

(Amended By Staff 8/25/94)

**RESOLUTION NO. 1664**

ADOPTED BY THE SACRAMENTO PLANNING COMMISSION

ON DATE OF August 25, 1994

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A SUBDIVISION MODIFICATION AND TENTATIVE MAP FOR PROPERTY LOCATED AT 4625 RIO LINDA BOULEVARD IN THE ROBLA AREA OF THE NORTH SACRAMENTO COMMUNITY PLAN AREA.

(P90-163) (APN: 237-0040-026)

WHEREAS, the City Planning Commission on August 25, 1994 held a public hearing on the request for approval of a subdivision modification and tentative map for property located at the above described location;

WHEREAS, all governmental and utility agencies affected by the development of the proposed subdivision have been notified and given the opportunity to respond;

WHEREAS, the City Environmental Coordinator has determined that the proposed project will not have a significant effect on the environment, and has provided notice to the public of the preparation of a Negative Declaration;

WHEREAS, the Planning staff has submitted to the City Planning Commission its report and recommendations on the proposed subdivision;

WHEREAS, the City Planning Commission has considered the design of the proposed subdivision in relation to feasible future passive or natural heating and cooling opportunities; and

WHEREAS, the City Planning Commission has considered the effects that approval of the proposed subdivision would have on the housing needs of the Sacramento Metropolitan area and balances these needs against the public service needs of City residents and available fiscal and environmental resources.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SACRAMENTO THAT:

1. The Negative Declaration has been prepared in compliance with CEQA, State and City Guidelines, and the City Planning Commission has reviewed and considered the information contained herein.

2. None of the conditions described in Government Code Section 66474, subsections (a) through (g) inclusive, exist with respect to the proposed subdivision.
3. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, and Chapter 40 of the City Code, which is a Specific Plan of the City. Both the City General Plan and the North Sacramento Community Plan designate the subject site for residential use(s).
4. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in violation of the applicable waste discharge requirements prescribed by the California Regional Quality Control Board, Central Valley Region in that existing treatment plants have a design capacity adequate to service the proposed subdivision.
5. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.
6. In the matter of the hereby approved requested subdivision modification to allow lots less than 52 feet in width:
  - a. The City Planning Commission determines that it is impossible, impracticable and undesirable in this particular case to conform to the strict application of City Code Chapter 40 in that land dedication for flood control and the preservation and enhancement of the Historic Magpie Creek channel environment reduces the net developable acres of the site and requires an orientation to the creek channel.
  - b. The cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification in that the configuration of the lots result in a minimum lot size of 5,200 square feet each and still allow the subdivision to meet the minimum density requirement of the North Sacramento Community Plan.
  - c. The modification will not be detrimental to the public health, safety, or welfare, or be injurious to other properties in the vicinity in that the lot sizes (minimum of 5,200 square feet) are standard and provide the minimum front yard lot width of 20 feet for access.
  - d. That granting the modification is in accord with the intent and purpose of these regulations and is consistent with the General Plan and with all other applicable Specific Plans of the City in that the minimum density requirement of the North Sacramento Community Plan will be met with standard size lots.

7. The tentative map for the proposed subdivision is hereby approved, subject to the following conditions which must be satisfied prior to filing of the final map unless a different time for compliance is specifically noted:
- A. Provide standard subdivision improvements pursuant to Section 40.12.1211 of the City Code. Construct Rio Linda Boulevard to a 40 foot half section with a 15 foot lane northbound. Construct the streets and cul-de-sac adjacent to Magpie Creek to include vertical curb and gutter with no sidewalks.
  - B. Dedicate and construct Myrtle Drive to a 50 foot Right-of-Way for 100 feet west of Rio Linda Boulevard. The sidewalk may be deleted on the south side of Myrtle Drive.
  - C. A Lot Line Adjustment to combine Lot E with the parcel to the south shall be recorded with a Certificate of Compliance prior to recordation of the Final Map.
  - D. Prepare sewer and drainage studies for the review and approval of the Department of Public Works and Department of Utilities.
  - E. Dedicate Magpie Creek (Lots A and B) to the City of Sacramento.
  - F. File a Conditional Letter of Map Revision (CLOMR) through the Utilities Department to the Federal Emergency Management Agency (FEMA) for channel improvements associated with this development. No grading will be allowed in the designated Floodway (AE Zone) without FEMA's approval.
  - G. Prepare a water study for review and approval of the Public Works Department and the Utilities Department. Off-site water main extensions will be required.
  - H. Submit a soils test prepared by a registered engineer to be used in street design.
  - I. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance will require the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans and prepare plans to control urban runoff pollution from the project site during construction.

Refer to the City of Sacramento's "Administrative and Technical Procedures Manual for Grading, Erosion and Sediment Control", January 1994, for the acceptable BMPs to control erosion and sediment transport and pollution associated with construction activities. This manual is available from the Department of Utilities.

- J. Pursuant to City Code Section 40.16.1601 (parkland dedication), submit to the City an appraisal of the property to be subdivided and pay the required parkland dedication in-lieu fees. The appraisal shall be dated not more than 90 days prior to the filing of the Final Map. Lot A may be used as a partial credit towards parkland dedication and/or in lieu fees.
- K. Meet all County Sanitation District requirements.
- L. Subject property must complete annexation to both the Sacramento Regional County Sanitation District and County Sanitation District No. 1 of Sacramento County prior to recordation of the map or prior to the approval of improvement plans, whichever comes first.
- M. Comply with requirements included in the Mitigation Monitoring Plan developed by the Environmental Services Division and kept on file in the Planning Division Office (P90-163).
- N. Dedicate Lots C and D to the City of Sacramento for Landscaping.
- O. Dedicate a standard 12.5-foot public utility easement for underground public utility facilities and appurtenances adjacent to all public ways.
- P. Dedicate the right of way along Rio Linda Boulevard to 40 foot half section per study on file with the City.
- Q. Dedicate the north five feet of subject map as a public utility easement for overhead facilities and appurtenances.
- R. Show all existing easements.
- S. Pursuant to City Code Section 40.10.1019, indicate easements on the Final Map to allow for the placement of centralized mail delivery units. The specific locations for such easements shall be subject to review and approval of the Department of Public Works after consultation with the U.S. Postal Service.
- T. Abandon any existing water wells and/or septic tank systems, under permit, to City and/or County Health Department standards.


- U. Annex to the City Landscape Maintenance District at the time of filing the Final Map. Design and construct landscaping, irrigation and masonry walls in dedicated easements or rights of way, to the satisfaction of the Public Works Department, Neighborhood Services Department, and the Planning Division. Acceptance of the required landscaping, irrigation, and masonry wall by the City into the Landscape Maintenance District shall be coordinated with the Department of Public Works (Special Districts and Transportation and Engineering Planning Services) and Special Services/ Parks. Developer shall maintain the landscaping, irrigation, and masonry walls for two years or until acceptance by the City into the District (whichever is less). The two year period shall begin following the issuance of a notice of completion by the City for the landscaping, irrigation, and masonry walls.
- V. Remove all existing structures on the site.
- W. Negotiate with the Grant High School Joint Unified School District, a written agreement in satisfaction of the proposed subdivision's school facilities impacts on the District, as mutually agreed to by the applicant and the District, subject to ratification by the District's Board of Trustees.
- X. Execute with the Robla School District a written Agreement which states that the property within such Final Map shall be included within a community facilities district to be established by the Robla School District to mitigate the impact on school facilities.
- Y. Construct a post and cable barrier between the creek and that portion of the proposed street adjacent to the creek.

**ADVISORY NOTES:**

The following advisory notes are informational in nature and are not a requirement of this Tentative Map:

- A. City may enter into a reimbursement agreement for over-width pavement construction on Rio Linda Boulevard.
- B. Property to be subdivided in accordance with this map may be subject to flooding. Interested parties should ascertain whether and to what extent such flooding may occur. The applicable base flood elevations for the property should be reviewed. Base flood elevations are contained in the U.S. Army Corps of Engineers Flood Insurance Study Working Map for the Sacramento Community, dated January 1989, available for review at the City of Sacramento's Department of Public Works, Development Services Division, 927 10th Street, Room 100.

- C. Individual dwellings shall be subject to Design Review Board staff approval prior to the issuance of a building permit. If models are provided for the subdivision, only the model homes shall require approval.
- D. Applicant is required to comply with the State "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). This will require the applicant to file a Notice of Intent with the California Water Resource Control Board and prepare a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP will require the applicant to prepare plans and/or determine measures to control erosion and off-site sediment transport from the project and determine measures for controlling pollution from the various hazardous materials associated with construction sites. The City will require proof of compliance with the State Permit prior to approval of the improvement plans.
- E. Post construction Best Management Practices (BMP's) shall be incorporated into the development to minimize the increase of urban runoff pollution caused by developing the area. At a minimum, source control measures and on-site controls shall be implemented. Refer to the City of Sacramento's draft "Guidance Manual for On-Site Control of Urban Runoff Pollution at New Developments", April 1993, for acceptable BMP's for post construction urban stormwater pollution control.
- F. The Design and Procedure Manual requires that 1) drop inlets be spaced so that the gutter flow does not exceed a run of 400 feet, whereas runs of 750 feet and 900 feet are shown and 2) minimum gutter grades shall be no less than 0.50 percent (0.25 percent shown).
- G. The Sacramento Tree Foundation has agreed to provide trees to be planted adjacent to Magpie Creek. The applicant is strongly encouraged to coordinate with the Sacramento Tree Foundation and the City Utilities Department to plant trees adjacent to the floodway of Magpie Creek.

  
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CHAIRPERSON

ATTEST:

  
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SECRETARY TO PLANNING COMMISSION

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