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GOVERNMENT CODE SECTION 6103

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WHEN RECORDED RETURN TO:**

City of Elk Grove
Office of the City Clerk
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Elk Grove, CA 95758

Sacramento County Recording
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RESOLUTION NO. 2001-77

STATE OF CALIFORNIA)
)
COUNTY OF SACRAMENTO)

I, PEGGY JACKSON, City Clerk of the City of Elk Grove, County of Sacramento, State of California, certify that the attached Resolution No. 2001-77 dated September 19, 2001 is a full, true and correct copy of the whole and said original record.

Witness my hand and official seal this 2nd day of January, 2008.



PEGGY JACKSON, CITY CLERK and
Clerk of the Council of the
City of Elk Grove



RESOLUTION NO. 2001-77

**A RESOLUTION
OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING A TENTATIVE SUBDIVISION MAP #EG-00-103 TO ALLOW
THE ELK GROVE MEADOWS (22.1 +/- ACRE) PROJECT,
A BOUNDARY LINE ADJUSTMENT, AND AN
ABANDONMENT OF RIGHT-OF-WAY
IN THE EAST FRANKLIN SPECIFIC PLAN AREA
ELK GROVE MEADOWS EG-00-103**

WHEREAS, Elk Grove Investors LLC, represented by Edward R. Gillum and Donn Reiners (hereinafter referred to as Applicants) filed an application with the City of Elk Grove (hereinafter referred to as City) for a Rezone from AG-80 to RD-7; a Tentative Subdivision Map for 141 single-family residential lots, 2 landscape corridor lots on Lot 2, and one remainder lot on Lot 1 (Assessor's Parcel Numbers 132-0030-038 and 132-0030-046); a Boundary Line Adjustment to reconfigure the boundaries of Lots 1 and 2 to make them consistent with the Specific Plan and the General Plan; and an abandonment of right-of-way; and

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

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

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

WHEREAS, the Planning Commission considered the Applicant's request at a public hearing on August 9, 2001 and recommended City Council approval of the project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ELK GROVE HEREBY RESOLVES AS FOLLOWS:

1. Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the Elk Grove Meadows project and direct staff to file a Notice of Determination.
2. Approve the Elk Grove Meadows Tentative Subdivision Map, Boundary Line Adjustment, and Abandonment of Right-of-Way for 141 single-family residential lots, 2 landscape corridor lots on Lot 2, as well as one remainder lot on Lot 1, based on the following findings and the attached conditions of approval (Exhibit A).

CEQA

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

Evidence: The proposed project is a component of a Specific Plan where environmental issues were analyzed within a program level Environmental Impact Report. An Initial Environmental Study was also prepared specifically for the proposed project and mitigation measure have been developed that will reduce potential environmental impacts to less than significant levels. On the basis of the Mitigated Negative Declaration, comments received, and the whole record, there is no substantial evidence that the project will have a significant adverse impact on the environment.

Tentative Subdivision Map

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

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

- a. The proposed map is consistent with the the East Franklin Specific Plan.
- b. The design of the improvements of the proposed subdivision is consistent with the existing East Franklin Specific Plan.
- c. The site is physically suitable and consistent with the type of single family residential development approved in the East Franklin Specific Plan.

- d. The site is appropriate for the Plan specified density of development and the applicant's proposed amendments to residential densities as presented in the staff report.
- e. The Mitigated Negative Declaration prepared for the Elk Grove Meadows Project determined that potential environmental impacts from the design of the subdivision or the proposed improvements will be mitigated to less than significant levels with implementation of the proposed Mitigation Measures and Conditions of Approval.
- f. The Mitigated Negative Declaration prepared for the Elk Grove Meadows project determined that potential serious health problems were not identified for the project or will be mitigated to less than significant levels with implementation of the proposed Mitigation Measures and Conditions of Approval.
- g. No conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision, have been identified.

Boundary Line Adjustment and Abandonment of Right-of-Way

- 3. Finding: Approval of the lot line adjustment will not result in any changes in land use density.

Evidence: The subject site is in an approved and recorded subdivision and one lot line is being adjusted to establish consistency with the adopted Specific Plan and General Plan.

- 4. Finding: Such property line adjustment does not result in a violation of any City Ordinance.

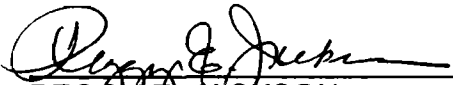
Evidence: The adjusted lots will remain code compliant after the adjustments.

PASSED AND ADOPTED by the City Council of the City of Elk Grove on the 19th day of September, 2001.

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


MICHAEL P. LEARY, MAYOR of the
CITY OF ELK GROVE

ATTEST:


PEGGY E. JACKSON,
CITY CLERK

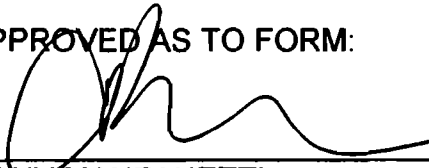
APPROVED AS TO FORM:

TONY MANZANETTI,
CITY ATTORNEY

Exhibit A: Conditions of Approval / Mitigation Monitoring and Reporting Program¹

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
1.	The development approved by this action is for a Rezone, a Tentative Subdivision Map, a Boundary Line Adjustment, and an Abandonment of Right-of-Way for 141 single-family residential lots and other parcels as described in the Planning Commission report and associated Exhibits and Attachments dated August 9, 2001.	On-Going	Planning Department	
2.	This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.	On-Going	Planning Department	
3.	The Tentative Subdivision Map approval is valid for three years from the date of City Council approval, unless an extension of time is subsequently approved.	Three years, commencing with the date of City Council approval.	Planning Department	
4.	The applicant shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.	On-Going	Planning Department	
5.	Comply with, record, and pay fees for the Mitigation Monitoring and Reporting Program (MMRP) associated with Elk Grove Meadows (22.1 +/- acres). Until the MMRP has been recorded and the estimated MMRP fee of \$4,500 has been paid, no final subdivision map for the subject property shall be approved and no grading, building, sewer connection, water connection, or occupancy permit from the City or County will be approved.	Prior to Issuance of Grading Permit	Planning Department	

Exhibit A: Conditions of Approval / Mitigation Monitoring and Reporting Program

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
6.	The project shall comply with the City's Land Grading and Erosion Control Ordinance. (Department of Water Resources)	Prior to Issuance of Grading Permit	DWR	
7.	<p>In order to control fugitive dust emission during the construction phase of any development within the Specific Plan area, the following measures shall be implemented:</p> <ul style="list-style-type: none"> a. Water exposed surfaces, graded areas, storage piles, and haul roads at least twice daily. b. Minimize the amount of disturbed area, the amount of material actively worked, and the amount of material stockpiled. c. Limit onsite construction vehicle speeds to 15 mph. d. Sweep or wash paved streets adjacent to project construction sites at least once a day to remove accumulated dust. e. Maintain at least two feet of freeboard when transporting soil or other material by truck. (EFSP MM AQ-1) 	Prior to Issuance of Grading Permit	SMAQMD and LDSIR	
8.	<p>Construction contracts for the project shall include the following measures to be monitored by the City and SMAQMD:</p> <p>Category 1: Reducing NOx emissions from off-road diesel powered equipment.</p> <p>The prime contractor shall provide a plan for approval by the Elk Grove Planning Department and SMAQMD demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, and operated by either the prime contractor or any</p>	Prior to Issuance of Grading Permit	SMAQMD and Planning Department	

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Exhibit A: Conditions of Approval / Mitigation Monitoring and Reporting Program

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>subcontractor, will achieve a fleet-averaged 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average; and</p> <p>The prime contractor shall submit to the Elk Grove Planning Department and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during the construction project. The inventory shall include the horsepower rating, engine production year, and hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs.</p> <p>The use of "Lubrizol" as a fuel for diesel-powered equipment is also recommended. This alternative fuel operates in an diesel engine. Use of this fuel in a diesel engine will reduce Nox emissions by 14% and PM₁₀ emissions by 63%.</p> <p align="center">and:</p> <p>Category 2: Controlling visible emissions from off-road diesel powered equipment.</p> <p>The prime contractor shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity shall be repaired immediately, and the Elk Grove Planning Department and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual</p>			

00149

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted to the Elk Grove Planning Department and SMAQMD throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supercede other SMAQMD or state rules or regulations.</p> <p>AQ-2 shall be limited in application to include only on-road and off-road mobile construction equipment employed in the construction or development of those infrastructure improvements identified in the East Franklin Financing Plan, including but not limited to roads, standard utilities (natural gas, water, electricity, etc.), drainage improvements, sewer system or related components, schools, fire stations, and parks. This requirement shall not be stayed, regardless of year, unless otherwise made legally moot by the passage of superseding local, state, or federal air quality laws, rules, or regulations, and shall apply to all developers or contractors operating on-road or off-road construction equipment for the life of the (East Franklin Specific Plan Area) project(s).</p> <p>Additionally, construction-related emissions shall be reduced by application of AQ-2 intract subdivision improvements or shall be offset through the application of a twenty-five dollar assessment attached to each residence constructed in the East Franklin Specific Plan Area, due and payable by the developer upon issuance</p>			

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Exhibit A: Conditions of Approval / Mitigation Monitoring and Reporting Program

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>of building permit by the governing authority for the life of the (East Franklin Specific Plan Area) project(s). This \$25 amount per residence is a one time fee to be paid by the developer(s) of residential and commercial structures within the East Franklin Specific Plan Area which shall be used to subsequently assist the Sacramento Metropolitan Air Quality Management District in the acquisition of qualifying low-emission heavy duty vehicles designed to operate regularly in the East Franklin area to the extent possible, and otherwise within the Sacramento air basin. Funds resulting from this mitigation shall be placed by the developer(s) into an escrow account until such time as they are directed by the Sacramento Metropolitan Air Quality Management District to be transferred to the appropriate institution for use. These funds will likely assist the Elk Grove School District in the purchase of low-emission school buses, or assist in the purchase of low-emission refuse vehicles serving the East Franklin area. Similarly, projects for funding may be identified by the developer, the City, or the Sacramento Metropolitan Air Quality Management District, but shall only be chosen to receive East Franklin air quality mitigation fees by the Sacramento Metropolitan Air Quality Management District Air Pollution Control Officer.</p>			
<p>9. Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Planning Department shall be immediately notified. At that time, the Planning Department will coordinate any necessary investigation of the find with</p>	<p>Prior to Issuance of Grading Permit</p>	<p>Planning Department</p>	

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Exhibit A: Conditions of Approval / Mitigation Monitoring and Reporting Program

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. 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. (EFSP MM CR-4)</p>			
<p>10. The project developer shall obtain all necessary U.S. Army Corps of Engineers permits pursuant to Section 404 of the Clean Water Act, and all necessary California Endangered Species Act permits and Streambed Alteration Agreements from the California Department of Fish and Game pursuant to the Fish and Game Code. (EFSP MM BR-2)</p>	<p>Prior to Issuance of Grading Permit</p>	<p>Planning Department</p>	

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Exhibit A: Conditions of Approval / Mitigation Monitoring and Reporting Program

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>11. Prior to issuance of grading permits, or as specified in adopted Swainson's Hawk mitigation policies or programs in effect at the time of request, the project developer shall mitigate for potential impacts to Swainson's Hawk habitat according to any one of the following measures:</p> <ul style="list-style-type: none"> a. For projects within a one-mile radius of an active nest site, the project proponent should preserve 1.0 acre of similar habitat for each acre lost (22.1 acres). This land should be protected through a fee title or conservation easement acceptable to the California Department of Fish and Game (CDFG); OR b. Prepare and implement a Swainson's hawk mitigation plan to the satisfaction of the California Department of Fish and Game that includes the preservation of Swainson's hawk foraging habitat; OR c. Submit payment of a Swainson's hawk impact mitigation fee per acre impacted to the Department of Planning and Community Development in the amount as set forth in Chapter 16.130 of the Sacramento County (Elk Grove) Code as such may be amended from time to time and to the extent that said Chapter remains in effect; OR d. Should the City of Elk Grove adopt a Swainson's hawk mitigation policy or program (which may include a mitigation fee payable prior to the issuance of building permits) prior to implementation of one of the measure above, the project proponent may be subject to that program instead. (MM BR-1 of the Mitigated Negative Declaration) 	<p>Prior to Issuance of Grading Permit</p>	<p>Planning Department</p>	

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Exhibit A: Conditions of Approval / Mitigation Monitoring and Reporting Program

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
12. No earlier than 45 days and no later than 20 days prior to the commencement of any construction that would occur during the nesting/breeding season (February 1 through September 1), a field survey shall be conducted by a qualified biologist to determine if active nests of Swainson's hawk occur on the site. These surveys shall include all areas in or within 250 feet of the construction zone. If such surveys detect the hawk, the CDFG may impose restrictions on proximate development during the nesting season to ensure that take does not occur.	Prior to Issuance of Grading Permit	Planning Department	

00154

Exhibit A: Conditions of Approval / Mitigation Monitoring and Reporting Program

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>13. Prior to the beginning of construction activities (grading, demolition, or habitat disturbance), the project developer shall mitigate for potential impacts to habitat for <i>Raptors, Burrowing Owls, and Tricolored Blackbirds</i> according to the following measure:</p> <ul style="list-style-type: none"> a. If construction activities are expected to occur during the nesting season (February-August), a pre-construction raptor survey (including burrowing owls) shall be conducted within 30-days of the onset of construction to determine the activity status of any nests found on the project site. In the event that nesting raptors are found, a 250' no-construction zone shall be established around the nest until the young have fledged. b. If construction activities commence during the non-breeding season (September-January), a survey is not required and no further studies are necessary. c. Prior to demolition of structures or the commencement of construction activities or disturbance of blackberry thickets, a survey should be conducted by a qualified biologist to determine whether or not raptors or tricolored blackbirds are utilizing the site. If present, abide by the biologist's recommended measures to reduce or negate adverse impacts to these species. d. Applicant shall preserve on-site nesting and upland foraging habitat where feasible, and purchase nesting and upland foraging habitat at off-site preserve sites. (MM BR-3 of the Mitigated Negative Declaration) 	<p>Prior to Issuance of Grading Permit</p>	<p>Planning Department</p>	

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Exhibit A: Conditions of Approval / Mitigation Monitoring and Reporting Program

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>14. Prior to approval of Improvement Plans, the project must demonstrate the following items to the satisfaction of the Department of Water Resources:</p> <ul style="list-style-type: none"> a. Provide non-potable water for use during grading and construction, which could be an agricultural well; b. Destroy all abandoned wells on the project site in accordance with the requirements of the Sacramento County Environmental Health Division. Clearly show all abandoned wells on the improvement plans for the project; c. Provide a non-potable water distribution system to the satisfaction of the Sacramento County Water Agency. (Department of Water Resources) 	<p>Prior to Issuance of Grading Permit</p>	<p>DWR</p>	
<p>15. Prior to recordation of the final map, the Laguna South Public Facilities Fee Program (LSPFFP) shall be implemented and the Elk Grove Meadows development shall be subject to the payment of fees identified within the LSPFFP. Public facilities identified within this plan will include roadways, parks, libraries, fire facilities, landscape corridors, reclaimed water and supplemental drainage facilities. (Infrastructure Finance)</p>	<p>Prior to Recordation of the Subdivision Map</p>	<p>Infrastructure Finance</p>	
<p>16. Prior to recordation of the final map, the Elk Grove Meadows development shall pay future City of Elk Grove Fees (adopted prior to the recordation of the final map) for grade separation, City Hall, City facilities, police equipment and facilities, and similar public</p>	<p>Prior to Recordation of the Subdivision Map</p>	<p>Infrastructure Finance</p>	

00156

Exhibit A: Conditions of Approval / Mitigation Monitoring and Reporting Program

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
	infrastructure.			
17.	Prior to the recordation of any final subdivision map, the applicant shall be required to pay an East Franklin Specific Plan Preparation Reimbursement Fee, as adopted by the City of Elk Grove, for the purpose of reimbursing property owners within the specific plan through the East Franklin Property Owners Association for the costs the property owners in the specific plan incurred to prepare the Specific Plan.	Prior to Recordation of the Subdivision Map	Infrastructure Finance	
18.	Separate water service shall be provided to each parcel and water easements shall be dedicated to the satisfaction of the Sacramento County Water Agency. (Department of Water Resources)	Prior to Recordation of the Subdivision Map	DWR	
19.	Dedicate on the Final Map a 12.5- foot public utility easement for underground facilities and appurtenances adjacent to all public ways. (SMUD)	Prior to Recordation of the Subdivision Map	LDSIR	
20.	Dedicate on the Final Map any "Landscape Lot" adjacent to all public roads as a public utility easement for underground facilities and appurtenances. (SMUD)	Prior to Recordation of the Subdivision Map	LDSIR	
21.	Provide drainage easements and install facilities pursuant to the Sacramento County Floodplain Management Ordinance, Sacramento County Water Agency Code, and Sacramento County Improvement Standards, including any fee required by the Sacramento County Water Agency Code. (Department of Water Resources)	Prior to Recordation of the Subdivision Map	DWR and LDSIR	

00157

Exhibit A: Conditions of Approval / Mitigation Monitoring and Reporting Program

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
22.	Offsite drainage improvements and easements shall be provided pursuant to the Sacramento County Floodplain Management Ordinance, and the Sacramento County Improvement Standards. (Department of Water Resources)	Prior to Recordation of the Subdivision Map	DWR and LDSIR	
23.	A full length, full width and full depth drainage channel, complete with all required landscaping, must be constructed pursuant to the approved drainage master plan and environmental impact report. Any proposed phasing of the ultimate drainage facilities shall be subject to receipt, review and approval, by Water Resources and the City of Elk Grove, of an overall phased drainage plan for the East Franklin Specific Plan. (Department of Water Resources)	Prior to Recordation of the Subdivision Map	DWR	
24.	With recordation of the subdivision map, grant the City of Elk Grove right-of-way on Poppy Ridge Road based on a 72-foot modified street section per the East Franklin Specific Plan and to the satisfaction of the Department of Transportation of the Public Works Agency. (Public Works Department of Transportation)	Prior to Recordation of the Subdivision Map	DOT and LDSIR	
25.	Reserve a minimum 50-foot by 100-foot water well site (Lot #75) to the satisfaction of the Sacramento County Water Agency (SCWA). Acceptance and approval of the site shall be subject to meeting Department of Health Services (DHS) setback requirements and obtaining acceptable results from hydrogeologic evaluations (exploratory drilling). If these conditions cannot be satisfied, then an alternate site on the Elk Grove Meadows Subdivision shall be selected and	Prior to Recordation of the Subdivision Map	SCWA	

00158

Exhibit A: Conditions of Approval / Mitigation Monitoring and Reporting Program

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>similarly evaluated. Prior to final map approval the project proponent shall grant right-of-entry to SCWA to conduct hydrogeologic evaluations. In addition, prior to final map recordation, the property owner shall enter into an agreement with SCWA consistent with Chapter 22.50 of the City of Elk Grove Code and Government Code Title 7, Division 2, Article 4. (Public Works Water Agency)</p>			
<p>26. The Sacramento County Water Agency (SCWA) will not issue water connection permits or sign improvement plans until adequate water supplies have been identified and secured to the satisfaction of the SCWA. (Public Works Water Agency)</p>	<p>Prior to Recordation of the Subdivision Map</p>	<p>SCWA</p>	
<p>27. Prior to recordation of the final subdivision map, locate a bus shelter easement within the Public Utility Easement (PUE) that is adjacent to the Poppy Ridge Road right-of-way. If a bus shelter cannot be accommodated within the PUE, then a bus shelter easement (approximately 10-feet wide by 20-feet long) shall be provided to Regional Transit at such time in the future when bus service may commence. (Regional Transit)</p>	<p>Prior to Recordation of the Subdivision Map</p>	<p>LDSIR and Regional Transit</p>	
<p>28. Stop signs should be included where needed to the satisfaction of the Department of Transportation of the Public Works Agency. Stop signs will be required at the following locations: on 'F' Street at the intersection with '2' Street; and on 'B' Street at the intersection with Poppy Ridge Road. (Public Works Department of Transportation)</p>	<p>Prior to Recordation of the Subdivision Map</p>	<p>DOT</p>	

Exhibit A: Conditions of Approval / Mitigation Monitoring and Reporting Program

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
29.	Install public street improvements on Poppy Ridge Road pursuant to the East Franklin Specific Plan, the City of Elk Grove Improvement Standards and to the satisfaction of the Department of Transportation of the Public Works Agency. (Public Works Department of Transportation)	Prior to Recordation of the Subdivision Map	DOT	
30.	In order to obtain sewer service, construction of public trunk and collector sewer will be required to the satisfaction of CSD-1. An Interim sewer pump station and force main will also be necessary to provide sewer service prior to the construction of the South Interceptor. Design of the public trunk sewer, interim lift station, and force main shall be coordinated with and approved by CSD-1. Sacramento County Improvement Standards apply to on-site sewer construction. (CSD-1)	Prior to Recordation of the Subdivision Map	CSD-1	
31.	Provisions for public sewer easements may be required. If required, the sewer easement shall be dedicated to CSD-1, be a minimum of 20 feet in width and ensure continuous access for maintenance. (CSD-1)	Prior to Recordation of the Subdivision Map	CSD-1	
32.	Dedicate parkland and/or pay fees as required by the Ordinances of the City of Elk Grove Code. (EGCSD)	Prior to Recordation of the Subdivision Map	EGCSD	
33.	The water supply master plan for the EFSP shall contain provisions for securing and delivering adequate fire flows to the satisfaction of the Elk Grove Community Services District Fire Department. (EFSP MM PS-1)	Prior to Recordation of the Subdivision Map	EGCSDFD	

09100

Exhibit A: Conditions of Approval / Mitigation Monitoring and Reporting Program

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>34. Prior to the approval of improvement plans or recordation of a final subdivision map, whichever occurs first, the project developer shall implement one of the following options to the satisfaction of the Planning Director to mitigate for the loss of agriculture land:</p> <ul style="list-style-type: none"> a) Preserve 14.5 acres of agricultural land within specified boundaries, or b) Contribute \$950.00 per acre into a fund to be used to purchase conservation easements (22.1 acres X \$950.0 = \$20,995), or c) Comply with a program implemented by the City of Elk Grove to address such mitigation for loss of Agricultural Resources. 	Prior to Recordation of the Subdivision Map	Planning Department	
<p>35. Disclose to all prospective buyers of property within 500 feet of any active farming/dairy operation through notification in the title report, that they could experience inconvenience or discomfort resulting from accepted farming activities pursuant to the provisions of the County Right-to-Farm Ordinance. (EFSP MM SG-2)</p>	Prior to Recordation of the Subdivision Map	Planning Department	
<p>36. Prior to recordation of the subdivision map, improve and dedicate a 25 foot Landscape Corridor adjacent to the right-of-way for Poppy Ridge Road, and dedicate the improved property to the Elk Grove Community Services District.</p>	Prior to Recordation of the Subdivision Map	EGCSD	
<p>37. All real property within the boundaries of the proposed project is within a benefit zone of the District Wide Landscape & Lighting Assessment District. Prior to recording any final map, the owners of all real property within the boundaries of the project shall execute and</p>	Prior to Recordation of the Subdivision Map	EGCSD	

00161

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>deliver to the Elk Grove Community Services District a written petition in an acceptable form approved by the District consenting to: (i) the formation of the existing District Wide Assessment District and the methodology adopted to allocate the cost to the various land uses; (ii) when necessary the annexation to the appropriate zone of benefit created to fund urban services, (iii) the budget, formulas and cost of living indexes used to establish the amount of the annual assessments; and (iv) the levying of the annual assessment to fund the maintenance, operation and in some instances the existing capital costs of parks, parkways, corridors, medians, open space, trail systems, lakes, creeks, and other recreational and aesthetic amenities.</p>			
<p>38. Prior to issuance of building permits, the project proponent shall provide evidence that the fire flow from the public water system is capable of delivering a minimum 1,000 gpm at 20 psi. Hydrants shall be spaced a maximum of 500 feet apart. Buildings of certain types of construction, size and use may need additional fire flow or the application of mitigating efforts to meet fire flows above this minimum. One fire hydrant shall be installed at each of the following locations: Corner of D Street and Poppy Ridge Road; Corner of 2 Street and Poppy Ridge Road; and Corner of 2 Street and F Street. (EGCSD – Fire Department)</p>	<p>Prior to Issuance of Building Permits</p>	<p>EGCSDFD</p>	
<p>39. Prior to the issuance of any building permits for the project, the project proponent shall pay Zone 40 development fees applicable at the time of building permit issuance in accordance with Sacramento County Water Agency Ordinance No. 18. (Department</p>	<p>Prior to Issuance of Building Permits</p>	<p>DWR</p>	

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Exhibit A: Conditions of Approval / Mitigation Monitoring and Reporting Program

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
40.	<p>of Water Resources)</p> <p>Prior to the issuance of any building permits for the project, the project shall conform to the specific provisions of the Elk Grove Landscape Water Conservation Ordinance (Chapter 14.1 of the Elk Grove Code) to the satisfaction of the City Landscape/Oak Tree Coordinator. (Department of Water Resources)</p>	Prior to Issuance of Building Permits	City Landscape / Oak Tree Coordinator	
41.	<p>The Elk Grove Unified School District has funded and built, and is in the process of funding and building certain oversized infrastructure that will be of direct benefit to the Developer's Project. Prior to the issuance of the first building permit for residential construction or any building permit for commercial construction within the boundaries of the Developer's Project, Developer shall provide written correspondence from the School District's Assistant Superintendent of Facilities establishing that Developer has adequately provided for the reimbursement of infrastructure costs incurred by the School District on behalf of Developer's Project. (EGUSD)</p>	Prior to Issuance of Building Permits	EGUSD	

Exhibit A: Conditions of Approval / Mitigation Monitoring and Reporting Program

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
42.	<p>The project developer / applicant shall implement the following measures as applicable.</p> <ul style="list-style-type: none"> a) Install EPA Phase II certified wood-burning devices in residential units in place of standard wood-burning devices. b) Install natural gas fireplaces in residential units in place of standard fireplaces. c) Install electrical outlets in front and backyards of homes for use with electric powered yard equipment. d) Install natural gas burning barbecues in residences. e) Install energy efficient heating and appliances. f) Construct homes and other buildings with additional insulation factors to reduce energy use. (EFSP MM AQ-6) 	Prior to Issuance of Building Permits	Planning Department	
43.	Prior to the final inspection, air conditioning shall be included for all residences in this development to allow the occupants to close doors and windows as desired to achieve additional acoustical isolation. (MM NO-1 of the Mitigated Negative Declaration)	Prior to Final Inspection	Planning Department	
44.	Prior to the final inspection, sound walls shall be constructed along the northern property line to reduce future Poppy Ridge Road traffic noise levels in the back yards located adjacent to that roadway. Barrier heights of 6 and 8-feet tall are projected to reduce future traffic noise levels to S62 and 60 dB Ldn, respectively. (MM NO-2 of the Mitigated Negative Declaration)	Prior to Final Inspection	Planning Department	
45.	Prior to the final inspection, traffic pre-emption devices, approved by the Elk Grove Community Service District	Prior to Final Inspection	EGCSDFD	

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Exhibit A: Conditions of Approval / Mitigation Monitoring and Reporting Program

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
	Fire Department, shall be installed on all signal devices erected or modified by this development. These devices shall be installed and functioning prior to any occupancy and at no cost to the Elk Grove Community Service District Fire Department.			
46.	The installation of on-site or off-site fire protection equipment, including fire hydrants and water mains, shall meet the standards of the EGCSDFD and the water purveyor having jurisdiction. (EGCSD – Fire Department)	Prior to Final Inspection	EGCSDFD	
47.	Landscape Corridors and parkways shall be constructed and installed in accordance with the East Franklin Specific Plan and specifications approved by the Elk Grove Community Services District and shall be consistent with the EGCSD's "General Guidelines for Landscape Corridor Design." The corridor improvements will include, among other things, graffiti resistant, masonry walls, meandering or bifurcated sidewalks, and radio controlled irrigation systems. District employees must inspect all construction work as it is being performed. (EGCSD)	Prior to Final Inspection	EGCSD	
48.	When improvements to the corridors and parkways have been completed in accordance with plans, specifications and the inspection procedures approved by the Elk Grove Community Services District; the improved properties shall be conveyed to the EGCSD for ongoing maintenance, operation, repair and replacement. Developer shall be responsible to pay the direct cost associated with the performance of this work until such time as the District incorporates the cost of	Prior to Final Inspection	EGCSD	

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Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>doing this work into the assessment district budget and the resulting assessments are confirmed by compliance with the balloting procedures dedicated by Proposition 218. The obligation of the applicant may be met by entering into a subsidy agreement with the District. (EGCSD)</p>			
<p>49. Prior to the Elk Grove Community Services District assuming any responsibility for the maintenance, repair, replacement or operation of any parks, landscaped corridors or medians, recreational trail systems, project entrances or open spaces identified within the project, developer/owner shall approve in accordance with the balloting procedures set forth in Proposition 218 a formula and maximum annual assessment required at full build-out, adjusted for inflation, and assessed annually in accordance with said formula in an amount which is estimated to fund all of the District's costs incurred in performing the above referenced obligations as well as the project's fair share of the costs associated with improvements and facilities located elsewhere in the District which have been determined to be of a District wide benefit. (EGCSD)</p>	<p>Prior to Final Inspection</p>	<p>EGCSD</p>	
<p>50. If, after three (3) years of the issuance of the first certificate of occupancy for lots 54, 55, 56, 57, or 58 (as shown by Figure 6 of the project's Initial Study), either the remainder parcel (as shown by Figure 6) is not developed or the relocation of Franklin Boulevard is not completed, a sound wall (pursuant to the East Franklin Specific Plan guidelines) shall be constructed along the western property line of lots 54 through 58 to reduce future railroad noise levels. (MM NO-3 of the Mitigated Negative Declaration)</p>	<p>On-Going</p>	<p>Planning Department</p>	

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.

- a. Compliance with all adopted City of Elk Grove codes and regulations, including but not limited to the Elk Grove Municipal Code & Zoning Ordinance, Uniform Building Code and Uniform Fire Code and Sacramento County Environmental Health Department Standards.
- b. Unless otherwise noted, all improvements and fees shall be at the expense of the developer, including any fee required by Ordinance No. 1 of the Sacramento County Water Agency Code.
- c. The Sheriff's Department highly recommends that homes be designed with the front of the garage aligned with or setback from the front of the house. This will improve visibility from inside the home of the entire block. Homes with covered front porches promote resident involvement with neighbors which in turn helps reduce crime. (Sheriff's Department)
- d. Homes that have attached garages with side or rear doors will have solid core or metal covered doors with dead bolt locks. (Sheriff's Department)
- e. Skylight side panels that are placed next to entrance doors should not be on the same side as the lock mechanism of the door. Only one panel may be installed per door, adjacent to the hinges. (Sheriff's Department)
- f. All external door frames, including the side garage, will have screws that are a minimum of three inches long in the strike plate. Strike plates should be anchored with a minimum of four screws. (Sheriff's Department)
- g. No more than 39 building permits shall be issued when single point access is provided. 40 or more lots require a second access point (per EGCC Title 22). (Public Works)
- h. Developing this property may require the payment of additional sewer impact fees.
- i. Though not required, it is recommended that all single family dwellings be equipped with an automatic fire sprinkler system.
- j. Permits and/or fees are required for the following reviews: civil plans, architectural plans, fire sprinkler plans and fire alarm plans. Additional permits and fees may apply depending upon the scope of the project.
- k. All required roadways, water mains, fire hydrants and fire flow shall be provided prior to the existence of any combustible construction or storage in this development. The roadways shall be constructed to a 20-foot minimum width with a minimum of 3 inches of AC over 6 inches of AB and shall have good drainage.
- l. The installation of addresses, landscaping, and masonry sound walls are subject to standards outlined by the Elk Grove Community Service District.

- m. The subject project is included in the East Franklin South Sewer Study performed by Rose's Engineering. This study was approved by CSD-1 on April 12, 2001. However, any significant changes to the land use densities within the study area may require a revision to the document prior to improvement plan submittal.
- n. Please note that the available capacity in the Elk Grove Trunk system (the interim system initial discharge point) is based on current conditions subject to change as properties within the shed area develop. CSD-1 and Sacramento Regional County Sanitation District (SRCSD) shall issue a sewer permit to connect to the system when it determines that capacity remains available and the property has met all other requirements for service. This process is "first come, first served". Once connected, the property has the entitlement to use the system. However, its entitlement is limited to the capacity accounted for by the payment of the appropriate fees.

- 1 Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the City of Elk Grove Code, a Mitigation Monitoring and Reporting Program, City Control Number EG-00-103, has been established for the project entitled **"ELK GROVE MEADOWS REZONE, TENTATIVE SUBDIVISION MAP, BOUNDARY LINE ADJUSTMENT, AND ABANDONMENT OF RIGHT-OF-WAY"**.

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

It shall be the responsibility of the project applicant to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the following pages. The City of Elk Grove Planning Department will verify, within ten (10) business days of notification, that the project is in compliance. Any non-compliance will be reported to the project applicant, and it shall be the project applicant's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator. Any indication that the project is proceeding without good-faith compliance could result in the imposition of administrative, civil and/or criminal penalties upon the project applicant in accordance with Chapter 20.02 of the City of Elk Grove Code.

It shall be the responsibility of the project applicant to reimburse the City for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program, including any necessary enforcement actions. The initial estimate of City monitoring costs for this project is **\$ 4,500**, which must be paid to the City of Elk Grove Planning Department. If actual City monitoring costs are less than the initial estimate, the difference will be refunded to the applicant; and if the actual City monitoring costs exceed the initial estimate, a revised estimate and/or supplemental bill(s) will be submitted to the applicant.

Pursuant to Section 20.02.060 of the City of Elk Grove Code, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of all fees for the project, the Environmental Coordinator shall issue and the City Clerk shall record a Program Completion Certificate for the project.

In order to record the adopted Mitigation Monitoring and Reporting Program with the County Recorder as required by Section 20.02.050(b)(2) of the City of Elk Grove Code, the project applicant shall provide to the City of Elk Grove Planning Department a Legal Description for the real property that is the subject of the project.

The requirements of this adopted Program run with the real property that is the subject of the project, as described in **Exhibit A**. Successive owners, heirs and assigns of this real property are bound to comply with all of the requirements of the adopted Program.

Prior to any lease, sale, transfer or conveyance of any portion of the real property that is the subject of the project, the record owner(s) at the time of the application for the project, or his or her successor's in interest, shall provide a copy of the adopted Program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

Chapter 20.02 of the City of Elk Grove Code permits civil remedies and criminal penalties to be imposed in the event of non-compliance with an adopted Mitigation Monitoring and Reporting Program. The civil remedies, which are found in Section 20.02.090 of the City of Elk Grove Code, include injunctive relief, stop work orders, revocation of any special permit granted concurrently with the approval of a Program, and the abatement of any resulting nuisance. The criminal penalties, which are found in Section 20.02.080 of the City of Elk Grove Code, include a fine not to exceed five hundred dollars or imprisonment in the County jail not to exceed six months, or both.