

RESOLUTION NO. 2007-147

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE EXPRESSING SUPPORT FOR A GENERAL PLAN AMENDMENT AND APPROVING A SPECIFIC PLAN AMENDMENT, TENTATIVE SUBDIVISION MAP AND SUBDIVISION DESIGN REVIEW FOR THE FRANKLIN CROSSING SUBDIVISION PROJECT NO. #EG-04-727 APNs: 132-0132-042 AND 132-1680-057 AND 132-1680-032

WHEREAS, Reynen and Bardis Development, LLC (the "Applicant") filed an application with the City of Elk Grove ("City") for a General Plan Amendment, Rezone, Specific Plan Amendment, Tentative Subdivision Map, and Subdivision Design Review (the "Project"); 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, a portion of the proposed project is located on real property in Sacramento County, particularly described as APNs: 132-0132-042 and 132-1680-057 (the "Property"), which will require a Sphere of Influence Amendment and Annexation for inclusion into the City of Elk Grove city limits; and

WHEREAS, pursuant to the Cortese-Knox-Hertzberg Act of 2000, the City may apply to the Local Agency Formation Commission for annexation of the Property for inclusion into the City's limits and sphere of influence (Gov. Code §§ 56375 *et. seq.* and §§ 56425 *et. seq.*); and

WHEREAS, the Property must first be consistent with the City's General Plan, Specific Plan, and Land Use Policies; and

WHEREAS, the City has determined that the Franklin Crossing Subdivision Project was subject to the California Environmental Quality Act (CEQA) and prepared an Initial Study evaluating the potential environmental effects of the project; and

WHEREAS, a Mitigated Negative Declaration was prepared and adopted by the City Council of September 28, 2005, and the Applicant has agreed to implement the proposed mitigation measures to reduce the potentially significant adverse effects related to biological resources, cultural resources, and noise to a less than significant level; and

WHEREAS, a Mitigation Monitoring and Reporting Program has been prepared in accordance with City of Elk Grove regulations and is designed to ensure compliance during project implementation; and

WHEREAS, the Planning Commission considered the Applicant's request at a public hearing on May 17, 2007 and recommended City Council approval of the Project; and

WHEREAS, the proposed General Plan Amendment and Specific Plan Amendment are not detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the City; and

WHEREAS, pursuant to Government Code section 65358(b), the City may only amend its General Plan four (4) times annually; and

WHEREAS, for this reason and to accommodate development, the City will consolidate General Plan Amendments as one amendment approval, to be brought back to the City Council at a date uncertain; and

WHEREAS, this General Plan Amendment will be a part of that consolidation effort; and

WHEREAS, the City Council considered the Applicant's request at a duly published public hearing on June 27, 2007 and received a staff report and public testimony at the public hearing.

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

CEQA

Finding: On the basis of the whole record, there is no substantial evidence that the project as designed, conditioned and mitigated will have a significant adverse impact on the environment and all potentially significant effects have been adequately analyzed in a Mitigated Negative Declaration that was adopted for the Franklin Crossing project by the City on September 28, 2005. The Mitigated Negative Declaration adequately addressed environmental issues related to the development of the subject property.

Evidence: An Initial Environmental Study was prepared and adopted for the Franklin Crossing 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, environmental analysis, and the whole record, there is no substantial evidence that the project will have a significant adverse impact on the environment above those addressed within the adopted Mitigated Negative Declaration.

Finding: Revision updates to the adopted noise mitigation measures will not result in any environmental impacts above those addressed within the Mitigated Negative Declaration.

Evidence: The noise mitigation measures were updated due to subsequent revisions to the subdivision which have resulted in lower sound wall heights. The lower sound wall heights will provide equivalent or more effective mitigation in maintaining the General Plan's acceptable outdoor noise level of 60 dB or less as detailed in a memo provided by Bollard & Brennan, Inc. dated May 2, 2007.

General Plan Amendment

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

Evidence: The General Plan Amendment is consistent with the goals and policies that are established in the General Plan's Land Use Element regarding the City's Sphere of Influence and annexations. The annexation of the 86.5-acre Franklin Crossing Annexation Area provides an orderly and contiguous expansion of the City's boundaries which would incorporate the remaining East Franklin Specific Plan land parcels that are located in the County of Sacramento.

Specific Plan Amendment

Finding: The proposed Minor Amendment to the Specific Plan complies with the requirements and intent of the East Franklin Specific Plan and does not change the basic configuration or intent of the Plan.

Evidence: The East Franklin Specific Plan identifies the site for single-family residential development at densities 2-4 units/acre and 3-5 units/acre. The proposed amendment is to redistribute the existing specific plan land use designations due to the realignment of the roadways and the elimination of the 1.9-acre water quality basin located adjacent to the west property line. The water quality basin is no longer applicable for the development of the site due to drainage improvements that were established as part of the overall specific plan development. The redistribution of the land uses for the Franklin Crossing Annexation Area does not create an inconsistency with the overall residential development envisioned by the East Franklin Specific Plan. The requested amendment to allow Class "A" standards (curb, gutter & sidewalk) for minor residential streets for Executive Housing will allow a safer pedestrian access throughout the project. The project as conditioned complies with the requirements and intent of the East Franklin Specific Plan and does not change the basic configuration or intent of the Plan.

Rezone

Finding: The proposed rezone is in the public interest.

Evidence: The Applicant's proposal will be consistent with the density ranges and uses proposed as part of the General Plan Amendment and East Franklin Specific Plan Amendment, provided that the City Council amends the General Plan and Specific Plan to ensure compatibility. The proposed project implements the General Plan's objectives for orderly and systematic development and responds to opportunities and constraints in the local community area. The proposed rezoning meets all applicable standards of the Elk Grove Zoning Code and is in the public interest.

Tentative Subdivision Map

Finding: None of the findings (a) through (g) in Section 66474 of the California Subdivision Map Act that require a City to deny approval of a tentative map apply to this project.

Evidence:

- (a) The proposed map is consistent with the Elk Grove General Plan Amendment and East Franklin Specific Plan Amendment requested through this application.
- (b) The design of the project and the associated site improvements of the proposed project are consistent with the requested General Plan Amendment and Specific Plan Amendment as well as rezone included in this application.
- (c) The site is physically suitable for residential development. The East Franklin Specific Plan land use map has anticipated the site for residential development. Access to the site will be provided or is available. In addition, necessary services and facilities are available or can be provided.
- (d) The site is appropriate for the proposed density of development of 2-4 and 3-5 units per acre. Services and facilities to serve the project will be provided or are available.
- (e) The proposed Tentative Subdivision Map will not cause substantial environmental damage. A Mitigated Negative Declaration was previously adopted for the project which the environmental analysis determined that potential environmental impacts from site development could be mitigated to less than significant levels.
- (f) The proposed Tentative Subdivision Map will not cause serious public health problems. The project has been reviewed by local agencies, including Fire, Water Resources, Public Works, Planning, Police, Sanitation, Parks, and Community Enhancement, for conformance to applicable policies and regulations. Comments and requirements have been addressed or incorporated as conditions of approval and ensure protection of public health, welfare, and safety.
- (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.

Design Review

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

Evidence: The site layout has been reviewed against the Citywide Design Guidelines for residential subdivisions and meets all applicable design requirements. The project is subject to conditions of approval that will ensure consistency with all standard requirements.

Finding: The proposed site design, layout, and landscaping are suitable for the purposes of the subdivision and the site and will enhance the character of the neighborhood and community.

Evidence: The proposed subdivision map and related plans provide all the design elements required by the Citywide Design Guidelines. The conditions of approval and subsequent design review of future residential development will ensure consistency with all standard requirements.

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

Evidence: The project does not propose any structures. Subsequent design review of future residential development is required and will ensure consistency with all standard requirements.

Finding: The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.

Evidence: The proposed subdivision and layout provides adequate off-site access. The project is subject to conditions of approval that will ensure consistency with all standard requirements and the safe integration of the project into the local transportation network.

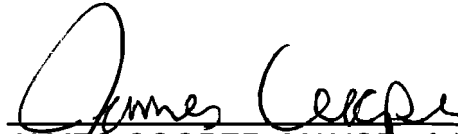
Support For General Plan Amendment

The City Council of the City of Elk Grove hereby expresses its support for this General Plan Amendment, which shall be brought back to the Council at a date uncertain, as part of a consolidated General Plan amendment for approval. All other approvals set forth herein are contingent upon the future General Plan Amendment and will not be effective until the effective date of any such General Plan Amendment.

Approval of Specific Plan Amendment, Tentative Subdivision Map, and Subdivision Design Review

The City Council of the City of Elk Grove approves the Specific Plan Amendment, Tentative Subdivision Map, and Subdivision Design Review, contingent on other approvals, including the approval of the General Plan Amendment for this Project.


PASSED AND ADOPTED by the City Council of the City of Elk Grove this 27th day of June 2007.



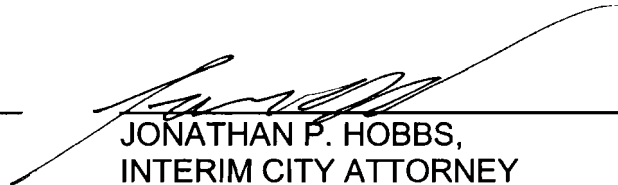
JAMES COOPER, MAYOR of the
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:



PEGGY E. JACKSON, CITY CLERK



JONATHAN P. HOBBS,
INTERIM CITY ATTORNEY

Conditions of Approval

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
On-Going			
<p>1. The development approved by this action is for a <i>Specific Plan Amendment</i> to redistribute the land use designations of Single-Family Residential 2-4 (SFR 2-4), Single Family Residential 3-5 (SFR 3-5), Mini Park, Open Space, and Water Quality Basin to SFR 2-4, SFR 3-5, Mini Park and Open Space, and to amend the street standards for Executive Housing in the <i>East Franklin Specific Plan</i>; a <i>Rezone from Agricultural-80</i> acres minimum (AG-80) to Low Density Residential-4 dwelling units/acre (RD-4), Low Density Residential-5 dwelling unit/acre (RD-5), and Open Space (O); a <i>Tentative Subdivision Map</i> to subdivide two parcels totaling 86.4 acres into 240 single-family residential lots; and a <i>Design Review</i> of the subdivision layout as described in the Planning Commission report and associated Exhibits and Attachments dated April 17, 2007 and illustrated in the project plans below:</p> <ul style="list-style-type: none"> • General Plan Amendment Exhibit (dated April 30, 2007) • Specific Plan Amendment Exhibit (dated April 24, 2007) • Tentative Subdivision Map (dated April 24, 2007) • Rezone Exhibit (dated April 24, 2007) <p>Any deviations from the approved plans shall be reviewed by the City for substantial compliance and may require amendment by the appropriate hearing body.</p> <p>(The Planning Commission has recommended approval of the General Plan Amendment. However, the General Plan Amendment approval by the City Council for this project</p>	On-Going	Planning	

Conditions of Approval

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>shall be deferred to a future date to allow the consolidation of other General Plan amendments which all amendments shall be heard by the City Council in one (1) meeting. The Applicant shall waive the requirements of the California Permit Streamlining Act (PSA).</p>			
2. The Tentative Subdivision Map is valid for 36 months from the date of approval.	36 Months from the Date of Approval	Planning	
3. The Applicant or Successors in Interest (hereby referred to as the Applicant) shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.	On-Going	Planning	
4. This action does not relieve the Applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.	On-Going	Planning	
5. The Applicant shall not provide for a nuisance during the construction phase or intended use of the project.	On-Going During Construction	Community Enhancement	
Prior to Improvement Plans or Grading			
6. The Applicant shall comply with, record, and pay fees for the Mitigation Recording and Reporting Program (MMRP) associated with the project. Until the MMRP has been recorded and the estimated fee of \$5,000 has been paid, no final map for the subject property will be approved, and no grading, building, sewer connection, water connection, or occupancy will be approved by the City or County.	Prior to the Issuance of Grading Permit	Planning	
7. The Applicant shall submit landscape improvement plans (planting and irrigation) which incorporates the City's Zoning	Improvement Plans	Planning / Public Works / Landscape	

Conditions of Approval

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
Code, Design Guidelines for East Franklin Specific Plan, Citywide Design Guidelines, Water Conserving Landscape requirements, and draft Design Guidelines for Corridors, Medians, and Parks for Franklin Boulevard, Bilby Road, Kammerer Road, Willard Parkway, including Park Lot A and public landscape corridors B through O, and any other landscaping lots requiring to have landscaping. Landscape improvement plans shall be submitted to the Planning Department and Public Works Division for review and approval.		Architect	
8. The Applicant shall obtain applicable California Department of Fish and Game, U.S. Army Corps of Engineers, and other required state and federal permits. The conditions of such permits must be reviewed and considered acceptable by the City. The City will not accept any conservation or other conditional easements on the drainage courses to be conveyed to the City.	Prior to the Issuance of Grading Permit / Improvement Plans	Public Works	
9. The Applicant shall destroy all abandoned wells on the proposed 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. Prior to abandoning any existing wells, the Applicant shall use water from agricultural wells for grading and construction.	Improvement Plans	Sacramento County Water Agency	
10. The Applicant shall provide adequate drainage facilities to the boundary of the park site. The Cosumnes Community Services District (CCSD) shall have the opportunity to review and approve the improvement plans.	Improvements Plans	CCSD	
11. The Applicant shall reserve two bus stop areas along Willard Parkway (behind lots 4/5 and 45/46) and one bus top area along Kammerer Road (behind lot 9/10) or an alternative location as provided by E-Tran. The Applicant shall contact	Improvements Plans	Transit	

Conditions of Approval

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
12. E-Tran staff at (916) 687-3031 for design specifications. The Applicant shall submit an approved sewer study to CSD-1 prior to the approval of Final Map or submittal of improvement plans for plan check to CSD-1, whichever comes first. The sewer study shall demonstrate the quantity of discharge and any "flow through sewage" along the appropriate pipe sizes and related appurtenances from this subject and other upstream areas and shall be done in accordance with the Districts' most recent "minimum Sewer Study Requirements." The study shall be done on a no "Shed-Shift" basis unless approved by the District in advance and in compliance with Sacramento County Improvement Standards.	Prior to Improvement Plan / Final Map	CSD-1	
13. Connection to the District's sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards shall apply to sewer construction.	Improvement Plans	CSD-1	
14. Each parcel or lot shall have a separate connection to the CSD-1 sewer system.	Improvement Plans	CSD-1	
15. In order to obtain sewer service, construction of CSD-1 sewer facilities is expected to be required. Both on-site and off-site infrastructure may be required.	Improvement Plans	CSD-1	
16. Sewer easements may be required. All sewer easements shall be dedicated to CSD-1 in a form approved by the District Engineer. All CSD-1 sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance.	Improvement Plans	CSD-1	
17. The Applicant shall provide for a pedestrian crosswalk access from the residential parcels to Lot A.	Improvement Plans	Planning, Community Enhancement	
Prior to Final Map			
18. The Applicant shall obtain Sacramento Local Agency Formation Commission (LAFCO) approval for a Sphere of Influence Amendment and Annexation for the Franklin	Prior to Approval of Final Map	Planning, Public Works	

Conditions of Approval

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>Crossing Annexation Area (APN 132-0132-042 & 132-1680-057), and the process of Annexation must be complete prior to the approval of the final map.</p>			
19. The Applicant shall provide separate public water service to each parcel and dedicate maintenance easements in all public and private streets over all water lines to the satisfaction of Sacramento County Water Agency.	Prior to Approval of Final Map	Sacramento County Water Agency	
20. The Final Map shall not be approved until Sacramento County Water Agency has determined that there is adequate water production capacity to serve the subject proposed development.	Prior to Approval of Final Map	Sacramento County Water Agency	
21. The Applicant shall pay to the City the estimated cost of designing and constructing a soundwall on the top of bank of the future Kammerer Road railroad crossing along the project frontage. Note that supplemental analysis may be needed to determine the required height of the soundwall for cost estimating purposes.	Final Map	Public Works	
22. The Applicant shall prepare and submit a comprehensive drainage study and plan that includes but is not limited to: definition with mapping of the existing watersheds; a detailed pre- and post-project hydrologic and hydraulic analysis of the project and project impacts; definition of the local controlling 100-year frequency water levels existing and with project; and the proposed method of flow conveyance with adequate supporting calculations. The study shall include any proposed improvements to mitigate the impacts of increased runoff from the project and any change in runoff including quality, quantity, volume, and duration. The project shall not cause a net loss of storage, nor an increase in velocity, of drainage water within the 100-year floodplain. The study shall incorporate the City of Elk Grove Drainage Capital Improvement Plan; be consistent with the ultimate	Final Map	Public Works	

Conditions of Approval

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>upstream development in the General Plan, and any specific, area, or master plans; and shall conform to the City of Elk Grove Improvement Standards. It shall demonstrate that the proposed methods of flow conveyance mitigate the potential project impacts. The study shall further demonstrate that the lots on the proposed Final Map shall be outside the 100-year frequency floodplain after improvements are constructed in accordance with the policies in the City Floodplain Management Plan. Study must be completed and stamped by a Professional Engineer, and determined by the City to be comprehensive, accurate, and adequate.</p>			
<p>23. All drainage courses and appurtenant access roads to be conveyed to the City shall be dedicated and conveyed in fee title as separate parcels. Underground pipelines and open channels shall be located in the public right-of-way or parcels to be conveyed to the City. Parcels to be conveyed shall be a minimum of 25 feet wide. The Applicant shall provide minimum 20 foot wide maintenance service roads along the entire water course(s) to be conveyed. No conditional easements shall be placed on these drainage parcels.</p>	Final Map	Public Works	
<p>24. The Applicant shall submit and obtain City approval of plans and specifications for the construction of public streetlights in accordance with the City of Elk Grove Improvement Standards including any approved revisions thereto. City Standard Zone 2 decorative streetlights shall be provided. Streetlight identification numbers shall be added to plans as assigned by Public Works during the first plan review.</p>	Final Map	Public Works	
<p>25. If a third party does not accept or maintain Lot R, the Applicant shall form or annex into a financing district for the maintenance of Lot R to the satisfaction of the City.</p>	Final Map	Public Works/Finance	

Conditions of Approval

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
26.	The Applicant shall dedicate Kammerer Road in accordance with the City of Elk Grove Improvement Standards. The street section shall be 108 feet wide measures from back-of-sidewalk to back-of-sidewalk.	Final Map	Public Works	
27.	The Applicant shall dedicate, design and improve Willard Parkway in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works. The street section shall be 96 feet wide measures from back-of-curb to back-of-curb with a 6 foot detached sidewalk.	Final Map	Public Works	
28.	The Applicant shall dedicate, design and improve Bilby Road, west of Willard Parkway in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works. The street section shall be 42 feet wide measures from back-of-curb to back-of-curb with a 4 foot sidewalk adjacent to 12 foot planter strip.	Final Map	Public Works	
29.	The Applicant shall dedicate, design and improve both intersection of Bilby Road and Willard Parkway, as shown on the tentative map, in accordance to City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Final Map	Public Works	
30.	The Applicant shall dedicate, design and improve all internal streets as shown in the tentative subdivision map, in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Final Map	Public Works	
31.	The Applicant shall design and install a signal at the intersection of Bilby Road/Willard Parkway (southern intersection) in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Final Map	Public Works	
32.	The Applicant shall design and install a signal at the intersection of Willard Parkway/collector street in	Final Map	Public Works	

Conditions of Approval

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>accordance to City of Elk Grove Improvement Standards and to the satisfaction of Public Works.</p> <p>33. The Applicant shall dedicate and design a 36' corridor for landscaping and pedestrian uses adjacent to Willard Parkway along the project frontage to the satisfaction of Public Works.</p>	Final Map	Public Works	
<p>34. The Applicant shall dedicate and design a corridor for landscaping and pedestrian uses adjacent to Bilby Road along the project frontage, as shown on the tentative map, to the satisfaction of Public Works.</p>	Final Map	Public Works	
<p>35. The Applicant shall dedicate a corridor for landscaping adjacent to Kammerer Road along the project frontage, as shown on the tentative map, to the satisfaction of Public Works.</p>	Final Map	Public Works	
<p>36. The Applicant shall design and construct the following traffic calming devices in accordance with City's standards and to the satisfaction of Public Works:</p> <p style="margin-left: 40px;">Speed cushions</p> <ul style="list-style-type: none"> • Street B between Street C and Street D • Street A just north of Street D <p>The locations of the traffic calming devices shall not block any driveway and must be approved by Public Works prior to installation.</p>	Final Map	Public Works	
<p>37. For all single family corner lots, an access restriction shall be placed on the property from the driveway around the corner to the property line of the side yard.</p>	Final Map	Public Works	
<p>38. The Applicant shall dedicate a 12.5-foot public utility easement for underground facilities and appurtenances adjacent to all public street right-of-ways.</p>	Final Map	SMUD	
<p>39. The Applicant shall dedicate a public utility easement within</p>	Final Map	SMUD/Public Works	

Conditions of Approval

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>40. the Landscape Corridors (including adjacent to Bilby Road and west side of Willard Parkway) for overhead and/or underground facilities and appurtenances to the satisfaction of Public Works.</p> <p>Prior to final map, the project area shall annex into the Poppy Ridge 2003-1 Mello-Roos Community Facilities District (CFD) to fund the project's fair share of infrastructure serving the East Franklin Specific Plan area as well as to fund a portion of the additional costs for police service related to serving the new development. The annexation process can take several months, so Applicants should plan accordingly. Additionally, the annexation process into this financing district will not begin until after the project area is annexed to the City of Elk Grove. The application fee for the annexation is due prior to the Resolution of Intention to Annex the Property and Levy the Special Tax. For further information on Finance Department annexation fees, see the 2007 Development Related Fee Booklet at: www.elkarovecity.org/finance/financial-planning-division/df-information.htm.</p> <p>For further information regarding this CFD, see www.elkgrovecity.org/finance/financial-planning-division/cfd-information.htm.</p> <p>For information on the process to annex into financing districts, please see www.elkarovecity.org/finance/financial-planning-division/annexation-to-districts.htm.</p>	Prior to Final Map	Finance	
<p>41. Prior to the final map, the project area shall annex into Street Maintenance Assessment District No. 1, Zone 1 to fund a portion of the additional costs for long-term roadway</p>	Prior to Final Map	Finance	

Conditions of Approval

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>42. maintenance related to serving the new development. The annexation process can take several months, so Applicants should plan accordingly. Additionally, the annexation process into this financing district will not begin until after the project area is annexed to the City of Elk Grove. The application fee for the annexation is due prior to the Resolution of Intention to Levy Street Maintenance Assessments. For further information on this District, see www.elkgrovecity.org/finance/financial-planning-division/assessment-other-dist-info.htm.</p> <p>Prior to the final map, the project area shall annex into the Maintenance Mello-Roos Community Facilities District 2006-1 (CFD), to fund the project's fair share of landscape related maintenance costs associated with public parkways, public parks, open space, landscape setbacks, bike and other paths, landscaped medians in and adjacent to roadways, maintenance and operation of a community center, recreation center, sports (including aquatic) facilities, cultural arts center, and water features, and maintenance of other related facilities. The annexation process can take several months, so Applicants should plan accordingly. Additionally, the annexation process into this financing district will not begin until after the project area is annexed to the City of Elk Grove. The application fee for the annexation is due prior to the Resolution of Intention to Annex the Property and Levy the Special Tax. For further information regarding this CFD, see www.elkgrovecity.org/finance/financial-planning-division/cfd-information.htm</p>	<p>Prior to Final Map</p>	<p>Finance</p>	
<p>43. Prior to the final map, the project area shall annex into Street Lighting Maintenance Assessment District No. 1, Zone 2 to fund the additional project related costs for Street lighting maintenance, operation, and electrical cost of local street</p>	<p>Prior to Final Map</p>	<p>Finance</p>	

Conditions of Approval

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>lighting (first component of the assessment) as well as safety lighting (second component of the assessment). The annexation process can take several months, so Applicants should plan accordingly. Additionally, the annexation process into this financing district will not begin until after the project area is annexed to the City of Elk Grove. The project Applicant shall pay their fair share of the costs to annex into Zone 2 through being direct billed for this through the process of annexing to the City of Elk Grove. For further information on this District, see www.elkgrovecity.org/finance/financial-planning-division/assessment-other-dist-info.htm</p> <p>44. Prior to the final map, the project area shall annex into Zone 2 of the Storm Water Drainage Utility Fee Area to fund the additional project related costs to maintain publicly-owned water drainage facilities, manage flood control and execute the Storm Water Quality Program. The annexation process can take several weeks, so Applicants should plan accordingly. Additionally, the annexation process into this utility district will not begin until after the project area is annexed to the City of Elk Grove. The project Applicant shall pay their fair share of the costs to annex into Zone 2 through either an application fee program that is being developed for this purpose, or through being direct billed for this through the process of annexing to the City of Elk Grove. For rate information on this District, see www.elkgrovecity.org/utilities/rate-info.htm. The fee will be paid by future residents and is billed by the City bi-monthly along with residential trash service.</p>	<p>Prior to Final Map</p>	<p>Finance</p>	
<p>45. Prior to the recording of the final map the Applicant shall submit improvement plans to the CCSD for review and approval, showing all street improvements, utility stubs for the</p>	<p>Prior to Final Map</p>	<p>CCSD</p>	

Conditions of Approval

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
46. park site (including water, drainage, electrical, and sewer) and rough grading. The Applicant shall Pay Park and Recreation Plan Check fees as required by the CCSD.	Prior to Final Map	CCSD	
47. Land dedicated to the CCSD shall be zoned <i>Open Space (O)</i> ; will be free and 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 the CCSD specifications and in accordance with all applicable laws and regulations prior to the acceptance by the CCSD of any grant deed.	Prior to Final Map	CCSD	
48. The Applicant shall provide the CCSD with a copy of the Army Corp of Engineers (ACOE) Permit for wetland fill authorization, or alternatively an ACOE letter stating no permit was required.	Prior to Final Map	CCSD	
49. The Applicant shall provide the CCSD with a copy of all environmental documents processed for the park site per CEQA including initial studies, negative declarations, etc. All mitigation requirements of such studies shall be complete prior to acceptance of the park.	Prior to Final Map	CCSD	
50. 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 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 CCSD a written petition in an acceptable form approved by the CCSD 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	Prior to Final Map	CCSD	

Conditions of Approval

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>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; 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.</p>			
<p>Prior to Building Permits</p>			
<p>51. The Applicant shall install a barricade on Willard Parkway just south of the intersection with the collector street as determined by Public Works.</p>	<p>Prior to Issuance of Each Building Permit</p>	<p>Public Works</p>	
<p>52. The Applicant or its successor in interest shall pay drainage Capital Improvement Plan fees in effect at the time of building permit application. The Applicant may pay a reduced fee due to the construction of Capital Improvement Plan drainage structures in lieu of full payment of fees when so stated in a separate credit or reimbursement agreement.</p>	<p>Prior to Issuance of Each Building Permit</p>	<p>Public Works</p>	
<p>53. The Applicant shall install landscaping in the landscape corridor adjacent to Bilby Road and Willard Parkway prior to the issuance of the first building permit within the subdivision. If weather prevents the installation at the time of first building permit, up to 25% of the building permits may be issued at staff discretion upon demonstration of a fully executed landscape contract for the work.</p>	<p>Prior to Issuance of 1st Building Permit</p>	<p>Public Works</p>	
<p>54. The Applicant shall pay all applicable City of Elk Grove administered development impact fees in effect at the time of building permit issuance. For further information on development related fees, see the 2007 Development Related Fee Booklet at:</p>	<p>Prior to Issuance of 1st Building Permit</p>	<p>Finance</p>	

Conditions of Approval

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>55. www.elkarovecity.org/finance/financial-planning-division/df-information.htm</p> <p>Note: this project shall pay the Elk Grove Roadway Zone 1 fees, and the Elk Grove Fire Zone 1 fees. Applicants are also advised to review the Planned Fee Updates portion of the web page, and are encouraged to sign up for email updates on the 2007 Development Related Fee Booklet and the Planned Fee Updates links on the web page (see the upper right corner of these web pages). By signing up for email updates, you will receive an email notifying you every time these web pages change, which will assist you in planning costs associated with your project.</p> <p>No later than issuance of the 70th building permit, the Applicant shall construct street frontage improvements to the Park Site including, but not limited to, vertical curb, gutter, street frontage and sidewalk.</p> <p>By the 70th permit, Applicant shall determine in its sole discretion if onsite park improvements will be constructed by Applicant or constructed by the CCSD. If Applicant chooses not to construct onsite park improvements, the Applicant shall notify CCSD no later than the issuance of the 70th building permit.</p> <ul style="list-style-type: none"> • If the onsite Park improvements will be constructed by Applicant, construction shall have commenced, no later than the issuance of the final building permit (120th building permit) of the first phase of the Franklin Crossing Project in accordance with a Park Master Plan prepared by CCSD. All park site and park improvements shall be constructed or installed in 	<p>Prior to Issuance of Building Permit</p>	<p>CCSD</p>	

Conditions of Approval

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>accordance with plans and specifications approved by CCSD. All work will be performed by Applicant or his subcontractors and inspected during construction by CCSD representatives. Applicant shall pay all costs associated with the design, preparation of plans and specifications, utility and governmental fees, inspections and the construction of these onsite park improvements. Such costs are anticipated to be reimbursed by the East Franklin Public Facilities Financing Plan. If Applicant elects to construct the on-site park facility, Applicant shall enter into a Developer Agreement with the CCSD for construction of and reimbursement for the on-site Park improvements constructed. Construction of on-site Park improvements by Applicant shall be completed no later than one year from the date of commencement of construction.</p> <ul style="list-style-type: none"> • The Public Facilities Financing Plan for the East Franklin Specific Plan provides the funding for these improvements and assumes that park facilities shall be constructed by the CCSD. If the Applicant determines to undertake the construction of the onsite park improvements, the construction shall be underway no later than the issuance of the final building permit for Phase I of this project. The final building permit of Phase I of this project cannot be issued unless this condition is waived in writing by the CCSD and no additional Phases for this Project may be undertaken including the issuance of building permits for subsequent phases until the onsite Park improvements are completed. The CCSD may, upon 			

Conditions of Approval

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>ten (10) days written notice to Applicant cancel Applicant's rights to construct the onsite park improvements and undertake construction when and how the CSD deems to be appropriate.</p>			
<p>56. Lot A, parkland, shall be dedicated in fee to the CCSD. If the Applicant chooses to construct onsite Park improvements, fee dedication shall occur after the park has been improved and accepted by the CCSD. The Applicant shall maintain the park until acceptance by the CCSD has occurred. If the Applicant chooses not to construct onsite Park improvements, the Applicant shall dedicate Lot A to the CCSD by issuance of the 70th building permit. The Applicant will be required to provide all necessary street frontage, utility stubs, and rough grading of Lot A subject to CCSD approval by issuance of the 70th building permit.</p>	<p>Prior to Issuance of Building Permit</p>	<p>CCSD</p>	
<p>57. Provide utility stubs in to the park site for water, drainage, electrical, and sewer. Locations of all utility service points shall be pursuant to plans approved by the CCSD.</p>	<p>Prior to Issuance of 1st Building Permit</p>	<p>CCSD</p>	
<p>58. Rough grade the park site pursuant to plans approved by the CCSD.</p>	<p>Prior to Issuance of 1st Building Permit</p>	<p>CCSD</p>	
<p>59. If the park site abuts residential lots, or private facility lots, install a 6 ft. high masonry wall, which will be built to the specifications of the CCSD along the park area where it abuts these lots. The fence is on the Owner's property. Accordingly, general maintenance, repair or replacement of the fence is the responsibility of the Owner, not the CCSD. The CCSD will be responsible solely for graffiti removal on the exterior portion of the fence, which faces the park. The CCSD shall bear all expenses associated with the removal.</p>	<p>Prior to Issuance of 1st Building Permit</p>	<p>CCSD</p>	
<p>Prior to Final or Occupancy 60. The Applicant shall disclose to all future/potential owners of</p>	<p>Prior to Final or</p>	<p>Planning</p>	

Conditions of Approval

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
61. the subdivision in regards to the location and expected railroad noise levels. Identification signage issued by Public Works shall be mounted by the Applicant during streetlight installation in accordance with the approved plans. Alterations to streetlight plans shall be updated on record drawings. The Applicant shall submit, in addition to the complete set of improvement plans, a separate electronic file, in PDF format, of only the streetlight plan sheets and voltage calculations on the record drawing CD. Additionally, the Applicant shall complete and submit the City's streetlight data spreadsheet, with complete data for all streetlights installed, on the record drawing CD.	Occupancy Prior to Acceptance of Public Improvements	Public Works	
62. Upon completion of the installation of the landscaping for the project (except Kammerer Road), the project landscape architect/designer shall certify that the installed landscape complies with all City Water Conserving Landscape Requirements. Certification shall be accomplished by completion of a Certificate of Conformance on a form provided by the City. Failure to submit a complete and accurate Certificate of Conformance to the Planning Department will delay final approval/occupancy of the project.	Prior to Final or Occupancy	Planning / Landscape Architect	
63. Water supply shall be provided by the Sacramento County Water Agency.	Prior to Final or Occupancy	Sacramento County Water Agency	
64. The Applicant shall provide for graffiti-resistant paint or clear graffiti-resistant coating on all masonry walls and any subdivision signs.	Prior to Final or Occupancy	Community Enhancement	
65. The Applicant shall provide for climbing vegetation to cover and control graffiti along the exterior of the masonry walls-appropriate vegetation to be detailed within the landscape plans.	Prior to Final or Occupancy	Community Enhancement	

Conditions of Approval

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
66.	The Applicant shall provide security measures and CPTED design (Crime Prevention Through Environmental Design) for all walking paths within the proposed parks – including way-finding lighting.	Prior to Final or Occupancy	Community Enhancement	
67.	<p>The Applicant shall disclose to future/potential owners in regards to the following SMUD facilities:</p> <ul style="list-style-type: none"> • The existing 69kV overhead lines on the north side of Bilby Road west of Willard Parkway and existing 69kV on the south side of Bilby Road on the east of Willard Parkway. • The proposed 69 kV overhead line to be located on the east side of Willard Parkway. • The proposed 230/69kV electrical facilities and future Bulk Substation. • The existing 230 kV Transmission electrical facilities located adjacent to the east side of the railroad tracks. • The existing SMUD gas lines. 	Prior to Occupancy	SMUD	
68.	The Applicant shall submit Flood Elevation Certification for each structure or other appropriate documents as determined by Public Works.	Prior to Occupancy	Public Works	

General Compliance Items for Building Permit

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

- a. If there are any discrepancies between the approved tentative map and the conditions of approval, the conditions of approval shall supersede the approved tentative map. (Public Works)
- b. The Applicant shall pay all appropriate development fees charged by the City and other Special Districts providing services to the site. (Public Works)
- c. Any improvements, public or private, damaged in construction shall be replaced, by the Applicant, in-kind or with new improvement. (Public Works)
- d. Street (trench) cuts into existing streets require a separate encroachment permit and the payment of street cut fees, by the Applicant. Where multiple street cuts into the same street occur, a single, final surface (pavement) trench repair over all the trench cuts is required. Pavement grinding is required for the full length and width of the trenches. (Public Works)
- e. Streets shall be closed to the public until Department of Public Works, Division of Traffic Engineering and the project engineer determine the appropriate traffic control devices to be installed and the devices are installed to the satisfaction of Public Works. Road closure devices shall be in place immediately and maintained in-place at all times upon completion of paving. Road closure may also require alternative accesses to both building and improvements construction traffic. The type of road closure devices shall be determined and approved by Public Works. (Public Works)
- f. Each lot shall have one driveway. Additional driveways may be approved by Public Works. Covenants, Conditions, and Restrictions shall be recorded over all parcels within the tentative map. The Covenants, Conditions, and Restrictions shall include the number of driveways each parcel is allowed. (Public Works)
- g. If an access control gate is added at any time in the future the City of Elk Grove Public Works Department shall approve the geometrics of the entry design. (Public Works)
- h. Improvement related conditions can be satisfied by completing an approved design, executing an improvement agreement, and providing suitable financial security (e.g. bonds, letter of credit, etc), all to the satisfaction of the City, prior to the implementation timing required by the condition. (Public Works)
- i. If the Applicant is to record multiple final maps each phase shall be reviewed by Public Works to determine the improvements required for that phase. (Public Works)
- j. The Applicant shall design and construct all improvements in accordance with the City of Elk Grove Improvement Standards, as further conditioned herein, and to the satisfaction of Public Works. (Public Works)

- k. The Applicant shall dedicate a 12.5 foot public utility easement for underground and appurtenances adjacent to all public streets. (Public Works)
- l. All driveways and intersections shall conform to the visibility easement requirement in the City of Elk Grove Improvement Standard. (Public Works)
- m. Improvement plan must be approved by Public Works prior to City Council approval of Final Map. (Public Works)
- n. The Final Map shall be completed, approved and recorded prior to 1st Building Permit. (Public Works)
- o. The Applicant shall submit and obtain City approval of plans and specifications for the construction of public improvements and all grading. The drainage system shall be designed in accordance with the accepted Drainage Study to accommodate runoff from the ultimate development and shall meet the City of Elk Grove Improvement Standards, construction standards, storm water design standards, and City of Elk Grove Flood Plain Management Plan and Ordinance in effect at the time of Improvement Plan approval. Street gutter flowlines shall be designed to be above the 10-year frequency flood elevation and arterial and collector streets may be required to have lanes above the 100-year frequency flood elevation pursuant to the Floodplain Management Plan. (Public Works)
- p. The Applicant shall complete grading and construct all on-site and off-site drainage improvements in accordance with the approved Improvement Plans. Fulfill all requirements of federal and state permits. (Public Works)
- q. The Applicant shall comply with the regulations of the Federal Emergency Management Agency (FEMA) and the City of Elk Grove Flood Plain Management Ordinance. The lowest finished floor elevation for a habitable building will be a minimum of 1 (one) – foot above the 100-year frequency water level, certified by a registered Civil Engineer or licensed Land Surveyor, and submitted to the City. Amendments and/or revisions of FEMA flood insurance rate maps will be required for all development located in the federal or local flood zone. All FEMA map revisions (both CLOMR and LOMR) must be approved by the City and fully processed through FEMA. Completed revisions shall be placed on file with the City. (Public Works)
- r. The Applicant shall prepare a Storm Water Pollution and Prevention Plan (SWPPP) to be executed through all phases of grading and project construction. The SWPPP shall incorporate Best Management Practices (BMPs) to ensure that potential water quality impacts during construction phases are minimized. These measures shall be consistent with the City's Improvement Standards and Land Grading and Erosion Control Ordinance. The SWPPP shall be submitted to the Central Valley Regional Water Quality Control Board for approval and to the City for review. During construction, the Applicant shall implement actions and procedures established to reduce the pollutant loadings in storm drain systems. The project Applicant shall implement Best Management Practices (BMPs) in accordance with the SWPPP and the City of Elk Grove Improvement Standards. (Public Works)
- s. In order to mitigate erosion and sediment control problems on the project site, the project shall comply with the City's Land Grading and Erosion Control Ordinance. If the project size is more than one acre, a Notice of Intent (NOI) will be filed to obtain

coverage under the California State Water Resources General Construction Activity Storm Water Permit. Permits are issued by the State Water Resources Control Board, which can provide all information necessary to complete and file the necessary documents. Applicant shall comply with the terms of the general construction permit, the City of Elk Grove Municipal Code, and the NPDES Waste Discharge Requirements for the City of Elk Grove Municipal Storm Sewer Discharges. (Public Works)

- t. Where feasible, biofilter swales and vegetated strips are preferred and shall be utilized in providing biofiltration of pollutants in project runoff prior to entering receiving water body. The project engineer shall consult with the City when designing storm water conveyance facilities, and shall submit designs of these facilities to City for review and approval prior to approval of the grading plans and improvement plans. (Public Works)
- u. The project Applicant should contact the City Finance Department, Andrew Griffin at (916) 478-3616 and at agriffin@elkgrovecity.org once the annexation of the project into the City limits is complete so the Finance Department can begin to assist the Applicant with satisfying the Finance Department conditions related to annexing into the various financing districts.
- v. Dead-end streets in excess of 150 feet require emergency vehicle turn-arounds. (Fire)
- w. Any and all gates impeding fire lanes or roadways shall comply with Appendix VII of the 2002 Sacramento County Fire Code. (Fire)
- x. If homes exceeding 3,600 square feet (including garages and covered porches) will be built in this subdivision, additional fire flow analysis of the water system must be conducted. Single-family dwellings 3,601 square feet to 4,800 square feet require 1,750 gpm. Homes 4,801 square feet to 6,200 square feet require 2,000 gpm. (Fire)
- y. An approved automatic fire sprinkler system shall be installed within all new R-3 occupancies when the total floor area (area under roof including garages and attached solid roof canopies) exceeds 5,999 square feet and/or the total livable area (area not including garages and attached solid roof canopies) exceeds 4,999 square feet. (Fire)
- z. As of February 1, 2003, all contractors for single-family homes and duplexes (R-3 Occupancies) shall provide an option for residential fire sprinklers. Prior to the prospective buyer signing a sales contract, the contractor or their agent shall obtain from the Fire Department an informational packet containing education materials approved by the fire department, including a form explaining the option for residential sprinklers. The contractor or their agent shall provide the approved informational packet to any and all prospective buyers and require the execution of signed receipt for the educational material from the prospective buyer. The contractor shall install residential fire sprinklers upon the request and execution of a purchase agreement by the homebuyer. Fire sprinkler systems for single-family homes and duplexes shall be designed and installed to not less than the minimum requirements contained in NFPA 13D, 1996 edition. (Fire)
- aa. All civil engineering plans are required to be submitted in an electronic format. When plans are ready for final signature, it is required that the engineering firm submit an electronic copy of the complete plan as it appears in the approved printed plans with addresses. All electronic formats will be submitted on Windows/DOS formatted

diskettes, zip disks or on compact disk (CD). E-mailed copies will not be accepted at this time. Electronic formats can be submitted in either of the following data transfer formats listed below:

- i. DXF (Drawing Interchange file) any DXF version is accepted.
 - ii. DWG (Applies to AUOCAD drawing file) any AutoCAD DWG version is accepted. (Fire)
- bb. Addresses for all lots shall be provided to the Fire Department within sixty (60) days of Fire Department signature of approval for development plans. (Fire)
- cc. No more than 40 building permits shall be issued when a single point of access exists for a subdivision. Since there is no process in place for confirming the sequence in which multiple units are built, the above information should be considered and the Elk Grove CSD Fire Department should be consulted on this matter. (Fire)
- dd. This development is required to provide fire flow from a public water system capable of delivering at a minimum 50 PSI static pressure and 3,000 GPM at 20 PSI residual pressure in commercial areas and 50 PSI static pressure and 1,000 GPM at 20 PSI residual pressure in residential, single-family home areas. Buildings of certain types of construction, size, and use may need additional fire flow or the application of mitigating efforts to meet fire flows above this minimum. (Fire)
- ee. All required roadways, street signs, addresses, water mains, fire hydrants, and fire flows shall be provided prior to the existence of any combustible construction or storage. The slope of access roadways shall not exceed 10% for asphalt and 5% for concrete. The roadways shall be constructed to a 20-foot minimum width of three (3) inches AC over six (6) inches AB with good drainage. (Fire)
- ff. EGCSDFD approved traffic pre-emption devices of a type approved by the Elk Grove Fire Department shall be installed on all traffic signal devices erected or modified by this development. These devices shall be installed and functioning prior to any occupancy and at no cost to the Elk Grove Fire Department. (Fire)
- gg. The installation of on-site or off-site fire protection equipment including fire hydrants and water mains shall meet the standards of the Elk Grove Fire Department and the water purveyor having jurisdiction. (Fire)
- hh. The installation of roadway gates, addresses, landscaping, pipe bollards, fuel tanks, masonry sound walls tree wells and/or all other traffic calming devices is subject to standards outlined by the Elk Grove Fire Department. All proposed traffic-mitigation plans shall be submitted to the Elk Grove CSD Fire Department for review and approval prior to installation. (Fire)
- ii. The wetland/riparian corridors of creeks create an unusual fire hazard and challenge to emergency responders. The following requirements apply:
 - i. Provide non-combustible fences along all developed areas adjacent to wetlands, creeks or open spaces.
 - ii. Provide access to all wetland corridors at the end of cul-de-sacs via rolled curbs and gates with pipe bollard. 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 diameters.

- iii. Any bridges over creeks or wetland areas shall be capable of supporting 65,000 GVW.
 - iv. Provide at least 10 feet of greenbelt or other defensible space between non-combustible fences and the creek/wetlands area.(Fire)
- jj. The trunk and collector sewer system for the project will not be accepted for maintenance, and building occupancy will not be granted until the downstream sewer system serving the project is also accepted for maintenance. (CSD-1)
- kk. If a lifting and/or pumping station is required to serve this project, the Applicant shall install all necessary infrastructure (electrical power and wiring, telemetry, piping, manholes, wells, gates, etc.) for the complete operation of the facility at full development and final maximum service capacity as identified in the applicable approved sewer studies. The only exception to this requirement is the pump size, shall be installed in accordance with the initial designed service capacity. (CSD-1)
- ll. If interim sewer structure (such as sewer pipes, manholes, and lifting/pumping stations) is required to serve this project, the Applicant shall be responsible for the cost to CSD-1, to decommission, and abandon such interim sewer infrastructure. The mechanism to capture these costs shall be approved and accepted by CSD-1 prior to recommendation of the Final Map or approval of Improvement Plans for plan check to CSD-1, whichever comes first.
- mm. Developing this property may require the payment of sewer impact fees. Impact fees shall be paid prior to filing and recording the Final Map or issuance of Building Permits, whichever is first. The Applicant should contact the Fee Quote Desk at (916) 876-6100 for sewer impact fee information (CSD-1).
- nn. Please contact Salam Khan or A.C. David prior to initiating a sewer or design reimbursable facilities. (CSD-1)
- oo. PG& E owns and operates gas transmission facilities which are located adjacent or within the proposed project boundaries. To promote the safe and reliable maintenance and operation of utility facilities, the California Public Utilities Commission (CPUC) has mandated specific clearance requirements between utility facilities and surrounding objects or construction activities. To ensure compliance with these standards, project proponents should coordinate with PG&E early in the development of their plans. Any proposed development plans should provide for unrestricted utility access and prevent easement encroachments that might impair the safe and reliable maintenance and operation of PG&E's facilities. (PG&E).
- pp. PG& E is requesting 2 sets of plan for the development of this project showing PG&E's existing Transmission Gas Facilities. Please send those plans to my attention (at the address stated above. The developer should work with PG&E for a final no objection letter in the development of this property to ensure consistent uses around PG&E's high pressure gas facilities and the safety of the public and also in the granting of easements. Please note that when potholing gas transmission facilities to confirm depths, PG&E standby personnel are required. Should you need to pothole PG&E gas transmission facilities, contact Charlene Kinard with PG&E at (916) 386-5247 to schedule a PG&E standby to monitor potholing activities. (SMUD)

- qq. Landscape corridors will not be accepted for ownership or maintenance by the CCSD. The Applicant should work with the City of Elk Grove on ownership, construction, and maintenance issues for corridors. (CCSD)
- rr. Notwithstanding the provision of Section 22.40.085(D) of Title 22 of the City of Elk Grove, no credit shall be given for any improvements constructed pursuant to this agreement against any Quimby in-lieu park dedication fees payable pursuant thereto that may be due after consideration of the park land dedication. The provisions of this paragraph are not intended to affect the rights of the Applicant to receive credits or reimbursements set forth in the Public Facilities Financing Plan for the East Franklin Specific Plan. (CCSD)

Mitigation Monitoring and Reporting Program

Mitigation Measures	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>In order to mitigate for the loss of Swainson's hawk foraging habitat, the Applicant shall implement one of the following City of Elk Grove's approved mitigation alternatives.</p> <p>Monitoring Action Prior to any site disturbance, such as clearing or grubbing, or the issuance of any permits for grading, building, or other site improvements, whichever occurs first, the project Applicant shall provide written verification to Development Services-Planning that one of following mitigation measures has been implemented:</p> <p>Preserve 1.0 acre of similar habitat for each acre lost. This land shall be protected through a fee title or conservation easement acceptable to the City of Elk Grove as set forth in Chapter 16.130.040(a) of the City of Elk Grove Municipal Code as such may be amended from time to time and to the extent that said Chapter remains in effect, OR</p> <p>Submit payment of Swainson's hawk impact mitigation fee per acre of habitat impacted (payment shall be at a 1:1 ratio) to the City of Elk Grove 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 that said chapter remains in effect.</p>	<p>Prior to Any Site Disturbance, Such as Clearing or Grubbing, or the Issuance of Any Permits for Grading, Building, or Other Site Improvements, Whichever Occurs First.</p>	<p>Planning in consultation with CDFG</p>	
<p>MM-1 In order to mitigate potential adverse impacts to nesting raptors and other birds that may forage or nest at the project site, the Applicant shall implement the following mitigation measure.</p>	<p>Prior To and During Construction Activities</p>	<p>Planning</p>	

Mitigation Monitoring and Reporting Program

Mitigation Measures	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>Monitoring Action</p> <p>If construction is proposed during the raptor breeding season (February–August), a focused survey for ground nesting raptors (including burrowing owls) and migratory bird nests shall be conducted within 30 days prior to the beginning of construction activities by a qualified biologist in order to identify active nests onsite. If active nests are found, no construction activities shall take place within 500 feet of the nest until the young have fledged. This 500-foot construction prohibition zone may be reduced based on consultation and approval by the CDFG. If no active nests are found during the focused survey, no further mitigation will be required.</p> <p>Within 30 days prior to the onset of construction activities outside of the breeding season (September–January), a qualified biologist shall conduct a burrow survey to determine if burrowing owls are present on the project site. If burrowing owls are observed on the site, measures shall be implemented to ensure that no owls or active burrows are inadvertently buried during construction. Such measures include: flagging the burrow and avoiding disturbance; securing and preserving suitable habitat offsite; passive relocation and/or active relocation to move owls from the site. All measures shall be determined by a qualified biologist and approved by the CDFG.</p> <p>All burrowing owl surveys shall be conducted according to CDFG protocol. The protocol requires, at a minimum, four field surveys of the entire site and areas within 500 feet of the site by walking transects close enough that the entire site is visible. The survey shall be at least three hours in length, either from one hour before sunrise to two hours after or two hours</p>			

Mitigation Monitoring and Reporting Program

Mitigation Measures	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>before sunset to one hour after. Surveys shall not be conducted during inclement weather, when burrowing owls are typically less active and visible.</p> <p>Pursuant to the MBTA and the California Fish and Game Code, if active songbird nests or active owl burrows are found within the survey area, clearing and construction shall be postponed or halted within a minimum of 250 feet for owls and 100 feet for songbirds, or as determined by a qualified biologist to ensure disturbance to the nest will be minimized. Construction will not resume within the buffer until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting. The perimeter of the protected area shall be indicated by orange mesh temporary fencing. No construction activities or personnel shall enter the protected area, except with approval of the biologist.</p> <p>MM-2 Project implementation would result in the loss of 0.26-acres of waters of the United States. To mitigate for this potentially significant impact, the project proponent shall implement the following mitigation measure.</p> <p>Monitoring Action The Applicant shall ensure that the project will result in no-net-loss of waters of the U.S. by providing mitigation through impact avoidance, impact minimization and compensatory mitigation for the remaining impact. Compensatory mitigation shall require purchase of credits in an Army Corps of Engineers approved mitigation bank at a ratio of no less than one acre purchased for each acre impacted.</p> <p>MM-3</p>	<p>Prior to Site Preparation or Construction Activities.</p>	<p>Planning</p>	

Mitigation Monitoring and Reporting Program

Mitigation Measures	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>In order to mitigation impacts to paleontological resources, the project proponent shall implement the mitigation measure below.</p> <p>Monitoring Action A paleontological monitor shall be employed during any trenching that exceeds three feet in depth at the project site, extending into the Riverback Formation. The paleontological monitor shall be empowered to stop excavations at any spot where a discovery is made and to complete any necessary excavations. The Applicant shall notify the City at least 2 days prior to trenching to ensure compliance with this mitigation measure.</p>	<p>During Trenching Activities That Exceed Three Feet in Depth.</p>	<p>Planning.</p>	
<p>MM-4 The project Applicant shall construct a sound attenuation barrier along Bilby Road, Franklin Boulevard, Kammerer Road and the Western Pacific Railroad (WPRR) as specified below and in accordance with City standards to mitigate potential transportation noise impacts.</p> <p>Monitoring Action Prior to the issuance of any building permits, the Applicant shall construct the noise barriers as specified below which are required to meet the thresholds for acceptable noise levels prior to residential occupancy. A combination of berm and wall is required.</p> <p>Construct a 6-foot high noise barrier at the property line along Bilby Road and Willard Parkway.</p> <p>Construct a 10-foot high noise barrier at the property line along future Kammerer Road (east end). A property line or</p>	<p>Prior to Issuance of Building Permits.</p>	<p>Planning and Building.</p>	

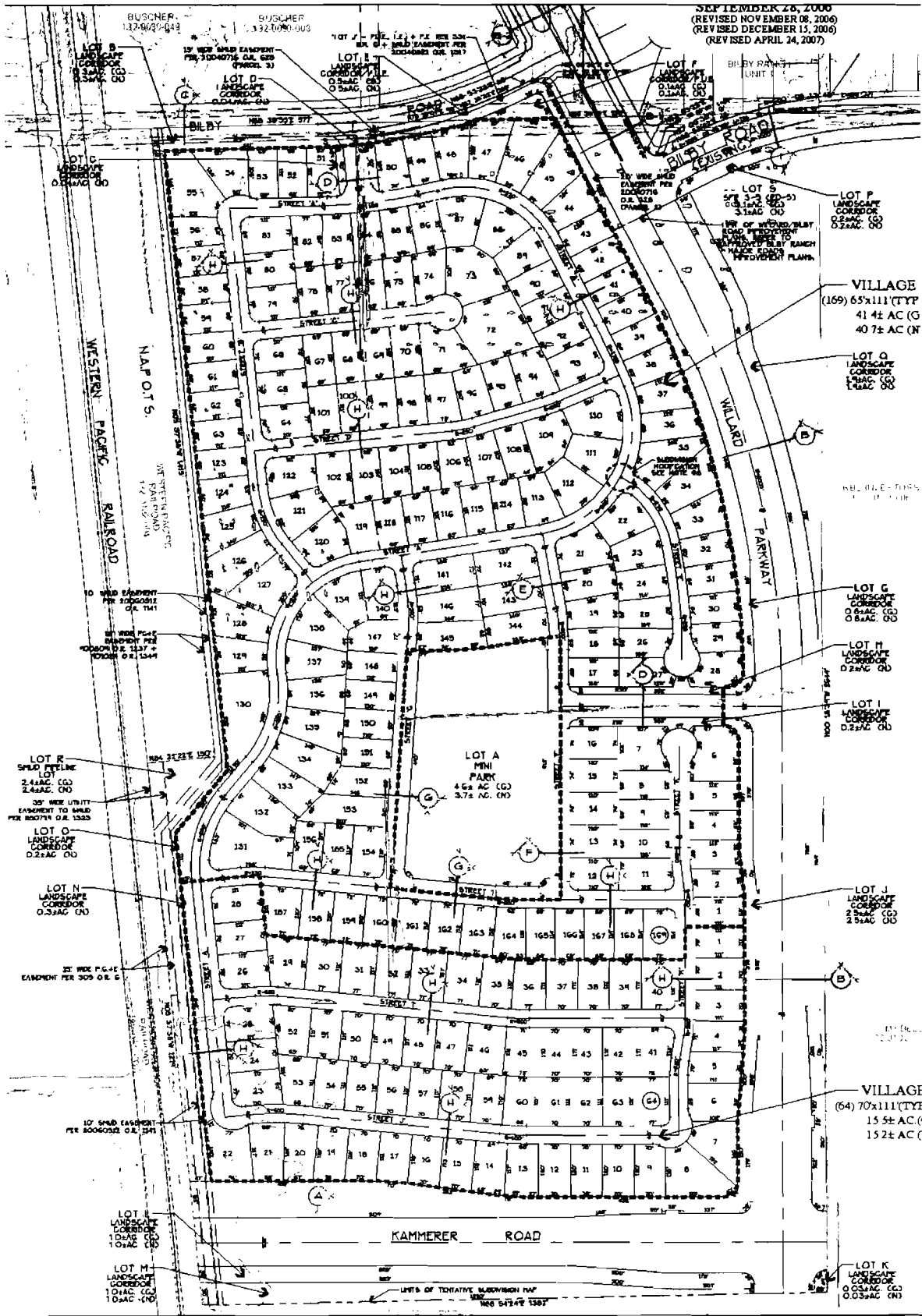
Mitigation Monitoring and Reporting Program

Mitigation Measures	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>overpass barrier will be required to mitigate future Kammerer Road overpass noise exposure on the project site. Noise exposure calculations and recommendations for noise mitigation for this overpass may be completed once specifics regarding the overpass design (elevations, etc.) are available. These noise barriers shall be a combination of earthen berms, soundwalls, and plan materials intended for sound attenuations. The construction and installation of the barriers shall be completed prior to the issuance of building permits.</p> <p>Construct a 11-foot high noise barrier along Lot R from the northwest corner of Lot 22 to Bilby Road. Construct a 13-foot high noise barrier along the west side of Lot 22. These noise barriers shall be a combination of earthen berms, soundwalls, and plan materials intended for sound attenuations. These barriers should intersect the Kammerer Road overpass of the WPRR, with no gaps at the intersection points. The construction and installation of the barriers shall be completed prior to the issuance of building permits.</p> <p>MM_5</p> <p>For residential units along future Kammerer Road (lots 8-22) and along the Western Pacific Railroad tracks (lots 22, 55-63, 123-130), building facade noise reduction will be required to achieve an interior noise level of 45 dB L_{dn} along future Kammerer Road and 40 dB L_{dn} along WPRR consistent with the City of Elk Grove General Plan noise level criterion. Acoustical insulation, building materials, unit placement from the noise source and/or other 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.</p>	<p>Prior to Issuance of Building Permits.</p>	<p>Planning and Building.</p>	

Mitigation Monitoring and Reporting Program

Mitigation Measures	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>Monitoring Action Prior to the issuance of any building permits, the Applicant shall submit plans and details to Development Services, Planning that adequately describes the acoustical insulation, building materials, unit placement from the noise source and/or other construction techniques required to meet the thresholds for acceptable noise levels prior to residential occupancy.</p> <p>MM-6</p>			

Exhibit B: Tentative Subdivision Map



**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2007-147**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

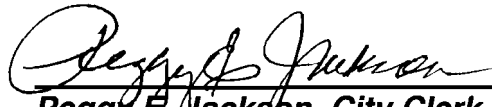
I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on June 27, 2007 by the following vote:

AYES : **COUNCILMEMBERS:** **Cooper, Scherman, Davis, Leary, Hume**

NOES: **COUNCILMEMBERS:** **None**

ABSTAIN : **COUNCILMEMBERS:** **None**

ABSENT: **COUNCILMEMBERS:** **None**



**Peggy E. Jackson, City Clerk
City of Elk Grove, California**

