

**RESOLUTION NO. 2007-103**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
APPROVING THE RICHERT PARCEL MAP REZONE AND  
TENTATIVE PARCEL MAP – EG-06-1150**

**WHEREAS**, the Planning Division of the City of Elk Grove received an application on December 13, 2006; and

**WHEREAS**, the proposed project is located on real property in the incorporated portions of the City of Elk Grove more particularly described as APN 123-0190-053; and

**WHEREAS**, all required services and access to the proposed parcels in compliance with the City's standards are available; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing as required by law to consider all of the information presented by staff, information presented by the project proponent, and public testimony presented in writing and at the meeting, and recommended approval of the project to the City Council; and

**WHEREAS**, the City Council held a duly noticed public hearing as required by law to consider all of the information presented by staff, information presented by the project proponent, and public testimony presented in writing and at the meeting;

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

**Tentative Parcel Map Finding**

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. They are enumerated below:

- a. The proposed parcel map is consistent with the Elk Grove General Plan and proposed zoning that identifies the site as appropriate for residential use.
- b. The design of the proposed subdivision is consistent with the General Plan that designates the site for rural residential development.
- c. The site is physically suitable for residential development. The surrounding area is developed with and/or designated for residential and agricultural-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, one unit per two-gross acres. Services and facilities to serve the project will be provided or are available.
- e. The proposed Tentative Parcel Map will not cause substantial environmental damage. The project is a rural residential use located in the rural area of Elk Grove and is consistent with the General Plan and proposed zoning.
- f. The proposed Tentative Parcel 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.

**BE IT FURTHER RESOLVED**, that the City Council approves the project, subject to the conditions of approval as Exhibit A, as illustrated in Exhibits B and C.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 9th day of May 2007.

  
\_\_\_\_\_  
JAMES COOPER, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:

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

  
\_\_\_\_\_  
JONATHAN P. HOBBS,  
INTERIM CITY ATTORNEY

**Exhibit A – Conditions of Approval**

CONDITIONS OF APPROVAL	TIMING/ IMPLEMENTATION	ENFORCEMENT/ MONITORING	VERIFICATION (DATE AND SIGNATURE)
<b>ON-GOING</b>			
1. The development approved by this action is for a Rezone and Tentative Parcel Map to divide one 5-acre AR-5 lot into two 2.50 acre AR-2 lots, as illustrated in Exhibits B and C.	On-Going	Planning Division	
Deviations from the approved plans shall be reviewed by the City for substantial compliance and may require amendment by the appropriate hearing body.			
2. The Tentative Parcel Map is valid for 36 months from the date of approval.	36 Months from the Date of Approval	Planning Division	
3. This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.	On-Going	Planning Division	
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 Division	

CONDITIONS OF APPROVAL	TIMING/ IMPLEMENTATION	ENFORCEMENT/ MONITORING	VERIFICATION (DATE AND SIGNATURE)
5. All plans shall be based on the City of Elk Grove Building Regulations and currently adopted 2001 California Building Code (i.e., as adopted by the State of California as of November 1, 2002). The applicant is directed to the Building Department for submittal procedures.	On-Going	Building Department	
6. All driveways of this project on Richert Land shall be at a minimum of 100 feet away from ultimate right-of-way planned for Grant Line Road.	On-Going	Public Works	
<b>Prior to Final Map</b>			
7. The applicant shall plot all easements shown in the Title Report on the final map.	Prior to Final Map Approval	Public Works	
8. Show the existing SMUD overhead right-of-way easement recorded in the office of the Recorder of Sacramento County on December 21, 1988 in Book 88-12-21 Official Records Page 1736, on the final recorded Map	Prior to Final Map	SMUD	
9. The applicant shall dedicate a 12.5 foot public utility easement for underground and appurtenances adjacent to Grant Line Road	Final Map	Public Works	
10. The applicant shall dedicate Grant Line Road as a 6-lane road measured 48 feet wide from centerline to the back of curb in accordance with City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Final Map	Public Works	
11. The applicant shall dedicate a 36 foot corridor for landscaping and pedestrian uses adjacent to Grant Line Road along the project frontage to the satisfaction of Public Works	Final Map	Public Works	

### **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. 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)
- e. 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)
- f. All driveways and intersections shall conform to the visibility easement requirement in the City of Elk Grove Improvement Standard. (Public Works)
- g. The applicant shall dedicate a 12.5 foot public utility easement for underground and appurtenances adjacent to all public streets. (Public Works)
- h. Improvement plan must be approved by Public Works prior to City Council approval of Final Map. (Public Works)
- i. The Final Map shall be completed, approved and recorded prior to 1<sup>st</sup> Building Permit. (Public Works)
- j. Any deviations from City Standards shall be approved by Public Works. If not, these deviations run the risk of not being approved, potentially resulting in a redesign and requiring the project to go back to Planning Commission. (Public Works)
- k. 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)
- l. 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)
- m. 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)
- n. 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)
  - o. 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)
  - p. 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)
  - q. Pursuant to City Ordinance in effect at the time of building permit, the applicant shall pay an in lieu for the construction of frontage improvements along Grant Line Road. The in lieu shall be paid prior to issuance of building permit. For additional information regarding, please contact Connie Nelson with the Public Works Permit Department at 478-3638. (Public Works)
  - r. Improvement related conditions can be satisfied by completing an approved design, executing an improvement agreement, and providing suitable financial security (e.g. bonds, letter of credit, etc), all to the satisfaction of the City, prior to the implementation timing required by the condition.
  - s. 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 Department)
  - t. 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 Department)
  - u. 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 sales contract, the contractor or their agent shall obtain from the Fire Department an informational packet containing education materials approved

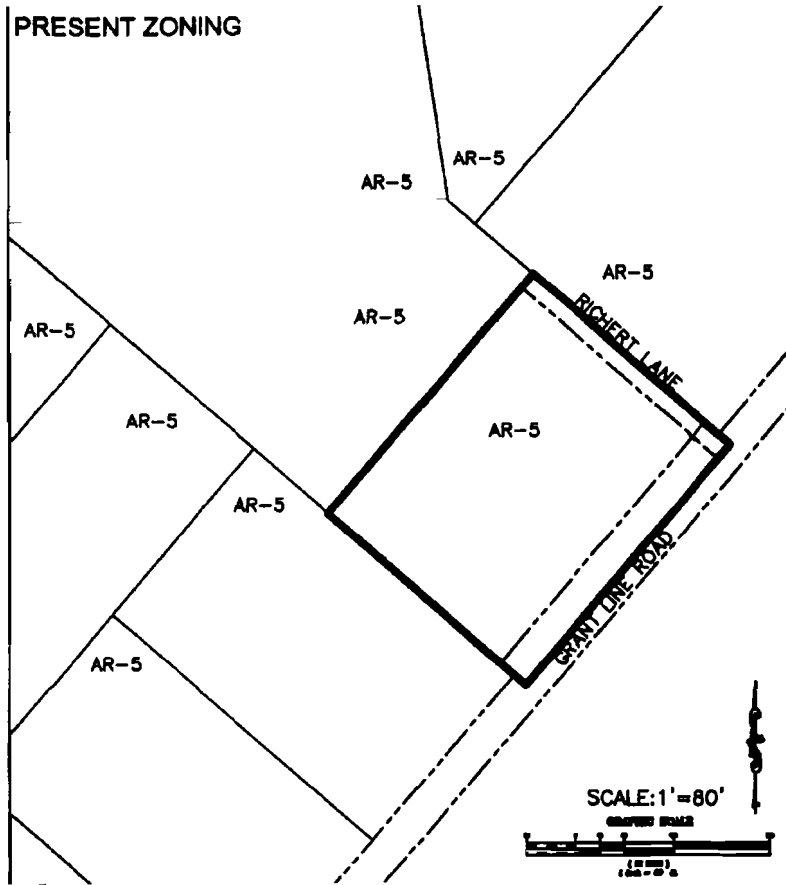
- by the fire Department, including a form explaining the option for residential sprinklers. The contractor or their agent shall provide the approved informational packet to any and all prospective buyers and require the execution of signed receipt for the educational material from the prospective buyer. The contractor shall install residential fire sprinklers upon the request and execution of a purchase agreement by the 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 Department)
- v. 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 submits 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 (9CD). 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 (Fire Department):
    - a. DXF (Drawing Interchange file) any DXF version is accepted
    - b. DWG (Applies to AUTOCAD drawing file) any AutoCAD DWG version is accepted
  - w. Addresses for all lots shall be provided to the Fire Department within sixth (60) days of Fire Department signature of approval for development plans.
  - x. Applicant shall provide for graffiti-resistant paint or clear graffiti-resistant coating of all masonry walls, and any subdivision signs; and to abate any graffiti on property immediately – maintain graffiti free.
  - y. Applicant shall provide for vegetation to cover and control graffiti along masonry walls – appropriate climbing vegetation to be detailed within the landscape design maps.
  - z. Applicant will not allow any "strictly prohibited signs" (i.e. lighter-than-air or balloon devices) to be displayed for advertising or other functions within this project.
  - aa. Applicant shall not provide for a nuisance during the construction or intended use of the project.
  - bb. Applicant to apply for demolishing permit through the Building Department for removal of existing structures.
  - cc. Any use of CSD-1 sewer easements, which is not compatible or interferes with the construction, reconstruction, operation, maintenance, or repair of the District's sanitary sewer(s), shall not be allowed. Each proposed use shall be reviewed and approved in writing by the District Engineer prior to the use of the easement by the Grantor. This includes landscaping.

ENGINEER:  
HP ENGINEERING & CONSTRUCTION  
629 CALIFORNIA DRIVE  
SACRAMENTO, CALIFORNIA 95825  
PH. (916) 925-1625  
FAX (916) 925-1625

**RICHERT PARCEL MAP**  
10836 RICHERT LANE  
ELK GROVE, CALIFORNIA

DEVELOPER: CITY OF ELK GROVE  
VAN THANH LE ET. AL  
10836 RICHERT LANE  
ELK GROVE, CALIFORNIA 95757  
PH. (916) 682-0772  
ASSESSOR'S PARCEL NUMBER:  
123-0190-093

**PRESENT ZONING**



**PROPOSED ZONING**

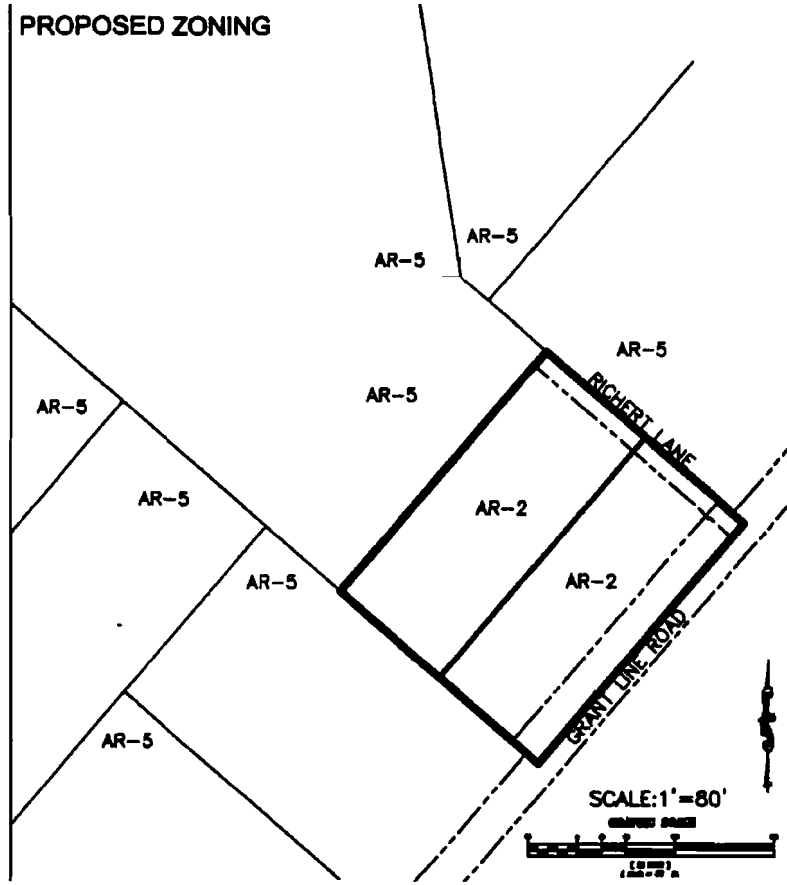
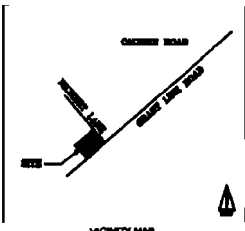
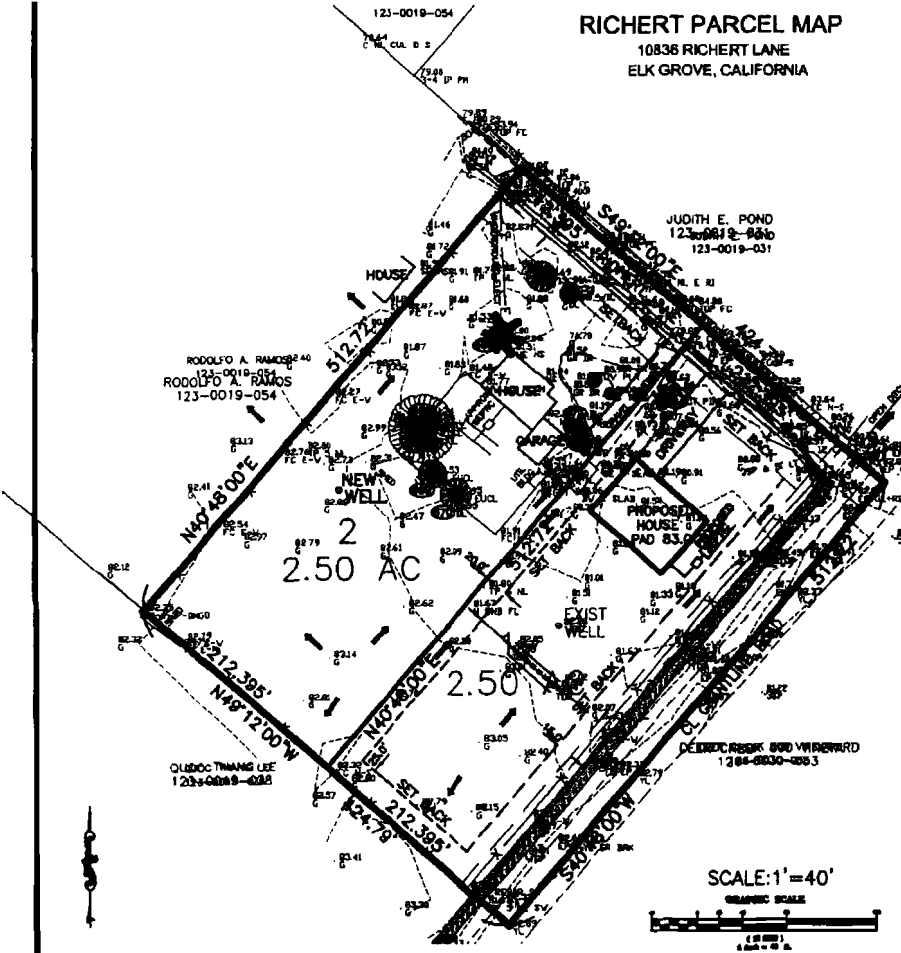


Exhibit B - Rezone Exhibit

<p>H.P. ENGINEERING AND CONSTRUCTION 629 CALIFORNIA DRIVE SACRAMENTO, CA 95825 TEL: (916) 925-1625</p>		<p>REZONE EXHIBIT RZ-1 1</p>
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**RICHERT PARCEL MAP**  
10836 RICHERT LANE  
ELK GROVE, CALIFORNIA



**LEGAL DESCRIPTION:**  
PARCEL 1 OF THAT CERTAIN  
PARCEL MAP, RECORDED IN THE  
COUNTY OF SACRAMENTO, BOOK  
101 OF PARCEL MAPS PAGE 2.

- LEGEND:**
- FENCE LINE
  - PROPERTY LINE
  - SPOT ELEVATION
  - EXISTING TREE
  - ⊗ EXISTING FIRE HYDRANT
  - ⊗ EXISTING WATER VALVE
  - ⊗ EXISTING CATCH BASIN
  - ⊗ EXISTING STEIN DRAIN MANHOLE
  - ⊗ EXISTING SANITARY SEWER MANHOLE
  - ⊗ EXISTING LIGHT POLE
  - ⊗ EXISTING WATER VALVE
  - ⊗ FOUND MONUMENT (AS LISTED)
  - △ INDICATES CALCULATED POINT FROM S.C.R.
  - (M) INDICATES MEASURED THIS SURVEY.
  - (C) INDICATES RECORD INFORMATION.
  - (C) INDICATES CALCULATED DISTANCE FOR THIS SURVEY.
  - S.C.R. SACRAMENTO COUNTY RECORDS.
  - CL CENTER LINE
  - S.M.F. SEARCHED, NOT FOUND
  - ⊗ REMOVED TREE
  - FLOW DIRECTION

SCALE: 1" = 40'



**H.P. ENGINEERING AND CONSTRUCTION**  
1000 UNIVERSITY BLVD  
SACRAMENTO, CA 95833  
TEL: (916) 486-1111  
FAX: (916) 486-1112



**RECEIVED**  
DEC 13 2006  
CITY OF ELK GROVE

**DEVELOPER: PLANNING**  
VAN 21381 LL  
10836 RICHERT LANE  
ELK GROVE, CALIFORNIA 95757  
PH. (916) 682-0772

**ENGINEER:**  
H.P. ENGINEERING & CONSTRUCTION  
628 COMBINE DRIVE  
SACRAMENTO, CALIFORNIA 95825  
PH. (916) 425-1825  
FAX (916) 425-1825

**ASSESSOR'S PARCEL NUMBER:**  
123-0160-063

**ACREAGE:**  
4.384 ACRES

**EXISTING USE:**  
RESIDENTIAL

**PROPOSED USE:**  
2 SINGLE FAMILY RESIDENCES

**EXISTING ZONING:**  
A-1

**PROPOSED ZONING:**  
A-1

**LOT SIZE:**  
MINIMUM LOT SIZE AS SHOWN

**PROPOSED IMPROVEMENTS:**  
CITY OF ELK GROVE

**SEWER:**  
SEPTIC

**WATER SUPPLY:**  
WELL

**DRAINAGE:**  
CITY OF ELK GROVE

**FIRE PROTECTION:**  
COMMUNITY SERVICES DISTRICT

**TELEPHONE SERVICE:**  
AT&T

**ELECTRICAL SERVICE:**  
S.M.A.L.D.

**GAS SUPPLY:**  
P&L

**SCHOOL DISTRICT:**  
ELK GROVE UNIFIED S. D.

**PARK DISTRICT:**  
CITY OF ELK GROVE

TENTATIVE MAP  
C-1

Exhibit C - Tentative Parcel Map

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2007-103**

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 May 9, 2007 by the following vote:**

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

**NOES:        COUNCILMEMBERS:        None**

**ABSTAIN :    COUNCILMEMBERS:        None**

**ABSENT:      COUNCILMEMBERS:        None**

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

