

RESOLUTION NO. 2001-96

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING A MITIGATED NEGATIVE DECLARATION/MMRP, A SUBDIVISION MAP #EG-00-119 TO ALLOW THE FRANKLIN 51 (51+/- ACRE) PROJECT, IN THE EAST FRANKLIN SPECIFIC PLAN AREA

WHEREAS, Rose's Engineering represented by Robert Lilly (hereinafter referred to as Applicants) filed an application with the City of Elk Grove (hereinafter referred to as City) for a Rezone from AG-20 zone to RD-5, RD-7, and O zones, a Tentative Subdivision Map for 228 single-family residential lots, a 0.5 acre portion of a mini-park, and 3 additional lots for landscape corridors and a sewer interceptor/drainage corridor on 51 +/- acres. (Assessor's Parcel Number 132-0020-005); and

WHEREAS, Title I, Chapter 15, Article 2 of the City of Elk Grove Zoning Code establishes the City Council as the appropriate authority to hear and decide all Zoning Amendments, after a recommendation by the Planning Commission; and

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

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

WHEREAS, the Planning Commission considered the Applicant's request at a public hearing on September 27, 2001 and recommended City Council approval of the project.

NOW, THEREFORE, the City Council of the City of Elk Grove hereby resolves as follows:

Approve the Franklin 51 Tentative Subdivision Map for 228 single-family residential lots, a 0.5 acre park, and additional parcels for landscape strips, a sewer interceptor lot and a drainage corridor on 51+/- acres, based on the following findings and the attached conditions of approval (Exhibit A).

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

Evidence: 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 measure have been developed that will reduce potential environmental impacts to less than significant levels. On the

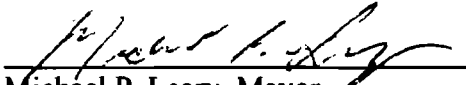
basis of the Mitigated Negative Declaration, comments received, and the whole record, there is no substantial evidence that the project will have a significant adverse impact on the environment.

2. Finding: Section 66474 of the California Subdivision Map Act requires a City to deny approval of a tentative map if it makes any of the following findings:
- a. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
 - b. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
 - c. That the site is not physically suitable for the type of development.
 - d. That the site is not physically suitable for the proposed density of development.
 - e. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
 - f. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
 - g. That the design of the subdivision or type of improvements will conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision.


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

- a. The proposed map is consistent with the 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 Franklin 51 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 Franklin 51 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.

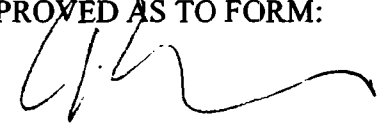
PASSED AND ADOPTED by the City Council of the City of Elk Grove on the 5th day of December 2001.


Michael P. Leary, Mayor

ATTEST:


Peggy Jackson, City Clerk

APPROVED AS TO FORM:


Anthony Manzanetti, City Attorney

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

Exhibit A: Conditions of Approval / Mitigation Monitoring and Reporting Program
Approved by the City Council on December 5, 2001

<u>Conditions of Approval / Mitigation Measure</u>		<u>Enforcement/ Monitoring</u>	<u>Verification date and Signature</u>
Timing of Condition			
1.	The development approved by this action is for a Rezone and a Tentative Subdivision Map for 228 single-family residential lots and other parcels as described in the Planning Commission report and associated Exhibits and Attachments dated September 13 and 27, 2001.	City of Elk Grove	
2.	This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.		
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.		
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.		
5.	All Mitigation Measures adopted for the East Franklin Specific Plan are subject to this project (Appendix A of the Mitigated Negative Declaration), along with the Mitigation Measures in the Mitigated Negative Declaration prepared for this project.		
Conditions Required Prior to Grading or Improvements Plan Approval			
6.	The applicant shall comply with, record, and pay fees for the Mitigation Monitoring and Reporting Program (MMRP) associated with Franklin 51 (51+/- acres). Until the MMRP has been recorded and the estimated MMRP deposit of \$7,500.00 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 Division	

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Timing of Condition			
7.	<p>Prior to the approval of improvement plans, grading or recordation of a final subdivision map, whichever occurs first, 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 38.5 acres of agricultural land within specified boundaries, or b. Contribute \$950.00 per acre into a fund to be used to purchase conservation easements (38.5 acres X \$950.0 = \$36,575.00), or c. Comply with a program implemented by the City of Elk Grove to address such mitigation for loss of Agricultural Resources. 	Planning Division	
8.	The project shall comply with the City's Land Grading and Erosion Control Ordinance.	(Department of Water Resources)	
9.	All trees to remain on site are shown on the Subdivision Map (lot 42- 24" Oak and lot 60- 18" Oak) will be subject to the Tree Preservation Ordinance of the City and the Mitigation Measures BR-10 and 11, listed in the Appendix of the Negative Declaration.	Planning Division	

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10.	<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> <ul style="list-style-type: none"> a. Water exposed surfaces, graded areas, storage piles, and haul roads at least twice daily. b. Minimize the amount of disturbed area, the amount of material actively worked, and the amount of material stockpiled. c. Limit onsite construction vehicle speeds to 15 mph. d. Sweep or wash paved streets adjacent to project construction sites at least once a day to remove accumulated dust. e. Maintain at least two feet of freeboard when transporting soil or other material by truck. 	Public Works	
11.	<p>Construction contracts for the project shall include the following measures to be monitored by the City 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 Department 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 Department 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</p>	Public Works	

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	<p>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-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 Department 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 Department 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 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</p>		

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	<p>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 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 to be allocated 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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12.	<p>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 Department shall be immediately notified. At that time, the Planning Department 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.</p>	Planning Division	
13.	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)	U.S. Army Corps of Engineers	
14.	<p>Prior to issuance of grading permits, or as specified in adopted Swainson's Hawk mitigation policies or programs in effect at the time of request, the project developer shall mitigate for potential impacts to Swainson's Hawk habitat according to any one of the following measures:</p> <p>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</p> <p>b. Prepare and implement a Swainson's hawk mitigation plan to the</p>	Planning Division	

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	<p>satisfaction of the California Department of Fish and Game that includes the preservation of Swainson's hawk foraging habitat; OR</p> <p>c. Submit payment of a Swainson's hawk 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</p> <p>d. Should the City of Elk Grove adopt a Swainson's hawk 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 project proponent may be subject to that program instead. (Mitigation Measure BR-1 of the Mitigated Negative Declaration)</p>		
15.	<p>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), 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.</p>	<p>Dept of Fish and Game Planning Division</p>	
16.	<p>Prior to the beginning of construction activities (grading, demolition, or habitat disturbance), 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>Planning Division</p>	

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	<ul style="list-style-type: none"> b) If construction activities commence during the non-breeding season (September-January), a survey is not required and no further studies are necessary. 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. 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) 		
17.	<p>Prior to approval of Improvement Plans, the project must demonstrate the following items to the satisfaction of the Department of Water Resources:</p> <ul style="list-style-type: none"> 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) 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; 	Public Works	
Conditions Required Prior to Recordation of the Subdivision Map			
18.	The adopted Laguna South Fee Program shall provide the financial means to implement certain public improvements of the East Franklin Specific Plan and the Franklin 51 development shall be subject to the payment of fees identified within that Program. Public facilities identified within this plan will include roadways,	Infrastructure Finance	

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	parks, libraries, fire facilities, landscape corridors, reclaimed water and supplemental drainage facilities.		
19.	The Franklin 51 development shall pay future City of Elk Grove Fees (adopted prior to the recordation of the final map) for grade separation, City Hall, City facilities, police equipment and facilities, and similar public infrastructure.	Public Works	
20.	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.	Public Works	
21.	Applicant shall process a boundary line adjustment with the owner of the approved Franklin Meadows subdivision, to place all the land area of proposed lots 24 and 56 of Neighborhood 1 and lot 140 of Neighborhood 2 in the Franklin 51 subdivision, or exclude those areas from the map.	Public Works	
22.	Separate water service shall be provided to each parcel and water easements shall be dedicated to the satisfaction of the Sacramento County Water Agency.	Department of Water Resources	
23.	Provide easements for raw water mains and reserve a 50ft x 100ft water well site to the satisfaction of the Sacramento County Water Agency. Well sites shall be located 100ft from drainage facilities and 1000ft radially from neighboring wells.	Department of Water Resources	
24.	Dedicate on the Final Map a 12.5- foot public utility easement for underground facilities and appurtenances adjacent to all public ways.	SMUD	
25.	Dedicate on the Final Map any "Landscape Lot" adjacent to all public roads as	SMUD	

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	a public utility easement for underground facilities and appurtenances.		
26.	Provide drainage easements and install facilities pursuant to the Sacramento County Floodplain Management Ordinance, Sacramento County Water Agency Code, and Sacramento County Improvement Standards, including any fee required by the Sacramento County Water Agency Code.	Department of Water Resources	
27.	Offsite drainage improvements and easements shall be provided pursuant to the Sacramento County Floodplain Management Ordinance, and the Sacramento County Improvement Standards. Off-site improvements shall include ultimate channel improvements from the storm drain pipe outfall to the confluence of the Lakeside drainage outfall, as well as improvements of the railroad bridge/ culvert.	Department of Water Resources	
28.	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, EGCSD and the City of Elk Grove, of an overall phased drainage plan for the East Franklin Specific Plan.	Department of Water Resources	
29.	Grant the City of Elk Grove 96-feet of right-of-way and install public street improvements for Franklin Boulevard based on the East Franklin Specific Plan and to the satisfaction of the Transportation Division of the Public Works Agency. Note: There is an offset centerline on Franklin Boulevard, please verify exact location with the Department of Transportation.	Public Works	
30.	Grant the City of Elk Grove 56-feet of right-of-way and install public street improvements for the northern most public street ('4th' Street) based on the East Franklin Specific Plan and to the satisfaction of the Transportation Division of the	Public Works	

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	Public Works Agency.		
31.	Dedicate additional right-of-way on Franklin Boulevard and the northern most street ('4th' Street) for intersection widening per Standard Drawing 4-6 of the City of Elk Grove Improvement Standards and to the satisfaction of the Department of Transportation of the Public Works Agency. Note: This intersection will include a traffic signal and bus turnout.	Public Works	
32.	Dedicate additional right-of-way on Franklin Boulevard and the southern most street ('2nd' Street) for intersection widening per Standard Drawing 4-6 of the City of Elk Grove Improvement Standards and to the satisfaction of the Department of Transportation of the Public Works Agency. Note: This intersection will include a traffic signal and bus turnout.	Public Works	
33.	Grant the right of direct vehicular access to the City of Elk Grove along Franklin Boulevard except for approved public street locations.	Public Works	
34.	Stop signs will be required at the following locations: <ul style="list-style-type: none">• On both 'C' Drive and '2nd' Street• On 'C' Drive at intersection with the northern most street ('4th' Street)• On 'C' Drive at intersection with the southern most street ('2nd' Street)• On 'D' Street at intersection with '2nd" Street• On 'B' Street at intersection with '2nd' Street• On 'A' Street at intersection with the southern most street ('2nd' Street)• On 'A' Court at intersection with the northern most street ('4th' Street)	Public Works	
35.	<ul style="list-style-type: none">• Match the 2nd, Street centerline with the proposed public street centerline to the east.• Match the 5th, Street centerline with the proposed public street centerline to the south.	Public Works	

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	<ul style="list-style-type: none"> Match the 'C' Court centerline with the proposed Cedarwood Drive centerline to the north. Match the 'C' Drive centerline with the proposed public street centerline to the north. Match the 'A' Court centerline with the proposed public street centerline to the north. 		
36.	Install 25-MPH speed limit signs along 'C' Drive to the satisfaction of the Department of Transportation of the Public Works Agency.	Public Works	
37.	The Sacramento County Water Agency (SCWA) will not issue water connection permits or sign improvement plans until adequate water supplies have been identified and secured to the satisfaction of the SCWA.	Public Works Water Agency	
38.	In order to obtain sewer service, construction of public trunk and collector sewer will be required to the satisfaction of CSD- 1. Approximately 2,170 feet of offsite trunk and 1,455 feet of offsite collector will be required. An interim sewer pump station will also be necessary to provide sewer service prior to the construction of the Sacramento Regional County Sanitation District South Interceptor Sewer Project. Design of the public trunk sewer and the interim lift station shall be coordinated with and approved by CSD-1.	CSD-1	
39.	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.	CSD-1	

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40.	Provisions for public sewer easements may be required. If required, the sewer easement shall be dedicated to CSD-1, be a minimum of 20 feet in width and ensure continuous access for maintenance.	CSD-1	
41.	Dedicate parkland and/or pay fees as required by the Ordinances of the City of Elk Grove Code.	Public Works	
42.	Land dedicated to EGCSD (lot E) 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 regulations prior to the acceptance by District of any grant deed or easement.	EGCSD	
43.	Construct all necessary street frontage improvements abutting the dedicated park site including, but not limited to, vertical curb, gutter, street frontage and sidewalks.	EGCSD	
44.	Provide and pay any related fees including connection fees for stubs in to the park Site for water, drainage, sewer, electrical, and gas	EGCSD	
45.	The District shall approve locations of all utility service points on all land to be dedicated or maintained by the EGCSD.	EGCSD	
46.	Rough grade the park Site pursuant to plans approved by the District.	(EGCSD)	
47.	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 lots commences, whichever comes first.	(EGCSD)	

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48.	Provide adequate drainage facilities to the boundary of the park site pursuant to plans approved by the District	EGCSD	
49.	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.	EGCSD	
50.	All landscape corridors shown on the tentative subdivision map as being 15 feet shall be shown and improved as a 25 foot Landscape Corridors adjacent to the right-of ways (back of curb). The landscape corridor shall be installed per EGCSD specifications and dedicated for maintenance to the EGCSD.	EGCSD	
51.	The water supply master plan for the EFSP shall contain provisions for securing and delivering adequate fire flows to the satisfaction of the Elk Grove Community Services District Fire Department. (EFSP MM PS-1).	Planning Division	
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) A reservation for purchase by SRCSD will be required to provide for the future sewer interceptor construction on Lot A. The area of land will be 90 feet wide and located east of Franklin Blvd. as shown on the map.	SRCSD	
53.	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	EGCSD	

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	the project shall execute and deliver to the Elk Grove Community Services District a written petition in an acceptable form approved by the District consenting to: (i) the formation of the existing District Wide Assessment District and the methodology adopted to allocate the cost to the various land uses; (ii) when necessary the annexation to the appropriate zone of benefit created to fund urban services, (iii) the budget, formulas and cost of living indexes used to establish the amount of the annual assessments; and (iv) the levying of the annual assessment to fund the maintenance, operation and in some instances the existing capital costs of parks, parkways, corridors, medians, open space, trail systems, lakes, creeks, and other recreational and aesthetic amenities.		
Conditions Required Prior to Issuance of Building Permits			
54.	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.	EGCSD – Fire Department	
55.	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.	Department of Water Resources	
56.	West and South main access points shall be constructed prior to the issuance of building permits for Neighborhood Two. No more than 39 residences shall be constructed within either Neighborhood phase, until at least two points of access are provided to an existing public road to the satisfaction of the Elk Grove Community Services District Fire Department.	EGCSD – Fire Department	
57.	The conditions of approval of this project shall be included within the notes of all building plans.	Planning Department	

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<u>Timing of Condition</u>			
58.	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. (Planning Department)	Planning Division	
59.	Single-story structures shall be place on lots 1-13 and 35-41, 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 Mitigation Measures NO-2 and NO-3 of the Mitigated Negative Declaration.	Planning Division	
60.	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.	Department of Water Resources	
61.	Homes that have attached garages with side or rear doors will have solid core or metal covered doors with dead bolt locks.	Sheriff Department	
62.	Skylight side panels that are placed next to entrance doors will not be on the same side as the lock mechanism of the door. Only one panel may be installed per door, adjacent to the hinges. (Sheriff Department)	Sheriff Department	
63.	All external doorframes, including the side garage, will have screws that area a minimum of three inches long in the strike plate. Strike plates shall be anchored with a minimum of four screws. (Sheriff Department)	Sheriff Department	
64.	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	EGUSD	

<u>Conditions of Approval / Mitigation Measure</u>		<u>Enforcement/ Monitoring</u>	<u>Verification date and Signature</u>
Timing of Condition			
	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.		
65.	<p>The project developer / applicant should implement the following measures, to the maximum extent feasible.</p> <ul style="list-style-type: none"> 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 natural gas burning barbecues. e) Install energy efficient heating and appliances. f) Construct homes and other buildings with additional insulation factors to reduce energy use. (EFSP MM AQ-6) 	Building Division	
Conditions Required Prior to Certificate of Occupancy			
66.	Sound walls shall be constructed along the western property line to reduce future Franklin Blvd traffic and railroad noise levels for lots 1-13 and 35-41, and in the yards located within the 65dB Ldn contour, as shown in the Mitigated Negative Declaration. A barrier height of 8-feet tall is projected to reduce future traffic noise levels to S62 and 60 dB Ldn, respectively. (Mitigation Measure NO-1 of the Mitigated Negative Declaration).	Planning Division	
67.	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	Planning Division	

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Timing of Condition			
	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. (Mitigation Measures NO-2 and NO-3 of the Mitigated Negative Declaration)		
68.	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 Department.	EGCSD- Fire Department	
69.	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. (EGCSD – Fire Department)	EGCSD- Fire Department	
70.	Improve the area identified on the tentative subdivision map as lot "A" sewer interceptor lot. Within the 90-ft. sewer interceptor areas the developer must improve a meandering (14-ft) trail system and associated landscaping. The irrigation plan for the 90-ft. area (i.e.. pipe sizes) shall accommodate ultimate landscaping of the entire corridor, to the satisfaction of both SRCSD and EGCSD. A graffiti resistant masonry wall will be required along the eastern side of Lot "A" and in accordance with the wall design standards and consistent with the noise mitigation measures within the Mitigated Negative Declaration for the project.	SRCSD and EGCSD	
71.	Improve and dedicate the improvements to EGCSD on Lot "B" as a 15-ft. landscape corridor adjacent to the sewer interceptor lots on Franklin Blvd. with more intensive landscaping with trees, shrubs and groundcover or turf in	EGCSD	

<u>Conditions of Approval / Mitigation Measure</u>		<u>Enforcement/ Monitoring</u>	<u>Verification date and Signature</u>
Timing of Condition			
	accordance with the "General Guidelines for Landscape Corridor Design". (Note — There is no sidewalk within Lot "B", a trail will double as a sidewalk is provided within the sewer interceptor lot.)		
72.	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.	EGCSD	
73.	Any subdivision monument signs installed to identify the development shall be review and approved by the Planning Manager, prior to the construction or placement of the sign(s).	Planning Division	
General Information and Compliance Items: The following items are noted for the applicant's information. These items are required by other local agencies, the City, state or federal agencies, and are not conditions of approval of the project.			
74.	<p>a. Compliance with all adopted City of Elk Grove 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>	City of Elk Grove	

<u>Conditions of Approval / Mitigation Measure</u>		<u>Enforcement/ Monitoring</u>	<u>Verification date and Signature</u>
Timing of Condition			
	<p>d. Though not required, it is recommended that all single family dwellings be equipped with an automatic fire sprinkler system.</p> <p>e. 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>f. 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 minimum of 3 inches of AC over 6 inches of AB and shall have good drainage.</p> <p>g. The installation of addresses, landscaping, and masonry sound walls are subject to standards outlined by the Elk Grove Community Service District.</p> <p>h. 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>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>		