

RESOLUTION NO. 2020-032

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
FINDING NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED PURSUANT TO
SECTION 15183 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)
AND APPROVING A TENTATIVE SUBDIVISION MAP, DESIGN REVIEW FOR
SUBDIVISION LAYOUT, AND TREE REMOVAL PERMIT FOR THE CREEKSIDE
ESTATES PROJECT (PLNG18-103)
ASSESSOR PARCEL NUMBER 127-0140-040**

WHEREAS, the Development Services Department of the City of Elk Grove (the "City") received an application on November 16, 2018, from Frank Mantong (the "Applicant") requesting a Rezone, Tentative Subdivision Map, Design Review for Subdivision Layout, and Tree Removal Permit for the Creekside Estates Project (the "Project"); and

WHEREAS, the proposed Project is located on real property in the incorporated portions of the City more particularly described as APN: 127-0140-040; and

WHEREAS, the Project involves a Rezone from AR-5 (Agricultural Residential – 5 gross acres minimum) to RD-4 (Low Density Residential – 4 dwelling units per acre), a Tentative Subdivision Map (TSM), Design Review for Subdivision Layout, and Tree Removal Permit to subdivide the existing parcel into 15 single-family lots, an open space lot, and a drainage lot consistent with the General Plan Estate Residential land use designation; and

WHEREAS, the Development Services Department considered the Project request pursuant to the Elk Grove General Plan, the Elk Grove Municipal Code (EGMC) Title 23 (Zoning), Title 22 (Land Development), and all other applicable State and local regulations; and

WHEREAS, the Planning Commission of the City (the "Planning Commission") held a duly-noticed public hearing on January 16, 2020, as required by law to consider all information presented by staff, information presented by the Applicant, and public testimony presented in writing and at the meeting, and voted 4-0 to recommend approval of the Project to the City Council; and

WHEREAS, the City Council held a duly-noticed public hearing as required by law to consider all of the information presented by staff, information presented by the Applicant, and public testimony presented in writing and at the meeting.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Elk Grove finds that no further environmental review is required under the California Environmental Quality Act for the Project pursuant to State CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) based upon the following findings:

California Environmental Quality Act (CEQA)

Finding No further environmental review is necessary under CEQA pursuant to State CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).

Evidence: The California Environmental Quality Act (CEQA) requires analysis of agency approvals of discretionary "projects." A "project," under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." The proposed Project is a project under CEQA.

State CEQA Guidelines Section 15183 (Public Resources Code §21083.3), provides that projects which are consistent with the development density established by a Community Plan, General Plan, or Zoning for which an environmental impact report (EIR) has been certified "shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site." An EIR was prepared and certified by the City Council as part of the Elk Grove General Plan (SCH# 2017062058).

In February of 2019, the City Council adopted the General Plan and Certified the General Plan Environmental Impact Report (EIR) (SCH #2017062058). The proposed Project is consistent with the development density and use characteristics of the General Plan Estate Residential (ER) land use designation as the Project proposes to Rezone the Project site from AR-5 to RD-4 and subdivide the subject property into 15 single-family lots. With a density of ±1.9 du/acre, the Project is within the density range of 0.51 to 4.0 du/acre prescribed by the General Plan for Estate Residential development. While there is no physical building construction proposed with this Project, buildout consistent with the EGMC and the proposed rezone would likely result in the development of 15 new single-family residential units on the Project site. New construction on the Project site will be required to comply with the EGMC development standards for land grading and erosion control (Chapter 16.44), as well as the City's Climate Action Plan (CAP) for single-family construction, which includes compliance with the following measures:

- BE-4. Building Stock: Encourage or Require Green Building Practices in New Construction.
- BE-5. Building Stock: Phase in Zero Net Energy Standards in New Construction.
- TACM-8 Tier 4 Construction Equipment.
- TACM-9. EV Charging Requirements

Compliance with the aforementioned standards has been included in the conditions of approval for the Project.

As part of the General Plan Update, the City adopted a new Vehicle Miles Traveled (VMT) standard for the analysis of transportation related impacts. The General Plan update specifies daily VMT limits in order to achieve a 15 percent reduction from 2015 conditions. For the 15 percent reduction to be achieved, the Project would need to generate less than 49.2 VMT per the property's Estate Residential General Plan designation. A VMT analysis was performed for the Project and determined the proposed Project's VMT to be 17.5. Therefore, the Project results in a VMT that is well within the parameters needed to meet the General Plan's 15 percent reduction.

No potential new impacts related to the Project have been identified that would necessitate further environmental review beyond the impacts and issues already disclosed and analyzed in the General Plan EIR. No other special circumstances exist that would create a reasonable possibility that the Project will have a significant adverse effect on the environment. Therefore, pursuant to State CEQA Guidelines Section 15183, no further environmental review is required.

AND BE IT FURTHER RESOLVED, that the City Council of the City of Elk Grove hereby approves the Tentative Subdivision Map, Design Review for Subdivision Layout, and Tree Removal Permit for the Project as described in Exhibit A, shown in Exhibit B, and subject to the conditions of approval in Exhibit C (all incorporated herein by this reference), based upon the following findings:

Tentative Subdivision Map

Finding: None of the findings (a) through (g) below in Section 66474 of the California Government Code that require a City to deny approval of a tentative map apply to this Project.

- 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 type of improvements is likely to cause serious public health problems.
- g. That the design of the subdivision or type of improvements will conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision.

Evidence:

- (a) As described in the Project staff report, the proposed Project is consistent with proposed land use designation and policies in the Elk Grove General Plan which designates the site as Estate Residential. The proposed Tentative Subdivision Map will allow for development consistent with the Elk Grove General Plan and Elk Grove Municipal Code.
- (b) As described in the Project staff report, the proposed Project, the proposed subdivision design, lot sizes, lot configurations, and proposed infrastructure improvements are consistent with EGMC Title 23, Zoning development standards, Title 22 (Land Development), and the General Plan land use designation for the proposed site.

- (c) The site is physically suitable for the proposed development. The General Plan land use map has anticipated the Project site for estate residential development. Access to the site will be provided and necessary services and facilities can be provided. Therefore, the site is physically suitable for the development proposed.
- (d) As described in the Project staff report, all residential lots proposed by the Project are consistent with the allowed densities as provided under the General Plan. Services and facilities to serve the Project, including water, sewer, electricity, and other utilities, are available or will be provided. Therefore, the site is appropriate for the proposed density of development.
- (e) The Project site is not located in an environmentally sensitive area and no other special circumstances exist that would create a reasonable possibility that the Project will cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- (f) The design of the subdivision will not cause serious public health problems based upon the Project's consistency with EGMC Title 23, Zoning development standards and the General Plan land use designation for the site.
- (g) The design of the subdivision will not conflict with easements acquired by the public at large as demonstrated by review of the Project.

Design Review for Subdivision Layout

Finding #1: The proposed Project is consistent with the objectives of the General Plan, complies with applicable zoning regulations, Specific Plan provisions, Special Planning Area provisions, and Citywide Design Guidelines adopted by the City.

Evidence #1: The site layout has been reviewed against the Elk Grove Design Guidelines for residential subdivisions, all applicable zoning regulations and General Plan policies and no conflicts have been identified. While the subject Property is bounded by Laguna Creek to the north and west, and a floodplain to the east, all proposed residential parcels have been located outside of the 100-year floodplain as required by General Plan Policy ER2-6.

Finding #2: 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 #2: The proposed site design is suitable for the development of 15 single-family dwelling units. Lot layout is logical for the size of the property and all proposed home sites are outside of the 100-year floodplain. The Project proposes buildout of the multi-use and equestrian trail proposed on the property consistent with the Bicycle, Pedestrian, and Trails Master Plan (BPTMP). Court A will tie into the proposed trail to provide for pedestrian connectivity. No structures are proposed with this application, however architectural design will be reviewed for any production homes through the Master Home Plan Design Review process.

Finding #3: 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 #3: The Project does not include any buildings; therefore, this finding is not applicable to the Project. If production homes are proposed, a Master Home Plan Design Review, including building design and preliminary landscape plans, will be required.

Finding #4: The proposed Project will not create conflicts with vehicular, bicycle, or pedestrian modes of transportation.

Evidence #4: The proposed Project will not create conflicts with vehicular, bicycle, or pedestrian modes of transportation. The Project proposes buildout of the multi-use and equestrian trail identified for the site in the BPTMP. The trail will provide a means of active transportation throughout the site while being separated from vehicular traffic. Court A will tie into the trail to provide for pedestrian connectivity for future residents within the subdivision. Additionally, the Applicant has agreed to dedicate land to facilitate a future grade-separated crossing at Bond Road.

Finding #5: The residential subdivision is well integrated with the City's street network, creates unique neighborhood environments and establishes a pedestrian friendly environment.

Evidence #5: The Project includes one vehicular entry into the site, which integrates the site into the City's street network. Vehicular access to and from the site will be restricted to right-turn movements only. The provision of the multi-use trail and the dedication of land for the grade-separated crossing at Bond Road will establish a pedestrian-friendly environment which is well integrated into the City's trail network.

Tree Permit

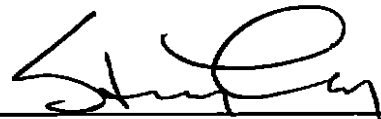
Finding #1: For development projects, every effort has been made to integrate the existing tree(s) into project design, including the use of minor deviations and/or variances.

Evidence #1: Every effort has been made to integrate existing trees into the Project design. The requirement to construct the on-site portion of the Laguna Creek trail pursuant to the BPTMP has necessitated a subdivision design that results in removal of one Tree of Local Importance on the site. The trail alignment combined with the grade along Laguna Creek make removal of the tree unavoidable. Of the eight Trees of Local Importance located on the site, seven are proposed to be preserved. The trees proposed for preservation are located on a ±1.44-acre drainage lot that will be publicly managed and maintained ensuring adequate care for the trees to be preserved.

Finding #2: The effect of the removal of the tree will not negatively impact the health, safety, and prosperity of surrounding trees, or the aesthetics and general welfare of the area.

Evidence #2: The effect of the removal of the tree will not negatively impact the health, safety, or prosperity of surrounding trees as there are several Valley Oak trees being preserved on the site, allowing for continued cross pollination. The proposed trail necessitating the tree removal will provide a means of active transportation across the property consistent with the BPTMP. The Trees of Local Importance that will remain on site will be subject to the development control measures outlined in EGMC Section 19.12.200 (Development Control Measures).

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 12th day of February 2020



STEVE LY, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:

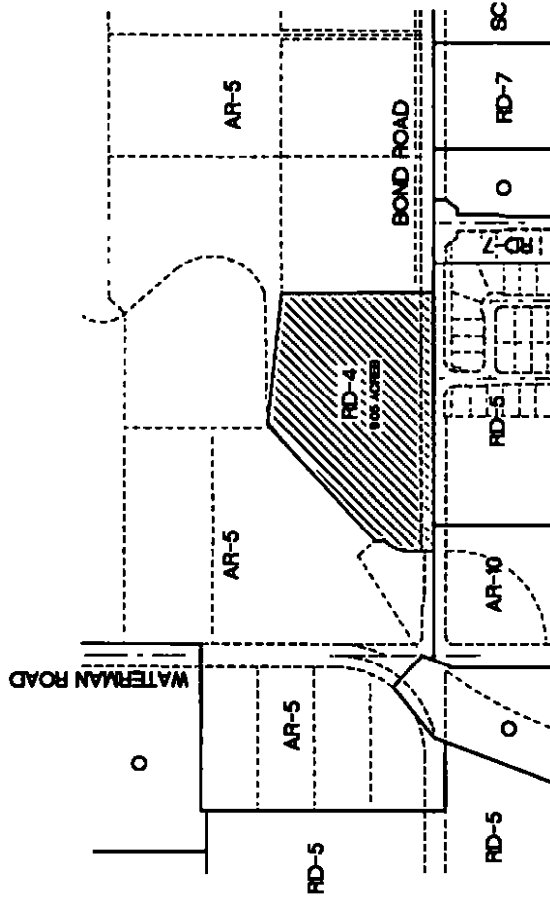
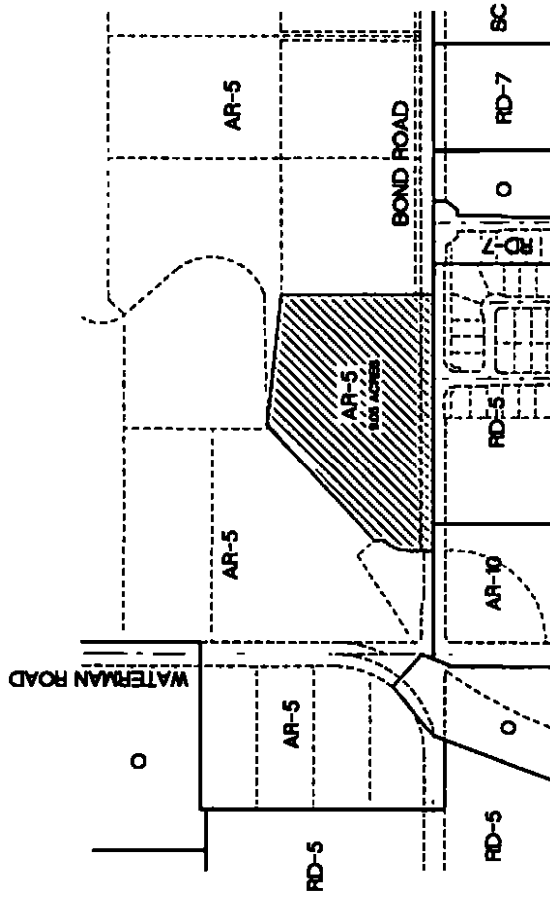
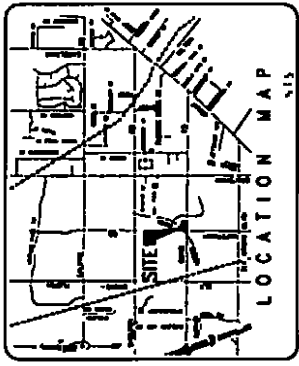

JONATHAN P. HOBBS,
CITY ATTORNEY

Exhibit A
Creekside Estates (PLNG18-103)
Project Description

PROJECT DESCRIPTION

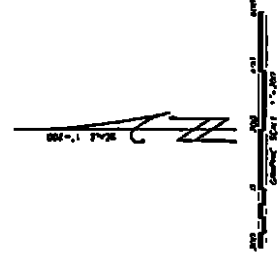
The Project consists of a Rezone to amend the zoning designation of ±7.79 gross acres from AR-5 (Agricultural Residential – 5 gross acres minimum (AR-5)) to RD-4 (Low Density Residential – 4 dwelling units per acre(RD-4); a Tentative Subdivision Map and Design Review for Subdivision Layout to subdivide the existing parcel into 15 single-family lots, an open space lot, and a drainage lot; and a Tree Removal Permit to allow removal of one Tree of Local Importance. Any new home construction resulting from the Project will be required to comply with the City's Climate Action Plan (CAP) measures for new single-family construction including: BE-4. Building Stock: Encourage or Require Green Building Practices in New Construction, BE-5. Building Stock: Phase in Zero Net Energy Standards in New Construction, TACM-8. Tier 4 Final Construction Equipment TACM-9. EV Charging Requirements.

REZONE EXHIBIT
CREEKSIDE ESTATES
 CITY OF ELK GROVE, SACRAMENTO COUNTY, CALIFORNIA
 SEPTEMBER 27, 2018
 BAKER-WILLIAMS ENGINEERING GROUP



EXISTING ZONING

PROPOSED ZONING



JOB # 18-02-012

**Exhibit C
Creekside Estates (PLNG18-103)
Conditions of Approval**

Conditions of Approval		Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
ON-GOING				
1.	Development and operation of the proposed Project shall be consistent with the Project Description and Project Plans as provided in Exhibits A and B, incorporated herein by this reference. Deviations from the approved plans shall be reviewed by the City for substantial compliance and may require amendment by the appropriate hearing body.	On-Going	Planning	
2.	This action does not relieve the Applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.	On-Going	Planning	
3.	The Applicant, or Successors in Interest (hereinafter referred to as the Applicant) shall indemnify, protect, defend, and hold harmless the City, its officers, officials, agents, employees, and volunteers from and against any and all claims, damages, demands, liability, costs, losses or expenses including without limitation court costs, reasonable attorney's fees and expert witness fees arising out of this Project including challenging the validity of this Application/permit or any environmental or other documentation related to approval of this application.	On-Going	Planning	
4.	As to any fee, dedication, reservation or exaction established by these conditions of approval that are subject to the Mitigation Fee Act, notice is hereby given pursuant to California Government Code Section 66020(d) that the 90-day period in which you may protest the fees set forth herein has begun to run as of the date of approval of this Project. Other limitations periods may apply. The City reserves all rights.	On-Going	Planning	
5.	Except as otherwise specified or provided for in the Project plans or in these conditions, the Project shall conform to the development standards and design requirements adopted by the City of Elk Grove, specifically including but not limited to the following: <ul style="list-style-type: none"> • The Elk Grove Zoning Code (Title 23 of the EGMC) • EGMC Chapter 14.10 (Water Efficient Landscape Requirements) • EGMC Chapter 19.12 (Tree Preservation and Protection) • EGMC Title 16 (Building and Construction) • EGMC Title 22 (Land Development) 	On-Going	Planning	

	<u>Conditions of Approval</u>	<u>Timing/Implementation</u>	<u>Enforcement/Monitoring</u>	<u>Verification (date and Signature)</u>
6.	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 the City.	On-Going	Planning Engineering SCWA EGWD SASD SMUD PG&E	
7.	The Applicant shall pay all plan check fees, impact fees, or other costs as required by the City, the Cosumnes Community Services District (CCSD), Sacramento Area Sewer District (SASD), Sacramento County Water Agency (SCWA), Elk Grove Water District, or other agencies or services providers as established by law.	On-Going	Planning Engineering Building CCSD SCWA EGWD SASD	
8.	Approval of this Project does not relieve the Applicant from the requirements of subsequent permits and approvals, including but not limited to the following as may be applicable: <ul style="list-style-type: none"> • Grading Permit and Improvement Plans • Building Permit and Certificate of Occupancy • Requirements of the Sacramento Metropolitan Air Quality Management District • Fire Department review for permits and/or occupancy 	On-Going	Planning Engineering Building CCSD SCWA EGWD SASD	
9.	The Tentative Subdivision Map approval is valid for thirty-six (36) months from the date of City Council approval, unless an extension of time is subsequently approved or extended by "Legislation" including any current or future California State legislative extensions available and as may be applicable from the initial Tentative Subdivision Map approval date by which this resolution was adopted.	Thirty-six (36) months, from date of approval	Planning Engineering	

Conditions of Approval	Timing/Implementation	Enforcement/Monitoring	Verification (date and signature)
<p>10. The Planning Division shall be notified immediately if any prehistoric, archaeological, or paleontologic artifact is uncovered during construction. All construction must stop and an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to evaluate the finds and recommend appropriate action.</p> <p>A note stating the above shall be placed on the Improvement Plans.</p>	<p>On-Going and Prior to Improvement Plans or Grading Permit(s), whichever occurs first. Monitoring shall be On-Going</p>	<p>Planning</p>	
<p>11. All construction must stop if any human remains are uncovered, and the County Coroner must be notified according to Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the procedures outlined in State CEQA Guidelines Section 15064.5 (d) and (e) shall be followed.</p> <p>A note stating the above shall be placed on the Improvement Plans.</p>	<p>On-Going and Prior to Improvement Plans or Grading Permit(s), whichever occurs first. Monitoring shall be On-Going</p>	<p>Planning</p>	
<p>12. Construction measures for new homes and/or on-site work shall be subject to the local requirements for land disturbance. This includes compliance with Elk Grove Municipal Code requirements for Land Grading and Erosion Control (Chapter 16.44) and Tree Preservation and Protection (Chapter 19.12)</p>	<p>On-Going and Prior to Improvement Plans or Grading Permit(s) Whichever occurs first.</p>	<p>Planning</p>	
<p>13. Construction measures for new homes and/or on-site work shall be subject to the local requirements for land disturbance. This includes compliance with the Elk Grove Municipal Code and pre-construction surveys from a qualified biologist for nesting raptors and other birds prior to tree removal or earth moving activities associated with construction. If any evidence of Swainson's hawk is found as a result of the pre-construction surveys, or if it is found that the Project site is suitable foraging habitat, the Applicant shall comply with the mitigation measures set forth in Elk Grove Municipal Code Chapter 16.130.</p>	<p>On Going and Prior to Improvement Plans or Grading Permit(s), whichever occurs first.</p>	<p>Planning</p>	

<u>Conditions of Approval</u>		<u>Timing/Implementation</u>	<u>Enforcement/Monitoring</u>	<u>Verification (date and Signature)</u>
14.	Wholesale water supply shall be provided by the Sacramento County Water Agency.	On-Going	SCWA	
15.	For projects that require tying into or hot tapping EGWD's existing water system infrastructure, the developer/owner's contractor shall notify EGWD 48 hours in advance so that EGWD can provide onsite supervision for all service line taps and tee cut-ins on EGWD-owned infrastructure	On-Going	EGWD	
16.	Any new home constructed by the Applicant on the Project site shall comply with the City's Climate Action Plan (CAP) for new single-family construction including CAP measures BE-4, BE-5, TACM-8, and TACM-9, or equivalent or other applicable measures as provided in the CAP in effect at the time of construction. Prior to Final Map approval, the Applicant shall (1) enter into a Climate Action Plan Agreement with the City to ensure compliance with this condition to the satisfaction of the City; and (2) record the Climate Action Plan Agreement against the Project site and provide proof to the City of such recordation.	On-Going Final Map	Planning	
<u>PRIOR TO IMPROVEMENT PLANS</u>				
17.	The Applicant shall prepare and submit a drainage study to the satisfaction of the City and in accordance with City of Elk Grove Storm Drainage Master Plan, Improvement Standards, General Plan, and any other applicable drainage master plans or studies	Improvement Plans or Grading Permit, whichever occurs first	Engineering Public Works	
18.	The Applicant shall prepare and submit a Post-Construction Stormwater Quality Control Plan in accordance with the City of Elk Grove Improvement Standards and most recent version of the Stormwater Quality Design Manual for the Sacramento Region. The Applicant shall also submit a separate maintenance manual describing proper maintenance practices for the specific treatment controls to be constructed.	Improvement Plans or Grading Permit, whichever occurs first	Engineering Public Works	
19.	The Applicant shall implement Low Impact Development (LID) features adopted in the Stormwater Quality Design Manual ("Manual") in this Project. All the designs shall be consistent with the design examples prescribed in the Manual to the satisfaction of the City.	Improvement Plans	Engineering Public Works	
20.	Pursuant to General Plan Standard LU-5-3.b, all overhead utilities on the Project site and adjacent to Bond Road shall be undergrounded to the satisfaction of the appropriate utility providers and the Development Services Director	Improvement Plans	Engineering	
21.	Existing and/or proposed sewer lines must be shown on a utility plan or the improvement plans.	Improvement Plans	SASD	

Conditions of Approval		Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
22.	Each building on each lot with a sewage source shall have a separate connection to the SASD's sewer system. If there is more than one building in any single parcel and the parcel is not proposed for split, then each building on that parcel must have a separate connection to a private onsite sewer line or a separate connection to the SASD public sewer line. <u>These improvements must be shown on the plans.</u>	Improvement Plans	SASD	
23.	Alignment of all main lines and structures must provide a minimum of 1-foot vertical clearance and 5 feet horizontal clearance from all other utilities and improvements. Sewer is to be located a minimum of 10 feet (measured horizontally) from any structure or footing. The Applicant shall show public sanitary sewer and water supply facilities in accordance with the Health and Safety Code on Improvement Plans.	Improvement Plans	SASD	
24.	The Applicant shall provide separate public water service to each parcel. All transmission mains shall be located within a public right-of-way or within easements dedicated to Sacramento County Water Agency (SCWA). Easements shall be reviewed and approved by the SCWA prior to Improvement Plan approval or Final Map approval.	Improvement Plans/Final Map	SCWA	
25.	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 agricultural wells, Applicant shall use water from agricultural wells for grading and construction.	Improvement Plans	SCWA	
26.	Bike trails shall be designed to support 35,000 gross vehicle weight with a minimum of 10 feet paved with 2 feet on each side of all-weather material capable of supporting apparatus for a total of not less than 14 feet wide for fire department access.	Improvement Plans	CCSD Fire	
27.	The Applicant shall provide a connection to the public water system (PWS) on the north side of Bond Road to service the Project. The Applicant shall coordinate with Sacramento County Water Agency (SCWA) to determine how to connect to SCWA's 24" transmission main. EGWD requires the Applicant to extend a 12" water main west, along the north side of Bond Road west to service the Project.	Improvement Plans	EGWD SCWA	
PRIOR TO OR IN CONJUNCTION WITH FINAL MAP				
28.	The Applicant shall obtain a clearance letter from P.G. & E. to allow Lots 10 and 11 to be within P.G. & E.'s 75-foot easement (3459 O.R. 191).	Final Map	Engineering	
29.	The Applicant shall dedicate public utility easements for underground facilities and appurtenances adjacent to the ultimate public rights-of-way of all streets.	Final Map	Engineering	
30.	Lot A shall be dedicated to the City as an Open Space/Drainage easement.	Final Map	Engineering	

<u>Conditions of Approval</u>		<u>Timing/Implementation</u>	<u>Enforcement/Monitoring</u>	<u>Verification (date and signature)</u>
31.	The Applicant shall dedicate, design and construct all internal streets as shown on the Tentative Subdivision Map in accordance with the City's Improvement Standards and to the satisfaction of the City.	Final Map	Engineering	
32.	The Applicant shall design and install the trail in accordance with the City's Bicycle, Pedestrian, and Trails Master Plan, City Improvement Standards, and to the satisfaction of the City and CCSD.	Final Map	Engineering CCSD Parks	
33.	Lot B shall be dedicated to CCSD Parks as a Trail Easement.	Final Map	CCSD Parks	
34.	All eligible, medians, I and landscape corridors shall be dedicated in fee title to the City of Elk Grove.	Final Map	Planning CCSD Parks	
35.	The Applicant shall pay all Park and Recreation Plan Check Fees as required by the Cosumnes Community Services District.	Final Map	CCSD Parks	
36.	All real property within the boundaries of the proposed project is within a benefit zone of the District Wide Landscape & Lighting Assessment District. Prior to recording any final maps, the owners of all real property within the boundaries of the 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 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.	Final Map	CCSD Parks	
37.	The Applicant shall submit landscape and civil improvement plans and specifications for trail corridors to the CCSD for review and approval.	Final Map	CCSD Parks	

	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
38.	<p>Prior to the recordation of the Final Map, the Applicant shall: (1) approve (a) the formation of a new or annexation into an existing community facilities district ("CFD") and (b) an annual CFD special tax; or (2) deposit a sum money, as determined by the Cosumnes Community Services District ("CCSD"), sufficient for the CCSD to fund a portion of the cost of the CCSD's costs of providing ongoing fire and emergency services, maintenance, operation, and repair and replacement of fire facilities, apparatus, and equipment. Any costs for the formation of the new or annexation into an existing CFD, and approval of such annual CFD special taxes, or administration of the sum of money deposited to fund the CCSD's costs of providing ongoing fire and emergency services, shall be paid from the annual CFD special taxes or the sum of money deposited with the CCSD. In the event that the Applicant fails to approve an annual CFD special tax or deposit a sum of money as provided for herein for such purposes for the CCSD, no further building permits for the property shall be issued. It is the responsibility of the Applicant or their representative to contact the Cosumnes Fire Department at (916)405-7100 in order to initiate the Community Facilities District Process.</p>	Final Map	CCSD Fire	
39.	<p>Prior to recordation of 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 related maintenance costs associated with public parkways, public parks, adjacent to roadways, maintenance and operation of a community 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 and completed application 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 http://www.elkgrovecity.org/city_hall/departments_divisions/finance/mello_roos_cfds/</p>	Final Map	Finance Department	
40.	<p>Prior to recordation of Final Map, the Project area shall annex into the Street Maintenance Assessment District No. 1, Zone 3, to fund a portion of the additional costs for long-term roadway maintenance related to serving the new development. The annexation process can take several months, so Applicants should plan accordingly. The application fee and completed application for the annexation is due prior to the Resolution of Intention to Levy Street Maintenance Assessments. For further information on this District, see http://www.elkgrovecity.org/city_hall/departments_divisions/finance/mello_roos_cfds/assessment_other_district_information/</p>	Final Map	Finance Department	

<u>Conditions of Approval</u>		<u>Timing/Implementation</u>	<u>Enforcement/Monitoring</u>	<u>Verification (date and Signature)</u>
41.	Prior to recordation of Final Map, the Project area shall annex into the Storm Water Drainage Fee Zone 2 to fund a portion of the additional costs for storm water drainage and run-off maintenance related to serving the new development. The annexation process can take several months, so Applicants should plan accordingly. The completed application for the annexation is due prior to the Resolution of Intention to Levy Storm Water Drainage Fee Zone 2 assessments. For further information on this District, see http://www.codepublishing.com/CA/elkgrove/#!/ElkGrove15/ElkGrove1510.html#15.10	Final Map	Finance Department	
42.	Prior to recordation of Final Map, the project area shall annex into the Police Services Community Facilities District 2003-2 (CFD) , to fund the project's fair share of Public Safety costs. The annexation process can take several months, so Applicants should plan accordingly. The application fee and completed application 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 http://www.elkgrovecity.org/city_hall/departments_divisions/finance/mello_roos_cfds/ .	Final Map	Finance Department	
PRIOR TO OR IN CONJUNCTION WITH BUILDING PERMIT				
43.	All improvements related to water utilities infrastructure shall conform to the most current version of the EGWD Standard Construction Specifications and Standard Detail Drawings.	Building Permit	EGWD	
44.	The Applicant shall be responsible for notifying EGWD upon the completion of installing all meter boxes and meter setters. After receiving this notification, EGWD will then bill the Applicant the cost of meters per the most currently dated Ordinance governing the charges for water meters. After receiving full payment for the meters, EGWD shall install the meters.	Building Permit	EGWD	
45.	The Applicant shall construct and install improvements including the multi-use/equestrian trail within the trail corridor according to plans and specifications approved by the CCSD.	Building Permit	CCSD Parks	
46.	A six-foot high tubular steel fence shall be installed on all homeowner parcels along the trail corridor and adjacent open space lots. Fence specifications are determined by the CCSD. The fence shall be on each homeowner's property. Accordingly, general maintenance, repair or replacement of the fence is the responsibility of the homeowner, not the CCSD.	Building Permit	CCSD Parks	
47.	Non-combustible fencing shall be provided along creeks, wetlands and open space.	Building Permit	CCSD Fire	
48.	The owner shall contact Permit Services Unit at PermitServices@sacsewer.com or by phone at (916) 876-6100 to determine if sewer impact fees are due. Fees are to be paid prior to the issuance of building permits.	Building Permit	SASD	

<u>Conditions of Approval</u>		<u>Timing/Implementation</u>	<u>Enforcement/Monitoring</u>	<u>Verification (date and signature)</u>
49.	The Applicant shall provide metered connections on transmission mains to the satisfaction of the Sacramento County Water Agency.	Building Permit	SCWA	
50.	Prior to the issuance of any building permits for the Project, the Project Applicant shall pay Zone 40 development fees applicable at the time of building permit issuance in accordance with Title 4 of the Sacramento County Water Agency (SCWA) Code.	Building Permit	SCWA	
51.	The Applicant shall reconstruct any damaged curb, gutter, sidewalk and/or pavement caused by construction-related activities associated with the Project. If pavement replacement is necessary, as determined by the City, the Applicant may be required to grind, overlay, and/or slurry seal the damaged portion(s) in accordance with the City Improvement Standards and to the satisfaction of the City. The Applicant shall schedule an inspection with the City to document the pre-construction condition of existing surface infrastructure adjacent to and near the Project.	Building Permit	Engineering	
52.	The Applicant shall reconstruct any existing ADA compliance improvements adjacent to the Project to meet current standards.	Building Permit	Engineering	
53.	The Applicant shall dedicate and provide all-weather vehicular access for service vehicles that are up to 26,000 pounds. At a minimum: (a) the drivable surface shall be 20-foot wide; and (b) all SMUD underground equipment and appurtenances shall be within 15-feet from the drivable surface.	Building Permit	SMUD	
54.	Structural setbacks less than 14-feet shall require the Applicant to conduct a pre-engineering meeting with all utilities to ensure proper clearances are maintained.	Building Permit	SMUD	
55.	The Applicant shall provide separate SMUD service points to each parcel to the satisfaction of SMUD.	Building Permit	SMUD	
56.	The Applicant shall dedicate any private drive, ingress and egress easement, (and 10-foot adjacent thereto) as a public utility easement for (overhead and) underground facilities and appurtenances. All access roads shall meet minimum SMUD requirements for access roads.	Building Permit	SMUD	
57.	SMUD has existing underground 12kV facilities along Bond Rd. and on the Project site that will need to remain. The Applicant shall be responsible for maintaining all CalOSHA and State of California Public Utilities Commission General Order No's 95 and 128 safety clearances during construction and upon building completion. If the required clearances cannot be maintained, the Applicant shall be responsible for the cost of relocation.	Building Permit	SMUD	
58.	The Applicant shall not place any building foundations within 5-feet of any SMUD trench to maintain adequate trench integrity. The Applicant shall verify specific clearance requirements for other utilities (e.g., Gas, Telephone, or similar).	Building Permit	SMUD	

	<u>Conditions of Approval</u>	<u>Timing/Implementation</u>	<u>Enforcement/Monitoring</u>	<u>Verification (date and Signature)</u>
59.	The Applicant shall locate, verify, and provide a drawing to SMUD identifying all electrical utility infrastructure for the existing structures. If necessary, any onsite electrical infrastructure that serves existing structures shall be relocated to the satisfaction of SMUD.	Building Permit	SMUD	
60.	The Applicant shall comply with SMUD siting requirements (e.g., panel size/location, clearances from SMUD equipment, transformer location, service conductors). Information regarding SMUD siting requirements can be found at: https://www.smud.org/en/Business-Solutions-and-Rebates/Design-and-Construction-Services	Building Permit	SMUD	

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2020-032**

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

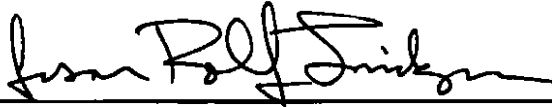
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on February 12, 2020 by the following vote:

AYES: COUNCILMEMBERS: *Ly, Detrick, Hume, Nguyen, Suen*

NOES: COUNCILMEMBERS: *None*

ABSTAIN: COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*



**Jason Lindgren, City Clerk
City of Elk Grove, California**