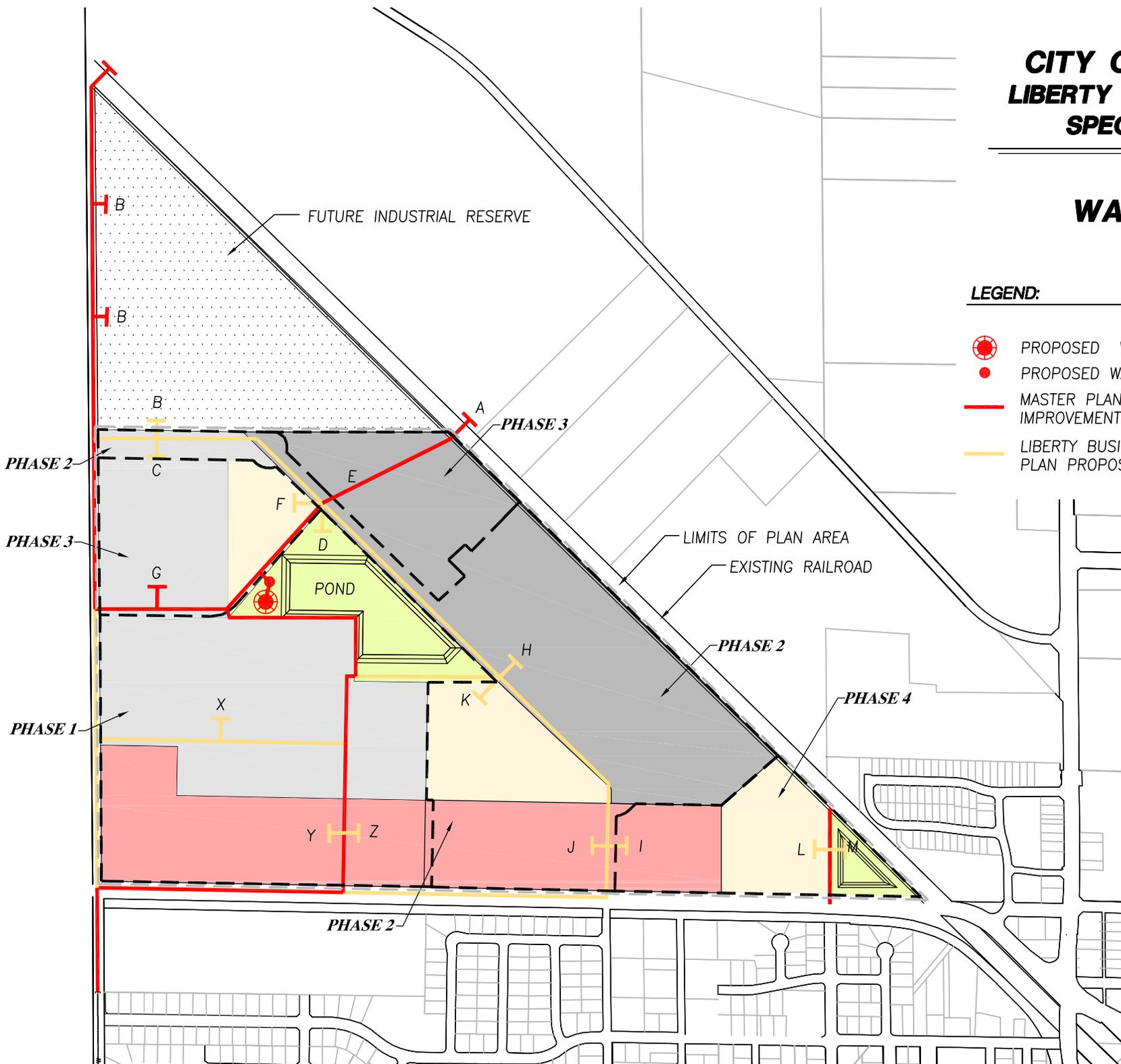
Main-Line	User	Prortion	Dia. (in.)	LF (ft.)	\$/LF	Pipe \$	#MH	\$/MH	MH \$	Total Cost	Proportion Costs
Line-2	E	100%	8	1275	\$70	\$89,250	3	\$6,000	\$18,000	\$107,250	\$107,250
Line-8	X,Y,Z	33%	12	300	\$130	\$39,000	5	\$6,000	\$30,000	\$69,000	\$22,770
Line-13	J,K	25%	18	300	\$70	\$21,000	2	\$6,000	\$12,000	\$33,000	\$8,250
									<u>Total</u>	\$209,250	

CITY OF ESCALON LIBERTY BUSINESS PARK SPECIFIC PLAN

WATER KEY

LEGEND:

-  PROPOSED WATER TANK
-  PROPOSED WATER WELL
-  MASTER PLAN PROPOSED IMPROVEMENTS
-  LIBERTY BUSINESS PARK SPECIFIC PLAN PROPOSED IMPROVEMENTS

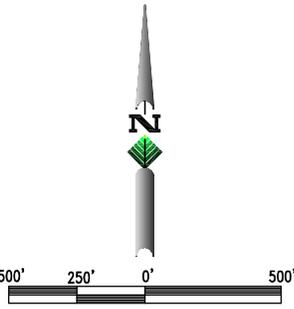
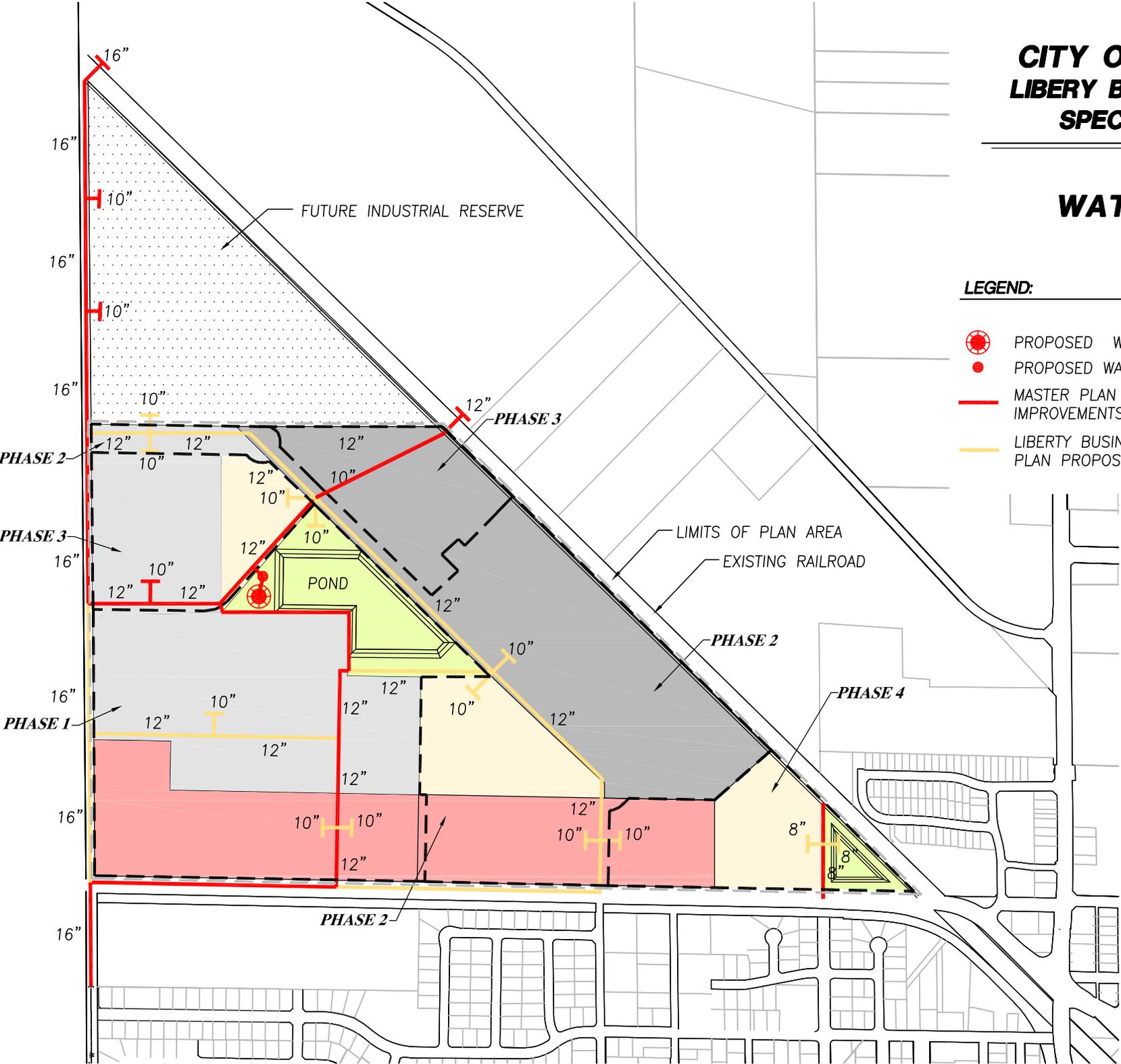


CITY OF ESCALON LIBERTY BUSINESS PARK SPECIFIC PLAN

WATER PLAN

LEGEND:

-  PROPOSED WATER TANK
-  PROPOSED WATER WELL
-  MASTER PLAN PROPOSED IMPROVEMENTS
-  LIBERTY BUSINESS PARK SPECIFIC PLAN PROPOSED IMPROVEMENTS



City of Escalon Liberty Business Park Specific Plan Water Capital Improvement Plan

Note:

1. Plans are only guidelines for Capital Improvement reimbursement.
2. Plans are based upon parcel acreage.
3. Open Space water improvement costs are shared by development

<u>Pipes:</u>	# Units	Unit	Unit Cost	Cost
16" Pipe, DI	2940	LF	\$130.00	\$382,200.00
12" Pipe, DI	6310	LF	\$85.00	\$536,350.00
10" Pipe, PVC	1280	LF	\$60.00	\$76,800.00

Pipes Subtotal: \$995,350.00

<u>Other:</u>	# Units	Unit	Unit Cost	Cost
16" Valve Assembly	24	EA	\$4,800.00	\$115,200.00
12" Valve Assembly	14	EA	\$4,200.00	\$58,800.00
10" Valve Assembly	12	EA	\$3,600.00	\$43,200.00
Fire Hydrants	18	EA	\$8,000.00	\$144,000.00
Blow off Valves	4	EA	\$4,000.00	\$16,000.00

Other Subtotal: \$377,200.00

*****Total** \$1,372,550.00

*****This cost estimate doesn't include the Water Tank/Tower or the Future Industrial Reserve Improvements**

Sub Area	Ac	% *	Cost
A-Future	20	9.61%	\$131,906.20
B-Future	20.37	9.79%	\$134,346.47
C	7.52	3.61%	\$49,596.73
D-Open Space	12.37		
E	15.82	7.60%	\$104,337.81
F	6.33	3.04%	\$41,748.31
G	10.81	5.19%	\$71,295.30
H	33.91	16.29%	\$223,646.97
I	6.53	3.14%	\$43,067.38
J	10.86	5.22%	\$71,625.07
K	10.86	5.22%	\$71,625.07
L	8.23	3.95%	\$54,279.40
M-Open Space	2.85		
X	34.4	16.53%	\$226,878.67
Y	17.63	8.47%	\$116,275.32
Z	4.84	2.33%	\$31,921.30
	<u>223.33</u>	<u>100.0%</u>	<u>\$1,372,550.00</u>
	208.11		

\$6600 / acre

Liberty Business Park

Street Improvements - Shared Project Costs

Timing of Improvements	Location and Description of Improvements	Total Cost	Project "Fair Share" Proportion	Project Cost
Phase 1 To be constructed prior to exceeding 14,400 AADT	Intersection of SR 120 and Brennan Avenue			
	Install Traffic Signal	\$200,000	43.22%	\$86,440
	Restripe/Widen West Leg	\$30,000	43.22%	\$12,966
	Restripe/Widen East Leg	\$35,000	43.22%	\$15,127
	Restripe/Widen South Leg	\$20,000	43.22%	\$8,644
	Restripe/Widen North Leg	\$30,000	43.22%	\$12,966
	Intersection of SR 120 and Walnut Avenue (Access Point No. 3)			
	Install Traffic Signal	\$200,000	58.79%	\$117,580
	Widen East Leg	\$35,000	58.79%	\$20,577
	Restripe/Widen South Leg	\$30,000	58.79%	\$17,637
	Restripe/Widen West Leg	\$25,000	58.79%	\$14,698
	Intersection of SR 120 and Irwin Avenue			
	Convert to Right-in/Right-Out	\$12,000	54.30%	\$0
	Intersection of SR 120 and McHenry Avenue (Escalon-Bellota Road)			
	Restripe/Widen West Leg (Increase storage length)	\$35,000	40.08%	\$14,028
Phase 2 To be constructed prior to exceeding 25,000 AADT	Intersection of SR 120 and Access Point No. 2 (New Minor Collector)			
	Restripe/Widen North Leg	\$30,000	100.00%	\$30,000
	Intersection of SR 120 and Walnut Avenue (Access Point No. 3)			
	Restripe/Widen West Leg	\$35,000	58.79%	\$20,577
	Restripe/widen East Leg	\$35,000	58.79%	\$20,577
	Transitions From 6 Lanes to 4 Lanes	\$80,000	58.79%	\$47,032
Phase 3 To be constructed prior to exceeding 27,500 AADT	Segment of SR 120 from Brennan Avenue to Plaza Avenue			
	Widen From 4 Lanes to 6 Lanes	\$750,000	100.00%	\$750,000
	Intersection of SR 120 and Walnut Avenue (Access Point No. 3)			
	Restripe/Widen North Leg	\$30,000	58.79%	\$17,637
	Intersection of SR 120 and Brennan Avenue			
Restripe/Widen West Leg	\$35,000	53.22%	\$18,627	
Restripe/Widen East Leg	\$35,000	53.22%	\$18,627	

Liberty Business Park

Street Improvements - Shared Project Costs

Timing of Improvements	Location and Description of Improvements	Total Cost	Project "Fair Share" Proportion	Project Cost
Phase 4 To be constructed prior to full buildout (33,133 AADT)	Intersection of SR 120 and Access Point No. 2 (New Minor Collector)			
	Restripe/Widen West Leg	\$35,000	100.00%	\$35,000
	Restripe/Widen East Leg	\$35,000	100.00%	\$35,000
Totals		\$1,752,000		\$1,313,738
Total Project Trips (From Traffic Study)				33,133
Street Improvement Costs per Project Trip				\$40

APPENDIX B

GLOSSARY

GLOSSARY

AGRICULTURAL PRESERVE

Land designated for agricultural or conservation (see “Williamson Act”).

AGRICULTURE

Use of land for the production of food and fiber, including the growing of crops and/or the grazing of animals on natural prime or improved pasture land.

CALTRANS

California Department of Transportation

CAPITAL IMPROVEMENTS PROGRAM (CIP)

A program, administered by a city or county government and reviewed by its planning commission, which schedules permanent improvement, usually for a minimum of five years in the future, to fit the projected fiscal capability of the local jurisdiction. The program generally is reviewed annually, for conformance to and consistency with the general plan.

COMMERCIAL

A land use classification which permits facilities for the buying and selling of commodities and services.

COMMERCIAL STRIP

Commercial development, usually one store deep, that fronts on a major street for a distance of one city block or more. Includes individual buildings on their own lots, with or without on-site parking, and small linear shopping centers with shallow on-site parking in front of the stores.

COMPATIBLE

Capable of existing together without conflict or ill effects.

GENERAL PLAN

A compendium of city or county policies regarding long-term development, in the form of maps and accompanying text. The General Plan is a legal document required of each local agency by the State of California Government Code Section 65301 and adopted by the City Council or Board of Supervisors. In California, the General Plan has seven mandatory elements (Circulation, Resource Conservation, Housing, Land Use, Noise, Open Space, Safety, and Air

Quality), and may include any number of optional elements (such as Economic Development, Community Design, Public Facilities and Services).

HABITAT

The physical location or type of environment in which an organism or biological population lives or occurs.

INDUSTRIAL

The manufacture, production, and processing of consumer goods. Industrial is often divided into “heavy industrial” uses, such as construction yards, quarrying, and factories; and “light industrial” uses, such as research and development, and less intensive warehousing and manufacturing.

INFRASTRUCTURE

The basic components of a city, such as streets, sewers, drainage, sidewalks, curbs and gutters, street lights and water systems.

JOBS/HOUSING BALANCE; JOBS/HOUSING RATIO

The availability of affordable housing for employees. The jobs/housing ratio divides the number of jobs in an area by the number of employed residents. A ratio of 1.0 indicated a balance. A ratio of greater than 1.0 indicated a net in-commute. A ratio of less than 1.0 indicated a net out-commute.

LOCAL AGENCY FORMATION COMMISSION (LAFCo)

A five- or seven-member commission within each county that reviews and evaluates all proposals for formation of special districts, incorporation of cities, consolidation of districts, and merger of districts with cities. Each county’s LAFCo is empowered to approve, disapprove, or conditionally approve such proposals.

OPEN SPACE LAND

Any parcel or area of land or water which is essentially unimproved and devoted to an open space use for the purposes of (1) the preservation of nature resources, (2) the managed production of resources, (3) outdoor recreation, or (4) public health and safety.

ORDINANCE

A law or regulation set forth and adopted by a government authority, usually a city or county.

POLICY

A specific statement of principle or of guiding actions which implies clear commitment but is not mandatory. A general direction that a government agency sets to follow, in order to meet its goals and objectives before undertaking an action program.

PROGRAM

An action, activity, or strategy carried out in response to adopted policy to achieve a specific goal or objective. Policies and programs establish the “who,” “how,” and “when” for carrying out the “what” and “where” of goals and objectives.

PUBLIC AND QUASI-PUBLIC FACILITIES

Institutional, academic, governmental and community service uses, either publicly owned or operated by non-profit organizations.

SHALL

That which is obligatory or necessary.

SHOULD

Signifies a directive to be honored, if at all possible.

SLOPE

Land gradient described as the vertical rise divided by the horizontal run, and expressed in percent.

SOIL

The unconsolidated material on the immediate surface of the earth created by natural forces that serves as natural medium for growing land plants.

SOUND LEVEL

The sound pressure level in decibels as measured on a sound level meter using the A-weighting filter network. The A-weighting filter deemphasizes the very low and very high frequency components of the sound in a manner similar to the response of the human ear and gives good correlation with subjective reactions to noise.

SPECIFIC PLAN

Under Article 8 of the Government Code, a legal tool for detailed design and implementation of a defined portion of the area covered by a General Plan. A specific plan may include all detailed regulations, conditions, programs, and/or proposed legislation which may be necessary or convenient for the systematic implementation of any General Plan element(s).

SPHERE OF INFLUENCE

The probable ultimate physical boundaries and service area of a local agency (city or district) as determined by the Local Agency Formation Commission (LAFCo) of the county.

STANDARDS

- (1) A rule or measure establishing a level of quality or quantity that must be complied with or satisfied. The State Government Code requires that general plans spell out the objectives, principles, “standards,” and proposals of the general plan.

Examples of standards might include the number of acres of park land per 1,000 population that the community will attempt to acquire and improve, or the “traffic Level of Service (LOS)” that the plan hopes to attain.

- (2) Requirements in a zoning ordinance that govern building and development as distinguished from the use restrictions.

An example of requirements might include site design regulations such as lot area, height limit, frontage, landscaping, and floor area ratio (FAR).

STREET FURNITURE

Those features associated with a street that are intended to enhance the street’s physical character and use by pedestrians, such as benches, trash receptacles, kiosks, lights, and newspaper racks.

STRUCTURE

Anything constructed or erected which requires location on the ground (excluding swimming pools, fences, and walls used as fences).

TRANSIT

The conveyance of persons or goods from one place to another by means of a local, public transportation system.

TRANSIT, PUBLIC

A system of regularly-scheduled buses and/or trains available to the public on a fee-per-ride basis. Also called “Mass Transit.”

TRANSPORTATION SYSTEMS MANAGEMENT (TSM)

A comprehensive strategy developed to address the problems caused by additional development, increasing trips, and a shortfall in transportation capacity. TSM focuses on more efficiently utilizing existing highway and transit systems rather than expanding them. TSM measures are characterized by their low cost and quick implementation time frame, such as computerized traffic signals, metered freeway ramps, and one-way streets.

TRIP

A one-way journey that proceeds from an origin to a destination via a single mode of transportation; the smallest unit of movement considered in transportation studies. Each trip has one “production end,” (or origin – often from home, but not always) and one “attraction end” (destination).

TRIP GENERATION

The dynamics that account for people making trips in automobiles or by means of public transportation. Trip generation is the basis for estimating the level of use for a transportation system and the impact of additional development or transportation facilities on an existing, local transportation system. Trip generation of households is correlated with destination that attract member for specific purposes.

VACANT

Lands or buildings which are not actively used for any purpose.

VIEWSHED

The area within view from a defined observation point.

WILLIAMSON ACT

Known formally as the California Land Conservation Act of 1965, it was designed as an incentive to retain prime agricultural land and open space in agricultural use, thereby slowing its conversion to urban and suburban development. The program entails a ten-year contract between the city or county and an owner of land whereby the land is taxed on the basis of its agricultural use rather than its market value. The land becomes subject to certain enforceable restrictions, and certain conditions need to be met prior to approval of an agreement.

ZONING

The division of a city or county by legislative regulations into areas, or zones, that specify allowable uses for real property and size restrictions for building within these areas; a program that implements policies of the general plan.

ZONING DISTRICT

A designated section of the city or county for which prescribed land use requirements and building and development standards are uniform.

ZONING MAP

Government Code permits a legislative body to divide a county, city, or portions thereof, into zones of the number, shape, and areas it deems best suited to carry out the purposes of the zoning ordinance. These zones are delineated on a map or maps, called the Zoning Map.

APPENDIX C
RESOLUTION AND EXHIBITS

RESOLUTION NO. 48-07

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCALON
CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING FINDINGS
PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPTING A
STATEMENT OF OVERRIDING CONSIDERATIONS, ADOPTING A MITIGATION
MONITORING PLAN, AND APPROVING THE LIBERTY BUSINESS PARK SPECIFIC PLAN**

WHEREAS, the City Council of the City of Escalon (“City”) initiated the formation of the Liberty Business Park Specific Plan (“Project”) to guide growth in an important new gateway area of the community; and,

WHEREAS, the City solicited input from the community as a whole, as well as the owners of the subject site, with respect to the proposed Project; and,

WHEREAS, the City of Escalon prepared a Draft Environmental Impact Report (“EIR”) on the proposed Project in accordance with State law; and

WHEREAS, on March 14, 2007 the Draft EIR was released by the City of Escalon to the public and local and State agencies for review; and

WHEREAS, a public notice was published in the Escalon Times, and mailed to all persons requesting notice, of the availability of the Draft EIR and a 45-day review period for commenting on the Draft EIR, and said public review period ended on April 28, 2007; and

WHEREAS, a Final EIR (“FEIR”) on the Project was prepared incorporating all comments on the Draft EIR received during the public review period and responses thereto; and

WHEREAS, a public notice was published in the Escalon Times, and mailed to all persons requesting notice, of the date, time, and location of the City Council public hearing to comment on the Liberty Business Park Specific Plan; and

WHEREAS, the Planning Commission held a public hearing on the Project on August 14, 2007 and considered all information and public comments related thereto; and

WHEREAS, the Planning Commission adopted Resolution 2007-01 on August 14, recommending certification of the EIR, adoption of findings, adoption of a statement of overriding considerations and a mitigation monitoring plan, and approval of the Specific Plan; and

WHEREAS, the City Council held a public hearing on the Project on November 5, 2007 and considered all information and public comments related thereto; and

WHEREAS, the City Council finds that the Liberty Business Park Specific Plan is consistent with the Escalon General Plan and would not be detrimental to the public interest, health, safety, convenience, and welfare of the City; and

WHEREAS, the City has satisfied the requirements of California Government Code section 65352.3 with regard to this Project; and

WHEREAS, the City Council has reviewed the Final EIR and finds that it has been prepared and completed in compliance with the California Environmental Quality Act Statutes and Guidelines; and

WHEREAS, the City Council finds the Final EIR reflects the independent judgment and analysis of the City of Escalon; and

WHEREAS, environmental impacts, including environmental impacts identified in the Final EIR as potentially significant but which the City finds can be substantially lessened through the imposition of feasible mitigation measures identified in the Final EIR and set forth herein, and which the Final EIR identified as significant and unavoidable despite the imposition of feasible mitigation measures, are described in **Exhibit A** hereto; and

WHEREAS, because the Final EIR identified significant and unavoidable impacts, the City Council explains its reasoning for adopting the Project despite those impacts in the Statement of Overriding Considerations in **Exhibit B** hereto; and

WHEREAS, the Mitigation Monitoring Plan sets forth the mitigation measures to which the City shall bind itself in connection with this Project and is attached hereto as **Exhibit C**; and

WHEREAS, prior to making this recommendation, the City Council has heard, been presented with, reviewed and considered all of the information and data in the administrative record, including the Final EIR, and all oral and written evidence presented to it during all meetings and hearings; and

WHEREAS, the Final EIR reflects the independent judgment of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ESCALON:

SECTION 1. The City Council of the City of Escalon finds that the Final EIR has been completed in compliance with CEQA; that the Final EIR was presented to the City Council and that the City Council reviewed and considered the information contained in the Final EIR prior to approving the Project, and that the Final EIR reflects the independent judgment and analysis of the City.

SECTION 2. Based on the entire record before the City Council, all written and oral evidence presented, the City Council adopts the CEQA Findings attached as Exhibit A to this Resolution, certifies the Final EIR and adopts the Statement of Overriding Considerations attached as Exhibit B to this Resolution.

SECTION 3. Pursuant to Public Resources Code section 21081.6, the City Council of the City of Escalon hereby adopts the Mitigation Monitoring Plan attached to this Resolution as Exhibit C. In the event of any inconsistencies between the mitigation measures as set forth in Exhibit A and the Mitigation Monitoring Plan, the Mitigation Monitoring Plan shall control.

SECTION 4. The City Council hereby approves the Liberty Business Park Specific Plan.

SECTION 5. The City Council directs staff to file a Notice of Determination with respect to the certification of the EIR for the Liberty Business Park Specific Plan.

PASSED, APPROVED AND ADOPTED this 5th day of November 2007, by the following vote:

AYES: Councilmembers Fox, Murken, Van Houten and Mayor Haskin
NOES: None
ABSENT: Councilmember Alves


GARY L. HASKIN, Mayor

ATTEST:


LISA NEBE, City Clerk

EXHIBIT "A"

CEQA FINDINGS FOR THE LIBERTY BUSINESS PARK SPECIFIC PLAN

Section I – Findings

A. Project Description

On June 6, 2005, the City Council of the City of Escalon adopted a comprehensive update to the General Plan, which designated a substantial area in the northwest portion of the community for industrial uses. The adopted General Plan calls for the preparation of a Specific Plan for the Liberty Business Park.

Pursuant to its General Plan, the City of Escalon ("City") now proposes to adopt a specific plan and authorize development of the Liberty Business Park Specific Plan ("Project"). The specific plan designates land for Rail Oriented Industrial, Light Industrial, Commercial, Office and Open Space uses. The project is located on 178.4 acres of land at the northeast corner of Brennan Avenue and SR 120 in the City of Escalon. The project is expected to be constructed in four phases over a development period of approximately twenty years.

Site improvements, including road construction and the provision of utilities, etc. will be constructed as development at the subject site occurs. Such improvements will include the following:

- Widening of SR 120 and Brennan Avenue and installation of traffic controls as determined by the traffic study.
- Construction of a major collector and a minor collector providing internal circulation and connection to Brennan Avenue and SR 120.
- Installation of enhanced landscaping treatments along the frontages of Brennan Avenue and SR 120 and along the internal collector streets.
- Extension of domestic water service to and throughout the subject site from the existing municipal system at several connection points including: the intersection of SR 120 and Walnut Avenue; Brennan Avenue at the Santa Fe Railroad crossing; and Brennan Avenue, approximately 500 feet south of SR 120; and SR 120 at the Santa Fe Railroad crossing. A new water well and 1 or 2 million gallon water tanks to be located in the plan area, as described in the Specific Plan.
- Extension of sanitary sewer service to and throughout the subject site from the existing municipal system. This may require installation of an on-site lift station and off-site pipelines and phased off-site improvements.
- Installation of an on-site storm water collection and detention system, with the potential to discharge to existing facilities of the South San Joaquin Irrigation District. It is anticipated that eventual storm drainage connection will be made to existing irrigation facilities, however, it may be determined that additional off-site improvements are necessary to provide adequate capacity.

The City certified an environmental impact report ("EIR") in connection with its recent General Plan Update (SCH No. 2004092075) ("General Plan EIR"). The General Plan EIR addressed many of the potential environmental impacts that may result from implementation of the Project. Pursuant to section 21083.3 of the Public Resources Code, the EIR for the Project need not repeat the analysis that was contained in the General Plan EIR. Rather, the EIR for the Project

need only focus on potential impacts that are peculiar to the Project and its location. Thus, the EIR for the Project tiers from the General Plan EIR and specifically incorporated the General Plan EIR by reference. Further, the EIR for the Project may function as a program EIR for later discretionary approvals associated with the Project.

B. Legal Requirements

Public Resources Code § 21002 states that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” Section 21002 further states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.”

Pursuant to Section 15091 of the State CEQA Guidelines, the City may only approve or carry out a project for which an EIR has been completed that identifies any significant environmental effects if the City makes one or more of the following written finding(s) for each of those significant effects accompanied by a brief explanation of the rationale for each finding:

1. Changes or alterations have been required in, or incorporated into, the project which will avoid or substantially lessen the significant environmental impact as identified in the EIR; or
2. Such changes or alterations are within the responsibility and jurisdiction of a public agency other than the City, and such changes have been adopted by such other agency, or can and should be adopted by such other agency; or
3. Specific economic, social, legal or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR.

Notably, section 21002 requires an agency to “substantially lessen or avoid” significant adverse environmental impacts. Thus, mitigation measures that “substantially lessen” significant environmental impacts, even if not completely avoided, satisfy section 21002’s mandate. (Laurel Hills Homeowners Association v. City Council (1978) 83 Cal.App.3d 515, 521 (“CEQA does not mandate the choice of the environmentally best feasible project if through the imposition of feasible mitigation measures alone the appropriate public agency has reduced environmental damage from a project to an acceptable level”); Las Virgenes Homeowners Federation, Inc. v. County of Los Angeles (1986) 177 Cal. App. 3d 300, 309 (“[t]here is no requirement that adverse impacts of a project be avoided completely or reduced to a level of insignificance . . . if such would render the project unfeasible”).)

CEQA requires that lead agencies adopt feasible mitigation measures or alternatives to substantially lessen or avoid significant environmental impacts. An agency need not, however, adopt infeasible mitigation measures or alternatives. (State CEQA Guidelines, § 15091, subs. (a), (b).) Public Resources Code section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.” State CEQA Guidelines section 15091 adds “legal” considerations as another indicia of feasibility. (See also Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553, 565.) Project objectives also inform the determination of “feasibility.” (City of Del Mar v. City of San Diego (1982) 133 Cal.App.3d 401,

417.) "[F]easibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (*Id.*; see also Sequoyah Hills Homeowners Assn. v. City of Oakland (1993) 23 Cal.App.4th 704, 715.)

Environmental impacts that are less than significant do not require the imposition of mitigation measures. (Leonoff v. Monterey County Board of Supervisors (1990) 222 Cal.App.3d 1337, 1347.)

The California Supreme Court has stated, "[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553, 576.) In addition, perfection in a project or a project's environmental alternatives is not required; rather, the requirement is that sufficient information be produced "to permit a reasonable choice of alternatives so far as environmental aspects are concerned." Outside agencies (including courts) are not to "impose unreasonable extremes or to interject [themselves] within the area of discretion as to the choice of the action to be taken." (Residents Ad Hoc Stadium Com. v. Board of Trustees (1979) 89 Cal.App.3d 274, 287.)

C. Summary of Environmental Findings

At a regular session assembled on November 5, 2007, the City Council determined that based on all of the evidence presented, including, but not limited to, the Final EIR, written and oral testimony given at meetings and hearings, and submission of comments from the public, organizations and regulatory agencies, the following environmental impacts associated with the Project are: 1) less than significant and do not require mitigation; 2) potentially significant and but can be avoided or reduced to a level of insignificance through the identified mitigation measures; or (3) significant and unavoidable. This document contains the findings required under the California Environmental Quality Act ("CEQA") (Public Resources Code, §§ 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, title 14, §§15000 et seq.).

Public Resources Code section 21081.6 requires the City to prepare and adopt a mitigation monitoring and reporting program for any Project for which mitigation measures have been imposed to assure compliance with the adopted mitigation measures. The City is adopting a Mitigation Monitoring and Reporting Program for the Project set out in Exhibit C of the City Council's approval resolution.

No comments made in the public hearings conducted by the Planning Commission or City Council or any additional information submitted to the City has produced any substantial new information requiring recirculation or additional environmental review of the Final EIR under CEQA because no new significant environmental impacts were identified, no substantial increase in the severity of any environmental impacts would occur, and no feasible Project mitigation measures or Project alternatives as defined in State CEQA Guidelines section 15088.5 were rejected.

Section II – Impacts That Are Less Than Significant and Do Not Require Mitigation

Section 15091 of the State CEQA Guidelines does not require specific findings to address environmental effects that an EIR identifies as "less than significant." The Initial Study for the Project, contained in Appendix A of the EIR, identified several potential impacts as less than significant without mitigation. Evidence supporting that determination is contained in the Initial Study, which is incorporated herein by reference. In certifying the EIR, the City Council adopts the rationale and determinations contained in the Initial Study.

Several potential impacts of the Project were carried forward for further study in the EIR, but were determined to be less than significant without mitigation. Those less than significant impacts, and the reasons therefore, are summarized below:

A. Aesthetics – Light and Glare

The EIR found that light from security lighting, parking lot lighting and illuminated signs will be noticeable to existing and future residents near the project site and to motorists along Brennan Avenue and State Route 120. Such lighting could result in direct and impacts to adjacent uses and could contribute to a cumulative light and glare impact. (EIR, at p. 3-4.) The Project includes several specific policies addressing lighting, including:

- Lighting should be used to provide illumination for security and safety of on-site areas such as parking, loading, shipping and receiving, pathways, and working areas.
- The design of light fixtures and their structural support shall be architecturally compatible with main buildings on-site. Illuminators should be integrated within the architectural design for the buildings.
- As a security device, lighting should be adequate but not overly bright. All building entrances should be well lighted.
- One footcandle evenly distributed across a parking lot is the required minimum. At entrances and loading areas, up to two footcandles may be appropriate.
- All lighting should be shielded to confine light spread within the site boundaries. In no case will direct illumination of adjacent properties with a source that exceeds 0.5 footcandles be permitted. Shielding shall be sufficient to prevent indirect illumination on adjacent parcels from exceeding 0.5 footcandles.

(Specific Plan, at p. 4-12.) Implementation of these policies, as well as policies in the General Plan, would reduce potential light and glare impacts to a less than significant level without additional mitigation. (EIR, at p. 3-4.)

B. Agricultural Zoning

As originally proposed, the Project extended northward beyond the City's corporate limits onto a land that is subject to a Williamson Act contract. (Initial Study, Figure 2; EIR, Figure 3.2-2.) The Project has since been revised to fall exclusively within the City limits. Thus, the Project will no longer have any impact on land subject to a Williamson Act contract, and this impact is less than significant without additional mitigation. (EIR, at p. 3-6.)

C. Traffic Noise

Project-related traffic may affect ambient noise levels. (EIR, at p. 3-45.) Such noise impacts were addressed in the General Plan and General Plan EIR, which concluded that noise impacts would be less than significant. The Project is consistent with the General Plan; therefore, its impacts will also be less than significant. (EIR, at p. 3-46.)

D. Population Growth

The General Plan designated the Project area for industrial and commercial uses, and the General Plan EIR addressed impacts related to population growth. The jobs/housing mix in the City is skewed toward housing, meaning that City residents generally commute to jobs outside of the City. Creation of industrial and commercial jobs within the City would, therefore, create a more balanced jobs/housing mix. The General Plan EIR concluded that population impacts would be less than significant without mitigation. Because the Project is consistent with the General Plan, population impacts of the Project will be less than significant. (EIR, at p. 3-47.)

E. Other Less Than Significant Impacts

One comment submitted during the public review period on the EIR suggested that the EIR did not adequately address global environmental problems that could result from the Project. While no comments were specifically raised addressing the potential global warming phenomenon, the City provides the following explanation regarding its conclusions on that issue. First, the City recently adopted its General Plan. The General Plan EIR concluded that air quality impacts of the development with the City would be significant and unavoidable. This Project is consistent with the General Plan, and so no further environmental review of the Project's air quality impacts is required. (Pub. Resources Code, § 21083.3.) Moreover, the City notes that while the Project will involve an increase in vehicle trips, it includes several features which would likely minimize greenhouse gas emissions that would typically be associated with industrial and commercial projects. For example, the Project is specifically situated to take advantage of the proximity to rail transport. Additionally, since the Project site fronts on SR 120, commercial uses are likely to attract pass-through trips of persons traveling through the City on their way to Yosemite and other destinations. Finally, the Project will improve the City's jobs/housing balance by providing high-quality jobs in a housing-rich area, thereby potentially reducing vehicle miles traveled by City residents. Because of these and other features of the Project, the City has determined that the Project's contributions to global climate change will be less than significant.

Additionally, the City prepared a Water Supply Assessment in connection with the Project pursuant to section 10910 of the California Water Code. The Assessment, included as Appendix F of the Final EIR, concludes that sufficient water supplies exist for the Project. The City Council adopts the analysis included in the Water Supply Assessment, which is incorporated herein by reference.

Section III – Potentially Significant Environmental Impacts That Have Been Reduced to a Less Than Significant Level Through the Implementation of Mitigation Measures

The City Council finds that the following environmental impacts identified in the EIR are

potentially significant but can be mitigated to a less than significant level. The potentially significant impacts and the mitigation measures which will reduce them to a less than significant level are set out in the EIR and are summarized as follows:

A. Air Quality – Construction (Particulate Matter)

Impact

Construction activity could occur on areas large enough to exceed the threshold of significance for the generation of fugitive dust; therefore, the project could have a significant air quality impact related to the generation of particulate matter (PM10 and PM2.5).

Finding

Changes or alterations have been required in, or incorporated into, the project which will avoid or substantially lessen the significant environmental impact as identified in the EIR to a less than significant level.

Rationale

The California Air Resources Board (“CARB”) estimates that for each acre under construction approximately 7.3 pounds of dust per day are generated if no dust control measures are implemented. Construction impacts for the Project would last for a period of several months at a time in a minimum of four periods over the course of the anticipated twenty year buildout. Construction dust impacts are considered to be potentially significant on a localized basis. The potential for dust nuisance would exist during early stages of construction when disturbance of soil is greatest. (EIR, at p. 3-26.)

Construction equipment and vehicles would also generate exhaust emissions during active construction. Although operated temporarily at construction sites, construction equipment is a substantial source category within the San Joaquin Valley Air Basin, generating ozone precursors as well as particulate matter. (EIR, at p. 3-26.)

The San Joaquin Valley Air Pollution Control District’s (“SJVAPCD”) Regulation VIII applies during the construction phase of the Project. The SJVAPCD indicates that implementation of Regulation VIII reduces dust generation by 50 percent. Regulation VIII requires, among other things:

- Effective dust suppression for land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill and demolition activities.
- Effective stabilization of all disturbed areas of a construction site, including storage piles, not used for seven or more days.
- Control of fugitive dust from on-site unpaved roads and off-site unpaved access roads.
- Removal of accumulations of mud or dirt at the end of the work day or once every 24 hours from public paved roads, shoulders and access ways adjacent to the site.

These measures will be enforced by the San Joaquin Valley Air Pollution Control District. Additionally, a Dust Control Plan, will be prepared and the appropriate fee paid. Violations of the requirements of Regulation VIII are subject to enforcement action. These violations are indicated by the generation of visible dust clouds and/or generation of complaints. (EIR, at pp.

3-26 to 3-27.)

In addition to Regulation VIII requirements, the SJVAPCD has also identified additional “enhanced control measures” that may be appropriate due to project size or proximity of the project to sensitive receptors:

- Limit traffic speeds on unpaved roads to 15 mph.
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.

If the “enhanced control measure” will not be implemented for these very large or sensitive projects, then construction impacts would be considered significant (unless the Lead Agency provides a satisfactory detailed explanation as to why a specific measure is unnecessary). (EIR, at p. 3-27.)

The SJVAPCD has determined that compliance with Regulation VIII for all sites and implementation of the other control measures, discussed above, as appropriate depending on the size and location of the project site, will constitute sufficient mitigation to reduce PM-10 impacts to a level considered less-than-significant. (SJVAPCD, Guide for Assessing and Mitigating Air Quality Impacts, Jan. 2002 (“Guide”), at pp. 24, 66.)

The SJVAPCD also encourages several additional measures that may be implemented if further emission reductions are deemed necessary by the Lead Agency. Those additional optional measures include:

- Install windbreaks at windward side(s) of construction areas.

Such control measures are encouraged at construction sites that are large in area, located near sensitive receptors, or which for any other reason, warrants additional emissions reductions. Notably, the additional measures are only encouraged, and are not necessarily required to determine that impacts are less than significant. (Guide, at pp. 24, 66.) The City has chosen to implement the measure identified above for all development associated with the Project. As developments are proposed, individual project characteristics may require additional review under CEQA and additional mitigation measures may be required. The mitigation measures described above are sufficient, however, to mitigate the planning level impacts of this Project to a less than significant level.

Mitigation Measure 3.3.2

For any phase of construction in which an area greater than twenty (20) acres will be disturbed on any one day, the project developer shall implement the following measures.

- Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.
- Install wind breaks at windward side(s) of construction areas.
- Limit traffic speeds on unpaved roads to 15 mph.

B. Biological Resources

Impact

The project has the potential to impact the habitat of three federally listed species, the valley elderberry longhorn beetle, the vernal pool fairy shrimp, and the California tiger salamander. The project may also affect nesting and foraging of migratory birds protected under the MBTA. Finally, the project may cause the removal of remnant vernal pools, which are a sensitive natural community.

Finding

Changes or alterations have been required in, or incorporated into, the project which will avoid or substantially lessen the significant environmental impact as identified in the EIR to a less than significant level.

Rationale

Potential biological resources that may exist in and around the Project area include the Valley Elderberry Longhorn Beetle, vernal pools and associated species, migratory birds and birds of prey, and associated habitat.

The City is a participant in the San Joaquin Multi-Species Habitat Conservation and Open Space Plan ("SJMSCP"). (EIR, at pp. 3-32 to 3-33.) The purpose of the SJMSCP 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. The SJMSCP includes provisions to mitigate for the loss of covered species resulting from development through the acquisition and protection of suitable habitat. The SJMSCP was designed to compensate not only for direct impacts, but also to address the cumulative impacts of development. Thus, the City's participation in the SJMSCP and implementation of its requirements fully mitigates the potential impacts of the Project. (SJMSCP, § 1.1.7.) Information specific to the impacted resources is provided below.

Elderberry Beetle

An elderberry bush, host to the Valley Elderberry Longhorn Beetle, exists to the east of the Project site. The USFWS considers that complete avoidance (i.e., no adverse effects) may be assumed when a 100-foot (or wider) buffer zone is established and maintained around all elderberry plants containing stems measuring one-inch or greater in diameter at ground level. If a 100-foot buffer zone cannot be maintained around the elderberry plant with at least one stem 1-inch or greater in diameter at ground level, the USFWS must be contacted for guidance on how to proceed. In certain instances, the USFWS may approve encroachment on the 100-foot buffer zone, provided a minimum setback of at least 20 feet from the dripline of each elderberry plant can be maintained. In addition, the USFWS will require written verification of protective measures, restoration and maintenance of the 100-foot buffer zone, and other requirements in order to approve the encroachment. These requirements and other important information regarding protection of the valley elderberry longhorn beetle can be found in the Conservation Guidelines for the Valley Elderberry Longhorn Beetle (USFWS 1999):

1. Fence and flag all areas to be avoided during construction activities. In areas where encroachment on the 100-foot buffer has been approved by the Service, provide a minimum setback of at least 20 feet from the dripline of each elderberry plant.
2. Brief contractors on the need to avoid damaging the elderberry plants and the possible penalties for not complying with these requirements.
3. Erect signs every 50 feet along the edge of the avoidance area with the following information: "This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment." The signs should be clearly readable from a distance of 20 feet, and must be maintained for the duration of construction.
4. Instruct work crews about the status of the beetle and the need to protect its elderberry host plant.

Project construction activities in Phase 2 and Phase 4 of the Project will occur within the identified 100-foot buffer area around the elderberry bush located to the east of the project site. (EIR, at p. 3-35.)

Pending future amendments and the results of site specific pre-construction surveys, the following standards of the SJMSCP may apply to construction on the subject site:

- 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 section 5.5.4 (C).

Compliance with the provisions of the SJMSCP will ensure that impacts are less than significant. Mitigation measure 3.4.1-1 will ensure that compliance with the SJMSCP occurs prior to construction. (EIR, at pp. 3-35 to 3-36, 3-40.)

Vernal Pools and Associated Species

Greenfield pools were identified on the site in areas which are designated in the project for development; however, those pools have subsequently been eliminated as a result of roadwork conducted by the California Department of Transportation. It is possible that the removal of those pools would cause the destruction of habitat of the vernal pool fairy shrimp, if that species were present on the subject site. Other state or federally listed plant and animal species, including the California tiger salamander, are typical of vernal pools; however, it was not possible to determine their presence or absence at the time of the survey. As there is no nexus between the subject site and the San Joaquin River, it will not be necessary to secure a Section 404, Clean Water Act Permit.

Pending future amendments and the results of site specific pre-construction surveys, the following standards of the SJMSCP may apply to construction on the subject site:

- A. Preconstruction surveys, conducted in compliance with U.S. Fish and Wildlife Service protocols approved and in place at the time the surveys are conducted, shall be conducted to determine the presence or absence of Conservancy and/or longhorn fairy shrimp within vernal pools or other wetlands located southwest of I-580 in the Southwest Zone unless avoidance of vernal pools and/or wetlands is achieved in compliance with SJMSCP Section 5.5.9.
- B. The San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP), as stated in Section 5.2.4.4 Vernal Pool Plants and Vernal Pool Invertebrates, requires full avoidance for legenera and Greene's tuctoria. For all other vernal pool plants and vernal pool invertebrates, mitigation measures are:
 1. Filling vernal pools shall be delayed until pools are dry and samples from the top layer of vernal pools soils are collected. Soil collections shall be sufficient to include a representative sample of plant and animal life present in the pools by incorporating seeds, cysts, eggs, spores and similar inoculum.
 2. Collected soils shall be dried and stored in pillowcases labeled with the date and location of soils collected. Soils will be deposited with the JPA. The JPA shall retain the soils in a cool, dry area and shall be responsible for providing soils to vernal pool construction managers for inoculating newly created vernal pools on Preserve lands.
- C. Section 5.2.4.5 of the SJMSCP requires the following California tiger salamander incidental take minimization measures for projects that with require a permit pursuant to Section 404 of the Federal Clean Water Act:
 1. In potential California tiger salamander habitat, the project proponent shall contact the TAC, and survey according to the current protocol approved by the TAC and the Permitting Agencies.
 2. If salamanders are detected, or if they are known to occur, Incidental Take Minimization Measures shall be applied. Required minimization measures may include, but not be limited to, consideration of the effects to aquatic habitat, retention of small mammal burrows and other suitable

aestivation habitat in adjacent uplands, maintenance of open habitat between breeding ponds and aestivation sites, and siting replacement wetland habitat, whenever possible, within approximately 1.5 miles of other known breeding sites.

- D. Section 5.2.4.6 of the SJMSCP, requires the following California tiger salamander incidental take minimization measures for SJMSCP covered activities not requiring a Federal Clean Water Act Section 404 Permit:
1. Retain known breeding sites.
 2. In potential California tiger salamander habitat, the project proponent shall contact the TAC, and survey according to the current protocol approved by the TAC and the Permitting Agencies' representatives on the TAC. If salamanders are detected, Incidental Take Minimization Measures shall be applied (refer to 3.4.1-3-D-b, above for minimization criteria).
- E. If a proposed project intends to eliminate aquatic habitat (including wetlands, ponds, springs and other standing water sources), and create a new, on-site habitat, then the newly created habitat shall be created and filled with water prior to dewatering and destroying the preexisting habitat. Dewatering and relocation of aquatic habitats on-site should occur when the water source is dry under natural conditions, or otherwise outside of the full breeding season for tiger salamanders (December to June) to allow larvae to metamorphose and migrate to upland habitat.
- F. If a proposed project intends to eliminate aquatic habitat including wetlands, ponds, springs and other standing water sources, and will not create a new, on-site habitat, then dewatering should occur prior to commencement of construction and other Site Disturbing Activities. Dewatering and relocation of aquatic habitats should occur outside of the time period when adult salamanders are breeding (approximately December to February).
- G. Apply those other measures that are utilized to minimize impacts and Take of the California tiger salamander that are developed as described in section 5.2.4.5 above. Those other measures will address the effects to aquatic habitat, retention of small mammal burrows and other suitable aestivation habitat in adjacent uplands, maintenance of open habitat between breeding ponds and aestivation sites, and siting replacement wetland habitat, whenever possible, within approximately 1.5 miles of other known breeding sites.

Compliance with the provisions of the SJMSCP will ensure that impacts are less than significant. Mitigation measure 3.4.1-2 will ensure that compliance with the SJMSCP occurs prior to construction. (EIR, at pp. 3-36 to 3-38, 3-40.)

Migratory Birds and Birds of Prey

The project will involve construction activity in an area in which migratory birds were identified and on which several trees which may provide nesting habitat are found. If the trees are used for nesting during construction or tree removal, impacts to these species are possible. If

burrowing owls are present, attracted by the presence of ground squirrels, the project would also remove the nesting and foraging habitat of this species.

Pending future amendments and the results of site specific pre-construction surveys, the following standards of the SJMSCP may apply to construction on the subject site:

- A. The project developer shall either:
 - 1. Discourage ground squirrel inhabitation of the site by planting new and retaining existing vegetation to cover the site to approximately 36" above the ground prior to construction. The project proponent shall contact the TAC early in the planning process for timing and specifications. Vegetation shall be maintained until construction begins; or
 - 2. The project developer shall have a preconstruction survey performed by a qualified biologist to determine the presence of burrowing owls. If burrowing owls are found to occupy the site, then the following measures shall be implemented:
 - a) During the non-breeding season (September 1 through January 31) burrowing owls occupying the project site should be evicted from the project site by passive relocation as described in the CDFG's Staff Report on Burrowing Owls (October 1995).
 - b) During the breeding season (February 1 – August 31) occupied burrows shall not be disturbed and shall be provided with a 75 meter protective buffer until and unless the TAC, or a qualified biologist approved by the Permitting Agencies verifies through non-invasive means that 1) the birds have not begun egg laying, or 2) juveniles from occupied burrows have fledged and are capable of independent survival. The burrow can then be destroyed.
- B. Based on pre-construction surveys conducted through the consultation process included in the SJCMP, a setback of 100 feet from nesting areas shall be established and maintained during the nesting season for the period encompassing nest building and continuing until fledglings leave nests. This setback applies whenever construction or other ground disturbing activities must begin during the nesting season in the presence of nests which are known to be occupied. Setbacks shall be marked by brightly colored temporary fencing.
- C. 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.
- D. If the Project Proponent elects to remove a nest tree, then nest trees may be removed between September 1 and February 15, when the nests are unoccupied.

Compliance with the provisions of the SJMSCP will ensure that impacts are less than significant. Mitigation measure 3.4.1-3 will ensure that compliance with the SJMSCP occurs

prior to construction. (EIR, at pp. 3-38 to 3-39, 3-40.)

Habitat Loss Including Vernal Pools and Foraging Areas:

The project will involve construction activity in areas which had not previously been developed, but which have been used for agriculture. A portion of the site had been seasonally inundated for several years due to a lack of drainage across the adjacent railroad and highway. Although the source of the inundation has been largely removed as a result of a project sponsored by the California Department of Transportation, the site may still provided habitat and or foraging areas for a variety of species identified in the Biological Report (Appendix C).

Pending future amendments and the results of site specific pre-construction surveys, the following standards of the SJMSCP may apply to construction on the subject site:

- A. Pay the appropriate fee as indicated in Section 7.4.1 of the SJMSCP; or
- B. Dedicate, as conservation easements or fee title, or in-lieu dedications (as specified in Sections 5.3.2.2 and 5.3.2.3, herein); or
- C. Purchase approved mitigation bank credits as specified in Section 5.3.2.4; or
- D. Propose an alternative mitigation plan, consistent with the goals of the SJMSCP and equivalent in biological value to options A, B or C, above, subject to approval by the JPA with the concurrence of the Permitting Agencies' representatives on the TAC.

Compliance with the provisions of the SJMSCP will ensure that impacts are less than significant. Mitigation measure 3.4.1-4 will ensure that compliance with the SJMSCP occurs prior to construction. (EIR, at pp. 3-39 to 3-40.)

Mitigation Measures

Mitigation Measure # 3.4.1-1 Valley Elderberry Longhorn Beetle: Prior to the start of construction of Phase 2 and Phase 4, the City or a designated representative shall comply with the applicable requirements of the San Joaquin County Multiple Species Habitat Conservation Plan.

Mitigation Measure # 3.4.1-2 Vernal Pools and Associated Species: Prior to the start of construction of Phases 1, 2 and 4 of the project, the developer shall initiate a dialogue with the JPA and TAC or permitting agencies, and comply with the applicable requirements of the San Joaquin County Multiple Species Habitat Conservation Plan.

Mitigation Measure #3.4.1-3 Special Status Species-Migratory Birds: Prior to the start of construction of any phase of the project, the developer shall comply with the applicable requirements of the San Joaquin County Multiple Species Habitat Conservation Plan.

Mitigation Measure # 3.4.1-4: Habitat Loss Including Vernal Pools and Foraging Areas: Prior to the start of construction of any phase of the project, the developer shall comply with the applicable requirements of the San Joaquin County Multiple Species Habitat Conservation Plan.

C. Cultural Resources

Impact

Project-related excavation and construction could potentially result in the discovery of cultural resources.

Finding

Changes or alterations have been required in, or incorporated into, the project which will avoid or substantially lessen the significant environmental impact as identified in the EIR to a less than significant level.

Rationale

The project site is located on flat plain comprising the east side of the Central San Joaquin Valley. A cultural resources records search which included the project site and surrounding areas was conducted at the Central California Information Center of the California Historical Resources Information System. The records search indicated that there are no recorded cultural resources within the project area, or in the immediate vicinity. The search also indicated there are no known cultural resources listed in the National Register of Historic Places, the California Inventory of Historic Places, the California Historic Resource Inventory, or the California State Historic Landmarks. Due to the fact that many cultural resources are buried, there is a possibility that undocumented remains may be encountered with new development. (EIR, at pp. 3-40 to 3-41.) By halting further construction activity that could harm a potential cultural resource upon its discovery until the resource can be evaluated, Mitigation Measure 3.5.1 would reduce this potential impact to a less than significant level. (EIR, at p. 3-42.)

Mitigation

Mitigation Measure #3.5.1 Cultural Resources: Should buried cultural resources be discovered during construction, the project contractor shall immediately halt all work within 50 feet of the find until a qualified professional archaeologist can be consulted to evaluate the find and implement appropriate mitigation measures. Should human skeletal remains be encountered, State law requires immediate notification of the County Coroner. Should the County Coroner determine that such remains are in an archaeological context, the Native American Heritage Commission in Sacramento shall be notified immediately, pursuant to State law, to arrange for Native American participation in determining the disposition of such remains.

Section IV – Significant and Unavoidable Impacts

The City Council finds that the following environmental impacts identified in the EIR are significant. While mitigation will substantially lessen some of the following impacts, no feasible mitigation exists to mitigate all impacts to a less than significant level. For some other impacts described below, no feasible mitigation exists to even substantially lessen the impact. For all impacts described below, the City Council has balanced the significant impacts of the Project against the Project's benefits. As described in greater detail in the Statement of Overriding Considerations contained in Exhibit B, the City Council has determined that specific economic,

legal, social, technological, and other benefits of the Project outweigh the unavoidable adverse environmental effects, and that the adverse environmental effects are therefore considered "acceptable." The Project's significant and unavoidable impacts are described below:

A. Agricultural Resources

Impact

The Project will result in the loss of approximately 180 acres of prime farmland and farmland of statewide importance.

Finding

The City Council finds that this impact is significant and unavoidable. The City Council has balanced this significant impact of the Project against the Project's benefits, and, as described in greater detail in the Council's Statement of Overriding considerations, has determined that specific economic, legal, social, technological, and other benefits of the Project outweigh this unavoidable adverse environmental effect.

Rationale

Soil types on the site are primarily Veritas fine sandy loam, Delhi loamy sand, and Manteca fine sandy loam. These soils are designated as both prime farmland and farmland of statewide importance. The loss of prime farmland was identified in the General Plan EIR as a significant and unavoidable impact. The impact remains significant and unavoidable. Upon adoption of the General Plan, the City of Escalon determined that the benefits of implementation of the General Plan outweighed the potential environmental impacts and a Statement of Overriding Considerations was adopted. (EIR, at p. 3-6.) The General Plan EIR and its analysis were incorporated by reference into the Project EIR. (EIR, at p. 1-6.) Because the loss of agricultural resources was fully addressed in the General Plan EIR, and this Project is consistent with the General Plan and will not result in impacts that exceed those already analyzed, the Project EIR need not address the impact further. (Pub. Resources Code, § 21083.3.)

The City Council notes further that the City is a participant in the SJMSCP. The SJMSCP includes provisions that will compensate for the loss of habitat and open space, including impacts to agricultural resources. (SJMSCP, at p. 12.) While the City's participation in the SJMSCP will substantially lessen the impact of the Project to agricultural resources, no feasible mitigation exists to avoid the impact completely. Thus, agricultural impacts remain significant and unavoidable.

Mitigation

No feasible mitigation exists.

B. Air Quality – Operational Emissions

Impact

Traffic and similar operational emissions of NOX, ROG and PM10 associated with the Project will exceed adopted standards as is typical for industrially and commercially designated development.

Finding

The City Council finds that this impact is significant and unavoidable. The City Council has balanced this significant impact of the Project against the Project's benefits, and, as described in greater detail in the Council's Statement of Overriding considerations, has determined that specific economic, legal, social, technological, and other benefits of the Project outweigh this unavoidable adverse environmental effect.

Rationale

Operational air quality impacts are primarily associated with the increase in vehicle trips to and from the project site. Vehicle exhaust emissions include carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxide (NOx), sulfur dioxide (SO2) and particulate matter (PM10/PM2.5). The City relied on the San Joaquin Valley Air Pollution Control District's Guide to Assessing and Mitigating Air Quality Impacts in addressing air quality impacts of the Project. (EIR, at p. 3-25.)

Using the URBEMIS 2002 for Windows computer program, and the traffic study prepared for the Project which projected 33,113 daily vehicle trips associated with the industrial park and retail commercial center, the City found that Project-related emissions of Reactive Organic Gasses (ROG) will be 16.29 tons per year, emissions of oxides of nitrogen (NOx) will be 12.76 tons per year and PM10 will be 23.30 tons per year. The SJVAPCD's adopted threshold of significance for ROG and NOx is 10 tons per year. SJVAPCD has not adopted any formal threshold of significance PM10, however, the Project is estimated to produce 23.30 tons per year. The City conservatively assumed for the purposes of environmental review for this Project that this amount is a considerable local addition to a region which exceeds state and federal compliance thresholds, and therefore, considers the emission to be significant. Implementation of the SJVUAPCD Indirect Source Rule will offset a portion of the increase in PM10 by funding dust mitigation efforts elsewhere in the air basin. Such offsets help to mitigate potential cumulative impacts, however, the direct local impact of the generation of PM10 is unaffected by this program. (EIR, at p. 3-25.)

The Project includes several policies that reduce air quality impacts. Those policies include:

1. Sidewalks and street trees shall be installed along all internal roadways to encourage walking.
2. All vehicle parking areas shall be accompanied by bicycle-parking facilities.
3. It shall be a priority to consider the use of deciduous trees along western and southern building exposures.
4. The City of Escalon shall encourage the incorporation of energy conserving features into the design and construction of all development projects in the Specific Plan Area. Such features include:
 - a. Increased wall and ceiling insulation (beyond building code standards)

- b. Energy efficient windows (double pane and/or coated)
- c. High-reflecting roofing material
- d. Energy efficient lighting and appliance fixtures, cooling and heating systems, and water heaters
- e. Installation of exterior electrical outlets to encourage use of electrical landscape maintenance equipment.

Implementation of these policies will reduce air quality impacts; however, the precise level of reduction is not known. The City conservatively assumes that operational emissions will remain significant.

The City conducted a “hot spot” analysis to determine whether carbon monoxide impacts would result from the Project. The CALINE-4 Air Quality Model analysis was performed, which concluded that carbon monoxide impacts would not occur. (Final EIR, Appendix E.)

The degradation of air quality through vehicular and other operational emissions was identified in the General Plan EIR as significant and unavoidable. The City Council determined that the benefits of implementation of the General Plan outweighed the potential environmental impacts and adopted a Statement of Overriding Considerations. The General Plan EIR and its analysis were incorporated by reference into the Project EIR. (EIR, at p. 1-6.) Because impacts on air quality were fully addressed in the General Plan EIR, and this Project is consistent with the General Plan and will not result in impacts that exceed those already analyzed, the Project EIR need not address the impact further. (Pub. Resources Code, § 21083.3.) The Statement of Overriding Considerations in Exhibit B explains in detail the Council’s determination that the benefits of the Project outweigh the significant impacts.

Mitigation

No feasible mitigation exists.

C. Air Quality – Construction (Gaseous) Emissions

Impact

Impacts of construction activities will temporarily increase emissions of NO_x, ROG, in an air basin that is in non-attainment for each of these factors.

Finding

The City Council finds that this impact is significant and unavoidable. The City Council has balanced this significant impact of the Project against the Project’s benefits, and, as described in greater detail in the Council’s Statement of Overriding considerations, has determined that specific economic, legal, social, technological, and other benefits of the Project outweigh this unavoidable adverse environmental effect.

Rationale

The major sources of construction-related emissions are mobile and stationary equipment, construction-related vehicle trips, and ROG from the application of asphalt and architectural coatings. NO_x, ROG, and PM₁₀ are contained in the exhaust fumes emitted from mobile

construction equipment, including utility engines and vehicles involved directly in construction, and those that are used to transport equipment and materials to and from the site. The amount of exhaust emissions that are generated would depend on the time frame of the proposed development and the construction equipment that is required. Construction equipment related impacts will increase emissions and degrade local air quality. (EIR, at p. 3-28.)

If asphalt paving will be used, then paving operations of this Project will adhere to SJVAPCD Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). The Project will also be required to comply with SJVAPCD Rule 4601 (Architectural Coatings) which limits volatile organic compounds from architectural coatings. This rule specifies architectural coatings storage, clean up, and labeling requirements. (EIR, at p. 3-28.) Compliance with these rules will substantially lessen construction air quality impacts.

Typical equipment used for this project may include heavy-duty trucks, earthmovers, air compressors and generators. Emissions from these sources will add NOx, ROG and PM10 to a basin that already exceeds standards for those pollutants. Thus, impacts will be significant. (EIR, at p. 3-28.) Implementation of the construction-related mitigation measures below would substantially lessen gaseous construction impacts; however, as the feasibility of several of the measures cannot be determined until construction is underway, the reduction is not quantifiable. The impacts will thus remain significant and unavoidable. (EIR, at p. 3-29.)

Mitigation Measure 3.3.3

The following measures from the Guide to the Assessment and Mitigation of Air Quality Impacts (GAMAQI) (January 2002) shall be implemented in order to reduce gaseous construction emissions:

- Use alternative fueled or catalyst equipped diesel construction equipment where feasible.
- Minimize idling time to a maximum of 10 minutes.
- Where feasible, replace fossil-fueled equipment with electrically driven equivalents (provided they are not run via a portable fossil fuel generator set).
- During periods of high ambient pollution concentration (as determined by the SJVUAPCD through the "Spare the Air" campaign or similar programs), heavy equipment use shall be deferred or reduced where feasible.

D. Noise – Construction

Impact

Equipment and vehicles used during construction will result in an increase in noise levels which may exceed the City of Escalon's Noise Standards for limited periods.

Finding

The City Council finds that this impact is significant and unavoidable. The City Council has balanced this significant impact of the Project against the Project's benefits, and, as described in greater detail in the Council's Statement of Overriding considerations, has determined that

specific economic, legal, social, technological, and other benefits of the Project outweigh this unavoidable adverse environmental effect.

Rationale

Construction activities at the project site will include various types of construction equipment and vehicles. The noise associated with these construction activities depends on the equipment used and the distance from the noise source to a sensitive receptor.

Typical construction equipment would include scrapers, bulldozers, backhoes, and miscellaneous equipment (e.g., pneumatic tools, generators and portable air compressors). Noise levels generated by this type of construction equipment would range from 70 to 83 dB(A) at a distance of 100 feet from the noise sources. Noise levels generated from construction activities decrease with increasing distance from the noise source; generally, noise levels reduce by 6 decibels for every doubling of distance from the source.

The nearest concentration of sensitive receptors that would be potentially affected by construction noise are future residential areas located south of State Route 120 and residences west of Brennan Road. There are also a number of residences located within one half mile to the east and southeast of the project site, and one residence on the east side of Brennan Avenue which is adjacent to the subject site on three sides. (EIR, at p. 3-44.)

Construction activities will be temporary in nature and will generally occur during the daylight hours. However, construction noise impacts could result in annoyance or sleep disruption for nearby residents if nighttime operations were to occur or if equipment is not properly muffled or maintained. (EIR, at p. 3-45.)

Mitigation measures below will substantially lessen noise impacts, but not to a level that meets the City's noise level standards. The increased construction noise would represent a short-term significant unavoidable impact. (EIR, at p. 3-45.)

Mitigation Measure #3.6.1-1

Noise producing equipment used during construction shall be restricted to the hours from 7:00 a.m. to 7:00 p.m., Monday through Friday, and 9:00 a.m. to 6:00 p.m. on Saturday and Sunday. Also, effective mufflers shall be fitted to gas-and diesel-powered equipment.

E. Traffic – Increase in Traffic

Impact

The addition of 33,113 average daily trips, including up to 850 trips in the PM peak, to the Escalon area road system represents a substantial increase in traffic. Although mitigation measures will provide the greatest feasible accommodation of traffic, no mitigation can reduce the actual traffic volumes.

Finding

The City Council finds that this impact is significant and unavoidable. The City Council has balanced this significant impact of the Project against the Project's benefits, and, as described in greater detail in the Council's Statement of Overriding considerations, has determined that

specific economic, legal, social, technological, and other benefits of the Project outweigh this unavoidable adverse environmental effect.

Rationale

The Traffic Impact Study prepared for the Project indicates that the Project will generate approximately 33,113 Average Daily Trips upon full build out. This daily total is not discounted for pass-by trips or internal capture. Those reductions are accounted for in the Traffic Study Analysis of traffic generated during the peak hour of traffic at the various studied intersections. As the Project is expected to be built in several phases over 20 years, the 2026 No Project and 2026 Project scenarios are compared. In the most concentrated area of traffic, (at the intersection of SR 120 and Plaza Drive) the Project is anticipated to add an additional 850 trips during the afternoon peak hour of use. This compares to an anticipated 1,374 trips in the PM peak hour without the Project. Other intersections analyzed in the Traffic Impact Study experience similar increases in traffic use. (EIR, at p. 3-52.)

CALTRANS submitted a comment letter on April 23, 2007, indicating that the traffic study was insufficient to study the impacts of the Project. The Final EIR includes responses to that comment as well as prior comments submitted by CALTRANS. In addition, in a letter dated September 17, 2007, the City's traffic consultants provided further opinion explaining why the traffic analysis in the EIR is sufficient to address the potential impacts of the Project. The City Council expressly adopts the reasoning and analysis in the Final EIR as supplemented by the September 17, 2007, letter from Charles Clouse of TPG Consulting. The EIR and traffic study adequately analyze the traffic impacts of the Project, which, due to regional traffic on SR 120, are significant and unavoidable.

Mitigation

No feasible mitigation exists to reduce this impact.

F. Traffic – Exceed LOS

Impact

The Project will add considerable additional traffic to intersections and street sections which are anticipated to be operating at deficient Levels of Service in 2026. Further, the Project will cause at least one intersection which would otherwise be operating at an acceptable level of service to exceed the adopted standard.

Finding

The City Council finds that this impact is significant and unavoidable. The City Council has balanced this significant impact of the Project against the Project's benefits, and, as described in greater detail in the Council's Statement of Overriding considerations, has determined that specific economic, legal, social, technological, and other benefits of the Project outweigh this unavoidable adverse environmental effect.

Rationale

The Traffic Impact Study indicates that SR 120 and the intersection of SR 120 and Escalon-Bellota Road are currently operating below optimum levels of service. If no road improvements

are made by 2026, background growth, in the absence of the Project, will cause the currently failing segments and intersections, as well as the intersections of SR 120 at Brennan, Walnut, Irwin, Plaza, and Main Streets to operate below acceptable standards. Based on background traffic increases alone, none of the existing studied intersections will operate at acceptable levels of service in 2026. When the Project is added to the 2026 background traffic, those segments and intersections continue to fail, with increased wait times and deteriorating levels of service. To establish a baseline, the Traffic Impact Study initially uses the assumption that Project entrances would be standard two-lane, unsignalized intersections with adjacent streets. On that basis, the TIS projects that all four of the studied access points along SR 120 will have deficient Levels of Service in 2026. (EIR, at p. 3-53.)

Notably, a considerable volume of existing and anticipated traffic on SR 120 is “through traffic,” unaffected by City development. Thus, the City will seek additional funding for improvements from the San Joaquin County Council of Governments (SJCOG) and Caltrans. Thus, the City’s General Plan EIR acknowledged that SR 120 through Escalon will operate at a deficient Level of Service for a considerable period of time. (EIR, at p. 3-50.) The General Plan EIR and its analysis were incorporated by reference into the Project EIR. (EIR, at p. 1-6.) Because the increase in traffic and worsening of levels of service was fully addressed in the General Plan EIR, and this Project is consistent with the General Plan and will not result in impacts that exceed those already analyzed, the Project EIR need not address the impact further. (Pub. Resources Code, § 21083.3.) Nevertheless, the City shall adopt several specific mitigation measures to reduce traffic impacts to the extent feasible. Though those measures will substantially lessen impacts of the Project, impacts will remain significant and unavoidable.

Specifically, significant impacts will remain at the following intersections and road segments:

- 1) SR 120 (Yosemite/Main), eastbound between Brennan Avenue and Kern Street/Main Street, will operate at LOS E during the Friday PM peak hour.
- 2) SR 120 (Yosemite/Main), westbound between Brennan Avenue and Kern Street/Main Street, will operate at LOS D during the AM and PM peak hours.
- 3) SR 120 (Yosemite) at Brennan Avenue will operate at LOS E during the Friday PM peak hour.
- 4) SR 120 (Yosemite) at Access Point #1 will operate at LOS D during the Friday PM peak hour unless the option to eliminate this access point is selected.
- 5) SR 120 (Yosemite) at Access Point #2 (new minor collector) will operate at LOS E during the Friday PM peak hour.
- 6) SR 120 (Yosemite) at Walnut Avenue/Access Point #3 will operate at LOS F during the PM peak hour and the Friday PM peak hour.
- 7) SR 120 (Main) at McHenry Avenue/Escalon Bellota Road will operate at LOS F during the AM peak hour, PM peak hour and Friday PM peak hour, and at LOS E during the Sunday PM peak hour.
- 8) SR 120 (Main/Jackson) at Kern Street/Main Street will operate at LOS F during the AM peak hour, LOS D during the PM peak hour and LOS E during the Sunday peak hour.

- 9) At various times traffic along SR 120 is projected to back up beyond the storage length available at several intersections. This could interfere with traffic movements at earlier intersections. Such queue exceedances are project at:
 - a) SR 120 (Yosemite) at Brennan Avenue – Eastbound and southbound
 - b) SR 120 (Yosemite) at Access Point #1 – Eastbound
 - c) SR 120 (Yosemite) at Walnut Avenue/Access Point #3 – Eastbound and Southbound
 - d) SR 120 (Yosemite) at Plaza Avenue – Westbound
 - e) SR 120 (Main) at McHenry Avenue/Escalon/Bellota Road – Northbound and Southbound
 - f) SR 120 (Main/Jackson) at Kern Street/Main Street – Westbound and Northbound

(EIR, at pp. 3-60 to 3-61.)

The City has worked closely with Caltrans throughout the environmental review process for this Project. During the public review period for the Draft EIR, Caltrans submitted a comment indicating that not all necessary analysis has been completed. The City disagrees with Caltrans' assessment. First, the City has responded to all significant issues raised by Caltrans during the consultation process in the responses to comments in the Final EIR. Second, the City notes that it need not conduct every study suggested by commenters; rather, the City has discretion to rely on the expertise of its experts. Here, the City has conducted an in-depth Traffic Impact Study that accounts for all impacts of the Project. Further, the City addressed the impact of development on levels of service throughout the City, including the Project area, in its General Plan EIR. In that document, the City concluded that impacts would be significant and unavoidable. This Project, as noted above, is consistent with the General Plan and the findings in the General Plan EIR. Thus, no further analysis is required. (Pub. Resources Code, § 21083.3.) Finally, pursuant to Mitigation Measure #3.8.2-13, the City is committed to re-evaluating the effectiveness of proposed mitigation in response to actual traffic increases in the future. Thus, to the extent the existing traffic studies require updating or correction, existing mitigation will ensure that any necessary recalibration or corrections are implemented. Thus, the City finds that all traffic impacts have been appropriately studied and will be mitigated to the extent feasible, as described below.

Mitigation

Mitigation Measure #3.8.2-1

The following improvements shall be added to the list of projects eligible to receive local and, where possible, regional, funding from Transportation Impact Fees:

- 1) Widen SR 120 (Yosemite) west of Brennan Avenue (toward Manteca) from two (2) lanes to (4) four lanes.

- 2) Widen SR 120 (Yosemite) between Brennan Avenue and the BNSF Railroad right of way from two (2) lanes to (4) four lanes.
- 3) Improve the intersection of SR 120 (Yosemite) and Brennan Avenue in two stages as follows:
 - a) Stage 1 Improvements
 - i) Signalize Intersection - Coordinate and Optimize signal timing.
 - ii) Restripe/widen the eastbound approach - west leg, from shared left-through-right to one (1) left-turn lane, one (1) through lane and a shared through-right. The eastbound left-turn storage length shall be a minimum of 250 feet in length.
 - iii) Restripe/Widen the westbound approach - east leg, from shared left-through-right to one (1) left-turn lane, one (1) through lane and a shared through-right. The westbound left-turn storage length shall be a minimum of 200 feet in length.
 - iv) Restripe/Widen the northbound approach - south leg, from shared left-through-right to one (1) left-turn lane and a shared through-right. The northbound left-turn storage length shall be a minimum of 200 feet in length.
 - v) Restripe/Widen the southbound approach - north leg, from shared left-through and one (1) right-turn lane to one (1) left-turn lane and a shared through-right. The southbound left-turn storage length shall be a minimum of 100 feet in length.
 - b) Stage 1 Improvements
 - i) Restripe/widen the eastbound approach, west leg, from one (1) left-turn lane, one (1) through lane and a shared through-right to one (1) left turn lane, two (2) through lanes and a shared through right.
 - ii) Restripe/widen the westbound approach, east leg, from one (1) left-turn lane, one (1) through lane and a shared through-right to one (1) left-turn lane, two (2) through lanes and a shared through-right lane.
- 4) Improve the intersection of SR 120 (Yosemite) and Walnut Avenue in two stages as follows:
 - a) Stage 1 Improvements
 - i) Signalize Intersection - Coordinate and Optimize signal timing

- ii) Restripe/Widen the westbound approach - east leg, from a shared left-through lane to one (1) left-turn lane and one (1) shared through-right. The westbound left-turn storage length shall be a minimum of 200 feet in length.
 - iii) Restripe/Widen the northbound approach - south leg, from shared left-right to one (1) left-turn lane and one (1) right-turn lane.
 - iv) Restripe/Widen the eastbound approach, west leg, from a shared through-right lane to one (1) left-turn lane, one (1) through lane and one (1) shared through-right lane. The eastbound left-turn storage length shall be a minimum of 150 feet in length.
 - v) Restripe/Widen the westbound approach, east leg, from one (1) left-turn lane and one (1) through lane to one (1) left-turn lane, one (1) through lane and a shared through right lane.
- b) Stage 2 Improvements
- i) Restripe/Widen the eastbound approach, west leg, from one (1) left-turn lane, one (1) through lane and a shared through-right lane to one (1) left-turn lane, two (2) through lanes and a shared through-right lane.
 - ii) Restripe/Widen the westbound approach, east leg, from one (1) left-turn lane, one (1) through lane and a shared through-right lane to one (1) left turn lane, two (2) through lanes and a shared through-right lane.
- 5) Convert the intersection of SR 120 (Yosemite) and Irwin Avenue to limit access to a “right-in/right-out” design.
- 6) Improve the intersection of SR 120 (Main) and McHenry Avenue (Escalon-Bellota Road) as follows:
- a) Restripe/Widen the southbound approach - north leg, from one (1) left-turn lane, two (2) through lanes and one (1) right-turn lane to dual (2) left-turn lanes, two (2) through lanes and one (1) right-turn lane.

Mitigation Measure #3.8.2-2:

The project has been redesigned to eliminate Access Point No. 4, which intersects SR 120 at the Oklahoma Avenue alignment.

Mitigation Measure #3.8.2-3:

The project has been redesigned to eliminate Access Point No. 1, immediately to the east of the intersection of SR 120 and Brennan Avenue. Access Point No. 1 may be retained as a right-in/right-out entrance upon a determination by the City Engineer, in consultation with Caltrans that such an intersection would not unduly interfere with the functioning of the SR 120/Brennan Avenue intersection.

Mitigation Measure #3.8.2-4:

As shown on the Liberty Business Park Specific Plan, the central collector road (extending from the intersection of SR 120 (Yosemite) and Walnut Avenue north and west to Brennan Avenue) shall be designed and constructed to a four lane major collector standard with twelve (12) foot lanes and no parking between SR 120 and the southerly roundabout and to a two (2) lane major collector standard with twelve (12) foot lanes north of the southerly roundabout.

Mitigation Measure #3.8.2-5:

The intersection of SR 120 (Yosemite) at Access Point No. 2 (new minor collector) shall be designed and constructed as follows:

- 1) The developer installing Access Point No. 2 shall provide adequate funding to signalize the intersection and coordinate and optimize signal timing. Actual signalization shall be dependent upon traffic warrants as determined by the City Engineer and/or Caltrans.
- 2) Restripe/Widen the eastbound approach, west leg from a shared left-through to one (1) left turn lane and two (2) through lanes.
- 3) Restripe/Widen the westbound approach, east leg, from a shared through-right lane to one (1) through lane and a shared through-right lane.
- 4) Design/Construct Access Point #2/southbound approach to one (1) left-turn lane and one (1) right-turn lane.
- 5) Right-of-way shall be dedicated sufficient to allow future widening of the intersection in future development phases.

Mitigation Measure #3.8.2-6:

The intersection of SR 120 (Yosemite) at Walnut Avenue (Access Point #3) shall be improved/amended as follows:

- 1) Restripe/Widen the eastbound approach west leg, from a shared through-right lane to one (1) left-turn lane, one (1) through lane and one (1) shared through-right lane. The eastbound left-turn storage length shall be a minimum of 150 feet in length.
- 2) Restripe/Widen the westbound approach, east leg, from one (1) left-turn lane and one (1) through lane to one (1) left-turn lane, one (1) through lane and a shared through-right lane.
- 3) Design/Construct Access Point #3/southbound approach, north leg, to one (1) left-turn lane and a shared through-right lane. Right-of-way shall be dedicated sufficient to allow future widening of the intersection in future development phases.

- 4) Restripe/Widen the northbound approach - south leg from a shared left-right lane to one (1) left turn lane and one (1) shared through right-turn lane.
- 5) If intersection improvements precede the construction of Access Point No. 3, the construction and striping of the eastbound left-turn lane, westbound through-right lane and northbound through lane may be deferred to be constructed with the northerly leg of the intersection.

Mitigation Measure #3.8.2-7:

Where phased construction of road improvements are anticipated, earlier phases shall be designed to accommodate future improvements with a minimum of reconstruction. Consideration shall be given to ultimate design criteria including right of way widths, turning lanes, turning queues, grade breaks, etc.

Mitigation Measure #3.8.2-8:

All development along Brennan Avenue, the Minor Collector and the Major Collector shall dedicate right-of-way and construct street improvements along the frontage of the affected property to the full width of the proposed street. The City Engineer may, upon consideration of circulation, emergency access, and the potential for orderly development, impose a condition of approval requiring off-site construction of the Minor Collector and/or Major Collector to complete the connection between SR 120 and Brennan Avenue, subject to a payback agreement from other property owners along those frontages.

Mitigation Measure #3.8.2-9:

Upon development along SR 120, property owners shall be required to dedicate adequate right-of-way for the full build out of SR 120 to a six lane standard. As the southerly right-of-way of SR 120 is bounded by the right-of-way of the UPRR, it is anticipated that all additional right-of-way will be acquired from the project site. Developers along SR 120 shall construct street improvements along the frontage of the property to the full anticipated width of the highway, except that such responsibility shall be limited to a maximum of two (2) travel lanes, plus parking lanes, curb, gutter, sidewalk, utility extensions, etc. per City standards. The additional two (2) travel lanes required shall be funded and constructed as described below.

Mitigation Measure #3.8.2-10:

Prior to the start of development on the subject site, the City of Escalon shall adopt a funding mechanism for street improvements related to the proposed project. The funding mechanism shall be sufficient to ensure that all development on the subject site will contribute a proportionate share to the construction of associated improvements, described in more detail below. Contributions shall be based upon the number of trips anticipated to be generated by the proposed development, based on the Institute of Transportation Engineers (ITE), Trip Generation Manual, latest version, or similar methodology. The funding mechanism shall collect sufficient funds to pay for the project's "fair share" of required improvements. As determined by the Traffic Impact Study prepared for this project, the "fair share" is the proportion of trips using each facility that are attributable to trips to and from the subject site. Where individual improvements are needed for safe operation or to relieve acute circulation deficiencies, the City Engineer may require individual developers to construct project related improvements subject to payback agreements from future contributions to the fund.

Mitigation Measure #3.8.2-11:

As development occurs on the subject site, the City of Escalon shall maintain a database indicating the estimated number of trips generated by each use as it is constructed. Estimated trip generation shall be calculated based on the latest version of the ITE Trip Generation Manual.

Mitigation Measure #3.8.2-12:

To ensure that development does not exceed adjacent road capacities, the list of road improvement projects to be funded by the proposed project will be divided into phases, defined by the number of weekday daily Project trips, which will generate the need for various improvements. The City of Escalon shall ensure that all improvements along the project frontage which are associated with a phase are completed or assured to be completed, prior to permitting development which will generate the number of trips which trigger the next phase of improvements. Construction of off-site improvements may be delayed at the option of the City Engineer, if necessary to improve coordination with other projects and priorities of the City of Escalon.

Mitigation Measure #3.8.2-13:

As development occurs on the subject site and as traffic on adjacent roads increases, it may become necessary to recalibrate the listed improvements to reflect actual experience. When total cumulative proposed traffic is 27,500 ADT, the City of Escalon should direct a subsequent traffic study to determine actual rates of traffic growth to date and to reformulate the list of improvement projects needed to conform with adequate levels of service as well as the appropriate "fair share" proportions. Similarly, cost estimates for future construction, and the associated contributions to road improvement funds may be recalculated by the City of Escalon to ensure that adequate funding for needed projects is maintained.

Mitigation Measure #3.8.2-14:

The project's "fair share" of the following improvements shall be included for funding by the mechanism adopted by the City of Escalon. Except as noted above, all listed improvements shall be completed, or assured to be completed, prior to the approval of development which will cause total project trips to exceed 14,000 Average Daily Trips (ADT).

- 1) The project will fund 43.22% of the cost of improvements to the intersection of SR 120 (Yosemite) and Brennan Avenue as follows:
 - a) Provide adequate funding to signalize the intersection and coordinate and optimize signal timing. Actual signalization shall be dependent upon traffic warrants as determined by the City Engineer and/or Caltrans.
 - b) Restripe/Widen the eastbound approach - west leg, from shared left-through-right to one (1) left-turn lane, one (1) through lane and a shared through-right. The eastbound leftturn storage length shall be a minimum of 250 feet in length.

- c) Restripe/Widen the westbound approach - east leg, from shared left-through-right to one (1) left-turn lane, one (1) through lane and a shared through-right. The westbound left-turn storage length shall be a minimum of 200 feet.
 - d) Restripe/Widen the northbound approach - south leg, from shared left-through-right to one (1) left-turn lane and a shared through-right. The northbound left-turn storage length shall be a minimum of 200 feet in length.
 - e) Restripe/Widen the southbound approach - north leg, from shared left-through and one (1) right-turn lane to one (1) left-turn lane and a shared through-right. The southbound left-turn storage length shall be a minimum of 100 feet in length.
- 2) The project will fund 58.79% of the cost of improvements to the intersection of SR 120 (Yosemite) and Walnut Avenue as follows:
- a) Provide adequate funding to signalize the intersection and coordinate and optimize signal timing. Actual signalization shall be dependent upon traffic warrants as determined by the City Engineer and/or Caltrans.
 - b) Widen the westbound approach - east leg, from shared left-through to one (1) left-turn lane, one (1) through lane and one (1) shared through-right. The westbound left-turn storage length shall be a minimum of 200 feet in length.
 - c) Restripe/Widen the northbound approach - south leg from a shared left-right lane to one (1) left turn lane and one (1) shared through right-turn lane.
 - d) Restripe/widen the eastbound approach, west leg, from a shared through-right lane to one(1) left-turn lane, one (1) through lane and one (1) shared through-right lane. The eastbound left-turn storage length shall be a minimum of 150 feet in length.
 - e) If intersection improvements precede the construction of Access Point No. 3, the construction and striping of the eastbound left-turn lane, westbound through-right lane and northbound through lane may be deferred to be constructed with the northerly leg of the intersection.
- 3) The project will fund 54.30% of the cost of the conversion of the intersection of SR 120 (Yosemite) and Irwin Avenue to a "right-in/right-out" design.
- 4) The project will fund 40.08% of the cost of improvements to the intersection of SR 120 (Main) and McHenry Avenue (Escalon-Bellota Road) as follows:
- a) Restripe/Widen the eastbound approach – west leg to extend the left-turn storage length from 175 feet to 425 feet (or as determined by the City Engineer).

- 5) As noted above, development with frontage along SR 120 will be responsible for constructing improvements to widen SR 120 from two (2) four (4) lanes. Construction of the Phase 1 intersections may require concurrent installation of improvements along undeveloped frontages to improve functionality. Where such improvements occur, payback agreements may be adopted as appropriate to recover costs of construction from frontage properties upon development.

Mitigation Measure #3.8.2-15:

The project's "fair share" of the following improvements shall be included for funding by the mechanism adopted by the City of Escalon. Except as noted above, all listed improvements shall be completed, or assured to be completed, prior to the approval of development which will cause total project trips to exceed 25,000 ADT:

- 1) The project will fund 100% of the cost of improvements to the intersection of SR 120 (Yosemite) at Access Point No. 2 as follows:
 - a) Restripe/Widen the southbound approach, north leg, to dual (2) left-turn lanes and one (1) right-turn lane.
- 2) The project will fund 58.79% of the cost of improvements to the intersection of SR 120 (Yosemite) at Walnut Avenue (Access Point #3) as follows:
 - a) Restripe/Widen the eastbound approach, west leg, from one (1) left-turn lane, one (1) through lane and a shared through-right lane to one (1) left-turn lane, two (2) through lanes and a shared through-right lane.
 - b) Restripe/Widen the westbound approach, east leg, from one (1) left-turn lane, one (1) through lane and a shared through-right lane to one (1) left turn lane, two (2) through lanes and a shared through-right lane.
 - c) Construct appropriate transition lanes from six (6) through lanes along SR 120 at the intersection to four (4) travel lanes along SR 120 to the east and west.

Mitigation Measure #3.8.2-16:

The project's "fair share" of the following improvements shall be included for funding by the mechanism adopted by the City of Escalon. Except as noted above, all listed improvements shall be completed, or assured to be completed, prior to the approval of development which will cause total project trips to exceed 27,500 Average Daily Trips (ADT).

- 1) The project will fund 100% of the cost of widening the segment of SR 120 (Yosemite) between Brennan Avenue and Plaza Avenue from four (4) lanes to six (6) lanes.
- 2) The project will fund 58.79% of the cost of improvements to the intersection of SR 120 (Yosemite) at Walnut Avenue (Access Point #3) as follows:
 - a) Restripe/Widen the southbound approach, north leg, to dual (2) left-turn lanes.

- 3) The project will fund 53.22% of the cost of improvements to the intersection of SR 120 (Yosemite) and Brennan Avenue as follows:
 - a) Restripe/Widen the eastbound approach, west leg, from one (1) left-turn lane, one (1) through lane and a shared through-right to one (1) left turn lane, two (2) through lanes and a shared through right.
 - b) Restripe/Widen the westbound approach, east leg, from one (1) left-turn lane, one (1) through lane and a shared through-right to one (1) left-turn lane, two (2) through lanes and a shared through-right lane.

Mitigation Measure #3.8.2-17:

The project's "fair share" of the following improvements shall be included for funding by the mechanism adopted by the City of Escalon. Except as noted above, all listed improvements shall be completed, or assured to be completed, prior to the approval of development which achieves full buildout of the specific plan as proposed.

- 1) The intersection of SR 120 (Yosemite) at Access Point No. 2 (new minor collector) shall be improved/amended as follows:
 - a) Restripe/Widen the eastbound approach, west leg, from one (1) left turn lane and two (2) through lanes to one (1) left-turn lane and three through lanes. The east bound left-turn storage length shall be a minimum of 150 feet in length.
 - b) Restripe/Widen the westbound approach, east leg from one (1) through lane and a shared through-right lane to three (3) through lanes and one (1) right-turn lane.

Section V – Alternatives

A. Project Objectives

As noted in the EIR for the Project, the City's objective in carrying out the project is to facilitate the development of an economically sustainable industrial park and retail commercial center in the northwest quadrant of the community, making use of the community's ready access to the BNSF Railroad and State Highway 120. (EIR, at p. ES-1.)

Other Project objectives include:

1. Implement the City of Escalon General Plan.
2. Provide a new employment center for commerce and industrial uses compatible with the Plan Area.

3. Improve the jobs/housing balance in the region by providing local job opportunities in Escalon and, thereby, reducing the home-to-work commute by Escalon residents.
4. Establish high quality development that will provide landscaping and building design appropriate to the type of business activity present and create a distinctive gateway to Escalon along SR 120.
5. Provide an attractive, pleasant work place, as reflected in the landscaping, quality buildings, access to parking, and employee oriented amenities. Such amenities can include on-site recreation, outdoor and indoor lunch areas, and walking paths that connect to other businesses, restaurants, and services.
6. Provide development sites that are appropriate to the industrial and commercial user needs in terms of access, the size and configuration of available land parcels, availability of suitable buildings, and compatibility with surrounding land uses.
7. Provide infrastructure and circulation improvements to support economic development.
8. Develop a comprehensive transportation system to provide convenient and quick access to the work place, which minimizes commute time and costs.
9. Provide convenient access to personal services and conveniences near the work place, such as day care, medical and dental care, banking, professional services, recreation, retail shops and restaurants.
10. Provide a location for start-up businesses near high support services and opportunities for business interaction.
11. Develop an industrial park that is noteworthy for technological innovation in communications and building design with regard to lighting, heating and cooling, materials re-use, water and energy conservation.
12. Plan for and provide efficient extension of infrastructure to serve new development.
13. Provide a basis for funding mechanisms to secure necessary improvements.
14. Expedite development permit applicants that are consistent with the Specific Plan.
15. Provide a mix of land use classifications to accommodate all appropriate industrial, office and commercial uses at all times.
16. Provide clear, implementable development standards.
17. Encourage the private sector to maintain an adequate supply of "project ready" land.

(Final EIR, at pp. 2-1 to 2-2.) One of the factors governing whether a proposed alternative is “feasible” is whether that alternative would attain most of the Project objectives. Thus, in considering the Project, the City analyzes the alternatives proposed in the EIR to determine whether they feasibly attain the objectives described above.

As explained in greater detail below, the City rejects each of the alternatives analyzed in the EIR in favor of the Project. Those alternatives are rejected in large part because of a failure to achieve the Project objectives listed above.

B. No Project Alternative

1. Description of Alternative

Under this alternative the City would not approve the Specific Plan for an industrial park as proposed. The land would continue to be designated as Industrial and Commercial in the General Plan, and would be zoned properly and available for development. However, as it is assumed that the purpose of the Specific Plan is to encourage and facilitate development, the No Project alternative will assume that no development occurs on the subject site. The anticipated improvements to the community’s jobs/housing balance would not occur, with a considerable portion of the local population commuting relatively long distances for employment. (EIR, at p. 4-2.)

2. Findings Rejecting the No Project Alternative

The City prepared the Liberty Business Park Specific Plan to facilitate economic and job development through orderly growth and development. The Plan was prepared during a time of significant change in the structure of the national economy. Many types of manufacturing jobs have declined nationally or been transferred elsewhere. Yet the nation’s fundamental need for food and agricultural products and related industries provides an opportunity for Escalon to establish an enduring and sustainable economy based on these essential products. The Liberty Business Park will provide space for the growth of light industrial, railoriented industrial, commercial and office uses in an aesthetically pleasing industrial park setting. The LBP is envisioned as a major employment center for the City and surrounding area, and will bridge contemporary agricultural industries with new technology and products. The Specific Plan provides the project vision and objectives, and establishes development policies, land use regulations, design standards, and a phasing plan that will guide the orderly growth of new industrial, commercial, and office uses. (Specific Plan, at p. 1-1.)

The Project site would remain designated and zoned for commercial and industrial uses under the No Project Alternative. While the EIR assumes that no development would occur on the Project site, even if development did occur, many of the Project objectives would fail to materialize. Those objectives include:

4. Establish high quality development that will provide landscaping and building design appropriate to the type of business activity present and create a distinctive gateway to Escalon along SR 120.
7. Provide infrastructure and circulation improvements to support economic development.

8. Develop a comprehensive transportation system to provide convenient and quick access to the work place, which minimizes commute time and costs.
12. Plan for and provide efficient extension of infrastructure to serve new development.
13. Provide a basis for funding mechanisms to secure necessary improvements.
14. Expedite development permit applicants that are consistent with the Specific Plan.
17. Provide clear, implementable development standards.
18. Encourage the private sector to maintain an adequate supply of “project ready” land.

(Specific Plan, at pp. 2-1 to 2-2.) Because the No Project Alternative would not include measures to ensure that the objectives listed above would be achieved, the City Council finds that the No Project Alternative is infeasible, and rejects it in favor of the proposed Project.

C. Elimination of Commercial and Office Uses

1. Description of Alternative

This alternative addresses the feasibility of reducing the project impact by eliminating the Commercial and Office uses. The entire site would be developed; however, there would be a reduction in trip generation related to the removal of the highest intensity land uses. (EIR, at p. 4-3.)

2. Findings Rejecting the Elimination of Commercial and Office Uses

Under this alternative, commercial and office uses would be eliminated from the Project. Doing so would fail to achieve several important Project objectives. Those objectives include:

1. Implement the City of Escalon General Plan.
2. Provide a new employment center for commerce and industrial uses compatible with the Plan Area.
3. Improve the jobs/housing balance in the region by providing local job opportunities in Escalon and, thereby, reducing the home-to-work commute by Escalon residents.
6. Provide development sites that are appropriate to the industrial and commercial user needs in terms of access, the size and configuration of available land parcels, availability of suitable buildings, and compatibility with surrounding land uses.
15. Provide a mix of land use classifications to accommodate all appropriate industrial, office and commercial uses at all times.

Because this Alternative would not include measures to ensure that the objectives listed above would be achieved, the City Council finds that the Elimination of Commercial and Office Uses Alternative is infeasible. Additionally, this Alternative would be inconsistent with the General Plan, which designates the portion of the Project site adjacent to SR 120 for commercial uses. Thus, the City rejects this alternative in favor of the proposed Project.

D. Alternative Site Location

1. Description of Alternative

This alternative considers the potential relocation of the Project to another area of the community. Selection of the proposed industrial park site was focused on the need for such projects to be appropriately designated in the General Plan, to have access to considerable undeveloped land, with ready access to major streets and, ideally, to rail service as well. Only one other location meets these criteria. The southerly industrial area along the west side of McHenry Avenue, generally between Ullrey Avenue and Jones Avenue is designated in the General Plan for Heavy Industrial Use. The General Plan calls for the adoption of a specific plan for this area prior to development. This alternative contemplates adopting the south industrial park specific plan and encouraging its development prior to the adoption of the Liberty Business Park Specific Plan as proposed. (EIR, at p. 4-4.)

2. Findings Rejecting the Alternative Site Location

The alternative location meets the major location criteria of the project, in that it is designated for industrial land uses, and has road and rail access. However, the alternative site is located along an arterial, rather than a State Highway, and is served by approximately one train per week, as compared to several trains per day at the proposed location. (EIR, at p. 4-4.)

The alternative location would be expected to generate modestly greater truck traffic, due to the absence of regular rail service. As is true at the subject site, the alternative site would rely on SR 120 for primary regional access. As such, relocating the project would not significantly reduce congestion impacts to SR 120. Increasing turning traffic at the intersection of SR 120 and McHenry Avenue would further degrade the level of service of SR 120 through the community of Escalon. (EIR, at p. 4-6.)

Thus, while this alternative may achieve many of the Project objectives, it would do so less effectively. Also, this alternative would result in greater traffic impacts than those of the proposed Project. Therefore, the City rejects this Alternative in favor of the proposed Project.

Section VI – Custodian of Record

The documents and materials that constitute the record of proceedings on which these Findings have been based are located at City Hall, 1854 Main Street, Escalon, California, 95320. The custodian for these records is the City Clerk. This information is provided in compliance with Public Resources Code section 21081.6.

EXHIBIT "B"

STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE LIBERTY BUSINESS PARK SPECIFIC PLAN

A. Introduction

The California Environmental Quality Act (CEQA) and the State CEQA Guidelines provide that:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

(Section 15093 of the State CEQA Guidelines.)

Pursuant to these Guidelines, and to the extent that any impacts from adoption of the General Plan (the "Project") are significant and have not been mitigated to a level of insignificance, the City of Escalon adopts and makes the following Statement of Overriding Considerations regarding the potential unavoidable significant environmental impacts of the Project and the anticipated economic, social, and other benefits or considerations of the project.

B. General

The City of Escalon finds that, to the extent that any impacts (including, without limitation, any cumulative impacts) attributable to the Project remain unmitigated or are considered to be unavoidable, such impacts are acceptable in light of the overriding social, economic, and other benefits or considerations described herein. Those significant and unavoidable impacts identified in the Final EIR and described in greater detail below include:

- Agricultural Impacts
- Air Quality Impacts

- Noise Impacts
- Traffic Impacts

The City of Escalon also finds that the Project alternatives that would avoid or further mitigate the environmental effects identified by the environmental documentation in the record are infeasible or undesirable with respect to the Project. Such alternatives would have greater impacts than the project or would fail to meet important project objectives, including the assurance of unified development which takes advantage of the availability of rail access from the BNSF railway and road access from SR 120, which the City finds would prohibit or limit obtaining the specific social, economic, and other benefits or considerations of the Project.

C. Significant Environmental Impacts of the Project Which Cannot Be Mitigated to a Level of Insignificance

The project may have significant or certain substantial impacts on the environment which cannot be fully mitigated or avoided. These impacts are identified in the Final EIR. All of the impacts associated with the proposed project, with the exception of significant impacts referenced herein, have been reduced to the extent considered feasible and have been reduced through the incorporation of mitigation measures to less than significant levels. The significant or certain substantial adverse impacts identified herein also have been mitigated to the extent feasible; however, these impacts cannot be fully avoided to a level of less than significant.

The significant environmental impacts of the proposed project which cannot be avoided or mitigated to a level of insignificance as identified in the Final EIR are as follows:

Agriculture

- The project will directly convert approximately 178 acres of prime farmland and farmland of statewide significance from agricultural production to developed urban uses. As the City of Escalon is surrounded by prime farmland, this project will contribute the cumulative loss of farmland as the community grows. The EIR adopted with the City of Escalon General Plan Update in 2005 identified significant unavoidable impacts to agriculture as a consequence of implementation of the General Plan. A Statement of Overriding Conditions was adopted indicating the benefits development as described in the General Plan outweighed the potential impacts. The proposed project falls within the scope of impacts analyzed in the General Plan EIR.

Air Quality

- The project will attract a substantial number of new trips by customers and employees of the site, as well as truck trips to serve the anticipated warehouse, industrial, and commercial components. Air emissions from such trips will cause a significant impact to local and regional air quality. These effects will also be cumulatively considerable when combined with increased traffic from the overall development of the City of Escalon. The EIR adopted with the City of Escalon General Plan Update in 2005 identified significant unavoidable impacts to air quality, particularly as they relate to traffic emissions as a consequence of implementation of the General Plan. A Statement of Overriding Conditions was adopted indicating the benefits development as described in the General Plan outweighed the potential impacts. The proposed project falls within the scope of impacts analyzed in the General Plan EIR.

- Although mitigation measures are proposed to reduce construction related air quality emissions, the use of heavy equipment during construction activities may exceed the adopted threshold of significance. As these impacts are short-term in nature, they are not considered to be cumulative impacts.

Noise

- Equipment and vehicles used during construction will result in an increase in noise levels which may exceed the City of Escalon's Noise Standards for limited periods. This is a significant impact.

Traffic

- Although mitigation measures are proposed to improve traffic circulation, SR 120 along the project frontage and through the community of Escalon will continue to operate at substandard Levels of Service (LOS E and LOS F) until the SR 120 bypass is constructed. At the proposed project will contribute traffic to a system which does not meet adopted standards, the project will have a significant and cumulative unavoidable impact on Traffic.

D. Social, Economic and Other Considerations

The City has determined that the unavoidable impacts of the proposed project are acceptable when balanced against the benefits of the project. The following benefits are found to outweigh and make acceptable the unavoidable adverse impacts of the proposed project as described in the Final EIR and the Statement of Facts:

- The project will encourage sustained economic growth recognizing the importance of economic generators, job generators and a balance between jobs and housing.
- The project will provide for a fiscally sound city with an emphasis on sales tax.
- The project will encourage economic growth within the City's industrial areas.
- The project will provide for orderly, contiguous growth and discourage leap-frog development.
- The project will provide for the systematic, continual upgrade and improvement of City infrastructure.

E. Additional Overriding Considerations

1) Economic Considerations.

The Project provides a framework for the development of two major land uses which are expected to have a beneficial economic and fiscal effect for the City of Escalon. The General Plan identifies a need for additional industrial development to improve the City's jobs/housing balance. The Specific Plan calls for both regionally based rail-oriented industrial uses which are

expected to include distribution and transshipment facilities, and light industrial uses which may be local serving. Both offer the opportunity to create jobs for Escalon residents. Locally based industrial jobs, serving regional or larger areas have the greatest potential multiplier effects on the municipal economy. Improving the jobs/housing balance may also relieve current inter-city community patterns with a potentially beneficial effect on congestion, air-quality, etc.

In addition, the Liberty Business Park Specific Plan includes substantial areas for retail commercial development along SR 120, which is a major travel route between the San Francisco Bay area cities and Yosemite National Park and the recreational areas of the Sierra Nevada foothills. Commercial development will provide tourists and travelers with convenient access to goods and services and will provide the community with a source of sales tax revenue to the fiscal advantage of the City of Escalon.

2) Social Considerations.

The project includes policies to require a higher level of architectural and site design standards than are otherwise required by the Escalon Zoning Ordinance. Such requirements include monument signage to identify the project entrance(s), attractive facades and variations in architectural massing to provide an aesthetically pleasing image of Escalon at this important community entrance.

3) Legal / Public Policy Considerations.

To ensure that the relevant environmental issues have been addressed adequately, this Project has been subjected to extensive and rigorous environmental analysis. The size and scope of the EIR (including all appendices related thereto) objectively evidences the length and depth of the reasonable and good faith analysis conducted by the City of Escalon.

To further evidence the reasonable and good faith effort, the City of Escalon has committed substantial resources in the preparation of this EIR. During the preparation and circulation of the environmental documentation for this Project, the City of Escalon solicited widely the comments of the public and accorded the public ample opportunities to express their views, whether in favor of or against the Project.

This Statement of Overriding Considerations is based on evidence in the administrative record for this Project, including, but not limited to, the Liberty Business Park Specific Plan (November 2007), the City of Escalon General Plan (June 2005), and related documents. Accordingly, based on the foregoing discussion and substantial evidence in the record, the City Council finds and concludes separately and independently that there is a substantial and overriding public policy benefit that will be conferred in the City of Escalon by approving this Project, and that any significant adverse impacts are, therefore, acceptable.

EXHIBIT “C”

**MITIGATION MONITORING
PROGRAM FOR THE LIBERTY BUSINESS PARK SPECIFIC PLAN**

Impact	Mitigation Measures	Implementation	Monitoring	Time Span
AIR QUALITY				
Impact #3.3.2: Construction Emissions of Particulate Matter (PM₁₀) and Fine Particulate Matter (PM_{2.5})	<p>Mitigation Measure #3.3.2: For any phase of construction in which an area greater than twenty (20) acres will be disturbed on any one day, the project developer shall implement the following measures.</p> <ul style="list-style-type: none"> ▪ Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent. ▪ Install wind breaks at windward side(s) of construction areas. 	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.
Impact #3.3.3: Construction Activities (Gaseous Emissions)	<p>Mitigation Measure #3.3.3: The following measures from the Guide to the Assessment and Mitigation of Air Quality Impacts (GAMAQI) (January 2002) shall be implemented in order to reduce gaseous construction emissions:</p> <ul style="list-style-type: none"> ▪ Use alternative fueled or catalyst equipped diesel construction equipment where feasible. ▪ Minimize idling time to a maximum of 10 minutes. ▪ Where feasible, replace fossil-fueled equipment with electrically driven equivalents (provided they are not run via a portable fossil fuel generator set). 	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.

Impact	Mitigation Measures	Implementation	Monitoring	Time Span
	<ul style="list-style-type: none"> During periods of high ambient pollution concentration (as determined by the SJVUAPCD through the "Spare the Air" campaign or similar programs), heavy equipment use shall be deferred or reduced where feasible. 			
BIOLOGICAL RESOURCES				
Impact #3.4.1: Special Status Species	<p>Mitigation Measure #3.4.1-1 – Valley Elderberry Longhorn Beetles: Prior to the start of construction of Phase 2 and Phase 4, the City or designated representative shall comply with the applicable requirements of the San Joaquin County Multiple Species Habitat Conservation Plan. Such requirements include, but are not limited to the following:</p> <p>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.</p> <p>B. Brightly colored flags or fencing shall be placed surrounding elderberry shrubs throughout the construction process.</p> <p>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).</p> <p>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</p>	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.

Impact	Mitigation Measures	Implementation	Monitoring	Time Span
	transplanted, compensation for removal of shrubs shall be as provided in section 5.5.4 (C)			
	<p>Mitigation Measure #3.4.1-2 Vernal Pools and Associated Species: Prior to the start of construction of Phases 1, 2 and 4 of the project, the developer shall initiate a dialogue with the JPA and TAC or permitting agencies, and comply with the applicable requirements of the San Joaquin County Multiple Species Habitat Conservation Plan. Such requirements include, but are not limited to the following</p>	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.
	<p>A. Preconstruction surveys, conducted in compliance with U.S. Fish and Wildlife Service protocols approved and in place at the time the surveys are conducted, shall be conducted to determine the presence or absence of Conservancy and/or longhorn fairy shrimp within vernal pools or other wetlands located southwest of I-580 in the Southwest Zone unless avoidance of vernal pools and/or wetlands is achieved in compliance with SJMSCP Section 5.5.9.</p> <p>B. The San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP), as stated in Section 5.2.4.4 Vernal Pool Plants and Vernal Pool Invertebrates, requires full avoidance for legenera and Greene's tuctoria. For all other vernal pool plants and vernal pool invertebrates, mitigation measures are:</p> <ol style="list-style-type: none"> 1. Filling vernal pools shall be delayed until pools are dry and samples from the top layer of vernal pools soils are collected. Soil collections shall be sufficient to include a representative sample of plant and animal life present in the pools by incorporating seeds, cysts, eggs, spores and similar inoculum. 2. Collected soils shall be dried and stored in pillowcases 	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.

Impact	Mitigation Measures	Implementation	Monitoring	Time Span
	<p>labeled with the date and location of soils collected. Soils will be deposited with the JPA. The JPA shall retain the soils in a cool, dry area and shall be responsible for providing soils to vernal pool construction managers for inoculating newly created vernal pools on Preserve lands.</p> <p>C. Section 5.2.4.5 of the SJMSCP requires the following California tiger salamander incidental take minimization measures for projects that with require a permit pursuant to Section 404 of the Federal Clean Water Act:</p> <ol style="list-style-type: none"> 1. In potential California tiger salamander habitat, the project proponent shall contact the TAC, and survey according to the current protocol approved by the TAC and the Permitting Agencies. 2. If salamanders are detected, or if they are known to occur, Incidental Take Minimization Measures shall be applied. Required minimization measures may include, but not be limited to, consideration of the effects to aquatic habitat, retention of small mammal burrows and other suitable aestivation habitat in adjacent uplands, maintenance of open habitat between breeding ponds and aestivation sites, and siting replacement wetland habitat, whenever possible, within approximately 1.5 miles of other known breeding sites. <p>D. Section 5.2.4.6 of the SJMSCP, requires the following California tiger salamander incidental take minimization measures for SJMSCP covered activities <i>not</i> requiring a Federal Clean Water Act Section 404 Permit:</p> <ol style="list-style-type: none"> 1. Retain known breeding sites. 2. In potential California tiger salamander habitat, the project proponent shall contact the TAC, and survey 			

Impact	Mitigation Measures	Implementation	Monitoring	Time Span
	<p>according to the current protocol approved by the TAC and the Permitting Agencies' representatives on the TAC. If salamanders are detected, Incidental Take Minimization Measures shall be applied (refer to 3.4.1-3-D-b, above for minimization criteria).</p>			
	<p>E. If a proposed project intends to eliminate aquatic habitat (including wetlands, ponds, springs and other standing water sources), and create a new, on-site habitat, then the newly created habitat shall be created and filled with water prior to dewatering and destroying the pre-existing habitat. Dewatering and relocation of aquatic habitats on-site should occur when the water source is dry under natural conditions, or otherwise outside of the full breeding season for tiger salamanders (December to June) to allow larvae to metamorphose and migrate to upland habitat.</p>			
	<p>F. If a proposed project intends to eliminate aquatic habitat including wetlands, ponds, springs and other standing water sources, and will not create a new, on-site habitat, then dewatering should occur prior to commencement of construction and other Site Disturbing Activities. Dewatering and relocation of aquatic habitats should occur outside of the time period when adult salamanders are breeding (approximately December to February).</p>			
	<p>1. Apply those other measures that are utilized to minimize impacts and Take of the California tiger salamander that are developed as described in section 5.2.4.5 above. Those other measures will address the effects to aquatic habitat, retention of small mammal burrows and other suitable aestivation habitat in adjacent uplands, maintenance of open habitat between breeding ponds and aestivation sites, and siting replacement wetland habitat, whenever possible,</p>			

Impact	Mitigation Measures	Implementation	Monitoring	Time Span
	within approximately 1.5 miles of other known breeding sites.			
	<p>Mitigation Measure #3.4.1-3 Special Status Species-Migratory Birds: Prior to the start of construction of any phase of the project, the developer shall comply with the applicable requirements of the San Joaquin County Multiple Species Habitat Conservation Plan. Such requirements include, but are not limited to the following</p> <p>A. The project developer shall either:</p> <ol style="list-style-type: none"> 1. Discourage ground squirrel inhabitation of the site by planting new and retaining existing vegetation to cover the site to approximately 36” above the ground prior to construction. The project proponent shall contact the TAC early in the planning process for timing and specifications. Vegetation shall be maintained until construction begins; or 2. The project developer shall have a preconstruction survey performed by a qualified biologist to determine the presence of burrowing owls. If burrowing owls are found to occupy the site, then the following measures shall be implemented: <ol style="list-style-type: none"> a) During the non-breeding season (September 1 through January 31) burrowing owls occupying the project site should be evicted from the project site by passive relocation as described in the CDFG’s Staff Report on Burrowing Owls (October 1995). b) During the breeding season (February 1 – August 31) occupied burrows shall not be disturbed and shall be provided with a 75 meter protective buffer until and unless the TAC, or a qualified biologist approved by the Permitting Agencies verifies through non-invasive means that 1) the birds have not begun egg laying, or 2) juveniles from occupied burrows have fledged and are capable of independent survival. The burrow can then be 			

Impact	Mitigation Measures	Implementation	Monitoring	Time Span
	<p>destroyed.</p> <p>B. A setback of 100 feet from nesting areas shall be established and maintained during the nesting season for the period encompassing nest building and continuing until fledglings leave nests. This setback applies whenever construction or other ground-disturbing activities must begin during the nesting season in the presence of nests which are known to be occupied. Setbacks shall be marked by brightly colored temporary fencing.</p> <p>C. 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.</p> <p>D. If the Project Proponent elects to remove a nest tree, then nest trees may be removed between September 1 and February 15, when the nests are unoccupied.</p>			
	<p>Mitigation Measure #3.4.1-4 Habitat Loss Including Vernal Pools and Foraging Areas: Prior to the start of construction of any phase of the project, the developer shall comply with the applicable requirements of the San Joaquin County Multiple Species Habitat Conservation Plan. Such requirements include, but are not limited to the following:</p> <p>A. Pay the appropriate fee as indicated in Section 7.4.1 of the SJVMSP; or</p> <p>B. Dedicate, as conservation easements or fee title, or in-lieu dedications (as specified in Sections 5.3.2.2 and 5.3.2.3, herein); or</p> <p>C. Purchase approved mitigation bank credits as specified in Section 5.3.2.4.</p> <p>D. Propose an alternative mitigation plan, consistent with the goals of the SJMSCP and equivalent in biological value to options A, B or C, above, subject to approval by the JPA with the concurrence of the Permitting Agencies' representatives on the TAC.</p>	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.
CULTURAL RESOURCES				

Impact	Mitigation Measures	Implementation	Monitoring	Time Span
Impact #3.5.1: Disturbance of Cultural or Historic Resources, Skeletal Remains	Mitigation Measure #3.5.1: Should buried cultural resources be discovered during construction, the project contractor shall immediately halt all work within 50 feet of the find until a qualified professional archaeologist can be consulted to evaluate the find and implement appropriate mitigation measures. Should human skeletal remains be encountered, State law requires immediate notification of the County Coroner. Should the County Coroner determine that such remains are in an archaeological context, the Native American Heritage Commission in Sacramento shall be notified immediately, pursuant to State law, to arrange for Native American participation in determining the disposition of such remains.	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.
NOISE				
Impact #3.6.1: Construction Noise	Mitigation Measure #3.6.1 Noise producing equipment used during construction shall be restricted to the hours from 7:00 a.m. to 7:00 p.m., Monday through Friday, and 9:00 a.m. to 6:00 p.m. on Saturday and Sunday. Also, effective mufflers shall be fitted to gas-and diesel-powered equipment.	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.
TRAFFIC/TRANSPORTATION				
Impact #3.8.2 – Exceed established level of service standards	<p>Mitigation Measure #3.8.2-1: The following improvements shall be added to the list of projects eligible to receive local and, where possible, regional, funding from Transportation Impact Fees:</p> <ol style="list-style-type: none"> 1) Widen SR 120 (Yosemite) west of Brennan Avenue (toward Manteca) from two (2) lanes to four (4) lanes. 2) Widen SR 120 (Yosemite) between Brennan Avenue and the BNSF Railroad right of way from two (2) lanes to four (4) lanes. 3) Improve the intersection of SR 120 (Yosemite) and Brennan Avenue in two stages as follows: <ol style="list-style-type: none"> a) Stage 1 Improvements <ol style="list-style-type: none"> i) Signalize Intersection - Coordinate and Optimize signal 	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.

Impact	Mitigation Measures	Implementation	Monitoring	Time Span
	<p>timing.</p> <ul style="list-style-type: none"> ii) Restripe/widen the eastbound approach - west leg, from shared left-through-right to one (1) left-turn lane, one (1) through lane and a shared through-right. The eastbound left-turn storage length shall be a minimum of 250 feet in length. iii) Restripe/Widen the westbound approach - east leg, from shared left-through-right to one (1) left-turn lane, one (1) through lane and a shared through-right. The westbound left-turn storage length shall be a minimum of 200 feet in length. iv) Restripe/Widen the northbound approach - south leg, from shared left-through-right to one (1) left-turn lane and a shared through-right. The northbound left-turn storage length shall be a minimum of 200 feet in length. v) Restripe/Widen the southbound approach - north leg, from shared left-through and one (1) right-turn lane to one (1) left-turn lane and a shared through-right. The southbound left-turn storage length shall be a minimum of 100 feet in length. <p>b) Stage 2 Improvements</p> <ul style="list-style-type: none"> i) Restripe/Widen the eastbound approach, west leg, from one (1) left-turn lane, one (1) through lane and a shared through-right to one (1) left turn lane, two (2) through lanes and a shared through right. ii) Restripe/Widen the westbound approach, east leg, from one (1) left-turn lane, one (1) through lane and a shared through-right to one (1) left-turn lane, two (2) through lanes and a shared through-right lane. <p>4) Improve the intersection of SR 120 (Yosemite) and Walnut Avenue in two stages as follows:</p> <p>a) Stage 1 Improvements</p>			

Impact	Mitigation Measures	Implementation	Monitoring	Time Span
	<ul style="list-style-type: none"> i) Signalize Intersection - Coordinate and Optimize signal timing ii) Restripe/Widen the westbound approach - east leg, from a shared left-through lane to one (1) left-turn lane and one (1) shared through-right. The westbound left-turn storage length shall be a minimum of 200 feet in length. iii) Restripe/Widen the northbound approach - south leg, from shared left-right to one (1) left-turn lane and one (1) right-turn lane. iv) Restripe/Widen the eastbound approach, west leg, from a shared through-right lane to one (1) left-turn lane, one (1) through lane and one (1) shared through-right lane. The eastbound left-turn storage length shall be a minimum of 150 feet in length. v) Restripe/Widen the westbound approach, east leg, from one (1) left-turn lane and one (1) through lane to one (1) left-turn lane, one (1) through lane and a shared through-right lane. 			
	<ul style="list-style-type: none"> b) Stage 2 Improvements <ul style="list-style-type: none"> i) Restripe/Widen the eastbound approach, west leg, from one (1) left-turn lane, one (1) through lane and a shared through-right lane to one (1) left-turn lane, two (2) through lanes and a shared through-right lane. ii) Restripe/Widen the westbound approach, east leg, from one (1) left-turn lane, one (1) through lane and a shared through-right lane to one (1) left turn lane, two (2) through lanes and a shared through-right lane. 			
	<ul style="list-style-type: none"> 5) Convert the intersection of SR 120 (Yosemite) and Irwin Avenue to limit access to a “right-in/right-out” design. 6) Improve the intersection of SR 120 (Main) and McHenry Avenue (Escalon-Bellota Road) as follows: <ul style="list-style-type: none"> a) Restripe/Widen the southbound approach - north leg, from one (1) 			

Impact	Mitigation Measures	Implementation	Monitoring	Time Span
	left-turn lane, two (2) through lanes and one (1) right-turn lane to dual (2) left-turn lanes, two (2) through lanes and one (1) right-turn lane.			
	Mitigation Measure #3.8.2-2: The project shall be redesigned to eliminate Access Point No. 4, which intersects SR 120 at the Oklahoma Avenue alignment.	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.
	Mitigation Measure #3.8.2-3: The project shall be redesigned to eliminate Access Point No. 1, immediately to the east of the intersection of SR 120 and Brennan Avenue. Access Point No. 1 may be retained as a right-in/right-out entrance upon a determination by the City Engineer, in consultation with Caltrans, that such an intersection would not unduly interfere with the functioning of the SR 120/Brennan Avenue intersection.	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.
	Mitigation Measure #3.8.2-4: The central collector road (extending from the intersection of SR 120 (Yosemite) and Walnut Avenue north and west to Brennan Avenue) shall be designed and constructed to a city standard four lane major collector.	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.
	<p data-bbox="338 872 1121 956">Mitigation Measure #3.8.2-5: The intersection of SR 120 (Yosemite) at Access Point No. 2 (new minor collector) shall be designed and constructed as follows:</p> <ol data-bbox="338 997 1121 1391" style="list-style-type: none"> <li data-bbox="338 997 1121 1114">1) The developer installing Access Point No. 2 shall provide adequate funding to signalize the intersection and coordinate and optimize signal timing. Actual signalization shall be dependent upon traffic warrants as determined by the City Engineer and/or Caltrans. <li data-bbox="338 1149 1121 1206">2) Restripe/Widen the eastbound approach, west leg from a shared left-through to one (1) left-turn lane and two (2) through lanes. <li data-bbox="338 1242 1121 1333">3) Restripe/Widen the westbound approach, east leg, from a shared through-right lane to one (1) through lane and a shared through-right lane. <li data-bbox="338 1369 1121 1391">4) Design/Construct Access Point #2/southbound approach to one (1) left- 	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.

Impact	Mitigation Measures	Implementation	Monitoring	Time Span
	turn lane and one (1) right-turn lane.			
	5) Right-of-way shall be dedicated sufficient to allow future widening of the intersection in future development phases.			
	Mitigation Measure #3.8.2-6: The intersection of SR 120 (Yosemite) at Walnut Avenue (Access Point #3) shall be improved/amended as follows:	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.
	1) Restripe/Widen the eastbound approach west leg, from a shared through-right lane to one (1) left-turn lane, one (1) through lane and one (1) shared through-right lane. The eastbound left-turn storage length shall be a minimum of 150 feet in length.			
	2) Restripe/Widen the westbound approach, east leg, from one (1) left-turn lane and one (1) through lane to one (1) left-turn lane, one (1) through lane and a shared through-right lane.			
	3) Design/Construct Access Point #3/southbound approach, north leg, to one (1) left-turn lane and a shared through-right lane. Right-of-way shall be dedicated sufficient to allow future widening of the intersection in future development phases.			
	4) Restripe/Widen the northbound approach - south leg from a shared left-right lane to one (1) left turn lane and one (1) shared through right-turn lane.			
	5) If intersection improvements precede the construction of Access Point No. 3, the construction and striping of the eastbound left-turn lane, westbound through-right lane and northbound through lane may be deferred to be constructed with the northerly leg of the intersection.			
	Mitigation Measure #3.8.2-7: Where phased construction of road improvements are anticipated, earlier phases shall be designed to accommodate future improvements with a minimum of reconstruction. Consideration shall be given to ultimate design criteria including right of way widths, turning lanes, turning queues, grade breaks, etc.	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.

Impact	Mitigation Measures	Implementation	Monitoring	Time Span
	<p>Mitigation Measure #3.8.2-8: All development along Brennan Avenue, the Minor Collector and the Major Collector shall dedicate right-of-way and construct street improvements along the frontage of the affected property to the full width of the proposed street. The City Engineer may, upon consideration of circulation, emergency access, and the potential for orderly development, impose a condition of approval requiring off-site construction of the Minor Collector and/or Major Collector to complete the connection between SR 120 and Brennan Avenue, subject to a payback agreement from other property owners along those frontages.</p>	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.
	<p>Mitigation Measure #3.8.2-9: Upon development along SR 120, property owners shall be required to dedicate adequate right-of-way for the full build out of SR 120 to a six lane standard. As the southerly right-of-way of SR 120 is bounded by the right-of-way of the UPRR, it is anticipated that all additional right-of-way will be acquired from the project site. Developers along SR 120 shall construct street improvements along the frontage of the property to the full anticipated width of the property, except that such responsibility shall be limited to a maximum of two (2) travel lanes, plus parking lanes, curb, gutter, sidewalk, utility extensions, etc. per City standards. The additional two (2) travel lanes required shall be funded and constructed as described below.</p>	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.
	<p>Mitigation Measure #3.8.2-10: Prior to the start of development on the subject site, the City of Escalon shall adopt a funding mechanism for street improvements related to the proposed project. The funding mechanism shall be sufficient to ensure that all development on the subject site will contribute a proportionate share to the construction of associated improvements, described in more detail below. Contributions shall be based upon the number of trips anticipated to be generated by the proposed development, based on the Institute of Transportation Engineers (ITE), Trip Generation Manual, latest version, or similar methodology. The funding mechanism shall collect sufficient funds to pay for the project’s “fair share” of required improvements. As determined by the Traffic Impact Study prepared for this project, the “fair share” is the proportion of trips using each facility that are attributable to trips to and from the subject site. Where individual improvements are needed for safe operation or to relieve acute circulation deficiencies, the City Engineer may require individual developers to construct project related improvements subject to payback</p>	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.

Impact	Mitigation Measures	Implementation	Monitoring	Time Span
	agreements from future contributions to the fund.			
	Mitigation Measure #3.8.2-11: As development occurs on the subject site, the City of Escalon shall maintain a database indicating the estimated number of trips generated by each use as it is constructed. Estimated trip generation shall be calculated based on the latest version of the ITE Trip Generation Manual.	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.
	Mitigation Measure #3.8.2-12: To ensure that development does not exceed adjacent road capacities, the list of road improvement projects to be funded by the proposed project will be divided into phases, defined by the number of weekday daily Project trips, which will generate the need for various improvements. The City of Escalon shall ensure that all improvements along the project frontage which are associated with a phase are completed or assured to be completed, prior to permitting development which will generate the number of trips which trigger the next phase of improvements. Construction of off-site improvements may be delayed at the option of the City Engineer, if necessary to improve coordination with other projects and priorities of the City of Escalon.	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.
	Mitigation Measure #3.8.2-13: As development occurs on the subject site and as traffic on adjacent roads increases, it may become necessary to recalibrate the listed improvements to reflect actual experience. As such, the City of Escalon may direct a subsequent traffic study to determine actual rates of traffic growth to date and to reformulate the list of improvement projects needed as well as the appropriate “fair share” proportions. Similarly, cost estimates for future construction, and the associated contributions to road improvement funds may be recalculated by the City of Escalon to ensure that adequate funding for needed projects is maintained.	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.
	Mitigation Measure #3.8.2-14: The project’s “fair share” of the following improvements shall be included for funding by the mechanism adopted by the City of Escalon. Except as noted above, all listed improvements shall be completed, or assured to be completed, prior to the approval of development which will cause total project trips to exceed 14,000 Average Daily Trips (ADT). 1) The project will fund 43.22% of the cost of improvements to the	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.

Impact	Mitigation Measures	Implementation	Monitoring	Time Span
	<p>intersection of SR 120 (Yosemite) and Brennan Avenue as follows:</p>			
	<p>a) Provide adequate funding to signalize the intersection and coordinate and optimize signal timing. Actual signalization shall be dependent upon traffic warrants as determined by the City Engineer and/or Caltrans.</p>			
	<p>b) Restripe/Widen the eastbound approach - west leg, from shared left-through-right to one (1) left-turn lane, one (1) through lane and a shared through-right. The eastbound left-turn storage length shall be a minimum of 250 feet in length.</p>			
	<p>c) Restripe/Widen the westbound approach - east leg, from shared left-through-right to one (1) left-turn lane, one (1) through lane and a shared through-right. The westbound left-turn storage length shall be a minimum of 200 feet.</p>			
	<p>d) Restripe/Widen the northbound approach - south leg, from shared left-through-right to one (1) left-turn lane and a shared through-right. The northbound left-turn storage length shall be a minimum of 200 feet in length.</p>			
	<p>e) Restripe/Widen the southbound approach - north leg, from shared left-through and one (1) right-turn lane to one (1) left-turn lane and a shared through-right. The southbound left-turn storage length shall be a minimum of 100 feet in length.</p>			
	<p>2) The project will fund 58.79% of the cost of improvements to the intersection of SR 120 (Yosemite) and Walnut Avenue as follows:</p>			
	<p>a) Provide adequate funding to signalize the intersection and coordinate and optimize signal timing. Actual signalization shall be dependent upon traffic warrants as determined by the City Engineer and/or Caltrans.</p>			
	<p>b) Widen the westbound approach - east leg, from shared left-through to one (1) left-turn lane, one (1) through lane and one (1) shared through-right. The westbound left-turn storage length shall be a</p>			

Impact	Mitigation Measures	Implementation	Monitoring	Time Span
	<p>minimum of 200 feet in length.</p>			
	<p>c) Restripe/Widen the northbound approach - south leg from a shared left-right lane to one (1) left turn lane and one (1) shared through right-turn lane.</p>			
	<p>d) Restripe/Widen the eastbound approach, west leg, from a shared through-right lane to one (1) left-turn lane, one (1) through lane and one (1) shared through-right lane. The eastbound left-turn storage length shall be a minimum of 150 feet in length.</p>			
	<p>e) If intersection improvements precede the construction of Access Point No. 3, the construction and striping of the eastbound left-turn lane, westbound through-right lane and northbound through lane may be deferred to be constructed with the northerly leg of the intersection.</p>			
	<p>3) The project will fund 54.30% of the cost of the conversion of the intersection of SR 120 (Yosemite) and Irwin Avenue to a “right-in/right-out” design.</p>			
	<p>4) The project will fund 40.08% of the cost of improvements to the intersection of SR 120 (Main) and McHenry Avenue (Escalon-Bellota Road) as follows:</p>			
	<p>a) Restripe/Widen the eastbound approach – west leg to extend the left-turn storage length from 175 feet to 425 feet (or as determined by the City Engineer).</p>			
	<p>5) As noted above, development with frontage along SR 120 will be responsible for constructing improvements to widen SR 120 from two (2) four (4) lanes. Construction of the Phase 1 intersections may require concurrent installation of improvements along undeveloped frontages to improve functionality. Where such improvements occur, payback agreements may be adopted as appropriate to recover costs of construction from frontage properties upon development.</p>			
	<p>Mitigation Measure #3.8.2-15: The project’s “fair share” of the following improvements shall be included for funding by the mechanism adopted by the City of Escalon. Except as noted above, all listed improvements shall be</p>	City of Escalon	City of Escalon	Adoption and Implementation of

Impact	Mitigation Measures	Implementation	Monitoring	Time Span
	<p>completed, or assured to be completed, prior to the approval of development which will cause total project trips to exceed 25,000 ADT:</p> <ol style="list-style-type: none"> 1) The project will fund 100% of the cost of improvements to the intersection of SR 120 (Yosemite) at Access Point No. 2 as follows: <ol style="list-style-type: none"> a) Restripe/Widen the southbound approach, north leg, to dual (2) left-turn lanes and one (1) right-turn lane. 2) The project will fund 58.79% of the cost of improvements to the intersection of SR 120 (Yosemite) at Walnut Avenue (Access Point #3) as follows: <ol style="list-style-type: none"> a) Restripe/widen the eastbound approach, west leg, from one (1) left-turn lane, one (1) through lane and a shared through-right lane to one (1) left-turn lane, two (2) through lanes and a shared through-right lane. b) Restripe/widen the westbound approach, east leg, from one (1) left-turn lane, one (1) through lane and a shared through-right lane to one (1) left turn lane, two (2) through lanes and a shared through-right lane. c) Construct appropriate transition lanes from six (6) through lanes along SR 120 at the intersection to four (4) travel lanes along SR 120 to the east and west. 			Specific Plan.
	<p>Mitigation Measure #3.8.2-16: The project’s “fair share” of the following improvements shall be included for funding by the mechanism adopted by the City of Escalon. Except as noted above, all listed improvements shall be completed, or assured to be completed, prior to the approval of development which will cause total project trips to exceed 27,500 Average Daily Trips (ADT).</p> <ol style="list-style-type: none"> 1) The project will fund 100% of the cost of widening the segment of SR 120 (Yosemite) between Brennan Avenue and Plaza Avenue from four (4) lanes to six (6) lanes. 	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.

Impact	Mitigation Measures	Implementation	Monitoring	Time Span
	<p>2) The project will fund 58.79% of the cost of improvements to the intersection of SR 120 (Yosemite) at Walnut Avenue (Access Point #3) as follows:</p> <ul style="list-style-type: none"> a) Restripe/Widen the southbound approach, north leg, to dual (2) left-turn lanes. <p>3) The project will fund 53.22% of the cost of improvements to the intersection of SR 120 (Yosemite) and Brennan Avenue as follows:</p> <ul style="list-style-type: none"> a) Restripe/widen the eastbound approach, west leg, from one (1) left-turn lane, one (1) through lane and a shared through-right to one (1) left turn lane, two (2) through lanes and a shared through right. b) Restripe/widen the westbound approach, east leg, from one (1) left-turn lane, one (1) through lane and a shared through-right to one (1) left-turn lane, two (2) through lanes and a shared through-right lane. 			
	<p>Mitigation Measure #3.8.2-17: The project’s “fair share” of the following improvements shall be included for funding by the mechanism adopted by the City of Escalon. Except as noted above, all listed improvements shall be completed, or assured to be completed, prior to the approval of development which achieves full buildout of the specific plan as proposed.</p> <p>1) The intersection of SR 120 (Yosemite) at Access Point No. 2 (new minor collector) shall be improved/amended as follows:</p> <ul style="list-style-type: none"> a) Restripe/widen the eastbound approach, west leg, from one (1) left turn lane and two (2) through lanes to one (1) left-turn lane and three through lanes. The east bound left-turn storage length shall be a minimum of 150 feet in length. b) Restripe/widen the westbound approach, east leg from one (1) through lane and a shared through-right lane to three (3) through lanes and one (1) right-turn lane. 	City of Escalon	City of Escalon	Adoption and Implementation of Specific Plan.

