

RESOLUTION NO. 2003-229

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING A TENTATIVE SUBDIVISION MAP AND DESIGN REVIEW FOR THE SHIRES PROJECT NO. EG-03-418, SUBJECT TO THE FINDINGS AND MMRP/CONDITIONS OF APPROVAL

WHEREAS, The Shires, represented by Paul and Machellem Emmerich (hereinafter referred to as Applicants) filed an application with the City of Elk Grove (hereinafter referred to as City) for a Rezone, Tentative Subdivision Map and Design Review. (Assessor's Parcel Number 127-0070-008); 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, an Initial Study was prepared for this project and a Notice of Intent to Adopt a Mitigated Negative Declaration was prepared and circulated according to the requirements of the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission considered the Applicant's request at a public hearing on August 14, 2003 and recommended City Council approval of the project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ELK GROVE HEREBY RESOLVES AS FOLLOWS:

1. Approve the Shires Tentative Subdivision Map and Design Review based on the following findings and the attached subdivision map and conditions of approval included as Exhibit A and B.

Findings

CEQA

Finding: The proposal will not have a significant adverse impact on the environment and a Mitigated Negative Declaration has been prepared and completed in accordance with the California Environmental Quality Act (CEQA).

Evidence: An Initial Environmental Study was prepared for the proposed project and mitigation measures have been developed that will reduce potential environmental impacts to less than significant levels. On the basis of the Mitigated Negative Declaration, comments received, and the whole record, there is no substantial evidence that the project will have a significant adverse impact on the environment.

General Plan

Finding: The City shall not approve any proposed development project unless the following findings are made, based on substantial evidence in the record:

- (a) There is a reasonable probability that the land use or action proposed will be consistent with the general plan proposal being considered or studied or which will be studied within a reasonable time.
- (b) The project is consistent with the latest version of the Draft Land Use Policy Map and any draft General Plan Elements which have been reviewed by the General Plan Advisory Committee as of the date on which the project is approved.
- (c) There is little or no probability of substantial detriment to or interference with the future adopted general plan if the proposed use or action is ultimately inconsistent with the plan.
- (d) The proposed use or action complies with all other applicable requirements of state law and local ordinances.

Evidence:

- (a,b) The proposed Draft General Plan Land Use Map identifies the property as Rural Residential with a 2 acre minimum. The project as proposed is consistent with the land use densities, draft policies and design within the Elk Grove General Plan.
- (c) The project is consistent with existing land use entitlements required for this property by the Elk Grove General Plan. The General Plan has identified the areas east of Bradshaw Road and north of Bond Road for Rural Residential development with a 2 acre minimum lot size. The project is consistent with the General Plan and has been conditioned appropriately.
- (d) The requested Rezone and Tentative Subdivision Map are consistent with state law and local ordinances as discussed by the following findings and evidence.

Tentative Subdivision Map

Finding: Section 66474 of the California Subdivision Map Act requires a City to deny approval of a tentative map if it makes any of the following findings:

- a. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- b. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- c. That the site is not physically suitable for the type of development.
- d. That the site is not physically suitable for the proposed density of development.

- e. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- f. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- g. That the design of the subdivision or type of improvements will conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision.

Evidence: The above Findings #a. through #g. do not apply to the proposed Tentative Subdivision Map.

- a. The proposed map is consistent with the Elk Grove General Plan and rezone.
- b. The design of the improvements of the proposed subdivision is consistent with the General Plan and design standards of the municipal code.
- c. The site is physically suitable for extension of residential development and is consistent with the specific plan.
- d. The site is appropriate for the specified density of development and the applicant's proposed amendments to commercial densities as presented in the staff report.
- e. The Mitigated Negative Declaration prepared for the Shires project determined that potential environmental impacts from the design of the subdivision or the proposed improvements will be mitigated to less than significant levels with implementation of the proposed Mitigation Measures and Conditions of Approval.
- f. The Mitigated Negative Declaration prepared for the Shires project determined that no potential serious health problems were identified from the project.
- 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.

Design Review

Finding: The proposed project is consistent with the objectives of the General Plan, complies with applicable zoning regulations, Specific Plan provisions, Special Planning Area provisions, and Citywide Design Guidelines adopted by the City.

Evidence: The proposed Draft General Plan Land Use Map identifies the property as Rural Residential with a 2 acre minimum. The project as proposed is consistent with the land use densities, draft policies and design within the Elk Grove General Plan. The General Plan has identified the areas east of Bradshaw Road and north of Bond Road for Rural Residential development with a 2 acre minimum lot size. The project is consistent with the General Plan and has been conditioned appropriately.

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

Evidence: The project has been conditioned to provide right-of-ways for a circulation pattern consistent with the requirements of the General Plan. Roadways have bicycle lanes where necessary and a trail system/landscape corridor has been provided along

Bond Road. The project has been designed to preserve the natural features of the property.

Finding: The residential subdivision is well integrated with the City's street network, creates unique neighborhood environments and establishes a pedestrian friendly environment.

Evidence: The City's Design Guidelines has identified that projects should be designed to preserve the unique features of various properties. The Shires property contains numerous large oak trees and the subdivision has been designed to preserve the trees on-site. The project proposal includes a landscape corridor and trail system along Bond Road that would allow for increased pedestrian circulation opportunities along Bond Road.

Exception

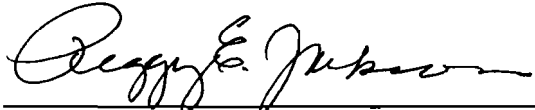
Finding: The granting of the exception will not be detrimental to the health, safety, comfort or general welfare of persons residing or working in the subdivision and that the requirements to provide domestic water supply would create a financial burden.

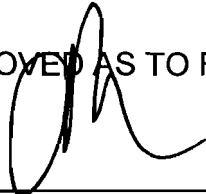
Evidence: Staff from County Sanitation District 1, Sacramento County Zone 40 Water and Sacramento County Environmental Health Department have been contacted in regard to the ability of two-acre parcels to provide adequate spacing for septic tanks and domestic water wells and the long-term effect on the aquifer within the Sheldon area. There is no evidence in the record or evidence provided to indicate that the health of surrounding neighbors will be compromised. The applicant has also provided evidence that the cost of domestic water service is prohibitive.

PASSED AND ADOPTED by the City Council of the City of Elk Grove on the 19th day of November 2003.


SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:


PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

ANTHONY B. MANZANETTI,
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2003-229

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

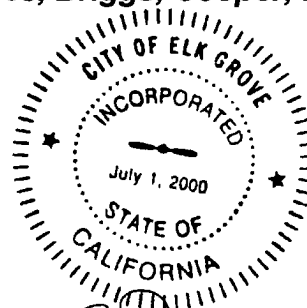
I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on the 19th day of November 2003 by the following vote:

AYES 5: COUNCILMEMBERS: Scherman, Soares, Briggs, Cooper, Leary

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 0: COUNCILMEMBERS:

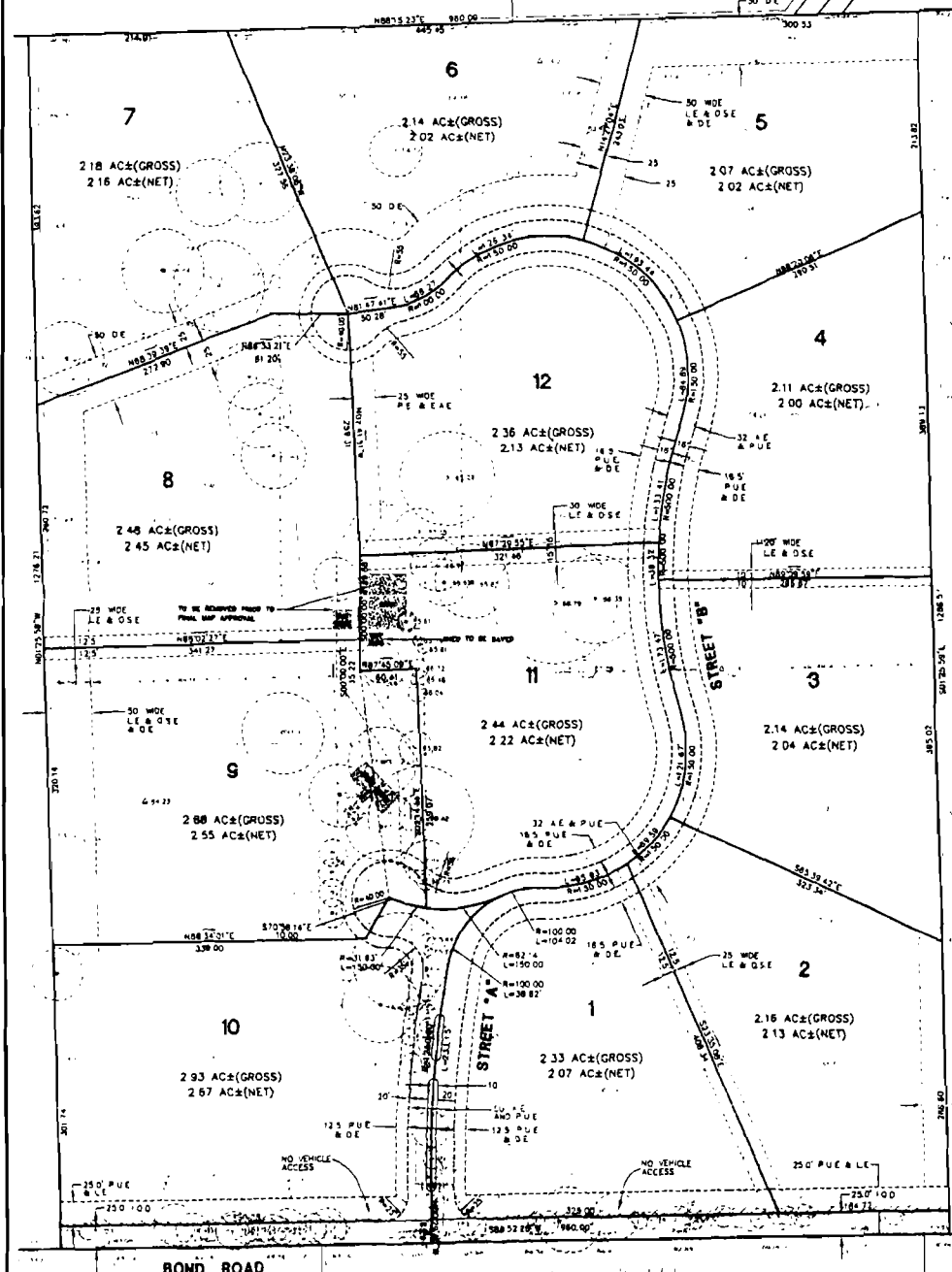
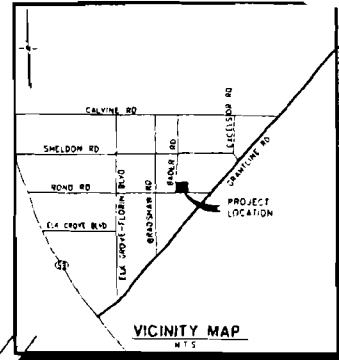


A handwritten signature in cursive script, appearing to read "Peggy E. Jackson", written over a horizontal line.

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

TENTATIVE MAP
FOR
THE SHIRES
A.P.N. 127-0070-008
CITY OF ELK GROVE
SACRAMENTO COUNTY CALIFORNIA

RECEIVED BY
ELK GROVE
PLANNING DEPARTMENT



PROJECT INFORMATION

OWNER/DEVELOPER

EQUESTRIAN ESTATES PARTNERS

PLANNING CONSULTANT

CLAYTON ENGINEERS
2510 ELK GROVE FLOREN ROAD
ELK GROVE, CA 95758
PH: 916-484-7100
CONTACT: DENNIS BARRODOLLO, P.E.

PROJECT ENGINEER

CLAYTON ENGINEERING
2510 ELK GROVE FLOREN ROAD
ELK GROVE, CA 95758
PH: 916-484-7100
CONTACT: DENNIS BARRODOLLO, P.E.

PROPERTY DESCRIPTION

A.P.N. 127-0070-008-0000

PROPERTY INFORMATION

EXISTING ZONING

AG-2

PROPOSED ZONING

AG-2

PRESENT USE

SINGLE FAMILY RESIDENTIAL

UTILITIES

ELECTRIC 24" D
GAS 18" D
PHONE 18" D
WATER 18" D
SEWER 18" D
CABLE 18" D

STREETS

PRIVATE STREETS WITH 40' WIDE EASEMENTS

EASEMENTS

15' P.U.E. THROUGH ALL STREETS

ACCESS

MAIN ACCESS FROM BOND ROAD

PROJECT SUMMARY

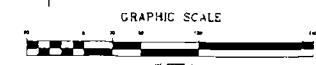
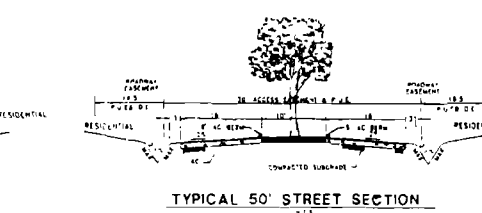
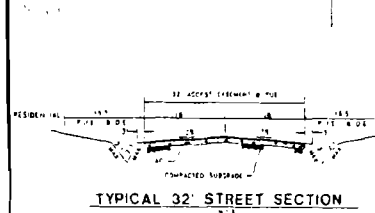
APPLICANT: 2 DTE
SUBJECT: 12 LOTS, 2.33 AC TO 2.93 AC
TOTAL LOT AREA: 32.93 AC
TOTAL NET AREA: 23.88 AC

CL & FILL SHOULDS

2' ON FLAT

LEGEND

- P.E. = ACCESS EASEMENT
- D.C. = DRIVEWAY EASEMENT
- C.E. = EQUESTRIAN EASEMENT
- P.A.E. = EQUESTRIAN ACCESS EASEMENT
- I.O.E. = IMPROVABLE OBJECT OF DETENTION
- L.E. = LANDSCAPE EASEMENT
- O.S.E. = OPEN SPACE EASEMENT
- P.E. = PEDESTRIAN EASEMENT
- P.U.E. = PUBLIC UTILITY EASEMENT



THIS TENTATIVE MAP WAS PREPARED BY ME OR UNDER MY DIRECTION:
DENNIS C. BARRODOLLO, P.E.
PH: 916-484-7501

| <u>Conditions of Approval / Mitigation Measure</u> | <u>Timing/ Implementation</u> | <u>Enforcement/ Monitoring</u> | <u>Verification (date and Signature)</u> | |
|--|---|---|--|--|
| 1. | The development approved by this action is for a Rezone and Tentative Subdivision Map, as described in the City Council report and associated Exhibits and Attachments dated September 17, 2003. | On-Going | Planning | |
| 2. | This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures. | On-Going | Planning | |
| 3. | The Tentative Subdivision Map approval is valid for three years from the date of City Council approval, unless an extension of time is subsequently approved. | Three years, commencing with the date of City Council approval. | Planning | |
| 4. | 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. | On-Going | Planning | |
| Prior to Grading/Improvement Plans | | | | |
| 5. | The project shall comply with the City's Land Grading and Erosion Control Ordinance. (Department of Water Resources) | Improvement Plans | Department of Water Resources | |
| 6. | <p>The project applicant shall place the following mitigation requirements in all construction contracts and shall require the use of Best Available Control Technologies (BACT), including but not limited to the requirements listed below. Proof of these contractor requirements shall be provided to the City prior to the issuance of grading permits.</p> <ul style="list-style-type: none"> • The project applicant and/or prime contractor shall comply with SMAQMD Rule 403 that requires taking | Improvement Plans | Planning | |

| <u>Conditions of Approval / Mitigation Measure</u> | <u>Timing/ Implementation</u> | <u>Enforcement/ Monitoring</u> | <u>Verification (date and Signature)</u> |
|--|--|--------------------------------|--|
| <p>reasonable precautions to prevent the emissions of fugitive dust, such as "using water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the construction of roadways, or the clearing of land" where possible and applying "asphalt, oil, water, or suitable chemicals on dirt roads, materials, stockpiles, and other surfaces which can give rise to airborne dust."</p> <ul style="list-style-type: none"> • Clean earth-moving construction equipment with water once per day. • Reduce traffic speeds on all unpaved surfaces to 15 miles per hour or less. • Use low-emission on-site stationary equipment whenever possible. • Encourage construction employees to carpool to the work site. • Minimize idling time to 10 minutes. • Maintain construction equipment through regular and proper maintenance. • All material transported offsite shall be either sufficiently watered or securely covered to prevent public nuisance. • During initial grading, earthmoving, or site preparation a 100-foot paved (or palliative-treated) apron shall be constructed, extending onto the construction site from the adjacent paved road(s) where vehicles and equipment egress. | | | |
| <p>7. For projects within a one-mile radius of an active nest site, the project proponent should preserve 0.75 acre of similar habitat for each acre lost. This land should be protected through a fee title or conservation easement acceptable to the California Department of Fish and Game (CDFG);</p> | <p>Prior to Grading or other site Improvements</p> | <p>Planning</p> | |

| <u>Conditions of Approval / Mitigation Measure</u> | <u>Timing/ Implementation</u> | <u>Enforcement/ Monitoring</u> | <u>Verification (date and Signature)</u> |
|---|--|------------------------------------|--|
| <p>OR</p> <ul style="list-style-type: none"> ▪ Prepare and implement a Swainson's hawk mitigation plan to the satisfaction of the California Department of Fish and Game that includes the preservation of Swainson's hawk foraging habitat; OR ▪ Submit payment of a Swainson's hawk impact mitigation fee per acre impacted to the Department of Planning and Community Development in the amount as set forth in Chapter 16.130 of the Elk Grove Code as such may be amended from time to time and to the extent that said Chapter remains in effect; OR ▪ Should the City of Elk Grove adopt a Swainson's hawk mitigation policy or program (which may include a mitigation fee payable prior to the issuance of building permits) prior to implementation of one of the measures above, the project proponent may be subject to that program instead. | | | |
| <p>8. Consult with the California Department of Fish and Game (CDFG) prior to approval of Improvement Plans or Building Permits, whichever occurs first, to ensure that no individual take of Swainson's hawk occurs. The CDFG may require pre-development surveys to determine the presence or absence of the hawk. If such surveys detect the hawk, the CDFG may impose restrictions on proximate development during the nesting season to ensure that take does not occur.</p> | <p>Prior to Grading or other site Improvements</p> | <p>Planning</p> | |
| <p>9. If construction activities are expected to occur during the nesting season (February-August), a pre-construction raptor survey shall be conducted within 30-days of the onset of construction to determine the activity status of any nests found on</p> | <p>Prior to Grading or other site Improvements</p> | <p>Planning</p> | |

| <u>Conditions of Approval / Mitigation Measure</u> | <u>Timing/ Implementation</u> | <u>Enforcement/ Monitoring</u> | <u>Verification (date and Signature)</u> |
|--|--|--------------------------------|--|
| <p>the project site. In the event that nesting raptors are found, a 250' no-construction zone shall be established around the nest until the young have fledged.</p> <ul style="list-style-type: none"> ▪ If construction activities commence during the non-breeding season (September-January), a survey is not required and no further studies are necessary. ▪ Prior to demolition of structures or the commencement of construction activities or disturbance of blackberry thickets, a survey shall be conducted by a qualified biologist to determine whether or not raptors or tricolored blackbirds are utilizing the site. If present, abide by the biologist's recommended measures to reduce or negate adverse impacts to these species. ▪ Applicant shall preserve on-site nesting and upland foraging habitat where feasible, or purchase nesting and upland foraging habitat at off-site preserve sites. ▪ Prior to the approval of any grading and/or building permits for the development of the site, applicant or project owner shall submit to the City a copy of any/all required DFG or USFWS permits and verification of any required consultation. | | | |
| <p>10. The project proponent shall ensure that the project will result in no net loss of any wetland habitat found on the site. No net loss shall be achieved by the following methods:</p> <p>a. Preserve and protect the existing on-site wetlands.</p> <p><u>OR</u>, if any wetlands are to be disturbed:</p> | <p>Prior to Grading or other site Improvements</p> | <p>Planning</p> | |

| <u>Conditions of Approval / Mitigation Measure</u> | <u>Timing/ Implementation</u> | <u>Enforcement/ Monitoring</u> | <u>Verification (date and Signature)</u> |
|---|--|--------------------------------|--|
| <p>b. Prior to any disturbance of on-site wetlands, submit a Wetland Habitat Mitigation Plan to the City of Elk Grove for review and approval. The Wetland Habitat Mitigation Plan shall provide a detailed description of the size, location and design of proposed wetland creation sites, and a detailed description of how the created wetlands will be monitored and managed to ensure the success of the mitigation effort, <u>OR</u></p> <p>c. Prior to any disturbance of on-site wetlands, purchase credits at an approved wetland mitigation bank. Documentation of such purchase shall be submitted to City of Elk Grove Development Services – Planning for review and approval.</p> | | | |
| <p>11. All trees on the project site that have been selected for preservation, all portions of adjacent off-site oak trees which have driplines that extend onto the project site, and all off-site oak trees which may be impacted by improvements associated with this project, shall be protected as follows:</p> <p>1) A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of each tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of each tree. Removing limbs that make up the dripline does not change the protected area.</p> <p>2) Preliminary and Final Grading Plans, Improvement</p> | <p>Condition shall be placed on any/all Preliminary and Final Grading Plans, Improvement Plans and Building/Development Plans</p> <p>Prior to Grading or other site Improvements</p> | <p>Planning</p> | |

| <p><u>Conditions of Approval / Mitigation Measure</u></p> | <p><u>Timing/ Implementation</u></p> | <p><u>Enforcement/ Monitoring</u></p> | <p><u>Verification (date and Signature)</u></p> |
|---|---|--|--|
| <p>Plans, and Building /Development Plans shall show all protected trees, tree numbers, tree's protected dripline areas and shall show the location of the required protective temporary fencing on all plans.</p> <p>3) Any protected trees on the site that require pruning shall be pruned by a certified arborist prior to the start of construction work. All pruning shall be in accordance with American National Standards Institute (ANSI) A300 pruning standards and the International Society of Arboriculture (ISA) "Tree Pruning Guidelines." Employ a firm with certified tree workers to clean up and make safe any of the trees scheduled to remain. Workers shall remove dead and severely rotted branches, eliminate crossed or rubbing branches, install cabling as needed and provide any aesthetic shaping needed to better balance one-sided trees. Do not allow workers to use spurs while climbing. Avoid any damage to branch collars.</p> <p>4) Temporary protective fencing shall be installed at least one foot outside the driplines of the protected trees prior to initiating construction in order to avoid damage to the tree canopies and root systems. <i>Show temporary protective fencing on all improvement plans.</i></p> <p>5) No signs, ropes, cables (except those which may be installed by a certified arborist to provide limb support) or any other items shall be attached to the trees. Small metallic numbering tags for the purpose of preparing tree reports and inventories shall be allowed.</p> | | | |

| <u>Conditions of Approval / Mitigation Measure</u> | <u>Timing/ Implementation</u> | <u>Enforcement/ Monitoring</u> | <u>Verification (date and Signature)</u> |
|--|-----------------------------------|------------------------------------|--|
| <p>6) No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of protected trees.</p> <p>7) No grading (grade cuts or fills) shall be allowed within the driplines of protected trees.</p> <p>8) Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of any protected tree.</p> <p>9) No trenching shall be allowed within the driplines of protected trees. If it is absolutely necessary to install underground utilities within the dripline of a protected tree, the utility line shall be bored and jacked under the supervision of a certified arborist.</p> <p>10) The construction of impervious surfaces within the driplines of protected trees shall be stringently minimized. When it is absolutely necessary, a piped aeration system per City standard detail shall be installed under the supervision of a certified arborist.</p> <p>11) No sprinkler or irrigation system shall be installed in such a manner that it sprays water or requires trenching within the driplines of protected trees. An above-ground drip irrigation system is recommended.</p> <p>12) Landscaping beneath oak trees may include non-plant materials such as bark mulch, wood chips, boulders, etc. The only plant species that shall be</p> | | | |

| <u>Conditions of Approval / Mitigation Measure</u> | <u>Timing/ Implementation</u> | <u>Enforcement/ Monitoring</u> | <u>Verification (date and Signature)</u> |
|---|--|---------------------------------------|---|
| <p>planted within the driplines of oak trees are those which are tolerant of the natural semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants.</p> <p>13) Make sure any weed control chemicals utilized prior to laying of new asphalt are not applied where they can leach into the dripline area.</p> <p>14) During construction try to maintain the same watering frequency around the trees that they are used to receiving.</p> <p>15) Clearing of weeds and debris from the protected dripline area shall be done by hand. Use weedeaters to remove weeds and grasses and do not disturb the natural grades within protected dripline area.</p> | | | |
| <p>12. Prior to the issuance of any permits for grading, building or any other site improvements, or the recordation of any Final Subdivision Maps on the subject property, whichever occurs first, a Tree Replacement Planting Plan shall be prepared by a certified arborist or landscape architect to mitigate for the loss of trees as defined above that would be adversely affected by the project. The Plan shall comply with the City Code and General Plan policies and be submitted to the City for review. The current policies require that every inch lost will be mitigated by an inch planted or money placed in a tree mitigation bank. Please note that plantings required due to mitigation cannot fulfill the landscaping requirements</p> | <p>Prior to Grading or other site Improvements</p> | <p>Planning</p> | |

| <p align="center"><u>Conditions of Approval / Mitigation Measure</u></p> | <p align="center"><u>Timing/ Implementation</u></p> | <p align="center"><u>Enforcement/ Monitoring</u></p> | <p align="center"><u>Verification (date and Signature)</u></p> |
|--|--|---|---|
| <p>of the City's Design Guidelines. The Plan shall include the following elements:</p> <ol style="list-style-type: none"> 1) Species, size and location of all replacement plantings; 2) Method of irrigation; 3) The City of Elk Grove Standard Tree Planting Detail L-1, including the 10-foot depth boring hole to provide for adequate drainage; 4) Planting, irrigation and maintenance schedules; 5) Identify the maintenance entity and include their written agreement to provide care and irrigation of the trees for a 3-year establishment period, and to replace any of the replacement oak trees which do not survive that period; 6) The minimum spacing for replacement oak trees shall be 20 feet on center; 7) Replacement oak trees shall not be planted within 15 feet of the driplines of existing oak trees to be retained on-site, or within 15 feet of a building foundation or swimming pool excavation; 8) No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of oak trees; 9) No grading (grade cuts or fills) shall be allowed | | | |

| <p><u>Conditions of Approval / Mitigation Measure</u></p> | <p><u>Timing/ Implementation</u></p> | <p><u>Enforcement/ Monitoring</u></p> | <p><u>Verification (date and Signature)</u></p> |
|--|---|--|--|
| <p>within the driplines of the oak trees;</p> <p>10) Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of any oak tree;</p> <p>11) No trenching shall be allowed within the dripline of oak trees. If it is absolutely necessary to install underground utilities within the dripline of an oak tree, the utility line shall be bored or jacked under the supervision of a certified arborist;</p> <p>12) The construction of impervious surfaces within the driplines of oak trees shall be stringently minimized. When it is absolutely necessary, a piped aeration system per City standard detail shall be installed under the supervision of a certified arborist;</p> <p>13) No sprinkler or irrigation system shall be installed in such a manner that sprays water or requires trenching within the driplines of oak trees. An above ground drip irrigation system is recommended;</p> <p>14) Landscaping beneath oak trees may include non-plant materials such as bark mulch, wood chips, boulders, etc. The only plant species that shall be planted within the driplines of oak trees are those that are tolerant of the natural, semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants.</p> | | | |
| <p>13. Provide calculation for the pipe capacity in conformance with the 1996 Hydrology Standards</p> | <p>Improvement Plans</p> | <p>Public Works</p> | |

| | <u>Conditions of Approval / Mitigation Measure</u> | <u>Timing/ Implementation</u> | <u>Enforcement/ Monitoring</u> | <u>Verification (date and Signature)</u> |
|-----|--|---|--------------------------------|--|
| | Volume II and City of Elk Grove Improvement Standards. | | | |
| 14. | Install on-site and off-site drainage facilities as required pursuant to the Sacramento County Floodplain Management Ordinance, and the City of Elk Grove Improvement Standards, including any fee required by the Sacramento County Water Agency. | Grading Permit and/or deemed needed by Public Works | Public Works | |
| 15. | The SACPRE methodology as contained in the 1996 Hydrology Standards Volume 2 shall be used to calculate the 100 year runoff | Improvement Plans | Public Works | |
| 16. | Indicate the location of Bader Road and the triple 29" x 48" CMP arch culvert on the drainage area map. | Improvement Plans | Public Works | |
| 17. | Provide the hydraulic calculations indicating how the 100-year HGL elevation of 64.5' was arrived at. These calculations must take in consideration the existing culverts and the new channel proposed to handle the peak runoff. | Improvement Plans | Public Works | |
| 18. | Provide water surface calculations for the 10 and 100-year frequency flows for existing and proposed, increased flows. | Improvement Plans | Public Works | |
| 19. | Indicate how access through lots 6 and 7 will be provided to the modified drainage channel. Should it be culverts or bridges, please take the effect in consideration throughout the hydraulic calculations. | Improvement Plans | Public Works | |
| 20. | About 30% of the proposed development will drain toward Bond Road. Demonstrate the resulting flows be handled. | Improvement Plans | Public Works | |
| 21. | Lot 8 will include an additional detention basin to capture additional water flows | Improvement Plans | Public Works | |
| 22. | The minimum radius of curvature on a 40 foot street shall be 200'. The Planning Commission has requested that the City | Improvement Plans | Public Works | |

| <u>Conditions of Approval / Mitigation Measure</u> | <u>Timing/ Implementation</u> | <u>Enforcement/ Monitoring</u> | <u>Verification (date and Signature)</u> |
|---|-----------------------------------|------------------------------------|--|
| Engineer review the road standards and to approve the substandard street (150 radius) if deemed appropriate and develop City Standards for rural roadways. | | | |
| 23. For Class "C" streets, internal to the subdivision, the typical section must meet the requirements of standard DWG 4-11 with a minimum of 4' paved shoulders, and 3' beyond the edge of pavement to the top of ditch bank, and the ditch must have 4:1 slopes as stated in the improvement standard text 4-5 C. | Improvement Plans | Public Works | |
| 24. At the entrance of the subdivision, the street section should meet the requirements listed above for paved shoulder and 3' beyond the edge of pavement to the top of ditch bank | Improvement Plans | Public Works | |
| 25. Improvements shall be designed and installed to the City of Elk Grove Improvement Standards or to the satisfaction of Public Works. | Improvement Plans | Public Works | |
| 26. At the entrance of the subdivision, the street section should meet the requirements listed above for paved shoulder and 3' beyond the edge of pavement to the top of ditch bank. Note: The 6" curb shall be outside of the 16' of pavement. | Improvement Plans | Public Works | |
| 27. Roadways shall be designed for a turning radius for fire equipment shall meet the radius of 58' outside and 38' inside. | Improvement Plans | EGCSD Fire Department | |
| 28. Prior to approval of Improvement Plans, the project must demonstrate the following items to the satisfaction of the Department of Water Resources: a. Provide non-potable water for use during grading and construction, which could be an agricultural well; b. Destroy all abandoned wells on the project site in | Improvement Plans | Water Supply | |

| | <u>Conditions of Approval / Mitigation Measure</u> | <u>Timing/ Implementation</u> | <u>Enforcement/ Monitoring</u> | <u>Verification (date and Signature)</u> |
|-----|---|-------------------------------|--------------------------------|--|
| | accordance with the requirements of the Sacramento County Environmental Health Division. Clearly show all abandoned wells on the improvement plans for the project; | | | |
| 29. | Landscape Corridors shall be constructed and installed in accordance with plans and specifications approved by the City of Elk Grove. <u>The corridors on Bond Road shall be 25' wide.</u> The landscape corridor will include a more rural or natural look with no grasses. Landscape corridor improvements will be constructed when improvements to Bond Road are installed and to the satisfaction of the City. Improvements will be bonded for and deferred to a later date. | Landscape Plans | Public Works | |
| 30. | The project will include berming or a private 3 or 4 split rail fence on private property. No masonry or wrought iron fence will be constructed. | | Planning | |
| 31. | Dogs will not be brought on the property during grading and construction work by construction workers. | Construction Activities | Planning | |
| 32. | Construction activities will not commence before 7 am (including all equipment loading, unloading, mechanical repairs, washing, fueling) nor continue after 6 pm. | Construction Activities | Planning | |
| | Final Map | | | |
| 33. | Notice to Purchaser: The applicant, owner or successor in interest shall notify each potential home buyer that he/she is purchasing a home near rural farming activities – right to farm. This shall be done in the form of a disclosure statement. | Recorded at time of Final Map | Public Works | |
| 34. | Notice to Purchaser: The applicant, owner or successor in interest shall notify each potential parcel buyer that the property is not to be sold to a master | Recorded at time of Final Map | Public Works | |

| <u>Conditions of Approval / Mitigation Measure</u> | <u>Timing/ Implementation</u> | <u>Enforcement/ Monitoring</u> | <u>Verification (date and Signature)</u> |
|---|-------------------------------|--------------------------------|--|
| home builder and that all homes will be custom built and not production homes. This shall be done in the form of a disclosure statement. | | | |
| 35. Notice to Purchaser: The applicant, owner or successor in interest shall notify each potential home buyer that he/she is purchasing a home on a private roadway with a reduced speed the Elk Grove Police Department can not enforce. This shall be done in the form of a disclosure statement. | Recorded at time of Final Map | Public Works | |
| 36. Notice to Purchaser: The applicant, owner or successor in interest shall notify each potential home buyer that modifications made to the private roadway, including speed bumps or other traffic calming devices, shall be reviewed and approved by Elk Grove Public Works. This shall be done in the form of a disclosure statement. | Recorded at time of Final Map | Public Works | |
| 37. A 75 foot building setback shall be located along the east, north and west property lines of the 30 acre parcel. No structures shall be located within this setback. | Final Map | Public Works | |
| 38. A 25 foot easement along Bond Road shall be reserved for landscaping with a pedestrian easement. | Final Map | Public Works | |
| 39. Submit a property description and a copy of the approved tentative map to the City of Elk Grove for the inclusion of this development to the City of Elk Grove Stormwater Utility. | Prior to Final Map | Public Works | |
| 40. 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. | Final Map | Public Works | |
| 41. Record a maintenance agreement involving all the parcels of the subject map assuring timely maintenance of the Street 'A' and Street 'B'. | Final Map | Public Works | |
| 42. Dedicate Street 'A' and Street 'B' as an easement to | Final Map | Public Works | |

| | <u>Conditions of Approval / Mitigation Measure</u> | <u>Timing/ Implementation</u> | <u>Enforcement/ Monitoring</u> | <u>Verification (date and Signature)</u> |
|-----|---|--|---|---|
| | allow access for services such as utility and emergency vehicles. | | | |
| 43. | Provide an access easement for the maintenance of the drainage channel to the satisfaction of Public Work | Final Map | Public Works | |
| 44. | Grant the City of Elk Grove right-of-way on Bond Rd. based on a 84' arterial in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of the Public Works | Final Map | Public Works | |
| 45. | Dedicate a 12.5 foot public utility easement for underground and or overhead facilities and appurtenances adjacent to all public and private streets. | Final Map | Public Works and SMUD | |
| 46. | Dedicate the 25 foot Landscape Easements as a public utility easement for underground and or overhead facilities and appurtenances. Landscaping and a ADA compliant trail system will be put in at a later date and will be maintained by the private property owners. | Final Map | Public Works and SMUD | |
| 47. | Provide drainage easements to off-set proved impacts, as necessary, at no cost of the City of Elk Grove pursuant to the Sacramento County Floodplain Management Ordinance, and the City of Elk Grove Improvement Standards, including any fee required by the Sacramento County Water Agency Code. | Final Map | Public Works | |
| 48. | Prior to the final map, the project area shall form or annex into a Mello-Roos Community Facilities District (CFD) and/or another financing district/mechanism that is acceptable to the City to fund a portion of the additional costs for police service and additional long-term roadway maintenance related to serving the new development. | Final Map | Public Works | |
| 49. | Dedicate land or pay in-lieu fees, or both, for park | Final Map | EGCSD Parks and | |

| | <u>Conditions of Approval / Mitigation Measure</u> | <u>Timing/ Implementation</u> | <u>Enforcement/ Monitoring</u> | <u>Verification (date and Signature)</u> |
|-----|---|--|---------------------------------------|---|
| | purposes, as required by and in accordance with the standards set forth in Chapter 22.40, Title 22 of the City of Elk Grove Code. | | Recreation and Public Works | |
| 50. | Prior to the recordation of the Final Map the applicant will enter into and record an agreement, in a form approved by the District Engineer and District Counsel of Sacramento Regional County Sanitation District, to require the property owner(s) to reserve lands for acquisition by the District to install District pipelines and facilities for public health purposes and in conformance with the District Masterplan (approximately 60 feet wide past the limit of EGCSO). The landscape strip for EGCSO shall be granted as an easement to SRCSD in addition to the above requirement. The District shall exercise the agreement and acquire the reserved lands within two years of the completion and acceptance of required public improvements. | Final Map | CSD-1 | |
| 51. | A 25 foot landscape easement shall be located along the east, north and west boundaries of the existing 30 acre parcel. No structures shall be built in this easement. The landscape easement will be planted with trees, shrubs and grasses to create a year round privacy screen. | Final Map | Planning | |
| | Building Permit | | | |
| 52. | The landscape corridor on lots 2 and 3 shall be planted prior to building construction taking place. | Building Permit | Planning | |
| 53. | Install public street improvements on Bond Rd. based on a 84' arterial in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of the Public Works. | Prior to 1 st Building Permit | Public Works | |
| 54. | The floor elevation must be a minimum of 1 foot above the 100-year water level for the area. | Building Permit | Public Works | |
| 55. | Prior to the issuance of building permits, the property | Building Permit | Public Works | |

| <u>Conditions of Approval / Mitigation Measure</u> | <u>Timing/ Implementation</u> | <u>Enforcement/ Monitoring</u> | <u>Verification (date and Signature)</u> |
|---|-----------------------------------|------------------------------------|--|
| owner shall pay development impact fees in accordance with the Elk Grove / West Vineyard Public Facilities Financing Plan Development Impact Fee Program and Chapter 16.82 of the Elk Grove Municipal Code, including any authorized adjustments and updates thereto. | | | |
| 56. The project will not include a private gate at the entrance of A Drive. | Building Permit | Public Works | |
| 57. Individual septic systems for the project will be approved by the County Environmental Management Department. (EMD) | Building Permits | EMD | |
| 58. A percolation test to determine suitability and design for individual septic systems will be done and application made to Environmental Health for a permit. (EMD) | Building Permits | EMD | |
| 59. All homes in this development will be required to be fire sprinklered. | Building Permits | EGCSD Fire Department | |
| 60. Public Works shall review and approve the driveway location for lots 1 and 10. | Improvement Plans | Public Works | |
| 61. Private water wells will be designed and application made to Environmental Health for a permit. (EMD) | Building Permits | EMD | |
| 62. A 5 foot high no climb fence will be installed along the eastern property line of the 30 acre property. Along the northern and western property lines fencing will be agreed to by the property owners. | Building Permit | Planning | |
| 63. One primary single family residence with the option for a 1200 square foot secondary dwelling unit will be allowed per property in accordance with the Zoning Code and State law. | Building Permit | Planning | |
| 64. The Shires will be responsible for weed control and the routine maintenance and plant replacement for the 25 foot landscape corridor. | On-Going | Planning and EGCSD Fire | |
| 65. A private roadway sign shall be placed at the entrance to the Shires project. | Improvement Plans | Public Works | |

| | <u>Conditions of Approval / Mitigation Measure</u> | <u>Timing/ Implementation</u> | <u>Enforcement/ Monitoring</u> | <u>Verification (date and Signature)</u> |
|-----|--|-----------------------------------|------------------------------------|--|
| | Prior to Occupancy | | | |
| 66. | The individual landscaping corridor along lots 4,5,6 and 7 shall be completed prior to residential occupancy on each parcel. | Prior to Occupancy | Planning | |

General Compliance Items for Building Permit

1. Prior to issuance of building permits, the project developer/owner shall pay Zone 40 development fees applicable at the time of building permit issuance in accordance with Sacramento County Water Agency Ordinance No. 18. (Water Supply)
2. Prior to issuance of building permits, the project shall conform to the specific provisions of the City's Landscape Water Conservation Ordinance (Chapter 14.10 of the City of Elk Grove Code) to the satisfaction of the City's plan checker or consultant. (Water Supply)
3. Secure approval of a civil engineered site improvement plan for all proposed on-site and off-site improvements.
4. Permits and/or fees are required for the following reviews: civil plans, architectural plans, fire sprinkler plans and fire alarm plans. Additional permits and fees may apply depending upon the scope of the project.
7. Dead-end streets in excess of 150 feet require emergency vehicle turn-a-rounds.
8. Any and all gates impeding fire lanes or roadways shall comply with Appendix VII of the 2002 Sacramento County Fire Code.
9. 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 and homes 4,801 square feet to 6,200 square feet require 2,000 gpm.
10. 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.
11. 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 educational 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 a 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 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.
12. All civil engineering plans are required to be submitted in an electronic format. When plan is ready for final signature, it is required that the engineering firm will 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:

DFX (Drawing Interchange file) release 2002 or previous

DWG (Applies to AUOCAD drawing file) release 2002 or previous

13. Addresses for all lots shall be provided to the Fire Department within sixty (60) days of Fire Department signature of approval for development plans.
14. 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 the units are built, the above information should be considered and the Elk Grove CSD Fire Department should be consulted on this matter.
15. All commercial buildings, in excess of 3,599 square feet shall be equipped with an approved automatic fire sprinkler system.
16. Commercial developments in excess of 10,000 square feet require looped fire mains of a minimum of ten- (10) inch diameter to supply fire hydrants spaced at a maximum of 300-foot intervals. This on-site fire main shall be connected to the municipal water main at not less than two (2) points.
17. 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.
18. 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 15 % for concrete. The roadways shall be constructed to a 20-foot minimum width with a minimum of three (3) inches AC over six (6) inches AB with good drainage.
19. Traffic pre-emption devices of a typed 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.
20. Required fire alarm systems (other than single family dwellings) shall be connected to a UL listed central station approved by the Sacramento County Regional Communications Center.
21. Permits and/or fees are required for the following plan reviews: site plan, architectural plan, fire sprinkler plan, fire alarm plan, and special extinguishing plans.
22. 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.
23. The installation of roadway gates, addresses, landscaping, pipe bollards, fuel tanks, masonry sound walls, tree wells, and/or traffic calming devices are subject to standards outlined by the Elk Grove Fire Department.
24. The wetlands/riparian corridors of creeks create an unusual fire hazard and challenge to emergency responders. The following requirements apply:

- A. Provide non-combustible fences along all developed areas adjacent to wetlands, creeks, or open spaces.
- B. Provide access to all wetland corridors at the end of cul-de-sacs via rolled curbs and gates with pipe bollards. 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.
- C. Any bridges over creeks or wetland areas shall be capable of supporting 65,000 GVW.
- D. Provide at least ten (10) feet of greenbelt or other defensible space between non-combustible fences and the creek/wetlands area.