

RESOLUTION NO. 2006-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING A TENTATIVE SUBDIVISION MAP FOR THE VISTA CREEK VILLAGE UNIT 3 PROJECT NO. EG-05-840, SUBJECT TO THE FINDINGS AND CONDITIONS OF APPROVAL

WHEREAS, Khalid and Nyla Chaundhry, represented by Claybar Engineering (hereinafter referred to as Applicant) filed an application with the City of Elk Grove (hereinafter referred to as City) for a Tentative Subdivision Map (Assessor's Parcel Number 121-0180-019); 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 City determined that the Vista Creek Village Unit 3 Project was subject to the California Environmental Quality Act and prepared an Initial Study evaluating the potential environmental effects of the project; and

WHEREAS, the Initial Study identified potentially significant adverse effects in the area of biological resources; and

WHEREAS, the City has agreed to implement proposed mitigation measures that avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; 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, all project changes required to avoid significant effects on the environment have been incorporated into the project and/or are identified in the Mitigation Monitoring Plan; and

WHEREAS, the City determined that the mitigation proposed in the Mitigation Monitoring and Reporting Program would reduce the impacts to a less than significant level and that a Mitigated Negative Declaration should be prepared; and

WHEREAS, the City distributed the Notice of Intent to Adopt the Mitigated Negative Declaration on November 16, 2005 and 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 November 16, 2005 and closed on December 17, 2005. The Mitigated Negative Declaration was made available to the public during this review period; and

WHEREAS, the City received written comment letters within the 30 day public review period and responded to those comments in the project staff report; and

WHEREAS, the City has considered the comments received during the public review period, and they do not alter the conclusions in the Initial Study and Mitigated Negative Declaration; and

WHEREAS, the Planning Commission considered the Applicant's request at a public hearing on January 19, 2006 and recommended City Council approval of the project.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove approves the Vista Creek Village Unit 3 Tentative Subdivision Map based on the following findings and the attached conditions of approval included as Exhibit A.

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 entire administrative record, there is no substantial evidence that the project will have a significant adverse impact on the environment.

Tentative Subdivision Map

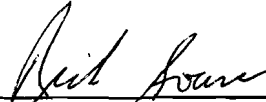
Finding: The Findings provided in Section 66474 of the California Subdivision Map Act that require a City to deny a tentative map do not apply to this Tentative Subdivision Map.

Evidence:

- 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 rural residential development.

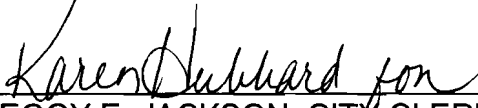
- d. The site is appropriate for the specified density of development.
- e. The proposed Tentative Subdivision Map is consistent with the General Plan and zoning and therefore would not cause substantial environmental damage. An Initial Environmental Study was prepared for the proposed project and mitigation measures have been developed that will reduce potential environmental impacts to less than significant levels.
- f. The design of the subdivision map or type of improvements will meet all applicable standards or regulations and will not cause serious public health problems.
- 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.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 22nd day of February 2006.



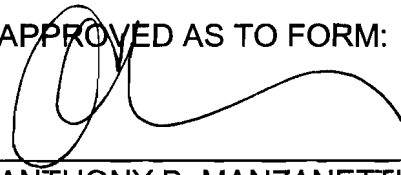
RICK SOARES, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

Exhibit A - Conditions of Approval

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
On-Going			
1. 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 Planning Commission approval.	Development Services, Planning	
2. The development approved by this action is for a Tentative Subdivision Map and Rezoning, as described in the staff report and associated Exhibits and Attachments dated February 22, 2006.	On-Going	Development Services, Planning	
3. The Applicant, and any future heirs, successors or assigns (hereinafter 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.	On-Going	Development Services, Planning	
4. This action does not relieve the Applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.	On-Going	Development Services, Planning	
5. The Applicant shall comply with, record, and pay fees for the Mitigation Monitoring and Reporting Program (MMRP) associated with the project. Until the MMRP has been recorded and the estimated MMRP fee of \$500 has been paid, no final parcel map for the subject property shall be approved and no grading, building, sewer connection, water connection, or occupancy permit from the City or County will be approved.	On-Going	Development Services, Planning	

Vista Creek Village Unit 3, Tentative Subdivision Map and Rezoning (EG-05-840)
 City Council – **FINAL** February 22, 2006

Exhibit A - Conditions of Approval

Conditions of Approval / Mitigation Measure		Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
6.	The Applicant and all future owners must disclose to future/potential owners the existing 230kV electrical facilities.	On-Going	SMUD	
7.	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.	On-Going	Public Works	
8.	Access at Brown Road at Waterman Road will be right-in/right-out only. Lefts in will be evaluated prior to the construction of Waterman Road.	On-Going	Public Works	
9.	The Applicants shall not provide for any condition to allow for a public nuisance to occur during the construction or sales phases of the project. This includes a prohibition of any lighter-than-air advertising devices (i.e. balloons/inflated devices, etc.)	On-Going	Community Enhancement and Code Compliance	
Final Map				
10.	The Applicant shall provide a letter of approval or easement agreement from SMUD, USBR and PG&E that both Brown Road and Street B can be constructed on top of the two 125' USBR easement, 150' SMUD easement and 75' PG&E easement prior to approval of final map. If SMUD, USBR and PG&E do not approve the road through the easements, the resulting project will not be in substantial conformance with this project and shall be redesigned and re-scheduled for Planning Commission review.	Prior to Approval of Final Map	Public Works	
11.	The Applicant shall submit a separate exhibit to show the existing building, power pole, etc, for parcel 121-0180-045, 121-0180-46, 121-0180-026, 121-0180-002 and this parcel.	Prior to 1 st Submittal 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>
12. The Applicant shall design, dedicate and improve Waterman Road, east half section of 36' from the approved centerline. Improvements will be based on 84' equivalent arterial, including the intersection improved through the returns on Brown Road (east) in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works. Sidewalks shall be separated from back of curb except at intersection and driveways. Improvements will be based on an 84' equivalent arterial in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works. A 25' landscape and pedestrian corridor from the back of curb is required. A cash payment in-lieu of design and construction may be provided upon concurrence and approval of Public Works.	Prior to Approval of Final Map	Public Works	
13. The Applicant shall dedicate a 25' landscape corridor along Waterman Road, in fee title, to the City of Elk Grove as a landscape and pedestrian.	Prior to Approval of Final Map	Public Works	
14. The Applicant shall acquire, design and improve Brown Road at Waterman Road in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Prior to Approval of Final Map	Public Works	
15. The Applicant shall dedicate and improve full width of Brown Road as 38' from back of curb to back of curb. The half-street sections shall have 16' pavement, 3' curb and gutter and 4' sidewalk. The 4' sidewalk shall be attached from Waterman Road to Street A and shall be separated from the street with 6' of landscaping from Street A to Jordan Ranch Road.	Prior to Approval of Final Map	Public Works	
16. The Applicant shall dedicate and improve Jordan Ranch Road based on 50' collector in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works. A minimum of 26'	Prior to Approval 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>
	of pavement must be constructed excluding gutter pan.			
17.	The Applicant shall modify the tentative map such that Street B and Street A are connected at an elbow instead of an intersection.	Prior to Approval of Final Map	Public Works	
18.	The Applicant shall dedicate and improve full width of Street A and Street B as 44' from back of sidewalk to back of sidewalk. The half street section shall have 15' pavement, 3' curb and gutter and a 4' attached sidewalk, in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Prior to Approval of Final Map	Public Works	
19.	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.	Prior to Approval of Final Map	Public Works	
20.	The Applicant shall place a statement on the Final Map that states that adjacent Waterman Road and Brown Road frontage improvements shall be required to be constructed in accordance with City Standards and to the satisfaction of Public Works prior to issuance of any permits for development of any lot.	Prior to Approval of Final Map	Public Works	
21.	The Applicant shall dedicate access rights (direct vehicular ingress and egress to Waterman Road and Street A) to the City of Elk Grove.	Prior to Approval of Final Map	Public Works	
22.	The Applicant shall dedicate an easement for multi-purpose trail in both Lots A and B to the City of Elk Grove, in accordance with the Elk Grove General Plan. Applicant shall design and construct the multi-purpose trail improvements per the East Elk Grove Specific Plan Figure 5.11 and to the satisfaction of Public Works. Portions of improvements may be deferred through payment in-lieu of construction. Level of deferment and estimates shall be to the satisfaction of Public Works. City will accept upon	Prior to Approval of Final Map	Public Works and Planning	

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>improvement of lots.</p> <p>NOTE: At the time of approval, staff is drafting a Trails Master Plan. If this portion of the trail is not included in the updated and Approved Trails Master Plan prior to occupancy, the Applicant will not be required to design or construct this segment. If it remains in the new plan, it shall be constructed prior to occupancy.</p>			
<p>23. The Applicant shall annex the project area 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 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 www.elkgrovecity.org/services/dfd/ad-information.htm.</p>	<p>Prior to Approval of Final Map</p>	<p>City of Elk Grove Finance Department</p>	
<p>24. The Applicant shall annex the project area 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 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 www.elkgrovecity.org/services/dfc/ad-information.htm.</p>	<p>Prior to Approval of Final Map</p>	<p>City of Elk Grove Finance Department</p>	
<p>25. Prior to the final map, the project area shall form or annex into a Mello-Roos CFD, assessment district, other financing district, or will provide some other funding mechanism, which is acceptable to the Finance Director of the City to fund the project's fair share of landscape maintenance costs which may include, but not be limited to, roadway corridors, interchanges, medians, drainage corridors, trails, open space, and</p>	<p>Prior to Approval of Final Map</p>	<p>City of Elk Grove Finance Department</p>	

	<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	parks, and maintenance costs of other community facilities.			
26.	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.	Prior to Approval of Final Map	CSD-1	
27.	The Applicant shall provide separate public water service to each parcel and dedicate maintenance easements in all public and private streets over all water lines to the satisfaction of Sacramento County Water Agency prior to Final Map approval.	Prior to Approval of Final Map	Sacramento County Water	
28.	The Applicant shall dedicate a 12.5-foot public utility easement for underground facilities and appurtenances adjacent to all public street rights of ways.	Prior to Approval of Final Map	SMUD	
29.	The Applicant shall obtain a letter from the appropriate agency stating that the existing power poles will be relocated or underground within the proposed 12.5 P.U.E on Jordan Ranch Road.	Prior to Improvement Plans Submittal	Public Works	
Prior to approval of Improvement Plans				
30.	The Applicant shall be responsible for all cost of relocating or underground the existing power poles along the proposed Jordan Ranch Road.	Prior to Improvement Plans Approval	Public Works	
31.	The Applicant shall design the multi purpose trail on parcel 121-0180-021 to the satisfaction of Public Works.	Prior to Improvement Plans Approval	Public Works	
32.	The Applicant shall design bulb-outs on Brown Road, at the west side of Street A and a choker on Brown Road between Lots 5, 6, 16 and 14, to the satisfaction of Public Works.	Prior to Improvement Plans Approval	Public Works	
33.	The Applicant shall design and install the street lights in accordance with the City of Elk Grove new street light standard and to the satisfaction of Public Works.	Prior to Improvement Plans Approval	Public Works	
34.	The landscaping of the landscape corridor along	Prior to Improvement	City of Elk Grove-	

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
Waterman Road shall incorporate the City's Landscape Guidelines for Medians, Corridors and Parks, and Water Conserving Landscape Requirements. Plans shall be submitted to the Planning Department and the Public Works Department for review and approval.	Plans Approval	Planning and Landscape Architecture	
35. Applicant shall provide for proposed project roadways to intersect and adjoin existing and future roadways on adjacent properties	Prior to Improvement Plans Approval	Community Enhancement and Code Compliance	
36. Applicant shall design parcel drainage that does not flow over the public sidewalk right-of-way that could create a slip hazard nuisance.	Prior to Improvement Plans Approval	Community Enhancement and Code Compliance	
37. The Applicant shall pay an in-lieu fee to the Public Works Department to study the need and design of a traffic calming plan for the Brown Road extension and possibly Jordan Ranch Road, if necessary. This fee will be used to monitor cut-through traffic for one year after Brown Road is open to the public. If deemed necessary by Public Works, the fee will then be used to design and install the necessary traffic calming measures. All un-used fees after two years of the opening of Brown Road will be refunded to the Applicant.	Prior to Improvement Plans Approval	Public Works and Planning	
38. The Applicant shall design the multi purpose trail on parcel 121-0180-021 linking Waterman Road to the planned trail location along the west bank of Laguna Creek. The design shall meet the requirements of Public Works, Planning, Landscape Architecture, and City of Elk Grove Community Services Departments. Right of way for the trail must be dedicated to the City of Elk Grove prior to the approval of the Improvement Plans.	Submitted with Improvement Plans. Improvement Plans not complete until the trail design is approved.	Public Works, Planning, and City of Elk Grove Community Services	
39. Label all of the transmission line easements as a "Restricted Building and Use Area" on Final Map and	Final Map and Improvement Plans	SMUD	

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
Improvement Plans			
Prior to issuance of Building and/or Occupancy Permit			
40. The Applicant shall construct bulb-outs on Brown Road, at the west side of Street A and between Lots 5, 6, 16 and 14, to the satisfaction of Public Works.	Prior to issuance of 1 st Building Permit	Public Works	
41. The Applicant shall install landscaping along Waterman Road 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 st Building Permit	Public Works	
42. 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 Building Permit	Sacramento County Water	
43. The site 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 Coordinator.	Prior to Building Permit	Sacramento County Water, City of Elk Grove Planning-Landscape Architecture	
44. The Applicant shall pay all applicable City of Elk Grove administered development impact fees in effect at the time of building permit issuance (see Development Related Fee Booklet at www.elkarovecity.org).	Prior to Building Permit	City of Elk Grove Finance Department	
45. The Applicant shall locate, identify on maps and isolate any water well, and locate and identify any septic system located on the parcel. Prior to any development, properly destroy any wells and septic tanks under permit from Sacramento County Environmental Health.	Prior to issuance of Grading Permits	Community Enhancement and Code Compliance	
46. CEQA Mitigation Measure #1-Swainson's Hawk Prior to any site disturbance such as clearing or	Prior to grading or building permits	Planning, in consultation with	

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>grubbing, or the issuance of any permits for grading, building, or other site improvements, whichever occurs first, the Applicant shall:</p> <ul style="list-style-type: none"> • Preserve 1.0 acre of similar habitat for each acre lost. This land shall be protected through a fee title or conservation easement acceptable to the California Department of Fish and Game 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 • Purchase mitigation credits at a 1:1 ratio (1 credit=1 acre of mitigation) at a DFG approved mitigation bank, acceptable to the City. Prior to issuance of grading permits, the Applicant shall provide Development Services-Planning proof of purchase of the credits, OR • 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 Municipal Code as such may be amended from time to time and to the extent that said chapter remains in effect. 		California Department of Game and Fish	
<p>47. The Applicant shall construct the multi purpose trail on parcel 121-0180-021 linking Waterman Road to the planned trail location along the west bank of Laguna Creek. The construction shall meet the requirements of Public Works, Planning, Landscape Architecture, and City of Elk Grove Community Services Departments.</p>	Prior to issuance of 1 st Occupancy Permit	Public Works, Planning, Landscape Architecture, and City of Elk Grove Community Services	

	<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
48.	The Applicant shall submit Flood Elevation Certification for each structure or appropriate documents as determined by Public Works.	Prior to Occupancy	Public Works	
49.	Water supply will be provided by the Sacramento County Water Agency.	Prior to Occupancy	Sacramento County Water	
50.	Applicant shall provide public water service to each building.	Prior to Occupancy	Sacramento County Water	
51.	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 agricultural wells, the Applicant shall use water from agricultural wells for grading and construction.	Prior to Occupancy	Sacramento County Water	
52.	Upon completion of the landscaping for the project, 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 Occupancy	City of Elk Grove Planning-Landscape Architecture	
53.	A Certificate of Conformance shall be provided to the City's landscape architect for approval.	Prior to final inspection or occupancy of any structure	City of Elk Grove Planning-Landscape Architecture	
54.	Connection to the CSD-1 sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to sewer construction.	Prior to Occupancy	CSD-1	
55.	In order to obtain sewer service, construction of CSD-1 sewer infrastructure will be required.	Prior to Occupancy	CSD-1	

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>56. The Applicant shall disclose to all buyers of property within the subdivision that surrounding agricultural properties and uses may continue in perpetuity, subject to the provisions of the City's adopted Right to Farm Ordinance. The Applicant, or his successors, shall include such disclosure in the title report, in any Covenants, Conditions and Restrictions recorded for the project, and shall require each homebuyer to sign such a disclosure. Proof of such disclosures shall be provided to City Planning for verification prior to the issuance of occupancy permits.</p>	<p>Prior to the issuance of occupancy permits</p>	<p>City of Elk Grove Development Services, Planning and Building</p>	

General Information and Compliance Items:

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. 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)
- b. The Applicant shall pay all appropriate development fees charged by the City and other Special Districts providing services to the site. (Public Works)
- c. Any improvements, public or private, damaged in construction shall be replaced, by the Applicant, in-kind or with new improvement. (Public Works)
- d. At all street intersections, public or private, within one block of the proposed project, the Applicant shall install and/or replace street name signs in accordance with the City of Elk Grove Standard Details. (Public Works)
- e. 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)
- f. 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)
- g. 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)
- h. The Applicant shall dedicate a 12.5 foot public utility easement for underground and appurtenances adjacent to all public streets. (Public Works)
- i. All driveways and intersections shall conform to the visibility easement requirement in the City of Elk Grove Improvement Standard. (Public Works)
- j. Improvement plans must be approved by Public Works prior to City Council approval of Final Map. (Public Works)
- k. The Final Map shall be completed, approved and recorded prior to 1st building permit. (Public Works)
- l. The 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 Storm Water 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 Engineer, and determined by the City to be comprehensive, accurate, and adequate. (Public Works)
- m. All drainage courses and appurtenant access roads to be conveyed to the City shall be dedicated and conveyed in fee title, by the Applicant, as separate parcels. Underground pipelines and open channels shall be located in the public right-of-way or parcels to be conveyed to the City. Parcels to be conveyed shall be a minimum of 25 feet wide. The Applicant shall provide minimum 20 foot wide maintenance service roads along the entire water course(s) to be conveyed. No conditional easements shall be placed on these drainage parcels. (Public Works)
 - n. 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)
 - o. 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)
 - p. 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 prior to construction start 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 Storm Sewer Discharges. (Public Works)
 - q. The Applicant shall 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)
 - r. The Applicant shall 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)
- s. 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. (Public Works)
 - t. Developing this property will require the payment of sewer impact fees. Impact fees for CSD-1 shall be paid prior to filing and recording of the Final Map or issuance of Building Permits, whichever is first. Applicant should contact the Fee Quote Desk at (916) 876-6100 for sewer impact fee information. (CSD-1)
 - u. Trunk sewer design and construction may be reimbursed by CSD-1 under the terms of a Reimbursement Agreement. Collector sewer design and construction may qualify for reimbursement under the terms of a Collector Sewer Reimbursement Agreement. Prior to initiating design of any sewer facility, contact CSD-1 for details. It will be necessary to schedule a meeting to discuss reimbursement requirements with appropriate SCSD-1 staff prior to any design. Failure to strictly comply with the provisions of the CSD-1 Ordinances may jeopardize all sewer reimbursement. (CSD-1)
 - v. All cut, fill and grading within SMUD's easement must be conducted in a manner so that minimum horizontal and vertical clearances are maintained in accordance with California Public Utilities Commission General Order No. 95. Any violations shall be corrected at the owner's expense. (SMUD)
 - w. Vehicular access must be provided to the towers at all times. (SMUD)
 - x. All metal fixtures placed within the easement area must be properly grounded. A grounding plan shall be submitted to SMUD's Property Administrator for review and approval. (SMUD)
 - y. Tree, landscaping, light standards and equipment shall not exceed 15 feet in height within the easement area. (SMUD)

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2006-57

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 22nd day of February by the following vote:

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

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 0: COUNCILMEMBERS:

RECUSAL 0: COUNCILMEMBER:





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