

RESOLUTION NO. 2007-215

**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, A TENTATIVE PARCEL MAP, A CONDITIONAL
USE PERMIT, VARIANCE AND DESIGN REVIEW FOR THE
WATERMAN 20
PROJECT NO. EG-05-898
APN: 134-0110-015**

WHEREAS, Speigel Development (the "Applicant") filed an application with the City of Elk Grove ("City") for a General Plan Amendment, Specific Plan Amendment, Rezone, Tentative Parcel Map, Conditional Use Permit, Variance, and Design Review; 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, the proposed project is located on real property in the incorporated portions of the City of Elk Grove more particularly described as APN 134-0110-015; and

WHEREAS, the City determined that the Waterman 20 Project was subject to the California Environmental Quality Act and prepared an Initial Study evaluating the potential environmental effects of the project; and

WHEREAS, a Mitigated Negative Declaration was prepared and circulated, and the Applicant has agreed to implement the proposed mitigation measures to reduce the potentially significant adverse effects related to biological resources and traffic 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 August 2, 2007 and recommended City Council approval of the Project; 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 September 26, 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, MMRP in Exhibit B, the General Plan Amendment Exhibit in Exhibit C and Tentative Parcel Map as illustrated in Exhibit D and revised in Exhibit E, 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 effect on the environment. A Mitigated Negative Declaration has been prepared and completed in accordance with the California Environmental Quality Act (CEQA). The mitigated negative declaration reflects the independent judgment and analysis of the City.

Evidence: Pursuant to CEQA guidelines, City staff prepared an initial study evaluating the potential environmental effects of the project. The Initial Study identified potentially significant adverse effects in the areas of Air Quality and Biological Resources. Mitigation measures that avoid or mitigate the potentially significant effects to a point where clearly no significant effects would occur were identified in the Initial Study and a Mitigated Negative Declaration was prepared. The Initial Study/Mitigated Negative Declaration was distributed for a 30 day review and comment period between November 15, 2007 and December 14, 2007. The City received written comment letters within the 30 day public review period and responded to those comments in the project staff report. The City has considered the comments received during the public review period, and they do not alter the conclusions in the Initial Study and Mitigated Negative Declaration. A Mitigation Monitoring and Reporting Program (MMRP) has been prepared to ensure compliance during project implementation and the applicant has agreed to implement the mitigation measures. A condition of approval has been imposed on the project to ensure conformance with the MMRP.

General Plan Amendment

Finding: There is a substantial benefit to be derived from the proposed amendment.

Evidence: The proposed General Plan Amendment is to the General Plan Land Use Map only. The project proposes to increase the amount of Light Industry while decreasing the amount of Open Space. The reduction in open space acreage does not compromise the proposed open space corridor and trail system. The City benefits economically from the increase in property available for Light Industrial development.

Specific Plan Amendment

Finding: The proposed Specific Plan Amendment is consistent with the General Plan goals, policies, and implementation programs.

Evidence: The proposed Specific Plan Amendment is to the Land Use Map in the East Elk Grove Specific Plan. The project proposes to increase the amount of Light Industry while decreasing the amount of Open Space. The proposed Specific Plan Amendment is consistent with the General Plan goals, policies for economic development.

Finding: The land use and development regulations within the Specific Plan are comparable in breadth and depth to similar zoning regulations contained in the Zoning Code.

Evidence: The proposed SPA is to the Land Use Map in the East Elk Grove Specific Plan. There is no proposed change to the text of the EEGSP. The land use and development regulations within the Specific Plan are currently comparable in breadth and depth to similar zoning regulations contained in the Zoning Code. Since no changes are proposed, the EEGSP will remain comparable.

Finding: The administration and permit processes within the Specific Plan are consistent with the administration and permit processes of the Zoning Code.

Evidence: The proposed SPA is to the Land Use Map in the East Elk Grove Specific Plan. There is no proposed change to the text of the EEGSP. The administration and permit processes within the Specific Plan are currently consistent with the administration and permit processes of the Zoning Code. Since no changes are proposed, the EEGSP will remain consistent.

Tentative Parcel Map

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 is 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 the type of improvements is likely to cause serious public health problems.
- g. That the design of the subdivision or the 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: None of the above findings #a through #g apply to the proposed Tentative Parcel Map, the project can be approved:

- a. The proposed map is consistent with the proposed land use designation and policies in the Elk Grove General Plan and the East Elk Grove Specific Plan, which proposed to designate this site as Light Industry, Commercial, HDR and Open Space.
- b. The design or improvements of the proposed parcel map are consistent with the Elk Grove General Plan and the EEGSP.
- c. The site is suitable for the proposed type of development.
- d. The proposed Tentative Map meets the development standards and requirements for each of the proposed zoning districts.
- e. A Mitigated Negative Declaration has been prepared for this project and a MMRP has been adopted. Compliance with the MMRP will ensure the project does not have a significant impact on the environment.
- f. The design of the project incorporates Best Management Practices and City Improvement Standards. The Applicant is required to obtain necessary permits to ensure appropriate development. The project is not likely to cause public health problems.
- g. The Applicant has worked with the City and other agencies to ensure no conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision.

Conditional Use Permit

Finding: The proposed use is consistent with the General Plan and all applicable provisions of the Zoning Code.

Evidence: The proposed RV storage use is a conditionally use permitted use in the M-1 zoning. The project as proposed meets all the development standards of the zoning code except for the landscaping. A variance to the landscaping standards is included with the project because use restrictions within the power line easements prevent the project from achieving the standard.

Finding: The establishment, maintenance or operation of the use will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of the use, or the general welfare of the City.

Evidence: The proposed RV storage facility is separated from residential uses by the open space corridor. Providing for RV storage uses in the community provides a service to new and current residents for large things that would normally be unsightly if parked in neighborhood areas. The use is not anticipated to be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons living and working in the area.

Variance

Finding: There are special circumstances applicable to the property, including size, shape, topography, location or surroundings, such that the strict application of the Zoning Code deprives such property of privileges enjoyed by other property on the vicinity and under identical land use zoning district classifications.

Evidence: Parcel B is completely within the power line easements. Restrictions to permitted uses limit the planting vegetation which deprives the applicant the ability to meet the Zoning Code requirement.

Finding: Granting the variance constitutes a special privilege inconsistent with the limitations upon other properties in the vicinity and land use zoning district in which such property is located.

Evidence: Other properties developed as RV storage have been developed without interior landscaping. The variance will allow the property to be developed consistent with other RV storage facilities.

Finding: Granting the variance will adversely affect the interests of the public or the interests of the residents and property owners in the vicinity of the premises in question.

Evidence: The RV facility is proposed to be completely enclosed with an 8' masonry wall and will not be visible to the general public. Residents to the east

will be separated from the use by the open space corridor. Public in the area will not generally be able to see the facility or be impacted by it's use.

Finding: The granting of the variance is inconsistent with the objectives of the General Plan.

Evidence: The objective of the general plan is to allow for this type of use to be developed in this area. The granting of the variance will allow the site to be developed.

Design Review

Finding: The proposed project is consistent with the Citywide Design Guidelines for non-residential development.

Evidence: The site plan, building elevations, and landscape plans have been reviewed in accordance with Citywide Design Guidelines for non-residential land uses, and staff has concluded that the project's architecture and site planning meet all applicable design requirements and are consistent with the Citywide Design Guidelines. The project is subject to conditions of approval that will ensure consistency with all standard requirements.

Finding: The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community.

Evidence: The proposed site plan, elevations, and landscape plans provide all design elements required by the Citywide Design Guidelines for industrial development. The industrial office parcel will be consistent with the surrounding development. The RV storage parcel will provide a service to new and current residents for storage large things that would normally be unsightly if parked in neighborhood areas. The RV storage is not visible from residential areas. The open space parcel will enhance the character of the area and bring additional recreational opportunities to the area. The project is subject to conditions of approval that 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 proposed project will provide all required design elements that would establish a industrial office complex compatible with adjoining and nearby properties. The project is subject to conditions of approval that 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 industrial office park is accessed by two driveways off Waterman Road and one driveway off Mosher Road. The RV storage parcel is accessed by one driveway off of Mosher Road. The open space parcel provides bicycle and pedestrian access along the power line corridor. The project has been reviewed by Public Works and Planning for vehicular, bicycle, and pedestrian circulation. No existing or potential conflicts have been identified.

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 Parcel Map, Conditional Use Permit, Variance, and Design Review

The City Council of the City of Elk Grove approves the Specific Plan Amendment, Tentative Parcel Map, Conditional Use Permit, Variance, and 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 26th day of September 2007.


JAMES COOPER, MAYOR of the
CITY OF ELK GROVE

ATTEST:


PEGGY E. JACKSON,
CITY CLERK

APPROVED AS TO FORM:


SUSAN COCHRAN
CITY ATTORNEY

Exhibit A: Conditions of Approval

<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
On-Going			
<p>1. The project approved by this action is for the following entitlements</p> <p><u>General Plan Amendment</u> to the Land Use Policy Map modifying the land use designations as described in the General Plan Amendment Exhibit for Waterman 20 dated 10/13/2006</p> <p><u>Specific Plan Amendment</u> to the East Elk Grove Specific Plan Land Use Diagram modifying the land use designations as described in the Specific Plan Amendment Exhibit for Waterman 20 dated 10/13/2006.</p> <p><u>Rezone</u> to amend the City of Elk Grove Zoning Map to amend the zoning designations as described in the Rezone Exhibit for Waterman 20 dated 10/13/2006.</p> <p><u>Tentative Parcel Map</u> to subdivide the parcel into three parcels to permit development with land uses consistent with the General Plan and Specific Plan, as depicted on the Tentative Parcel Map for Waterman 20 (Exhibit D) dated 10/13/2006 and revised as depicted in Exhibit E.</p> <p><u>Design Review</u>: Approved development consists of six (6) light industrial buildings and fenced storage yards on parcel A, RV storage parking spaces in an enclosed area parcel B, and open space and trail improvements on parcel C. All development shall be as indicated on approved architectural site, details, elevation & sections, photometric and landscape plans entitled "Waterman 20 Development Plan Review", by Perkins, Williams & Cotterill dated 10/13/06, as conditioned herein.</p>	On-Going	Planning	

	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p><u>Conditional Use Permit</u> to permit a Recreational Vehicle Storage Facility on parcel B.</p> <p><u>Variance</u> to deviate from the landscaping standards for the RV storage on parcel B.</p> <p>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>2. The project plans will show a maximum of 426 RV parking spaces. The northwest corner of the RV storage will be revised to accommodate the widening of the open space parcel to approximately 175' at the northern parcel boundary as shown on exhibit E. The additional open space will be included in the deed to Cosumnes CSD.</p>	On-going	Planning/CSD	
<p>3. If additional parking is required for the proposed uses on Parcel A, parking may replace the storage yards as needed.</p>	On-Going	Planning	
<p>4. This action does not relieve the Applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.</p>	On-Going	Planning	
<p>5. This Tentative Subdivision Map approval is valid for three years from the date of City Council approval, unless an extension of time is subsequently approved.</p>	Three years, commencing with the date of City Council approval.	Planning	
<p>6. The Applicant or future heirs and assigns (hereinafter 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</p>	On-Going	Planning	

<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
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.			
7. All applicable Mitigation Measures adopted for the East Elk Grove Specific Plan are required for this project along with the Mitigation Measures in the Mitigated Negative Declaration prepared for this project.	On-Going	Planning	
8. Applicant will provide for a combination of trash and recycle containers to be located and maintained within the masonry enclosures with solid gates for each building A through E.	On-Going	Community Enhancement	
9. Fire hydrants shall be provided at 300' spacing for all commercial, including the RV parking facility.	On-Going	Cosumnes CSD Fire Department	
10. Building A shall have no high piled storage unless access to back of building is provided.	On-Going	Cosumnes CSD Fire Department	
11. Public water service shall be provided to each building.	On-Going	SCWA	
12. The owner/developer must disclose to future/potential owners the existing 230kV electrical facilities	On-Going	SMUD	
13. Restrictions affecting transmission line easement: <ul style="list-style-type: none"> • All cut, fill and grading within SMUD's easement must be conducted in a manner so that minimum horizontal and vertical clearances are maintained in accordance with California Public Utilities Commission General Order No. 95. Any violations shall be corrected at the owner's expense. • Vehicular access must be provided to all steel towers at all times. • All metal fixtures placed within the easement area must be properly grounded. A grounding plan shall be submitted to SMUD's property Administrator for review and approval. • Tree, landscaping, light standards and equipment shall not exceed 15 feet in height within the easement area. 	On-Going	SMUD	

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	<ul style="list-style-type: none"> No structures or buildings are permitted within the easement area including swimming pools, spas, gazebos, wells and man-made reservoirs, lakes or similar bodies of water. 			
Prior to Improvement Plans/Grading/Site Disturbance				
14.	<p>Prior to the issuance of any grading permits, the Applicant shall comply with, record, and pay a deposit for the Mitigation Monitoring and Reporting Program (MMRP) associated with the project. Until the MMRP has been recorded and the estimated MMRP deposit of \$5000 has been paid, no Final Map, grading, building, sewer connection, water connection, or occupancy permit from the City will be approved.</p>	<p>Prior to Approval of Improvement Plans and Grading Permits or Final Map</p>	<p>Planning</p>	
15.	<p>The following note shall be placed on improvement plans and construction contracts for the project: 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 Development Services Planning shall be immediately notified. At that time, Development Services Planning 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> <p>If human remains are discovered, California Health and Safety</p>	<p>Prior to Approval of Improvement Plans and Grading Permits</p>	<p>Planning</p>	

<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
Code Section 7050.5 states that no further disturbance shall occur in the vicinity of the discovery until the county coroner has made the necessary findings as to the origin and disposition pursuant to Public Resources Code Section 5097.98. (Mitigation Measure "H" for East Elk Grove Specific Plan)			
<p>16. Landscape and civil plans shall be submitted to the CSD for plan check review and approval prior to beginning any on-site improvements. The open space design shall follow the East Elk Grove Specific Plan guidelines. For this project, it includes:</p> <ul style="list-style-type: none"> • Trail connectivity to housing east of Waterman 20 – Two trail connections would be provided – one at Roan Ranch Circle and one at Oreo Ranch Circle. The trail would be located approximately 15-foot from street frontage. • Landscaping east of the trail – 15-foot wide medium density landscaping would be installed between the trail and street frontage to create a "green edge." Landscaping would also be installed next to the five (5) homes abutting the open space. • Landscaping west of the trail – major portions would remain in a natural riparian area. • Landscaping on east side of RV storage – Shrubs or other suitable material should be planted along the length of the 8' high wall to prevent graffiti and provide a visual barrier. 	Landscape Plans/ Improvement Plans	Cosumnes CSD	
17. Applicant shall Provide the CSD 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.	Improvement Plans	Cosumnes CSD	

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
18.	Applicant shall provide the CSD with a copy of all environmental documents processed for the project per CEQA including initial studies, negative declarations, etc. All mitigation requirements of such studies shall be complete prior to acceptance of the improvements by the CSD.	Improvement Plans	Cosumnes CSD	
19.	Prior to the issuance of any grading or building permits, the developer must apply for and be granted a "Consent for Common Use" from SMUD consenting to the proposed development within SMUD's transmission line easement. Contact SMUD's Property Administrator with a letter and drawing showing what you plan to construct. At that time he will get an ok from our Transmission people and if it were OK'd he will send a Consent for their signatures. However until they and SMUD sign the agreement, they are not allowed to move any earth.	Prior to Approval of Improvement Plans/Building Permits	SMUD	
20.	Applicant will submit plans to SMUD for review of grading, landscape, or any other drawings that show changes to the areas within the transmission line easement.	Prior to Approval of Improvement Plans / Building Permit	SMUD	
21.	The 4 relocated oak trees shall be maintained and biannually monitored for five years. Monitored reports shall be prepared by an ISA arborist and presented to City Environmental Section. Oak trees, to be relocated, shall be relocated in the months of October to early March.	Prior to Approval of Improvement Plans	Landscape Architect	
22.	If any of the proposed relocated native oaks are <u>not</u> relocated the trees shall be mitigated inch or inch. Prepare a Mitigation Plan / Tree Replacement Plan once mitigation inches are determined. Plan shall be prepared by a ISA Certified Arborist or landscape architect to mitigate for the loss of native trees larger than 6-inch dbh and all non-native trees larger than 19-inch dbh	Prior to Approval of Improvement Plans / Building Permit	Landscape Architect	

<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>that are proposed for removal or that would be adversely affected by the project. The Plan shall comply with the City Code and General Plan Policies and be submitted to the City for review and approval. The current policies require that every dbh inch lost will be mitigated by an inch planted or money placed in a tree mitigation bank. The Plan shall include the following elements:</p> <ol style="list-style-type: none"> 1) Species, size and location of all replacement plantings (15-gallon = 1" dbh, 24" box = 2"dbh, 36" box = 3" dbh); 2) Method of irrigation (If mitigation trees are to be watered by an automatic irrigation system, provide irrigation plan); 3) The City of Elk Grove Standard Tree Planting Detail L-1, including 10 foot depth boring hole to provide for adequate drainage; 4) Planting, irrigation and maintenance schedules for monitoring period of 3 years. 5) Identify the maintenance entity and include their written agreement to provide maintenance, and irrigation of the trees for a 3-year establishment period, and to replace any of the replacement oak trees which do not survive that period. 6) Maintenance entity shall provide the City of Elk Grove a yearly monitoring report on the status of the replacement trees and any tree replacements. 7) The minimum spacing for replacement mitigation replacement trees shall be 20 feet on center. 			

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	<p>Replacement oak trees shall not be planted within 15 feet of driplines of existing oak trees to be retained on-site or within 15 feet of any building.</p> <p>8) Note the Tree Preservation Construction Notes, listed below, on the Plan.</p>			
23.	<p>The developer shall provide for a bus stop at the following locations, or as otherwise required by <i>e-tran</i>:</p> <ul style="list-style-type: none"> • Waterman Road @ Mosher Road, with a cement pad and bus stop pole. 	Shown on Improvement Plans	E-Trans	
24.	<p>Connection to CSD-I's sewer system shall be required to the satisfaction of CSD-I. Sacramento County Improvement Standards apply to any on and offsite sewer construction.</p>	Prior to Approval of Improvement Plan	CSD-I Sewer	
25.	<p>Each lot or parcel and each building with a sewage source shall have a separate connection to the CSD-I sewer system.</p>	Prior to Approval of Improvement Plan	CSD-I Sewer	
26.	<p>Sewer easements will be required. All sewer easements shall be dedicated to CSD-I in a form approved by the District Engineer. All CSD-I sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance.</p>	Prior to Approval of Improvement Plan	CSD-I Sewer	
27.	<p>In order to obtain sewer service, construction of CSD-I sewer infrastructure is expected to be required.</p>	Prior to Approval of Improvement Plan	CSD-I Sewer	
28.	<p>A combination on-site and public street collection system will be required. On industrial parcels, all lines serving two or more buildings shall be 8-inch (min.) collectors in public easements dedicated to the District.</p>	Prior to Approval of Improvement Plan	CSD-I Sewer	

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
29.	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. Streetlight identification numbers shall be added to plans as assigned by Public Works during the first plan review.	Prior to Improvement Plan approval	Public Works	
30.	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 Improvement Plan approval and Prior to issuance of Grading Permits	Public Works	
31.	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.	Prior to acceptance of Public Improvements	Public Works	
Final Map				
32.	Applicant will Dedicate Open Space Lot C to the CSD. No Quimby credit is provided for open space lots.	Prior to Final Map	Cosumnes CSD	
33.	Open space shall be zoned "O", will be free & clear of any past or future taxes or assessments; any liens or environmental encumbrances, and any easements not disclosed on the tentative map. Any structures, walls, fences, wells or storage tanks must be removed per the CSD specifications and in accordance	Prior to Final Map	Cosumnes CSD	

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	with all applicable laws and regulations prior to the acceptance by the CSD of any grant deed.			
34.	Applicant shall annex the proposed project into a benefit zone of the CSD 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 CSD a written petition in an acceptable form approved by the CSD consenting to: (i) the formation of the existing District Wide Assessment District and the methodology adopted to allocate the cost to the various land uses; (ii) when necessary the annexation to the appropriate zone of benefit created to fund urban services, (iii) the budget, formulas and cost of living indexes use to establish the amount of the annual assessments; 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.	Prior to Final Map	Cosumnes CSD	
35.	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. The application fee for the annexation is due prior to the	Prior to Final Map	Finance	

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	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 .			
36.	The subject project owners shall be responsible for repair and/or replacement of all non-asphalt and/or enhanced surface treatments of streets and drives within these easements damaged by District maintenance and repair operations. This requirement shall be set forth in easement grant documents and be a covenant running with the land, be responsibility of successors in interest in future land divisions and by language approved by the District.	Final Map	CSD-1 Sewer	
37.	CSD-1 requires their sewers to be located 10 feet from other parallel utilities (water, drain, electrical, etc.). Prior to recording the Final Map, the applicant shall prepare a utility plan that will demonstrate that this condition is met.	Final Map	CSD-1 Sewer	
38.	All structures along private drives shall have a minimum 10-foot setback so that CSD-1 can properly maintain sewer services.	Final Map	CSD-1 Sewer	
39.	Private drives shall have structural street sections that meet County of Sacramento Improvement Standards. This will prevent pavement damage by CSD-1 maintenance and repair operations.	Final Map	CSD-1 Sewer	
40.	Access for both driveways on Waterman Road will be right-in/right-out only. Lefts in will be evaluated during improvement plan review.	Final Map	Public Works	
41.	The applicant shall design the driveway throat depth on Mosher Road to be at least 50 feet measured from the back of sidewalk. The throat area shall be clear of parking spaces.	Final Map	Public Works	
42.	The applicant shall provide a reciprocal access easement	Final Map	Public Works	

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	agreement between Parcel A and Parcel B of this development. The location of the access point(s) must be to Public Works satisfaction and will be determined when these parcels are developed.			
43.	The applicant must provide a letter of approval or easement agreement from SMUD, USBR and PG&E that this development can be constructed on top of the two 125' USBR easement, 150' SMUD easement and 75' PG&E easement prior to approval of the final map. If SMUD, USBR and PG&E do not approve the project within the easements, the resulting project will not be in substantial conformance and shall be redesigned and re-scheduled for Planning Commission review.	Final Map	Public Works	
44.	The applicant shall acquire, design and improve the intersection of Waterman Road and Mosher Road at a 90 degree angle, based upon an expanded intersection, in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works. The improvement shall be including but not limited to relocate existing underground utilities on Mosher Road.	Final Map	Public Works	
45.	The applicant shall dedicate, design and improve a bus turnout where proposed in accordance to City of Elk Grove Improvement Standards.	Final Map	Public Works	
46.	The applicant shall dedicate, design and improve Waterman Road, east half section 36' from the approved centerline. The 6' sidewalk will be separated from the street within the 25' landscape corridor. Improvements will be based on an 84' equivalent arterial in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Final Map	Public Works	
47.	The applicant shall acquire, dedicate, design and improve Mosher Road based on a 60' collector in accordance with the City of Elk Grove Improvement Standards and to the satisfaction	Final Map	Public Works	

<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
of Public Works. The improvement shall be including but not limited to relocating existing underground utilities on Mosher Road.			
48. The applicant shall dedicate a pedestrian easement and Public Utility Easement within the landscape corridor adjacent to the project's Waterman Road and Mosher Road frontage to the satisfaction of Public Works.	Final Map	Public Works	
49. At the uncontrolled trail crossing on Mosher Road, the applicant shall design and install a treatment to highlight the crossing to motorists to the satisfaction of Public Works. The treatment may include, without limitation, colored slurry seal, additional lighting, and appropriate signing and markings.	Final Map	Public Works	
50. The applicant shall dedicate Access rights (direct vehicular ingress and egress to Waterman Road and Mosher Road) to the City of Elk Grove, except at the approved driveway locations.	Final Map	Public Works	
51. All monument signs shall be located at the far side (north side) of the driveway and shall comply with City's visibility standard.	Final Map	Public Works	
52. A Lot Line Adjustment establishing the new alignment of Mosher Road shown on the tentative map shall be completed prior to recordation of the Final Map.	Final Map	Public Works	
53. The applicant shall provide Business Owner's Association bylaws (CC&R's) which address, at minimum, common area ownership, maintenance, and joint access, for review and approval by Public Works.	Final Map	Public Works	
54. 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	Final Map	Public Works	

<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>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 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>55. 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>	<p>Final Map</p>	<p>Public Works</p>	
<p>56. Dedicate a public utility easement within the Landscape Corridors adjacent to Waterman Road for overhead and</p>	<p>Final Map</p>	<p>SMUD/Public Works</p>	

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	underground facilities and appurtenances to the satisfaction of Public Works.			
57.	Dedicate a public utility easement within the Landscape Corridors adjacent to Mosher Road for underground facilities and appurtenances to the satisfaction of Public Works.	Final Map	SMUD/Public Works	
58.	Label SMUD's transmission line easement as a "Restricted Building and Use Area".	Final Map	SMUD	
59.	Applicant shall secure consent from SMUD for the use proposed for development within the SMUD High Voltage Easement. Said consent shall be in the form of a recordable document.	Final Map	SMUD	
Prior to Building Permits				
60.	The project 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: www.elkgrovecity.org/finance/financial-planning-division/df-information.htm 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.	Prior to building permit	Finance	
61.	Plant 15 gallon and 24" box trees, at 15 feet on center, in front of the masonry wall along Mosher Road.	Landscape Plans	Landscape Architect	
62.	Plant 5 gallon climbing vines, at 10 feet on center, to grow up the masonry wall along Mosher Road.	Landscape Plans	Landscape Architect	
63.	Plant 5 gallon climbing vines at 10 feet on center along the	Landscape Plans	Landscape	

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	masonry wall adjacent to the equestrian trail		Architect	
64.	The landscaping for the project shall incorporate the City's Zoning Code, Design Guidelines and Water Conserving Landscape Requirements. Landscape improvement plans shall be submitted to the Planning Department and the Public Works Department, Plan Checking Section, for review and approval.	Landscape Plans	Landscape Architect	
65.	The landscaping for the project shall incorporate the City's Zoning Code and Water Conserving Landscape Requirements. Landscape improvement plans shall be submitted to the Planning Department and the Public Works Department for review and approval.	Landscape Plans	Landscape Architect	
66.	<p>The following notes shall be listed on Landscape Plans.</p> <p>Tree Preservation Notes:</p> <p>a. A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of all oak trees to be retained and all portions off-site oak tree driplines which extend into the site, and shall not be cut back in order to change the dripline. Removing limbs which make up the driplines does not change the protected zones.</p> <p>b. Chain link or City approved barrier shall be installed one (1) foot outside the dripline protection area of the on-site oak trees to be retained and all portions of off-site oak tree driplines which extend onto the site, prior to initiating project construction, in order to avoid damage to the trees and their root systems. The barrier around those oak tree driplines which are approved for encroached into by structures and/or driveways can be moved to allow Construction. The new barrier locations shall be four feet outside the structure wall and/or driveway location.</p>	Landscape Plans	Landscape Architect	

<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>City Planning/Environmental staff shall field inspect and approve chain link barrier locations prior to starting any work on the site.</p> <p>c. A piped aeration system shall be installed at all locations where impervious surfaces and/or structural development will occur within the dripline protection area of the on-site oak trees to be retained and all portions of the off-site oak tree driplines which extend onto the site. Installation of the aeration system be performed under the direct supervision of a certified arborist. If, in the opinion of the certified arborist, encroachment into the dripline protection area is severe, then the affected tree shall be retained on site but determined lost, and mitigation as required by the approving body.</p> <p>d. An driveways which pass through the dripline protection area of the on-site oak trees to be retained and all portions of off-site oak tree driplines which extend on the site shall be constructed such that the entire driveway section is placed directly above existing grade.No excavation for driveway construction shall be allowed with oak tree dripline protection areas except minor excavation associated with the installation of piped aeration systems.</p> <p>e. Any pruning of an oak tree shall be supervised by a certified arborist. Branch and limb pruning shall be limited to that which has been deemed necessary by a certified arborist in order to correct a safety hazard, structural defect, crown cleaning or arborist recommended pruning in the tree. Pruning due to canopy encroachment by buildings shall be limited to the minimum amount needed to safely accommodate the structure. All pruning and deadwood removal shall be executed in accordance with American National Standards Institute (ANSI)</p>			

<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>A300 pruning standards and the International Society of Arboriculture (ISA) "Tree Pruning Guidelines". An ISA Certified Arborist shall supervise and tree pruning.</p> <p>f. All oak trees on site shall be pruned, as per arborist recommendations, prior to starting any site improvements. Any pruning of an oak tree shall be supervised by a certified arborist</p> <p>g. No signs, ropes, cables (other than those which may be recommended by a certified arborist to provide limb support) or any other item shall be attached to the on-site oak trees to be retained and all portions of off-site oak tree driplines which extend onto the site.</p> <p>h. No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiles or, located within the dripline area of the on-site oak trees to be retained and all portions of the off-site oak tree driplines which extend onto the site.</p> <p>i. No grading (grade cut or fills) shall be allowed within the dripline protection area of the on-site oak trees to be retained and all portions of off-site oak trees which extend onto the site with the exception of approved encroachment areas on the Final Development Plans. If, in the opinion of the certified arborist, permitted grading in the dripline protection area is severe, then the affected tree shall be retained on-site but determined lost, and mitigation as required by the approving body shall be imposed.</p> <p>j.No trenching shall be allowed within the dripline protection area of the onsite oak trees to be retained and all portions of the off-site oak tree driplines which extend onto site. If it is absolutely</p>			

<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>necessary to install underground utilities within the dripline of the tree, the utility line shall be bored or drilled under the direct supervision of a certified arborist</p> <p>k. Landscaping beneath the on-site oak trees to be retained and all portions of off-site oak tree driplines which extend on the site include nonplant materials such as river gravel, woodchips, etc. The only plant species which shall be planted within the driplines of oak trees are those which are tolerant of the natural semiarid environs of the trees. Limited drip irrigation approximately monthly during late spring, summer and early fall is recommended for understory plants.</p> <p>l. No in the ground sprinkler or irrigation system shall be installed in such a manner that irrigates the ground within the dripline protection area of the on-site oak trees to be retained and all portions of off-site oak tree driplines which extend onto the site. An "above ground drip irrigation system", drip lines placed on natural grade and all emitters shall be placed on grade, will be permitted under oak tree driplines. No trenching for irrigation lines will be permitted under dripline protection areas.</p> <p>m. Include all the above measures verbatim as Construction Notes on any/all Preliminary or Final Grading Plans, Improvement Plans and Building/Development Plans which are submitted to the Department of Public Works and/or Planning Department for each project, as well as any/all revisions to Plans which are subsequently submitted.</p> <p>n. Prior to installation of new asphalt, weed control chemicals shall not be applied where they can leach into dripline of any protected tree(s).</p> <p>o. During construction, the frequency and amount of water for</p>			

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	protected trees shall not differ from that received prior construction.			
67.	The project developer/owner shall pay Zone 40 development fees applicable at the time of building permit issuance in accordance with Sacramento County Water Agency Ordinance No. 18.	Prior to building permits	SCWA	
68.	The project shall conform to the specific provisions of the City of Elk Grove Water Conservation Ordinance (formerly Chapter 14.10 of the Sacramento County Code) to the satisfaction of the City's Landscape Architect.	Prior to building permits	SCWA	
69.	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.	Prior to the issuance of each Building Permit	Public Works	
70.	At all street intersections, public or private, the applicant shall install and/or replace street name signs in accordance with the City of Elk Grove Standard Details.	Prior to issuance Building Permit	Public Works	
71.	The applicant shall design and construct a 25' landscape corridor along Waterman Road frontage to the satisfaction of Public Works.	Prior to issuance Building Permit	Public Works	
72.	The applicant shall design and construct a 21' landscape corridor along Mosher Road frontage to the satisfaction of Public Works.	Prior to issuance Building Permit	Public Works	
73.	Developer shall construct & install a trail system for recreational uses according to plans and specifications approved by the CSD.	Prior to issuance Building Permit	Cosumnes CSD	
74.	The trail and landscaping shall be installed prior to the issuance of	Prior to issuance	Cosumnes CSD	

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	the first building permit.	Building Permit		
75.	Provide the CSD with all of the Trail & Open Space Easements/Dedications necessary to successfully interlink the Trail System with all adjoining property owners and transportation projects.	Prior to issuance Building Permit	Cosumnes CSD	
Prior to Final or Occupancy				
76.	Upon completion of the installation of the landscaping, 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 Occupancy	Landscape Architect/ Planning	
77.	Prior to final inspection or occupancy of any structure on the site a Certificate of Conformance shall be provided to the City's landscape architect for approval.	Prior to Occupancy	Landscape Architect/ Planning	

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.

Public Works

- 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. 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)
- d. Any on site traffic calming devices and locations must be approved by Public Works prior to installation, including but not limited to speed bumps. (Public Works)
- e. Any improvements, public or private, damaged in construction shall be replaced, by the applicant, in-kind or with new improvement. (Public Works)
- f. 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)
- g. 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)
- h. 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)
- i. 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)
- j. The applicant shall dedicate a 12.5 foot public utility easement for underground and appurtenances adjacent to all public and private streets. (Public Works)
- k. All driveways and intersections shall conform to the visibility easement requirement in the City of Elk Grove Improvement Standard. (Public Works)
- l. All driveways shall be designed and constructed, by the applicant, to the satisfaction of Public Works and to the appropriate section of 4-10 Driveways in the City of Elk Grove Improvement Standards. (Public Works)
- m. The internal circulation and access shall be subject to the review and approval of Public Works. (Public Works)
- n. Improvement plan must be approved by Public Works prior to recordation of final map. (Public Works)
- o. Any deviations from City Standards shall be approved by Public Works. These deviations run the risk of not being approved, potentially resulting in a redesign and requiring the project to go back to Planning Commission. (Public Works)
- p. 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)

- q. 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)
- r. 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)
- s. 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)
- t. 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)
- u. 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)

County Sanitation District 1 (CSD-1)

- a. Developing this property will require the payment of sewer impact fees. Impact fees for CSD-1 shall be paid prior to filing and recording the Final Map or issuance of Building Permits, whichever is first. Applicant should contact the Fee Quote Desk at (916) 876-6100 for sewer impact fee information.

Pacific Gas & Electric (PG&E)

- b. PG&E operates and maintains tower lines which are located within the proposed project boundaries. **Land use is restricted within the easement.** One of PG&E's concerns is for continued access to the structures and lines with heavy equipment for maintenance and repair of towers, insulators, and wires. Another is for adequate ground clearance from the wires as set forth in California Public Utilities Commission General Order No. 95 for the proposed improvements. Should an infraction occur, the developer will be responsible for the costs of raising or the relocating of the facilities. The planting of trees is considered an unacceptable use within our easements unless approved by PG&E's Vegetation Management personnel. (PG&E)
- c. Gas service may be available to this project if desired. The developer should contact PG&E's Service Planning Department at 1-800-743-5000 as soon as possible to coordinate construction so as not to delay the project.

Sacramento County Water

- d. Wholesale water will be provided by the Sacramento County Water Agency.
- e. Water intensive commercial and industrial building permit applicants are required to conduct a water use efficiency review and submit the findings in the required documentation for the project.
- f. Efficient cooling systems, re-circulating pumps for fountains and ponds, and water recycling systems for vehicle washing are required as a condition of service.
- g. Provide metered connections on transmission mains to the satisfaction of the Sacramento County Water Agency.

Cosumnes Community Services District Fire Department

- h. Dead-end streets in excess of 150 feet require emergency vehicle turn-around.
- i. Any and all gates impeding fire lanes or roadways shall comply with Appendix VII of the 2002 Sacramento County Fire Code.
- j. 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:
 - a. DXF (Drawing Interchange file) any DXF version is accepted
 - b. DWG (Applies to AUOCAD drawing file) any AutoCAD DWG version is accepted
- k. All commercial buildings, in excess of 3,599 square feet shall be equipped with an approved automatic fire sprinkler system.
- l. Commercial developments in excess of 10,000 square feet require looped fire mains of a minimum of ten (10) inch diameter to supply fire hydrants spaced at a maximum of 300-foot intervals. This on-site fire main shall be connected to the municipal water main at not less than two (2) points.

- m. 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. 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.
- n. 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.
- o. 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.
- p. Required fire alarm systems shall be connected to a UL listed central station approved by the Sacramento County Regional Communications Center.
- q. 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.
- r. 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.

Community Enhancement

- s. Applicant shall not create a nuisance during the construction or intended use of the project.
- t. Applicant shall use graffiti-resistant paint or clear graffiti-resistant coating of all masonry walls, and any monument signs.
- u. Applicant will provide for adequate trash and recycle material storage and collection that will not provide for a visible nuisance.
- v. Applicant will provide for trash/recycle collection service that will not provide for nuisance noise for the adjacent residential zone - trash service shall not begin prior to 6 a.m.
- w. Applicant shall not allow 'strictly prohibited signs' (i.e. lighter than air or balloon devices) to be displayed

Cosumnes CSD Park and Recreation

- x. Applicant will pay Park and Recreation Plan Check Fees as required by the CSD.
- y. The applicant is eligible to receive reimbursement for the powerline open space trail system and the powerline open space landscaping up to the maximum amount identified in the East Elk Grove nexus study. Any reimbursement request must include supporting

documentation to validate actual work performed, adherence with prevailing wage laws, and closeout of all contracts. (Cosumnes CSD)

- z. The wall constructed for the RV storage project and adjacent to the open space parcel will be located completely on the Owner's property and not within the open space parcel. General maintenance, graffiti removal, wall repair or wall replacement is the responsibility of the Owner, not the CSD. (Cosumnes CSD)

EXHIBIT B – MITIGATION MEASURES

<p align="center">MITIGATION MEASURES</p>	<p align="center">TIMING, IMPLEMENTATION AND NOTIFICATION (ACTION BY THE PROJECT APPLICANT):</p>	<p align="center">MONITORING / VERIFICATION (ACTION BY THE CITY): (DATE & SIGN)</p>
<p>GRADING PERMIT AND IMPROVEMENT PLAN</p>		
<p>1. Air Quality MM1 - Exhaust Emissions</p> <p>Mitigation measures to reduce particulate exhaust emissions to nearby sensitive receptors include:</p> <ul style="list-style-type: none"> • Require incorporation of diesel-emission control devices, such as diesel catalysts or use of biodiesel fuel. Emission control devices can reduce emissions of volatile organic compounds, including acrolein, by approximately 50 to 90 percent, or more. • Onsite diesel-powered stationary construction equipment, such as electrical power generators, should be located at the furthest distance from nearby receptors. • To the extent feasible, onsite diesel-powered mobile equipment should not be left idling. • To the extent feasible, the proposed land uses should be developed in a manner that limits exposure of nearby receptors to emissions generated by onsite equipment. 	<p>Prior to issuance of grading or other improvement plan permits and during construction.</p>	<p>City of Elk Grove Development Services-Planning, and SMAQMD</p> <hr/> <p align="center">Date</p> <hr/> <p align="center">Sign</p>
<p>2. Biological Resources MM1 – Valley Elderberry long-horned beetle mitigating.</p> <p>Complete avoidance (i.e., no adverse effects) may be assumed when a 100-foot (or wider) buffer is established and maintained around elderberry plants containing stems measuring 1.0 inch or greater in diameter at ground level. Firebreaks may not be included in the buffer zone. In buffer areas construction-related disturbance should be minimized, and any damaged area should be promptly restored following construction. The U.S. Fish and Wildlife Service (USFWS) must be consulted before any disturbances within the buffer area are considered. In addition, USFWS must be provided</p>	<p>Prior to the issuance of permits and during construction activities.</p>	<p>City of Elk Grove Development Services-Planning and US Fish and Wildlife Service</p> <p>1. Fencing in place:</p> <hr/> <p align="center">Date</p> <hr/> <p align="center">Sign</p>

<p style="text-align: center;">MITIGATION MEASURES</p>	<p style="text-align: center;">TIMING, IMPLEMENTATION AND NOTIFICATION (ACTION BY THE PROJECT APPLICANT):</p>	<p style="text-align: center;">MONITORING / VERIFICATION (ACTION BY THE CITY): (DATE & SIGN)</p>
<p>with a map identifying the avoidance area and written details describing avoidance measures.</p> <ol style="list-style-type: none"> 1) Fence and flag all areas to be avoided during construction activities. In areas where encroachment on the 100-foot buffer has been approved by USFWS, provide a minimum setback of at least 20 feet from the drip line of each elderberry plant. 2) Brief contractors on the need to avoid damaging the elderberry plants and the possible penalties for not complying with these requirements. 3) Erect signs every 50 feet along the edge of the avoidance area with the following information: "This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment." The signs should be clearly readable from a distance of 20 feet, and must be maintained for the duration of construction. 4) Instruct work crews about the status of the beetle and the need to protect its elderberry host plant. 5) Restore any damage done to the buffer area (area within 100 feet of elderberry plants) during construction. Provide erosion control and re-vegetate with appropriate native plants. 6) Buffer areas must continue to be protected after construction from adverse effects of the project. Measures such as fencing, signs, weeding, and trash removal are usually appropriate. 7) No insecticides, herbicides, fertilizers, or 		<ol style="list-style-type: none"> 2. Notes on Plans: _____ Date _____ Sign 3. Signs in place: _____ Date _____ Sign 4. Site free of damage: _____ Date _____ Sign 5. Written description of site protection: _____ Date _____ Sign

MITIGATION MEASURES	TIMING, IMPLEMENTATION AND NOTIFICATION (ACTION BY THE PROJECT APPLICANT):	MONITORING / VERIFICATION (ACTION BY THE CITY): (DATE & SIGN)
<p>other chemicals that might harm the beetle or its host plant should be used in the buffer areas, or within 100 feet of any elderberry plant with one or more stems measuring 1.0 inch or greater in diameter at ground level.</p> <p>8) The applicant must provide a written description of how the buffer areas are to be restored, protected, and maintained after construction is completed.</p> <p>9) Mowing of grasses/ground cover may occur from July through April to reduce fire hazard. No mowing should occur within five (5) feet of elderberry plant stems. Mowing must be done in a manner that avoids damaging plants (e.g., stripping away bark through careless use of mowing/trimming equipment).</p>		
<p>3. Biological Resources MM2 – Swainson's hawk Mitigation In order to mitigate for the 20.92 acre loss of Swainson's hawk foraging habitat, the applicant shall implement one of the following City of Elk Grove's approved mitigation alternatives.</p> <ul style="list-style-type: none"> • Preserve 1.0 acre of similar habitat for each acre lost (20.92 acres). This land shall be protected through a fee title or conservation easement acceptable to the CDFG and 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, <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • 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 	<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>City of Elk Grove Development Services-Planning in consultation with CDFG</p> <hr/> <p style="text-align: center;">Date</p> <hr/> <p style="text-align: center;">Sign</p>

<p style="text-align: center;">MITIGATION MEASURES</p>	<p style="text-align: center;">TIMING, IMPLEMENTATION AND NOTIFICATION (ACTION BY THE PROJECT APPLICANT):</p>	<p style="text-align: center;">MONITORING / VERIFICATION (ACTION BY THE CITY): (DATE & SIGN)</p>
<p>may be amended from time to time and to the extent that said chapter remains in effect,</p> <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • Submit proof that mitigation credits for 20.92 acres of Swainson's hawk foraging habitat have been purchased at a California Department of Fish and Game approved mitigation bank. 		
<p>4. Biological Resources MM3 – Nest Survey</p> <p>If construction is expected to occur during the typical nesting season (February-August), the applicant shall retain a qualified biologist to perform a pre-construction nest survey in order to determine if any active raptor or migratory bird nests occur within the project study area. The survey shall be conducted no more than 30 days prior to ground disturbance at the site.</p> <p>If there is any lapse in construction activities, and construction resumes during the nesting season, new surveys shall be conducted within 30 days of the re-initiation of construction activities.</p> <p>If nesting birds are found, a buffer shall be established around the active nest in which project activity ingress will be prohibited, thus ensuring nesting species are avoided and allowed to complete their nesting cycle. Exclusionary fencing will be established outside the proposed project footprint to prohibit project activity ingress. All required buffers shall be shown on construction plans. If construction activities are proposed to occur during non-breeding season (September-January), a survey is not required and no further studies are necessary.</p> <p>If nesting trees are to be removed and are removed prior to the nesting season, no further</p>	<p>Prior to any site disturbance</p>	<p>City of Elk Grove Planning Department, and California Department of Fish and Game</p> <hr/> <p style="text-align: center;">Date</p> <hr/> <p style="text-align: center;">Sign</p>

MITIGATION MEASURES	TIMING, IMPLEMENTATION AND NOTIFICATION (ACTION BY THE PROJECT APPLICANT):	MONITORING / VERIFICATION (ACTION BY THE CITY): (DATE & SIGN)
mitigation is required.		
<p>5. Biological Resources MM4 – Vernal Pool Protection</p> <p>If the wetland delineation determines there are vernal pools on the project site, the project applicant shall mitigate for the loss and disturbance of vernal pools within the project study area through avoidance, preservation and creation measures as recommended by the USFWS. Measures include, but are not limited to:</p> <ul style="list-style-type: none"> a) Designing the project, to the extent possible, to avoid all impacts (direct and indirect) to vernal pool areas. Direct impact refers to the destruction of a pool. Indirect impact refers to activities (i.e., loss of or damage to watershed, human intrusion, and increased pollution) affecting all upland areas and swales. If a limit to the area of impact cannot be easily delineated, then all habitat within 250-feet of the proposed development may be considered to be indirectly affected. If any habitat within a vernal pool complex is destroyed, then all remaining habitat within the complex may potentially be indirectly affected. Additionally, if any part of a vernal pool is destroyed, then the entire pool is directly affected; b) Purchasing a minimum of three-acres of USFWS approved vernal pool preservation bank credits for every one acre of directly or indirectly affected habitat (3:1 ratio); c) Purchasing a minimum of one vernal pool creation credit at a USFWS approved mitigation bank for every acre of habitat directly affected by project activities (1:1 ratio); d) Protecting vernal pool habitat remaining at 	<p>Prior to the issuance of permits and during construction activities</p>	<p>City of Elk Grove, US Fish and Wildlife Service, California Department of Fish and Game, and US Army Corps of Engineers.</p> <hr/> <p style="text-align: center;">Date</p> <hr/> <p style="text-align: center;">Sign</p>

<p style="text-align: center;">MITIGATION MEASURES</p>	<p style="text-align: center;">TIMING, IMPLEMENTATION AND NOTIFICATION (ACTION BY THE PROJECT APPLICANT):</p>	<p style="text-align: center;">MONITORING / VERIFICATION (ACTION BY THE CITY): (DATE & SIGN)</p>
<p>the proposed location from future adverse impacts resulting from increased human intrusion of the area (i.e., signage and fencing);</p> <p>e) Monitoring of all onsite construction-related activity by a biologist approved by the USFWS shall be necessary for the duration of the project;</p> <p>f) Placing fencing and signage around any pools to be avoided to prevent vehicle ingress into the area;</p> <p>g) Training all on-site personnel regarding the importance of avoiding impacts to these species and their habitat;</p> <p>h) Prohibiting activities inconsistent with maintaining the suitability of remaining habitat and onsite watershed, such as (1) permanent alteration of topography, (2) placement of structures within the vernal complex, (3) dumping or burning of garbage or waste, (4) installing/using temporary access roads or trails, (5) disturbance or removal of any native vernal pool vegetation, (6) inappropriate placement of stormwater drains, (7) unnecessary fire protection methods, and (8) use of pesticides or toxic chemicals onsite.</p>		
<p>6. Biological Resources MM5 – Vernal Pool Mitigation</p> <p>Based on the Wetland Delineation and ACOE verification, a mitigation plan shall be prepared that will compensate for the temporary and permanent fill of wetlands that result from construction of the project.</p> <p>The appropriate permits (i.e., Section 404 and 401</p>	<p>Prior to issuance of grading permits</p>	<p>City of Elk Grove Planning Department, Army Corps of Engineers</p> <p>404 & 401 Permit copies</p>

<p style="text-align: center;">MITIGATION MEASURES</p>	<p style="text-align: center;">TIMING, IMPLEMENTATION AND NOTIFICATION (ACTION BY THE PROJECT APPLICANT):</p>	<p style="text-align: center;">MONITORING / VERIFICATION (ACTION BY THE CITY): (DATE & SIGN)</p>
	<p>under the Clean Water Act,) shall be obtained prior to site disturbance and the start of construction. The Applicant shall comply with all permit conditions and employ best management practices and measures (established by the ACOE) to minimize and compensate for impacts to any jurisdictional waters.</p>	<hr/> <p style="text-align: center;">Date</p> <hr/> <p style="text-align: center;">Sign</p>

Exhibit C: General Plan Amendment/Specific Plan Amendment

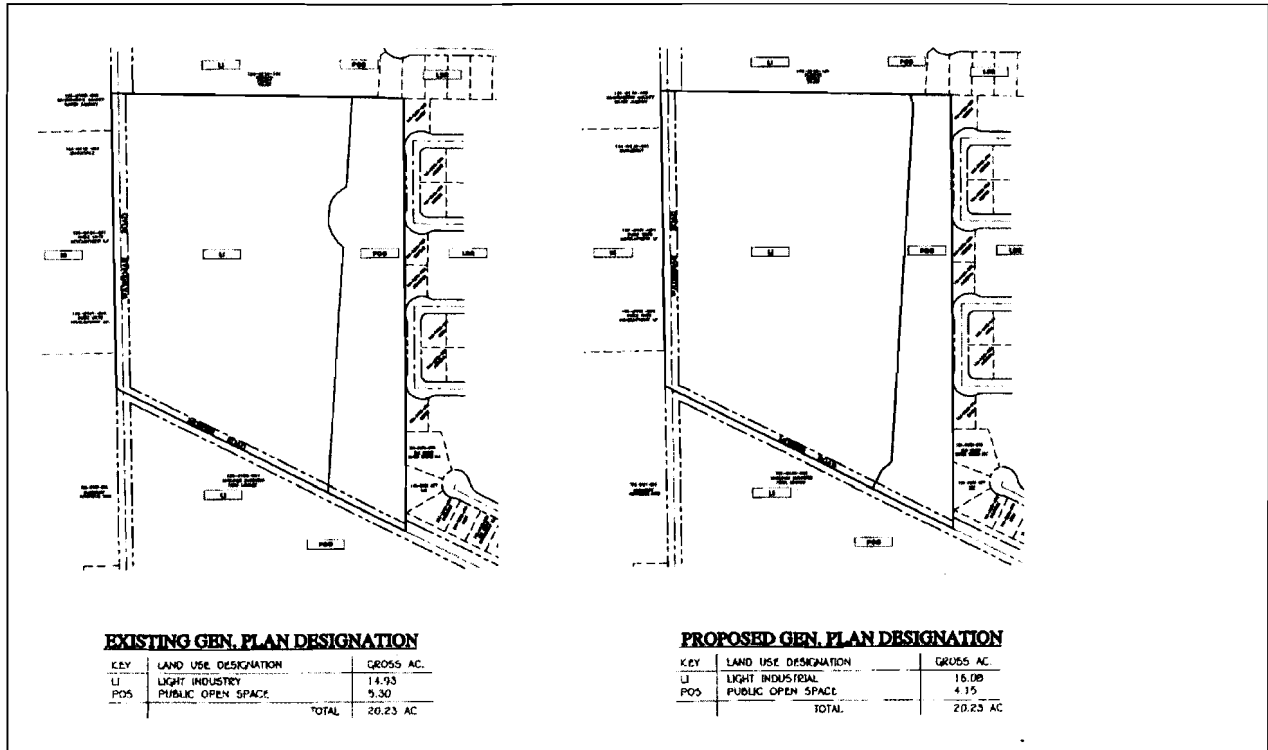


Exhibit D: Tentative Parcel Map

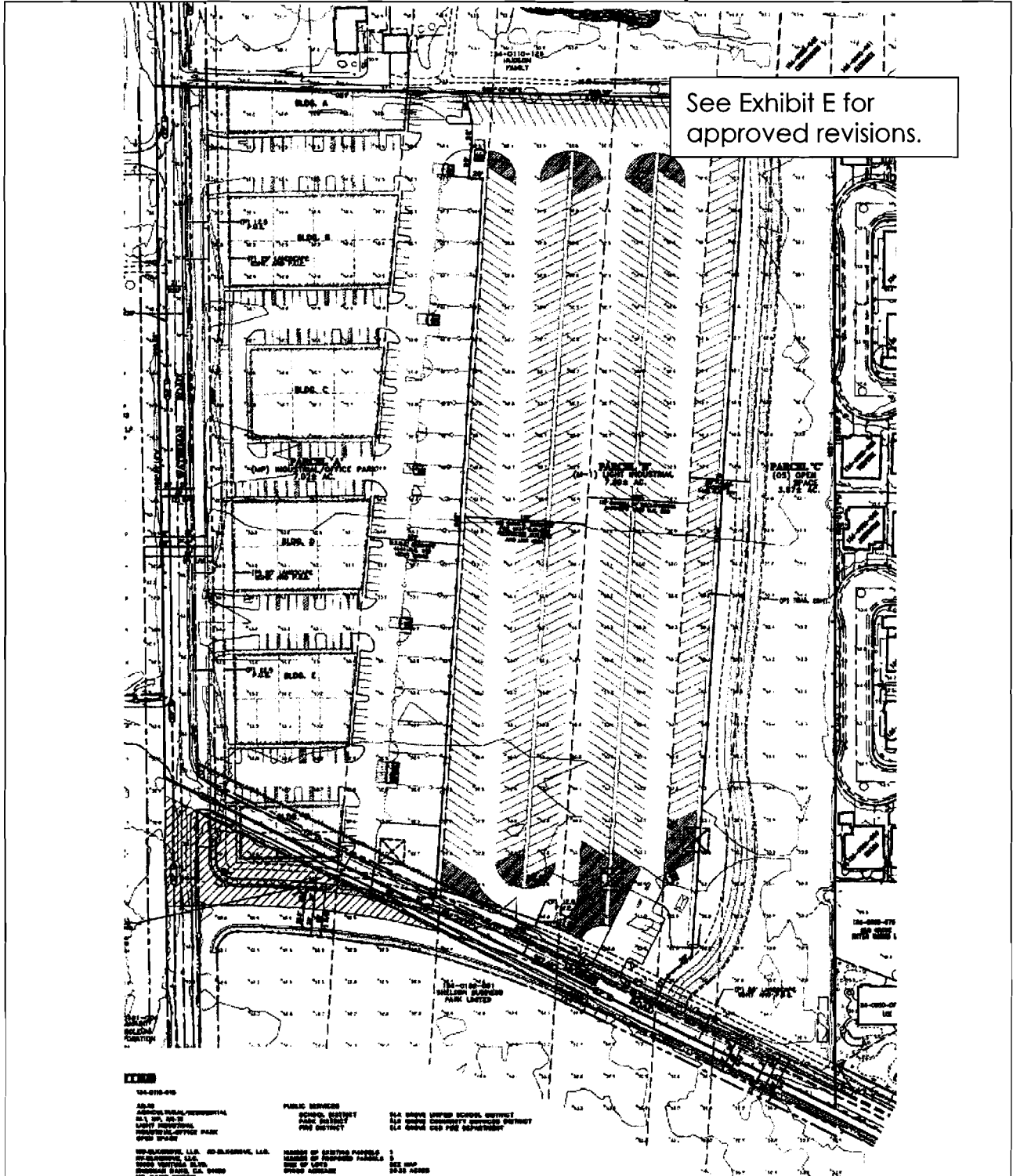
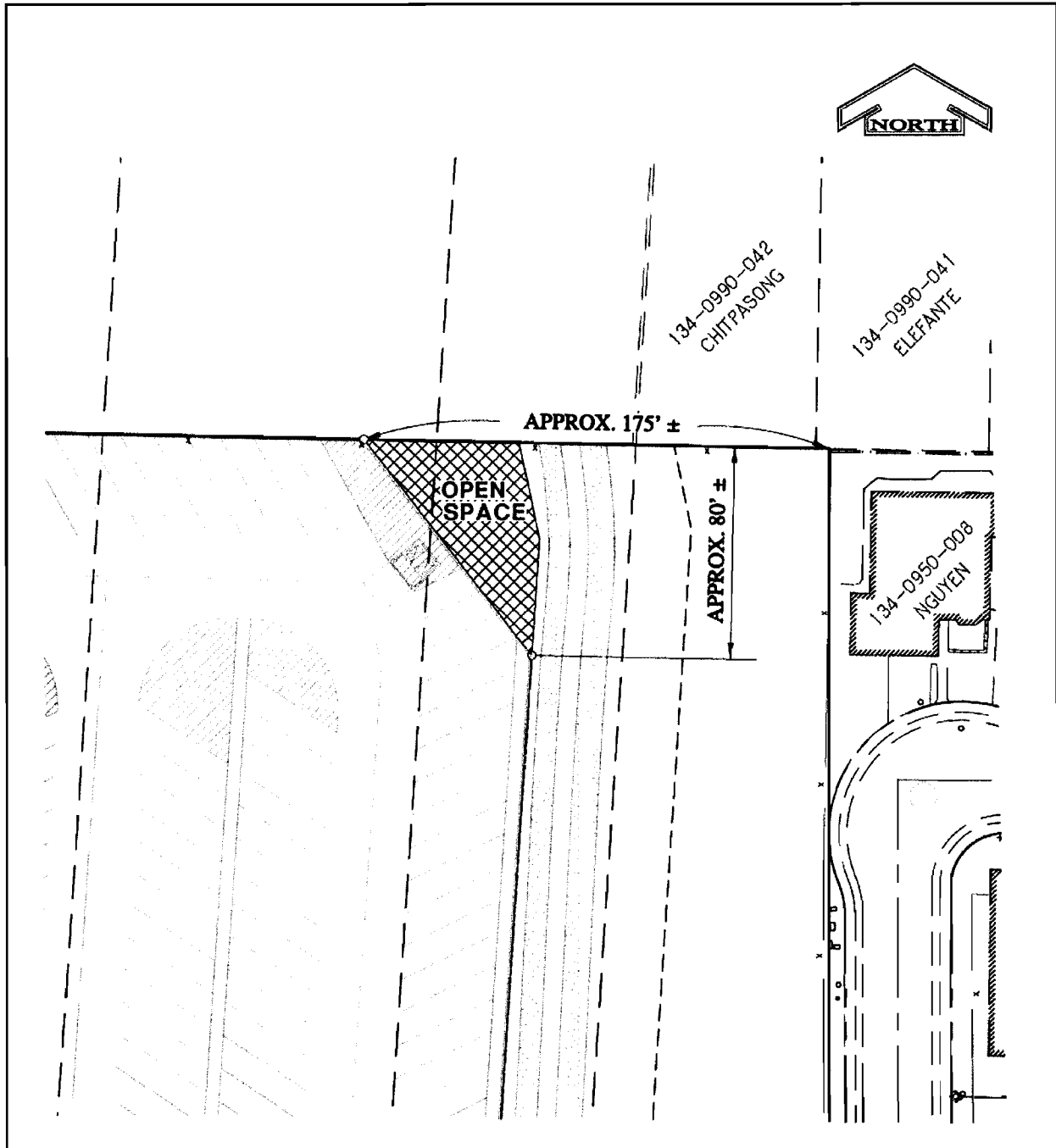



Exhibit E: Revised northern boundary



WATERMAN-20 REVISED NEC PARCEL LINE EXHIBIT

 BURRELL CONSULTING GROUP, INC.	1001 ENTERPRISE WAY, SUITE 100 ROSEVILLE, CA 95678 PH. (916) 783-8898 FAX (916) 783-8222	SCALE: 1:50	DATE: 10/03/07
		DRAWN BY: RLF	REVISED:
		APPROVED BY: TGB	DWG:
		DESIGNED BY: TGB	JOB NO: 1590-00-873