

**CUESTA HEIGHTS SUBDIVISION
PROJECT
CITY COUNCIL CONDITIONS OF APPROVAL AND
FINDINGS MARCH 3, 2008
(REVISED FEBRUARY 16, 2021)**

1. Final subdivision design shall consist of a ~~49~~ 46 lot single-family residential subdivision, ~~plus a tank lot~~, all consistent with the street and lot layout shown on the plans and Tentative Subdivision Map presented to and approved by the City Planning Commission and City Council, unless otherwise revised by the conditions cited below. With a calculated slope of 20.2 percent for the site, the allowable maximum density is 5 units per acre, pursuant to Section 17.34.130 of the Sonora Municipal Code. At ~~49~~ 46 lots, the slope density calculation of 2.2 units per acre is under the standard of the Sonora Municipal Code.

2. *All required plans, reports and studies previously submitted to the City need to be reviewed, modified as needed, and accepted by the project's engineer of record. The updated documents must be provided to the City for approval prior to Phase One Final Map approval. Overall project plans, reports and studies not previously submitted, must be provided to the City for approval prior to Phase One Final Map approval. The city must receive any plans, reports and studies, not previously submitted, prior to the approval of the final map or prior to the start of construction for each phase depending on the City Engineer's requirements for document submittal. The following improvement plans, reports, or studies shall be prepared and/or updated to the satisfaction of the pertinent reviewing agencies and submitted for agency and City review and approval prior to the issuance of applicable permits for construction and/or approval of the Final Map:*
 - a) A Comprehensive Engineered Grading Plan, approved by the City Engineer, showing the tops and toes of all slopes, grade and width of access roads and building areas for the planned development area, etc. To minimize the amount of grading and clearing of the property, the plan shall include provisions that grading and clearing be limited to the developed area (such as streets, sidewalks, drainage, street slopes) for the project identified by the tentative map.

 - b) A Geotechnical Report, approved by the City Engineer and referenced on the Final Map and Improvement Plans.

 - c) An Engineered Drainage Plan and Study, approved by the City Engineer, which will investigate before and after development flows for a 100 year storm to Caltrans standards for on- and off-site drainage measures necessary to accommodate project storm water flows. On-site detention/retention may be considered to control flows from the site. Deficiencies in downstream improvements shall be noted and reasonable off-site improvements may be

required by the City. The following standards to be reflected in the plan:

- All roads shall be drained by a designed underground storm drainage system. Drainage from roads shall be carried to the nearest natural drainage course or publically maintained storm drainage system by means of pipes or concrete lined ditches.

-The runoff from the developed subdivision shall not exceed the predevelopment runoff. Where lots in the subdivision drain over adjacent property surrounding the subdivision, concrete lined ditches within drainage easements shall be provided to ensure drainage resulting from the development is directed to the storm drain system or natural drainage course.

d) Street Improvement Plans, including profiles and cross-sections, including any retaining walls proposed or required, for all subdivision streets. The following standards are to be reflected in these plans:

- Cuesta Heights Road and Longview Circle shall be 32 feet between the front edge of the curb and gutter pan, within a 50 foot right-of-way. This will provide a parking lane on one side of the street adjacent to the 4 foot sidewalk, and two, 12 foot travel lanes clear of the curb and gutter pan. *Portions of the Longview Circle at the intersection of Cuesta Heights Road shall be developed as a hammerhead turnaround under Phase One subject to current Sonora Fire Department standards.*

~~-Cassie Way Dot Drive~~ shall be 20 feet in width between the front edge of the curb and gutter pan within a 40 foot right-of-way, due to the one way direction and limited number of lots on that street. This will provide a parking lane on one side of the street adjacent to the 4 foot sidewalk, and one 12 foot travel lane clear of the curb and gutter pan.

- A left turn pocket shall be constructed *in Phase Two* to accommodate southbound movements on Shaws Flat Road to Cuesta Heights Road. *Improvement Plans submitted must include the striping plan and needed right of way must occur in Phase One.*

- A sidewalk, curb and gutter shall be constructed *in Phase One* on the Shaws Flat Road frontage of the property, between the south side of Cuesta Heights Road to the north side of the intersection of Shaws Flat and Roble Road. Sidewalk width to be a minimum of 4 feet from the back of the curb and gutter to the back of the sidewalk.

- Maintain a road grade maximum of 12%, except for short stretches where 15% may be necessary.

e) Predevelopment Plans shall be provided for each lot in the subdivision.

Predevelopment plans shall show a typical footprint of a house with a garage, driveway, and location, with a profile through the driveway. Predevelopment plans shall be used as guidelines only for the development of each lot, simply to show that a lot can be developed within setback and driveway requirements, and to analyze disturbed off-street areas.

- f) Encroachment Plans for Shaws Flat Road and Roble Road, subject to approval of the City Engineer. Encroachment plans may include a requirement for dedication of right-of-way along Shaws Flat Road.
- g) An Erosion and Sediment Control Plan, approved by the City Engineer, related to grading or other earthwork to be performed on site between October 1 and May 1 of any given year the project is under construction. Said plan shall identify potential erosion problems related to this specific project, and measures to be employed to control such concerns. As part of the erosion and sediment control plan, attach a Storm Water Pollution Prevention Plan (SWPPP) and permit, as approved by the State of California.
- h) An Underground Utilities Plan or Plans, for water, sewer, power, telephone, cable TV, and LP Gas (if applicable) to be approved by respective agencies. Within preparation of the improvement plans for the water system, provide water mains, hydrants, and fire flows as required by the City of Sonora Fire Department. Fire hydrant number and locations to be shown on the plan, as determined by the Fire Chief. Fire flow to be based upon an Engineering Analysis of the water system, and tested upon completion of the construction. All utilities to be underground and served from the front of lots. *The developer shall not be required to underground the existing PG&E electrical lines and poles along Shaws Flat Road.* Where underground LP gas service is provided by a LP gas purveyor, lines under roads shall be placed in metal sleeves with an encroachment permit with the LP gas purveyor. ~~An LP gas tank lot or easement shall be shown in the vicinity of Lots 14 and 15.~~ Easements for underground utilities shall be provided along the frontage of all lots clear of any sidewalk areas, and along the sideline and rear lot line where necessary in accordance with the Underground Utilities Plan.
- i) *The Final Landscape Plan as described has been approved by the Parks, Beautification and Recreation Committee. The plans previously submitted will need to be updated for each phase and submitted for approval prior to issuance of grading permits for each phase.* A Final Landscape Plan, to be approved by the City Parks, Beautification and Recreation Committee. This plan shall take the form of a Revegetation Plan. This plan shall include an inventory, mapping, and marking on site of all trees 6 inches in diameter or greater at chest height proposed for removal within street rights-of-way, easements for public utilities or drainage, and within building envelopes identified by required predevelopment plans for the project. All effort shall be taken to attempt to preserve oaks located within these areas. Based upon the inventory, the following measures shall be implemented:

- All such trees identified for removal from within street rights-of-way, public utility and drainage easements shall (1) contribute funds to the Oak Woodlands Conservation Fund, as established under subdivision (a) of Section 1363 of the Fish and Game Code, and as allowed by Section 21083.4 of the Public Resources Code, or (2) at the time of construction on the individual lots, provide planting of native species in the front yard area of the lot, or (3) a combination of the above.

- All such trees identified for removal on the single family lots shall provide for revegetation on the individual lot as part of a site plan submitted for a building permit on each lot. On-site replacement shall be planned in such a manner to address visual and noise concerns of the lost oak woodland upon existing, adjacent properties. Specifically, the replacement vegetation shall be directed to side and rear yard areas to mitigate visual concerns, and to help to muffle potential noise. Implementation of revegetation shall be a condition of the final inspection for houses constructed on the individual lots.

- In the event that existing trees that are retained for the project do die, due to changes in the existing grades and soil permeability, and to ensure that new landscaping plants survive, the following conditions shall apply throughout the life of the project:

a. If existing trees retained for the project become dead or are dying within five (5) years of completing the projects infrastructure construction, the developer or subsequent owner(s) shall be responsible for replacing said existing native tree(s) at a ratio of two (2), 24 inch box tree(s) as selected by the City Parks, Beautification and Recreation Committee, for each tree lost, in the same area as the trees(s) that are dead or dying. Implementation shall be by the City Parks, Beautification and Recreation Committee as necessary. The developer or subsequent owner(s) shall be responsible for maintaining landscaping plants in a manner consistent with Section 12.02.145 of the Sonora Municipal Code.

- The plan shall also include provisions for screening of the tank lot, as may be determined to be necessary by the Committee, based upon final water system design to be determined by Tuolumne Utilities District. *No longer required.*

j) A Street Lighting Plan, providing appropriate lighting at all intersections, cui-de-sacs, and along streets in accordance with PG&E and City Standards. Street lights to be aimed or shielded to avoid glare on neighboring properties.

Developer to provide initial installation of lighting standards, and provide for the maintenance of the lighting and payment of the power usage by the formation of an entity, direct initial or yearly payment, or assignment of the lighting maintenance to specific lots. *Overall project plans, reports and studies not previously submitted, must be provided to the City for approval prior to Phase One Final Map approval. Phase One shall include a street light at the Shaws Flat Road/Cuesta Heights Road intersection and at the turnaround intersection at Longview Circle. The developer must identify how maintenance and payment of power usage will be addressed under the Street Lighting Plan.*

- k) Engineer's Estimate of the public improvement work, including utilities. Estimate to be used for plan check fees and potential subdivision bonding. *The Engineer's Estimate for all of the public improvement work, including utilities, is to be submitted prior to Phase One Final Map approval. Engineer's Estimates for each phase will be submitted prior to issuance of each grading permit.*
- l) Preparation and procedures for Subdivision Improvement Plans shall be in accordance with Section 16.04.110 of the Sonora Municipal Code.

3. Grading Standards:

- a) All roadway and lot grading shall conform to current Caltrans Standards (2002), to the geotechnical report provided with the approval documents, and the approved Comprehensive Grading Plan.
- b) Hours of construction on the project site shall be in accordance with the provisions of Section 8.20.040 of the Sonora Municipal Code. In the event that noise concerns are indicated to the City during construction, noise monitoring may be required to be conducted by an independent noise consultant, selected by the City. The costs for such monitoring will be paid for by the developer. Recommendations made by the consultant to decrease construction noise will be followed by the developer, as required by the City.
- c) All construction equipment to be acoustically muffled to reduce noise and properly maintained to reduce exhaust emissions, in accordance with Caltrans Standard Specifications.
- d) Applicant shall be responsible for dust abatement during earthwork and construction operations. A watering truck(s) or other watering device(s) shall be on the project site on all working days when natural precipitation does not provide adequate ground moisture for complete dust control. Said watering device(s) shall be used to spray water at the site at the end of each day and at other intervals, as the need dictates, to control dust.

- e) Disposal site or sites for excess earth material over 50 cy shall require a City or County of Tuolumne Grading Permit.
- f) Cut and fill slopes are to be mulched and seeded prior to October 1 of the year of development consistent with the approved Erosion and Sediment Control Plan. The seed mixture shall include a wildflower seed mixture compatible with the foothills area as approved by the City Parks, Beautification and Recreation Committee.
- g) All recommendations of the cultural resources investigation conducted by PAR Environmental Services, dated March 22, 2007, commencing on page 10 of that report, shall be completed if buried resources are discovered.

4. Construction Standards and Easements:

- a) All sidewalk, curb and gutter shall conform to current City Standards on file with the City Engineer.
- b) Interior street rights-of-way may be a minimum of 40' in width where approved by the City Engineer. Where sidewalks are present, the street right of way shall be in back of the sidewalk. Common driveways shall be within minimum 20' easements; turnarounds in common driveways shall be within easements. All street rights of way and common driveway easements shall be offered for dedication as road and public utility easements for public use. It is intended that the street rights of way be accepted for maintenance by the City, and common driveways be rejected for maintenance. Homeowners utilizing the common driveways shall be responsible for shared maintenance under the project's CC&R's or other sales documents.
- c) Structural section for streets shall be a minimum of 2" Asphalt Concrete over 6" Class 2 Aggregate Base over 95% Relative Compaction subgrade, unless otherwise shown on the tentative map. Common driveways may be 2" AC over 4" AC. Where unsuitable subgrade is encountered, as determined by the City Engineer, R-value tests shall be required to be conducted to determine the Structural Section. Compaction testing shall be required on all subgrade and backfill of trenches.
- d) The maximum street grade is to be 15% unless otherwise approved by the City Engineer on Street Improvement Plans. The maximum driveway grade is to be 20%.
- e) Public utility and drainage easements shall be provided 5' on each side of each lot sideline, and 10' along the front and rear lot lines. Underground utility lines shall not be constructed under sidewalks except generally at right angles so as to provide service to the lots. Where utilities are served from the frontage, rear line and front line easements may be reduced to 5' provided such reduction is consistent with utility plans, and special easements outboard of the utility easement are provided for transformer pads or other utility vaults necessary to be

clear of the utility trench.

- f) Special off-street dedicated easements shall be provided as necessary for water, sewer and storm drainage. Dedicated drainage easements shall be provided 5' each side of natural drainage swales or ditches.
- g) Subdivider shall provide to the City a written agreement with the Tuolumne Utilities District (TUD) that will specify conditions for water and sewer service, based upon correspondence received by the City dated April 7, 2007 and February 1, 2008, including the construction and transfer of public pipeline facilities to abut each of the 49 46 residential lots; payment of administration, engineering and inspection fees; and payment of connection fees, including water supply, treatment and storage capacity charges.
- h) Subdivider shall provide to the City written documentation with respect to meeting compliance with TUD's wastewater outfall system requirements to dispose of recycled water to accommodate the project's wastewater flows. Payment of a capacity charge to mitigate impacts to the TUD wastewater outfall storage capacity may also be required.
- i) ~~Where it is apparent that fire flow requirements at hydrants cannot be met, alternate means of fire protection shall be as required by the City Fire Chief, including automatic fire sprinkler systems to each residential structure.~~ Easements shall be dedicated to and around fire hydrants where located off of street right of ways. Fire hydrants including such easements *shall comply with TUD's standards and shall be dedicated to the City TUD on the final map.*
- j) *All fire hydrant locations shall be preapproved by the Sonora Fire Chief. Fire hydrants shall be spaced no more than 750 feet from each other, beginning with the first hydrant placed in Phase One. Fire hydrants must be installed and in working order prior to the first lumber drop/start of building construction. No construction will commence within Phase One until at least one fire hydrant is installed on Cuesta Heights Road between the first and second lots.*
- k) *No construction shall commence in Phase Two or Three until fire hydrants and water distribution systems are installed in accordance with the California Fire Code 2019, or more recent adopted Code, for each phase. All systems must meet City of Sonora Fire Department and TUD standards.*
- l) *A hydrant lateral shall be installed directly from the newly constructed water tank to a hydrant located on the street south of the tank lot in Phase Three and shall be installed in accordance with TUD standards.*
- m) *All construction and vegetation maintenance shall comply with 2019 California Fire Code, Chapter 49, or more recent adopted Code, requirements for Wildland-Urban Interface Fire Areas and Sonora Municipal Code Ordinance 835 Defensible Space.*

- n) *All structures/construction shall be equipped with automatic sprinkler systems installed and maintained in accordance with NFPA 13D, as required by the 2019 California Fire Code or more recent adopted Code.*
- o) *Fire flow must meet current requirements for one and two family dwellings and have a 2-hour duration.*
- p) *Any common driveways/dead end roads shall be installed using the 2019 California Fire Code, or more recent adopted Code, Chapter 5, Section 503.2.5 providing a fire department turn around if over 150 feet. (120' hammerhead turnover will be required)*
- q) *All roads shall be constructed to provide a 20 ft. width, exclusive of shoulders, and an unobstructed vertical clearance of not less than 13 feet 6 inches and shall support all weather hard surface suitable for use by fire apparatus.*
- r) *All utility lines, services, storm drain improvements, sidewalk, roadway and widening improvements in the phased area should be consistent with the overall improvements plans, to avoid redoing the improvements and disturbance of developed lots.*

5. General Requirements

- a) Street name signs, and traffic signing and markings on interior roads and cross streets as required by the Department of Public Works. Final street names to be as approved by the Planning Commission and City Council.
- b) Traffic Mitigation fees/and other building permit related fees shall be paid in accordance with the fee resolution in effect at the time of collection.
- c) A prohibition of wood burning stoves shall be written into the project's CC&Rs or other sales documents for the project.
- d) If a Final Map is to be filed prior to completion of improvements, a Subdivision Agreement, and Subdivision Bonding of public improvements, will be required in accordance with Section 16.04.120 of the Sonora Municipal Code. *If a final map is to be filed prior to completion of improvements for that phase then a Subdivision Agreement, and subdivision bonding of public improvements will be required.*
- e) During the construction of subdivision improvements, approval for the removal of hazardous or diseased trees which are outside of building envelopes as defined by the predevelopment plans for each lot shall first be obtained from the Community Development Director or his/her designee.

- f) All construction equipment used on site is to be properly maintained to reduce exhaust emissions.
- g) To balance on- and off-street parking demands created by the width of the subdivision streets, and to compensate for the parking lost on one side of the streets, 3 off-street parking spaces will be required. Provision of the 3 off-street spaces to be shown on the predevelopment plans for said lots. The requirement for the off-street spaces shall be noted on the final map.
- h) The Cuesta Heights Subdivision does not propose any affordable housing units to be included as part of the project. However, an in-lieu fee of \$4,000 per undeveloped residential parcel will be paid at the time of issuance by the applicant for a building permit, to be deposited into a separate City fund to benefit the City's housing programs. *If vacant lots will be sold, then a noticing must be in place to advise future owners of the Housing In-Lieu Fee of \$4,000 to be collected at building permit issuance.* Program examples include the City's Homebuyer Program, the Housing Rehabilitation Program, or other programs that benefit the target income group of low and moderate income households. A policy will be adopted by the City Council with respect to collection and use of these in-lieu fees.
- i) Pursuant to Section 16.04.090 of the City Subdivision Ordinance, payment of fees shall be provided in lieu of the dedication of land for park and recreation purposes. Calculation of the fees shall be based upon the provisions of subsection A.2. of that section, and shall be paid prior to approval of the Final Map *for each phase.*
- j) Prior to approval of the *Phase One* Final Map, written verification shall be received from Sonora Elementary School and Columbia Elementary School with respect to relocation of the tax area code boundary as it relates to this project.
- k) All on-site lighting outdoor fixtures shall be placed to prevent nuisances resulting from unnecessary light intensity, direct glare, or light trespass following the guidance of guidelines found at the International Dark Sky Association's website.
- l) Prior to recordation of the final subdivision map, the developer of Cuesta Heights will repair, construct, and/or reconstruct the fence line along the common boundary between AP# 035-070-~~35~~ 053 and 47 to insure that said fence line is cattle tight, minimum five wire and five feet to the top wire from the ground.
- m) The final map shall include the following statement: "All persons purchasing lots within the boundaries of this approved map should be prepared to accept the inconveniences associated with adjacent agricultural operations, such as noise, odors, flies, dust or fumes. The City of Sonora has determined that such inconveniences shall not be considered to be a nuisance if agricultural operations

are consistent with accepted customs and standards."

- n) The predevelopment plans and building permit site plans for Lots ~~10, 11 and 12~~ 27, 28 and 29 are to provide a maximum effort for provision of the rear yard area behind the location of the proposed house site, and to emphasize tree planting and/or other screening in those same rear yard areas as a buffer to adjacent parcels and views from Cuesta Oaks.

Note: All words in italics were added and strikethrough words were deleted under the February 16, 2021 revision.

FINDINGS- MARCH 3, 2008

1. The project is consistent with the provisions of the City of Sonora General Plan which is recommended to designate the project site for single family residential development. The project includes provisions for affordable housing through the collection of in-lieu fees available to target income groups through the City's housing program; provides for identified traffic improvements, including the payment of regional traffic impact mitigation fees; payment of fees to support recreational activities; provides pedestrian facilities; provides for the revegetation of native tree species; provides a safe environment from concerns of fire; and addresses concerns of construction noise, all in conformance to the City General Plan.
2. The project is consistent with the intent of Section 17.16.010 of the Sonora Municipal Code, which identifies the purposes of the compatible R-1, Single Family Residential zoning of the site, particularly by providing for the development of single family residences in areas feasibly served by utilities, streets, schools, recreation areas, and other necessary facilities; and creating conditions conducive to a desirable residential environment; all supported by facts presented in the staff report and supporting documents.
3. The project is consistent with the provisions of the city's hillside development requirement by providing a density that is less than that allowed by regulation, and implementing design principles in accordance with the City's hillside ordinance and guidelines, as explained in the staff report and supporting documents.
4. Environmental review has been completed in compliance with State CEQA and City EIR Guidelines.