

**RESOLUTION NO. 2006-20**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING A TENTATIVE SUBDIVISION MAP FOR THE TEGAN ESTATES I PROJECT NO. EG-04-675, SUBJECT TO THE FINDINGS AND CONDITIONS OF APPROVAL**

**WHEREAS**, Jim Hensley and other partners, represented by Richard Albaugh and Rose's Engineering (hereinafter referred to as Applicant) filed an application with the City of Elk Grove (hereinafter referred to as City) for a Rezone and Tentative Subdivision Map (Assessor's Parcel Numbers 119-0151-013, -014, -015, and -020); 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 City determined that the Tegan Estates I Project was subject to the California Environmental Quality Act and prepared an initial study evaluating the potential environmental effects of the project; and

**WHEREAS**, the Initial Study identified potentially significant adverse effects in the areas of construction air quality and biological resources; and

**WHEREAS**, the City has agreed to implement proposed mitigation measures that avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; 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**, all project changes required to avoid significant effects on the environment have been incorporated into the project and/or are identified in the Mitigation Monitoring Plan; and

**WHEREAS**, the City determined that the mitigation proposed in the Mitigation Monitoring and Reporting Program would reduce the impacts to a less than significant level and that a Mitigated Negative Declaration should be prepared; and

**WHEREAS**, the City distributed the Notice of Intent to Adopt the Mitigated Negative Declaration on February 18, 2005 and was posted at the Sacramento County Clerk's Office, distributed through the State Clearinghouse and at the City offices, pursuant to CEQA Guidelines 15072. A 30 day review and comment period was opened on February 18, 2005 and closed on March 21, 2005. The Mitigated Negative Declaration was made available to the public during this review period; and

**WHEREAS**, the City received written comment letters within the 30 day public review period and responded to those comments in the project staff report; and

**WHEREAS**, 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; and

**WHEREAS**, the Planning Commission considered the Applicant's request at a public hearing on September 29 and October 6, 2005 and recommended City Council approval of the project.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove approves the Tegan Estates I Rezone and Tentative Subdivision Map based on the following findings and the attached conditions of approval included as Exhibit A.

### Findings

#### CEQA

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

Evidence: An Initial Environmental Study was prepared for the proposed project and mitigation measures have been developed that will reduce potential environmental impacts to less than significant levels. On the basis of the Mitigated Negative Declaration, comments received, and the entire administrative record, there is no substantial evidence that the project will have a significant adverse impact on the environment.

#### Rezone

Finding: The proposed rezone is in the public interest (Section 65358(a) of the Government Code and the Plan Administration Element of the Elk Grove General Plan).

Evidence: The Planning Commission has reviewed the proposed rezone, staff report, and has received public testimony at a duly noticed public hearing regarding the matter. The applicant's proposal is consistent with the allowed density ranges and uses in the Elk Grove General Plan and Zoning Code. The proposed project is consistent with the Plan's objectives of orderly and systematic development and responds to opportunities and constraints in the local community area.

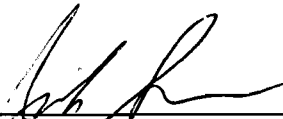
#### Tentative Subdivision Map

Finding: The Findings provided in Section 66474 of the California Subdivision Map Act that require a City to deny a tentative map do not apply to this Tentative Parcel Map.

Evidence:

- a. The proposed map is consistent with the Elk Grove General Plan and rezone.
- b. The design of the improvements of the proposed subdivision is consistent with the General Plan and design standards of the municipal code.
- c. The site is physically suitable for extension of rural residential development.
- d. The site is appropriate for the specified density of development.
- e. The proposed Tentative Parcel Map is consistent with the General Plan and zoning and therefore would not cause substantial environmental damage. An Initial Environmental Study was prepared for the proposed project and mitigation measures have been developed that will reduce potential environmental impacts to less than significant levels.
- f. The design of the subdivision map or type of improvements will meet all applicable standards or regulations and will not cause serious public health problems.
- g. No conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision, have been identified.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 25<sup>th</sup> day of January 2006.



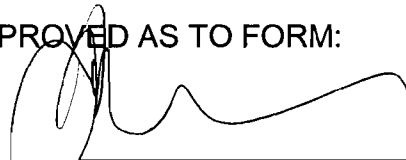
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RICK SOARES, MAYOR of the  
CITY OF ELK GROVE

ATTEST:



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PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



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ANTHONY B. MANZANETTI,  
CITY ATTORNEY

**EXHIBIT A - CONDITIONS OF APPROVAL**

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<b>On-Going</b>			
1. The Tentative Parcel Map approval is valid for three years from the date of Planning Commission approval, unless an extension of time is subsequently approved.	Three years, commencing with the date of Planning Commission approval.	Development Services, Planning	
2. The development approved by this action is for a Tentative Subdivision Map and Rezoning, as described in the staff report, together with associated Exhibits and Attachments, dated January 25, 2006, and as modified by the City Council on that date.	On-Going	Development Services, Planning	
3. The Applicant, and any future heirs, successors or 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 an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.	On-Going	Development Services, Planning	
4. This action does not relieve the Applicant of the obligation to comply with all ordinances, statues, regulations, and procedures.	On-Going	Development Services, Planning	
5. The Applicant shall not create a nuisance during the construction phase of implementation of the project.	Ongoing	Community Enhancement and Code Compliance	
6. 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.	On-Going	Public Works	
7. Each lot shall have only one driveway.	On-Going	Public Works	

Tegan Estates I, Tentative Subdivision Map and Rezoning (EG-04-675)  
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8.	Pay all appropriate development fees charged by the City and other Special Districts providing services to the site.	On-Going	Public Works	
9.	All streets except Tegan Road shall be closed to the public until Department of Public Works, Division of Traffic Engineering and the project engineer determine the appropriate traffic control devices to be installed and the devices are installed to the satisfaction of Public Works. Road closure devices shall be in place immediately and maintained in-place at all times upon completion of paving. Road closure may also require alternative accesses to construction traffic. The type of road closure devices shall be determined and approved by Public Works.	On-Going	Public Works	
10.	All traffic calming devices and locations must be approved by Public Works prior to installation.	On-Going	Public Works	
11.	Street (trench) cuts into existing streets require a separate encroachment permit and the payment of street cut fees. 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.	On-Going	Public Works	
12.	In accordance with the Subdivision Map Act, no land lease or sale of any portions of the project site may occur until such time as the under laying tentative map approval has been effected and a final map recorded.	On-Going	Public Works	
13.	All driveways shall require an encroachment permit. At that time, the curb, gutter, sidewalk and all public improvements shall be evaluated to determine if those improvements need to be repaired/reconstructed.	On-Going	Public Works	

<p>14.</p>	<p>The Applicant shall implement the following measures to reduce potential air quality impacts from diesel-powered equipment during construction activities.</p> <p>a) <b><u>Category 1: Reducing NO<sub>x</sub> emissions from off-road diesel powered equipment.</u></b></p> <p>The prime contractor shall provide a plan for approval by the City of Elk Grove and SMAQMD demonstrating that the heavy-duty (&gt;50 horsepower) off-road vehicles to be used in the construction project, and operated by either the prime contractor or any subcontractor, will achieve a fleet-averaged 20 percent NO<sub>x</sub> reduction and a 45 percent particulate reduction compared to the most recent CARB fleet average.</p> <p>The prime contractor shall submit to the City of Elk Grove and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during the construction project. The inventory shall include the horsepower rating, engine production year, and hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48-hours prior to the use of subject heavy-duty off-road equipment, the project representative shall provide SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manage and on-site foreman.</p>	<p>On-Going</p>	<p>Planning and Sacramento Metropolitan Air Quality Management District</p>	
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	<p>b) <b>Category 2:</b> <u>Controlling visible emissions from off-road diesel powered equipment.</u></p> <p>The prime contractor shall ensure that emissions from all off-road diesel powered equipment used on the proposed project does not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity shall be repaired immediately, and the City of Elk Grove and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a month summary of the visual results shall be submitted to the City and SMAQMD throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supercede other SMAQMD or state rules or regulations.</p> <p>In the event construction equipment meeting the requirements set forth above is determined not to be available, the project applicant shall notify the City and SMAQMD. Upon verification that required low-emission construction equipment is not available, the City may waive this measure. This requirement shall be included as a note in all project construction plans. <b>(MM-1)</b></p>			
15.	<p>The Applicant shall provide a fire department turnaround in accordance with the Elk Grove CSD Fire Department Fire Prevention Standards for Fire Apparatus Access Roads for all dead end streets in excess of 150 feet.</p>	On-Going	Elk Grove Community Services District-Fire Department	

16	All construction traffic access to the project site shall be restricted to Tegan Road from Franklin Blvd. No construction traffic shall use Laguna Park Drive. Any violation of this restriction shall be subject to fines and/or penalties as determined by the City Engineer.	On-Going	Public Works	
<b>Prior to approval of Final Map</b>				
17.	The Tentative Map does not reflect a number of existing easements, IODs, and other citations reported in the property's title. These items shall be shown and labeled on the Final Map. The Applicant shall resolve any conflicts raised as a result of any omissions/errors on the Tentative Map, prior to the recordation of the Final Map.	Prior to approval of Final Map	Public Works	
18.	Buildings identified for removal shall be removed prior to approval of Final Map.	Prior to approval of Final Map	Public Works	
19.	Applicant shall provide a letter of approval or easement agreement from PG&E allowing the construction of Tegan Circle and St. Edwards Way, the bike path, and the masonry property walls on the 66' easement (Parcels A, B, and C). If PG&E does not approve the road going through the easement, the resulting project will not be in substantial conformance with this project and shall be redesigned and re-scheduled for Planning Commission review.	Prior to approval of Final Map	Public Works	
20.	For all single family corner lots, an access restriction shall be placed on the property from the driveway around the corner to the property line of the side yard.	Prior to approval of Final Map	Public Works	
21.	Applicant shall dedicate Lots A, B, and C to the City of Elk Grove. Applicant shall design and construct the improvements to the satisfaction of Planning and Public Works, including the multi-purpose trail, with a total minimum width of 50 feet, including landscaping. Portions of improvements may be deferred through payment in-lieu of construction. All payment, dedication, and design shall be in accordance with the standards set forth in Chapter 22.40, Title 22 of the City of Elk Grove Code. Level of deferment and	Prior to approval of Final Map	Public Works	



**Exhibit A - Conditions of Approval**

	estimates shall be to the satisfaction of Public Works. City will accept upon improvement of lots.			
22.	Applicant shall dedicate and improve Tegan Road, north half section of 21' from the approved centerline to the back of sidewalk. Improvement shall be designed and constructed to the satisfaction of Public Works.	Final to approval of Final Map	Public Works	
23.	Applicant shall dedicate and improve all internal streets as shown in the Tentative Subdivision Map, in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works. All street improvements shall be constructed prior to the 1 <sup>st</sup> building permit.	Final to approval of Final Map	Public Works	
24.	Applicant shall dedicate a 12.5 foot public utility easement for underground and/or overhead facilities and appurtenances adjacent to all public and private streets.	Final to approval of Final Map	Public Works	
25.	Improvement plans must be approved by Public Works prior to City Council approval of Final Map.	Final to approval of Final Map	Public Works	
26.	Applicant shall dedicate access rights (direct vehicular ingress and egress to Tegan Road) to the City of Elk Grove, except for the approved driveway locations.	Final to approval of Final Map	Public Works	
27.	Applicant shall place a statement on the Final Map that states "Tegan Road frontage improvements shall be required to be constructed in accordance with City Standards and to the satisfaction of Public Works prior to issuance of any permits for the development of any lot."	Final to approval of Final Map	Public Works	

28.	The Applicant shall remove lot 51 and combine with lot 50 for additional parking for the daycare center. Access for the daycare center is to be from Tegan Road only and shall be located at the far eastern edge of the new lot.	Prior to approval of Final Map	Public Works	
29.	If required, all sewer easements shall be dedicated to CSD-1 in a form approved by the District Engineer. All CSD-1 sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance.	Prior to approval of Final Map	CSD-1	
30.	The Applicant shall provide for proposed project roadways to intersect and adjoin existing and future roadways on adjacent properties.	Prior to approval of Final Map	Community Enhancement and Code Compliance	
31.	The Applicant shall provide a fire department turnaround in accordance with the Elk Grove CSD Fire Department Fire Prevention Standards for Fire Apparatus Access Roads for all dead end streets in excess of 150 feet.	Prior to approval of Final Map	Elk Grove Community Services District-Fire Department	
32.	The project area shall annex into a Mello-Roos Community Facilities District (CFD) to fund a portion of the additional costs for police service related to serving the new development. The application fee for the annexation is due prior to the Resolution of Intention to Annex the Property and Levy the Special Tax.	Prior to approval of Final Map	City of Elk Grove Finance Department	
33.	The project area shall annex into Street Maintenance Assessment District No. 1 to fund a portion of the additional costs for long-term roadway maintenance related to serving the new development. The application fee for the annexation is due prior to the Resolution of Intention to Levy Street Maintenance Assessments.	Prior to approval of Final Map	City of Elk Grove Finance Department	
34.	The Applicant shall form or annex the project site into a Mello-Roos CFD, assessment district, other financing district, or will provide some other funding mechanism, which is acceptable to the Finance Director of the City	Prior to approval of Final Map	City of Elk Grove Finance Department	

**Exhibit A - Conditions of Approval**

	to fund the project's fair share of landscape maintenance costs which may include, but not be limited to, roadway corridors, interchanges, medians, drainage corridors, trails, open space, and parks, and maintenance costs of other community facilities.			
35.	Applicant shall dedicate a 12.5-foot public utility easement for underground facilities and appurtenances adjacent to all public street rights of ways.	Prior to approval of Final Map	SMUD	
36.	Applicant shall enter into a Development Agreement with the City of Elk Grove to address all required public improvements, including right-of-way improvements and trail construction.	Prior to approval of Final Map	City of Elk Grove-Community Services	
37.	Provide drainage easements (prior to recordation of final map) and install facilities (prior to the issuance of building permits) pursuant to the City of Elk Grove Floodplain Management Ordinance, Sacramento County Water Agency Code, and City of Elk Grove Improvement Standards, including any fee required by the City of Elk Grove. The pertinent provisions of the above-reference codes, standards, fees, and ordinances shall be applicable at the time of site improvement plan approval.	Prior to recordation of Final Map and prior to the issuance of Building Permits	Public Works	

<b>Prior to approval of Improvement Plans</b>				
38.	The Applicant shall prepare and submit to the Planning Department an arborist report with a tree location map for all the existing trees (native and non-native trees) on the proposed subdivision site. The Planning Department will then determine which trees are to be saved and protected and which trees will be removed with or without mitigation.	Prior to approval of Improvement Plans	Development Services, Planning	
39.	The Applicant shall submit landscape plans which meet City's water conservation requirements and City Parks landscape standards for the Tegan Road median and Lots A, B, and C.	Prior to approval of Improvement Plans	Development Services, Planning	

40.	Perimeter fences along Tegan Road on lots 1, 25, 18, 19, 17, 26, 50, and 51 may not exceed 6' in height and must incorporate design elements to prevent the look of a continuous, plain linear wall. Such design elements include partial view fencing with wrought iron or a similar material, planting and maintaining of ivy or vines, varying materials, pop-outs or vegetation cut-outs, etc. Designs of the fences in these locations must be approved by the Planning Department prior approval of Improvement Plans.	Prior to approval of Improvement Plans	Development Services, Planning	
41.	Houses on lots 18, 19, 50, and 51 shall have direct access and have front yards facing Tegan Road. All other lots will have direct access to local roads only.	Prior to approval of Improvement Plans	Public Works	
42.	Applicant shall provide a 1-foot strip, in fee title, at the end of St. Edwards Way and A Way.	Prior to approval of Improvement Plans	Public Works	
43.	If the project is to be phased, Applicant shall submit a phasing plan for Public Works review and approval, prior to the 1 <sup>st</sup> improvement plan submittal.	Prior to approval of Improvement Plans	Public Works	
44.	The Applicant shall install striping for 2 travel lanes and parking on both sides on Tegan Road between Franklin Boulevard to Laguna Park Drive. The design around the tower will be reviewed at the improvement plan review. Each travel lane will have 16' of pavement. Both sides shall be designed and constructed by the Applicant.	Prior to approval of Improvement Plans	Public Works	
45.	Applicant shall prepare and submit a comprehensive drainage study that addresses handling all flows generated by the project including but not limited to defining the watershed boundary, defining the local controlling 100-year water level, method of flow conveyance with adequate supporting calculations, and detailed hydrologic and hydraulic analysis.	Prior to approval of Improvement Plans	Public Works	
46.	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	Prior to approval of Improvement Plans	Public Works	

	conveyance facilities, and the developer shall submit designs of the areas to these agencies for review and approval prior to approval of the Final Map.			
47.	The Applicant shall contribute \$12,000 of in-lieu fees towards the construction of off-site traffic calming plan as displayed in the Neighborhood Livability Program, Traffic Calming Plan. These fees will be collected after Council has approved the construction of Laguna Park / Vista / Spring neighborhood.	Prior to approval of Improvement Plans	Public Works	
48.	The Applicant shall dedicate a standard 12.5 foot Public Utility Easement for underground facilities and appurtenances adjacent to all public ways, private drives and/or Irrevocable Offer of Dedication.	Prior to approval of Improvement Plans	PG&E	
49.	Connection to the CSD-1 sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to sewer construction.	Prior to approval of Improvement Plans	CSD-1	
50.	Each lot and each building with a sewage source shall have a separate connection to the CSD-1 sewer system.	Prior to approval of Improvement Plans	CSD-1	
51.	The Applicant shall design and install a bike path crossing at the intersection with Tegan Road incorporating the island created by the electric tower into the crossing. At a minimum, 1) the road shall be narrowed to a 16' driving lane on the north side of the median island, 2) speed humps, dimples, or other traffic calming measures approved by Public Works shall be placed on the approach from the east and west, and 3) unique paving materials and/or colors shall be used in the crossing. All improvements shall be designed and installed to the satisfaction of Public Works.	Show on Improvement Plans. Installation required prior to issuance of 1 <sup>st</sup> Building Permit	Development Services- Planning and Public Works	

52.	The Applicant shall make full improvements to Tegan Road, including the installation of sidewalks, curbs, and striping, in front of 5401 Tegan Road (Parcel ID 119-0151-019). This project shall contribute 65% of the improvement's design and construction fee for this section.	Show on Improvement Plans. Installation required prior to issuance of 1 <sup>st</sup> Building Permit	Development Services- Planning and Public Works	
53.	The Applicant shall realign Hensley Way to ensure southbound traffic does not face directly into any existing living space windows of homes on the south side of Tegan Road.	Show on Improvement Plans. Installation required prior to issuance of 1 <sup>st</sup> Building Permit	Development Services- Planning and Public Works	
54.	The Applicant shall prepare a sewer study to the satisfaction of CSD-1. The study shall address all sanitary sewer issues related to the project and either demonstrate capacity in the existing system, or propose construction of the new facilities to mitigate the project's impact on the existing system.	Prior to approval of Improvement Plans or Final Map	CSD-1	
55.	The Applicant shall design parcel drainage that does not flow over the public sidewalk right-of-way and provide for a slip hazard or nuisance.	Prior to approval of Improvement Plans	Community Enhancement and Code Compliance	
56.	The Applicant shall provide provisions and/or commentary on how the dead-end roadways will be connected to future projects and existing properties for fire and emergency access.	Prior to approval of Improvement Plans	Elk Grove Community Services District-Fire Department	
57.	Water supply shall be provided by the Sacramento County Water Agency.	Prior to approval of Improvement Plans	Sacramento County Water-Zone 40	
58.	The Applicant shall provide separate public water service to each parcel and dedicate maintenance easements in all public and private streets over all water lines to the satisfaction of Sacramento County Water Agency prior to Final Map approval.	Prior to approval of Improvement Plans	Sacramento County Water-Zone 40	
59.	The Applicant shall destroy all abandoned wells on the proposed project site in accordance with the requirements of the Sacramento County Environmental Health Division. Clearly show all abandoned/destroyed wells on the improvement	Prior to approval of Improvement Plans	Sacramento County Water-Zone 40	

<p>plans for the project. Prior to abandoning any existing agricultural wells, applicant shall use water from agricultural wells for grading and construction.</p>			
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<p><b>Prior to approval of Grading Permit, Improvement Plans, Building Permits, and/or Final Maps</b></p>			
<p>60.</p>	<p>In order to mitigate for the loss of Swainson's hawk foraging habitat, the project applicant shall:</p> <ul style="list-style-type: none"> <li>• Preserve 1.0 acre of similar habitat for each acre lost. This land shall be protected through a fee title or conservation easement acceptable to the 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, OR</li> <li>• Submit payment of Swainson's hawk impact mitigation fee per acre of habitat impacted (payment shall be at a 1:1 ratio) to the City of Elk Grove in the amount set forth in Chapter 16.130 of the City of Elk Grove Code as such may be amended from time to time and to the extent that said chapter remains in effect. <b>(MM-2)</b></li> </ul>	<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>
<p>61.</p>	<p>Applicant shall comply with all NPDES Permit and City's Stormwater Ordinance requirement before, during, and after construction as required by the Permit and the Ordinance and in accordance with the latest version of the Guidance Manual of On-site Stormwater Quality Control Measure.</p>	<p>Prior to approval of Grading Permit and/or as deemed needed by Public Works</p>	<p>Public Works</p>
<p>62.</p>	<p>Amendments and and/or revisions of Federal Emergency Management Agency (FEMA) flood maps will be required for all development located in the federal or local flood zone. All amendments and/or revisions must be final and submitted to the City prior to the issuance of the first building permit. The elevation of all building pads must be certified by a registered Civil Engineer of licensed Land Surveyor and submitted to the City prior to the issuance of a building</p>	<p>Prior to the issuance of any Grading, Building, or other site improvement permits</p>	<p>Public Works</p>

	permit and the lowest finished floor elevation must be a minimum of 1 (one) foot above the 100-year frequency water level.			
63.	A Notice of Intent (NOI) to grade must be filed prior to construction to obtain coverage under the State's General Construction Activity Storm Water Permit.	Prior to issuance of Grading Permits	Public Works	
64.	Applicant shall prepare a Storm Water Pollution and Prevention Plan (SWPPP) to be administered 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. The SWPPP shall address spill prevention and include counter measure plan describing measures to ensure proper collection and disposal of all pollutants handled or produced on the site during construction, including sanitary wastes, cement, and petroleum products. These measures shall be consistent with the City's Improvement Standards and Land Grading and Erosion Control Ordinance and may include, but not be limited to (1) restricting grading to the dry season; (2) protecting all finished graded slopes from erosion using such techniques as erosion control matting and hydroseeding; (3) protection downstream storm drainage inlets from sedimentation; (4) use of silt fencing and hay bales to retain sediment on the project site; (5) use of temporary water conveyance and water diversion structures to eliminate runoff into any receiving water body; and (6) any other suitable measures. The SWPPP shall be submitted to the Central Valley Regional Water Quality Control Board and to the City for review. A copy of the SWPPP must be kept accessible on the project site at all times.	Prior to issuance of Grading Permits	Public Works	
65.	The Applicant shall development and implement a Tree Replacement Plan.	Prior to approval of Grading Permit, Building Permit, or Final Map	Development Services, Planning	



66.	The Applicant shall install bicycle trail, median curbs, and landscape the median on Tegan Road.	Prior to approval of Building Permit of Recordation of Final Map	Development Services, Planning	
67.	The Applicant shall locate, identify, and isolate any water wells and located and identify any septic systems that may be located on the parcel. All wells and septic tanks shall be properly destroyed.	Prior to approval of Building or Grading Permits	Community Enhancement and Code Compliance	
<b>Prior to issuance of Building Permit</b>				
68.	The Final Map shall be completed, approved and recorded prior to the 1 <sup>st</sup> building permit.	Prior to issuance of 1 <sup>st</sup> Building Permit	Public Works	
69.	Barricades shall be put up at both ends of St. Edwards Way.	Prior to issuance of 1 <sup>st</sup> Building Permit	Public Works	
70.	The Applicant shall construct a safe continuous all-weather sidewalk or pedestrian path from Franklin Boulevard to Laguna Park Drive within existing City of Elk Grove right-of-way on the north side of Tegan Road if there is no existing sidewalk and there is adequate right-of-way available. The existing sidewalk barrier at the east end of Tegan Road shall be removed. Permanent sidewalks shall be constructed in the right-of-way. for the portion of this project's frontage. The design of off-site improvements is subject to Public Works Department review and approval. For all off-site improvements (the two remaining undeveloped parcels on the north side of Tegan Road), this project shall contribute 65% of the path's design and construction fee.	Prior to issuance of 1 <sup>st</sup> Building Permit	Public Works	
71.	At all street intersections within one block of the proposed project, applicant shall install and/or replace street name signs in accordance with the City of Elk Grove Standard Details, as deemed necessary by the Public Works Department.	Prior to issuance of 1 <sup>st</sup> Building Permit	Public Works	
72.	All improvements shall be constructed in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Prior to issuance of 1 <sup>st</sup> Building Permit	Public Works	

73.	The Applicant shall pay Zone 40 development fees applicable at the building permit issuance in accordance with Sacramento County Water Agency Ordinance No. 18	Prior to issuance of Building Permits	Sacramento County Water-Zone 40	
74.	The Applicant 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 issuance of Building Permits	Sacramento County Water-Zone 40 and Planning/Landscape Architecture	
75.	The Applicant shall pay all applicable City of Elk Grove administered development impact fees.	Prior to issuance of Building Permits	City of Elk Grove Finance Department	
76.	Applicant shall install a 6 ft. high masonry wall, built to the specifications of the City of Elk Grove, where homes back up to the park and along the trail corridor in the PGE easement (Lots A, B, and C). The fence is on the Owner's property. Accordingly, general maintenance, repair or replacement of the fence is the responsibility of the Owner, not the City of Elk Grove. The City of Elk Grove will be responsible solely for graffiti removal on the exterior portion of the fence which faces the park. The EGCSO shall bear all expenses associated with the removal.	Prior to issuance of Building Permits	City of Elk Grove-Community Services	
77.	Developer shall construct and install a 25-ft. wide landscaped trail for recreational uses according to plans and specifications approved by the City of Elk Grove. This trail shall be constructed in the PG&E easement. The trail will run from the parksite on the north to the south side of Tegan Road.	Prior to issuance of Building Permits	City of Elk Grove-Community Services	
78.	Trail Corridor landscaping shall be installed. If weather prevents the installation at the time of the first building permit, up to 25% of the building permits may be issued at City staff discretion upon demonstration of a fully executed landscape contract for the work.	Prior to issuance of Building Permits	City of Elk Grove-Community Services	
79.	Signage and a trail crossing/crosswalk shall be constructed across Tegan Road, Chu Circle, and St. Edwards Way.	Prior to issuance of Building Permits	City of Elk Grove-Community Services	

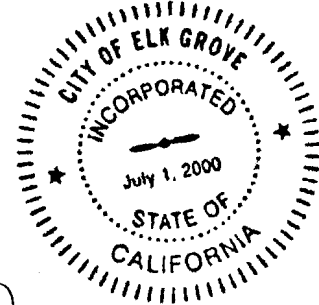
<b>Prior to Occupancy</b>				
80.	Applicant shall submit Flood Elevation Certification for each structure or appropriate documents as determined by Public Works.	Prior to occupancy	Public Works	
81.	Any improvements, public or private, damaged in construction shall be replaced in-kind or with new improvement.	Prior to occupancy	Public Works	
82.	Construction of CSD-1 sewer infrastructure will be required in order to obtain sewer service.	Prior to Occupancy	CSD-1	
83.	The Applicant shall apply graffiti resistant paint or clear coating on roadway barriers for streets that dead-end onto adjoining parcels.	Prior to Occupancy	Community Enhancement and Code Compliance	
84.	Applicant shall provide the City of Elk Grove 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 Occupancy	City of Elk Grove-Community Services	

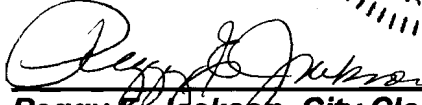
**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2006-20**

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

***I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on January 25, 2006 by the following vote:***

**AYES 5 :    COUNCILMEMBERS:    Scherman, Soares, Cooper, Leary, Briggs**  
**NOES :     COUNCILMEMBERS:    None**  
**ABSTAIN :  COUNCILMEMBERS:   None**  
**ABSENT:    COUNCILMEMBERS:   None**



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