

RESOLUTION NO. 2002-23

**A RESOLUTION
OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING A TENTATIVE SUBDIVISION MAP #EG-00-042 TO ALLOW
THE SHELDON PARK (40+/- ACRE) PROJECT,
IN THE CALVINE / HIGHWAY 99 SPECIAL PLANNING AREA**

WHEREAS, Bollinger Diversified Properties, Inc. represented by Morton & Pitalo, Inc. (hereinafter referred to as Applicants) filed an application with the City of Elk Grove (hereinafter referred to as City) for a Rezone within the existing Calvine / Highway 99 Special Planning Area from 6 to 4.5 dwelling units per acre on the northern one-third of the site and from 9 to 4.5 dwelling units per acre on the southern two-thirds of the site, and a Tentative Subdivision Map for 180 single-family residential lots. (Assessor's Parcel Number 115-0150-007); and

WHEREAS, Title 22, Chapter 22.25 addresses Tentative Subdivision Maps and establishes the City Council as the appropriate authority to hear and decide such matters; and

WHEREAS, an Initial Study was prepared for this project and a Notice of Intent to Adopt a Mitigated Negative Declaration was prepared and circulated according to the requirements of the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission considered the Applicant's request at a public hearing on November 15, 2001 and recommended City Council approval of the project.

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

Approve the Sheldon Park Tentative Subdivision Map for 180 single-family residential lots on 40+/- acres, based on the following findings and the attached conditions of approval (Exhibit A).

1. **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).

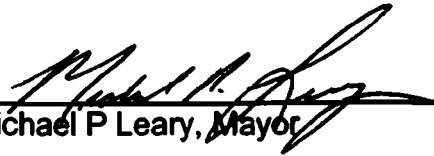
Evidence: An Initial Environmental Study was prepared for the proposed project and mitigation measures have been developed that will reduce potential environmental impacts to less than significant levels. On the basis of the Mitigated Negative Declaration, comments received, and the whole record, there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

2. **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 Subdivision Map.

- a. The proposed map is consistent with the General Plan.
- b. The design of the improvements of the proposed subdivision is consistent with the existing General Plan.
- c. The site is physically suitable and consistent with the type of single family residential development approved in the General Plan.
- d. The site is appropriate for the General Plan's specified density of development and the applicant's proposed amendments to residential densities as presented in the staff report.
- e. The Mitigated Negative Declaration prepared for the Sheldon Park 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 Sheldon Park project determined that potential serious health problems were not identified for the project or will be mitigated to less than significant levels with implementation of the proposed Mitigation Measures and Conditions of Approval.
- 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.

PASSED AND ADOPTED by the City Council of the City of Elk Grove on the 16th day of January 2002.


Michael P Leary, Mayor

ATTEST:


Peggy Johnson, City Clerk

APPROVED AS TO FORM:


Anthony Manzanetti, City Attorney

AYES: Leary, Scherman, Soares,
Cooper, Briggs
NOES: None
ABSTAIN: None
ABSENT: None

Exhibit A: Conditions of Approval / Mitigation Monitoring and Reporting Program¹

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
1. The development approved by this action is for a Rezone and a Tentative Subdivision Map for 180 single-family residential lots and other parcels as described in the Planning Commission report and associated Exhibits and Attachments dated November 8, 2001, and the revised Tentative Subdivision Map submitted November 14, 2001.	On-Going	Planning Division	
2. This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.	On-Going	Planning Division	
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.	Planning Division	
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	Planning Division	
5. Prior to issuance of grading permits, or as specified in adopted Swainson's Hawk mitigation policies or programs in effect at the time of request, the project	Prior to Issuance of Grading Permit	Planning Division	

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<p>developer shall mitigate for potential impacts to Swainson's Hawk habitat according to any one of the following measures:</p> <ul style="list-style-type: none"> a. For projects within a one- mile radius of an active nest site, the project proponent should preserve 1.0 acre of similar habitat for each acre lost (±40-acres). This land should be protected through a fee title or conservation easement acceptable to the California Department of Fish and Game (CDFG); OR b. Prepare and implement a Swainson's hawk mitigation plan to the satisfaction of the California Department of Fish and Game that includes the preservation of Swainson's hawk foraging habitat; OR c. Submit payment of a Swainson's hawk impact mitigation fee per acre impacted to the Department of Planning and Community Development in the amount as 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; OR d. The project proponent may pay the Swainson's Hawk mitigation fee to the City of Elk Grove of \$750 per acre, plus a \$382 one-time administration fee, for a total of \$30,382 (i.e. 40 acres X \$750 per acre, plus \$382). (Mitigation Measure BR-1 from the Initial Study) 			
6. Prior to issuance of grading permit, the project	Prior to Issuance of	Planning Division	

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<p>developer shall mitigate for potential impacts to vernal pools / vernal pool crustacean habitat as follows:</p> <p>a. At least 2.54 acres of vernal pool preservation credits will be dedicated within a Service-approved ecosystem preservation bank inside the Urban Service Boundary or, based upon Service evaluation of site-specific values, at least 1.27 acres of vernal pool will be preserved on the project site or at least 3.81 acres of vernal pool will be preserved on a non-bank site approved by the Service, provided with a minimum 250-foot buffer, unless otherwise approved, and preserved in perpetuity.</p> <p>b. At least 1.27 acres of vernal pool creation credit will be dedicated within a Service-approved vernal pool creation bank, or based upon Service evaluation of site-specific values, at least 2.54 acres of vernal habitat will be constructed and monitored at a non-bank site approved by the Service, provided with a minimum 250-foot buffer (unless otherwise approved), and preserved in perpetuity. (Mitigation Measure BR-2 from the Initial Study)</p>	<p>Grading Permit</p>	<p>and U.S. Fish & Wildlife Service</p>	
<p>7. Prior to issuance of grading permit, if any previously unrecorded historic or prehistoric sites are encountered, all work shall be halted in the immediate vicinity of any finds until a professional archeologist records and evaluates the finds, and until appropriate mitigation, if any, is completed to the satisfaction of</p>	<p>Prior to Issuance of Grading Permit</p>	<p>Planning Division</p>	

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	the City. (Mitigation Measure CR-1 from the Initial Study)			
8.	Prior to issuance of grading permit, if human remains are discovered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur in the vicinity of the discovery until the county coroner has made the necessary findings as to the origin and disposition pursuant to Public Resources Code Section 5097.98. (Mitigation Measure CR-2 from the Initial Study)	Prior to Issuance of Grading Permit	Planning Division	
9.	Prior to issuance of grading permit, comply with, record, and pay fees for the Mitigation Monitoring and Reporting Program (MMRP) associated with Sheldon Park (40 +/- acres). Until the MMRP has been recorded and the estimated MMRP fee of \$2,500 has been paid, no final subdivision map for the subject property shall be approved and 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 Division	
10.	Prior to issuance of grading permit, in order to mitigate erosion and sediment control problems, the project site shall comply with the City's Land Grading and Erosion Control Ordinance. Additionally, because the project size is more than five acres, a Notice of Intent (NOI) must be filed prior to construction to obtain coverage under the State's General Construction Activity Storm Water Permit. As a condition of the General Permit, a	Prior to Issuance of Grading Permit	Water Resources Department	

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<p>Storm Water Pollution Prevention Plan (SWPPP) must be developed for the project. Permits are issued by the State Water Resources Control Board, which can provide all information necessary to complete and file the necessary documents. Compliance with the General Permit is enforced in the Sacramento area by the Central Valley Regional Water Quality Control Board. (Water Resources)</p>			
<p>11. Prior to issuance of grading permit, construction contracts for the project shall include the following measures to be monitored by the City and SMAQMD:</p> <p><u>Category 1: Reducing NOx Emissions from Off-Road Diesel Powered Equipment:</u></p> <p>A. The prime contractor shall submit, to the City of Elk Grove Planning Department, a comprehensive inventory of all the heavy-duty off-road equipment (50 or greater horsepower) that will be used an aggregate of 40 or more hours for the construction project. At a minimum, 20% of the heavy-duty off-road equipment included in the inventory shall be powered by CARB certified off-road engines, as follows:</p> <ul style="list-style-type: none"> • 175 hp – 750 hp 1996 and newer engines • 100 hp – 174 hp 1997 and newer engines • 50 hp – 99 hp 1998 and newer engines <p>Said off-road equipment may be owned and operated by the prime contractor and/or any</p>	<p>Prior to Issuance of Grading Permit</p>	<p>SMAQMD and Planning Division</p>	

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<p>subcontractor; <u>or</u></p> <p>B. The prime contractor shall provide a plan, for approval by the City of Elk Grove Planning Department in consultation with SMAQMD, demonstrating that the heavy-duty off-road vehicles to be used in the construction project, and operated by either the prime contractor or any subcontractor, will provide a fleet-averaged NOx emission reduction of 10% compared to an unregulated/uncontrolled fleet. (Includes the use of emulsified fuel in noncertified engines, and other methods not requiring the use of post 1996-1998 engines.) <u>and</u></p> <p><u>Category 2: Reducing NOx Emission from On-Road Diesel Powered Equipment:</u></p> <p>The prime contractor shall submit, to the Environmental Services Division, a comprehensive inventory of all heavy-duty on-road equipment (50 or greater horsepower) that will be used an aggregate of 40 or more hours for the construction project. <u>and</u></p> <p><u>Category 3: Enforcement Plan</u></p> <p>An enforcement plan shall be established to weekly evaluate project-related on-and off-road heavy-duty vehicle engine emission opacities, using standards as defined in California Code of Regulations, Title 13, Sections 2180-2194. An Environmental Coordinator, CARB-certified to perform Visible Emissions Evaluations</p>			

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<p>(VEE), shall routinely evaluate project related off-road and heavy duty (>14,000 LB. GVWR) on-road equipment emissions for compliance with this requirement. The certified environmental coordinator may be a City inspector, a representative of the prime contractor, or an independent contractor. The Environmental Coordinator will maintain a current VEE rating for the duration of the project.</p> <p>For project-related heavy-duty on-road diesel vehicles, the coordinator shall routinely evaluate emissions of trucks at the project site. Operators of vehicles found to exceed opacity limits will be notified and the vehicle(s) repaired as soon as possible. The coordinator will maintain a log of such violations and routinely notify the SMAQMD.</p> <p>For project-related heavy-duty off-road diesel vehicles, the coordinator will routinely evaluate emissions of vehicles at the project site. Operators of vehicles found to exceed opacity limits will be notified and equipment will be repaired immediately. The coordinator will maintain a log of such violations and routinely notify the SMAQMD.</p> <p>Lastly, the provisions of District Rule 403 – Fugitive Dust will apply to this project.</p>			
12. Prior to recordation of the Subdivision Map, the applicant shall construct public trunk and collector sewer, dedicate public sewer easements to CSD-1 at a minimum 20-foot width with continuous access for	Prior to Recordation of the Subdivision Map	CSD-1	

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	maintenance, construct interim sewer, and provide an approved sewer study to the satisfaction of CSD-1. (CSD-1)			
13.	Prior to recordation of the Subdivision Map, grant the City right-of-way for Auberry Drive based on typical cross section acceptable to the Transportation Department and install public street improvements pursuant to the Elk Grove City Improvement Standards. (LDSIR)	Prior to Recordation of the Subdivision Map	LDSIR	
14.	Prior to recordation of the Subdivision Map, dedicate right-of-way for the indicated streets, and install public street improvements pursuant to the Elk Grove City Improvement Standards. Minimum roadway widths and typical sections shall be as shown on the tentative map exhibit. Typical Section "C" includes offsite improvements and also incorrectly shows Arcadian Village #2 to the west of the project site. (LDSIR)	Prior to Recordation of the Subdivision Map	LDSIR	
15.	Prior to recordation of the Subdivision Map, provide visibility easements as necessary to meet Improvement Standard requirements at all intersections of streets with curvilinear alignment. (LDSIR)	Prior to Recordation of the Subdivision Map	LDSIR	
16.	Prior to recordation of the Subdivision Map, dedicate land or pay in lieu fees, or both, for park purposes, as required by and in accordance with the procedures and standards set forth in Chapter 22.40, Title 22 of the Elk Grove City Code. (LDSIR and EGCSD)	Prior to Recordation of the Subdivision Map	LDSIR and EGCSD	

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17.	Prior to recordation of the Subdivision Map, dedicate a 12.5-foot public utility easement for underground facilities and appurtenances adjacent to all public ways and private drives. (SMUD and PG&E)	Prior to Recordation of the Subdivision Map	SMUD, PG&E, LDSIR	
18.	Prior to recordation of the Subdivision Map, place bus shelters within the public utility easements that are adjacent to public street rights of way. If bus shelters cannot be accommodated within public utility easements, then it is Regional Transit's request that bus shelter easements, approximately 10-feet wide by 20-feet long, be made available to Regional Transit at such time in the future when bus service may commence. (Regional Transit)	Prior to Recordation of the Subdivision Map	Regional Transit and LDSIR	
19.	Prior to recordation of the Subdivision Map, provide separate water service to each parcel and dedicate water easements to the satisfaction of Sacramento County Water Agency. (Water Supply)	Prior to Recordation of the Subdivision Map	Water Supply	
20.	Prior to recordation of the Subdivision Map, applicant shall provide water for use during grading and construction before abandoning any existing agricultural wells. (Water Supply)	Prior to Recordation of the Subdivision Map	Water Supply	
21.	Prior to recordation of the Subdivision Map, destroy all abandoned wells on the proposed project site in accordance with the requirements of the Sacramento County Environmental Health Division. Clearly show all	Prior to Recordation of the Subdivision Map	Water Supply	

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abandoned/destroyed wells on the improvement plans for the project. (Water Supply)			
22. Prior to recordation of the Subdivision Map, provide easements for raw water mains and reserve a 50-foot by 100-foot water well site to the satisfaction of the Sacramento County Water Agency. Well sites shall be located 100-feet from drainage facilities and closest to the southeast corner of the project. (Water Supply)	Prior to Recordation of the Subdivision Map	Water Supply	
23. Prior to recordation of the Subdivision Map, this project is required to connect to the existing Sacramento County Water Agency system at a minimum of two locations. The applicant shall coordinate with the Agency and adjacent projects to accomplish this. (Water Supply)	Prior to Recordation of the Subdivision Map	Water Supply	
24. Prior to recordation of the Subdivision Map, provide drainage easements and install facilities 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 Sacramento County Water Agency Code. Stormwater Quality may be mitigated on-site (in-lieu of off-site detention basin) with source and treatment control measures in accordance with the latest version of the Guidance Manual of On-site Storm Water Quality Control Measures. The final design of the proposed on-site source and treatment controls will be approved by the	Prior to Recordation of the Subdivision Map	Water Resources	

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	City of Elk Grove Department of Water Resources. The applicant shall work with the Elk Grove Community Services District on landscaping and fencing along the drainage facilities. (Water Resources)			
25.	Prior to recordation of the Subdivision Map, offsite drainage improvements and easements shall be provided pursuant to the City of Elk Grove Floodplain Management Ordinance, City of Elk Grove Sacramento County Improvement Standards, and the Strawberry Creek and Jacinto Creek Drainage Master Plan. If necessary, offsite improvements shall include a gravity drainage outfall to the existing City of Sacramento drainage improvements. (Water Resources)	Prior to Recordation of the Subdivision Map	Water Resources	
26.	Prior to recordation of the Subdivision Map, to accommodate additional traffic volumes generated by the project, the developer shall pay the project's fair-share cost of the signalization of the intersection of Power Inn Road and Vista Brook Drive. The project's fair-share of improvement costs at this intersection is projected to be 1.5%. (Mitigation Measure TR-1 from the Initial Study)	Prior to Recordation of the Subdivision Map	Transportation Planning and Planning Division	
27.	Prior to the recordation of the final map, a new parcel will be established for the landscape corridors adjacent to Aubery Road. (CSD)	Prior to Recordation of the Final Map	EGCSD	
28.	Concurrent with recordation of the Final Subdivision	Concurrent with	EGCSD	

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	<p>Map; the owners of all real property within the boundaries of the 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 used to 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 existing capital costs of parks, parkways, corridors, medians, open space, trail systems lakes, creeks and other recreational and aesthetic amenities. All real property within the boundaries of the proposed project is within a benefit zone of the District Wide Landscape & Lighting Assessment District. (Elk Grove Community Services District)</p>	<p>Recordation of Final Subdivision Map</p>		
<p>29.</p>	<p>Prior to the issuance of the 40th building permit, two points of access to existing public roads shall be provided pursuant to Title 22 of the Elk Grove City Code. Depending on the timing of development, this may require offsite extension of Bow Street or Auberry Drive. Responsibility for securing said offsite easements, if necessary, shall belong solely to the developer of this project. (LDSIR, Fire Department)</p>	<p>Prior to the issuance of the 40th Building Permit</p>	<p>LDSIR and Fire Department</p>	
<p>30.</p>	<p>Prior to the issuance of building permits, a permit</p>	<p>Prior to the Issuance of</p>	<p>EGCSD Fire</p>	

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	release letter from the Elk Grove Community Services District Fire Department shall be required. (Fire Department)	Building Permits	Department	
31.	Prior to issuance of building permits, this development is required to provide a fire flow from a public water system capable of delivering as a minimum 50 PSI static pressure and 1,000 gpm at 20 psi residual pressure. Hydrants shall be spaced a maximum of 500 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. (Fire Department)	Prior to the Issuance of Building Permits	EGCSD Fire Department	
32.	Prior to issuance of building permits, all required roadways, water mains, fire hydrants and fire flow shall be provided. The roadways shall be constructed to a 20-foot minimum width with a minimum of 3 inches of AC over 6 inches of AB and shall have good drainage. (Fire Department)	Prior to the Issuance of Building Permits	EGCSD Fire Department	
33.	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)	Prior to the Issuance of Building Permits	Water Supply	
34.	Prior to issuance of building permits, the project shall conform to the specific provisions of the Sacramento County Landscape Water Conservation Ordinance [Chapter 14.10 of the Sacramento County Code] to	Prior to the Issuance of Building Permits	Water Supply	

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	the satisfaction of the County Landscape/Oak Tree Coordinator. (Water Supply)			
35.	Prior to issuance of building permits, the property owner shall pay development impact fees in accordance with the Elk Grove / West Vineyard Public Facilities Financing Plan Development Impact Fee Program as adopted by the City of Elk Grove on July 1, 2000, including any authorized adjustments and updates thereto. (Infrastructure Finance Section)	Prior to the Issuance of Building Permits	Infrastructure Finance Section	
36.	Prior to issuance of building permits, petition FEMA for a Letter of Map Revision pursuant to the City of Elk Grove Floodplain Management Ordinance, and the City of Elk Grove Improvement Standards. (Water Resources)	Prior to the Issuance of Building Permits	Water Resources	
37.	Prior to issuance of a certificate of occupancy, improve a 12-foot Landscape Corridor (which includes 8-feet of landscaping and a 4-foot sidewalk) to the Elk Grove Community Services District adjacent to the right-of-way for Auberry Drive. (Elk Grove Community Services District)	Prior to Issuance of a Certificate of Occupancy	EGCSD	
38.	Prior to issuance of a certificate of occupancy, landscape corridors shall be constructed and installed 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 CSD projects in Close vicinity to the area. Corridors will be inspected by	Prior to Issuance of a Certificate of Occupancy	EGCSD	

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District employees and include meandering or bifurcated sidewalks, subject to EGCS D approval. Any proposed deviation from CSD's specifications would need to be submitted to the CSD and be approved in writing. 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. (Elk Grove Community Services District)			
39. Prior to Final Inspection, traffic pre-emption devices, approved by the Elk Grove Community Services District Fire Department, shall be installed on all 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 Community Services District Fire Department. (Fire Department)	Prior to Final Inspection	EGCS D Fire Department	
40. When the improvements to the landscape corridor have received final acceptance by the Community Services District, the District will accept a grant of deed or a grant of a landscape maintenance easement from the Applicant and assume the future obligation for operation, maintenance, repair and replacement. Applicant shall be responsible to fund the direct cost of performing this work until the District has incorporated these costs into the annual budget for the Landscape and Lighting Assessment District. If the inclusion of these costs results in an increase in the assessments requiring a ballot approval pursuant to the provision of Proposition 218, the Applicant's funding	Upon Final Acceptance by the EGCS D	EGCS D	

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obligation could continue until Prop 218 compliance is met. Applicant's funding obligation will be addressed in the agreement with the District. (Elk Grove Community Services District)			

General Information and Compliance Items:

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.

- a. Trunk sewer design and construction may be reimbursed by CSD-1. Prior to initiating design of any trunk sewer facility, the applicant shall contact CSD-1 regarding their Trunk Sewer Reimbursement Program. Failure to strictly comply with the provisions of the CSD-1 Connection Fee Ordinance may jeopardize trunk sewer reimbursement. In the event of any potential conflicts, the consulting engineer submitting the tentative map shall contact Rah-Nohn Spears at 876-6074 prior to the SRC hearing. Developing this property may require the payment of additional sewer impact fees. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information. (CSD-1)
- b. Though not required, it is recommended that all single family dwellings be equipped with an automatic fire sprinkler system. As approximately 80% of all fire deaths occur in residential dwellings, these life safety systems drastically improve the occupant's chance of surviving a fire. (Fire Department)
- c. 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. (Fire Department)
- d. Dead-end streets in excess of 150 feet require approved emergency vehicle turn-arounds. (Fire Department)
- e. 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 Community Services District Fire Department and the water purveyor having jurisdiction. (Fire Department)
- f. The installation of addresses, landscaping, tree wells and/or traffic islands are subject to the standards outlined by the Community Services District. (Fire Department)
- g. Gas service may be available to this project if desired. The developer should contact PG&E's Service Planning Department at (916) 386-5067 as soon as possible to coordinate construction so as not to delay the project. (PG&E)
- h. Homes that have attached garages with side or rear doors will have solid core or metal covered doors with dead bolt locks. (Sheriff's Department)
- i. Skylight side panels that are placed next to entrance doors will not be on the same side as the lock mechanism of the door. Only one panel may be installed per door, adjacent to the hinges. (Sheriff's Department)
- j. All external door frames, including the side garage, will have screws that are a minimum of three inches long in the strike plate. Strike plates should be anchored with a minimum of four screws. (Sheriff's Department)
- k. The Sheriff's Department highly recommends that homes be designed with the front of the garage aligned with or set back from the front of the house. This will improve visibility from inside the home of the entire block. Homes with covered front porches promote resident involvement with neighbors which in turn helps reduce crime. (Sheriff's Department)
- l. Mitigate the potentially isolating impact of physical barriers such as soundwalls and landscaped corridors. (Regional Transit)

Conditions of Approval / Mitigation Monitoring and Reporting Program

- m. Access to possible future transit service along the major arterials and collectors should include direct, safe and convenient connections by pedestrians and bicyclists. The design of the project should emphasize the importance of accessibility to future transit service for this area. (Regional Transit)
- n. Increase connectivity with other Elk Grove neighborhoods with bicycle routes and pedestrian walkways connecting the development to other area developments. (Regional Transit)
- o. Provide "cut throughs" to Auberry Drive, the proposed school and park sites for residents living around the cul-de-sacs, shortening their walk to 1,000 feet or less.
- p. On-site source and control measures are required for this project in accordance with the latest version of the City/County Guidance Manual (Guidance Manual of On-Site Storm Water Quality Control Measures). In all cases, source control measures on the improvement plans will include provision of a permanent storm drain message "No Dumping - Flows to Creek" or other approved message at each inlet. Other on-site source and treatment control measure(s) should also be used in accordance with specific residential activities referenced in the Guidance Manual. Prior to development plan approval, the final design of the proposed on-site source and treatment controls will be approved by the City of Elk Grove Department of Water Resources. (Water Resources)

- Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the City of Elk Grove Code, a Mitigation Monitoring and Reporting Program, City Control Number EG-00-042, has been established for the project entitled "**SHELDON PARK REZONE AND TENTATIVE SUBDIVISION MAP**".

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

It shall be the responsibility of the project applicant to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the preceding pages. The City of Elk Grove Planning Department will verify, within ten (10) business days of notification, that the project is in compliance. Any non-compliance will be reported to the project applicant, and it shall be the project applicant's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator. Any indication that the project is proceeding without good-faith compliance could result in the imposition of administrative, civil and/or criminal penalties upon the project applicant in accordance with Chapter 20.02 of the City of Elk Grove Code.

It shall be the responsibility of the project applicant to reimburse the City for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program, including any necessary enforcement actions. The initial estimate of City monitoring costs for this project is \$ 2,500, which must be paid to the City of Elk Grove Planning Department. If actual City monitoring costs are less than the initial estimate, the difference will be refunded to the applicant; and if the actual City monitoring costs exceed the initial estimate, a revised estimate and/or supplemental bill(s) will be submitted to the applicant.

Pursuant to Section 20.02.060 of the City of Elk Grove Code, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of all fees for the project, the Environmental Coordinator shall issue and the City Clerk shall record a Program Completion Certificate for the project.

In order to record the adopted Mitigation Monitoring and Reporting Program with the County Recorder as required by Section 20.02.050(b)(2) of the City of Elk Grove Code, the project applicant shall provide to the City of Elk Grove Planning Department a Legal Description for the real property that is the subject of the project.

The requirements of this adopted Program run with the real property that is the subject of the project, as described in **Exhibit A**. Successive owners, heirs and assigns of this real property are bound to comply with all of the requirements of the adopted Program.

Prior to any lease, sale, transfer or conveyance of any portion of the real property that is the subject of the project, the record owner(s) at the time of the application for the project, or his or her successor's in interest, shall provide a copy of the

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adopted Program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

Chapter 20.02 of the City of Elk Grove Code permits civil remedies and criminal penalties to be imposed in the event of non-compliance with an adopted Mitigation Monitoring and Reporting Program. The civil remedies, which are found in Section 20.02.090 of the City of Elk Grove Code, include injunctive relief, stop work orders, revocation of any special permit granted concurrently with the approval of a Program, and the abatement of any resulting nuisance. The criminal penalties, which are found in Section 20.02.080 of the City of Elk Grove Code, include a fine not to exceed five hundred dollars or imprisonment in the County jail not to exceed six months, or both.

