

**RESOLUTION NO. 2006-22**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
APPROVING A CONDITIONAL USE PERMIT AND DESIGN REVIEW  
REYNOLDS AND BROWN  
PROJECT NO. #EG-04-652 – APNs: 134-0520-011 and 134-0520-023**

**WHEREAS**, Ed Gillum (hereinafter referred to as Applicant) filed an application with the City of Elk Grove (hereinafter referred to as City) for a Conditional Use Permit and Design Review; 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 proposed project is located on real property in the incorporated portions of the City of Elk Grove more particularly described by Assessor Parcel Numbers 134-0520-011 and 134-0520-023; and

**WHEREAS**, the proposed project is consistent with the General Plan Land Use Policy Map and Zoning Code requirements; and

**WHEREAS**, the City determined that the Reynolds and Brown Project 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

**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**, 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 October 28, 2005 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 October 28, 2005 and closed November 28, 2005. The Mitigated Negative Declaration was made available to the public during this review period; and

**WHEREAS**, the City received written comment letters within the 30 day public review period and responded to those comments in the project staff report; and

**WHEREAS**, the City has considered the comments received during the public review period, and they do not alter the conclusions in the Initial Study and Mitigated Negative Declaration; 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 January 5, 2006 and recommended City Council approval of the project

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

## **CEQA**

Finding: The proposal will not have a significant adverse impact on the environment and a Mitigated Negative Declaration has been prepared and completed in accordance with the California Environmental Quality Act (CEQA).

Evidence: An Initial Environmental Study was prepared for the proposed project and mitigation measures have been developed that will reduce potential environmental impacts to less than significant levels. On the basis of the Mitigated Negative Declaration, comments received, and the whole record, there is no substantial evidence that the project will have a significant adverse impact on the environment.

## **General Plan**

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

Evidence: The General Plan identifies the site for Heavy Industrial use. The General Plan is implemented through the Municipal Code and Zoning Code, which allows an automobile service station with a Conditional Use Permit. Therefore, the project is consistent with the goals and policies of the General Plan for Heavy Industrial development within the City of Elk Grove.

## **Conditional Use Permit**

Finding: The establishment, maintenance or operation of the use, building, or structure applied for will not under the circumstances of the particular case be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County. (§110-30 of the City of Elk Grove Zoning Code)

Evidence: The proposed project will be consistent with the City's General Plan and Zoning Code. Furthermore, staff has identified no effects from the proposal that would result in a significant detrimental

impact on adjoining or neighboring properties if the conditions, as recommended by staff, are adopted.

**Finding:** The subject site, relative to other potential sites, is more or most likely to reduce the danger from fire and explosion, and to provide for the free flow of traffic to reduce the danger of traffic accidents arising from ingress to and egress from automobile service station sites. (§340-22 of the City of Elk Grove Zoning Code)

**Evidence:** The subject site is located in an area designated for industrial development and is not adjacent to any residential uses.

**Finding:** There are no vacant or unoccupied automobile service stations within a one-half (1/2) mile radius of the proposed automobile service station site. (§340-26 of the City of Elk Grove Zoning Code)

**Evidence:** The project represents the relocation of an existing service station, currently located at the intersection of Grant Line Road and East Stockton Boulevard, approximately 600 feet to the northeast. Staff surveyed the subject site and confirmed that there are no other vacant or unoccupied automobile service stations within a one-half mile radius of the site.

**Finding:** The proposed automobile service station and its site are consistent with the purposes and requirements of Chapter 40, Title III of the City of Elk Grove Zoning Code, of the General Plan, of any element thereof, of any community plan, or of any other pertinent ordinance, plan or program adopted by the City Council. (§340-12 of the City of Elk Grove Zoning Code)

**Evidence:** The proposed project is consistent with the City's General Plan, Zoning Code, and all other pertinent ordinances, plans, or programs adopted by the City Council.

Finding: The proposed project complies with the development requirements for convenience stores recommended by the Sacramento County Sheriff's Department, as listed in §315-15 of the City of Elk Grove Zoning Code.

Evidence: All of the requirements of §315-15 can be met because they are included as project conditions of approval.

### **Design Review (Non-Residential)**

Finding: The proposed project is consistent with the Citywide Design Guidelines.

Evidence: The site plan, building elevations, and landscape plan have been reviewed against the Citywide Design Guidelines for non-residential land uses, and it is concluded that the project's architecture and site planning meet all applicable design requirements. The project is subject to conditions of approval that will ensure consistency with all standard requirements.


Finding: The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community.

Evidence: The proposed site plan, building elevations, and landscape plans provide all design elements required by the Citywide Design Guidelines, including consistent detailing of the architectural style, providing sufficient pedestrian connectivity and application of a consistent color palette throughout the project. The project is subject to conditions of approval that will ensure consistency with all standard requirements.

Finding: The architecture, including the character, scale and quality of the design, relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and signing and similar elements establishes a clear design concept and is compatible with the character of buildings on adjoining and nearby properties.

Evidence: The proposed gas station will provide all required design elements that would establish an attractive development and will be compatible with adjoining and nearby properties. The project is subject to conditions of approval that will ensure consistency with all standard requirements.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 25<sup>th</sup> day of January 2006.



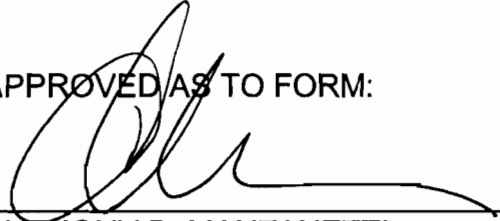
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RICK SOARES, MAYOR of the  
CITY OF ELK GROVE

ATTEST:



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

APPROVED AS TO FORM:



\_\_\_\_\_  
ANTHONY B. MANZANETTI,  
CITY ATTORNEY

**EXHIBIT A**

| <u>Conditions of Approval / Mitigation Measures</u>  | <u>Timing/<br/>Implementation</u>  | <u>Enforcement/<br/>Monitoring</u> | <u>Verification (date<br/>and Signature)</u> |
|--|--|------------------------------------|--|
| <b>On-Going</b>  |  |                                    |  |
| 1. The development approved by this action is for a Conditional Use Permit and Design Review to construct and operate an automobile service station, as illustrated in the project plans dated August 30, 2005. 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   | Planning                           |  |
| 2. The Applicant or Successors in Interest (hereby referred to as the Applicant) shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action. | On-Going   | Planning                           |  |
| 3. This action does not relieve the Applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.  | On-Going   | Planning                           |  |
| 4. This Conditional Use Permit shall become effective after a ten (10) day appeal period provided that there are no appeals. In the event of an appeal, this permit shall be withheld pending the outcome of the appeal process.   | On-Going   | Planning                           |  |
| 5. The Conditional Use Permit, if not used for the purpose for which it was granted, shall expire three years from the City Council approval date or upon the expiration date of a valid building permit obtained after the grant of the conditional use permit, whichever date is last to occur.  | Three years,<br>commencing with<br>the date of City<br>Council approval. | Planning                           |  |
| 6. If the operation of the automobile service station is discontinued for any reason for a continuous period in excess of one hundred eighty (180) days, such discontinuance of operation shall be grounds for revocation or modification of the conditional use permits as provided by Section 110-10.  | On-Going   | Planning                           |  |

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| 7.  | Upon the revocation of the conditional use permit, the Applicant shall remove all buildings, pump islands, signs, underground storage tanks, fences, walls and all other structures and instruments related to the automobile service station and shall return the property to substantially the condition it was in prior to the construction of the automobile service station. | On-Going                          | Planning                           |  |
| 8.  | The Applicant shall post of the premises for public display the use permit of a copy thereof when issued.   | On-Going                          | Planning                           |  |
| 9.  | Lighting shall be designed, controlled, and maintained that no glare is visible from off the property. There shall be no flashing, moving, or animated lights on automobile service station sites.  | On-Going                          | Planning                           |  |
| 10. | The Applicant shall not allow any 'strictly prohibited signs" (i.e. lighter than air or balloon devices) to be displayed for advertising or other functions within this project.  | On-Going                          | Community Enhancement              |  |
| 11. | The Applicant shall maintain all trash and recycle containers within the masonry dumpster enclosures with solid gates.  | On-Going                          | Community Enhancement              |  |
| 12. | The Applicant shall not provide for a nuisance during the construction or intended use of the project.  | On-Going                          | Community Enhancement              |  |
| 13. | When parcel 134-0220-022 applies for a building permit or entitlement application, the project driveway on Grant Line Road shall be relocated to the east or widened to the east by the City within the 75' drainage easement for a shared driveway. If the driveway is relocated, the existing driveway shall be abandoned.  | On-Going                          | Public Works                       |  |
| 14. | If there are any discrepancies between the approved site plan and the conditions of approval, the conditions of approval shall supersede the approved site plan.  | On-Going                          | Public Works                       |  |
| 15. | Water supply will be provided by the Sacramento County Water Agency.  | On-Going                          | Department of Water Resources      |  |
| 16. | The Applicant shall provide water service to each building.   | On-Going                          | Department of Water Resources      |  |
| 17. | All on site security, including landscaping, building and site security, lighting, parking, alarms, etc, is subject to review and   | On-Going                          | Police Department                  |  |



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|   | approval by the Elk Grove Police Department (please see Police Department letter, Exhibit B).  |  |                                    |  |
| 18.   | The maximum landscape corridor area required adjacent to the Grant Line Road frontage is 12 feet as per the agreement between the City of Elk Grove and the property owner.  | On-Going   | Public Works/Planning              |  |
| <b>Prior to Approval of Improvement Plans/Grading Plans/With Construction</b> |  |  |                                    |  |
| 19.   | The Applicant shall comply with, record, and pay fees for the Mitigation Monitoring and Reporting Program (MMRP) associated with the project. Until the MMRP has been recorded and the estimated MMRP fee of \$1,000 has been paid, no grading, building, sewer connection, water connection, or occupancy permit from the City or County will be approved.  | Prior to Issuance of Grading Permit  | Planning                           |  |
| 20.   | In order to reduce impacts to burrowing owls to a less than significant level, the Applicant shall conduct a pre-construction survey on the site. One survey shall be done to determine whether any burrowing owls are present on the site. If the surveys show that no owls are on the site and upon approval by Development Services-Planning, the site may be maintained to discourage the establishment of burrowing owl nests. In addition, within thirty days of the commencement of any clearing, grading or construction a field survey shall be conducted by a qualified biologist to determine if active nests of burrowing owls exist on the site. These surveys shall include all areas in or within 250 feet of the construction zone. In the event that nesting owls are found, a temporary 150-foot no-construction zone shall be established around the nest. Staff and the Applicant will subsequently consult with the California Department of Fish and Game (CDFG), and follow the recommendations of the Department in order to determine the measures necessary to mitigate or avoid impacts to the species. Any required permits or approvals shall be obtained from CDFG prior to disturbance of the site. Mitigation measures may include flagging the burrow to avoid disturbance, passive relocation, active relocation to move | <p>☐ The Applicant shall submit to Development Services – Planning for approval, a copy of the survey results.</p> <p>☐ <b>Prior to the commencement of any clearing, grading or construction,</b> the Applicant shall submit to Development Services – Planning for approval, a copy of the</p> | Planning                           |  |

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|     | <p>owls from the site, or other measures required by the biologist or CDFG.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The Applicant shall submit to Development Services – Planning for approval, a copy of the survey results.</li> <li><input type="checkbox"/> <i>Prior to the commencement of any clearing, grading or construction</i>, the Applicant shall submit to Development Services – Planning for approval, a copy of the survey results including evidence of consultation with CDFG and their recommendations, if applicable.</li> </ul> | <p>survey results including evidence of consultation with CDFG and their recommendations, if applicable.</p> |                                |  |
| 21. | <p>The Applicant shall provide fencing along the drainage channel which shall include multiple gated access points.</p>   | <p>Shown on Improvement Plan; instructed prior to Occupancy</p>  | <p>Public Works</p>            |  |
| 22. | <p>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.</p>   | <p>Improvement Plan</p>  | <p>Public Works</p>            |  |
| 23. | <p>The Applicant shall dedicate a 12.5 foot public utility easement for underground and appurtenances adjacent to all public streets.</p>   | <p>Improvement Plan</p>  | <p>Public Works</p>            |  |
| 24. | <p>The Applicant shall provide a reciprocal access easement agreement between parcel 134-0220-022 and the parcels of this development. The location of the reciprocal access area within the parcels of this development shall be within the existing drainage easement at the eastern side of the site to the satisfaction of Public Works.</p>  | <p>Improvement Plan</p>  | <p>Public Works</p>            |  |
| 25. | <p>The internal circulation and access shall be subject to the review and approval of Public Works.</p>   | <p>Improvement Plan</p>  | <p>Public Works</p>            |  |
| 26. | <p>The Applicant shall show locations of stormwater quality treatment devices for treating stormwater run off prior to discharge into the City's stormwater drainage system.</p>  | <p>1<sup>st</sup> Improvement Plan Submittal</p>   | <p>Public Works</p>            |  |
| 27. | <p>The Applicant shall design and construct the stormwater</p>  | <p>1<sup>st</sup> Improvement</p>  | <p>Public Works</p>            |  |

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|-----|---|---|---------------------------------------|---|
|     | treatment facilities prior to the drainage entering the public drainage system to the satisfaction of the City's Public Works and provide an agreement for the maintenance of such treatment facility.  | Plan Submittal                                      |                                       |   |
| 28. | The design review does not reflect a number of existing easements, IODs, and other citations reported in the property's title. These items shall be shown and labeled on the final map. Any conflicts raised as a result of the tentative map omissions shall be resolved prior to the recordation of the final map.    | Prior to 1 <sup>st</sup> Improvement Plan Submittal | Public Works                          |   |
| 29. | The AM/PM building is on the property line. A Lot Line Adjustment shall be submitted and completed prior to 1st Improvement Plan submittal.   | Prior to approval of Improvement Plan               | Public Works                          |   |
| 30. | The Applicant shall vacate the drainage easement per Book 8612-30 Page 2510 through a separate vacation process.  | Prior to approval of Improvement Plan               | Public Works                          |   |
| 31. | The northern driveway on Survey Road and the driveway on Grant Line road shall be right-in/right-out only.  | Improvement Plans                                   | Public Works                          |   |
| 32. | The Applicant shall dedicate frontage improvements along project frontage along Grant Line Road, south half section 81' from the approved centerline, as identified in Grant Line Road Widening Project Report, in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works. | Improvement Plan                                    | Public Works                          |   |
| 33. | The landscaping for this project shall incorporate the City's design guidelines and Water Conserving Landscape Requirements. Landscape improvement plans shall be submitted to the Planning Department and the Public Works Department for review and approval.   | Improvement Plans                                   | Landscape Architect                   |   |
| 34. | The Applicant shall require water intensive commercial and industrial building permit Applicants to conduct a water use efficiency review and submit the findings in required environmental documentation for the project.  | Improvement Plans                                   | Department of Water Resources         |   |
| 35. | The Applicant shall dedicate maintenance easements in all public and private streets over all water lines to the satisfaction of  | Improvement Plans                                   | Department of Water Resources         |   |

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|--|--|---|---|
| Sacramento County Water Agency prior to Improvement Plan Approval.   |  |   |   |
| 36. The Applicant shall require efficient cooling systems, re-circulating pumps for fountains and ponds, and water recycling systems for vehicle washing as a condition of service.  | Improvement Plans                                    | Department of Water Resources             |   |
| 37. Connection to the District's sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to sewer construction.   | Improvement Plans                                    | CSD-1                                     |   |
| 38. Each parcel or building shall have a separate connection to the CSD-1 sewer system.  | Improvement Plans                                    | CSD-1                                     |   |
| 39. Private sewer laterals will not be permitted to connect directly to the 15-inch diameter trunk sewer line of Grant Line Road.  | Improvement Plans                                    | CSD-1                                     |   |
| <b>Prior to Approval of Building Permits</b>   |  |   |   |
| 40. Improvement plan must be approved by Public Works prior to 1 <sup>st</sup> building permit.  | Prior to 1 <sup>st</sup> Building Permit             | Public Works                              |   |
| 41. All plan submittals for building permits shall address and gain Police Department approval prior to issuance of a building permit for this project.  | Prior to Issuance of Building Permit                 | Police Department                         |   |
| 42. At all street intersections, public or private, within one block of the proposed project, Applicant shall install and/or replace street name signs in accordance with the City of Elk Grove Standard Details.  | Prior to issuance of 1 <sup>st</sup> Building Permit | Public Works                              |   |
| 43. Applicant will owe additional development impact fees for any project expansion that occurs between the existing location at 10466 Grant Line Road and this new location.  | Prior to Issuance of Building Permit                 | Finance                                   |   |
| <b>Prior to Occupancy</b>  |  |   |   |
| 44. Upon completion of the installation of the landscaping for the project, the project landscape architect/designer shall certify that the installed landscape complies with all City Water Conserving Landscape Requirements. Certification shall be accomplished by completion of a Certificate of Conformance on a form provided by the City. Failure to submit a complete and accurate Certificate of Conformance to the Planning | Prior to Occupancy                                   | Planning/<br>Landscape<br>Architect       |   |

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|-----|--|---|-------------------------------------|--|
|     | Department will delay final approval/occupancy of the project.   |   |                                     |  |
| 45. | Prior to final inspection or occupancy of any structure on the site, a Certificate of Conformance for the landscaped lots shall be provided to the City's Landscape Architect for approval.  | Prior to Occupancy                            | Planning/<br>Landscape<br>Architect |  |
| 46. | The entire drainage system shall be designed to accommodate runoff from the ultimate development according to the City's storm water Design Standards, and City's Flood Plain Management Ordinance.  | Prior to First<br>Certificate of<br>Occupancy | Public Works                        |  |
| 47. | All commercial buildings in excess of 3,599 square feet shall be equipped with an approved automatic sprinkler system.   | Prior to Occupancy                            | EGCSD – Fire<br>Department          |  |
| 48. | All commercial buildings requiring a fire sprinkler system shall be provided with a Fire Control Room. The Fire Control Room shall be a minimum of 5-feet by 7-feet and at least 35 square feet. All equipment associated with the fire protection systems such as the Fire Alarm Control Panel, spare sprinklers, etc, shall be located within the Fire Control Room. | Prior to Occupancy                            | EGCSD – Fire<br>Department          |  |

## EXHIBIT A

### General Compliance Items for Building Permit

The following items are noted for the Applicant's information. These items are required by other local agencies, the City, state or federal agencies, and are not conditions of approval of the project.

1. The Applicant shall pay all appropriate development fees charged by the City and other Special Districts providing services to the site. (Public Works)
2. All driveways shall require an encroachment permit. At that time the curb, gutter, sidewalk and all public improvements shall be evaluated to determine if those improvements need to be repaired/reconstructed. (Public Works)
3. Street (trench) cuts into existing streets shall 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. (Public Works)
4. The Applicant shall implement Best Management Practices to ensure that long-term water quality is protected. The Best Management Practices shall be designed, constructed and maintained to meet a performance standard established by the City. The City or project Applicant shall retain a qualified specialist to monitor the effectiveness of the Best Management Practices selected. Monitoring activities, along with funding for monitoring, shall be established and shall include (but not be limited to) initial setup, yearly maintenance, and yearly monitoring.

During project operation, the project shall implement actions and procedures established to reduce the pollutant loadings in storm drain systems. The two main categories of these Best Management Practices are "source control" and "treatment control." Source control Best Management Practices are usually the most effective and economical in preventing pollutants from entering storm and non-storm runoff. Source control Best Management Practices that are relevant to the project and shall be implemented might include but not necessary limited to:

- a) Public Education/Participation activities. Information shall be provided to new project residents and tenants regarding pollution prevention;
- b) Materials Management activities. The project shall implement the following measures within any common landscaping or other facilities on-site.
- c) Materials Use Controls, which include good housekeeping practices (storage, use and cleanup) when handling potentially harmful materials, such as cleaning materials, fertilizers, paint, and where possible using, safer alternative products;
- d) Material Exposure Controls, which prevent and reduce pollutant discharge to storm water by minimizing the storage of hazardous materials (such as pesticides) on site, storing materials in a designated area, installing secondary containment, conducting regular inspections, and training employees and subcontractors; and
- e) Material Disposal and Recycling, which includes storm drain system signs and stenciling with language to discourage illegal dumping of unwanted materials. The project shall notify project residents of household hazardous waste and used oil recycling at collection centers and round-up activities conducted by the City.
- f) Spill Prevention and Cleanup activities which are directed toward reducing the risk of spills during the outdoor handling and transport of chemicals, and toward developing plans and programs to contain and rapidly clean up spills before they get into a storm drain system. This BMP also deals with the prevention and reduction of pollution from vehicle leaks and spills from vehicles during transport, as well as aboveground storage tanks;

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- g) Illegal Dumping controls. The Covenants, Conditions, and Restrictions (C, C, & R's) for the project shall include a prohibition on the dumping of waste products (solid waste/liquid waste and yard trash) into storm drain systems, open space areas, and creeks;
  - h) Stormwater pollution source controls shall be conditioned to provide a permanent storm drain message "No Dumping – Flows to Creek" or other approved message at each storm drain inlet. This may be accomplished with a stamped concrete impression (for curbs) or manufactured colored tiles, which are epoxied in, place adjacent to the inlet (for parking lots and areas without curbs). (Public Works)
4. All driveways and intersections shall conform to the visibility easement requirement in the City of Elk Grove Improvement Standard. (Public Works)
  5. All driveways must be designed and constructed to the satisfaction of Public Works and to the appropriate section of 4-10 Driveways in the City of Elk Grove Improvement Standards. (Public Works)
  6. Where feasible, Biofilter swales and vegetated strips are preferred and shall be utilized in providing biofiltration of pollutants in project runoff prior to entering receiving water body. The project engineer shall consult with the City when designing storm water conveyance facilities, and the developer shall submit designs of the areas to these agencies for review and approval prior to 1st occupancy. (Public Works)
  7. The Applicant shall provide drainage easements (prior to approval of Improvement Plans) and install facilities (prior to the issuance of building permits) pursuant to the City of Elk Grove Floodplain Management Ordinance, Sacramento County Water Agency Code and City of Elk Grove Improvement Standards, including any fee required by the City of Elk Grove. The pertinent provisions of the above-referenced codes, standards, fees, and ordinances shall be applicable at the time of site improvement plan approval. (Public Works)
  8. The Applicant shall obtain applicable State Fish and Game, U.S. Army Corps of Engineers, and State Water Board permits prior to issuance of grading permits. (Public Works)
  9. The Applicant shall comply with all NPDES Permit and City's Stormwater Ordinance requirement before, during, and after construction as require by the Permit and the Ordinance and in accordance with the latest version of the Guidance Manual of On-site Stormwater Quality Control Measure. (Public Works)
  10. The City of Elk Grove is a participant in the National Flood Insurance Program. All development within the City must comply with the regulations of the Federal Emergency Management Agency (FEMA) and the City of Elk Grove and Sacramento County Flood Plain Management Ordinances. Amendments and/or revisions of FEMA flood maps will be required for all development located in the federal or local flood zone. All amendments and/or revisions must be final and submitted to the City prior to issuance of the first building permit. The elevation of all building pads must be certified by a registered Civil Engineer or licensed Land Surveyor and submitted to the City prior to issuance of a building permit and the lowest finished floor elevation must be a minimum of 1 (one) – foot above the 100-year frequency water level. It will be the Applicant's responsibility to determine the 100-yr water surface elevation and set the building pad accordingly. (Public Works)
  11. In order to mitigate erosion and sediment control problems on the project site, the project shall comply with the City's Land Grading and Erosion Control Ordinance. If the project size is more than one acre, a Notice of Intent (NOI) must be filed prior to construction to obtain coverage under the State's General Construction Activity Storm Water Permit. (Public Works)
  12. Prior to the issuance of grading permits, the Applicant shall prepare a Storm Water Pollution and Prevention Plan (SWPPP) to be administered through all phases of grading and project construction. The SWPPP shall incorporate Best Management Practices to

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ensure that potential water quality impacts during construction phases are minimized. The SWPPP shall address spill prevention and include counter measure plan describing measures to ensure proper collection and disposal of all pollutants handled or produced on the site during construction, including sanitary wastes, cement, and petroleum products. These measures shall be consistent with the City's Improvement Standards and Land Grading and Erosion Control Ordinance and may include but not necessary limited to: (1) restricting grading to the dry season; (2) protecting all finished graded slopes from erosion using such techniques as erosion control matting and hydroseeding; (3) protecting downstream storm drainage inlets from sedimentation; (4) use of silt fencing and hay bales to retain sediment on the project site; (5) use of temporary water conveyance and water diversion structures to eliminate runoff into any receiving water body; and (6) any other suitable measures. The SWPPP shall be submitted to the Central Valley Regional Water Quality Control Board and to the City for review. A copy of the SWPPP must be kept accessible on the project site at all times. (Public Works)

13. All improvements shall be constructed in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works. (Public Works)
14. Any improvements, public or private, damaged in construction shall be replaced in-kind or with new improvement. (Public Works)
15. Street and storm drain maintenance activities. These activities control the movement of pollutants and remove them from pavements through catch basin cleaning, storm drain flushing, street sweeping, and by regularly removing illegally dumped material from storm channels and creeks. (The City of Elk Grove would be responsible for regular storm drain maintenance within the public right of way; grease traps and other stormwater quality control devices on private property shall be maintained by the project.)
16. Dead-end streets in excess of 150 feet require approved emergency vehicle turn-arounds.
17. Any and all gates impeding fire lanes or roadways shall comply with Appendix VII of the 2002 Sacramento County Fire Code.
18. All civil engineering plans are required to be submitted in an electronic format. When plans are ready for final signature, it is required that the engineering firm 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:

DXF (Drawing Interchange file) any DXF version is accepted

DWG (Applies to AUOCAD drawing file) any AutoCAD DWG version is accepted

19. Commercial developments in excess of 10,000 square feet require looped fire mains of a minimum of 10 (ten) 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.
20. If buildings are constructed, this development is required to provide a fire flow from public water system capable of delivering as a minimum 3,000 gpm at 20psi. Hydrants shall be spaced a maximum of 300 feet apart. 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.
21. 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 50% for concrete. The



## EXHIBIT A

- roadways shall be constructed to a 20-foot minimum width of three (3) inches AC over six (6) inches AB with good drainage.
22. EGCSDFD approved traffic pre-emption devices of a type 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.
  23. Required fire alarm systems shall be connected to a UL listed central station approved by the Sacramento Regional Fire/EMS Communications Center.
  24. 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.
  25. The installation of roadway gates, addresses, landscaping, pipe bollards, fuel tanks, masonry sound walls tree wells and/or all other traffic calming devices is subject to standards outlined by the Elk Grove Fire Department. All proposed traffic-mitigation plans shall be submitted to the Elk Grove CSD Fire Department for review and approval prior to installation.
  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 Sacramento County Water Agency Ordinance No. 18.
  27. Prior to the issuance of any building permits for the project, the project shall conform to the specific provisions of the City of Elk Grove Conservation Ordinance (formerly Chapter 14.10 of the Sacramento County Code) to the satisfaction of the City's Landscape/Oak Tree Coordinator.


**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2006-22**

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 25th day of January, 2006 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**