

**RESOLUTION NO. 2007-12**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING A SPECIFIC PLAN AMENDMENT, TENTATIVE SUBDIVISION MAP AND SUBDIVISION DESIGN REVIEW FOR THE DIAMANTE SUBDIVISION  
PROJECT NO. #EG-05-977  
APNs: 127-0140-009 AND 127-0140-010**

**WHEREAS**, Greg Roberti (hereinafter referred to as Applicant) filed an application with the City of Elk Grove (hereinafter referred to as City) for a Rezone, Specific Plan Amendment, Tentative Subdivision Map, and Subdivision Design Review; and

**WHEREAS**, the City Council is the appropriate authority to hear and take action on this project after a recommendation by the Planning Commission; and

**WHEREAS**, the proposed project is located on real property in the incorporated portions of the City of Elk Grove more particularly described as APNs: 127-0140-009 and 127-0140-010; and

**WHEREAS**, the City determined that the Diamante Subdivision Project was subject to the California Environmental Quality Act and prepared an Initial Study evaluating the potential environmental effects of the project; and

**WHEREAS**, a Mitigated Negative Declaration was prepared and circulated, and the Applicant has agreed to implement the proposed mitigation measures to reduce the potentially significant adverse effects related to aesthetics, biological resources, and hazards & hazardous materials to a less than significant level; and

**WHEREAS**, a Mitigation Monitoring and Reporting Program has been prepared in accordance with City of Elk Grove regulations and is designed to ensure compliance during project implementation; and

**WHEREAS**, the Planning Commission considered the Applicant's request at a public hearing on November 30, 2006 and recommended City Council approval of the project.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby approves the project, subject to the conditions of approval as illustrated in Exhibit A and Tentative Subdivision Map as illustrated in Exhibit B, based on the following findings:

## **CEQA**

Finding: On the basis of the whole record, there is no substantial evidence that the project as designed, conditioned and mitigated will have a significant effect on the environment. A Mitigated Negative Declaration has been prepared and completed in accordance with the California Environmental Quality Act (CEQA). The Mitigated Negative Declaration reflects the independent judgment and analysis of the City.

Evidence: An Initial Study with a Mitigated Negative Declaration evaluating the potential environmental effects of the project was prepared for the proposed project. Potentially significant adverse effects related to aesthetics, biological resources, and hazards & hazardous materials were identified in the Initial Study. Mitigation Measures have been imposed on the project and the Applicant has agreed to implement proposed Mitigation Measures that reduce the impacts to a less than significant level. Preparation of a Mitigation Monitoring and Reporting Program (MMRP) is required in accordance with City of Elk Grove regulations and is designed to ensure compliance during project implementation.

The City distributed the Notice of Intent to Adopt the Negative Declaration on October 25, 2006. It was posted at the Sacramento County Clerk's Office, distributed through the State Clearinghouse and at the City offices, pursuant to CEQA Guidelines 15072. A 30 day review and comment period was opened on October 25, 2006 and closed on November 23, 2006. The Mitigated Negative Declaration was made available to the public during this review period.

## **General Plan**

Finding: The project is consistent with the goals and policies of the Elk Grove General Plan.

Evidence: The subject project as conditioned creates eighty-six (86) new residential parcels from a 20.15 project site. The Elk Grove General Plan designates the site as Estate Residential (0.6 to 4.0 dwelling units/acre) and Low Density Residential Use (4.1 to 7.0 dwelling units/acre). The site is suitable for residential development and is consistent with surrounding parcels which consist of residential uses and undeveloped parcels.

## **Specific Plan Amendment**

Finding: The proposed Minor Amendment to the Specific Plan complies with the requirements and intent of the East Elk Grove Specific Plan and does not change the basic configuration or intent of the Plan.

Evidence: The East Elk Grove Specific Plan identifies the site for development at 2-4 units/acre, 4 units/acre, and 5 units/acre, but permits a 1 unit/acre increase as a matter of right. The number of dwellings proposed exceeds the eighty-one (81) dwelling unit

cap imposed on the project site by the East Elk Grove Specific Plan. However, excess dwelling units are available due to previous projects in the plan area which did not develop the maximum number of units allocated to them. Development of additional units on the subject project does not create an inconsistency with the overall development cap of 4,300 units envisioned by the East Elk Grove Specific Plan. The project as conditioned complies with the requirements and intent of the East Elk Grove Specific Plan and does not change the basic configuration or intent of the Plan.

### **Tentative Subdivision Map**

Finding: None of the findings (a) through (g) in Section 66474 of the California Subdivision Map Act that require a City to deny approval of a tentative map apply to this project.

Evidence: Findings (a) through (g) in Section 66474 of the Subdivision Map Act do not apply to the project.

- (a) The proposed map is consistent with the Elk Grove General Plan, East Elk Grove Specific Plan and current and proposed zoning that identifies the site as appropriate for residential uses.
- (b) The design of the improvements of the proposed subdivision is consistent with the General Plan and East Elk Grove Specific Plan that designate the site for estate residential and low density residential development.
- (c) The site is physically suitable for residential development. The surrounding area is developed with and/or designated for residential uses. Access to the site will be provided or is available. Necessary services and facilities are available or can be provided.
- (d) The site is appropriate for the proposed density of development of 3, 4, and 5 units per acre. Services and facilities to serve the project will be provided or are available.
- (e) The proposed Tentative Subdivision Map will not cause substantial environmental damage. The project is a low density residential use located in the urbanized area of Elk Grove and is consistent with the General Plan, East Elk Grove Specific Plan, and proposed zoning.
- (f) The proposed Tentative Subdivision Map will not cause serious public health problems. The project has been reviewed by local agencies, including Fire, Water Resources, Public Works, Planning, Police, Sanitation, Parks, and Community Enhancement, for conformance to applicable policies and regulations. Comments and requirements have been addressed or incorporated as conditions of approval and ensure protection of public health, welfare, and safety.
- (g) No conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision, have been identified.

### **Subdivision Design Review**

Finding: The proposed layout is consistent with the Citywide Design Guidelines.

Evidence: The site layout has been reviewed against the Citywide Design Guidelines for residential subdivisions and meets all applicable design requirements. The project is subject to conditions of approval that will ensure consistency with all standard requirements.

Finding: The proposed site design, layout, and landscaping are suitable for the purposes of the subdivision and the site and will enhance the character of the neighborhood and community.

Evidence: The proposed subdivision map and related plans provide all the design elements required by the Citywide Design Guidelines. The conditions of approval and subsequent design review of future residential development will ensure consistency with all standard requirements.


Finding: The architecture, including the character, scale and quality of the design, relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and signing and similar elements establishes a clear design concept and is compatible with the character of buildings on adjoining and nearby properties.

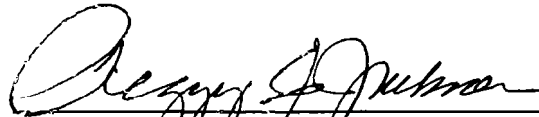
Evidence: The project does not propose any structures. Subsequent design review of future residential development is required and will ensure consistency with all standard requirements.

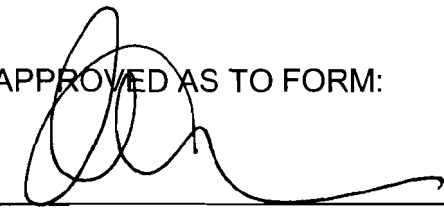
Finding: The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.

Evidence: The proposed subdivision and layout provides adequate off-site access. The project is subject to conditions of approval that will ensure consistency with all standard requirements and the safe integration of the project into the local transportation network.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 10<sup>th</sup> day of January 2007.

  
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JAMES COOPER, MAYOR of the  
CITY OF ELK GROVE

ATTEST:  
  
\_\_\_\_\_  
PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
ANTHONY B. MANZANETTI,  
CITY ATTORNEY

## Exhibit A: Conditions of Approval

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<b>On-Going</b>			
<p>1. The development approved by this action is for a <i>Specific Plan Amendment</i> to exceed the allocated dwelling units of 81 residential units for the project parcels; a <i>Rezone</i> from AR-10 to RD-3, RD-4, and RD-5; a <i>Tentative Subdivision Map</i> to subdivide two parcels totaling 20.1 acres into 86 single-family residential lots consisting of 8 RD-3 lots, 9 RD-4 lots &amp; 69 RD-5 lots; and <i>Design Review</i> for subdivision layout as described in the Planning Commission report and associated Exhibits and Attachments dated November 30, 2006 and illustrated in the project plans below:</p> <ul style="list-style-type: none"> <li>• Tentative Subdivision Map (received August 16, 2006)</li> <li>• Rezone Exhibit (received August 16, 2006)</li> <li>• Lot Size Exhibit (received August 16, 2006)</li> </ul> <p>Any deviations from the approved plans shall be reviewed by the City for substantial compliance and may require amendment by the appropriate hearing body.</p>	On-Going	Planning	
<p>2. The Tentative Subdivision Map is valid for 36 months from the date of approval.</p>	36 Months from the Date of Approval	Planning	
<p>3. The Applicant or Successors in Interest (hereby referred to as the Applicant) shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.</p>	On-Going	Planning	
<p>4. This action does not relieve the Applicant of the obligation</p>	On-Going	Planning	

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5. to comply with all ordinances, statutes, regulations, and procedures.	On-Going	Community Enhancement	
6. The Applicant shall not allow any 'strictly prohibited signs' (i.e. lighter than air or balloon devices) to displayed for advertising or other functions within this project..	On-Going During Construction	Planning, Public Works, Community Enhancement	
7. All construction vehicles and equipment shall only enter from Bradshaw Road.	On-Going During Construction	Community Enhancement	
8. The Applicant shall not provide for a nuisance during the construction phase or intended use of the project.	During Construction and After Completion of Construction		
<b>Prior to Improvement Plans or Grading</b>			
8. The Applicant shall either relocate or compensate for the removal of the 6 inch dbh Valley Oak tree (Tree #560) located on the project site.	During Construction and After Completion of Construction		
<p>If the tree is a candidate for relocation, the Applicant shall relocate the tree to another location on the project site. When relocation is not feasible, then the tree removed by the project shall be compensated for by planting of replacement trees per the requirements of the City of Elk Grove Tree Mitigation Policy and fees. To reestablish the aesthetic value of the trees removed and to encourage native tree regeneration, replacement trees shall be planted within the project area to the extent feasible. When it is not feasible to plant replacement trees within the project area, the replacement trees shall be planted as close to the project area as possible. Preference shall be given for use of the largest replacement trees available when selecting replacement trees.</p>	During Construction and After Completion of Construction		
Monitoring for the success of relocated tree or any replacement trees shall occur on a once-yearly basis for a	During Construction and After Completion of Construction		

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<p>period of three years after planting. At the end of the three-year period, the relocated and replacement trees must demonstrate successful establishment to achieve a "no net loss" of trees (on a per-inch basis) from the project. If the success rate for the trees is unacceptable, the Applicant shall consult with a certified arborist to evaluate the mitigation plan and determine appropriate remediation to achieve a "no net loss" of trees from the project.</p> <p><b>MM-AES-1</b></p> <p>9. If construction is expected to occur during the typical nesting season (February through August), the Applicant shall retain a qualified biologist to perform a pre-construction nest survey in order to determine if any active raptor or migratory bird nests occur within the project study area. The survey shall be conducted no more than 30 days prior to ground disturbance at the site.</p> <p>If there is any lapse in construction activities, and construction resumes during the nesting season, new surveys shall be conducted within 30 days of the re-initiation of construction activities.</p> <p>If nesting birds are found, a buffer shall be established around the active nest in which project activity ingress will be prohibited, thus ensuring nesting species are avoided and allowed to complete their nesting cycle. Exclusionary fencing will be established outside the proposed project footprint to prohibit project activity ingress. All required buffers shall be shown on construction plans. If construction activities are proposed to occur during non-breeding season (September-January), a survey is not required and no further</p>	<p>Prior to Any Site Disturbance</p>	<p>Planning, CDFG</p>	

## Exhibit A: Conditions of Approval

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
10.	<p>studies are necessary.</p> <p>If nesting trees are to be removed and are removed prior to the nesting season, no further mitigation is required.</p> <p><b>MM-BIO-1</b> In order to mitigate for the 17.35 acre loss of Swainson's hawk foraging habitat, the Applicant shall implement one of the following City of Elk Grove's approved mitigation alternatives.</p> <p><b>Monitoring Action</b></p> <p>Prior to any site disturbance, such as clearing or grubbing, or the issuance of any permits for grading, building, or other site improvements, whichever occurs first, the project Applicant shall:</p> <ul style="list-style-type: none"> <li>• Preserve 1.0 acre of similar habitat for each acre lost (17.35 acres). This land shall be protected through a fee title or conservation easement acceptable to the CDFG and the City of Elk Grove as set forth in Chapter 16.130.040(a) of the City of Elk Grove Municipal Code as such may be amended from time to time and to the extent that said Chapter remains in effect, OR</li> <li>• Submit payment of Swainson's hawk impact mitigation fee per acre of habitat impacted (payment shall be at a 1:1 ratio) to the City of Elk Grove in the amount set forth in Chapter 16.130 of the City of Elk Grove Code as such may be amended from time to time and to the extent that said chapter</li> </ul>	<p>Prior to Any Site Disturbance, such as Clearing or Grubbing, or the Issuance of Any Permits for Grading, Building, or Other Site Improvements, Whichever Occurs First.</p>	<p>Planning w/ CDFG Consultation</p>	



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	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
	<p>remains in effect, OR</p> <ul style="list-style-type: none"> <li>• Submit proof that mitigation credits for 17.35 acres of Swainson's hawk foraging habitat have been purchased at a California Department of Fish and Game approved mitigation bank.</li> </ul>			
11.	<p><b>MM-BIO-2</b></p> <p>The out-of-service equipment, automobiles, tractor, and debris observed on the project site shall be removed from the project site prior to any site disturbance. The stained soil beneath the tractor shall be excavated, removed from the site, and appropriately disposed at a facility that accepts such material. If visual or olfactory evidence of potential soil contamination is observed beneath the other stored items, then the soil shall be excavated, removed from the site, and appropriately disposed at a facility that accepts such material.</p>	<p>Prior to Site Grading and Construction</p>	<p>Planning</p>	
12.	<p><b>MM-HAZ-1</b></p> <p>The Applicant shall comply with, record, and pay fees for the Mitigation Recording and Reporting Program (MMRP) associated with the project. Until the MMRP has been recorded and the estimated fee of \$5,000 has been paid, no final map for the subject property will be approved, and no grading, building, sewer connection, water connection, or occupancy will be approved by the City or County.</p>	<p>Prior to the Issuance of Grading Permit</p>	<p>Planning</p>	
13.	<p>The Applicant shall save and protect Tree #596 and #687.</p>	<p>During Construction and After Completion of Construction</p>	<p>Planning/Landscape Architect</p>	
14.	<p>The Applicant shall develop and implement a Mitigation Plan/Tree Replacement Plan for Trees #560, #596, and #687 per the following specifications:</p>	<p>Prior to the Issuance of Grading Permit /</p>	<p>Planning/Landscape Architect</p>	



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<p>project construction, in order to avoid damage to the trees and their root systems. The barrier around those oak tree driplines which are approved for encroached into by structures and/or driveways can be moved to allow construction. The new barrier locations shall be four feet outside the structure wall and/or driveway location.</p> <ol style="list-style-type: none"> <li>4. City Planning/Environmental staff shall field inspect and approve chain link barrier locations prior to starting any work on the site.</li> <li>5. Any pruning of an oak tree shall be supervised by a certified arborist. Branch and limb pruning shall be limited to that which has been deemed necessary by a certified arborist in order to correct a safety hazard, structural defect, crown cleaning or arborist recommended pruning in the tree. Pruning due to canopy encroachment by buildings shall be limited to the minimum amount needed to safely accommodate the structure. All pruning and deadwood removal shall be executed in accordance with American National Standards Institute (ANSI) A300 pruning standards and the International Society of Arboriculture (ISA) "Tree Pruning Guidelines". An ISA Certified Arborist shall supervise and tree pruning.</li> <li>6. All oak trees on site shall be pruned, as per arborist recommendations, prior to starting any site improvements. Any pruning of an oak tree shall be supervised by a certified arborist.</li> <li>7. No signs, ropes, cables (other than those which may be recommended by a certified arborist to provide limb support) or any other item shall be attached to the on-site oak trees to be retained and all portions of off-site</li> </ol>			

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Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>oak tree driplines which extend onto the site.</p> <p>8. No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiles or, located within the dripline area of the on-site oak trees to be retained and all portions of the off-site oak tree driplines which extend onto the site.</p> <p>9. No grading (grade cut or fills) shall be allowed within the dripline protection area of the on-site oak trees to be retained and all portions of off-site oak trees which extend onto the site with the exception of approved encroachment areas on the Final Development Plans. If, in the opinion of the certified arborist, permitted grading in the dripline protection area is severe, then the affected tree shall be retained on-site but determined lost, and mitigation as required by the approving body shall be imposed.</p> <p>10. No trenching shall be allowed within the dripline protection area of the on-site oak trees to be retained and all portions of the off-site oak tree driplines which extend onto site. If it is absolutely necessary to install underground utilities within the dripline of the tree, the utility line shall be bored or drilled under the direct supervision of a certified arborist.</p> <p>11. Prior to installation of new asphalt, weed control chemicals shall not be applied where they can leach into dripline of any protected tree(s).</p> <p>12. During construction, the frequency and amount of water for protected trees shall not differ from that received prior construction. Also, water protected trees as directed by Applicant's ISA Certified Arborist to ensure good overall health and survival of protected trees.</p>			

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	<b>Conditions of Approval / Mitigation Measure</b>	<b>Timing/ Implementation</b>	<b>Enforcement/ Monitoring</b>	<b>Verification (date and Signature)</b>
16.	<p>The public landscape corridor improvement plans for Lots A and B shall be reviewed and approved by the City of Elk Grove, Planning Department, and Public Works, and shall meet the Citywide Design Guidelines, City's Water Conservation Ordinance, and City's Landscape Improvement Plan Guidelines for Medians, Corridors, and Parks.</p>	Improvement Plans	Planning / Public Works / Landscape Architect	
17.	<p>Applicant shall prepare and submit a comprehensive drainage study and plan that includes but is not limited to: definition with mapping of the existing watersheds; a detailed pre- and post-project hydrologic and hydraulic analysis of the project and project impacts; definition of the local controlling 100-year frequency water levels existing and with project; and the proposed method of flow conveyance with adequate supporting calculations. The study shall include any proposed improvements to mitigate the impacts of increased runoff from the project and any change in runoff including quality, quantity, volume, and duration. The project shall not cause a net loss of storage, nor an increase in velocity, of drainage water within the 100-year floodplain. The study shall incorporate the City of Elk Grove Drainage Capital Improvement Plan; be consistent with the ultimate upstream development in the General Plan, and any specific, area, or master plans; and shall conform to the City of Elk Grove Improvement Standards. It shall demonstrate that the proposed methods of flow conveyance mitigate the potential project impacts. The study shall further demonstrate that the lots on the proposed Final Map shall be outside the 100-year frequency floodplain after improvements are constructed in accordance with the policies in the City Floodplain Management Plan. Study must be completed and stamped by a Professional</p>	1 <sup>st</sup> Improvement Plan Submittal	Public Works	

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	<b>Conditions of Approval / Mitigation Measure</b>	<b>Timing/ Implementation</b>	<b>Enforcement/ Monitoring</b>	<b>Verification (date and Signature)</b>
18.	<p>Engineer, and determined by the City to be comprehensive, accurate, and adequate.</p> <p>All intersections shall intersect at a 90° +/- 5° angle or to the satisfaction of Public Works. This angle shall be maintained from a distance of the right-of-way width back from the stop bar. For example, on a 40' wide local residential street starting 40' prior to the stop bar of the intersection the centerline shall maintain this 90° +/- 5° angle.</p>	Improvement Plan	Public Works	
19.	The Applicant shall design and construct traffic calming on Stone Springs Drive (i.e. - install speed cushions), between Stonebrook Drive and the project site, to the satisfaction of Public Works.	Improvement Plan (design) / Final Map (construct)	Public Works	
20.	The Applicant shall design and construct vertical curbs adjacent to all planter strips.	Improvement Plan (design) / Final Map (construct)	Public Works	
21.	The Applicant shall design and construct a traffic signal at the intersection of Stone Springs Drive / Kapalua Lane / Bradshaw Road in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Improvement Plan (design) / Final Map (construct)	Public Works	
22.	The Applicant shall dedicate, design, and improve Stone Springs Drive, east of Street A, based on a modified expanded 50' collector in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works. The 4' sidewalk will be separated from the street with 6' of landscaping, all of which shall be located in a landscape & pedestrian easement adjacent to the right-of-way. The back-of-sidewalk to back-of-sidewalk dimension shall be 72'.	Improvement Plan (design) / Final Map (construct)	Public Works	
23.	The Applicant shall dedicate, design, and improve Stone Springs Drive, west of Street A, based on a 50' collector in	Improvement Plan (design) /	Public Works	

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	<b>Conditions of Approval / Mitigation Measure</b>	<b>Timing/ Implementation</b>	<b>Enforcement/ Monitoring</b>	<b>Verification (date and Signature)</b>
24.	accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works. The 4' sidewalk shall be adjacent to the street curb. The Applicant shall dedicate, design and improve all internal streets as shown in the tentative subdivision map, in accordance with the City of Elk Grove Improvement Standards, and as further conditions within, to the satisfaction of Public Works.	Final Map (construct)  Improvement Plan (design) / Final Map (construct)	Public Works	
25.	The Applicant shall dedicate, design and install an expanded intersection at Stone Springs Drive / Kapalua Lane / Bradshaw Road to provide a minimum of one left turn lane and one thru/right lane for eastbound Stone Springs Drive in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works. The ultimate design will be based upon the signal at Stone Springs Drive / Kapalua Lane and aligning through lanes across Bradshaw Road.	Improvement Plan (design) / Final Map (construct)	Public Works	
26.	The Applicant shall dedicate, design and improve Bradshaw Road, west half section of 48' from the City approved centerline to the back of curb. Sidewalks shall be separated from back of curb except at the intersection. Improvement will be based on 108' equivalent thoroughfare in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works. A 36' landscape and pedestrian corridor from the back of curb is required. At the discretion of Public Works the Applicant may pay a cash payment in-lieu of the design and construction of these improvements.	Improvement Plan (design) / Final Map (construct)	Public Works	
27.	The Applicant shall acquire the offsite Right-Of-Way across parcel APN 127-0140-024 in order to construct necessary improvements on Stone Springs Drive, if not already dedicated by the Duong Chung Subdivision Map (EG-04-	Prior to Improvement Plans Approval / Prior to 1 <sup>st</sup> Final	Public Works	

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Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
565). Dedication of right-of-way shall be provided in fashion acceptable to the City of Elk Grove and to the satisfaction of Public Works.	Map		
28. The Applicant shall destroy all abandoned wells on the proposed project site in accordance with the requirements of the Sacramento County Environmental Health Division. Clearly show all abandoned/destroyed wells on the improvement plans for the project. Prior to abandoning any existing wells, the Applicant shall use water from agricultural wells for grading and construction	Improvement Plans	Sacramento County Water Agency	
29. The Applicant shall provide metered connections on transmission mains to the satisfaction of the Sacramento County Water Agency.	Improvement Plans	Sacramento County Water Agency	
30. Connection to the District's sewer system shall be required to the satisfaction of CSD-1. City of Elk Grove Improvement Standards apply to sewer construction.	Improvement Plans	CSD-1	
31. Each lot and each building with a sewerage source shall have a separate connection to the CSD-1 sewer system.	Improvement Plans	CSD-1	
32. In order to obtain sewer service, construction of CSD-1 sewer infrastructure will be required.	Improvement Plans	CSD-1	
33. Sewer easements may be required. All sewer easements shall be dedicated to CSD-1 in a form approved by the District Engineer. All CSD-1 sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance.	Improvement Plans	CSD-1	
34. The Applicant shall provide for a pedestrian crossing at the intersection/outlet of Stone Springs Drive and Bradshaw Road. If a median planter or road division is constructed, a pedestrian cut through shall be provided for safety.	Improvement Plans	Planning, Community Enhancement	
35. The Applicant shall install and maintain all street lighting below any projected tree canopy to provide for pedestrian and vehicle safety and way finding.	Improvement Plans	Planning, Community Enhancement	



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Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<b>Prior to Final Map</b>			
36. All continuing and proposed/required easements, IODs, and other dedications shall be shown and labeled on the final map to the satisfaction of Public Works. Any conflicts raised due to omissions on the tentative map result in redesign and shall be resolved prior to the recordation of the final map.	Prior to 1 <sup>st</sup> Final Map Submittal	Public Works	
37. A quitclaim for the private water easement as recorded in 5094 O.R. 212 shall be completed prior to Final Map. If the easement can not be quitclaimed the site shall be redesigned to the satisfaction of Public Works.	Prior to Approval of Final Map	Public Works	
38. The Applicant shall dedicate a 12.5 foot public utility easement for underground and appurtenances adjacent to all public and private streets.	Prior to Approval of Final Map	Public Works, PG&E	
39. Street B shall be named as Feather Falls Way.	Final Map	Public Works	
40. Court D shall be named accordingly to match the name of said street as approved for Duong Chung Tentative Subdivision Map (EG-04-565).	Final Map	Public Works	
41. The Applicant shall dedicate a 36' landscape corridor, in fee title, on Bradshaw Road to the City of Elk Grove for the purposes of landscaping and pedestrian use.	Final Map	Public Works	
42. The Applicant shall dedicate 10' landscape and pedestrian easement adjacent to Stone Springs Drive between Bradshaw Road and Street A to the satisfaction of Public Works.	Final Map	Public Works	
43. The Applicant shall dedicate Access rights (direct vehicular ingress and egress to Bradshaw Road) to the City of Elk Grove except at the intersection of Stone Spring Drive and Bradshaw Road.	Final Map	Public Works	
44. The Applicant shall dedicate Access rights (direct vehicular ingress and egress to Stone Springs Drive) to the City of Elk Grove except the driveways for Lots 35, 36, 37, and 38.	Final Map	Public Works	
45. The Applicant shall provide a 1-foot strip, in fee title, at the	Final Map	Public Works	

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46. end of the Street A north of Stone Springs Drive between Lot 2 and Lot 3. For all single family corner lots an access restriction shall be placed on the property from the driveway around the corner to the property line of the side yard.	Final Map	Public Works	
47. The Applicant or its successor in interest shall pay drainage Capital Improvement Plan fees in effect at the time of building permit application. The Applicant may pay a reduced fee due to the construction of Capital Improvement Plan drainage structures in lieu of full payment of fees when so stated in a separate credit or reimbursement agreement.	Prior to Final Map Approval (SCWA) or the issuance of each Building Permit (City)	Sacramento County Water Agency (SCWA) or Public Works and Building	
48. The Applicant shall dedicate a 12.5-foot public utility easement for underground facilities and appurtenances adjacent to tall public street right-of-ways.	Final Map	SMUD	
49. The Applicant shall dedicate the 10-foot pedestrian easement and 6.5 feet adjacent thereto as a public utility easement for underground facilities and appurtenances.	Final Map	SMUD	
50. The Applicant shall dedicate Lots A & B, the Landscape Corridors as a public utility easement for overhead and underground facilities and appurtenances.	Final Map	SMUD	
51. The Applicant shall dedicate maintenance easements in all public and private streets over all transmission mains to the satisfaction of Sacramento County Water Agency prior to Final Map Approval.	Improvement Plans	Sacramento County Water Agency	
52. Prior to the final map, the project area shall annex into a Mello-Roos Community Facilities District (CFD) to fund a portion of the additional costs for police service related to serving the new development. The annexation process can take several months, so Applicant should plan accordingly. The application fee for the annexation is due prior to the Resolution of Intention to Annex the Property and Levy the	Prior to Final Map	Finance	

## Exhibit A: Conditions of Approval

	<b>Conditions of Approval / Mitigation Measure</b>	<b>Timing/ Implementation</b>	<b>Enforcement/ Monitoring</b>	<b>Verification (date and Signature)</b>
53.	<p>Special Tax. For further information regarding this CFD, see <a href="http://www.elkgrovecity.org/services/finance-district/cfd-information.htm">www.elkgrovecity.org/services/finance-district/cfd-information.htm</a></p> <p>Prior to the final map, the project area shall annex into Street Maintenance Assessment District No. 1 to fund a portion of the additional costs for long-term roadway maintenance related to serving the new development. The annexation process can take several months, so Applicants should plan accordingly. The application fee for the annexation is due prior to the Resolution of Intention to Levy Street Maintenance Assessments. For further information on this District, see <a href="http://www.elkgrovecity.org/services/cfd/ad-information.htm">www.elkgrovecity.org/services/cfd/ad-information.htm</a></p>	Prior to Final Map	Finance	
54.	<p>Prior to the final map, the project area shall annex into the Maintenance Mello-Roos Community Facilities District 2006-1 (CFD), to fund the project's fair share of landscape related maintenance costs associated with public parkways, public parks, open space, landscape setbacks, bike and other paths, landscaped medians in and adjacent to roadways, maintenance and operation of a community center, recreation center, sports (including aquatic) facilities, cultural arts center, and water features, and maintenance of other related facilities. The annexation process can take several months, so Applicants should plan accordingly. The application fee for the annexation is due prior to the Resolution of Intention to Annex the Property and Levy the Special Tax. For further information regarding this CFD, see <a href="http://www.elkgrovecity.org/services/finance-district/cfd-information.htm">www.elkgrovecity.org/services/finance-district/cfd-information.htm</a></p>	Prior to Final Map	Finance	
55.	<p><b>Prior to Building Permits</b></p> <p>At all street intersections, public or private, within one block of the proposed project, the Applicant shall install and/or</p>	Prior to issuance of 1 <sup>st</sup> Building	Public Works	

## Exhibit A: Conditions of Approval

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
56. replace street name signs in accordance with the City of Elk Grove Standard Details.	Permit		
56. The Applicant shall install landscaping prior to the issuance of the first building permit within the subdivision. If weather prevents the installation at the time of first building permit, up to 25% of the building permits may be issued at staff discretion upon demonstration of a fully executed landscape contract for the work.	Prior to issuance of 1 <sup>st</sup> Building Permit	Public Works	
57. The Applicant shall stripe a new crosswalk on Stone Springs Drive (east side) at Stonebrook Drive to the satisfaction of Public Works.	Prior to issuance of 1 <sup>st</sup> Building Permit	Public Works	
58. The Applicant shall submit Flood Elevation Certification for each structure or appropriate documents as determined by Public Works.	Prior to issuance of 1 <sup>st</sup> Building Permit	Public Works	
59. The Applicant shall apply for demolishing permit through the Building Department for removal of existing buildings.	Prior to issuance of 1 <sup>st</sup> Building Permit	Community Enhancement	
60. The project Applicant shall pay all applicable City of Elk Grove administered development impact fees in effect at the time of building permit issuance. For further information on development related fees, see the 2006 and/or 2007 Development Related Fee Booklet at:  <a href="http://www.elkgrovecity.org/services/fee-information/fee-information.htm">www.elkgrovecity.org/services/fee-information/fee-information.htm</a>  Applicants are also advised to review the Planned Fee Updates portion of the web page, and are encouraged to sign up for email updates on both the 2006 and/or 2007 Development Related Fee Booklet and the Planned Fee Updates links on the web page (see the upper right corner of these web pages). By signing up for email updates, you	Prior to issuance of 1 <sup>st</sup> Building Permit	Finance	

## Exhibit A: Conditions of Approval

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>will receive an email notifying you every time these web pages change, which will assist you in planning costs associated with your project.</p> <p><b>Prior to Final or Occupancy</b></p>			
61. Upon completion of the installation of the landscaping for Lots A and B, the project landscape architect/designer shall certify that the installed landscape complies with all City Water Conserving Landscape Requirements. Certification shall be accomplished by completion of a Certificate of Conformance on a form provided by the City. Failure to submit a complete and accurate Certificate of Conformance to the Planning Department will delay final approval/occupancy of the project.	Prior to Final or Occupancy	Planning/ Landscape Architect	
62. Water supply shall be provided by the Sacramento County Water Agency.	Prior to Final or Occupancy	Sacramento County Water Agency	
63. The Applicant shall pay Zone 40 development fees applicable at the time of building permit issuance in accordance with Sacramento County Water Agency Ordinance No. 18.	Prior to Final or Occupancy	Sacramento County Water Agency	
64. The Applicant shall conform to the specific provisions of the City of Elk Grove Water Conservation Ordinance (formerly Chapter 14.10 of the Sacramento County Code) to the satisfaction of the City's Landscape /Oak Tree Coordinator.	Prior to Final or Occupancy	Sacramento County Water Agency	
65. The Applicant shall provide for graffiti-resistant paint or clear graffiti-resistant coating on all masonry walls and any subdivision signs.	Prior to Final or Occupancy	Community Enhancement	
66. The Applicant shall disclose to future/potential owners the existing or proposed 69kV electrical facilities. SMUD is planning to build a 69kV overhead line on the existing 12 kV line.	Prior to Occupancy	SMUD	

## Exhibit A: Conditions of Approval

### General Compliance Items for Building Permit

The following items are noted for the Applicant's information. These items are required by other local agencies, the City, state or federal agencies, and are not conditions of approval of the project.

- a. Any deviations from City Standards must be clearly noted on the tentative map and a letter justifying the deviations shall be submitted, by the Applicant, to Public Works for consideration. Otherwise any deviations that are not identified on the map will not be approved by Public Works prior to Planning Commission and run the risk of not being approved, potentially resulting in a redesign and requiring the project to go back to Planning Commission. (Public Works)
- b. Each lot shall have one driveway. Additional driveways may be approved by Public Works. Covenants, Conditions, and Restrictions shall be recorded over all parcels within the tentative map. The Covenants, Conditions, and Restrictions shall include the number of driveways each parcel is allowed (public Works).
- c. If there are any discrepancies between the approved tentative map and the conditions of approval, the conditions of approval shall supersede the approved tentative map. (Public Works)
- d. All structural street sections shall be designed to City of Elk Grove Standards. (Public Works)
- e. The Applicant shall design and construct street lights in accordance with the City of Elk Grove new street light standard and to the satisfaction of Public Works. (Public Works)
- f. The Applicant shall pay all appropriate development fees charged by the City and other Special Districts providing services to the site. (Public Works)
- g. Any improvements, public or private, damaged in construction shall be replaced, by the Applicant, in-kind or with new improvement. (Public Works)
- h. Street (trench) cuts into existing streets require a separate encroachment permit and the payment of street cut fees, by the Applicant. Where multiple street cuts into the same street occur, a single, final surface (pavement) trench repair over all the trench cuts is required. Pavement grinding is required for the full length and width of the trenches. (Public Works)
- i. Streets shall be closed to the public until Department of Public Works, Division of Traffic Engineering and the project engineer determine the appropriate traffic control devices to be installed and the devices are installed to the satisfaction of Public Works. Road closure devices shall be in place immediately and maintained in-place at all times upon completion of paving. Road closure may also require alternative accesses to both building and improvements construction traffic. The type of road closure devices shall be determined and approved by Public Works. (Public Works)
- j. If the project is to be phased, submit a phasing plan for Public Works review and approval, prior to the 1st improvement plan submittal. (Public Works)

## Exhibit A: Conditions of Approval

- k. The Applicant shall design and construct all improvements in accordance with the City of Elk Grove Improvement Standards, as further conditioned herein, and to the satisfaction of Public Works. (Public Works)
- l. All driveways and intersections shall conform to the visibility easement requirement in the City of Elk Grove Improvement Standard. (Public Works)
- m. Improvement plan must be approved by Public Works prior to City Council approval of Final Map. (Public Works)
- n. The Final Map shall be completed, approved and recorded prior to 1st Building Permit. (Public Works)
- o. The Applicant shall submit and obtain City approval of plans and specifications for the construction of public improvements and all grading. The drainage system shall be designed in accordance with the accepted Drainage Study to accommodate runoff from the ultimate development and shall meet the City of Elk Grove Improvement Standards, construction standards, storm water design standards, and City of Elk Grove Flood Plain Management Plan and Ordinance in effect at the time of Improvement Plan approval. Street gutter flowlines shall be designed to be above the 10-year frequency flood elevation and arterial and collector streets may be required to have lanes above the 100-year frequency flood elevation pursuant to the Floodplain Management Plan. (Public Works)
- p. The Applicant shall prepare a Storm Water Pollution and Prevention Plan (SWPPP) to be executed through all phases of grading and project construction. The SWPPP shall incorporate Best Management Practices (BMPs) to ensure that potential water quality impacts during construction phases are minimized. These measures shall be consistent with the City's Improvement Standards and Land Grading and Erosion Control Ordinance. The SWPPP shall be submitted to the Central Valley Regional Water Quality Control Board for approval and to the City for review. During construction, the Applicant shall implement actions and procedures established to reduce the pollutant loadings in storm drain systems. The project Applicant shall implement Best Management Practices (BMPs) in accordance with the SWPPP and the City of Elk Grove Improvement Standards. (Public Works)
- q. In order to mitigate erosion and sediment control problems on the project site, the project shall comply with the City's Land Grading and Erosion Control Ordinance. If the project size is more than one acre, a Notice of Intent (NOI) will be filed to obtain coverage under the California State Water Resources General Construction Activity Storm Water Permit. Permits are issued by the State Water Resources Control Board, which can provide all information necessary to complete and file the necessary documents. Applicant shall comply with the terms of the general construction permit, the City of Elk Grove Municipal Code, and the NPDES Waste Discharge Requirements for the City of Elk Grove Municipal Storm Sewer Discharges. (Public Works)
- r. Complete grading and construct all on-site and off-site drainage improvements in accordance with the approved Improvement Plans. Fulfill all requirements of federal and state permits. Receive acceptance by the City Council of public improvements. (Public Works)

## Exhibit A: Conditions of Approval

- s. All development within the City must comply with the regulations of the Federal Emergency Management Agency (FEMA) and the City of Elk Grove Flood Plain Management Ordinance. The lowest finished floor elevation for a habitable building will be a minimum of 1 (one) – foot above the 100-year frequency water level, certified by a registered Civil Engineer or licensed Land Surveyor, and submitted to the City. Amendments and/or revisions of FEMA flood insurance rate maps will be required for all development located in the federal or local flood zone. All FEMA map revisions (both CLOMR and LOMR) must be approved by the City and fully processed through FEMA. Completed revisions shall be placed on file with the City. (Public Works)
- t. The traffic signal at the intersection of Stone Springs Drive/Kapalua Lane and Bradshaw Road may be subject to reimbursement as set forth in the Roadway Fee Program (Public Works).
- u. The Applicant shall obtain applicable California Department of Fish and Game, U.S. Army Corps of Engineers, and other required state and federal permits. The conditions of such permits must be reviewed and considered acceptable by the City. (Public Works, State & Federal Agencies)
- v. Where feasible, biofilter swales and vegetated strips are preferred and shall be utilized in providing biofiltration of pollutants in project runoff prior to entering receiving water body. The project engineer shall consult with the City when designing storm water conveyance facilities, and shall submit designs of these facilities to City for review and approval prior to approval of the grading plans and improvement plans. (Public Works)
- w. Dead-end streets in excess of 150 feet require emergency vehicle turn-arounds. (Fire)
- x. Any and all gates impeding fire lanes or roadways shall comply with Appendix VII of the 2002 Sacramento County Fire Code. (Fire)
- y. If homes exceeding 3,600 square feet (including garages and covered porches) will be built in this subdivision, additional fire flow analysis of the water system must be conducted. Single-family dwellings 3,601 square feet to 4,800 square feet require 1,750 gpm. Homes 4,801 square feet to 6,200 square feet require 2,000 gpm. (Fire)
- z. An approved automatic fire sprinkler system shall be installed within all new R-3 occupancies when the total floor area (area under roof including garages and attached solid roof canopies) exceeds 5,999 square feet and/or the total livable area (area not including garages and attached solid roof canopies) exceeds 4,999 square feet. (Fire)
- aa. As of February 1, 2003, all contractors for single-family homes and duplexes (R-3 Occupancies) shall provide an option for residential fire sprinklers. Prior to the prospective buyer signing a sales contract, the contractor or their agent shall obtain from the Fire Department an informational packet containing education materials approved by the fire department, including a form explaining the option for residential sprinklers. The contractor or their agent shall provide the approved informational packet to any and all prospective buyers and require the execution of signed receipt for the educational material from the prospective buyer. The contractor shall install residential fire sprinklers upon the request and execution of a purchase agreement by the



## Exhibit A: Conditions of Approval

homebuyer. Fire sprinkler systems for single-family homes and duplexes shall be designed and installed to not less than the minimum requirements contained in NFPA 13D, 1996 edition. (Fire)

- bb. All civil engineering plans are required to be submitted in an electronic format. When plans are ready for final signature, it is required that the engineering firm submit an electronic copy of the complete plan as it appears in the approved printed plans with addresses. All electronic formats will be submitted on Windows/DOS formatted diskettes, zip disks or on compact disk (CD). E-mailed copies will not be accepted at this time. Electronic formats can be submitted in either of the following data transfer formats listed below:
  - i. DXF (Drawing Interchange file) any DXF version is accepted.
  - ii. DWG (Applies to AUOCAD drawing file) any AutoCAD DWG version is accepted. (Fire)
- cc. Addresses for all lots shall be provided to the Fire Department within sixty (60) days of Fire Department signature of approval for development plans. (Fire)
- dd. No more than 40 building permits shall be issued when a single point of access exists for a subdivision. Since there is no process in place for confirming the sequence in which multiple units are built, the above information should be considered and the Elk Grove CSD Fire Department should be consulted on this matter. (Fire)
- ee. This development is required to provide fire flow from a public water system capable of delivering at a minimum 50 PSI static pressure and 3,000 GPM at 20 PSI residual pressure in commercial areas and 50 PSI static pressure and 1,000 GPM at 20 PSI residual pressure in residential, single-family home areas. Buildings of certain types of construction, size, and use may need additional fire flow or the application of mitigating efforts to meet fire flows above this minimum. (Fire)
- ff. All required roadways, street signs, addresses, water mains, fire hydrants, and fire flows shall be provided prior to the existence of any combustible construction or storage. The slope of access roadways shall not exceed 10% for asphalt and 5% for concrete. The roadways shall be constructed to a 20-foot minimum width of three (3) inches AC over six (6) inches AB with good drainage. (Fire)
- gg. EGCSDFD approved traffic pre-emption devices of a type approved by the Elk Grove Fire Department shall be installed on all traffic signal devices erected or modified by this development. These devices shall be installed and functioning prior to any occupancy and at no cost to the Elk Grove Fire Department. (Fire)
- hh. Required fire alarm systems shall be connected to a UL listed central station approved by the Sacramento County Regional Communications Center. (Fire)
  - ii. The installation of on-site or off-site fire protection equipment including fire hydrants and water mains shall meet the standards of the Elk Grove Fire Department and the water purveyor having jurisdiction. (Fire)
  - jj. The installation of roadway gates, addresses, landscaping, pipe bollards, fuel tanks, masonry sound walls tree wells and/or all other traffic calming devices is subject to

## Exhibit A: Conditions of Approval

standards outlined by the Elk Grove Fire Department. All proposed traffic-mitigation plans shall be submitted to the Elk Grove CSD Fire Department for review and approval prior to installation. (Fire)

- i. The wetlands/riparian corridors of creeks create an unusual fire hazard and challenge to emergency responders. The following requirements apply:
  - ii. Provide non-combustible fences along all developed areas adjacent to wetlands, creeks or open spaces.
  - iii. Provide access to all wetland corridors at the end of cul-de-sacs via rolled curbs and gates with pipe bollard. Bike lanes adjacent to creeks shall be a minimum of 10 feet wide with a turning radius of not less than 35 feet inside and 45 feet outside diameters.
  - iv. Any bridges over creeks or wetland areas shall be capable of supporting 65,000 GVW.
  - v. Provide at least 10 feet of greenbelt or other defensible space between non-combustible fences and the creek/wetlands area.(Fire)
- kk. CSD-1 will provide maintenance only in public right-of-ways and in minimum 20-foot wide easements dedicated to CSD-1 for the purpose of continuous access and maintenance (CSD-1).
- ll. Developing this property will require the payment of sewer impact fees. Impact fees shall be paid prior to filing and recording the Final Map or issuance of Building Permits, whichever is first. The Applicant should contact the Fee Quote Desk at (916) 876-6100 for sewer impact fee information (CSD-1).
- mm. Gas service may be available to this project if desired. The Applicant should contact PG&E's Service Planning Department at (916) 386-5112 as soon as possible to coordinate construction so as not to delay the project (PG&E).
- nn. Questions for P.U.E. reductions contact Mr. Chuck Hager at (916) 732-5722 or chager@smud.org to set up a meeting with the Public Utilities Commission to approve these changes 2-3 months before the Subdivision Review Committee's meeting (SMUD).



**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2007-12**

STATE OF CALIFORNIA        )  
COUNTY OF SACRAMENTO    )       ss  
CITY OF ELK GROVE         )

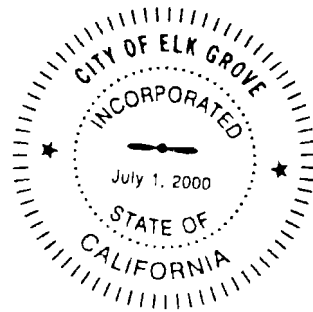
*I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on January 10, 2007 by the following vote:*


**AYES :**       **COUNCILMEMBERS:**       *Scherman, Cooper, Davis, Hume*

**NOES:**       **COUNCILMEMBERS:**       *None*

**ABSTAIN :**   **COUNCILMEMBERS:**       *None*

**ABSENT:**    **COUNCILMEMBERS:**       *Leary*



  
\_\_\_\_\_  
**Peggy E. Jackson, City Clerk  
City of Elk Grove, California**