

RESOLUTION NO. 2002-24

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
ADOPTING A MITIGATED NEGATIVE DECLARATION and MMRP, AND
APPROVING A LARGE LOT PARCEL MAP, AND A TENTATIVE SUBDIVISION
MAP FOR THE QUAIL RIDGE PROJECT #EG-01-139,
IN THE EAST FRANKLIN SPECIFIC PLAN AREA**

WHEREAS, Gerry N. Kimilos LLC (hereinafter referred to as Applicant) filed an application with the City of Elk Grove (hereinafter referred to as City) for a Large Lot Parcel Map consisting of 13 lots, a Tentative Subdivision Map for 1,016 single-family residential lots (Assessor's Parcel Numbers 132-0020-059, 063 and 085); 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) Section 31507.4; and

WHEREAS, a duly advertised public hearing notice; in accordance with Government Code Section 65090 et al. and a public hearing was conducted by the Planning Commission on November 29, 2001.

WHEREAS, after careful consideration of all the written materials and testimony received, the Planning Commission recommended City Council approval of the project.

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

1. Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan prepared for the Quail Ridge project and direct staff to file a Notice of Determination.

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: The proposed project is a component of a Specific Plan where environmental issues were analyzed within a program level Environmental Impact Report. An Initial Environmental Study was also prepared specifically 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. Approve the Large Lot Parcel Map and the Tentative Tract Map, as recommended by the Planning Commission, subject to the Conditions of Approval for 36 months.

Findings: Section 66474 of the California Subdivision Map Act requires a City to deny approval of a map, if it affirmatively makes any one of the following findings:

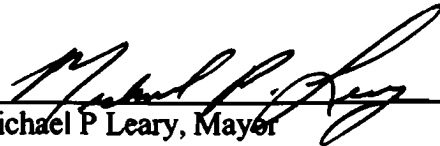
- a. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- b. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- c. That the site is not physically suitable for the type 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. cannot be made to deny the proposed Large Lot Parcel Map and the Tentative Tract Map.

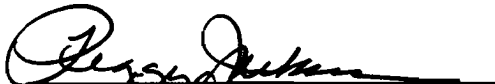
- a. The proposed map is consistent with the East Franklin Specific Plan.
- b. The design of the improvements of the proposed subdivision is consistent with the existing and proposed amendments to the East Franklin Specific Plan.
- c. The site is physically suitable and consistent with the type of single family residential development approved in the East Franklin Specific Plan.
- d. The site is appropriate for the Plan 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 Quail Ridge Project determined that potential environmental impacts from the design of the parcels 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 Quail Ridge 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 conflicts with easements acquired by the public at large, for access through or by use of the property within the proposed subdivision, have been identified.

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


Michael P Leary, Mayor

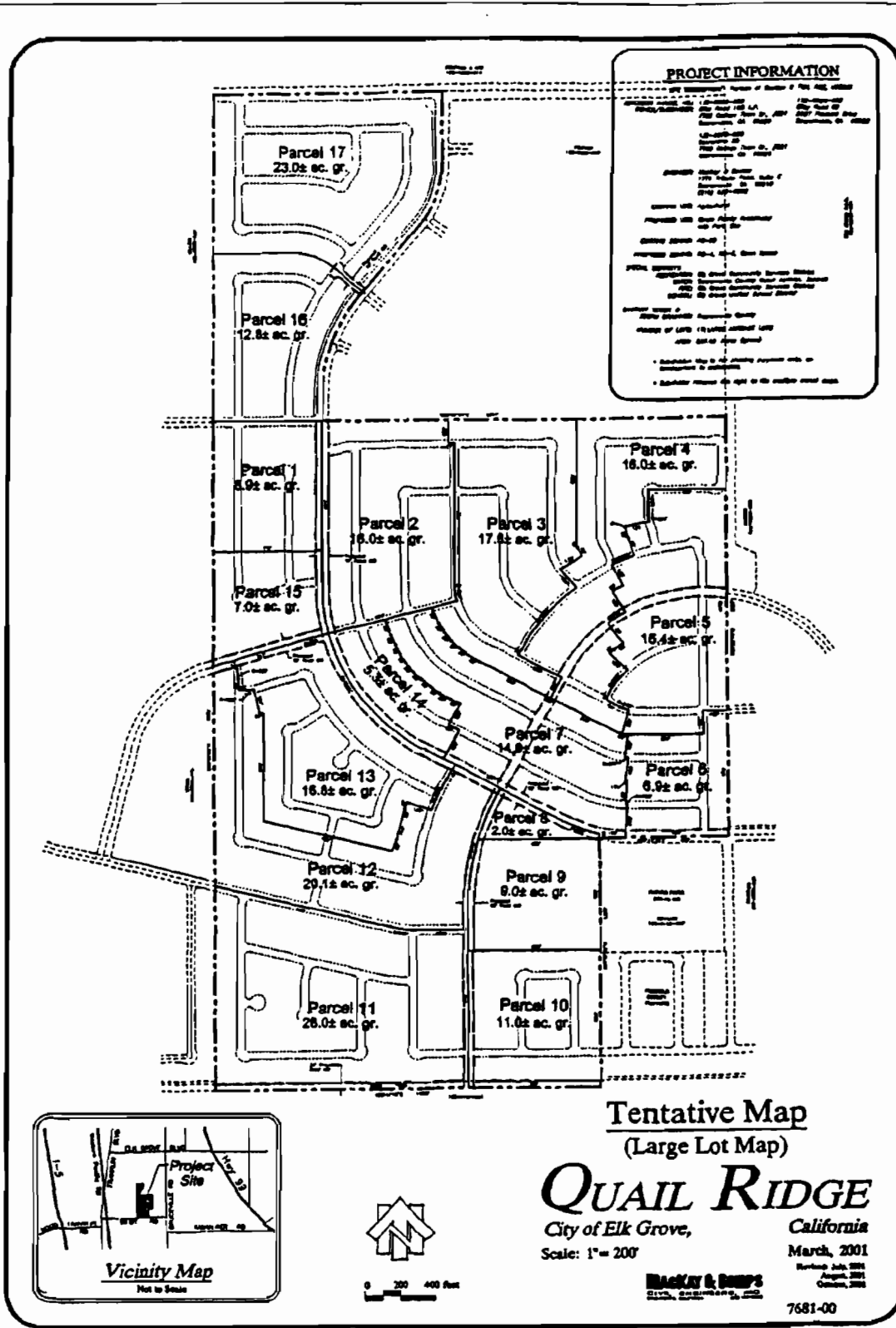
ATTEST:

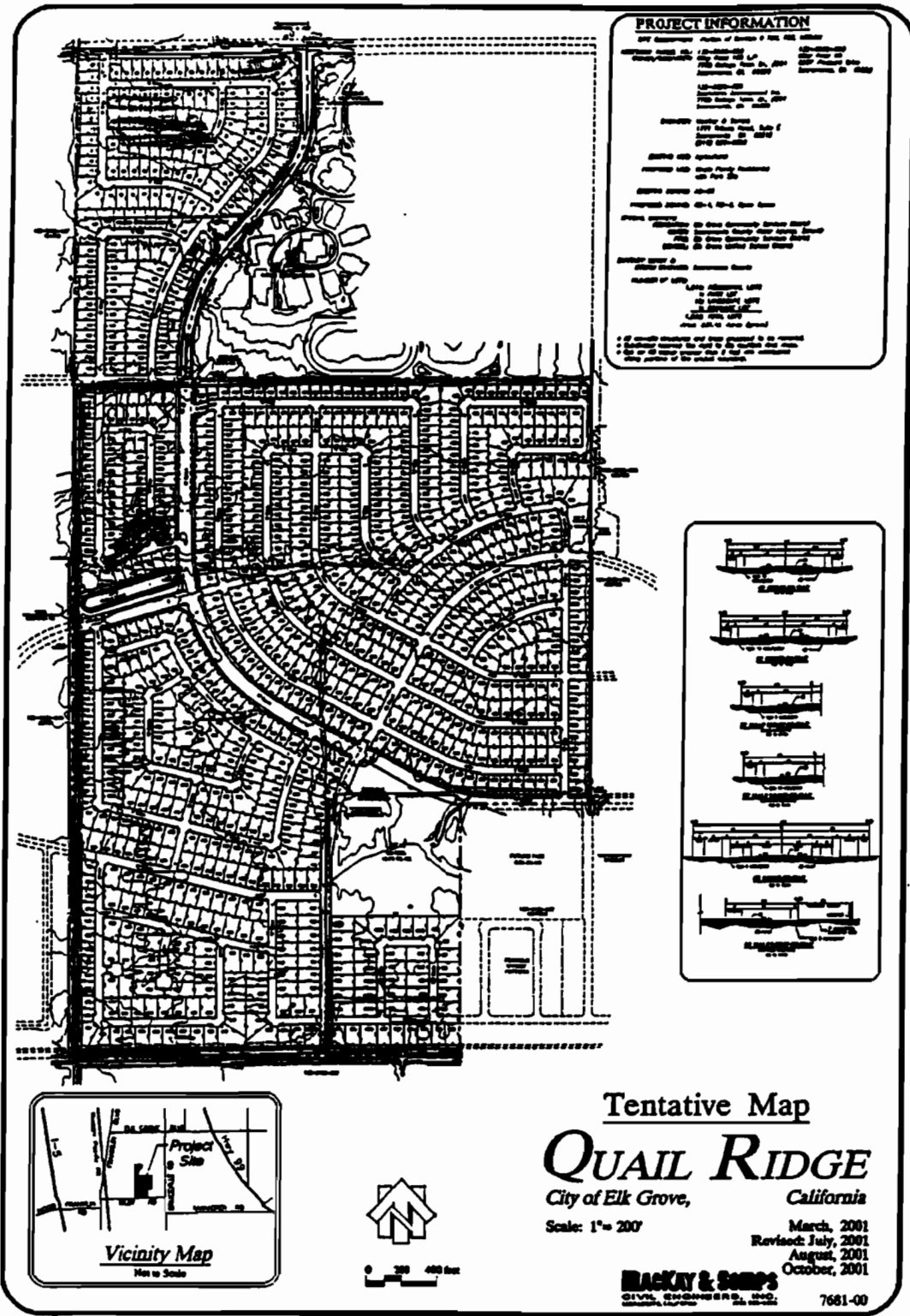

Peggy Jackson, City Clerk

APPROVED AS TO FORM:


Anthony Manzanetti, City Attorney

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





Tentative Subdivision Map-Quail Ridge

RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

NAME:

City of Elk Grove
Planning Division
8400 Laguna Palms Way
Elk Grove, CA 95758

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

**MITIGATION MONITORING AND REPORTING PROGRAM
and CONDITIONS OF APPROVAL
FOR THE QUAIL RIDGE SUBDIVISION**

City Control Number: EG-01-139

Assessor's Parcel Number: 1132-0020-059, 063 and 085

Project Description:

- A request to Rezone approximately 231.4 acres of AG-80 to RD-4, RD-5, and O Open Space Zones.
- A Subdivision Map for 1,016 single family lots, 15 landscape lots, one drainage channel lot, a proposed school site, a park site, and a large lot parcel map (13 parcels) for individual unit sales.

Location: Northeast corner of Elk Grove Blvd. and Waterman Road

Project Proponents:

Owner :

Frank Stathos
7700 College Town Drive, Suite
201
Sacramento, CA 95826

Applicant/Agent:

Gerry N. Kimilos, LLC
11211 Gold Country #108
Gold River, CA 95670
(916) 631-8440

Engineer:

Mackay & Soms
Attn: Bruce Walters
1771 Tribute Road Suite E
Sacramento CA 95815
(916) 929-6092

Type of Environmental Document: Mitigated Negative Declaration

Prepared by: City of Elk Grove
Planning Division

Date: December 19, 2001

**Mitigation Monitoring and Reporting Program
Adopted by:**

Date:

City of Elk Grove
Planning Department

Attest: _____
Eric Norris, Planning Director

SUMMARY

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, Control Number EG-01-139, has been established for the project entitled **“Quail Ridge Subdivision”**

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 following 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 **\$7,500.00**, which must be paid to the City of Elk Grove Planning Division. 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 supplemental bill 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 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.

**Quail Ridge EG 01-139: Conditions of Approval / Mitigation Monitoring and Reporting Program
Modified from Planning Commission 11/29/01**

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>1 The following conditions apply for:</p> <ul style="list-style-type: none"> • A request to Rezone approximately 231.4 acres of AG-80 to RD-4, RD-5, and O Open Space Zones. • A Large Lot Parcel Map (13 parcels) and a Tentative Subdivision Map for 1,016 single family lots, 15 landscape lots, one drainage channel lot, and a park site. • Along with all the Exhibits and Attachments, dated November 29, 2001. 			
<p>2 This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.</p>	On-going	City of Elk Grove	
<p>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.</p>	36 months from the date of approval	Planning Division	
<p>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.</p>	On-going	City of Elk Grove	

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

	<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
5	All Mitigation Measures adopted for the East Franklin Specific Plan apply to this project (Appendix A of the Mitigated Negative Declaration), along with the Mitigation Measures included in the Mitigated Negative Declaration prepared for the Quail Ridge project.	On-going	City of Elk Grove	
6	The applicant shall comply with, record, and pay fees for the Mitigation Monitoring and Reporting Program (MMRP) associated with Quail Ridge (231+/- acres). Until the MMRP has been recorded and the estimated MMRP deposit of \$7,500.00 has been paid.	Prior to the approval of improvement plans, grading or recordation of a final subdivision map, whichever occurs first	Planning Division	
7	<p>The project developer shall implement one of the following options to the satisfaction of the Planning Manager to mitigate for the loss of agriculture land:</p> <ul style="list-style-type: none"> a. Preserve 145.8 acres (231 acres X .63 (2,474 divided by 1,675) of agricultural land within specified boundaries, or b. Contribute \$950.00 per acre into a fund to be used to purchase conservation easements (145.8 acres X \$950.0 = \$138,493.00), or c. Comply with a program implemented by the City of Elk Grove to address such mitigation for loss of Agricultural Resources. 	Prior to the approval of improvement plans, grading or recordation of a final subdivision map, whichever occurs first	Planning Division	

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8	The project shall comply with the City's Land Grading and Erosion Control Ordinance.	Prior to the approval of improvement plans, grading or recordation of a final subdivision map, whichever occurs first	Department of Water Resources	
9	<p>In order to control fugitive dust emission during the construction phase of any development within the Specific Plan area, the following measures shall be implemented:</p> <p style="padding-left: 40px;">a. Water exposed surfaces, graded areas, storage piles, and haul roads at least twice daily.</p> <p>Minimize the amount of disturbed area, the amount of material actively worked, and the amount of material stockpiled.</p> <p>Limit onsite construction vehicle speeds to 15 mph.</p> <p>Sweep or wash paved streets adjacent to project construction sites at least once a day to remove accumulated dust.</p> <p>Maintain at least two feet of freeboard when transporting soil or other material by truck. (EFSP MM AQ-1)</p>	On-going during construction	Building Division	
10	Construction contracts for the project shall include the following measures to be monitored by the City	Prior to building permit issuance	Building Division	

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<p>and SMAQMD:</p> <p>Category 1: Reducing NOx emissions from off-road diesel powered equipment.</p> <p>The prime contractor shall provide a plan for approval by the Elk Grove Planning Division and SMAQMD demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, and operated by either the prime contractor or any subcontractor, will achieve a fleet-averaged 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average; and</p> <p>The prime contractor shall submit to the Elk Grove Planning Division and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during the construction project. The inventory shall include the horsepower rating, engine production year, and hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs.</p> <p>The use of "Lubrizol" as a fuel for diesel-</p>			

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<p>powered equipment is also recommended. This alternative fuel operates in an diesel engine. Use of this fuel in a diesel engine will reduce Nox emissions by 14% and PM₁₀ emissions by 63%.</p> <p align="center">and:</p> <p>Category 2: Controlling visible emissions from off-road diesel powered equipment.</p> <p>The prime contractor shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity shall be repaired immediately, and the Elk Grove Planning Division and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted to the Elk Grove Planning Division and SMAQMD throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or</p>			

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<p>other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supercede other SMAQMD or state rules or regulations.</p> <p>AQ-2 shall be limited in application to include only on-road and off-road mobile construction equipment employed in the construction or development of those infrastructure improvements identified in the East Franklin Financing Plan, including but not limited to roads, standard utilities (natural gas, water, electricity, etc.), drainage improvements, sewer system or related components, schools, fire stations, and parks. This requirement shall not be stayed, regardless of year, unless otherwise made legally moot by the passage of superseding local, state, or federal air quality laws, rules, or regulations, and shall apply to all developers or contractors operating on-road or off-road construction equipment for the life of the (East Franklin Specific Plan Area) project(s).</p> <p>Additionally, construction-related emissions shall be reduced by application of AQ-2 intract subdivision improvements or shall be offset through the application of a twenty-five dollar assessment attached to each residence constructed in the East Franklin Specific Plan Area, due and payable by the developer upon issuance of building permit by the</p>			

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<p>governing authority for the life of the (East Franklin Specific Plan Area) project(s). This \$25 amount per residence is a one time fee to be paid by the developer(s) of residential and commercial structures within the East Franklin Specific Plan Area which shall be used to subsequently assist the Sacramento Metropolitan Air Quality Management District in the acquisition of qualifying low-emission heavy duty vehicles designed to operate regularly in the East Franklin area to the extent possible, and otherwise within the Sacramento air basin.</p> <p>Funds resulting from this mitigation shall be placed by the developer(s) into an escrow account until such time as they are directed by the Sacramento Metropolitan Air Quality Management District to be transferred to the appropriate institution for use. These funds will likely assist the Elk Grove School District in the purchase of low-emission school buses, or assist in the purchase of low-emission refuse vehicles serving the East Franklin area. Similarly, projects for funding may be identified by the developer, the City, or the Sacramento Metropolitan Air Quality Management District.</p>			

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<p>11 Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during <u>any</u> development activities, work shall be suspended and the Planning Division shall be immediately notified. At that time, the Planning Division will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources.</p> <p>In addition, pursuant to Section 5097.97 of the State Public Resources code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, adhere to the guidelines of the Native American Heritage Commission in the treatment and disposition of the remains. (EFSP MM CR-4)</p>	<p>On-going during excavation and building</p>	<p>Building Division</p>	
<p>12 The project developer shall obtain all necessary U.S. Army Corps of Engineers permits pursuant to Section 404 of the Clean Water Act, and all necessary California Endangered Species Act permits and Streambed Alteration Agreements from the California Department of Fish and Game pursuant to the Fish and Game Code. (EFSP MM BR-2)</p>	<p>Prior to the issuance of grading permits.</p>	<p>U.S. Army Corps of Engineers</p>	

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<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>13 As specified in adopted <i>Swainson's Hawk</i> mitigation policies or programs in effect at the time of request, the project developer shall mitigate for potential impacts to <i>Swainson's Hawk</i> 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 (51 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 <i>Swainson's hawk</i> mitigation plan to the satisfaction of the California Department of Fish and Game that includes the preservation of <i>Swainson's hawk</i> foraging habitat; OR c. Submit payment of a <i>Swainson's hawk</i> impact mitigation fee of \$750.00 per acre impacted, plus \$382.00 for administration, to the Department of Planning and Community Development as set forth in Chapter 16.130 of the Sacramento County (Elk Grove) Code, and as such may be amended from time to time and to the extent that said Chapter remains in effect; OR d. Should the City of Elk Grove adopt a <i>Swainson's hawk</i> mitigation policy or program (which may include a mitigation fee payable prior to the issuance of building permits) prior to implementation of one of the measure above, the 	<p>Prior to issuance of grading permits.</p>	<p>California Department of Fish and Game</p>	

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

	<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	project proponent may be subject to that program instead. (Mitigation Measure BR-1 of the Mitigated Negative Declaration)			
14	A field survey shall be conducted by a qualified biologist to determine if active nests of Swainson's hawk occur on the site. These surveys shall include all areas in or within 250 feet of the construction zone. If such surveys detect the hawk, the CDFG may impose restrictions on proximate development during the nesting season to ensure that take does not occur.	No earlier than 45 days and no later than 20 days prior to the commencement of any grading or clearing that would occur during the nesting/breeding season (February 1 through September 1)	City designated biologist	
15	<p>The project developer shall mitigate for potential impacts to habitat for <i>Raptors</i>, <i>Burrowing Owls</i>, and <i>Tricolored Blackbirds</i> according to the following measure:</p> <p>a. If construction activities are expected to occur during the nesting season (February-August), a pre-construction raptor survey (including burrowing owls) shall be conducted within 30-days of the onset of construction to determine the activity status of any nests found on the project site. In the event that nesting raptors are found, a 250' no-construction zone shall be established around the nest until the young have fledged.</p> <p>b. If construction activities commence during the non-breeding season (September-January), a survey is not required and no further studies are</p>	Prior to the beginning of construction activities (grading, demolition, or habitat disturbance)	City designated biologist	

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<p>necessary.</p> <p>c. Prior to demolition of structures or the commencement of construction activities or disturbance of blackberry thickets, a survey should be conducted by a qualified biologist to determine whether or not raptors or tricolored blackbirds are utilizing the site. If present, abide by the biologist's recommended measures to reduce or negate adverse impacts to these species.</p> <p>d. Applicant shall preserve on-site nesting and upland foraging habitat where feasible, and purchase nesting and upland foraging habitat at off-site preserve sites. (Mitigation Measure BR-2 of the Mitigated Negative Declaration)</p>			
<p>16) The project must demonstrate the following items to the satisfaction of the Department of Water Resources:</p> <p>a. Provide non-potable water for use during grading and construction, which could be an existing agricultural well; and a non-potable water distribution system to the satisfaction of the Sacramento County Water Agency. (Department of Water Resources)</p> <p>b. After final grading, destroy all wells on the project site in accordance with the requirements of the Sacramento County Environmental Health Division. Clearly show all abandoned wells on the improvement plans for the project.</p>	<p>Prior to approval of Improvement Plans</p>	<p>Department of Water Resources</p>	

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17	The adopted Laguna South Fee Program shall provide the financial means to implement certain public improvements of the East Franklin Specific Plan and the Quail Ridge development shall be subject to the payment of fees identified within that Program. Public facilities identified within this plan will include roadways, parks, libraries, fire facilities, landscape corridors, reclaimed water and supplemental drainage facilities.	Prior to the recordation of the final map	Infrastructure Finance	
18	The Quail Ridge development shall pay future City of Elk Grove Fees for grade separation, City Hall, City facilities, police equipment and facilities, and similar public infrastructure.	Prior to the recordation of the final map	Infrastructure Finance	
19	Grant the City of Elk Grove right-of-way on Bilby Road based on the East Franklin Specific Plan standards to the satisfaction of the Department of Transportation, Public Works Agency.	Prior to the recordation of the Large Lot Parcel Map	Public Works	
20	Grant the City of Elk Grove right-of-way on Poppy Ridge Road based on the East Franklin Specific Plan standards to the satisfaction of the Department of Transportation, Public Works Agency.	Prior to the recordation of the Large Lot Parcel Map	Public Works	

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21 Grant the City of Elk Grove additional right-of-way on Poppy Ridge Road and '17' Street for intersection widening per Standard Drawings 4-5 and 4-6 of the City of Elk Grove Improvement Standards and to the satisfaction of the Department of Transportation of the Public Works Agency.	Prior to the recordation of the Large Lot Parcel Map	Public Works	
22 Large Lot Parcel 10 shall be irrevocably offered for dedication to EGCS D, in the event the Elk Grove Unified School District acquires Lot A for the elementary school site. Should the School District not acquire Lot A, the EGCS D shall be granted fee title to Lot A for the park site and the irrevocable offer to dedicate Parcel 10 will no longer be required.	Prior to the recordation of the Large Lot Parcel Map	Planning Division	
23 Grant the City of Elk Grove right-of-way on '21' Street along the school frontage for on-street parking based on the East Franklin Specific Plan standards to the satisfaction of the Department of Transportation.	Prior to the recordation of the final map	Public Works	
24 The applicant shall be required to pay the East Franklin Specific Plan Preparation Reimbursement Fee, as adopted by the City of Elk Grove, for the purpose of reimbursing property owners within the specific plan through the East Franklin Property Owners Association for the costs the property owners in the specific plan incurred to prepare the Specific Plan.	Prior to the recordation of the final map	Infrastructure Finance	

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<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
25 Prepare a Water Supply Study, to the satisfaction of the Sacramento County Water Agency. The water supply study shall be prepared by a Civil Engineer registered in the State of California.	Prior to the recordation of the final map	Department of Water Resources and EGCSDFire	
26 Project proponents, future successors or interests shall dedicate a minimum 100ft x 100ft water well site (Lot 424 and 425) or an alternate site and, obtain necessary easements for the purposes of constructing a groundwater well to the satisfaction of the Sacramento County Water Agency (SCWA). Acceptance and approval of the site shall be subject to meeting Department of Health Services (DHS) setback requirements and obtaining acceptable results from hydrogeologic evaluations (exploratory drilling). If these conditions cannot be satisfied, then an alternate site on the Quail Ridge Subdivision shall be selected and similarly evaluated. Prior to final map approval, the project proponent shall grant right-of-entry to the SCWA to conduct hydrogeologic evaluations.	Prior to the recordation of the final map	Department of Water Resources	
27 Separate water service shall be provided to each parcel and water easements shall be dedicated to the satisfaction of the Sacramento County Water Agency.	Prior to the recordation of the final map	Department of Water Resources	
28 Dedicate on the Final Map a 12.5- foot public utility easement for underground facilities and	Prior to the recordation of the final map	Public Works	

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	appurtenances adjacent to all public ways.			
29	Dedicate on the Final Map any "Landscape Lot" adjacent to all public roads as a public utility easement for underground facilities and appurtenances.	Prior to the recordation of the final map	Public Works	
30	A full length, full width and full depth drainage channel, complete with all required landscaping, must be constructed pursuant to the approved drainage master plan and environmental impact report. Any proposed phasing of the ultimate drainage facilities shall be subject to receipt, review and approval, by Water Resources and the City of Elk Grove, of an overall phased drainage plan for the East Franklin Specific Plan.	Prior to the recordation of the final map	Public Works Department of Water Resources	
31	Install public street improvements on Bilby Road pursuant to City of Elk Grove Improvement Standards and to the satisfaction of the Department of Transportation, Public Works Agency.	Prior to the recordation of the final map	Public Works	
32	Install public street improvements on Poppy Ridge Road pursuant to City of Elk Grove Improvement Standards and to the satisfaction of the Department of Transportation, Public Works Agency.	Prior to the recordation of the final map	Public Works	
33	Install Type 2 curb along '17' Street and '23' Street	Prior to the recordation	Public Works	

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	adjacent to the landscape corridors per drawing 4-25 of the City of Elk Grove Improvement Standards and to the satisfaction of the Department of Transportation of the Public Works Agency.	of the final map		
34	<p>Visibility easements shall be included where needed per the City of Elk Grove Improvement Standards and to the satisfaction of the Department of Transportation. Stop signs shall be installed to the satisfaction of the Department of Transportation of the Public Works Agency.</p> <p>Note: Stop signs will be required at the following locations:</p> <ul style="list-style-type: none"> • On 'A' Way at the intersection with Poppy Ridge Road • On '21' Street at the intersection with Bilby Road • On '17' Street at the intersection with '23' Street/'Q' Way • On the minor residential streets intersecting 'Q' Way • On the minor residential streets intersecting '17' Street • On the minor residential streets intersecting '21' Street • On the minor residential streets intersecting '22' Street • On the minor residential streets intersecting '23' Street • On the minor residential streets intersecting '26' Street 	Prior to the recordation of the final map	Public Works	

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<ul style="list-style-type: none"> • All way at the intersection of '17' Street and '26' Street • All way at the intersection of '17' Street and '21' Street 			
35 Dedicate right-of-way for the indicated public streets, and install public street improvements pursuant to the East Franklin Specific Plan, the City of Elk Grove Improvement Standards and to the satisfaction of the Department of Transportation of the Public Works Agency.	Prior to the recordation of the final map	Public Works	
36 Water connection permits will not be issued until sufficient water production capacity has been provided to the satisfaction of the Sacramento County Water Agency.	Prior to the recordation of the final map	Public Works	
37 An approved sewer study to the satisfaction of CSD-1 will be required prior to submittal of final map approval.	Prior to the recordation of the final map	CSD-1	
38 In order to obtain sewer service, construction of public trunk and collector sewer will be required to the satisfaction of CSD-1. An interim sewer pump station will also be necessary to provide sewer service prior to the construction of the South Interceptor. Design of the public trunk sewer and the interim lift station shall be coordinated with and approved by CSD-1. Sacramento County Improvement Standards apply to on-site sewer construction.	Prior to the recordation of the final map	CSD-1	

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39 Provisions for public sewer easements will be required. The sewer easement shall be dedicated to CSD-1, be a minimum of twenty (20) feet in width and ensure continuous access for maintenance.	Prior to the recordation of the final map	CSD-1	
40 Sacramento County Improvement Standards apply to on-site sewer construction. Provisions for public sewer easements may be required. If required, the sewer easement shall be dedicated to CSD-1, be a minimum of twenty (20) feet in width and ensure continuous access for maintenance.	Prior to the recordation of the final map	CSD-1	
41 All landscape corridors shown on the Tentative Map shall be improved and dedicated as 25 foot landscape corridors from back of curb, except Lot "F" and a portion of Lot "E" along Street "17" , they shall be 15 foot.	Prior to the recordation of the final map	EGCSD	
42 Dedicate parkland and pay fees as required by the Ordinances of the City of Elk Grove Code. EGCSD	Prior to the recordation of the final map	EGCSD	
43 Land dedicated to EGCSD (lot A) for Park purposes shall be 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, walls, fences, wells or storage tanks must be removed per District's specifications and in accordance with all applicable laws and	Prior to the recordation of the final map	EGCSD	

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	regulations prior to the acceptance by District of any grant deed or easement.			
44	Construct all necessary street frontage improvements abutting the dedicated park site including, but not limited to, vertical curb, gutter, street frontage and sidewalks.	Prior to the recordation of the final map	EGCSD	
45	Provide and pay any related fees including connection fees for stubs in to the park Site for water, drainage, sewer, electrical, and gas	Prior to the recordation of the final map	EGCSD	
46	The District shall approve locations of all utility service points on all land to be dedicated or maintained by the EGCSD.	Prior to the recordation of the final map	EGCSD	
47	Rough grade the park site pursuant to plans approved by the District.	Prior to the recordation of the final map	EGCSD	
48	If the park site abuts residential lots, or any public or private facility lots, developer shall install a 6 ft. fence along the park area where it abuts these lots; location of fence is to be decided upon by the developer and the District. The fence is to be installed when the District is ready to develop the park or when the construction on the adjoining	Prior to the recordation of the final map	EGCSD	

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	lots commences, whichever comes first.			
49	Provide adequate drainage facilities to the boundary of the park site pursuant to plans approved by the District	Prior to the recordation of the final map	EGCSD	
50	Before a final subdivision map is approved for this project, a financing plan to fund onsite park improvements within the proposed project must be implemented.	Prior to the recordation of the final map	EGCSD	
51	Annex to the City of Elk Grove Stormwater Utility, as administered by the County of Sacramento Department of Water Resources, pursuant to the Sacramento County Water Agency Code and the City of Elk Grove Improvement Standards.	Prior to the recordation of the final map	Public Works	
52	Staff shall review and approve the text of the disclosure statement to all prospective buyers of property within 500 feet of any active farming/dairy operation. The disclosure statement shall be through notification within the title report, advising that they could experience inconvenience or discomfort resulting from accepted farming activities pursuant to the provisions of the County Right-to-Farm Ordinance. [EFSP MM SG-2]	Prior to the recordation of the final map	Planning Division	

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53 Provide EGCS D all of the Trail& Open Space Easements/ Dedications necessary to successfully interlink the Trail System with all adjoining with the property owners and transportation projects			
54 The southerly portion of the drainage channel, Lot "C" shall be improved with a 40-foot wide landscape trail easement. The trail system shall be include an irrigated landscape area and a minimum 10-foot wide paved trail, with a 2-foot shoulder on each side. An 8-foot irrigated landscape area will also be provided on the north side of Lot "C", with open fencing along the channel adjacent to the residential lots.	Prior to the recordation of the final map	EGCS D	
55 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 recording any final 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	Prior to the recordation of the final map	EGCS D	

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existing capital costs of parks, parkways, corridors, medians, open space, trail systems, lakes, creeks, and other recreational and aesthetic amenities.			
56 The project proponent shall provide evidence that the fire flow from the public water system is capable of delivering a minimum 1,000 gpm at 20 psi. 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. If homes built in this area are to be 3,601 square feet or greater (including the garage and porch patio) an additional water flow analysis will be required. Homes 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 for fire flow.	Prior to the issuance of building permits	EGCSD – Fire Department	
57 All phases of construction shall have two points of fire department access that meet EGCSD Fire Department's minimum standards. The two points of fire department access shall be a minimum of 500 feet apart.	Prior to the issuance of building permits	EGCSD – Fire Department	
58 Lots 188-195 shall have non-combustible fencing along drainage channel.	Prior to the issuance of building permits	EGCSD – Fire Department	

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59	A permit release letter from Elk Grove Community Services District Fire Department shall be requires prior to the issuing of any construction permits.	Prior to the issuance of building permits	EGCSD – Fire Department	
60	No more than 39 lots per each large lot parcel shall be issued permits until at least two points of access are provided to public roads (per Title 22 requirements). Provide sight distance (visibility) easements where necessary at street intersections with curvilinear alignment per Improvement Standards	Prior to the issuance of building permits	Public Works	
61	The project, the project proponent shall pay Zone 40 development fees applicable at the time of building permit issuance in accordance with Sacramento County Water Agency Ordinance No. 18	Prior to the issuance of building permits	Department of Water Resources	
62	The conditions of approval of this project shall be included within the notes of all building plans.	Prior to the issuance of building permits	Department of Water Resources	
63	Large Lot Parcels 5 and 6 are within the 500-foot buffer zone established in the East Franklin Specific Plan Ordinance from the west and north perimeters of the Machado Dairy. No building permits shall be issued within those parcels, unless substantial changes in the dairy operation have occurred, and in no event shall this requirement remain after the dairy operation has ceased. (EFSP EIR SG-3)	Prior to the issuance of building permits	Building Division	

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64	The designs of the buildings shall be consistent with the guidelines in <u>Section 2.2.8 Residential Design Guidelines</u> of the East Franklin Specific Plan.	Prior to the issuance of building permits	Planning Division	
65	Single-story structures shall be placed on lots 1, 78-93, 880-889, 948, 953-956, 974- 982, unless it can be demonstrated that two-story units can be designed that will allow natural ventilation from the second floor windows and be in accordance with Noise Mitigation Measures of the MMRP for the Specific Plan.	Prior to the issuance of building permits	Planning Division	
66	The project shall conform to the specific provisions of the Elk Grove Landscape Water Conservation Ordinance (Chapter 14.1 of the Elk Grove Code) to the satisfaction of the City Landscape/Oak Tree Coordinator.	Prior to the issuance of building permits	Department of Water Resources	
67	<p>Homes that have attached garages with side or rear doors will have solid core or metal covered doors with dead bolt locks.</p> <p>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.</p> <p>All external doorframes, including the side garage, will have screws that are a minimum of three inches long in the strike plate. Strike plates shall be anchored with a minimum of four screws.</p>	Prior to the issuance of building permits	Sheriff Department	

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68	The Elk Grove Unified School District has funded and built, and is in the process of funding and building certain oversized infrastructure that will be of direct benefit to the Developer's Project. Developer shall provide written correspondence from the School District's Assistant Superintendent of Facilities establishing the Developer has adequately provided for the reimbursement of infrastructure costs incurred by the School District on behalf of Developer's project, prior to the issuance of the first building permit for residential construction.	Prior to the issuance of building permits	Planning Division	
69	The project developer / applicant shall implement the following measures to the maximum extent feasible: a) Install EPA Phase II certified wood-burning devices in residential units in place of standard wood-burning devices. b) Install natural gas fireplaces in residential units in place of standard fireplaces. c) Install electrical outlets in front and backyards of homes for use with electric powered yard equipment. d) Install energy efficient heating and appliances. e) Construct homes and other buildings with additional insulation factors to reduce energy use. (EFSP MM AQ-6)	Prior to the issuance of building permits	Building Division	

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70 Enhanced masonry sound walls shall be constructed in accordance with the wall design guidelines in 3.11 of the EFSP, along the southern boundary line of the landscape corridor adjacent to New Poppy Ridge Road (lots 1, 78-93), and along the northern boundary line of the landscape corridor along Bilby Road (lots 880-889, 948, 953-956, 974- 982). A barrier height of 7-foot tall is projected to reduce future traffic noise levels to S62 and 60 dB Ldn, respectively. (Table 3-10 page 3-58 EFSP)	Prior to Final Inspection or Certificate of Occupancy	Building Division	
71 For residential units that are not shielded directly by barriers (two-story dwellings) and are proposed to be located within the 60dB Ldn noise contour, reduced building height or building facade noise reduction will be required to achieve an interior noise level of 45 dB Ldn. Acoustical insulation, building materials and or construction techniques shall be incorporated into the building plans for these units to meet the thresholds for acceptable noise levels and compliance with the General Plan Noise Element.	Prior to Final Inspection or Certificate of Occupancy	Building Division	
72 Prior to the final inspection, traffic pre-emption devices, approved by the Elk Grove Community Service 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 Service District Fire	Prior to Final Inspection or Certificate of Occupancy	EGCSD-Fire Department	

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	Department.			
73	The installation of on-site or off-site fire protection equipment, including fire hydrants and water mains, shall meet the standards of the EGCSDFD and the water purveyor having jurisdiction.	Prior to Final Inspection or Certificate of Occupancy	EGCSD-Fire Department	
74	Landscape Corridors and parkways shall be constructed and installed in accordance with the East Franklin Specific Plan, consistent with the EGCSD's "General Guidelines for Landscape Corridor Design", and be approved by the Elk Grove Community Services District. The corridor improvements will include, among other things, graffiti resistant masonry walls, meandering or bifurcated sidewalks, and radio controlled irrigation systems. District employees must inspect all construction work as it is being performed.	Prior to Final Inspection or Certificate of Occupancy	EGCSD	
75	When improvements to the corridors, parkways and trails (40-foot area south of the channel and 8-foot area north of the channel) have been completed in accordance with plans, specifications and the inspection procedures approved by the Elk Grove Community Services District; the improved properties shall be conveyed to the EGCSD for ongoing maintenance, operation, repair and replacement. Developer 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	Prior to Final Inspection or Certificate of Occupancy	EGCSD	

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<p>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.</p>			
<p>76 Prior to the Elk Grove Community Services District assuming any responsibility for the maintenance, repair, replacement or operation of any parks, landscaped corridors or medians, recreational trail systems, project entrances or open spaces identified within the project, developer/owner shall approve in accordance with the balloting procedures set forth in Proposition 218 a formula and maximum annual assessment required at full build-out, adjusted for inflation, and assessed annually in accordance with said formula in an amount which is estimated to fund all of the District's costs incurred in performing the above referenced obligations as well as the project's fair share of the costs associated with improvements and facilities located elsewhere in the District which have been determined to be of a District wide benefit.</p>	<p>Prior to Final Inspection or Certificate of Occupancy</p>	<p>EGCSD</p>	
<p>77 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.</p> <p>a. Compliance with all adopted City of Elk Grove</p>			

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<p>codes and regulations, including but not limited to the Elk Grove Municipal Code & Zoning Ordinance, Uniform Building Code and Uniform Fire Code and Sacramento County Environmental Health Department Standards.</p> <p>b. Unless otherwise noted, all improvements and fees shall be at the expense of the developer, including any fee required by Ordinance No. 1 of the Sacramento County Water Agency Code.</p> <p>c. Developing this property may require the payment of additional sewer impact fees.</p> <p>d. Though not required, it is recommended that all single-family dwellings be equipped with an automatic fire sprinkler system.</p> <p>e. Offsite drainage improvements and easements shall be provided pursuant to the City of Elk Grove Floodplain Management Ordinance, and the City of Elk Grove Improvement Standards.</p> <p>f. 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.</p> <p>g. All required roadways, water mains, fire hydrants and fire flow shall be provided prior to the existence of any combustible construction or storage in this development. The roadways shall be constructed to a 20-foot minimum width with a</p>			

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<p>minimum of 3 inches of AC over 6 inches of AB and shall have good drainage.</p> <p>h. The installation of addresses, landscaping, and masonry sound walls are subject to standards outlined by the Elk Grove Community Service District.</p> <p>i. The subject project is included in the East Franklin South Sewer Study performed by Rose's Engineering. This study was approved by CSD-1 on April 12, 2001. However, any significant changes to the land use densities within the study area may require a revision to the document prior to improvement plan submittal.</p> <p>j. Please note that the available capacity in the Elk Grove Trunk system (the interim system initial discharge point) is based on current conditions subject to change as properties within the shed area develop. CSD-1 and Sacramento Regional County Sanitation District (SRCSD) shall issue a sewer permit to connect to the system when it determines that capacity remains available and the property has met all other requirements for service. This process is "first come, first served". Once connected, the property has the entitlement to use the system. However, its entitlement is limited to the capacity accounted for by the payment of the appropriate fees.</p>			