

RESOLUTION NO. 2002-222

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING A LARGE LOT TENTATIVE MAP AND A TENTATIVE SUBDIVISION
MAP FOR ASSESSOR PARCEL NUMBER 132-0020-046,
BILBY MEADOWS PROJECT NO. EG-02-274,
SUBJECT TO THE FINDINGS AND MMRP/CONDITIONS OF APPROVAL**

WHEREAS, Bilby Meadows, represented Bilby Road Ventures (hereinafter referred to as Applicants) filed an application with the City of Elk Grove (hereinafter referred to as City) for a Rezone of 77.8 acres from AG-80 to RD-5 and Open Space, a Large Lot Tentative Map for 6 lots and a Tentative Subdivision Map to divide 66.2 acres into 299 single family lots, (Assessor Parcel Number - 132-0020-046); 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, 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 November 14, 2002 and recommended City Council approval of the project.

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

1. Approve the Large Lot Tentative and Tentative Subdivision Maps subject to the Conditions of Approval/MMRP (Exhibit A), based on the following findings:

A. 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 whole record, there is no substantial evidence that the project will have a significant adverse impact on the environment.

B. Finding: The City shall not approve any proposed development project unless the following findings are made, based on substantial evidence in the record:

- a) There is a reasonable probability that the land use or action proposed will be consistent with the general plan proposal being considered or studied or which will be studied within a reasonable time.
- b) The project is consistent with the latest version of the Draft Land Use Policy Map and any draft General Plan Elements, which have been reviewed by the General Plan Advisory Committee as of the date on which the project is approved.
- c) There is little or no possibility of substantial detriment to or interference with the future adopted general plan if the proposed is or action is ultimately inconsistent with the plan.
- d) The proposed use or action complies with all other applicable requirements of state law and local ordinance

Evidence: The following statements are made in support of the required findings stated above.

- a) The proposed general plan has acknowledged the East Franklin Specific Plan as a key component of the General Plan and has designated a land use category specifically for the Specific Plan. As such, any project proposed would be consistent with the Specific Plan and thus consistent with the proposed General Plan. The new Plan has not altered the land use designations or categories within the East Franklin Specific Plan and all projects have been reviewed and made consistent with the Specific Plan.
- b) As stated above, the Specific Plan and the latest version of the adopted Draft Land Use Policy Map are consistent with one another. Any changes to the Draft Land Use Policy Plan would cause a change to the Specific Plan in order to maintain consistency. The proposed project is consistent with the policies and guidelines of the East Franklin Specific Plan and conditions of approval have been recommended for the project that are consistent with the draft policies of the Elements of the General Plan.
- c) The Draft General Plan and the Specific Plan are consistent at this time and there is little possibility that the General Plan would change in this area. The new General Plan would designate certain properties for multi-family development to support the Housing Element, however this project is not listed or designated for that land use category in either the General Plan or the Specific Plan.
- d) The proposed project is requesting no amendments to the Specific Plan and is consistent with the policies and development standards as listed in the Plan. The requested rezone of AG-80 to RD-5 and Open Space is

consistent with the adopted density ranges in the Land Use Policy Map of the Specific Plan.

C. 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 density limits as specified in the East Franklin Specific Plan and Elk Grove General Plan.
- b. The design or improvements of the proposed subdivision are consistent with the East Franklin Specific Plan and Elk Grove General Plan.
- c. The site is physically suitable for the development. The applicant is proposing 299 single-family lots on a total of 66.2 acres, which conforms to the designated residential use of the Specific Plan and the General Plan.
- d. The site is physically suitable for the proposed density of development. The applicant is proposing 299 single-family lots on a total of 66.2 acres, which conforms to the allowable densities of the RD-5 zoning.
- e. The Mitigated Negative Declaration prepared for the 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 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.

PASSED AND ADOPTED by the City Council of the City of Elk Grove on this 18th day of December 2002.



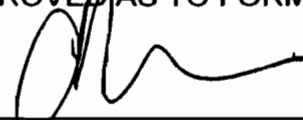
RICK SOARES, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

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

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

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
1. The development approved by this action is for a Rezone, a Larger Lot Subdivision Map, and a Tentative Subdivision Map as described in the Planning Commission report and associated Exhibits and Attachments dated November 14, 2002.			
2. This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.	On-going	City of Elk Grove	
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.	36 months from the date of approval	Planning	
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	City of Elk Grove	
Prior to the Approval of Improvement Plans			
5. The applicant shall comply with, record, and pay fees for the Mitigation Monitoring and Reporting Program (MMRP) associated with Bilby Meadows (77.8 acres). Until the MMRP has been recorded and the estimated MMRP deposit of \$5,000.00 has been paid.	Prior to the approval of improvement plans, grading or recordation of a final subdivision map, whichever	Planning Division	

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		occurs first		
6.	<p>The project developer shall implement one of the following options to the satisfaction of the Planning Manager to mitigate for the loss of agriculture land:</p> <p>Preserve 49.0 acres (77.8 acres X .63 (2,474 divided by 1,675) of agricultural land within specified boundaries, or</p> <p>Contribute \$1.025.00 per acre into a fund to be used to purchase conservation easements (49.0 acres X \$1.025.00 = \$50, 225.00), or</p> <p>Comply with a program implemented by the City of Elk Grove to address such mitigation for loss of Agricultural Resources.</p>	Prior to the approval of improvement plans, grading or recordation of a final subdivision map, whichever occurs first	Planning	
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> <p>Water exposed surfaces, graded areas, storage piles, and haul roads at least twice daily.</p> <p>Minimize the amount of disturbed area, the amount of material actively worked, and the amount of material stockpiled.</p> <p>Limit onsite construction vehicle speeds to 15 mph.</p> <p>Sweep or wash paved streets adjacent to project construction sites at least once a day to remove accumulated dust.</p> <p>Maintain at least two feet of freeboard when transporting soil</p>	On-going during construction	Building	

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or other material by truck. (EFSP MM AQ-1)			
8. The project shall comply with the City's Land Grading and Erosion Control Ordinance.	Prior to the approval of improvement plans, grading or recordation of a final subdivision map, whichever occurs first	Department of Water Resources	
<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 <u>any</u> development activities, work shall be suspended and Planning shall be immediately notified. At that time, Planning will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources.</p> <p>In addition, pursuant to Section 5097.97 of the State Public Resources code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, adhere to the guidelines of the Native American Heritage Commission in the treatment and disposition of the remains.</p>	On-going during excavation and building	Building	
10. As specified in adopted Swainson's Hawk mitigation policies or programs in effect at the time of request, the project	Prior to issuance of grading permits.	California Department of	

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<p>developer shall mitigate for potential impacts to Swainson's Hawk habitat according to any one of the following measures:</p> <p>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 (77.8 acres). This land should be protected through a fee title or conservation easement acceptable to the California Department of Fish and Game (CDFG); OR</p> <p>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</p> <p>Submit payment of a Swainson's hawk impact mitigation fee of \$750.00 per acre impacted, plus \$382.00 for administration, to the Department of Planning and Community Development as set forth in Chapter 16.130 of the Sacramento County (Elk Grove) Code, and as such may be amended from time to time and to the extent that said Chapter remains in effect; OR</p> <p>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.</p>		Fish and Game	
<p>11. 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</p>	<p>No earlier than 45 days and no later than 20 days prior to the commencement of any grading or</p>	<p>City designated biologist</p>	

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nesting season to ensure that take does not occur.	clearing that would occur during the nesting/breeding season (February 1 through September 1)		
<p>12. 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> <p>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.</p> <p>If construction activities commence during the non-breeding season (September-January), a survey is not required and no further studies are necessary.</p> <p>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.</p> <p>Applicant shall preserve on-site nesting and upland foraging habitat where feasible, and purchase nesting and upland</p>	Prior to the beginning of construction activities (grading, demolition, or habitat disturbance)	City designated biologist	

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	foraging habitat at off-site preserve sites.			
13	<p>The project must demonstrate the following items to the satisfaction of the Department of Water Resources:</p> <p>Provide non-potable water for use during grading and construction, which could be an existing agricultural well; and a non-potable water distribution system to the satisfaction of the Sacramento County Water Agency. (Department of Water Resources)</p> <p>After final grading, destroy all 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.</p>	Prior to approval of Improvement Plans	Department of Water Resources	
14	<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 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 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 and SMAQMD a comprehensive inventory of all off-road</p>	Prior to approval of Improvement Plans	Public Works and Building	

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<p>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 "Lubrizon" 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>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 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 monthly summary of the visual survey results shall be submitted to the Elk Grove Planning 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</p>			

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<p>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 in tract 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 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</p>			

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<p>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.</p> <p>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.</p>			
At Recordation of the Final Map			
<p>15. The adopted Laguna South Fee Program shall provide the financial means to implement certain public improvements of the East Franklin Specific Plan and the Bilby Meadows development shall be subject to the payment of fees identified within that Program. Public facilities identified within this plan will include roadways, parks, libraries, fire facilities, landscape corridors, reclaimed water and supplemental drainage facilities.</p>	<p>At the recordation of the final map</p>	<p>Infrastructure Finance</p>	
<p>16. The Bilby Meadows development shall pay future City of Elk Grove Fees for grade separation, City Hall, City facilities, police equipment and facilities, and similar public infrastructure.</p>	<p>At the recordation of the final map</p>	<p>Infrastructure Finance</p>	

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17. Grant the City of Elk Grove right-of-way on Bilby Road based on the East Franklin Specific Plan standards to the satisfaction of the Department of Transportation, Public Works Agency.	At the recordation of the Large Lot Parcel Map or Final Map, whichever comes first.	Public Works	
18. Grant the City of Elk Grove right-of-way on '23' Street based on the East Franklin Specific Plan standards to the satisfaction of the Department of Transportation. Determine mutually agreed upon traffic calming devices and locations to increase pedestrian safety and walk ability within the project. The traffic calming devices shall be installed prior to occupancy and within the existing right-of-way.	At the recordation of the final map	Public Works	
19. The applicant shall be required to pay the 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.	At the recordation of the final map	Infrastructure Finance	
20. Sacramento County Water Agency has approved a site acquisition agreement for the Franklin Boulevard Water Storage and Treatment Facility as identified in the 1997 East Franklin Specific Plan Water Study prepared by Murray Smith & Associates Engineering, Inc, and the SCWA has determined that there is adequate water production capacity to serve the subject proposed development.	At the recordation of the final map or improvement plans, whichever comes first.	Department of Water Resources	

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21 Separate water service shall be provided to each parcel and water easements shall be dedicated to the satisfaction of the Sacramento County Water Agency.	At the recordation of the final map	Department of Water Resources	
22 Water connection permits will not be issued until sufficient water production capacity has been provided to the satisfaction of the Sacramento County Water Agency.	At the recordation of the final map	Public Works	
23 Dedicate on the Final Map a 12.5- foot public utility easement for underground facilities and appurtenances adjacent to all public ways.	Prior to the recordation of the final map	Public Works	
24 Dedicate on the Final Map any "Landscape Lot" adjacent to all public roads as a public utility easement for underground facilities and appurtenances.	At the recordation of the final map	Public Works	
25 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.	At the recordation of the final map	Public Works	
26 On the final map, grant the City of Elk Grove right-of-way on Bilby Road based on a 48' modified collector as defined in the East Franklin Specific Plan and to the satisfaction of the Department of Public Works. The Bilby Road cross section will be modified to eliminate the 6	At the recordation of the final map	Public Works	

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<p>foot parking lane and increase the amount of landscaping by 6 feet. The cross section would include a 12 foot travel way, a 3 foot bike lane, a 3 foot curb and gutter, a 10 foot planter, a 4 foot sidewalk and a 17 foot landscape corridor.</p> <p>Install public street improvements on Bilby Road based on a 48' modified collector, in accordance with the City of Elk Grove Improvement Standards, the East Franklin Specific Plan, and to the satisfaction of the Department of Public Works.</p>			
<p>27 Install Type 2 curb along '23' Street adjacent to the landscape corridors per drawing 4-25 of the City of Elk Grove Improvement Standards and to the satisfaction of the Department of Transportation of the Public Works Agency.</p>	<p>At the recordation of the final map</p>	<p>Public Works</p>	
<p>28 Dedicate right-of-way for the indicated public streets, and install public street improvements 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.</p>	<p>At the recordation of the final map</p>	<p>Public Works</p>	
<p>29 Annex to the City of Elk Grove Stormwater Utility, as administered by the County of Sacramento Department of Water Resources, pursuant to the Sacramento County Water Agency Code and the City of Elk Grove Improvement Standards.</p>	<p>At the recordation of the final map</p>	<p>Public Works</p>	
<p>30 An approved sewer study to the satisfaction of CSD-1 will be required prior to submittal of final map approval.</p>	<p>At the recordation of the final map</p>	<p>CSD-1</p>	

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31	In order to obtain sewer service, construction of public trunk and collector sewer will be required to the satisfaction of CSD-1. Design of the public trunk sewer and the interim lift station shall be coordinated with and approved by CSD-1. Sacramento County Improvement Standards apply to on-site sewer construction.	At the recordation of the final map	CSD-1	
32	Provisions for public sewer easements will be required. The sewer easement shall be dedicated to CSD-1, be a minimum of twenty (20) feet in width and ensure continuous access for maintenance.	At the recordation of the final map	CSD-1	
33	Sacramento County Improvement Standards apply to on-site sewer construction. Provisions for public sewer easements may be required. If required, the sewer easement shall be dedicated to CSD-1, be a minimum of twenty (20) feet in width and ensure continuous access for maintenance.	At the recordation of the final map	CSD-1	
34	Trunk sewer design and construction may be reimbursed by CSD-1. Prior to initiating design of any trunk sewer facility, contact CSD-1 for details of the CSD-1's Trunk Sewer Reimbursement Program. Failure to strictly comply with the provisions of the CSD-1 Connection Fee Ordinance may jeopardize trunk sewer reimbursement.	At the recordation of the final map	CSD-1	
35	All landscape corridors shown on the Tentative Map (Bilby Road and 23 rd Street) shall be improved and dedicated as 25 foot landscape corridors from back of curb, consisting of 10 feet of right of way and 15 feet of landscaping easement to the satisfaction of EGCSD.	At the recordation of the final map	EGCSD	
36	Dedicate parkland and pay fees as required by the	At the recordation	EGCSD	

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<p>Ordinances of the City of Elk Grove Code. Should more park acreage be identified within the Specific Plan on a developers project than required to be dedicated under City Codes, the developer must accept as full compensation for the transfer of such excess acreage at a per acreage purchase price that equates to the amount of per acre park in-lieu fees being collected by the City of Elk Grove in the Specific Plan.</p>	<p>of the final map</p>		
<p>37 Dedicate to EGCS D a 40 foot wide Trail and Landscape parkway necessary to successfully interlink the Trail System with the adjoining parkway within the Quail Ridge Development. The 40 foot wide parkway along "23 Street" shall be improved and landscaped, according to EGCS D standards and to their satisfaction.</p>	<p>At the recordation of the final map</p>	<p>EGCS D</p>	
<p>38 All real property within the boundaries of the proposed project is within a benefit zone of the District Wide Landscape & Lighting Assessment District. At the recordation of the final map, the owners of all real property within the boundaries of the project shall execute and 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,</p>	<p>At the recordation of the final map</p>	<p>EGCS D</p>	

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lakes, creeks, and other recreational and aesthetic amenities.			
Prior to the Issuance of Building Permits			
39 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. If homes built in this area are to be 3,601 square feet or greater (including the garage and porch patio) an additional water flow analysis will be required. Homes 3,601 square feet to 4,800 square feet require 1,750 gpm and homes 4,801 square feet to 6,200 square feet require 2,000 gpm for fire flow.	Prior to the issuance of building permits	EGCSD – Fire Department	
40 All phases of construction shall have two points of fire department access that meet EGCSD Fire Department’s minimum standards. The two points of fire department access shall be a minimum of 500 feet apart.	Prior to the issuance of building permits	EGCSD – Fire Department	
41 A permit release letter from Elk Grove Community Services District Fire Department shall be requires prior to the issuing of any construction permits.	Prior to the issuance of building permits	EGCSD – Fire Department	

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	<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
42	No more than 39 lots per each large lot parcel shall be issued permits until at least two points of access are provided to public roads (per Title 22 requirements). Provide sight distance (visibility) easements where necessary at street intersections with curvilinear alignment per Improvement Standards.	Prior to the issuance of building permits	Public Works	
43	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	Prior to the issuance of building permits	Department of Water Resources	
44	The conditions of approval of this project shall be included within the notes of all building plans.	Prior to the issuance of building permits	Department of Water Resources	
45	The designs of the buildings shall be consistent with the guidelines in <u>Section 2.2.8 Residential Design Guidelines</u> of the East Franklin Specific Plan.	Prior to the issuance of building permits	Planning	
46	Single-story structures shall be place on lots abutting Bilby Road, unless it can be demonstrated that two-story units can be designed that will allow natural ventilation from the second floor windows and be in accordance with Noise Mitigation Measures of the MMRP for the Specific Plan.	Prior to the issuance of building permits	Planning	
47	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.	Prior to the issuance of building permits	Department of Water Resources	
48	Homes that have attached garages with side or rear doors will	Prior to the issuance	Police	

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<p>have solid core or metal covered doors with dead bolt locks.</p> <p>Skylight side panels that are placed next to entrance doors will 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.</p> <p>All external doorframes, including the side garage, will have screws that are a minimum of three inches long in the strike plate. Strike plates shall be anchored with a minimum of four screws.</p>	of building permits	Department	
<p>49. 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. Developer shall provide written correspondence from the School District's Assistant Superintendent of Facilities establishing the Developer has adequately provided for the reimbursement of infrastructure costs incurred by the School District on behalf of Developer's project, prior to the issuance of the first building permit for residential construction.</p>	Prior to the issuance of building permits	Planning	
<p>50. The project developer / applicant shall implement the following measures to the maximum extent feasible:</p> <p>Install EPA Phase II certified wood-burning devices in residential units in place of standard wood-burning devices.</p> <p>Install natural gas fireplaces in residential units in place of standard fireplaces.</p> <p>Install electrical outlets in front and backyards of homes for use</p>	Prior to the issuance of building permits	Building	

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<p>with electric powered yard equipment. Install energy efficient heating and appliances. Construct homes and other buildings with additional insulation factors to reduce energy use. (EFSP MM AQ-6).</p>			
Prior to Final Inspection or Certificate of Occupancy			
51	Enhanced masonry sound walls shall be constructed in accordance with the wall design guidelines in 3.11 of the EFSP, along the northern boundary line of the landscape corridor along Bilby Road. A barrier height of 7-feet tall is projected to reduce future traffic noise levels to S62 and 60 dB Ldn, respectively. (Table 3-10 page 3-58 EFSP)	Prior to Final Inspection or Certificate of Occupancy of the first unit of each neighborhood unit.	Building
52	For residential units that are proposed to be located within the 60dB Ldn noise contour, reduced building height or building facade noise reduction will be required to achieve an interior noise level of 45 dB Ldn. Acoustical insulation, building materials and or construction techniques shall be incorporated into the building plans for these units to meet the thresholds for acceptable noise levels and compliance with the General Plan Noise Element.	Prior to Final Inspection or Certificate of Occupancy of the first unit of each neighborhood unit.	Building
53	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.	Prior to Final Inspection or Certificate of Occupancy of the first unit of each	EGCSD-Fire Department

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		neighborhood unit.		
54	Rough grade the park site pursuant to plans approved by the District.	Prior to Final Inspection or Certificate of Occupancy of the first unit.	EGCSD	
55	Construct all necessary street frontage improvements abutting the dedicated park site including, but not limited to, vertical curb, gutter, street frontage and sidewalks.	Prior to Final Inspection or Certificate of Occupancy of the first unit of each neighborhood unit.	EGCSD	
56	Where the park site abuts residential lots, or any public or private facility lots, developer shall install a 6 ft. masonry wall along the park area where it abuts these lots. The wall is to be installed when the District is ready to develop the park or when the construction on the adjoining lots commences, whichever comes first, along the rear and side property lines of Tentative Map lots 104, 105, 115, 116 and 117 in the northern section.	Prior to Final Inspection or Certificate of Occupancy of the first unit of each neighborhood unit.	EGCSD	
57	The southerly portion of the drainage channel/ parkway on Lot "4" shall be improved with a landscape trail easement. The trail system shall include an irrigated landscape area and a minimum 10-foot wide paved trail, with a 2-foot shoulder on each side. An 8-foot irrigated landscape area will also be provided on the south side of the trail abutting "23 Street" and to the satisfaction of EGCSD.	Prior to Final Inspection or Certificate of Occupancy of the first unit.	EGCSD	
58	Provide and pay any related fees including connection fees	Prior to Final	EGCSD	

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	for stubs in to the park Site for water, drainage, sewer, electrical, and gas	Inspection or Certificate of Occupancy of the first unit.		
59	The District shall approve locations of all utility service points on all land to be dedicated or maintained by the EGCSD.	Prior to Final Inspection or Certificate of Occupancy of the first unit.	EGCSD	
60	Landscape Corridors and parkways shall be constructed and installed in accordance with the East Franklin Specific Plan, consistent with the EGCSD's "General Guidelines for Landscape Corridor Design", and be approved by the Elk Grove Community Services District. 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.	Prior to Final Inspection or Certificate of Occupancy of the first unit of each neighborhood unit.	EGCSD	
61	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	Prior to Final Inspection or Certificate of Occupancy of the first unit of each neighborhood unit.	EGCSD	

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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.			

General Information

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. Developing this property may require the payment of additional sewer impact fees.
- D. Though not required, it is recommended that all single-family dwellings be equipped with an automatic fire sprinkler system.
- E. Offsite drainage improvements and easements shall be provided pursuant to the City of Elk Grove Floodplain Management Ordinance, and the City of Elk Grove Improvement Standards.
- F. 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.
- G. 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.
- H. The installation of addresses, landscaping, and masonry sound walls are subject to standards outlined by the Elk Grove Community Service District.
- I. 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.
- J. 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.