

**RESOLUTION NO. 2004-236**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING A TENTATIVE SUBDIVISION MAP AND DESIGN REVIEW, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, FOR ELK MEADOWS PROJECT NO. EG-03-457, SUBJECT TO THE FINDINGS AND CONDITIONS OF APPROVAL/MMRP**

**WHEREAS**, Elk Meadows, represented by Mike Evans (hereinafter referred to as Applicant) filed an application with the City of Elk Grove (hereinafter referred to as City) for a Rezone, Tentative Subdivision Map and Design Review. (Assessor's Parcel Number 115-0170-036); and

**WHEREAS**, the City Council is the appropriate authority to hear and take action on this project after a recommendation by the Planning Commission; and

**WHEREAS**, the City determined that the Elk Meadows Project, EG-03-457, was subject to the California Environmental Quality Act and prepared an Initial Study evaluating the potential environmental effects of the project; and

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

**WHEREAS**, revisions have been made to the project and the City has agreed to implement proposed mitigation measures that avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and

**WHEREAS**, a Mitigation Monitoring and Reporting Program has been prepared in accordance with City of Elk Grove regulations and is designed to ensure compliance during project implementation; and

**WHEREAS**, all project changes required to avoid significant effects on the environment have been incorporated into the project and/or are identified in the Mitigation Monitoring Plan; and

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

**WHEREAS**, the City distributed the Notice of Intent to Adopt the Mitigated Negative Declaration on May 5, 2004 and was posted at the Sacramento County Clerk's Office, distributed through the State Clearinghouse and at the City offices, pursuant to CEQA Guidelines 15072. A 30 day review and comment period was opened on May 5, 2004 and closed June 7, 2004. The Mitigated Negative Declaration was made available to the public during this review period; and

**WHEREAS**, based on the comments received during the public review period, the Mitigated Negative declaration was revised and recirculated for public review from June 25, 2004 to July 25, 2004; and

**WHEREAS**, conditions of approval have been imposed on the project; and

**WHEREAS**, the City of Elk Grove, Development Services Planning Department, located 8400 Laguna Palms Way, Elk Grove, California 95758 is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the Mitigated Negative Declaration is based; and

**WHEREAS**, the Planning Commission considered the Applicant's request at a public hearing on July 8, 2004 and recommended City Council approval of the project;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ELK GROVE HEREBY RESOLVES AS FOLLOWS:**

1. Approve the Elk Meadows Tentative Subdivision Map and Design Review, and adopt the Mitigated Mitigation Monitoring and Reporting Program (MMRP), based on the following findings and the attached subdivision map and conditions of approval/MMRP included as Exhibit A and B.

#### CEQA

Finding: On the basis of the whole record, there is no substantial evidence that the project as designed, conditioned and mitigated, will have a significant effect on the environment. A Mitigated Negative Declaration has been prepared and completed in accordance with the California Environmental Quality Act (CEQA). The mitigated negative declaration reflects the independent judgment and analysis of the City.

Evidence: An Initial Study and Mitigated Negative Declaration were prepared and circulated for public review. Based on the comments received during the public review period from the Department of Fish and Game, the Mitigated Negative Declaration was revised and recirculated for public review. No additional comments were received by the City within the recirculation period. Mitigation measures identified in the Initial Study and Mitigated Negative Declaration that would reduce potentially significant adverse impacts to a less than significant level have been incorporated as conditions of approval.

#### General Plan

Findings: The project is consistent with the goals and policies of the Elk Grove General Plan.

Evidence: The General Plan identifies the site for Low Density Residential uses. The project is consistent with the goals and policies of the General Plan for residential development within the City of Elk Grove.

## Rezone

**Finding:** The proposed rezone is in the public interest. (Section 65358(a) of the Government Code and the Plan Administration Element of the Elk Grove General Plan).

**Evidence:** The Planning Commission has reviewed the proposed rezone, staff report, and has received public testimony at a duly noticed public hearing regarding the matter. The applicant's proposal is consistent with the allowed density ranges and uses in the Elk Grove General Plan and General Plan Land Use Map.

## Tentative Subdivision Map

**Finding:** Section 66474 of the California Subdivision Map Act requires a City to deny approval of a tentative map if it makes any of the following findings:

- a. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- b. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- c. That the site is not physically suitable for the type of development.
- d. That the site is not physically suitable for the proposed density of development.
- e. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- f. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- g. That the design of the subdivision or type of improvements will conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision.

**Evidence:** The above Findings #a. through #g. do not apply to the proposed Tentative Subdivision Map.

- a. The proposed map is consistent with the Elk Grove General Plan and Zoning Code.
- b. The design of the improvements of the proposed subdivision is consistent with the General Plan and design standards of the municipal code.
- c. The site is physically suitable for extension of residential development and is consistent with the specific plan.
- d. The site is appropriate for the specified density of development.
- e. The Mitigated Negative Declaration prepared for the Elk Meadows project determined that potential environmental impacts from the design of the subdivision or the proposed improvements will be mitigated to less than significant levels with implementation of the proposed Mitigation Measures and Conditions of Approval.

- f. The Mitigated Negative Declaration prepared for the Elk Meadows project determined that no potential serious health problems were identified from the project.
- g. No conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision, have been identified.

**Design Review**

**Finding:** The proposed project is consistent with the objectives of the General Plan, complies with applicable zoning regulations, and Citywide Design Guidelines adopted by the City.

**Evidence:** The General Plan Land Use Map identifies the property as Low Density Residential. The project as proposed is consistent with the land use densities, policies and design within the Elk Grove General Plan.

**Finding:** The residential subdivision is well integrated with the City's street network, creates unique neighborhood environments and establishes a pedestrian friendly environment.

**Evidence:** The project has been conditioned to provide pedestrian access from the residential subdivision to the proposed commercial development south of the project site.

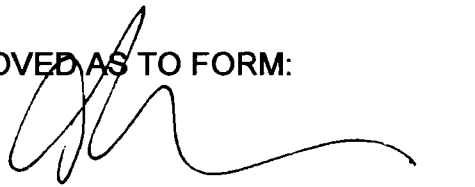
PASSED AND ADOPTED by the City Council of the City of Elk Grove on the 15<sup>th</sup> day of September 2004.

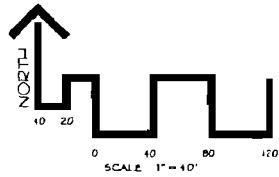
  
SOPHIA SCHERMAN, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

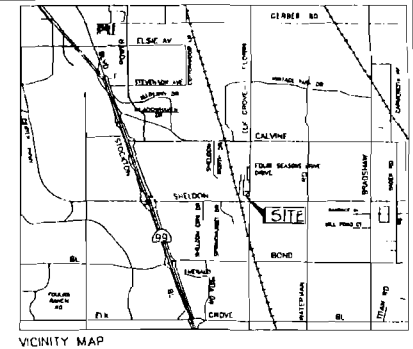
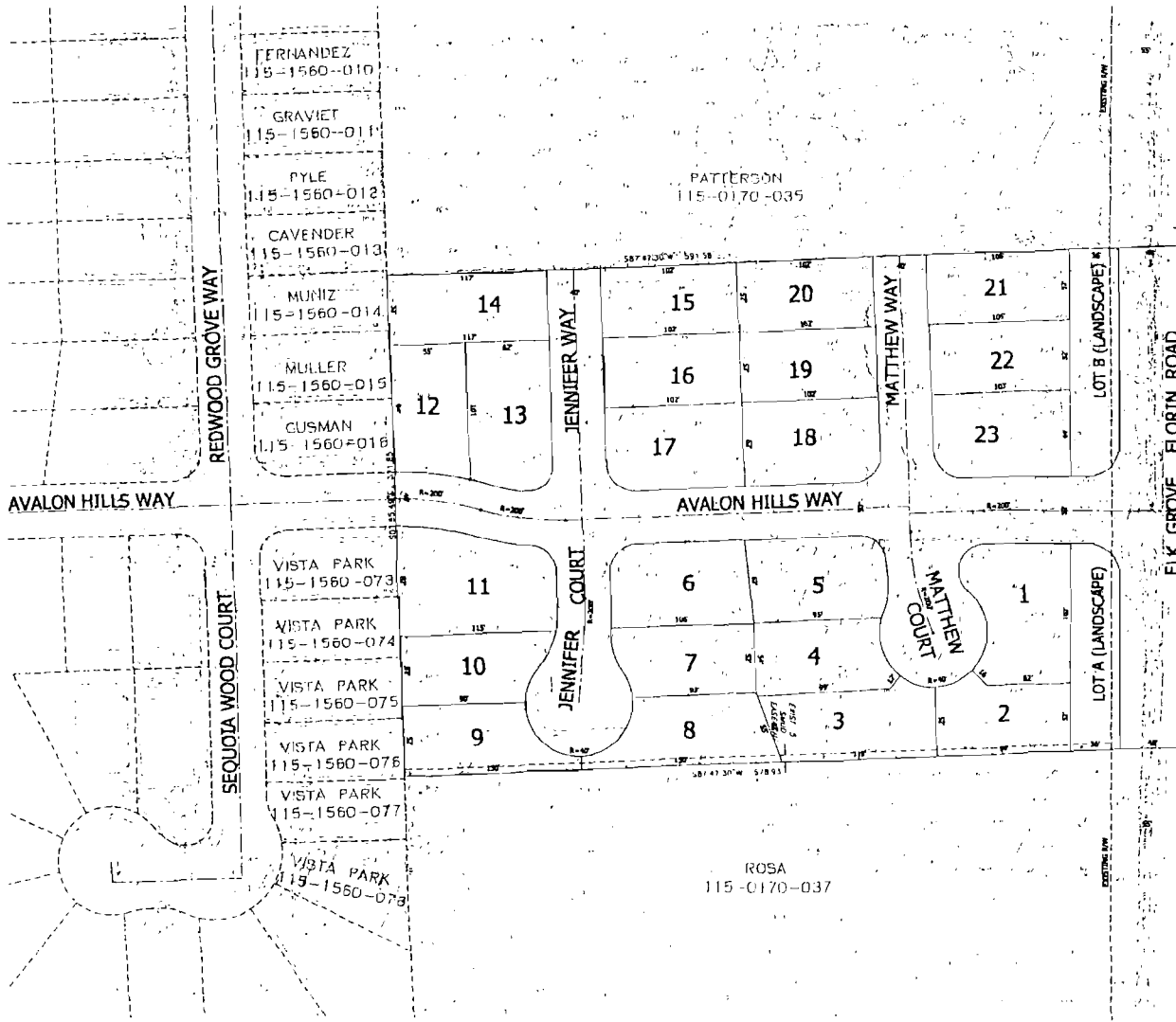
  
ANTHONY B. MANZANETTI,  
CITY ATTORNEY



# TENTATIVE SUBDIVISION MAP ELK MEADOWS

ALL OF PARCEL 'C' AS SHOWN ON 34 PM 38  
CITY OF ELK GROVE, SACRAMENTO COUNTY, CALIFORNIA  
JUNE, 2003 SCALE: 1"=40'

BAKER-WILLIAMS ENGINEERING GROUP



VICINITY MAP

- OWNER  
MARK SCHOPFMAN  
C/O MIKE EVANS  
P.O. BOX 5059  
EL DORADO HILLS, CALIFORNIA 95622  
PH (916) 938-1854
- DEVELOPER  
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- ENGINEER  
BAKER-WILLIAMS ENGINEERING GROUP  
6020 HULLAND DRIVE, SUITE 119  
CARMICHAEL, CALIFORNIA 95628  
PH (916) 331-4338  
FAX (916) 331-4430
- ASSESSOR'S PARCEL NUMBER  
115-0170-036
- ACREAGE  
5.01 ACRES GROSS
- EXISTING USE  
1 SINGLE FAMILY RESIDENCE
- PROPOSED USE  
23 SINGLE FAMILY RESIDENCES
- EXISTING ZONING  
AR-5
- PROPOSED ZONING  
RD-5
- LOT SIZE  
AS SHOWN
- PROPOSED IMPROVEMENTS  
CITY OF ELK GROVE STANDARDS
- SEWER  
COUNTY OF SACRAMENTO
- WATER SUPPLY  
ELK GROVE WATER WORKS/TEND BID
- DRAINAGE  
COUNTY OF SACRAMENTO
- FIRE PROTECTION  
ELK GROVE COMMUNITY SERVICES DISTRICT
- TELEPHONE SERVICE  
FRONTIER COMMUNICATIONS
- ELECTRICAL SERVICE  
S.W.U.D.
- GAS SUPPLY  
PG & E
- SCHOOL DISTRICT  
ELK GROVE UNITED SCHOOL DISTRICT
- PARK DISTRICT  
ELK GROVE PARK DISTRICT

REVISED JULY 2, 2004

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JOB # 03-04-39 TENT-SUB.dwg

EXHIBIT A

03-04-39 TENT-SUB.dwg

**EXHIBIT B**

**Conditions of Approval/Mitigation Monitoring and Reporting Program**

<u>Conditions of Approval / Mitigation Measures</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<b>On-Going</b>				
1.	The development approved by this action is for a Rezone from AR-5 to RD-5 and Tentative Subdivision Map to create 23 lots on approximately 5 acres as illustrated in the project plans dated July 6, 2004. Deviations from the approved plans shall be reviewed by the City for substantial compliance and may require amendment by the appropriate hearing body.	On-Going	Development Services - Planning	
2.	This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.	On-Going	Development Services - Planning	
3.	The Tentative Subdivision Map approval is valid for three years from the date of City Council approval, unless an extension of time is subsequently approved.	Three years, commencing with the date of City Council approval.	Development Services - Planning	
4.	The Applicant shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.	On-Going	Development Services - Planning	
5.	Street (trench) cuts into existing streets require a separate encroachment permit and the payment of street cut fees. Where multiple street cuts into the same street occur, a single, final surface (pavement) trench repair over all the trench cuts is required. Pavement grinding is required for the full length and width of the trenches.	On-Going	Public Works	

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6.	If there are any discrepancies between the approved tentative map and the conditions of approval, the conditions of approval shall supersede the approved tentative map.	On-Going	Public Works	
7.	The Applicant shall pay all appropriate development fees charged by the City and other Special Districts providing services to the site.	On-Going	Public Works	
8.	Streets shall be closed to the public until Department of Public Works, Division of Traffic Engineering and the project engineer determine the appropriate traffic control devices to be installed and the devices are installed to the satisfaction of Public Works. Road closure devices shall be in place immediately and maintained in-place at all times upon completion of paving. Road closure may also require alternative accesses to both building and improvements construction traffic. The type of road closure devices shall be determined and approved by Public Works.	On-Going	Public Works	
9.	The Applicant shall pay all appropriate development fees charged by the City and other Special Districts providing services to the site.	On-Going	Public Works	
10.	The project shall comply with the City's of Elk Grove's Land Grading and Erosion Control Ordinances.	On-Going	Public Works	
11.	The project shall pay all applicable City of Elk Grove administered development impact fees prior to building permit issuance.	On-Going	Finance	
<b>Prior to Grading/Improvement Plans</b>				
12.	The Applicant shall comply with, record, and pay fees for the Mitigation Monitoring and Reporting Program (MMRP) associated with (5 acres). Until the MMRP has been recorded and the estimated MMRP fee of \$500 has been paid, no final parcel map for the subject property shall be approved and no grading, building,	Prior to Issuance of Grading Permit	Development Services - Planning	

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	sewer connection, water connection, or occupancy permit from the City or County will be approved.			
13.	<p>Prior to approval or recordation of final maps; issuance of building and/or grading permits; approval of improvement plans, including offsite improvements, the project Applicant shall provide Development Services-Planning written verification that one of following mitigation measures has been implemented:</p> <ul style="list-style-type: none"> <li>• Preserve 1.0 acre of similar habitat for each acre lost within a ten-mile radius of the project site. This land shall be protected through a fee title or conservation easement acceptable to the CDFG and the City of Elk Grove</li> <li>• Implement a Swainson's hawk mitigation plan to the satisfaction of the CDFG that includes the preservation of Swainson's hawk foraging habitat</li> <li>• Submit payment of Swainson's hawk impact mitigation fee per acre of habitat impacted (payment shall be at a 1:1 ratio) to the City of Elk Grove in the amount set forth in Chapter 16.130 of the City of Elk Grove Code as such may be amended from time to time and to the extent that said chapter remains in effect</li> </ul> <p><b>(MITIGATION MEASURE)</b></p>	Prior to Grading or other site Improvements	Development Services - Planning	
14.	The project Applicant shall place the following requirements in all construction contracts and shall require the use of Best Available Control Technologies (BACT), including but not limited to the requirements listed below. Proof of these contractor requirements shall be provided to the City prior to the issuance of	Note on Improvement Plans	Development Services - Planning	



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<p>grading permits.</p> <ul style="list-style-type: none"> <li>• The project applicant and/or prime contractor shall comply with SMAQMD Rule 403 that requires taking reasonable precautions to prevent the emissions of fugitive dust, such as "using water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the construction of roadways, or the clearing of land" where possible and applying "asphalt, oil, water, or suitable chemicals on dirt roads, materials, stockpiles, and other surfaces which can give rise to airborne dust."</li> <li>• Clean earth-moving construction equipment with water once per day.</li> <li>• Reduce traffic speeds on all unpaved surfaces to 15 miles per hour or less.</li> <li>• Use low-emission on-site stationary equipment whenever possible.</li> <li>• Encourage construction employees to carpool to the work site.</li> <li>• Minimize idling time to 10 minutes.</li> <li>• Maintain construction equipment through regular and proper maintenance.</li> <li>• All material transported offsite shall be either sufficiently watered or securely covered to prevent public nuisance.</li> <li>• During initial grading, earthmoving, or site preparation a 100-foot paved (or palliative-treated) apron shall be constructed, extending onto the construction site from the adjacent paved road(s) where vehicles and equipment egress.</li> </ul>			
<p>15. The southern tip of Jennifer Court will include a 10' wide pedestrian easement to the Sheldon Crossing</p>	<p>Prior to approval of Improvement Plans</p>	<p>Development Services - Planning and</p>	

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	project to the south. This pedestrian walkway shall be shown on Improvements Plans and constructed with improvements. Exact location will be coordinated with the project to the south.	and constructed prior to Final Inspection. Easement/dedication shown on Final Map	Public Works	
16.	Native & Landmark trees shall be protected and preserved according to standard City tree preservation measures.	During construction	EGCSD – Parks and Recreation	
17.	Native & landmark trees to be removed shall be compensated on an inch per inch basis consistent with City mitigation measures.	Prior to approval of Improvement Plans	EGCSD – Parks and Recreation	
18.	Prior to conveyance of land provide an arborist report assessing species, size, health and location of trees contained on subject properties and comply with findings of report to the satisfaction of the EGCSD. All costs incurred in complying with the arborist recommendations will be the responsibility of project Applicant.	Prior to approval of Improvement Plans	EGCSD – Parks and Recreation	
19.	Connection to the public sewer system shall be required to the satisfaction of CSD-1.	During construction	CSD-1	
20.	Avalon Hills Way shall be a right in/right out at Elk Grove-Florin Road. Additional improvements to Elk Grove-Florin Road to meet this condition shall be the sole responsibility of the project and shall be designed and bonded with the project improvements.	Shown on Improvement Plans prior to approval and constructed prior to Final Inspection	Public Works	
21	Two sets of speed cushions shall be placed on Avalon Hills Way. The location of the speed cushions will be determined at Improvement Plan approval.	Shown on Improvement Plans prior to approval and constructed prior to Final Inspection	Public Works	
22.	The Applicant shall provide an acceleration lane on Elk Grove-Florin Road adjacent to lots 1 and 2.	Improvement Plans	Public Works	
23.	The Applicant shall construct drainage improvements as approved by the City of Elk Grove. Drainage	Shown on Final Map and Improvement	Public Works	

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	easements, pursuant to the Sacramento County Floodplain Management Ordinance, shall be dedicated and provided on the Final Subdivision Map, or dedicated by grant deed prior to the issuance of building permits. Drainage facilities shall be installed prior to the issuance of building permits pursuant to the City of Elk Grove Floodplain Management Ordinance, Sacramento County Water Agency Code, and Elk Grove Improvement Standards, including any fee required by the Sacramento County Water Agency Code.	Plans, and constructed prior to Final Inspection		
24.	The Applicant shall provide calculation for the 100-year flood run-off and the overland conveyance path and based on the SACPRE method in accordance with the 1996 Hydrology Standards Volume 2 or show that this parcel is part of a Drainage Master Plan area and provide the drainage calculation.	Prior to approval of Improvement Plans	Public Works	
25.	All finished floor elevations shall be a minimum of 1 foot above the 100-yr water surface elevation in the area, calculated with a method acceptable to the City of Elk Grove, Public Works, Drainage. The Applicant shall provide Hydraulic calculations describing the manner by which the 100-year water surface elevation was calculated.	Elevations show on Improvement Plans and Grading Plans, and certified prior to Final Inspection	Public Works	
26.	The Applicant shall file a Notice of Intent and prepare a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the requirements of the State Water Resources Control Board, to the satisfaction of Public Works.	Prior to approval of Improvement/Grading Plans	Public Works/ Drainage	
27.	Separate public water service shall be provided to each parcel and dedicate maintenance easements in all public and private streets over all water lines to the satisfaction of Sacramento County Water Agency	Shown on Improvement Plans and Final Map prior to recordation	Department of Water Resources	

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	prior to Final Map approval.			
28.	All abandoned wells on the proposed project site shall be destroyed in accordance with the requirements of the Sacramento County Environmental Health Division. Clearly show all abandoned/destroyed wells on the improvement plans for the project. Prior to abandoning any existing agricultural wells, Applicant shall use water from agricultural wells for grading and construction.	Shown on Improvement Plans, destroyed prior to Final Inspection	Department of Water Resources	
29.	All improvements shall be designed in accordance with the City of Elk Grove Improvement Standards, as further conditioned herein, and to the satisfaction of Public Works.	Prior to approval of Improvement Plans	Public Works	
<b>Prior to Final Map</b>				
30.	The Applicant shall pay all Improvement connection fees for CSD-1 prior to filing and recording the Final Map.	Prior to recordation of Final Map	CSD-1	
31.	All real property within the boundaries of the proposed project is within a benefit zone of the District Wide Landscape & Lighting Assessment District. Prior to rezoning the property, recording any final maps, approving improvement plans, or issuing any building permits; the owners of all real property within the boundaries of a project shall execute and deliver to the Elk Grove Community Services District a written petition in an acceptable form approved by the District consenting to : (i) the formation of the existing District wide Assessment District and the methodology adopted to allocate the cost to the various land uses; (ii) when necessary the annexation to the appropriate zone of benefit created to fund urban services; (iii) the budget, formulas, and cost of living indexes use to	Prior to recordation of Final Map	EGCSD – Parks and Recreation	

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**Conditions of Approval/Mitigation Monitoring and Reporting Program**

	<u>Conditions of Approval / Mitigation Measures</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	establish the amount of the annual assessments; and (iv) the levying of the annual assessment to fund the maintenance, operation, and in some instances, the exiting capital costs or parks, parkways, corridors, medians, open space, trail systems, lakes, creeks, and other recreational and aesthetic amenities.			
32.	A 12.5-foot public utility easement shall be dedicated for underground facilities and appurtenances adjacent to all public street right of ways.	Prior to recordation of Final Map	SMUD/Public Works	
33.	The Applicant shall dedicate, design and improve Elk Grove-Florin Road, west half section of 54' from the approved centerline. Frontage improvements will be based on 108' equivalent arterial in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works. Improvements include needed transitions leading into and out of project improvements.	Shown on Improvement Plans and prior to recordation of Final Map	Public Works	
34.	All internal streets shall be dedicated, designed and improved as shown in the tentative subdivision map, in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works. All street improvements, when secured by bonds at final map, shall be constructed prior to the 1 <sup>st</sup> building permit. Improvements include needed transitions leading into and out of project improvements.	Shown on Improvement Plans and prior to recordation of Final Map	Public Works	
35.	All improvements and easements shall be dedicated in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Shown on Improvement Plans and prior to recordation of Final Map	Public Works	
36.	The Applicant shall dedicate the right of vehicular ingress and/or egress to the City of Elk Grove along Avalon Hills Way except lot 12 and 13 on the tentative	Shown on Improvement Plans and prior to	Public Works	

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**Conditions of Approval/Mitigation Monitoring and Reporting Program**

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	map.	recordation of Final Map		
37.	Improvement plan shall be approved by Public Works prior to City Council approval of Final Map.	Prior to approval of Final Map	Public Works	
38.	The project shall be mapped and improved in a single phase.	Prior to approval of Final Map	Public Works	
39.	The Applicant shall provide park land dedication and/or fees according to standards set forth in Chapter 22.40, Title 22 of the City of Elk Grove Code	Prior to approval of Final Map	EGCSD - Parks and Recreation	
40.	The Applicant shall pay Park and Recreation Review Fees as required by the EGCSD.	Prior to approval of Final Map	EGCSD - Parks and Recreation	
41.	Street names shall be changed to "Jennifer Place" and "Matthew Place" to indicate that these courts interface with a street with the same name.	Prior to approval of Final Map	Police Department	
42.	Prior to the final map, the project area shall annex into a Mello-Roos Community Facilities District (CFD) to fund a portion of the additional costs for police service related to serving the new development. The application fee for the annexation is due prior to the Resolution of Intention to Annex the Property and Levy the Special Tax.	Prior to recordation of Final Map	Finance	
43.	Prior to the final map, the project area shall annex into Street Maintenance Assessment District No. 1 to fund a portion of the additional costs for long-term roadway maintenance related to serving the new development. The application fee for the annexation is due prior to the Resolution of Intention to Levy Street Maintenance Assessments.	Prior to recordation of Final Map	Finance	
<b>Prior to Building Permits</b>				
44.	The Final Map shall be completed, approved and recorded prior to issuance of 1 <sup>st</sup> Building Permit.	Prior to issuance of 1 <sup>st</sup> Building Permit	Public Works	
45.	The Applicant shall install and/or replace street name	Building Permit	Public Works	

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<u>Conditions of Approval / Mitigation Measures</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
signs in accordance with the City of Elk Grove Standard Details at all street intersections, public or private, within one block of the proposed project			
46. All improvements shall be installed in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Prior to 1 <sup>st</sup> Building Permit	Public Works	
47. Water supply will be provided by the Sacramento County Water Agency.	Prior to 1 <sup>st</sup> Building Permit	Department of Water Resources	
48. The Applicant shall install stop signs at the following locations: 1. On Jennifer Way at Avalon Hills Way 2. On Mathew Court at Avalon Hills Way 3. On Avalon Hills Way at Elk Grove-Florin Road	Prior to 1 <sup>st</sup> Building Permit	Public Works	
<b>Prior to Final Inspection</b>			
49. The Applicant's Engineer shall submit Flood Elevation Certification for each structure.	Prior to Final Inspection	Public Works	
50. The Applicant shall be responsible for replacing any improvements, public or private, damaged in construction with in-kind or with new improvement.	Prior to Final Inspection	Public Works	
51. Air conditioning units shall be included for all residences in this development to allow the occupants to close doors and windows as desired to achieve additional acoustical isolation. <b>(MITIGATION MEASURE)</b>	Prior to Final Inspection	Development Services - Planning	
52. Sound walls shall be constructed to a height of 8 feet relative to backyard elevation along Elk Grove-Florin Road for lots 1-2 and 21-23. The sound wall shall wrap around lots 21, 23, 1, and 2 (60% of lot depth) as shown in Figure 1 (attached) of the Environmental Noise Assessment, prepared for Elk Meadows on December 11, 2003 as well as the July 8, 2004 Planning Commission Staff Report. Suitable materials for these barriers include masonry block or precast concrete panels. <b>(MITIGATION MEASURE)</b>	Prior to Final Inspection	Development Services - Planning	

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53.	All landscape corridor walls shall be of masonry construction. Wall design and materials shall be subject to CSD approval. Graffiti resistant materials shall be used.	Prior to Final Inspection	EGCSD – Parks and Recreation	
54.	When improvements are complete, a grant deed shall be conveyed to the Elk Grove Community Services District for ongoing maintenance, operation, repair, and replacement. Applicant shall be responsible to pay the direct cost associated with the performance of this work until such time as the District incorporates the cost of doing this work into the assessment district budget and the resulting assessments are confirmed by compliance with the balloting procedures dedicated by Proposition 218. The obligation of the applicant may be met by entering into a subsidy agreement with the District.	Prior to Final Inspection	EGCSD – Parks and Recreation	
55.	The Applicant shall construct and install landscape Corridors in accordance with plans and specifications approved by the Elk Grove Community Services District and shall be consistent with the Elk Grove Community Services District "General Guidelines for Landscape Corridor Design" and other projects in close vicinity to the area. Corridors will be inspected by the District employees and include meandering or bifurcated sidewalks, subject to EGCSD approval. Corridor widths shall be 36 feet on 6 lane roads.	Prior to Final Inspection	EGCSD – Parks and Recreation	
56.	Land dedicated to EGCSD for corridors, parks, or trails will be free & clear of any past or future taxes or assessments; any liens or encumbrances, and any easements not disclosed on the tentative map. Any structures, wall, fences, wells or storage tanks must be removed per Elk Grove specifications and in accordance with all applicable laws and regulations	Prior to Final Inspection	EGCSD – Parks and Recreation	



**EXHIBIT B****Conditions of Approval/Mitigation Monitoring and Reporting Program**

<b><u>Conditions of Approval / Mitigation Measures</u></b>	<b><u>Timing/ Implementation</u></b>	<b><u>Enforcement/ Monitoring</u></b>	<b><u>Verification (date and Signature)</u></b>
prior to the acceptance by District of any grant deed or easement.			

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**General Compliance Items for Building Permit**

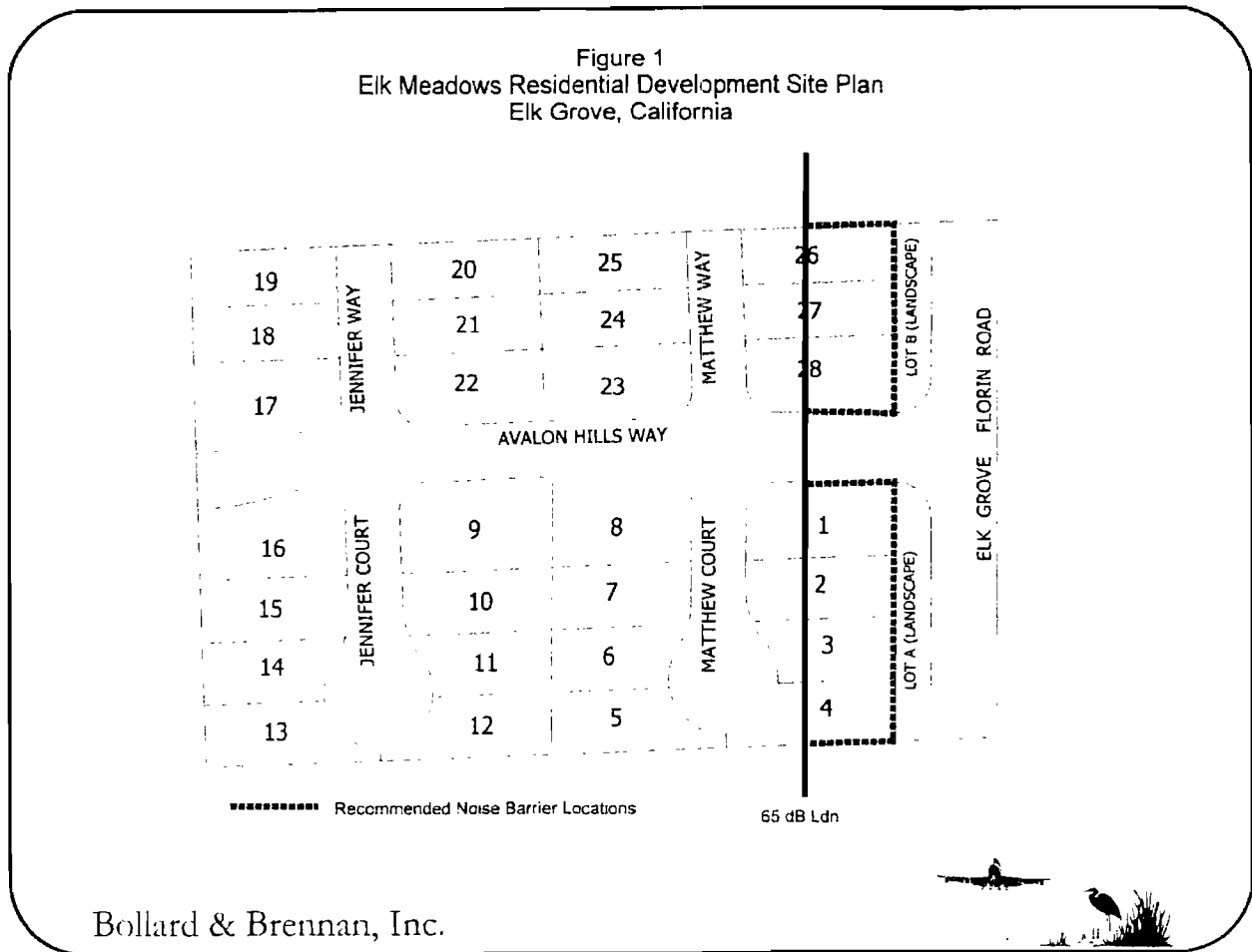
1. Prior to issuance of building permits, the project developer/owner shall pay Zone 40 development fees applicable at the time of building permit issuance in accordance with Sacramento County Water Agency Ordinance No. 18. (Water Supply)
2. Prior to issuance of building permits, the project shall conform to the specific provisions of the City's Landscape Water Conservation Ordinance (Chapter 14.10 of the City of Elk Grove Code) to the satisfaction of the City's plan checker or consultant. (Water Supply)
3. Secure approval of a civil engineered site improvement plan for all proposed on-site and off-site improvements.
4. Permits and/or fees are required for the following reviews: civil plans, architectural plans, fire sprinkler plans and fire alarm plans. Additional permits and fees may apply depending upon the scope of the project.
7. Dead-end streets in excess of 150 feet require emergency vehicle turn-a-rounds.
8. Any and all gates impeding fire lanes or roadways shall comply with Appendix VII of the 2002 Sacramento County Fire Code.
9. If homes exceeding 3,600 square feet (including garages and covered porches) will be built in this subdivision, additional fire flow analysis of the water system must be conducted. Single family dwellings 3,601 square feet to 4,800 square feet require 1,750 gpm and homes 4,801 square feet to 6,200 square feet require 2,000 gpm.
10. An approved automatic fire sprinkler system shall be installed within all new R-3 occupancies when the total floor area (area under roof including garages and attached solid roof canopies) exceeds 5,999 square feet and/or the total livable area (area not including garages and attached solid roof canopies) exceeds 4, 999 square feet.
11. As of February 1, 2003, all contractors for single-family homes and duplexes (R-3 Occupancies) shall provide an option for residential fire sprinklers. Prior to the prospective buyer signing a sales contract, the contractor or their agent shall obtain from the Fire Department an informational packet containing educational materials approved by the Fire Department, including a form explaining the option for residential sprinklers. The contractor or their agent shall provide the approved informational packet to any and all prospective buyers and require the execution of a signed receipt for the educational material from the prospective buyer. The contractor shall install residential fire sprinklers upon the request and execution of a purchase agreement by the homebuyer. Fire sprinkler systems for single-family homes and duplexes shall be designed and installed to not less than the minimum requirements contained in NFPA 13D, 1996 edition.
12. All civil engineering plans are required to be submitted in an electronic format. When plan is ready for final signature, it is required that the engineering firm will submit an electronic copy of the complete plan as it appears in the approved printed plans with addresses. All electronic formats will be submitted on Windows/DOS formatted diskettes, zip disks or on compact disk (CD). E-mailed copies will not be accepted at this time. Electronic formats can be submitted in either of the following data transfer formats listed below:

DFX (Drawing Interchange file) release 2002 or previous

DWG (Applies to AUOCAD drawing file) release 2002 or previous

13. Addresses for all lots shall be provided to the Fire Department within sixty (60) days of Fire Department signature of approval for development plans.
14. No more than 40 building permits shall be issued when a single point of access exists for a subdivision. Since there is no process in place for confirming the sequence in which the units are built, the above information should be considered and the Elk Grove CSD Fire Department should be consulted on this matter.
15. All commercial buildings, in excess of 3,599 square feet shall be equipped with an approved automatic fire sprinkler system.
16. Commercial developments in excess of 10,000 square feet require looped fire mains of a minimum of ten- (10) inch diameter to supply fire hydrants spaced at a maximum of 300-foot intervals. This on-site fire main shall be connected to the municipal water main at not less than two (2) points.
17. A permit release letter from the Elk Grove Community Services District Fire Department (EGCSDFD) shall be required prior to the Sacramento Building Department issuing any construction permits.
18. This development is required to provide fire flow from a public water system capable of delivering at a minimum 50 PSI static pressure and 3,000 GPM at 20 PSI residual pressure in commercial areas and 50 PSI static pressure and 1,000 GPM at 20 PSI residual pressure in residential, single-family home areas. Buildings of certain types of construction, size, and use may need additional fire flow or the application of mitigating efforts to meet fire flows above this minimum.
19. All required roadways, street signs, addresses, water mains, fire hydrants, and fire flows shall be provided prior to the existence of any combustible construction or storage. The slope of access roadways shall not exceed 10% for asphalt and 15% for concrete. The roadways shall be constructed to a 20-foot minimum width with a minimum of three (3) inches AC over six (6) inches AB with good drainage.
20. Traffic pre-emption devices of a typed approved by the Elk Grove Fire Department, shall be installed on all traffic signal devices erected or modified by this development. These devices shall be installed and functioning prior to any occupancy and at no cost to the Elk Grove Fire Department.
21. Required fire alarm systems (other than single family dwellings) shall be connected to a UL listed central station approved by the Sacramento Regional Fire/EMS Communications Center.
22. The installation of on-site or off-site fire protection equipment including fire hydrants and water mains shall meet the standards of the Elk Grove Fire Department and the water purveyor having jurisdiction.
23. The installation of roadway gates, addresses, landscaping, pipe bollards, fuel tanks, masonry sound walls, tree wells, and/or traffic calming devices are subject to standards outlined by the Elk Grove Fire Department.
24. The wetlands/riparian corridors of creeks create an unusual fire hazard and challenge to emergency responders. The following requirements apply:

- A. Provide non-combustible fences along all developed areas adjacent to wetlands, creeks, or open spaces.
- B. Provide access to all wetland corridors at the end of cul-de-sacs via rolled curbs and gates with pipe bollards. Bike lanes adjacent to creeks shall be a minimum of 10 feet wide with a turning radius of not less than 35 feet inside and 45 feet outside diameters.
- C. Any bridges over creeks or wetland areas shall be capable of supporting 65,000 GVW.
- D. Provide at least ten (10) feet of greenbelt or other defensible space between non-combustible fences and the creek/wetlands area.



*Figure 1 refers to the location of the sound walls only. Figure 1 does not reflect the approved design of the Tentative Subdivision Map.*

**CERTIFICATION**  
**ELK GROVE CITY COUNCIL RESOLUTION NO. 2004-236**

**STATE OF CALIFORNIA            )**  
**COUNTY OF SACRAMENTO        )**     **ss**  
**CITY OF ELK GROVE             )**

**I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on the 15<sup>th</sup> day of September 2004 by the following vote:**

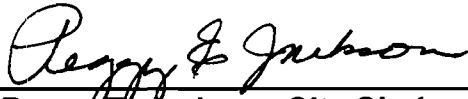
**AYES 5:     COUNCILMEMBERS: Scherman, Soares, Briggs, Cooper, Leary**

**NOES 0:     COUNCILMEMBERS:**

**ABSTAIN 0: COUNCILMEMBERS:**

**ABSENT 0: COUNCILMEMBERS:**



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