COUNTY OF SACRAMENTO
CALIFORNIA

Control No.: 2004-0218
Type: RZB-SDP-SPP-AHS

For the Agenda of
December 15, 2010
Agenda Item No. 21

A D D E N D U M # 1

TO: BOARD OF SUPERVISORS

FROM: PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: **GARDNER PARKE** REZONE, TENTATIVE SUBDIVISION MAP, SPECIAL DEVELOPMENT PERMIT, AND AN AFFORDABLE HOUSING PLAN

CONTACT: *Surinder Singh, Senior Planner, 874-5462; singhsu@saccounty.net*

PROJECT DESCRIPTION

Overview:
On August 23, 2010, the County Planning Commission reviewed the application and took action to recommend approval of the project, including several conditions of approval. Following this action, the project applicant submitted a slightly revised tentative subdivision which proposes the shifting of "A" Drive/Elk Grove-Florin Road connection 45 feet to the north. This shifting is being proposed so that "A" Drive can match the street connection proposed for the Villages at Elder Creek Estates project. The revised tentative subdivision map also proposes the removal of "L" Drive. The revised tentative subdivision map continues to show 384 lots for the project site. The County staff also met with the applicant to discuss project related condition of approvals. Addendum #1 provides a description of the revised tentative subdivision and includes a comprehensive list of all project conditions, including new changes proposed by the Planning Department, Department of Transportation, and Infrastructure Financing Division. New conditions, as proposed since the Planning Commission's action, are captured in bold text while deleted and revised conditions are shown in strikethrough text.

Recommendation:
Planning staff supports the revised 384-lot Tentative Subdivision Map (See Exhibit 2) and recommends **APPROVAL** of this revised project. For the December 15, 2010, hearing, staff is recommending that the Board take **tentative action** on all requested entitlements and to **continue the project** for the preparation and approval of a Zoning Agreement.

I. STAFF RECOMMENDATIONS

The proposed project is included in the Florin-Vineyard Community Plan. The proposed project is in compliance with both of the draft land use plans maps for the community plan. Furthermore, the proposed project conforms to the draft policies of the Florin-Vineyard

Community Plan. Infrastructure requirements are included in the conditions of approval as well as the mitigation measures to ensure proper infrastructure standards are met. For these reasons, staff recommends **APPROVAL** of this proposal.

A. Recommended Actions:

1. Environmental Documentation: Certify the **FINAL ENVIRONMENTAL IMPACT REPORT** as adequate and complete.
2. Rezone: **APPROVE** the Rezone (Exhibit 1) of approximately 65.4 acres from AR-5(13.7± acres) and A-10 (51.7± acres) to RD-5 (21.8+ acres), RD-7 (21.5+ acres), and RD-10 (15.2+ acres) and O (6.9+ acres) Recreation based upon the findings listed in Section I.B and the conditions listed in Section II of this report.
3. Tentative Subdivision Map: **APPROVE** the tentative subdivision map (Exhibit 2) to divide approximately 65.4 acres into 379 single-family lots, 1 park lot and 4 landscape lots requested, subject to the findings listed in Section I.B and the conditions listed in Section II of this report
4. Special Development Permit: **APPROVE** a Special Development Permit to: vary lot area and public street frontage in the RD-10 zones**.**
5. Affordable Housing Plan: **APPROVE**.
6. Mitigation Monitoring and Reporting Program: **ADOPT**.

B. Recommended Findings: The staff recommendations are based upon the following considerations:

1. The request is consistent with the County General Plan Map Low Density Residential and Text in that there are no conflicts.
2. The request is consistent with the draft Florin-Vineyard Community Plan Map and Text.
3. Identified environmental effects and suggested mitigation measures have been taken into consideration in the recommended actions and conditions of approval.
4. Staff has identified no effects from the proposal which would result in a significant detrimental impact on adjoining or neighboring properties if the conditions, as recommended by staff, are adopted.
5. The proposed lots will conform to the draft Florin-Vineyard Community Plan Development Standards as to size, frontage and width requirements upon approval of the Special Development Permit for two (2) of the lots.
6. The proposed lots will be compatible with the predominant neighborhood pattern of development.

7. All required findings as set forth in the State Map Act and the County Land Development Ordinance can be made in the affirmative.

II. RECOMMENDED CONDITION OF APPROVAL

Any approval of the Rezone shall be subject to the following conditions:

1. The final development plans shall be in substantial compliance with Exhibit "1" (Rezone Exhibit).
2. The Developer shall enter into an Affordable Housing Agreement with the Sacramento Housing and Redevelopment Agency, which will be recorded with the County of Sacramento Recorder's Office against the entire development, concurrent with the recordation of the final map **(Sacramento Housing and Redevelopment Agency)**.
3. Grant the County right-of-way for Gardner Avenue, based on a modified 42-foot Parkway I street section pursuant to the Florin Vineyard Community Plan and install public street improvements pursuant to the Sacramento County Improvement Standards. **(LDSIR)**
4. Grant the County right-of-way for streets adjacent to Lot A (Park Site), based on a 30-foot half street standard and install public street improvements pursuant to the Sacramento County Improvements Standards. ~~If the park will be providing recreational areas such as soccer fields and/or baseball fields, then on-site parking will be required~~. **(LDSIR/SacDOT)**
5. Dedicate a standard 12.5-foot Public Utility Easement for underground facilities and appurtenances adjacent to all public ways with attached sidewalks. Lots 1 thru 134 as shown on the tentative map shall dedicate a 10-foot public utility easement for underground facilities and appurtenances adjacent to all public ways with attached sidewalks. **(LDSIR)**
6. Dedicate the 13-foot pedestrian easement and 6-foot adjacent thereto for a 19-foot public utility easement for underground facilities and appurtenances adjacent opt all public streets right-of-ways, where 13-foot pedestrian easements are located. **(SMUD)**
7. Dedicate the Landscape Corridors as public utility easements for underground facilities and appurtenances. **(SMUD)**
8. Grant the County right-of-way on Elk Grove-Florin Road based on a 96-foot modified thoroughfare (the six-foot sidewalk shall be installed in the adjacent pedestrian/landscaping/public utility easement) and install public street improvements (including, but not limited to, curb, gutter, sidewalk, pavement, and street lights) pursuant to the Florin-Vineyard Community Plan, the Sacramento County Improvement Standard, and to the satisfaction of the Department of Transportation. **(SacDOT)**

9. ~~Grant the County right-of-way and install improvements (which may include signal poles, conduit, detector loops, etc. and install of new audible pedestrian signal heads and ADA compliant pedestrian push buttons throughout the intersection etc.) on Elk Grove-Florin Road and "A" Drive for a signalized intersection pursuant to the Sacramento County Improvement Standards, and to the satisfaction of the Department of Transportation. Align the signal with "A" drive shown in the villages at Elder Creek Estates (Control No. 2004-0208)~~ **Dedicate additional right-of-way on Elk Grove-Florin Road and 'A' Drive for signal intersection widening pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation. (SacDOT)**

10. All garages shall be setback a minimum of 19 feet from the back of the sidewalk in accordance with the Sacramento County Zoning Code. **(SacDOT)**

11. All pedestrian access ramps contiguous to this project must be installed/upgraded pursuant to the State of California Title 24 Code of Regulations and to the satisfaction of the Department of Transportation. **(SacDOT)**

12. Traffic control devices shall be installed where needed to the satisfaction of the Department of Transportation. Traffic control locations will be determined at time of improvement plan submittal. **(SacDOT)**

13. This project and all adjacent proposed projects (Villages at Elder Creek Estates, Control No. 2004-0208; Gerber Creek, Control No. 2004-0187; Lelani Village, Control No. 2004-0206) shall be coordinated to match street alignments, street connections, street stubs, street sections, driveway locations, signal locations, etc. to the satisfaction of the Department of Transportation. **(SacDOT)**

14. The proposed public street entrances from Elk Grove-Florin Road should be a minimum of 50 feet pursuant to the County of Sacramento Improvement Standards and to the satisfaction of the Department of Transportation. **(SacDOT)**

15. Install a one-foot raised median at the connection of 'A' Drive and Elk Grove-Florin Road to a point at least 50 feet west of the curb return on 'H' Way pursuant to the Sacramento County Improvement Standards, or other treatments**,** to the satisfaction of the Department of Transportation **(SacDOT)**.

16. The proposed residential street 'E' Drive should align with 'E' Drive shown on the Villages at Elder Creek Estates Map to the east pursuant to the Florin-Vineyard Community Plan, the Sacramento County Improvement Standards, and to the satisfaction of the Department of Transportation **(SacDOT)**.

17. Annex the subject properties to the County of Sacramento, Community Facilities District 2004-2 to support the maintenance of the landscaped medians. The annexation process takes approximately 6 months to complete. Contact Steve Hong 874-5368, Infrastructure Finance Section, Municipal Services Agency to initiate the annexation process. Final map recordation will not be approved until the annexation is complete **(SacDOT).**

18. Connection to the Sacramento Area Sewer District (SASD) sewer system shall be required to the satisfaction of SASD. SASD Design Standards apply to any on and off-site sewer construction. **(SASD)**

19. Each lot and each building with a sewage source shall have a separate connection to the SASD's sewer system. If there is more than one building in any single parcel and the parcel is not proposed for split, then each building on that parcel shall have a separate connection to a private on-site sewer or SASD public sewer line. **(SASD)**

20. To obtain sewer service, construction of necessary off-site and on-site SASD sewer infrastructure will be required to serve this project. **(SASD)**

21. Private sewer service laterals will not be permitted to connect directly to the 102-inch diameter interceptor sewer line, located along Elk-Grove Florin Road. **(SASD)**

22. ~~SASD shall require an approved Subdivision Level (Level 3) sewer study prior to the approval or submittal of improvement plans for plan check to SASD, whichever comes first. The sewer study shall demonstrate the quantity of discharge and any "flow through sewage" along with appropriate pipe sizes and related appurtenances from this subject and other upstream areas and shall be done in accordance with the SASD's most recent "Minimum Sewer Study Requirements". The study shall be done on a no "Shed-Shift" basis unless approved by SASD in advance and in compliance with the SASD Design Standards~~ **Although a Master Plan level sewer study, entitled "Sanitary Sewer Master Plan for Florin-Vineyard Gap Community Plan" was approved on July 31, 2006, a more detailed subdivision level sewer study shall be required to extend public sewer to this site. SASD shall require an approved Level III (Subdivision Level) sewer study prior to submittal of the first set of improvement plans containing any part of the subdivision or the entire subdivision. The sewer study requirement must be disclosed to first and all subsequent potential buyers (if applicable) before selling any or all lots within the subdivision. The sewer study shall demonstrate the quantity of discharge and any "flow through sewage" along with appropriate pipe sizes, elevations, downstream connection(s), upstream responsibility, etc., and shall be done in accordance with SASD's most recent "Minimum Sewer Study Requirements". The study shall be done on a no "Shed Shift" basis unless approved by SASD in advance and in compliance with the SASD Design Standards (SASD)**

23. Sewer easements may be required. All sewer easements shall be dedicated to SASD, in a form approved by the District Engineer. All SASD sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance. SASD will provide maintenance only in public right-of-ways and in easements dedicated to SASD. **(SASD)**

24. SASD requires their sewers to be located a minimum of 10 feet (measured horizontally from edge of pipe to edge of pipe) form all potable water lines. Separation of sewer line from other parallel utilities, such as storm drain and other

"dry" utilities (electrical, telephone, cable, etc.) shall be a minimum of 7 feet (measured horizontally from the center of pipe to the center of pipe). Any deviation from the above separation due to depth and roadway width must be approved by the SASD on a case by case basis. During the submission of the improvement plans, the applicant shall demonstrate that this condition is met. **(SASD)**

25. The subject project owner(s) and successors in interest thereof shall be responsible for repair and/or replacement of all non-asphalt and/or enhance surface treatments of streets and drives within these easements damaged by District maintenance and repair operation, including landscaping, channelizations, lighting and nay other appurtenances conflicting therein. This requirement shall be set forth in easement grant documents and be a covenant running with the land, be responsibility of successors in interest in future land transfer and divisions and by language approved by the District. Surface enhancements include, but are not limited to non-asphaltic paving, landscaping, lighting, curbing and all non-drive-able street appurtenances. **(SASD)**

26. Prior to the issuance of any building permits for the project, the project developer/owner shall pay Zone 40 development fees applicable at the time of building permit issuance in accordance with Title 4 of the Sacramento County Water Agency (SCWA) Code. **(Water Supply)**

27. Prior to the issuance of any building permit for the project, the project shall conform to the specific provisions of the Sacramento County Landscape Water Conservation Ordinance (Chapter 14.10 of the Sacramento County Code) to the satisfaction of the County Landscape/Oak Tree Coordinator. **(Water Supply)**

28. Water supply will be provided by the Sacramento County Water Agency. **(Water Supply)**

29. Provide separate public water service to each parcel. All water lines shall be located within a public right-of-way or within easements dedicated to Sacramento County Water Agency (SCWA). Easements shall be reviewed and approved by Sacramento County Water Agency prior to Improvement Plan approval or Final Map. **(Water Supply)**

30. Destroy all abandoned wells on the proposed project site in accordance with the requirements of Sacramento County Environmental Health Division. Clearly show all abandoned/destroyed wells on the improvement plans for the project. Prior to abandoning any existing agriculture wells, applicant shall use water from agriculture wells for grading and construction. **(Water Supply)**

31. ~~The District requests the 5.4 acre park site identified as Lot A to be increased in size by 1.6 acres creating a 7.0 acre park site. The District is willing to compensate the Developer for parkland acreage dedicated in excess of the Quimby parkland dedication requirement for this project and shall negotiate a Purchase Agreement with the Developer~~. **Based on the 379 single family residential lots, the estimated Quimby**

parkland dedication requirement for this project is approximately 5.53 acres. The District shall accept the dedication of the 6.9 acre park site identified as Lot A. The District will compensate the Developer for parkland acreage over-dedication of 1.37 acres for this project and shall negotiate a Purchase Agreement with the Developer.

Prior to final map approval, the District shall review the final subdivision map for compliance with parkland dedication requirements pursuant to Chapter 22.40 Title 22 of the Sacramento County Zoning Code. **(Southgate Parks)**

32. The Developer shall assure that the parkland to be dedicated to the District is graded and improved pursuant to current County Standards. The District shall review and approve improvement plans adjoining the park site **identified as Lot A**. Park site improvements include: adjoining streets with street lights fronting on the park, vertical curbs that extend 10 feet beyond the park site, a 6-foot wide attached concrete sidewalk on all park frontage streets and ADA compliant street crossings on all corners. Other park site infrastructure improvements include: electric, phone, storm drainage, sewer, and water stubs, connected water meters, and reduced pressure backflow preventers. In addition, all permit fees for the park site need to be paid including: building, sewer, water meter, water development and drainage. **The Developer shall be reimbursed for only those improvements and/or fees included in the Florin Vineyard Financing Plan**. The District shall accept the completed park site after the conditions of the Development Agreement have been met; County inspections have been passed; and a current, clear title report has been received. **(Southgate Parks)**

33. Dedicate to the Southgate Park District the 25-foot wide landscape corridor lots along Elk Grove-Florin Road. The landscape corridor lots shall be dedicated to the District as a gift and shall be fully developed by the Developer with plans and specification to be approved by the District and pursuant to applicable County Standards. The District requires 6 foot high masonry walls for all lots that back-up or side-on to the landscape corridor. All masonry walls shall be treated with graffiti-resistant coating and the design approve by the District. Landscape corridors shall have a detached 6 foot wide concrete sidewalk with vertical curb and ADA compliant street crossings on all corners. A Type 3 curb is required at the back of sidewalks for landscape areas (except turf). The irrigation system shall be installed according to specifications provide by the District. The District does not require subdivision entrance lighting but request the installation of conduit to an electric box within the landscape corridor for future installation of lighting should become necessary. The District shall accept the completed landscape corridor lots after they have passed inspection and received a clear title report. The District shall maintain the landscape corridor through assessment district proceeds. **(Southgate Parks)**

34. Prior to improvement plan approval, the Developer shall submit improvement plans for this project to the Park District. The Park District shall review and approve all improvements consistent with the Park District requirements pertaining to the ~~requested~~ park site **(Lot A),** landscape corridor lots along Elk Grove-Florin Road

(Lots A, B, C). The District shall review and comment on the parkway improvements along Gardner Avenue. **(Southgate Parks)**

35. The Owner shall consent to the inclusion of this parcel within the Southgate Landscaping and Lighting Assessment District – Florin or West Vineyard Zone and the Florin-Vineyard Financing District, which will be a Landscaping and Lighting Assessment District or a Mello Roos Community Facilities District. The Owner shall notify all subsequent purchasers of parcels of land within this subdivision of the inclusion within said financing districts. These financing districts will be established by the Park District for purposes of funding maintenance and operations of capital improvements, open space, trails, and related park and recreation improvements for facilitates directly associated with the Florin-Vineyard Community Plan projects. **(Southgate Parks**)

36. This subdivision will be included in the Southgate Recreation and Park District component of the Florin-Vineyard Public Facilities Financing Plan as determined by the Sacramento County Board of Supervisors. ~~The Park District reserves the right to revise parkland dedication requirements and financing mechanisms to adapt to change resulting from modifications to the policy or the creation of a new plan by the County of Sacramento~~. **(Southgate Parks)**

37. Prior to final map approval, a Development Agreement shall be negotiated between the District and the Developer regarding the development and construction of the park site. The District will reimburse the Developer for the additional costs attributed to the over-dedication of parkland acreage as specified in the Development Agreement. **(Southgate Parks)**

38. Approved fire hydrants capable of providing the required fire flow for the protection of any and all structures shall be located along the route of the fire apparatus access roadway. The required fire hydrants shall be installed and operational prior to any construction or on-site storage of combustible materials. The minimum required fire flow for the protection of residential developments with an area per building not exceeding 3,600 square feet is 1,000 gallons per minute (gpm) at a pressure of 20 pounds per square inch (psi) for a two-hour duration. Fire hydrant installations for the protection of residential project shall comply with the following requirements.

    a. One fire hydrant shall be located between 150 and 250 feet from the end of the access roadway. The required access roadway shall extent to within 150 feet of all portions of the structure.

    b. A hydrant installed at the end of an access roadway as a “blow off” for the water district does not meet the fire department fire hydrant requirements.

    c. Existing “wharf” type hydrant(s) do not satisfy hydrant requirements for new construction, and must be upgraded to an approve steamer type hydrant(s).

    d. Each approved fire hydrant shall have a minimum flow of 1,000 gallons per minute (gpm) for residential developments. Additional requirements apply to

residential dwellings with building areas greater than or equal to 3,600 square feet. **(Fire)**

39. Plans shall be submitted to the fire prevention bureau showing hydrant locations for review and approval prior to construction. Fire hydrant detail and fire department notes shall be shown on the site plans or improvement drawings. **(Fire)**

40. The applicant shall comply with the design review provisions of Zoning Code Title I Article 11, and design standards adopted as part of the Florin-Vineyard Gap Community Plan. In addition, the design review shall be forwarded to the appropriate Community Planning Advisory Council (CPAC) for information. **(Sacramento County Department of Planning and Community Development)**

41. The applicant shall implement the following mitigation in order to reduce construction-related PM10 emissions:

    a. Keep soil moist during grading and construction activities.

    b. Maintain at least two feet of freeboard space on all haul trucks.

    c. Use emulsified diesel or diesel catalyst on applicable heavy duty diesel construction equipment **(Sacramento Metropolitan Air Quality Management District)**.

42. The applicant shall adhere to one of the following options:

    a. Construct a minimum 7-foot tall, combination earthen berm and masonry wall noise barrier along the Elk Grove-Florin Road frontage.

    OR

    b. The outdoor activity area of all residential backyards within 237 feet of the center line of Elk Grove-Florin Road shall be shielded from traffic noise, either through strategic placement of the houses, usage of a backyard courtyard concept, or other attenuation method. An acoustical analysis shall be submitted to the Department of Environmental Review and Assessment which demonstrates that a noise level of 65 dB Ldn or less (under cumulative traffic conditions) is attained within the outdoor activity area of all affected properties **(Dept of Environmental Review and Assessment)**.

43. Either no second-story construction shall be permissible within 110 feet of the centerline of Elk Grove-Florin Road or an acoustical study shall be submitted to the Environmental Coordinator demonstrating that the interior noise levels within such second-stories can be attenuated to 45 dB. Any seconded story construction within 110 feet of the centerline of Elk Grove-Florin Road shall be built using the construction materials and techniques outlined in the acoustical analysis **(Dept of Environmental Review and Assessment)**.

44. Prior to any grading, grubbing, or excavation on the site, the applicant or owner shall provide the wetland delineation for the site to the U.S. Army Corps of Engineers,

California Department of Fish and Game, and the Central Valley Regional Water Quality Control Board and inform the agencies of the fill of the 0.09 acres. The applicant or owner shall submit this information by certified mail, and provide documented evidence of compliance with this requirement to the Department of Environmental Review and Assessment. If mitigation occurring through the state and federal permitting processes results in less than 1:1 compensation for the loss of wetland habitat, the applicant or owner shall be required to pay the County of Sacramento an amount based on a rate of $35,000 per acre for the unmitigated/uncompensated wetlands **(Dept of Environmental Review and Assessment)**.

45. Prior to the approval of Improvements Plans or Building Permits, or filing of the Final Subdivision Map, whichever occurs first, implement one of the following options to mitigate for the loss of Swainson's hawk foraging habitat on the project site, based on an impact assessment of 12.9 acres:

    a. The project proponent shall, to the satisfaction of the California Department of Fish and Game, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat.

    b. The project proponent shall utilize one or more of the mitigation options (land dedication and/or fee payment) established in Sacramento County's *Swainson's Hawk Impact Mitigation Program* (Chapter 16.130 of the Sacramento County Code).

    c. Should the County Board of Supervisors adopt a Swainson's hawk mitigation policy/program (which may include a mitigation fee payable prior to issuance of building permits) prior to the implementation of one of the measures above, the project proponent may be subject to that program instead **(Dept of Environmental Review and Assessment)**.

46. Prior to construction activity (including site improvements, and building construction) a focused surveys shall be conducted by a qualified biologist for burrowing owls where suitable habitat is present in the project area. Suitable habitat includes agriculture field margins, drainage ditches, and fallow fiends. Survey shall be conducted no less than 14 days and no more than 30 days prior to commencement of construction activities. Surveys shall be conducted in accordance with CDFG protocol (CDFG 1995).

    a. If no occupied burrows are found in the survey area, a letter report documenting survey methods and finings shall be submitted to the Count and no further mitigate is necessary.

    b. If an occupied burrow is found the applicant shall contact the Department of Environmental Review and Assessment and consult with the California Department of Fish (CDFG) prior to construction, to determine if avoidance is possible or if burrow relocation will be required.

c. If owls are to remain on-site, a minimum of 6.5 acres of foraging habitat for each occupied burrow needs to be permanently preserved according to CDFG guidelines.

d. In order to avoid direct impact to owls, no activity shall take within 160 feet of an active burrow from September 1 to January 31 (wintering season) or 250 feet from February 1 through August 31 (breeding season). Protective fencing shall be placed, at the distances above, around the active burrow and no activity shall occur within the project buffer areas.

e. Any impacts to active owl burrow, relocation of owls or mitigation for habitats loss shall be done in accordance with CDFG guidelines. Written evidence from CDFG staff shall be provided to DERA attesting to the permission to remove burrows, relocate owls, mitigate for lost habitat, and provide a method for preservation habitat in perpetuity **(Dept of Environmental Review and Assessment)**.

47. If construction occurs between March 1 and September 15, pre-construction survey for Swainson's hawk and other raptor nesting sites shall be conducted by a qualified raptor biologist. If any active nests are located within a half mile of proposed heavy equipment operations or construction activities, the project proponent shall then consult with the California Department of Fish and Game to determine the appropriate course of action of reduce potential impacts upon nesting raptors and to determine under what circumstance equipment operation and construction activities can occur **(Dept of Environmental Review and Assessment)**.

48. Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

    At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resource. In addition, pursuant to Section 5097.97 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Naïve American Heritage Commission shall be adhered to in the treatment and disposition of the remains **(Dept of Environmental Review and Assessment)**.

49. The project is subject to the Florin Vineyard Gap Community Plan and Sacramento County Street Improvement Standards adopted prior to November 1, 2009 **(SacDOT).**

~~50. No residential final maps, with the exception of large lot final maps, shall be recorded and no residential building permits shall be issued thereon, nor any building permits issued for any other use until approval of an "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Community Plan Public Facilities Financing Plan (FVCP Financing Plan). In addition to the financing mechanisms recommended in the FVCP Financing Plan, the "Implementation Plan" shall integrate to the extent feasible all the required roadway facilities identified in the FVCP Financing Plan and North Vineyard Station Specific Plan Financing Plan. In doing so it shall fairly and equitably distribute the costs, funding, construction triggers and construction obligations between the two Financing Plan areas. The property owners shall comply with the implementation of financing mechanisms included in the approved FVCP Financing "Implementation Plan", including any future amendments and revisions adopted by the Board of Supervisors.~~

~~For non-residential development projects, the County and Developer may enter into an interim fee agreement to satisfy the project's fair share funding obligation prior to the adoption of an "Implementation Plan". For residential projects, the County and Developer may enter into an interim fee agreement that requires full participation in the "Implementation Plan", only if funding has been advanced to the County to prepare such an "Implementation Plan" and an analysis of the facilities requirements, cost estimates and associated phasing required for the preparation of the "Implementation Plan" has been prepared by the developer and approved by the County~~ **No residential final maps, with the exception of large lot final maps, shall be recorded and no residential building permits shall be issued thereon, nor any building permits issued for any other use until approval of an "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Community Plan Public Facilities Financing Plan (FVCP Financing Plan). In addition to the financing mechanisms recommended in the FVCP Financing Plan, the "Implementation Plan" shall integrate to the extent feasible all the required roadway facilities identified in the FVCP Financing Plan and North Vineyard Station Specific Plan Financing Plan. In doing so it shall fairly and equitably distribute the costs, funding, construction triggers and construction obligations between the two Financing Plan areas. The property owners shall comply with the implementation of financing mechanisms included in the approved FVCP Financing "Implementation Plan", including any future amendments and revisions adopted by the Board of Supervisors.**

For non-residential development projects, the County and Developer may enter into an interim fee agreement to satisfy the project's fair share funding obligation prior to the adoption of an "Implementation Plan". For residential projects, the County and Developer may enter into an interim fee agreement that requires full participation in the "Implementation Plan", only if funding

has been advanced to the County to prepare such an "Implementation Plan" and an analysis of the facilities requirements, cost estimates and associated phasing required for the preparation of the "Implementation Plan" has been prepared by the developer and approved by the County (Infrastructure Financing Section) (Infrastructure Financing Division).

~~51. Prior to the recordation of a final map, the property owner shall annex to and participate in County Service Area No. 10 (CSA 10) for the purpose of funding a variety of transportation demand management (TDM) services to implement an overall TDM strategy that will contribute to the goal of reducing vehicle trips. In the event the property owners fail to approve either the annexation to CSA 10 or the property assessment for CSA 10, no building permits shall be issued (Infrastructure Financing Division).~~

Prior to the recordation of a final map or issuance of a building permit, whichever may occur first, the property owner shall annex to County Service Area No. 10 (CSA 10) for the purpose of funding a variety of transportation demand management (TDM) services to implement an overall TDM strategy that will contribute to the goal of reducing vehicle trips and shall participate in CSA 10 by approving the levy of annual service charges. To activate annual property related service charges for CSA10, the protest ballot process is required by Proposition 218. In the event the property owners fail to approve either the annexation to CSA 10 or the service charge for CSA 10, no building permits shall be issued. The annexation and protest ballot process takes approximately three (3) months, and the applicants are advised to contact the County of Sacramento Infrastructure Finance Section at (916) 874-6525 at the earliest possible time to initiate the process. In no event shall a building permit be issued prior to the successful completion of protest ballot (Infrastructure Financing Division).

52. Comply with the SMAQMD ~~approved~~ **endorsed** Florin Vineyard gap Community Plan Air Quality Mitigation Program (March 26, 200~~8~~**7**), which requires implementation of a combination of Plan-wide and project-specific emission reduction measures that will achieve a minimum of 15 percent reduction in operational and area source emissions, consistent with General Plan Policy AQ-15 **(Department of Environmental Review and Assessment).**

53. Comply with the requirements of the **SMAQMD endorsed** FVGCP Climate Change Plan, dated ~~11-6-2008~~ **January 28, 2010**. Individual development projects shall provide the County of Sacramento Department of Environmental Review and Assessment with written documentation demonstrating compliance with the FVGCP-wide greenhouse gas reduction measures and incorporation of the project-specific measures that achieve a minimum of ten points **selected in consultation with SMAQMD** from the list of approved greenhouse gas reduction measures. **Written evidence of SMAQMD consultation shall be required at the time of**

plan submittal for individual development projects (Department of Environmental Review and Assessment).

54. Prior to ~~recordation~~ **approval** of a final map for any residential subdivision map in the Florin Vineyard Gap Community Plan area, the applicant shall obtain written confirmation from the Superintendant of Grove Unified School District (EGUSD) or his/her designee that school enrollment impacts have been or will be adequately mitigated through the reservation (per California Government Code Section 66479 and 66480) of a school site or sites or through other measures. The reserved site or sites must be in a location and configuration acceptable to the EGUSD, consistent with the conceptual school site locations identified on Exhibit 7.3 of the Florin Vineyard Gap Community Plan text, and, to the extent practicable, consistent with the school siting policies set forth Section 7.4 of the Plan text **(Elk Grove Unified School District)**.

~~55. All future development proposals on portions of the Florin Vineyard Gap Community Plan area that are known to have supported livestock (cattle, hogs, poultry, etc.) holding areas prior to the 1970s, shall implement a soil sampling and analysis program for organochlorine pesticides. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substances fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to construction activities, individual project proponents shall provide documentation demonstrating implementation of any measures required by EMD for the remediation of contaminated soils to protect human health **(Department of Environmental Review and Assessment)**.~~

~~56. Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any/all active and inactive storage tanks and storage drums, both below and above ground, shall be removed from the property by a licensed contractor and all contents disposed of in accordance with local, state, and federal regulations. If any stained soil related to storage tanks is identified, a soil sampling and analysis program shall be implemented to identify the substance(s) and the potential environmental effects. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substance(s) fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to grading or construction activities, individual project proponents shall implement any measures required by EMD for the remediation of contaminated soils to protect human health **(Department of Environmental Review and Assessment)**.~~

57. Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, including preliminary grading and trenching for infrastructure, any on-site groundwater wells that are not intended for the use of the proposed development shall be abandoned in accordance with State and County regulations; this procedure requires a well abandonment permit (issued on a per-well basis) from the Sacramento County Environmental Management Department, Environmental Health Division. Any large-diameter (old hand excavated) wells and/or cisterns shall be removed and the holes backfilled in accordance with the recommendations of a geotechnical engineer **(Department of Environmental Review and Assessment**).

58. Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any on-site septic system(s) and associated leach fields that are not intended for the use of the proposed development shall be abandoned in compliance with the standards of the Environmental Management Department **(Department of Environmental Review and Assessment)**.

~~59. Prior to the issuance of grading permits, project applicants shall pay the drainage fee identified in the Florin Vineyard Community Plan Public Facilities Financing Plan for the implementation of drainage improvements within the FVGCP **(Department of Environmental Review and Assessment).**~~

60. Provide access roadways with all weather driving surfaces of not less than 20-feet of unobstructed width, 13-feet, 6-inches of vertical clearance, and turning radii of 25 feet inside and 50 feet outside dimension. The access roadways shall be capable of supporting the imposed loading of fire apparatus and shall extend to within 150 feet of all portions of the exterior walls of the first story of any proposed building **(Fire).**

61. Provide drainage easements and install facilities pursuant to the Sacramento County Floodplain Management Ordinance, Sacramento County Water Agency Code, and Sacramento County Improvement Standards, including any fee required by the Sacramento County Water Agency Code **(Department of Water Resources)**.

62. Offsite drainage improvements and easements shall be provided pursuant to the Sacramento County Floodplain Management Ordinance, and the Sacramento County Improvement Standards **(Department of Water Resources)**.

63. The Florin Vineyard GAP Community Plan (FVGCP) development shall implement the proposed FVGCP Drainage Master Plan (DMP) [FVGCP Drainage Study, Civil Engineering Solutions, Inc. (October 12, 2007) as amended and accepted by the County Department of Water Resources (DWR) on May 19, 2008], or any subsequent amendments to the DMP that are reviewed and approved by the DWR. Detailed plans for the design and construction of all proposed drainage, flood control and water quality improvements, consistent with the FVGCP DMP, shall be submitted to the DWR for review and approval **(Department of Water Resources)**.

64. No residential final maps shall be recorded, no residential improvement plans shall be approved, and no residential building permits shall be issued until supplemental drainage fees are paid pursuant to an approved "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Gap Community Plan Public Facilities Financing Plan (FVGCP Financing Plan). In addition to those financing mechanisms, the "Implementation Plan" shall specifically include the blending of the FVGCP Financing Plan and the North Vineyard Station Specific Plan Finance Plan (NVSSP). This blended plan shall include fair share funding and construction obligations by the FVGCP for those NVSSP Finance Plan drainage improvements and rights-of-way which are of shared benefit to developments in the Elder and Gerber Creek watersheds of the FVCGP **(Department of Water Resources)**.

65. Construction of the FVGCP DMP improvements may be phased, subject to the approval of the DWR, so long as hydrologic/hydraulic analyses are provided that demonstrate the phased improvements will provide adequate (100-year) flood protection to proposed development areas and will not increase flood risks in downstream and upstream areas, and that such phased improvements are consistent with the County's 404 permit and the proposed phasing is submitted for approval to the Corps of Engineers as required by the conditions set forth in the County's 404 permit. Such analyses shall verify that the phased improvements will mitigate post-development peak flows and water surface elevations in accordance with County standards, and will provide water quality treatment of post-development runoff in compliance with County stormwater quality requirements **(Department of Water Resources)**.

66. Interim drainage solutions are discouraged by DWR. However, interim on-site improvements may be approved by DWR provided that 1) the project submits drainage studies which show that County Standards are met, and 2) prior to the issuance of grading plans, the project pays all drainage fees required including a fair share contribution for drainage improvements **(Department of Water Resources)**.

67. Prior to the approval of improvement plans for individual development projects within the FVGCP area, the project proponent shall demonstrate to the satisfaction of DWR that all FVGCP DMP improvements necessary to provide adequate flood protection to the project, and necessary to provide adequate mitigation for the project's downstream and upstream drainage/flooding and water quality impacts, have been implemented **(Department of Water Resources)**.

68. If the project requires channel improvements at Elder or Gerber creeks, a Conditional Letter of Map Revision, pursuant to the Sacramento County Floodplain Management Ordinance, and the Sacramento County Improvement Standards, must be approved by FEMA prior to approval of improvements **(Department of Water Resources**).

69. Incorporate stormwater quality measures in conformance with applicable County ordinances & standards, and state and federal law. The project may implement low impact development design pursuant to and consistent with *The Stormwater Quality Design Manual for the Sacramento & South Placer Regions*. Such implementation may be able to reduce the stormwater quality treatment requirement (**Department of Water Resources).**

70. Provide a permanent concrete stamp, or other permanently applied message to the satisfaction of DWR not including paint, which reads "No Dumping-Flows to Creek" or other approved message at each storm drain inlet **(Department of Water Resources)**.

71. The property owners shall comply with the applicable provisions of ~~Ordinance No. SCC _____ An Ordinance Specifying Thresholds of Development Within The Florin Vineyard Community Plan For The Concurrent Construction Of Phased Traffic Mitigation Improvements And Logical Roadway Segments~~ **the Florin Vineyard Community Plan (FVCP), Appendix D, "Florin Vineyard Community Plan Construction of Phased Improvements"**.

    a. As noted in ~~Exhibit 1~~ **Appendix D** of ~~said Ordinance~~ **the FVCP**, non-residential development projects within the Florin Vineyard Community Plan (FVCP) area are not subject to the roadway phasing requirements, but are required to contribute appropriately to meeting FVCP traffic mitigation obligations through construction of onsite roadway improvements as specified in project conditions of approval and by payment of Florin Vineyard Fee Program roadway fees.

    b. The following applies if residential development occurs on the site **(any residential development within the SC zone is subject to the same provisions as all other residential development in the FVCP area)**. The conditions listed in ~~Exhibit 1~~ **Appendix D** of ~~said Ordinance~~ **the FVCP** implement the mitigation measures identified in the Final EIR for the Florin Vineyard Community Plan that are necessary to relieve the identified traffic and circulation impacts. Some of the traffic mitigation roadway improvements must be constructed prior to the development of the specified cumulative total number of residential units created within the Florin Vineyard Community Plan. The Board of Supervisors may approve final subdivision maps or improvement plans for residential sites within the Florin Vineyard Community Plan above the cumulative total thresholds, if it determines that said roadway improvements are expected to be completed prior to traffic being generated by said determined number of residential units and that development of more than the designated number of residential units will not result in unacceptable traffic congestion or safety problems. Any traffic studies required by the County in support of a determination shall be paid for by the residential Developer.

~~c. To comply with the County's established policies for maintaining continuity of major street improvements, the following provisions of said Ordinance specify how logical roadway segments must be constructed to minimize the development of "sawtoothed" roadway conditions. These logical roadway segments within the FVCP are identified in the Ordinance's Table A-1. Frontage lane improvements including the outside travel lane, curb, gutter and sidewalk, as identified in Table A-1 and Section V of the FVCP PFFP, shall be constructed by the first applicant for final map for any residential or commercial development to front on any portion of the specific segment in question, to the satisfaction of the Department of Transportation. Frontage lane improvements at open space corridors and drainage parkways shall be constructed concurrent with the adjacent frontage lane improvements identified in Section V of the FVCP PFFP if said improvements 'span' said open space or drainage corridor. Otherwise, they shall be constructed at the time identified in Table A-1 of the FVCP PFFP. Should such requirement to construct frontage lane improvements necessitate the advancement of construction of the center section of the adjoining major roadway identified in Table A-1 for construction at a future date, such center section improvements shall be made as required by the frontage improvement requirement. The Board of Supervisors may elect to postpone said frontage improvements to be built concurrent with the center section improvements at the time identified for said center section improvements, if it determines that traffic generated by applicant's project will not result in unacceptable traffic congestion, safety problems, or the appearance of 'saw-tooth' frontage improvement construction. Any traffic studies required by the County in support of such determination shall be paid for by the final map applicant. Any credit and/or reimbursement applicable to the advancement of funding for the construction of center sections of major roads ahead of the timing identified in Table A-1 shall be in compliance with the procedures outlined in the resulting mechanisms described in the FVCP PFFP.~~

72. Prior to recordation of final map, the property shall annex into the County of Sacramento Community Facilities District No. 2005-1 (Police Services). The annexation process takes approximately 6 months and the applicants must contact the County of Sacramento Infrastructure Finance Section at (916) 874-6525 at the earliest possible time to initiate the process **(Infrastructure Financing Division)**.

73. **Projects within the FVCP that front on the roadways listed in Table A-1 shall be subject to the requirements of the County policy concerning discontinuous roadway frontage improvements ("sawtooth"). Unless otherwise noted, projects subject to these requirements shall install roadway frontage improvements along logical segments of at least one-quarter mile in length, including the project's frontage. If the length of the project's conditioned on-site frontage improvements on a single roadway is equal to or greater than one-**

quarter mile, then the project will be deemed to have satisfied the logical segment condition for that roadway. If the project's on-site frontage improvements are less than one-quarter mile in length, the project shall install additional off-site frontage improvements in order to satisfy the logical segment condition. The location and limits of such off-site frontage improvements will be determined at the time of improvement plan approval and to the satisfaction of the Department of Transportation. Off-site frontage improvements shall include the construction of the outside travel lane, bike lane, and a six-foot paved pedestrian walkway separated from the roadway by a roadside ditch. For thoroughfare roadways (ultimate six lanes) that are to be developed to an interim four-lane configuration, off-site frontage improvements shall consist of the second travel lane, bike lane and six-foot paved pedestrian walkway separated from the roadway by a roadside ditch. Projects that front on more than one of the roadways listed in Table A-1 (including corner lots) shall be responsible for meeting the logical segment condition on each fronting roadway.

Table A-1: Florin Vineyard Community Plan Roadways Subject to Logical Segments:

- **Bradshaw Road**
- **Elder Creek Road**
- **Elk Grove-Florin Road**
- **Gerber Road**
- **Florin Road**
- **South Watt Avenue**
- **Waterman Road**

74. The intent of the Department of Transportation is for the Florin Vineyard Public Facilities Financing Plan (PFFP) to include projects to construct traffic signals at various locations within the plan area including the intersection of Elk Grove-Florin Road and 'A' Drive. If this traffic signal is successfully included in the PFFP, the developer may not be required to construct a signalized intersection on an interim basis. In lieu of installing signal improvements, the developer shall install improvements to safely restrict access at this intersection (right-in and right-out only, e.g.) to the satisfaction of the Department of Transportation. The interim condition of restricted access may be in effect until such time that 150 cumulative single family lots from all projects potentially utilizing this intersection are recorded at which time traffic signal improvements as described below shall be required.

If a traffic signal is not successfully included in the PFFP at this location, the developer shall, in addition to the other project conditions, be responsible for the installation of signal improvements including poles, mast-arms, conduit, detector

loops, audible pedestrian signal heads, and ADA compliant pedestrian push buttons throughout the intersection on Elk Grove-Florin Road and 'A' Drive pursuant to the Sacramento County Improvement Standards, and to the satisfaction of the Department of Transportation.

75. Comply with the Mitigation Monitoring and Reporting Program (MMRP) for this project as follows:

a. The proponent shall comply with the MMRP for this project, including the payment of a fee to cover the Department of Environmental Review and Assessment staff costs incurred during implementation of the MMRP. The MMRP fee for this project is $6,200.00. This fee includes administrative costs of $800.00.

b. Until the MMRP has been recorded and the administrative portion of the MMRP fee has been paid, no final parcel map or final subdivision map for the subject property shall be approved. Until the balance of the MMRP fee has been paid, no encroachment, grading, building, sewer connection, water connection or occupancy permit from Sacramento County shall be approved.

Recommended Conditions: Any approval of the Tentative Subdivision Map shall be subject to the following conditions:

1. The development approved by this action is for 384 lots in substantial compliance with Exhibit 2.
2. This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations and procedures. Any required subsequent procedural actions shall take place within 36 months of the date on which the permit became effective or this action shall automatically be null and void.
3. The Improvement Requirement Certificate shall contain an indication that public sewer and water are required **(Sacramento County Planning and Community Development Department)**.
4. Provide access arrangements and install working fire hydrants which meet the required fire flow demands pursuant to the requirements of the Sacramento Metropolitan Fire District prior to any combustible construction **(Sacramento County Planning and Community Development Department)**.
5. The Developer shall enter into an Affordable Housing Agreement with the Sacramento Housing and Redevelopment Agency, which will be recorded with the County of Sacramento Recorder's Office against the entire development, concurrent with the recordation of the final map **(Sacramento Housing and Redevelopment Agency)**.

6. Grant the County right-of-way for the indicted streets and install public street improvements pursuant to the Sacramento County Improvement standards. **(LDSIR)**

7. Grant the County right-of-way for Gardner Avenue, based on a modified 42-foot Parkway I street section pursuant to the Florin Vineyard Community Plan and install public street improvements pursuant to the Sacramento County Improvement Standards. **(LDSIR)**

8. Grant the County right-of-way for streets adjacent to Lot A (Park Site), based on a 30-foot half street standard and install public street improvements pursuant to the Sacramento County Improvements Standards. ~~If the park will be providing recreational areas such as soccer fields and/or baseball fields, then on-site parking will be required~~ **(LDSIR/SacDOT).**

9. Dedicate a standard 12.5-foot Public Utility Easement for underground facilities and appurtenances adjacent to all public ways with attached sidewalks. Lots 1 thru 134 as shown on the tentative map shall dedicate a 10-foot public utility easement for underground facilities and appurtenances adjacent to all public ways with attached sidewalks. **(LDSIR)**

10. Widen Gardner Avenue to a pavement width of 24 feet pursuant to the Sacramento County Improvement Standards off-site between Florin Road and "B" Drive to the extent allowed within the existing right-of-way. **(LDSIR)**

11. Prior to recordation of the final map or certificate of compliance, dedicate land or pay in lieu fees, or both, for park purposes, as required by and in accordance with the procedures and standards set forth in Chapter 22.40 , Title 22 of the Sacramento County Zoning Code. **(LDSIR)**

12. Dedicate landscape lots to the County of Sacramento and provided a maintenance entity with an ongoing funding source. The maintenance entity shall be approved and found acceptable by County representative. Annexation to a current Lighting and Landscaping District or a Mello Roos Community Finance District may be possible and is the preferred course of action. **(LDSIR)**

13. Comply with all requirements of Chapter 1, Article 5, Title III, of the Sacramento County Zoning Code, relating to walls and landscape corridor adjacent to streets, including required maintenance provisions. Provide a maintenance entity with an ongoing funding source. **(LDSIR)**

14. Prior to map recordation, the property shall be included in County Service Area No. 1 at a rate that will fund the full cost, including annual escalation factors, of operating and maintaining street and safety lights for this development. The applicant must contact the County of Sacramento Department of Transportation at (916) 875-5123 to obtain information concerning costs and to initiate the process at the earliest possible time since this process takes four months to complete. **(LDSIR)**

15. Dedicate the 13-foot pedestrian easement and 6-foot adjacent thereto for a 19-foot public utility easement for underground facilities and appurtenances adjacent opt all public streets right-of-ways, where 13-foot pedestrian easements are located. **(SMUD)**

16. Dedicate the Landscape Corridors as public utility easements for underground facilities and appurtenances. **(SMUD)**

17. The owner/developer must disclose to future/potential owners the existing or proposed 69 kV electrical facilities. **(SMUD)**

18. Grant the County right-of-way on Elk Grove-Florin Road based on a 96-foot modified thoroughfare (the six-foot meandering sidewalk shall be installed in the adjacent pedestrian/landscaping/public utility easement) and install public street improvements (including, but not limited to, curb, gutter, sidewalk, pavement, and street lights) pursuant to the Florin-Vineyard Community Plan, the Sacramento County Improvement Standard, and to the satisfaction of the Department of Transportation. **(SacDOT)**

19. ~~Grant the County right-of-way and install improvements (which may include signal poles, conduit, detector loops, etc. and install of new audible pedestrian signal heads and ADA compliant pedestrian push buttons throughout the intersection etc.) on Elk Grove-Florin Road and "A" Drive for a signalized intersection pursuant to the Sacramento County Improvement Standards, and to the satisfaction of the Department of Transportation. Align the signal with "A" drive shown in the villages at Elder Creek Estates (Control No. 2004-0208)~~ **Dedicate additional right-of-way on Elk Grove-Florin Road and 'A' Drive for signal intersection widening pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation**. **(SacDOT)**

20. All garages shall be setback a minimum of 19 feet from the back of the sidewalk in accordance with the Sacramento County Zoning Code. **(SacDOT)**

21. All pedestrian access ramps contiguous to this project must be installed/upgraded pursuant to the State of California Title 24 Code of Regulations and to the satisfaction of the Department of Transportation. **(SacDOT)**

22. Traffic control devices shall be installed where needed to the satisfaction of the Department of Transportation. Traffic control locations will be determined at time of improvement plan submittal. **(SacDOT)**

23. This project and all adjacent proposed projects (Villages at Elder Creek Estates, Control No. 2004-0208; Gerber Creek, Control No. 2004-0187; Lelani Village, Control No. 2004-0206) shall be coordinated to match street alignments, street connections, street stubs, street sections, driveway locations, signal locations, etc. to the satisfaction of the Department of Transportation. **(SacDOT)**

24. The proposed public street entrances from Elk Grove-Florin Road should be a minimum of 50 feet pursuant to the County of Sacramento Improvement Standards and to the satisfaction of the Department of Transportation. **(SacDOT)**

25. Install a one-foot raised median at the connection of 'A' Drive and Elk Grove-Florin Road to a point at least 50 feet west of the curb return on 'H' Way pursuant to the Sacramento County Improvement Standards, or other treatments, to the satisfaction of the Department of Transportation **(SacDOT)**.

26. The proposed residential street 'E' Drive should align with 'E' Drive shown on the Villages at Elder Creek Estates Map to the east pursuant to the Florin-Vineyard Community Plan, the Sacramento County Improvement Standards, and to the satisfaction of the Department of Transportation **(SacDOT)**.

27. Annex the subject properties to the County of Sacramento, Community Facilities District 2004-2 to support the maintenance of the landscaped medians. The annexation process takes approximately 6 months to complete. Contact Steve Hong 874-5368, Infrastructure Finance Section, Municipal Services Agency to initiate the annexation process. Final map recordation will not be approved until the annexation is complete **(SacDOT)**.

28. Water supply will be provided by the Sacramento County Water Agency. **(Water Supply)**

29. Provide separate public water service to each parcel. All water lines shall be located within a public right-of-way or within easements dedicated to Sacramento County Water Agency (SCWA). Easements shall be reviewed and approved by Sacramento County Water Agency prior to Improvement Plan approval or Final Map. **(Water Supply)**

30. Destroy all abandoned wells on the proposed project site in accordance with the requirements of Sacramento County Environmental Health Division. Clearly show all abandoned/destroyed wells on the improvement plans for the project. Prior to abandoning any existing agriculture wells, applicant shall use water from agriculture wells for grading and construction. **(Water Supply)**

31. Connection to the Sacramento Area Sewer District (SASD) sewer system shall be required to the satisfaction of SASD. SASD Design Standards apply to any on and off-site sewer construction. **(SASD)**

32. Each lot and each building with a sewage source shall have a separate connection to the SASD's sewer system. If there is more than one building in any single parcel and the parcel is not proposed for split, then each building on that parcel shall have a separate connection to a private on-site sewer or SASD public sewer line. **(SASD)**

33. To obtain sewer service, construction of necessary off-site and on-site SASD sewer infrastructure will be required to serve this project. **(SASD)**

34. Private sewer service laterals will not be permitted to connect directly to the 102-inch diameter interceptor sewer line, located along Elk-Grove Florin Road. **(SASD)**

35. ~~SASD shall require an approved Subdivision Level (Level 3) sewer study prior to the approval or submittal of improvement plans for plan check to SASD, whichever comes first. The sewer study shall demonstrate the quantity of discharge and any "flow through sewage" along with appropriate pipe sizes and related appurtenances from this subject and other upstream areas and shall be done in accordance with the SASD's most recent "Minimum Sewer Study Requirements". The study shall be done on a no "Shed-Shift" basis unless approved by SASD in advance and in compliance with the SASD Design Standards~~ **Although a Master Plan level sewer study, entitled "Sanitary Sewer Master Plan for Florin-Vineyard Gap Community Plan" was approved on July 31, 2006, a more detailed subdivision level sewer study shall be required to extend public sewer to this site. SASD shall require an approved Level III (Subdivision Level) sewer study prior to submittal of the first set of improvement plans containing any part of the subdivision or the entire subdivision. The sewer study requirement must be disclosed to first and all subsequent potential buyers (if applicable) before selling any or all lots within the subdivision. The sewer study shall demonstrate the quantity of discharge and any "flow through sewage" along with appropriate pipe sizes, elevations, downstream connection(s), upstream responsibility, etc., and shall be done in accordance with SASD's most recent "Minimum Sewer Study Requirements". The study shall be done on a no "Shed Shift" basis unless approved by SASD in advance and in compliance with the SASD Design Standards (SASD)**

36. Sewer easements may be required. All sewer easements shall be dedicated to SASD, in a form approved by the District Engineer. All SASD sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance. SASD will provide maintenance only in public right-of-ways and in easements dedicated to SASD. **(SASD)**

37. SASD requires their sewers to be located a minimum of 10 feet (measured horizontally from edge of pipe to edge of pipe) form all potable water lines. Separation of sewer line from other parallel utilities, such as storm drain and other "dry" utilities (electrical, telephone, cable, etc.) shall be a minimum of 7 feet (measured horizontally from the center of pipe to the center of pipe). Any deviation from the above separation due to depth and roadway width must be approved by the SASD on a case by case basis. During the submission of the improvement plans, the applicant shall demonstrate that this condition is met. **(SASD)**

38. The subject project owner(s) and successors in interest thereof shall be responsible for repair and/or replacement of all non-asphalt and/or enhance surface treatments of streets and drives within these easements damaged by District maintenance and repair operation, including landscaping, channelizations, lighting and nay other

appurtenances conflicting therein. This requirement shall be set forth in easement grant documents and be a covenant running with the land, be responsibility of successors in interest in future land transfer and divisions and by language approved by the District. Surface enhancements include, but are not limited to non-asphaltic paving, landscaping, lighting, curbing and all non-drive-able street appurtenances. **(SASD)**

39. ~~The District requests the 5.4 acre park site identified as Lot A to be increased in size by 1.6 acres creating a 7.0 acre park site. The District is willing to compensate the Developer for parkland acreage dedicated in excess of the Quimby parkland dedication requirement for this project and shall negotiate a Purchase Agreement with the Developer~~. **Based on the 379 single family residential lots, the estimated Quimby parkland dedication requirement for this project is approximately 5.53 acres. The District shall accept the dedication of the 6.9 acre park site identified as Lot A. The District will compensate the Developer for parkland acreage over-dedication of 1.37 acres for this project and shall negotiate a Purchase Agreement with the Developer**. Prior to final map approval, the District shall review the final subdivision map for compliance with parkland dedication requirements pursuant to Chapter 22.40 Title 22 of the Sacramento County Zoning Code. **(Southgate Parks)**

40. The Developer shall assure that the parkland to be dedicated to the District is graded and improved pursuant to current County Standards. The District shall review and approve improvement plans adjoining the park site **identified as Lot A**. Park site improvements include: adjoining streets with street lights fronting on the park, vertical curbs that extend 10 feet beyond the park site, a 6-foot wide attached concrete sidewalk on all park frontage streets and ADA compliant street crossings on all corners. Other park site infrastructure improvements include: electric, phone, storm drainage, sewer, and water stubs, connected water meters, and reduced pressure backflow preventers. In addition, all permit fees for the park site need to be paid including: building, sewer, water meter, water development and drainage. **The Developer shall be reimbursed for only those improvements and/or fees included in the Florin Vineyard Financing Plan** The District shall accept the completed park site after the conditions of the Development Agreement have been met; County inspections have been passed; and a current, clear title report has been received **(Southgate Parks)**

41. Dedicate to the Southgate Park District the 25-foot wide landscape corridor lots along Elk Grove-Florin Road. The landscape corridor lots shall be dedicated to the District as a gift and shall be fully developed by the Developer with plans and specification to be approved by the District and pursuant to applicable County Standards. The District requires 6 foot high masonry walls for all lots that back-up or side-on to the landscape corridor. All masonry walls shall be treated with graffiti-resistant coating and the design approve by the District. Landscape corridors shall have a detached 6 foot wide concrete sidewalk with vertical curb and ADA compliant street crossings on all corners. A Type 3 curb is required at the back of sidewalks for landscape areas (except turf). The irrigation system shall be installed according to specifications provide by the District. The District does not require

subdivision entrance lighting but request the installation of conduit to an electric box within the landscape corridor for future installation of lighting should become necessary. The District shall accept the completed landscape corridor lots after they have passed inspection and received a clear title report. The District shall maintain the landscape corridor through assessment district proceeds. **(Southgate Parks)**

42. Prior to improvement plan approval, the Developer shall submit improvement plans for this project to the Park District. The Park District shall review and approve all improvements consistent with the Park District requirements pertaining to the ~~requested~~ park site **(Lot A),** landscape corridor lots along Elk Grove-Florin Road **(Lots A, B, C). The District shall review and comment on the** parkway improvements along Gardner Avenue. **(Southgate Parks)**

43. The Owner shall consent to the inclusion of this parcel within the Southgate Landscaping and Lighting Assessment District – Florin or West Vineyard Zone and the Florin-Vineyard Financing District, which will be a Landscaping and Lighting Assessment District or a Mello Roos Community Facilities District. The Owner shall notify all subsequent purchasers of parcels of land within this subdivision of the inclusion within said financing districts. These financing districts will be established by the Park District for purposes of funding maintenance and operations of capital improvements, open space, trails, and related park and recreation improvements for facilitates directly associated with the Florin-Vineyard Community Plan projects. **(Southgate Parks)**

44. This subdivision will be included in the Southgate Recreation and Park District component of the Florin-Vineyard Public Facilities Financing Plan as determined by the Sacramento County Board of Supervisors. ~~The Park District reserves the right to revise parkland dedication requirements and financing mechanisms to adapt to change resulting from modifications to the policy or the creation of a new plan by the County of Sacramento~~. **(Southgate Parks)**

45. Prior to final map approval, a Development Agreement shall be negotiated between the District and the Developer regarding the development and construction of the park site. The District will reimburse the Developer for the additional costs attributed to the over-dedication of parkland acreage as specified in the Development Agreement**. (Southgate Parks)**

46. Approved fire hydrants capable of providing the required fire flow for the protection of any and all structures shall be located along the route of the fire apparatus access roadway. The required fire hydrants shall be installed and operational prior to any construction or on-site storage of combustible materials. The minimum required fire flow for the protection of residential developments with an area per building not exceeding 3,600 square feet is 1,000 gallons per minute (gpm) at a pressure of 20 pounds per square inch (psi) for a two-hour duration. Fire hydrant installations for the protection of residential project shall comply with the following requirements.

a. One fire hydrant shall be located between 150 and 250 feet from the end of the access roadway. The required access roadway shall extent to within 150 feet of all portions of the structure.

b. A hydrant installed at the end of an access roadway as a "blow off" for the water district does not meet the fire department fire hydrant requirements.

c. Existing "wharf" type hydrant(s) do not satisfy hydrant requirements for new construction, and must be upgraded to an approve steamer type hydrant(s).

d. Each approved fire hydrant shall have a minimum flow of 1,000 gallons per minute (gpm) for residential developments. Additional requirements apply to residential dwellings with building areas greater than or equal to 3,600 square feet. **(Fire)**

47. Plans shall be submitted to the fire prevention bureau showing hydrant locations for review and approval prior to construction. Fire hydrant detail and fire department notes shall be shown on the site plans or improvement drawings. **(Fire)**

48. The applicant shall comply with the design review provisions of Zoning Code Title I Article 11, and design standards adopted as part of the Florin-Vineyard Gap Community Plan. In addition, the design review shall be forwarded to the appropriate Community Planning Advisory Council (CPAC) for information. **(Sacramento County Department of Planning and Community Development)**

49. The applicant shall implement the following mitigation in order to reduce construction-related PM10 emissions:

a. Keep soil moist during grading and construction activities.

b. Maintain at least two feet of freeboard space on all haul trucks.

c. Use emulsified diesel or diesel catalyst on applicable heavy duty diesel construction equipment **(Sacramento Metropolitan Air Quality Management District)**.

50. The applicant shall adhere to one of the following options:

a. Construct a minimum 7-foot tall, combination earthen berm and masonry wall noise barrier along the Elk Grove-Florin Road frontage.

OR

b. The outdoor activity area of all residential backyards within 237 feet of the center line of Elk Grove-Florin Road shall be shielded from traffic noise, either through strategic placement of the houses, usage of a backyard courtyard concept, or other attenuation method. An acoustical analysis shall be submitted to the Department of Environmental Review and Assessment which demonstrates that a noise level of 65 dB Ldn or less (under cumulative traffic

conditions) is attained within the outdoor activity area of all affected properties **(Dept of Environmental Review and Assessment)**.

51. Either no second-story construction shall be permissible within 110 feet of the centerline of Elk Grove-Florin Road or an acoustical study shall be submitted to the Environmental Coordinator demonstrating that the interior noise levels within such second-stories can be attenuated to 45 dB. Any seconded story construction within 110 feet of the centerline of Elk Grove-Florin Road shall be built using the construction materials and techniques outlined in the acoustical analysis **(Dept of Environmental Review and Assessment)**.

52. Prior to any grading, grubbing, or excavation on the site, the applicant or owner shall provide the wetland delineation for the site to the U.S. Army Corps of Engineers, California Department of Fish and Game, and the Central Valley Regional Water Quality Control Board and inform the agencies of the fill of the 0.09 acres. The applicant or owner shall submit this information by certified mail, and provide documented evidence of compliance with this requirement to the Department of Environmental Review and Assessment. If mitigation occurring through the state and federal permitting processes results in less than 1:1 compensation for the loss of wetland habitat, the applicant or owner shall be required to pay the County of Sacramento an amount based on a rate of $35,000 per acre for the unmitigated/uncompensated wetlands **(Dept of Environmental Review and Assessment)**.

53. Prior to the approval of Improvements Plans or Building Permits, or filing of the Final Subdivision Map, whichever occurs first, implement one of the following options to mitigate for the loss of Swainson's hawk foraging habitat on the project site, based on an impact assessment of 12.9 acres:

    a. The project proponent shall, to the satisfaction of the California Department of Fish and Game, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat.

    b. The project proponent shall utilize one or more of the mitigation options (land dedication and/or fee payment) established in Sacramento County's *Swainson's Hawk Impact Mitigation Program* (Chapter 16.130 of the Sacramento County Code).

    c. Should the County Board of Supervisors adopt a Swainson's hawk mitigation policy/program (which may include a mitigation fee payable prior to issuance of building permits) prior to the implementation of one of the measures above, the project proponent may be subject to that program instead **(Dept of Environmental Review and Assessment)**.

54. Prior to construction activity (including site improvements, and building construction) a focused surveys shall be conducted by a qualified biologist for burrowing owls where suitable habitat is present in the project area. Suitable habitat

includes agriculture field margins, drainage ditches, and fallow fiends. Survey shall be conducted no less than 14 days and no more than 30 days prior to commencement of construction activities. Surveys shall be conducted in accordance with CDFG protocol (CDFG 1995).

a. If no occupied burrows are found in the survey area, a letter report documenting survey methods and finings shall be submitted to the Count and no further mitigate is necessary.

b. If an occupied burrow is found the applicant shall contact the Department of Environmental Review and Assessment and consult with the California Department of Fish (CDFG) prior to construction, to determine if avoidance is possible or if burrow relocation will be required.

c. If owls are to remain on-site, a minimum of 6.5 acres of foraging habitat for each occupied burrow needs to be permanently preserved according to CDFG guidelines.

d. In order to avoid direct impact to owls, no activity shall take within 160 feet of an active burrow from September 1 to January 31 (wintering season) or 250 feet from February 1 through August 31 (breeding season). Protective fencing shall be placed, at the distances above, around the active burrow and no activity shall occur within the project buffer areas.

e. Any impacts to active owl burrow, relocation of owls or mitigation for habitats loss shall be done in accordance with CDFG guidelines. Written evidence from CDFG staff shall be provided to DERA attesting to the permission to remove burrows, relocate owls, mitigate for lost habitat, and provide a method for preservation habitat in perpetuity **(Dept of Environmental Review and Assessment)**.

55. If construction occurs between March 1 and September 15, pre-construction survey for Swainson's hawk and other raptor nesting sites shall be conducted by a qualified raptor biologist. If any active nests are located within a half mile of proposed heavy equipment operations or construction activities, the project proponent shall then consult with the California Department of Fish and Game to determine the appropriate course of action of reduce potential impacts upon nesting raptors and to determine under what circumstance equipment operation and construction activities can occur **(Dept of Environmental Review and Assessment)**.

56. Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

    At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as

needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resource. In addition, pursuant to Section 5097.97 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Naïve American Heritage Commission shall be adhered to in the treatment and disposition of the remains **(Dept of Environmental Review and Assessment)**.

57. The project is subject to the Florin Vineyard Gap Community Plan and Sacramento County Street Improvement Standards adopted prior to November 1, 2009 **(SacDOT).**

~~58. No residential final maps, with the exception of large lot final maps, shall be recorded and no residential building permits shall be issued thereon, nor any building permits issued for any other use until approval of an "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Community Plan Public Facilities Financing Plan (FVCP Financing Plan). In addition to the financing mechanisms recommended in the FVCP Financing Plan, the "Implementation Plan" shall integrate to the extent feasible all the required roadway facilities identified in the FVCP Financing Plan and North Vineyard Station Specific Plan Financing Plan. In doing so it shall fairly and equitably distribute the costs, funding, construction triggers and construction obligations between the two Financing Plan areas. The property owners shall comply with the implementation of financing mechanisms included in the approved FVCP Financing "Implementation Plan", including any future amendments and revisions adopted by the Board of Supervisors.~~

~~For non-residential development projects, the County and Developer may enter into an interim fee agreement to satisfy the project's fair share funding obligation prior to the adoption of an "Implementation Plan". For residential projects, the County and Developer may enter into an interim fee agreement that requires full participation in the "Implementation Plan", only if funding has been advanced to the County to prepare such an "Implementation Plan" and an analysis of the facilities requirements, cost estimates and associated phasing required for the preparation of the "Implementation Plan" has been prepared by the developer and approved by the County *(Infrastructure Financing Division)*.~~

~~59. Prior to the recordation of a final map, the property owner shall annex to and participate in County Service Area No. 10 (CSA 10) for the purpose of funding a variety of transportation demand management (TDM) services to implement an overall TDM strategy that will contribute to the goal of reducing vehicle trips. In the event the property owners fail to approve either the annexation to CSA 10 or the property assessment for CSA 10, no building permits shall be issued **(Infrastructure Financing Division).**~~

60. Comply with the SMAQMD approved Florin Vineyard gap Community Plan Air Quality Mitigation Program (March 26, 2008), which requires implementation of a combination of Plan-wide and project-specific emission reduction measures that will achieve a minimum of 15 percent reduction in operational and area source emissions, consistent with General Plan Policy AQ-15 **(Department of Environmental Review and Assessment).**

61. Comply with the requirements of the **SMAQMD-endorsed** FVGCP Climate Change Plan, dated ~~11-6-2008~~ **January 28, 2010**. Individual development projects shall provide the County of Sacramento Department of Environmental Review and Assessment with written documentation demonstrating compliance with the FVGCP-wide greenhouse gas reduction measures and incorporation of the project-specific measures that achieve a minimum of ten points **selected in consultation with SMAQMD** from the list of approved greenhouse gas reduction measures. **Written evidence of SMAQMD consultation shall be required at the time of plan submittal for individual development projects (Department of Environmental Review and Assessment)**.

62. Prior to ~~recordation~~ **approval** of a final map for any residential subdivision map in the Florin Vineyard Gap Community Plan area, the applicant shall obtain written confirmation from the Superintendant of Grove Unified School District ("EGUSD") or his/her designee that school enrollment impacts have been or will be adequately mitigated through the reservation (per California Government Code Section 66479 and 66480) of a school site or sites or through other measures. The reserved site or sites must be in a location and configuration acceptable to the EGUSD, consistent with the conceptual school site locations identified on Exhibit 7.3 of the Florin Vineyard Gap Community Plan text, and, to the extent practicable, consistent with the school siting policies set forth Section 7.4 of the Plan text **(Elk Grove Unified School District)**.

~~63. All future development proposals on portions of the Florin-Vineyard Gap Community Plan area that are known to have supported livestock (cattle, hogs, poultry, etc.) holding areas prior to the 1970s, shall implement a soil sampling and analysis program for organochlorine pesticides. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substances fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to construction activities, individual project proponents shall provide documentation demonstrating implementation of any measures required by EMD for the remediation of contaminated soils to protect human health **(Department of Environmental Review and Assessment)**.~~

~~64. Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any/all active and inactive storage tanks and storage drums, both below and above ground, shall be removed from the property by a licensed contractor and all contents disposed of in accordance with local, state, and federal regulations. If any stained soil related to storage tanks is identified, a soil sampling and analysis program shall be implemented to identify the substance(s) and the potential environmental effects. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substance(s) fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to grading or construction activities, individual project proponents shall implement any measures required by EMD for the remediation of contaminated soils to protect human health **(Department of Environmental Review and Assessment)**.~~

65. Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, including preliminary grading and trenching for infrastructure, any on-site groundwater wells that are not intended for the use of the proposed development shall be abandoned in accordance with State and County regulations; this procedure requires a well abandonment permit (issued on a per-well basis) from the Sacramento County Environmental Management Department, Environmental Health Division. Any large-diameter (old hand excavated) wells and/or cisterns shall be removed and the holes backfilled in accordance with the recommendations of a geotechnical engineer **(Department of Environmental Review and Assessment**).

66. Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any on-site septic system(s) and associated leach fields that are not intended for the use of the proposed development shall be abandoned in compliance with the standards of the Environmental Management Department **(Department of Environmental Review and Assessment)**.

~~67. Prior to the issuance of grading permits, project applicants shall pay the drainage fee identified in the Florin Vineyard Community Plan Public Facilities Financing Plan for the implementation of drainage improvements within the FVGCP **(Department of Environmental Review and Assessment)**.~~

68. Provide access roadways with all weather driving surfaces of not less than 20-feet of unobstructed width, 13-feet, 6-inches of vertical clearance, and turning radii of 25 feet inside and 50 feet outside dimension. The access roadways shall be capable of supporting the imposed loading of fire apparatus and shall extend to within 150 feet of all portions of the exterior walls of the first story of any proposed building **(Fire).**

69. Provide drainage easements and install facilities pursuant to the Sacramento County Floodplain Management Ordinance, Sacramento County Water Agency Code, and

Sacramento County Improvement Standards, including any fee required by the Sacramento County Water Agency Code **(Department of Water Resources)**.

70. Offsite drainage improvements and easements shall be provided pursuant to the Sacramento County Floodplain Management Ordinance, and the Sacramento County Improvement Standards **(Department of Water Resources)**.

71. The Florin Vineyard GAP Community Plan (FVGCP) development shall implement the proposed FVGCP Drainage Master Plan (DMP) [FVGCP Drainage Study, Civil Engineering Solutions, Inc. (October 12, 2007) as amended and accepted by the County Department of Water Resources (DWR) on May 19, 2008], or any subsequent amendments to the DMP that are reviewed and approved by the DWR. Detailed plans for the design and construction of all proposed drainage, flood control and water quality improvements, consistent with the FVGCP DMP, shall be submitted to the DWR for review and approval **(Department of Water Resources)**.

72. No residential final maps shall be recorded, no residential improvement plans shall be approved, and no residential building permits shall be issued until supplemental drainage fees are paid pursuant to an approved "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Gap Community Plan Public Facilities Financing Plan (FVGCP Financing Plan). In addition to those financing mechanisms, the "Implementation Plan" shall specifically include the blending of the FVGCP Financing Plan and the North Vineyard Station Specific Plan Finance Plan (NVSSP). This blended plan shall include fair share funding and construction obligations by the FVGCP for those NVSSP Finance Plan drainage improvements and rights-of-way which are of shared benefit to developments in the Elder and Gerber Creek watersheds of the FVCGP **(Department of Water Resources)**.

73. Construction of the FVGCP DMP improvements may be phased, subject to the approval of the DWR, so long as hydrologic/hydraulic analyses are provided that demonstrate the phased improvements will provide adequate (100-year) flood protection to proposed development areas and will not increase flood risks in downstream and upstream areas, and that such phased improvements are consistent with the County's 404 permit and the proposed phasing is submitted for approval to the Corps of Engineers as required by the conditions set forth in the County's 404 permit. Such analyses shall verify that the phased improvements will mitigate post-development peak flows and water surface elevations in accordance with County standards, and will provide water quality treatment of post-development runoff in compliance with County stormwater quality requirements **(Department of Water Resources)**.

74. Interim drainage solutions are discouraged by DWR. However, interim on-site improvements may be approved by DWR provided that 1) the project submits drainage studies which show that County Standards are met, and 2) prior to the

issuance of grading plans, the project pays all drainage fees required including a fair share contribution for drainage improvements **(Department of Water Resources).**

75. Prior to the approval of improvement plans for individual development projects within the FVGCP area, the project proponent shall demonstrate to the satisfaction of DWR that all FVGCP DMP improvements necessary to provide adequate flood protection to the project, and necessary to provide adequate mitigation for the project's downstream and upstream drainage/flooding and water quality impacts, have been implemented **(Department of Water Resources)**.

76. If the project requires channel improvements at Elder or Gerber creeks, a Conditional Letter of Map Revision, pursuant to the Sacramento County Floodplain Management Ordinance, and the Sacramento County Improvement Standards, must be approved by FEMA prior to approval of improvements **(Department of Water Resources)**.

77. Incorporate stormwater quality measures in conformance with applicable County ordinances & standards, and state and federal law. The project may implement low impact development design pursuant to and consistent with *The Stormwater Quality Design Manual for the Sacramento & South Placer Regio*n. Such implementation may be able to reduce the stormwater quality treatment requirement **(Department of Water Resources)**.

78. Provide a permanent concrete stamp, or other permanently applied message to the satisfaction of DWR not including paint, which reads "No Dumping-Flows to Creek" or other approved message at each storm drain inlet **(Department of Water Resources)**.

79. The property owners shall comply with the applicable provisions of ~~Ordinance No. SCC _____ An Ordinance Specifying Thresholds of Development Within The Florin Vineyard Community Plan For The Concurrent Construction Of Phased Traffic Mitigation Improvements And Logical Roadway Segments~~ **the Florin Vineyard Community Plan (FVCP), Appendix D, "Florin Vineyard Community Plan Construction of Phased Improvements"**.

    a. As noted in ~~Exhibit 1~~ **Appendix D** of ~~said Ordinance~~ **the FVCP**, non-residential development projects within the Florin Vineyard Community Plan (FVCP) area are not subject to the roadway phasing requirements, but are required to contribute appropriately to meeting FVCP traffic mitigation obligations through construction of onsite roadway improvements as specified in project conditions of approval and by payment of Florin Vineyard Fee Program roadway fees.

    b. The following applies if residential development occurs on the site **(any residential development within the SC zone is subject to the same provisions as all other residential development in the FVCP area)**. The conditions listed in ~~Exhibit 1~~ **Appendix D** of ~~said Ordinance~~ **the FVCP**

implement the mitigation measures identified in the Final EIR for the Florin Vineyard Community Plan that are necessary to relieve the identified traffic and circulation impacts. Some of the traffic mitigation roadway improvements must be constructed prior to the development of the specified cumulative total number of residential units created within the Florin Vineyard Community Plan. The Board of Supervisors may approve final subdivision maps or improvement plans for residential sites within the Florin Vineyard Community Plan above the cumulative total thresholds, if it determines that said roadway improvements are expected to be completed prior to traffic being generated by said determined number of residential units and that development of more than the designated number of residential units will not result in unacceptable traffic congestion or safety problems. Any traffic studies required by the County in support of a determination shall be paid for by the residential Developer.

~~c. To comply with the County's established policies for maintaining continuity of major street improvements, the following provisions of said Ordinance specify how logical roadway segments must be constructed to minimize the development of "sawtoothed" roadway conditions. These logical roadway segments within the FVCP are identified in the Ordinance's Table A-1. Frontage lane improvements including the outside travel lane, curb, gutter and sidewalk, as identified in Table A-1 and Section V of the FVCP PFFP, shall be constructed by the first applicant for final map for any residential or commercial development to front on any portion of the specific segment in question, to the satisfaction of the Department of Transportation. Frontage lane improvements at open space corridors and drainage parkways shall be constructed concurrent with the adjacent frontage lane improvements identified in Section V of the FVCP PFFP if said improvements 'span' said open space or drainage corridor. Otherwise, they shall be constructed at the time identified in Table A-1 of the FVCP PFFP. Should such requirement to construct frontage lane improvements necessitate the advancement of construction of the center section of the adjoining major roadway identified in Table A-1 for construction at a future date, such center section improvements shall be made as required by the frontage improvement requirement. The Board of Supervisors may elect to postpone said frontage improvements to be built concurrent with the center section improvements at the time identified for said center section improvements, if it determines that traffic generated by applicant's project will not result in unacceptable traffic congestion, safety problems, or the appearance of 'saw-tooth' frontage improvement construction. Any traffic studies required by the County in support of such determination shall be paid for by the final map applicant. Any credit and/or reimbursement applicable to the advancement of funding for the construction of center sections of major roads ahead of the timing identified in Table A-1 shall be in compliance with the procedures outlined in the resulting mechanisms described in the FVCP PFFP.~~

80. Prior to recordation of final map, the property shall annex into the County of Sacramento Community Facilities District No. 2005-1 (Police Services). The annexation process takes approximately 6 months and the applicants must contact the County of Sacramento Infrastructure Finance Section at (916) 874-6525 at the earliest possible time to initiate the process ***(Infrastructure Financing Division)*.**

81. Projects within the FVCP that front on the roadways listed in Table A-1 shall be subject to the requirements of the County policy concerning discontinuous roadway frontage improvements ("sawtooth"). Unless otherwise noted, projects subject to these requirements shall install roadway frontage improvements along logical segments of at least one-quarter mile in length, including the project's frontage. If the length of the project's conditioned on-site frontage improvements on a single roadway is equal to or greater than one-quarter mile, then the project will be deemed to have satisfied the logical segment condition for that roadway. If the project's on-site frontage improvements are less than one-quarter mile in length, the project shall install additional off-site frontage improvements in order to satisfy the logical segment condition. The location and limits of such off-site frontage improvements will be determined at the time of improvement plan approval and to the satisfaction of the Department of Transportation. Off-site frontage improvements shall include the construction of the outside travel lane, bike lane, and a six-foot paved pedestrian walkway separated from the roadway by a roadside ditch. For thoroughfare roadways (ultimate six lanes) that are to be developed to an interim four-lane configuration, off-site frontage improvements shall consist of the second travel lane, bike lane and six-foot paved pedestrian walkway separated from the roadway by a roadside ditch. Projects that front on more than one of the roadways listed in Table A-1 (including corner lots) shall be responsible for meeting the logical segment condition on each fronting roadway.

Table A-1: Florin Vineyard Community Plan Roadways Subject to Logical Segments:

- **Bradshaw Road**
- **Elder Creek Road**
- **Elk Grove-Florin Road**
- **Gerber Road**
- **Florin Road**
- **South Watt Avenue**
- **Waterman Road**

82. The intent of the Department of Transportation is for the Florin Vineyard Public Facilities Financing Plan (PFFP) to include projects to construct traffic signals at various locations within the plan area including the intersection of Elk Grove-Florin Road and 'A' Drive. If this traffic signal is successfully

included in the PFFP, the developer may not be required to construct a signalized intersection on an interim basis. In lieu of installing signal improvements, the developer shall install improvements to safely restrict access at this intersection (right-in and right-out only, e.g.) to the satisfaction of the Department of Transportation. The interim condition of restricted access may be in effect until such time that 150 cumulative single family lots from all projects potentially utilizing this intersection are recorded at which time traffic signal improvements as described below shall be required.

If a traffic signal is not successfully included in the PFFP at this location, the developer shall, in addition to the other project conditions, be responsible for the installation of signal improvements including poles, mast-arms, conduit, detector loops, audible pedestrian signal heads, and ADA compliant pedestrian push buttons throughout the intersection on Elk Grove-Florin Road and 'A' Drive pursuant to the Sacramento County Improvement Standards, and to the satisfaction of the Department of Transportation.

83. Comply with the Mitigation Monitoring and Reporting Program (MMRP) for this project as follows:

a. The proponent shall comply with the MMRP for this project, including the payment of a fee to cover the Department of Environmental Review and Assessment staff costs incurred during implementation of the MMRP. The MMRP fee for this project is $6,200.00. This fee includes administrative costs of $800.00.

b. Until the MMRP has been recorded and the administrative portion of the MMRP fee has been paid, no final parcel map or final subdivision map for the subject property shall be approved. Until the balance of the MMRP fee has been paid, no encroachment, grading, building, sewer connection, water connection or occupancy permit from Sacramento County shall be approved.

III. ATTACHMENTS

A. Draft Special Development Permit

B. Affordable Housing Plan

IV. EXHIBITS

1. Rezone

2. Tentative Subdivision Map

This staff report was prepared on August 2, 2010.

Special Development Permit No. _____

GARDNER PARKE

County of Sacramento
Board of Supervisors

Assessor's Parcel No(s).
065-0042-028, 031, 040, 041, 042, portion of 043, & 044 Hearing Date:

TO: APPLICANT:
Gerry N. Kamilos, LLC
11249 Gold County
Boulevard, Suite 190
Gold River, CA 95670

ENGINEER:
MacKay and Somps
1552 Eureka Road, Suite 100
Roseville, CA 95661

PERMISSION IS GRANTED TO EMPLOY THE FOLLOWING ALTERNATIVE DEVELOPMENT STANDARD(S):

A. Lot 133 to have a public street frontage of 28 feet.
B. Lot 132 to have a lot area of 3,160 square feet.

ATTACHMENTS THAT DEMONSTRATE ALTERNATIVE DEVELOPMENT STANDARDS AND/OR DENSITY BONUS:

A. Tentative Subdivision Map (Exhibit 2)

CONDITIONS:

1. Comply with all conditions of 2004-RZB-SDP-SPP-AHS-0218.

FINDINGS:

1. That the proposed development will carry out and be consistent with the intent of the General Plan and the draft Florin-Vineyard Community Plan.

2. That the proposed development is of sufficient size and is designed so as to provide a desirable environment within its own boundaries.

3. That the proposed development is compatible with existing and proposed land uses in the surrounding area.

4. That any exceptions to, or deviation from, the use, density, requirements or design standards of the Land Use Zone in which the property is located, or of Title III of this Code are justified by the design of the development or by the provision of housing units

at Below Market Price pursuant to Section 110-65(b), or by the substantial energy savings proposed pursuant to Section 110-65(c). In the case of a residential area, the rearrangement of dwellings and the mixing of dwelling types shall be justified by larger and more usable open spaces.

5. That there is adequate assurance that all public improvements will be installed at the scheduled times as required by the Municipal Services Agency.

6. That there is adequate assurance that the development schedule will be met.

7. That the existing or proposed utility services are adequate for the uses and population densities proposed.

8. That the project will not be a hazard or nuisance in the community at large.

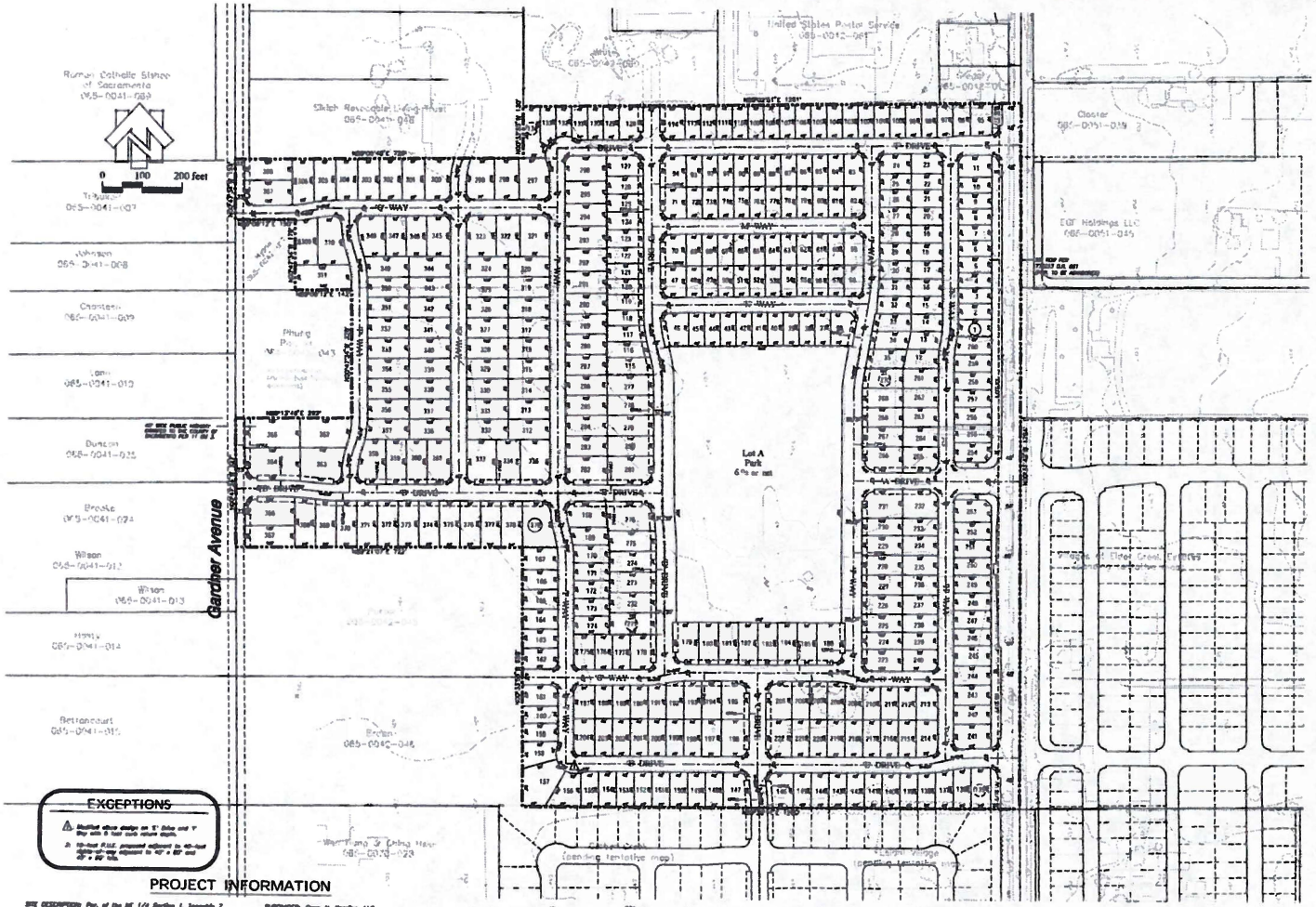
The above permit will not be conducted to constitute either a public or private nuisance. Violation of any of the foregoing conditions will constitute grounds for revocation of this permit. Building permits are required in the event any building is planned.

The Board also determined that the project will not be a hazard or nuisance in the community at large nor establish a use or development inconsistent with the goals, objectives, and policies of the General Plan and appropriate community plan.

On a motion by Supervisor _____, seconded by Supervisor _____, the foregoing special development permit was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California, at a regular meeting thereof, this _____ day of _____, 201_, by the following vote, to wit:

AYES: Supervisors,
NOES: Supervisors,
ABSENT: Supervisors,

ATTEST: _____
Clerk of the
Board of Supervisors



RECEIVED
OCT 2010
PLANNING DEPT
County of Sacramento

Tentative Map

Gardner Parke

County of Sacramento, California

Scale: 1" = 100'

March 29, 2004
Revised: November 22, 2004
March 23, 2005
May 12, 2006
August 30, 2006
November 2, 2009
July 6, 2010
October 18, 2010

REVISED

04 · 0218

MacKAY & SOMPS
CIVIL ENGINEERS, INC.
SACRAMENTO, CALIFORNIA

7826-00

Affordable Housing Plan
Use of Unit Credits
Gardner Parke in the Florin Vineyard Community Plan

Proposed Project

The Kamilos Companies, LLC is the developer ("Developer") of that certain real property in the County of Sacramento ("County") in which the Developer proposes to develop and construct the Gardner Parke residential subdivision ("Development Project"). This proposed 65.4± Gross acre Development Project is located along the west side of Elk Grove – Florin Road, between Florin Road and Gerber Road. The residential portion of the Development Project consists of the following unit mix:

PROPOSED ZONING	GROSS ACRES [1]	UNITS WITHIN ZONING DESIGNATION [2]	DENSITY BONUS UNITS REQUESTED
RD-5	21.8±	109	0
RD-7	21.5±	136	0
RD-10	15.2±	134	0
TOTAL	58.5± acres	379 units	0 units
TOTAL NUMBER OF UNITS IN RESIDENTIAL DEVELOPMENT			379 units

[1] Note that Gross acres excludes public parks, public schools, open space areas, habitat mitigation or other similar public non-residential features as defined in Section 22.35.020.

[2] This should be the total units to be built *exclusive* of any density bonus units requested. If density bonus units are being requested (either under the AHP or under State law), the units per the zoning designation.

Affordable Housing Policy

The County of Sacramento ("County") adopted an Ordinance adding Chapter 22.35 of Title 22 to the Sacramento County Code ("Ordinance") on December 8, 2004. This Ordinance requires that Developers seeking Project Level Approvals for new Development Projects include or provide for an affordable housing component.

Pursuant to the County Code Section 22.35.140, an Affordable Housing Plan ("Plan") must be submitted as part of the application for the Development Project's application for a Project Level Approval. The hearing body shall consider this Plan along with the Project Level Approvals, and compliance with the Plan shall become a condition of the Development Project. County Code Section 22.35.140 (B)(1) sets forth the required information to be included in this Plan. This document constitutes the Plan, and, as supplemented and amended from time to time, is intended to begin implementation of the affordable housing requirement for the Development Project. All future approvals for the Development Project shall be consistent with this Plan.

Land Suitability Findings

Pursuant to Section 22.35.070(B), the land obligation of the Development Project is based on a formula that considers both land size and proposed zoning. In order for land to be deemed suitable by the County and SHRA, the land obligation of the Development Project must be, at a minimum, four net buildable acres.

Pursuant to Section 22.35.050(B) (4), Development Projects that are found not to have suitable land in accordance with Section 22.35.070(A) may meet their obligation by obtaining either for sale or rental unit credits.

The land obligation for the Development Project is:

Gross Acres of Land	Assumed Zoning *	Formula	Acreage Requirement
21.8±	5	x 15% + 17 =	0.96
21.5±	6	x 15% + 17 =	1.14
15.2±	7.5	x 15% + 17 =	1.01
		x 15% + 17 =	
		x 15% + 17 =	
		x 15% + 17 =	
58.5± total gross acres in project			3.11 total net acres required for dedication

* Assumed zoning is equal to the midpoint between RD-5 and the actual zoning ((actual zoning + 5) + 2) for acres zoned or proposed to be zoned RD-1 to RD-12 OR RD-10 for the actual or proposed zoning for acres higher than RD-12.

Suitable land for the Development Project is not available because (check as many that apply):

[X] The amount land required to be dedicated per Section 22.35.070(B) is less than the minimum four net buildable acres as required in Section 22.35.070(A).

[ ] The Development Project does not contain land within a half mile of at least three of the amenities listed in Section 22.35.070(A) (1) (a) required for ELI competitive land.

[ ] The Development Project does not contain land within a mile of at least two of the amenities listed in Section 22.35.070(A) (2) (a) required for non-ELI competitive land.

[ ] The Development Project does not contain land that is feasible to develop considering environmental constraints.

Utilize Excess Unit Credits

Pursuant to Section 22.35.050, the Developer may propose to fulfill their inclusionary housing obligation by obtaining rental unit credits in accordance with 22.35.070, subject to written approval of the Planning Director. Unit credits are earned when a developer produces affordable units in excess of their required obligation.

The total affordable housing obligation for the Development Project is 15% of all residential units in the development or 56.85 units. Of that 15%, 10% of the residential units are required to be affordable to Very Low income households and 5% of the residential units must be affordable to Low income households.

The Developer proposes to fulfill the Development's obligation by utilization of 56.85 unit credits as provided for below.

The obligation of 1 market unit is fulfilled with 0.15 unit credit			
	Low Income	Very Low Income	Total
Unit obligation of the development project	18.95units	37.90units	56.85
Number of unit credits being utilized	18.95 units	37.90 units	56.85
Name of site of excess unit credits	Arbor Creek Family Apartments		
Address or location of site	Northwest quadrant of Elk Grove – Florin Road and Calvine Road		
Broker of Unit Credits	Sacramento Housing and Redevelopment		
Date of issuance of unit credits	To be determined		
Name of Community Plan Area of donor site	Vineyard Community Plan		
Name of Community Plan Area of receptor site	Florin Vineyard Community Plan (Gardner Park location adjacent to Vineyard Community Plan)		

*Please note, when utilizing unit credits to fulfill an obligation, the obligation will not be rounded and unit credits will be fractionalized.
**Plan is subject to formal approval of the SHRA Credit Disposition Policy, including the selection of the Gardner Parke Development project as a unit credit recipient.

In order to help facilitate the fulfillment process, Sacramento Housing and Redevelopment Agency (SHRA) has obtained approval to act as a unit credit broker. SHRA's purpose is to encourage the production of unit credits in exchange for SHRA's purchase of the credits. SHRA will in turn sell the credits to developers in need of a fulfillment option.

Concurrency and Payment of Affordability Fees

Pursuant to Section 22.35.060(D) the affordable housing plan shall include a phasing component that provides for the timely development of the affordable housing as the residential project is built out. When the affordable obligation is met through the purchase of unit credits, credits must be earned prior to the recordation of the final map for the property utilizing the credits. In addition, other phasing benchmarks are described below:

- The Affordable Housing Plan shall be approved concurrently with the Development's first project level approval.
- The Developer shall enter into a Purchase and Sales Agreement with SHRA to purchase unit credits concurrently with the Development's first project level approval.

- An Affordable Housing Agreement shall be recorded against the entire development concurrently with recordation of the Development's final map.
- Up to 50% of the building permits may be pulled prior to purchase of 100% unit credits with payment in full.
- Payment for unit credits shall be made concurrently with the payment of building fees. The fee to be paid is:
    - Deposit of $100 per every 0.15 unit credit will be paid to SHRA at the time of final tentative map approval.
    - Deposit of $240 per every 0.15 unit credit will be paid to SHRA concurrent with recordation of the Affordable Housing Agreement and Final Map.
    - Final payment of $6,160 per every 0.15 unit shall be made to the County of Sacramento concurrent with the payment of building permits.

Administration

The Planning Director, with the advice of the Executive Director of SHRA, shall administer this Affordable Housing Plan. The Planning Director may make minor administrative amendments to the text of this Plan, which may include a change in the number of units in the Development Project prior to payment of building permits for the Development Project, or other amendments as deemed appropriate. Such changes shall be reflected in a written addendum to the Affordable Housing Plan. The Developer is responsible for notifying SHRA and County staff of any changes to the Development Project, subdivision map or environmental documents that occur after approval of the Affordable Housing Plan, but before approval of the final Project Level Approval.

The funds collected from the affordability fees shall be collected by the County of Sacramento and administered by the Executive Director of SHRA in accordance with Sections 22.35.150 and 22.35.160 of the Ordinance.

Developer Acknowledgement

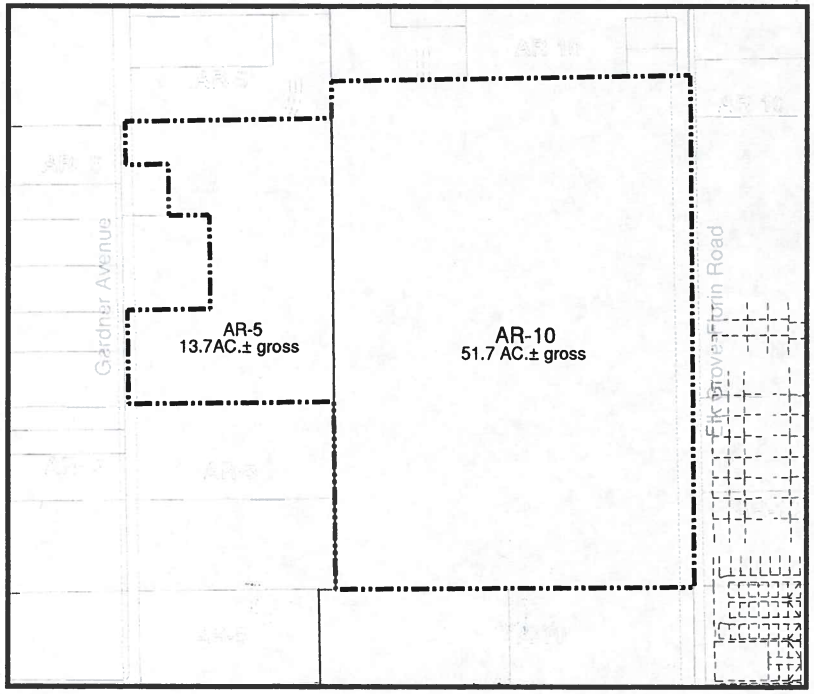
I attest that I have prepared this Affordable Housing Plan to comply with the affordable housing requirements of Section 22.35 of the County Code and that all information provided is accurate and complete to the best of my knowledge. Except for project-specific information requested in the template, I have not modified the language provided in the County-provided template.

Name: Gerry N. Kamilos
The Kamilos Companies, LLC

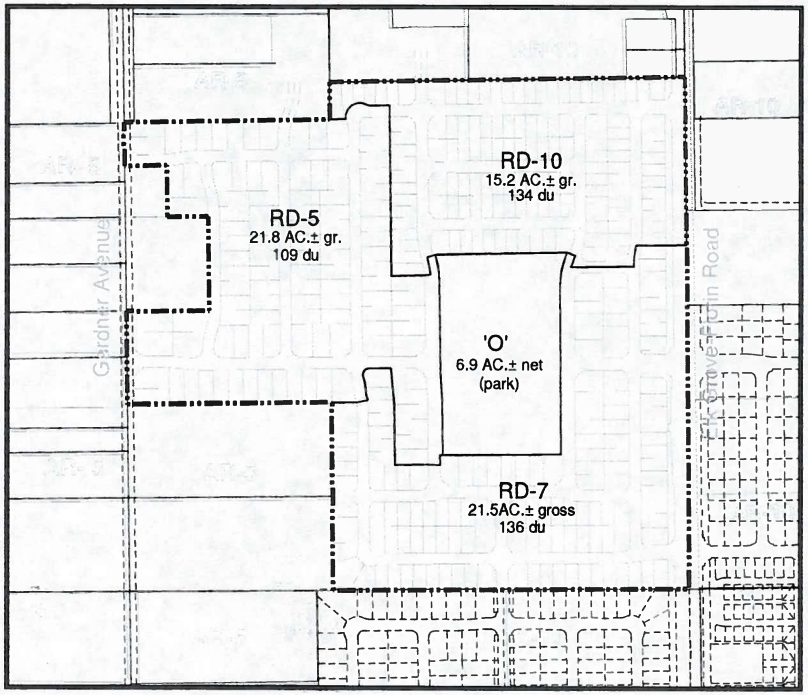
Signature: _____

Title: Managing Member

Date: August 10, 2010

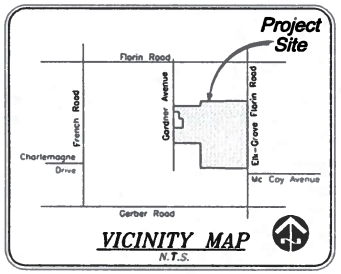


Existing Zoning

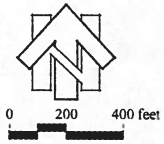


Proposed Zoning

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County of Sacramento



Note: No Density Bonus Proposed



REVISED 04-0218

Rezone Exhibit

Gardner Parke

County of Sacramento, California

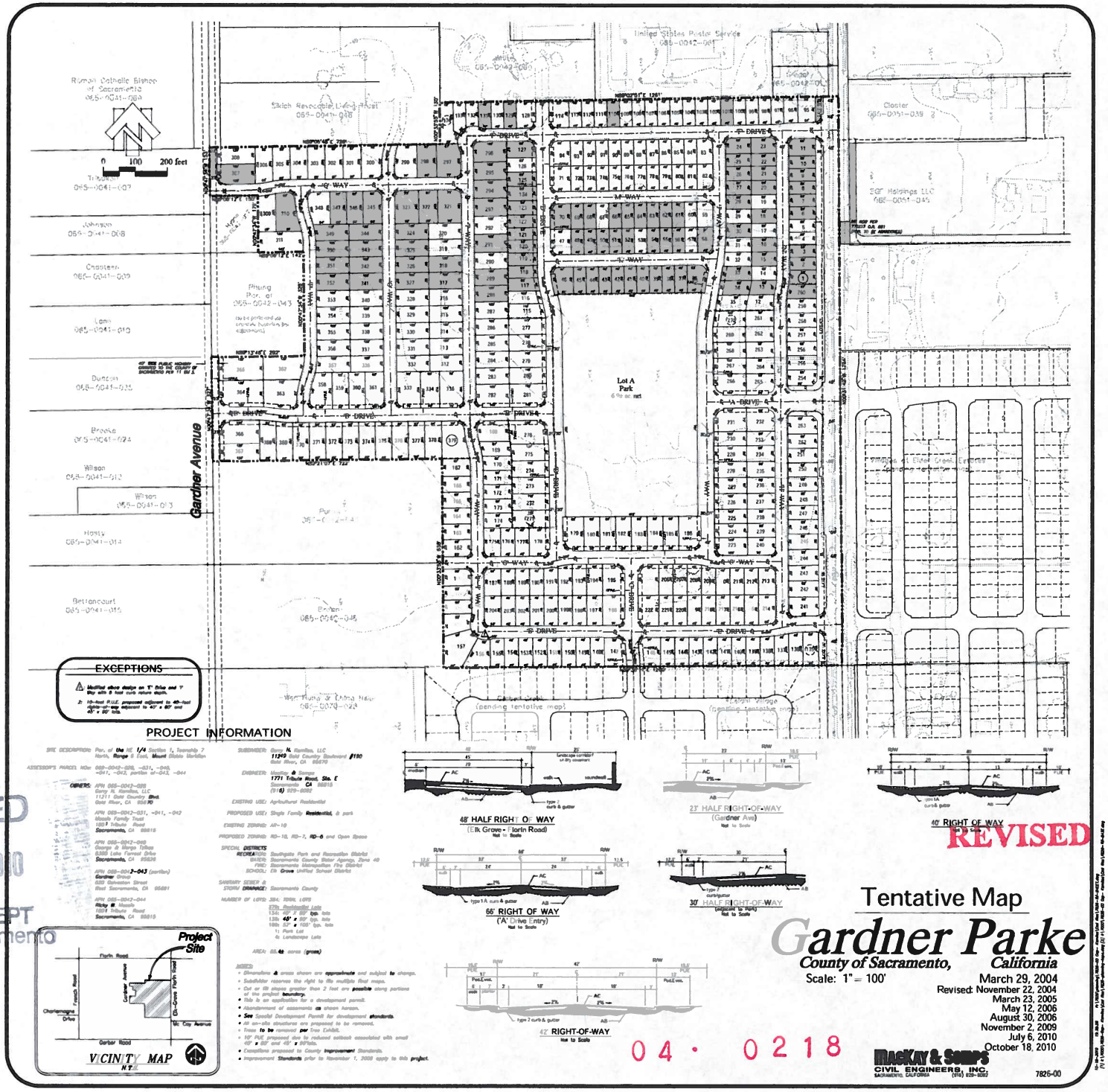
Scale: N.T.S.

March 31, 2004
Revised: November 22, 2004
March 23, 2005
August 30, 2006
January 29, 2007
November 2, 2009
July 6, 2010

MACKAY & SOMPS
CIVIL ENGINEERS, INC.
SACRAMENTO, CALIFORNIA (916) 929-8092

7826-00

EXHIBIT 1



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EXHIBIT 2