

## **RESOLUTION NO. 2002-62**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING A TENTATIVE SUBDIVISION MAP, FOR THE ELK GROVE AUTO MALL PHASE II PROJECT EG-01-143**

WHEREAS, the Elk Grove Auto Mall Phase II Project, represented by John Hodgson and Lee Sammis (hereinafter referred to as Applicants) filed an application with the City of Elk Grove (hereinafter referred to as City) for a General Plan Amendment designating 44.0 acres from (LDR) Low Density Residential 1-12 to (CO) Commercial and Office, Rezone 44.0 acres from (AG-80) Agricultural 80 acres to (AC) Auto Commercial, Tentative Subdivision Map for 11 parcels ranging in size from 2.10 acres to 8.4 acres in size totaling 44.0 acres, with a 30.3 acre remainder. (Assessor's Parcel Number 132-0280-011); and

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

WHEREAS, 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 February 28, 2002 and 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 prepared for the Elk Grove Auto Mall Phase II project and direct staff to file a Notice of Determination.
2. Approve the Elk Grove Auto Mall Phase II project, Tentative Subdivision Map, subject to the approval of the General Plan Amendment and Rezone for this project and based on the following findings and the attached conditions of approval (Exhibits A and B).
  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.

The Planning Commission eliminated a mitigation measure from the Mitigated Negative Declaration. In accordance with section 15074.1 of the CEQA Guidelines, a lead agency may conclude that certain mitigation measures are not necessary and may be deleted if other mitigation measures may be substituted that are equivalent or more effective. Mitigation Measure 8 from the Mitigated Negative Declaration was eliminated, however Mitigation Measures 9 and 10 will ensure that impacts to native and heritage trees are less than significant and the Mitigated Negative Declaration is appropriate for this project.

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 Tentative Subdivision Map.

- a. The proposed map is consistent with the proposed amendment to the General Plan and rezone.
- b. The design of the improvements of the proposed subdivision is consistent with the General Plan and design standards of the municipal code.
- c. The site is physically suitable for extension of commercial development and will be consistent with the proposed General Plan Amendment.
- d. The site is appropriate for the specified density of development and the applicant's proposed amendments to commercial densities as presented in the staff report.
- e. The Mitigated Negative Declaration prepared for the Elk Grove Auto Mall Phase II Project determined that potential environmental impacts from the design of the subdivision or the proposed improvements will be mitigated to less than significant levels with implementation of the proposed Mitigation Measures and Conditions of Approval.
- f. The Mitigated Negative Declaration prepared for the Elk Grove Auto Mall Phase II 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.

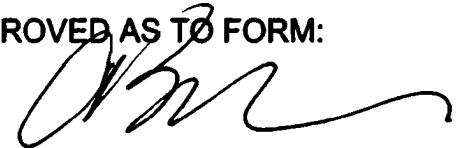
PASSED AND ADOPTED by the City Council of the City of Elk Grove on the 10<sup>th</sup> day of April 2002.

  
Michael P Leary, Mayor of the  
City of Elk Grove

ATTEST:

  
Peggy Jackson, City Clerk

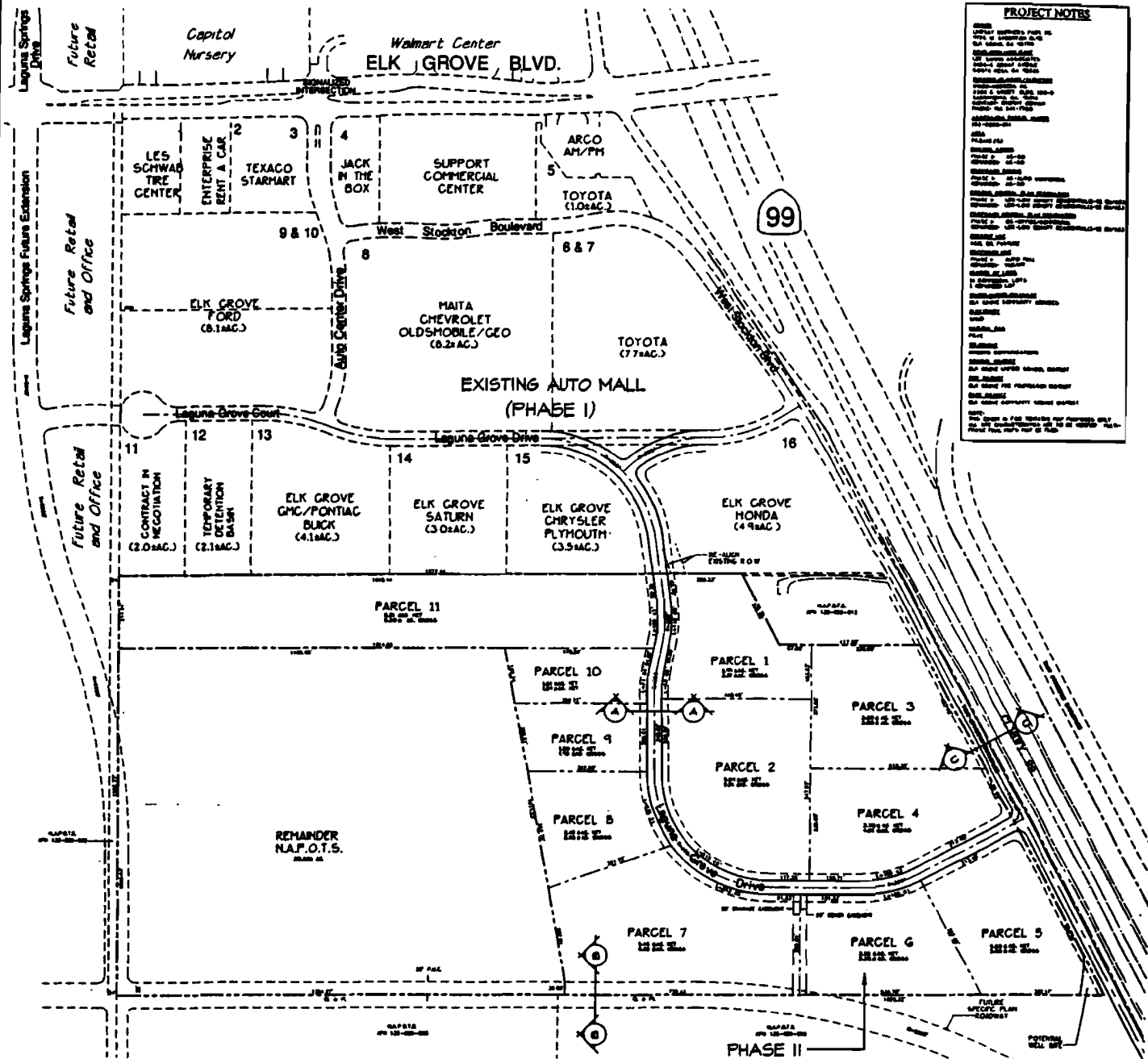
APPROVED AS TO FORM:

  
Anthony B. Manzanetti, City Attorney

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

# TENTATIVE SUBDIVISION MAP ELK GROVE AUTO MALL EXPANSION(PHASE II)

CITY OF ELK GROVE, CALIFORNIA  
FEBRUARY 20, 2002



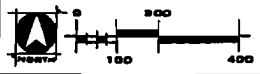
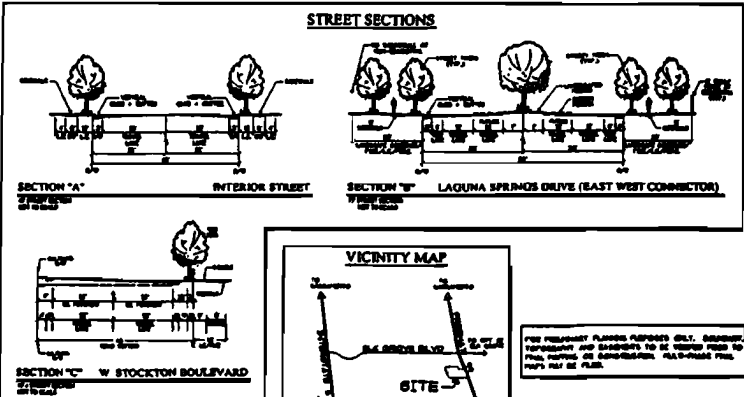
**PROJECT NOTES**

1. ALL LOTS SHALL BE 100' WIDE AT THE FRONT BOUNDARY.
2. ALL LOTS SHALL BE 100' DEEP AT THE REAR BOUNDARY.
3. ALL LOTS SHALL BE 100' DEEP AT THE SIDE BOUNDARIES.
4. ALL LOTS SHALL BE 100' DEEP AT THE CORNER BOUNDARIES.
5. ALL LOTS SHALL BE 100' DEEP AT THE INTERIOR BOUNDARIES.
6. ALL LOTS SHALL BE 100' DEEP AT THE ALLEY BOUNDARIES.
7. ALL LOTS SHALL BE 100' DEEP AT THE DRIVEWAY BOUNDARIES.
8. ALL LOTS SHALL BE 100' DEEP AT THE SIDEWALK BOUNDARIES.
9. ALL LOTS SHALL BE 100' DEEP AT THE CURB BOUNDARIES.
10. ALL LOTS SHALL BE 100' DEEP AT THE STREET BOUNDARIES.
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**LAND USE SUMMARY**

LOT #	USE	ACRES(GROSS)	ACRES(NET)
1	COMMERCIAL	3.18 ±	2.49 ±
2	COMMERCIAL	5.51 ±	5.09 ±
3	COMMERCIAL	3.60 ±	3.60 ±
4	COMMERCIAL	4.01 ±	3.70 ±
5	COMMERCIAL	3.68 ±	3.23 ±
6	COMMERCIAL	3.36 ±	3.22 ±
7	COMMERCIAL	6.22 ±	5.46 ±
8	COMMERCIAL	2.56 ±	2.45 ±
9	COMMERCIAL	1.40 ±	1.80 ±
10	COMMERCIAL	1.64 ±	1.61 ±
11	COMMERCIAL	8.30 ±	8.21 ±
<b>SUBTOTAL LOTS</b>		<b>44.03 ±</b>	<b>41.36 ±</b>
LAGUNA GROVE DRIVE		-	2.11 ±
EAST WEST CONNECTOR (PHASE II)		-	0.36 ±
<b>SUBTOTAL PHASE I</b>		<b>44.03 ±</b>	<b>44.03 ±</b>
REMAINDER		30.30 ±	30.30 ±
<b>TOTAL SITE ACREAGE</b>		<b>74.33 ± AC.</b>	<b>74.33 ± AC.</b>

NOTE: ACREAGES ARE SUBJECT TO MINOR REVISION ON FINAL MAP



WOOD ROGERS INC.  
REGISTERED PLANNING ENGINEER  
2001 S STREET SUITE 1000 SACRAMENTO, CA 95811  
PHONE 916 441-7777 FAX 916 441-7777

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

<b><u>Conditions of Approval / Mitigation Measure</u></b>	<b><u>Timing/ Implementation</u></b>	<b><u>Enforcement/ Monitoring</u></b>	<b><u>Verification (date and Signature)</u></b>	
<b>The following conditions apply to the General Plan Amendment, Rezone, and Tentative Subdivision Map.</b>				
1.	The development approved by this action is for a General Plan Amendment, Rezone, and Tentative Subdivision Map creating 11 commercial parcels as described in the City Council report and associated Exhibits and Attachments dated April 10, 2002.	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.	Comply with, record, and pay fees for the Mitigation Monitoring and Reporting Program (MMRP) associated with (44 acres). Until the MMRP has been recorded and the estimated MMRP fee of \$3,000 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. (Planning)	Prior to Issuance of Grading Permit	Planning Division	
6.	The project applicant shall place the following mitigation requirements in all construction contracts and shall require the use of Best Available Control	Prior to Issuance of Grading Permit	Planning Division and SMAQMD	

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<p>Technologies (BACT), including but not limited to the requirements listed below. During the construction phase of the project, compliance with District Rule 403 – FUGITIVE DUST is required. Proof of these contractor requirements shall be provided to the City prior to the issuance of grading permits.</p> <ul style="list-style-type: none"> <li>• The project applicant and/or prime contractor shall comply with SMAQMD Rule 403 that requires taking reasonable precautions to prevent the emissions of fugitive dust, such as "using water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the construction of roadways, or the clearing of land" where possible and applying "asphalt, oil, water, or suitable chemicals on dirt roads, materials, stockpiles, and other surfaces which can give rise to airborne dust."</li> <li>• Clean earth-moving construction equipment with water once per day.</li> <li>• Reduce traffic speeds on all unpaved surfaces to 15 miles per hour or less.</li> <li>• Use low-emission on-site stationary equipment whenever possible.</li> <li>• Encourage construction employees to carpool to the work site.</li> <li>• Minimize idling time to 10 minutes.</li> <li>• Maintain construction equipment through regular and proper maintenance.</li> <li>• All material transported offsite shall be either</li> </ul>			

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<p>sufficiently watered or securely covered to prevent public nuisance.</p> <ul style="list-style-type: none"> <li>• During initial grading, earthmoving, or site preparation a 100-foot paved (or palliative-treated) apron shall be constructed, extending onto the construction site from the adjacent paved road(s) where vehicles and equipment egress. (SMAQMD)</li> </ul>			
<p>7. <u>Category 1</u>: Reducing NOx emissions from off-road diesel powered equipment.</p> <p>The prime contractor shall provide a plan for approval by the City of Elk Grove and SMAQMD demonstrating that the heavy-duty (&gt; 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 City of Elk Grove 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</p>	<p>Prior to Issuance of Grading Permit</p>	<p>Planning Division and SMAQMD</p>	

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>construction activity occurs.</p> <p><b>and:</b></p> <p><u>Category 2:</u> 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 City of Elk Grove 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 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 other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supercede other SMAQMD or state rules or regulations. (SMAQMD)</p>			
<p>8. Any project that includes the installation of equipment capable of releasing emissions to the atmosphere may require permit(s) from the Sacramento Metropolitan Air Quality Management District (District) prior to operation. The applicant, developer, or operator of a project that includes an emergency generator, boiler, or heater should contact the District early to determine</p>	<p>Prior to Issuance of Grading Permit</p>	<p>Planning Division and SMAQMD</p>	



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

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<p>if a permit is required, and to begin the permit application process. Other general types of uses that require a District permit include dry cleaners, gasoline stations, spray booths, and operations that generate airborne particulate emissions. For further information about permit requirements, contact the District office by calling (916) 874-4800. (SMAQMD)</p>			
<p>9. The California Department of Fish and Game (CDFG) will require pre-development surveys to determine the presence or absence of Swainson's hawk. 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 and the project applicant will be required to obtain an Incidental Take Permit pursuant to Section 2081 of the Fish and Game Code from the California Department of Fish and Game (CDFG) prior to approval of Improvement Plans or Building Permits, whichever occurs first, to ensure that no individual take of Swainson's hawk occurs. (Planning)</p>	<p>Prior to site disturbances</p>	<p>Planning Division and Department of Fish and Game</p>	
<p>10. Suitable nesting habitat for raptors occurs within the trees surrounding the project area. Nesting surveys to determine their presence should be conducted during the spring/early summer.</p> <ul style="list-style-type: none"> <li>▪ If construction activities are expected to occur during the nesting season (February-August), a pre-construction raptor survey 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</li> </ul>	<p>Prior to site disturbances</p>	<p>Planning Division and Department of Fish and Game</p>	

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>fledged.</p> <ul style="list-style-type: none"> <li>▪ If construction activities commence during the non-breeding season (September-January), a survey is not required and no further studies are necessary.</li> <li>▪ Prior to demolition of structures or the commencement of construction activities or disturbances, a survey should be conducted by a qualified biologist to determine whether or not raptors or are utilizing the site. If present, abide by the biologist's recommended measures to reduce or negate adverse impacts to these species.</li> </ul>			
<p>11. Prior to the issuance of any permits for grading, building or any other site improvements, or the recordation of any Final Subdivision Maps on the subject property, whichever occurs first, the project proponent shall implement one of the following:</p> <ol style="list-style-type: none"> <li>1) Preserve 44.0 acres (44.0 acres x 1 = 44.0 acres) of similar habitat within a 10-mile radius of the project site. This land shall be protected through fee title or conservation easement (acceptable to the California Department of Fish and Game (CDFG) and proof of fee title or conservation easement shall be submitted to the City of Elk Grove Planning Department; or,</li> <li>2) Prepare and implement, to the satisfaction of the California Department of Fish and Game (CDFG), a Swainson's hawk mitigation plan for loss of 44.0 acres of foraging habitat that will include preservation of Swainson's hawk foraging habitat, and submit a copy of the approved plan to the</li> </ol>	<p>Prior to site disturbances</p>	<p>Planning Division</p>	

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

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<p>City of Elk Grove Planning Department; or,</p> <p>3) Submit payment of a Swainson's hawk impact mitigation fee per acre impacted (44.0 acres at \$750.00 per acre with a \$382.00 administrative fee) to the City of Elk Grove Planning Department in the amount set forth in Chapter 16.130 of the City of Elk Grove Code as such may be amended from time to time and to the extent said Chapter remains in effect.</p>			
<p>12. Destroy all abandoned wells on the project site in accordance with the requirements of the Sacramento County Environmental Health Division. Clearly show all abandoned/destroyed wells on the improvement plans for the project.</p>	<p>During Grading and Construction</p>	<p>Department of Water Resources</p>	
<p>13. Provide a non-potable water distribution source to the satisfaction of the Sacramento County Water Agency. Applicant shall provide non-potable water for use during grading and construction.</p>	<p>During grading and Construction</p>	<p>Department of Water Resources</p>	
<p>14. Oak trees 1314, 1315, 1316, and 1319 identified on the tree exhibit will be preserved and protected in accordance to condition 15.</p>	<p>During Construction and Shown on Improvement Plans</p>	<p>Planning Division</p>	
<p>15. All oak trees that are 6 inches dbh or larger, or landmark trees, on the project site that have been selected for preservation, all portions of adjacent off-site oak trees which have driplines that extend onto the project site, and all off-site oak trees which may be impacted by improvements associated with this project, shall be protected as follows:</p> <p>1) A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of each</p>	<p>During Construction and Shown on Improvement Plans</p>	<p>Planning Division</p>	

<b><u>Conditions of Approval / Mitigation Measure</u></b>	<b><u>Timing/ Implementation</u></b>	<b><u>Enforcement/ Monitoring</u></b>	<b><u>Verification (date and Signature)</u></b>
<p>tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of each tree. Removing limbs that make up the dripline does not change the protected area.</p> <p>2) Any protected trees on the site that require pruning shall be pruned by a certified arborist prior to the start of construction work. All pruning shall be in accordance with American National Standards Institute (ANSI) A300 pruning standards and the International Society of Arboriculture (ISA) "Tree Pruning Guidelines."</p> <p>3) Temporary protective fencing shall be installed at least one foot outside the driplines of the protected trees prior to initiating construction in order to avoid damage to the tree canopies and root systems.</p> <p>4) No signs, ropes, cables (except those which may be installed by a certified arborist to provide limb support) or any other items shall be attached to the trees. Small metallic numbering tags for the purpose of preparing tree reports and inventories shall be allowed.</p> <p>5) No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of protected trees.</p>			

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<p>6) No grading (grade cuts or fills) shall be allowed with the driplines of protected trees.</p> <p>7) Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of any protected tree.</p> <p>8) No trenching shall be allowed within the driplines of protected trees. If it is absolutely necessary to install underground utilities within the dripline of a protected tree, the utility line shall be bored and jacked under the supervision of a certified arborist.</p> <p>9) The construction of impervious surfaces within the driplines of protected trees shall be stringently minimized. When it is absolutely necessary, a piped aeration system per City standard detail shall be installed under the supervision of a certified arborist.</p> <p>10) No sprinkler or irrigation system shall be installed in such a manner that it sprays water or requires trenching within the driplines of protected trees. An above-ground drip irrigation system is recommended.</p> <p>11) Landscaping beneath oak trees may include non-plant materials such as bark mulch, wood chips, boulders, etc. The only plant species that shall be planted within the driplines of oak trees are those which are tolerant of the natural semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the</p>			

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
understory plants.			
<p>16. Prior to the issuance of any permits for grading, building or any other site improvements, or the recordation of any Final Subdivision Maps on the subject property, whichever occurs first, a Tree Replacement Planting Plan shall be prepared by a certified arborist or landscape architect to mitigate for the loss of native trees larger than 6-inch dbh and all non-native trees larger than 19-inch dbh that are proposed for removal or that would be adversely affected by the project. The Plan shall comply with the City Code and General Plan policies and be submitted to the City for review. The current policies require that every inch lost will be mitigated by an inch planted or money placed in a tree mitigation bank. The Plan shall include the following elements:</p> <ol style="list-style-type: none"> <li>1) Species, size and location of all replacement plantings;</li> <li>2) Method of irrigation;</li> <li>3) The City of Elk Grove Standard Tree Planting Detail L-1, including the 10-foot depth boring hole to provide for adequate drainage;</li> <li>4) Planting, irrigation and maintenance schedules;</li> <li>5) Identify the maintenance entity and include their written agreement to provide care and irrigation of the trees for a 3-year establishment period, and to replace any of the replacement oak trees</li> </ol>	Prior to Issuance of Grading Permit	Planning Division	

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<p>which do not survive that period;</p> <p>6) The minimum spacing for replacement oak trees shall be 20 feet on center;</p> <p>7) Replacement oak trees shall not be planted within 15 feet of the driplines of existing oak trees to be retained on-site, or within 15 feet of a building foundation or swimming pool excavation;</p> <p>8) No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of oak trees;</p> <p>9) No grading (grade cuts or fills) shall be allowed within the driplines of the oak trees;</p> <p>10) Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of any oak tree;</p> <p>11) No trenching shall be allowed within the dripline of oak trees. If it is absolutely necessary to install underground utilities within the dripline of an oak tree, the utility line shall be bored or jacked under the supervision of a certified arborist;</p> <p>12) The construction of impervious surfaces within the driplines of oak trees shall be stringently minimized. When it is absolutely necessary, a piped aeration system per City standard detail shall be installed under the supervision of a certified arborist;</p>			

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<p>13) No sprinkler or irrigation system shall be installed in such a manner that sprays water or requires trenching within the driplines of oak trees. An above ground drip irrigation system is recommended;</p> <p>14) Landscaping beneath oak trees may include non-plant materials such as bark mulch, wood chips, boulders, etc. The only plant species that shall be planted within the driplines of oak trees are those that are tolerant of the natural, semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants.</p> <p>15) The area under the drip lines of the preserved trees will be identified for perpetual non-developable land. (Planning)</p>			
<p>17. An approved sewer study to the satisfaction of County Sanitation District – 1 (CSD-1) shall be required prior to submittal of improvement plans.</p>	<p>Prior to approving improvement plans</p>	<p>CSD-1</p>	
<p>18. Submit a drainage study detailing the hydrologic and hydraulic conditions of the proposed project, and proposed drainage mitigation for developing the site (increasing stormwater runoff) and not impacting the existing drainage conveyances downstream to Bruceville Road for the 2, 10 and 100 year storm events.</p>	<p>Prior to approving improvement plans</p>	<p>Department of Water Resources</p>	
<p>19. Provide park land dedication and fees as required by the City of Elk Grove.</p>	<p>Prior to Final Map Approval</p>	<p>EGCSD</p>	
<p>20. Participate in a financing plan for parks within the project area.</p>	<p>Prior to Final Map Approval</p>	<p>EGCSD</p>	



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

<b><u>Conditions of Approval / Mitigation Measure</u></b>	<b><u>Timing/ Implementation</u></b>	<b><u>Enforcement/ Monitoring</u></b>	<b><u>Verification (date and Signature)</u></b>
21. All the real property within the boundaries of the proposed project is within a benefit zone of the District Wide Landscape and Lighting Assessment District. Prior to rezoning the property, recording any final maps, approving improvement plans, or issuing any building permits; the owners of all real property within the boundaries of a project shall execute and deliver to the Elk Grove CSD a written petition in an acceptable form approved by District consenting to: (i) the formation of the existing District Wide Assessment District and the methodology adopted to allocate the cost to the various land uses; (ii) when necessary the annexation to the appropriate zone of benefit created to fund urban services, (iii) the budget, formulas and cost of living indexes use to establish the amount of the annual assessments; the (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.	Prior to rezoning the property or approving improvement plans	EGCSD	
22. Call Underground Service Alert at 800-642-2444 two working days before digging in the proximity of the telephone plant. (Pacific Bell)	Note on Improvement Plans	Planning Division	
23. Dry sewer facilities will be constructed to the satisfaction of County Sanitation District – 1 (CSD) in order to tie into future public sewer service.	Prior to Certificate of Occupancy	CSD-1	
24. Dedicate drainage easements, and install facilities pursuant to the City of Elk Grove Floodplain Management Ordinance, Sacramento County Water Agency Code, and Elk Grove Improvement Standards, including any fee required by the Sacramento County Water Agency Code.	Prior to Final map Approval  Installation During Construction	Department of Water Resources	

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<b><u>Conditions of Approval / Mitigation Measure</u></b>	<b><u>Timing/ Implementation</u></b>	<b><u>Enforcement/ Monitoring</u></b>	<b><u>Verification (date and Signature)</u></b>
25. 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 Recordation of the Subdivision Map	Department of Water Resources	
26. 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. This condition would be applicable if only drainage improvements are necessary to direct interim outfall to existing drainage ditch to the west.	Prior to Final Map Approval  Installation During Construction	Department of Water Resources	
27. On-site source and treatment control measures are required for this project in accordance with the latest version of the <b>Guidance Manual of On-site Storm Water Quality Control Measures</b> . 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 commercial activities referenced in the Guidance Manual. 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.	Design With Improvement Plans and Install with Construction	Department of Water Resources	
28. Project proponents, future successors or interests shall reserve a minimum 100ft x 100ft water well site located near the southeast corner of the property 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	Prior to Final Map Approval	Department of Water Resources	

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<p>acceptable results from hydrogeologic evaluations (exploratory drilling). If these conditions cannot be satisfied, then an alternate site on the Elk Grove Auto Mall Expansion (Phase II) shall be selected and similarly evaluated. Prior to final map approval, the project proponent shall grant right-of-entry to SCWA to conduct hydrogeologic evaluations. In addition, prior to final map recordation, the property owner shall enter into an agreement with SCWA consistent with Chapter 22.50 of the Sacramento County Code (City of Elk Grove Code?) and Government Code Title 7, Division 2, Article 4.</p>			
<p>29. Provide separate public water service to each parcel and dedicate water easements to the satisfaction of Sacramento County Water Agency.</p>	<p>Prior to Final Map Approval</p>	<p>Department of Water Resources</p>	
<p>30. This project is required to connect to the existing Sacramento County Water Agency system at a minimum of two locations. Extend the existing transmission mains from the southeast corner of the existing auto mall to the southeast corner of the project. Also, provide a connection at the intersection of Laguna Grove Drive and the future street alignment. (Department of Water Resources)</p>	<p>Prior to Certificate of Occupancy</p>	<p>Department of Water Resources</p>	
<p>31. Dedicate a 12.5-foot public utility easement for underground facilities and appurtenances adjacent to all public ways. (SMUD)</p>	<p>Prior to Final Map</p>	<p>Department of Public Works</p>	
<p>32. Dedicate a 12.5-foot public utility easement for underground facilities and appurtenances adjacent to West Stockton Boulevard. (SMUD)</p>	<p>Prior to Final Map</p>	<p>Department of Public Works</p>	
<p>33. Dedicate right-of-way for Laguna Grove Drive, the future extension of Laguna Springs Drive and West Stockton Boulevard.(Department of Public Works)</p>	<p>Prior to Final Map</p>	<p>Department of Public Works</p>	
<p>34. Install public street improvements pursuant to the Elk</p>	<p>Design With</p>	<p>Department of Public</p>	

**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>
	Improvement Plans and Install with Construction	Works	
35. Secure approval of a civil-engineered site improvement plan from the LDSIR section of the Department of Public Works for all on-site and off-site improvements. (Department of Public Works)	With Improvement Plans	Department of Public Works	
36. Fire flow for this project shall be a minimum of 3000 gallons per minute which shall be in place prior to any combustible construction or storage. (EGCSD – Fire)	At Time of Building Permits	EGCSD – Fire Department	
37. U-turns will be prohibited from the westbound approach on Elk Grove Boulevard at the intersection of Auto Mall Drive.	At Time of Occupancy	Department of Public Works	
38. In order to facilitate sufficient circulation and prevent potential excess queuing within the automall, the following improvements are recommended: <ul style="list-style-type: none"> <li>• Install a stop sign on the northbound approach to the Auto Center Drive/West Stockton Boulevard intersection.</li> <li>• Install stop signs at the intersection of Laguna Grove Drive/Auto Center Drive to create a three-way stop-controlled intersection.</li> <li>• Install a stop sign at the realigned T-intersection of Laguna Grove Drive/West Stockton Boulevard (between the existing Elk Grove Honda dealership and the future Elk Grove Chrysler/Plymouth dealership).</li> </ul>	At Time of Occupancy	Department of Public Works	
39. Maintain a southern point of access to the Elk Grove	On-Going	Department of Public	

<b><u>Conditions of Approval / Mitigation Measure</u></b>	<b><u>Timing/ Implementation</u></b>	<b><u>Enforcement/ Monitoring</u></b>	<b><u>Verification (date and Signature)</u></b>
Auto Mall from West Stockton Boulevard.		Works	
<p>40. Owners of the subject property shall participate in any future public facilities financing plan studies and shall agree to participate in a development fee program or other mechanisms established by the Elk Grove City Council to finance public facilities in the Laguna South Public Facilities Finance Plan Area.</p> <p>Prior to the issuance of building permits for any structure on each parcel created from the subject property, the owner shall contribute to the City of Elk Grove an interim voluntary contribution equal to \$15.50 per building square foot for financing the cost of infrastructure improvements to serve the urban development of the Laguna South Public Facilities Fee Program area.</p> <p>The amount of this contribution may be adjusted each January 1 by the Administrator of the Public Works Agency based upon changes in the appropriate construction cost indexes.</p> <p>Interim voluntary contributions collected for the roadway component category may be appropriated by the City for the design and construction of the fair share roadway improvements required for this development project or to fund the roadway capital improvement program adopted as part of the Laguna South Public Facilities Fee Program. Contributions collected for the component categories of transit, fire protection, park improvement, landscape corridors, supplemental drainage, reclaimed water, and administration shall be held in</p>	At Time of Building Permits	Infrastructure Finance	

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<p>trust by the City until such time as a Laguna South Public Facilities Finance Plan update for the Laguna Ridge area is adopted indicating the capital improvement programs for such facilities and designating the implementing agencies. At such time these funds will be disbursed to the agencies designated in the Fee Program update.</p> <p>The payment of interim voluntary contributions associated with building permit issuance shall cease to be required on the effective date of the Fee Program update to fund the infrastructure improvements for the Laguna Ridge area, at which time development of remaining vacant parcels shall be allowed to proceed pursuant to the terms and conditions of those mechanisms. The specified interim voluntary contribution may exceed the obligation required by the permanent financing mechanisms for the Laguna South Public Facilities Finance Plan area. If the amount of any interim voluntary contribution previously paid for any parcels is greater than the amount of the obligation under the permanent financing mechanisms, the City shall enter into an agreement with the payer of the interim voluntary contribution providing for reimbursement of the difference.</p>			
<p>41. Individual septic systems for the project will be approved by County Sanitation District – 1 (CSD-1) and the County Environmental Management Department. (CSD-1 and EMD)</p>	<p>At Time of Building Permits</p>	<p>CSD-1 and EMD</p>	
<p>42. A percolation test to determine suitability and design for individual septic systems will be done and application made to Environmental Health for a</p>	<p>Prior to Building Permits</p>	<p>EMD</p>	

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permit. (EMD)			
43. The septic systems are for interim use until such time that the permanent sanitary sewer facilities become available. Upon the availability of public sewer service, the project will be required to abandon the septic tanks, connect to the permanent system, and pay all applicable inspection, permit, and sewer impact fees. (CSD-1 and EMD)	At Time of Building Permits	CSD-1 and EMD	
44. Reflectors, spotlights, floodlights, and other sources of illumination may be used to illuminate buildings, landscaping, parking and loading areas on site if they are equipped with lenses or other devices which concentrate the illumination upon the buildings, landscaping, parking and loading areas. No unshielded lights, reflectors, or spotlights shall be so located that they shine toward or are directly visible from adjacent properties or State Route 99.	At Time of Building Permits	Planning Division	
45. The project developer shall prepare and implement an AQ-15 Plan and TSM Plan for the project to reduce peak hour vehicle trips by project employees and to reduce the emissions from both mobile and stationary sources as required by the General Plan and Zoning Code. (Planning Division)	Prior to Issuance of a Certificate of Occupancy	Planning Division	
<b>General Compliance Items</b>			
	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 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 the satisfaction of the County Landscape/Oak Tree Coordinator. (Water Supply)		
	The project shall comply with the City's Land Grading and Erosion Control Ordinance. (Department of Water Resources)		
	California State Law requires that if cultural resources are encountered work shall stop immediately and the Sacramento County Coroner shall be contacted who will coordinate an investigation of the find with appropriate specialists if needed. In addition,		

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	should any human remains be discovered at any time, all work is to stop and the County Coroner must also be immediately notified pursuant to the State Health and Safety Code, Section 7050.5 and the State Public Resources Code, Section 5097.98. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains. (Planning)		
	Construction of private sewer and dedication of private sewer easements will be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to on-site sewer construction. (CSD-1)		
	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. The pertinent provisions of the above referenced codes, standards, fees, and ordinances shall be applicable at the time of site improvement plan approval. (Department of Water Resources)		
	All commercial buildings exceeding 3,599 square feet shall be equipped with an approved automatic fire sprinkler system.		
	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.		
	A permit release letter from the Elk Grove Community Services District Fire Department (EGCSDFD) shall be required prior to the Sacramento Building Department issuing any construction permits.		
	Hydrants shall be spaced a maximum of 300 feet apart. Buildings of certain types of construction, size and use may need additional fire flow or the application of mitigating efforts to meet fire flows above this minimum.		
	Dead-end streets in excess of 150 feet require approved emergency vehicle turn-arounds. All required roadways, water mains, fire hydrants and fire flow shall be provided <i>prior to the existence of any combustible construction or storage</i> in this development. 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.		
	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.		
	The installation of roadway gates, addresses, hardscaping, pipe bollards, fuel tanks, masonry sound walls, tree wells and/or traffic islands are subject to standards outlined by the EGCSDFD.		
	Traffic pre-emption devices, approved by the EGCSDFD, 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 EGCSDFD.		
	Required fire alarm systems (other than on single family dwellings) shall be connected to a UL listed central station approved by the Sacramento Regional Fire/EMS Communications Center.		
	The wetlands/riparian corridors of creeks and open spaces create an unusual fire hazard and challenge to emergency responders. The following requirements apply:  Provide non-combustible fences along all developed areas adjacent to wetlands/creeks/open spaces.		



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	<p>Provide access to all wetland corridors at the end of cul-de-sacs via rolled curbs and gates with pipe bollards. Bike lanes adjacent to creeks shall be a minimum of 10 feet wide with a turning radius of not less than 35 feet inside and 45 feet outside. AR bike paths shall be paved with 2 inches of AC over 4 inches of AB compacted to 95 percent.</p> <p>Any bridges over creeks or wetland areas shall be capable of supporting 65,000 GVW.</p> <p>Provide at least 10 feet of greenbelt or other defensible space between noncombustible fences and the creek/wetland areas.</p>		