

RESOLUTION NO. 2002-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING A TENTATIVE SUBDIVISION MAP AND TWO TENTATIVE PARCEL MAPS FOR THE BELL SOUTH PROJECT EG-00-003 AND EG-00-004

WHEREAS, the Bell South project, represented by Chris Vrame and Bill Blanas (hereinafter referred to as Applicants) filed an application with the City of Elk Grove (hereinafter referred to as City) for the following:

- A Tentative Parcel Map (TPM #1) creating four new parcels (Exhibit A);
- A General Plan Amendment changing the designation on parcel 1 of TPM #1 from Recreation to Commercial/Office;
- A Community Plan Amendment changing the designation on parcel 1 of TPM #1 from RD-5 and Public/Quasi-Public to General Commercial and on parcel 4 of TPM #1 from RD-5 and Public/Quasi Public to RD-5;
- A Rezoning changing the designation on parcel 1 of TPM #1 from Recreation and Recreation (Flooding) to General Commercial and on parcel 4 of TPM #1 from Recreation to RD-5;
- A Tentative Parcel Map (TPM #2) creating six new commercial parcels on parcel 1 of TPM #1 (Exhibit A); and
- A Tentative Subdivision Map creating 96 residential lots on parcel 4 of TPM #1 (Exhibit A). (Assessor's Parcel Number 116-0100-081); 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 EIR was prepared for this project, was circulated according to the requirements of the California Environmental Quality Act (CEQA), and was adopted by the City Council by separate resolution; and

WHEREAS, the Planning Commission considered the Applicant's request at a public hearing on January 24, 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 Tentative Subdivision Map and Tentative Parcel Maps (TPM #1 and TPM #2) for the Bell South project, subject to the approval of the General Plan Amendment, Community Plan Amendment, and Rezone for this project and based on the following findings and the attached conditions of approval (Exhibit B).

1. **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 Parcel Maps or Tentative Subdivision Map.

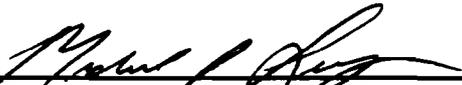
- a. The proposed maps are consistent with the General Plan.
- b. The design of the improvements of the proposed subdivision is consistent with the General Plan and design standards of the municipal code.
- c. The site is physically suitable and consistent with the type of development permitted by the General Plan.
- d. The site is appropriate for the General Plan's specified density of development.
- e. An Environmental Impact Report has been prepared for the Bell South project.
- f. An Environmental Impact Report has been prepared for the Bell South project.
- 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.

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PASSED AND ADOPTED by the City Council of the City of Elk Grove on this 1st day of May 2002.



MICHAEL LEARY, Mayor of the
City of Elk Grove

ATTEST:



PEGGY JACKSON
City Clerk, City of Elk Grove

APPROVED AS TO FORM:


ANTHONY B. MANZANETTI
City Attorney, City of Elk Grove

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

Exhibit A – Tentative Parcel Maps and Tentative Subdivision Map

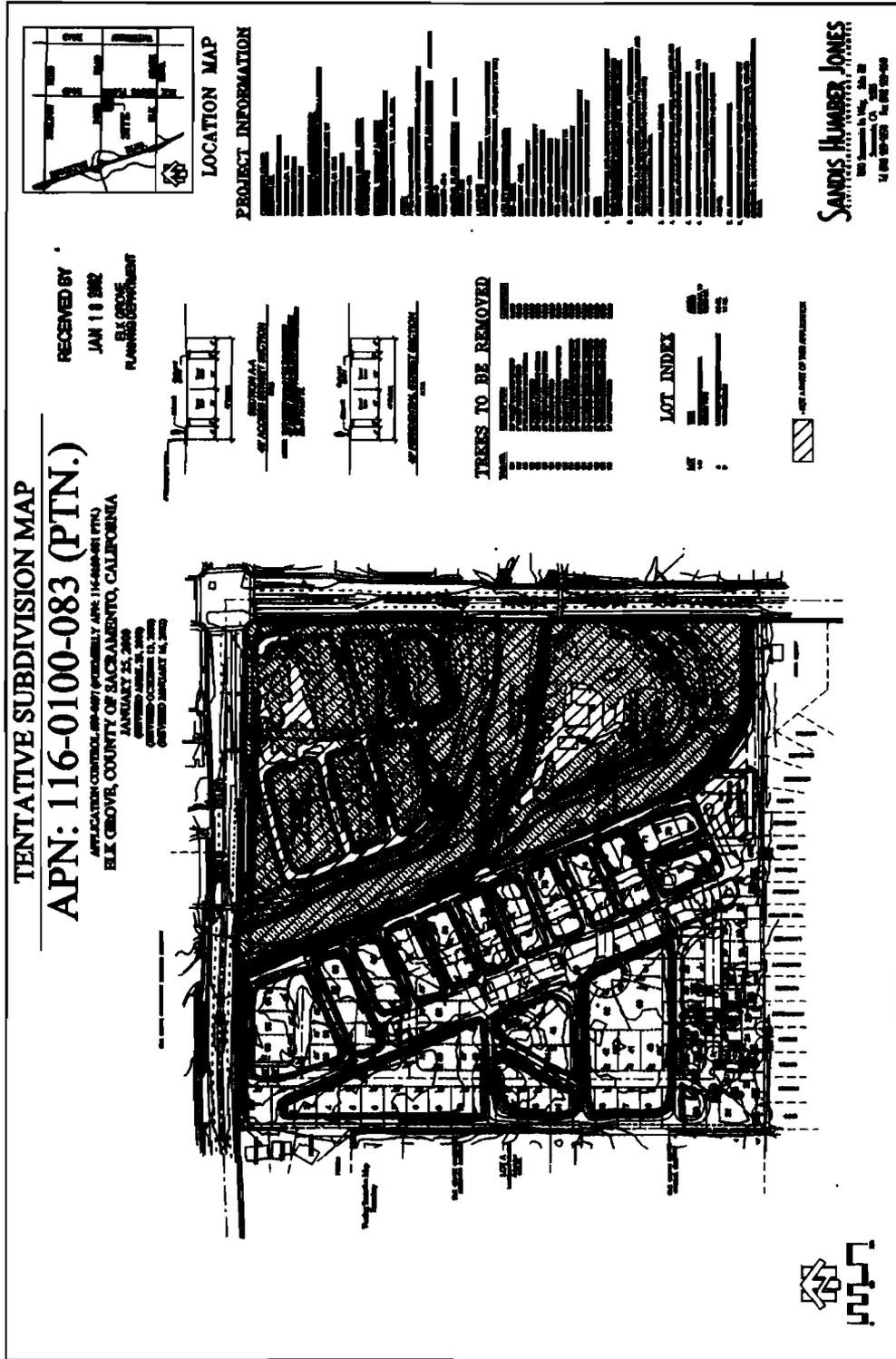


Exhibit B: FINAL Conditions of Approval / Mitigation Monitoring and Reporting Program¹

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>1. The development approved by this action is for the following:</p> <p><u>File EG-00-003</u></p> <ul style="list-style-type: none"> a. Tentative Parcel Map to create 4 parcels; b. Community Plan Amendment from RD-5 and P/QP to RD-5 on Parcel 4; c. Rezoning from O to RD-5 on Parcel 4; d. Tentative Subdivision Map to create 96 lots on Parcel 4; and <p><u>File EG-00-004</u></p> <ul style="list-style-type: none"> a. Tentative Parcel Map to create 6 additional parcels from Parcel 1 created by EG-00-003; b. General Plan Amendment from REC to Comm./Office on Parcel 1 from EG-00-003. c. Community Plan Amendment from RD-5 and P/QP to General Commercial on Parcel 1 from EG-00-003. d. Rezoning from O and O(F) to GC on Parcel 1 from EG-00-003. <p>The above entitlements are described in the Planning Commission report and associated Exhibits and Attachments dated January 24, 2002, and as summarized herein as Exhibit A.</p>	<p align="center">On-Going</p>	<p align="center">Planning Division</p>	
<p>2. This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.</p>	<p align="center">On-Going</p>	<p align="center">Planning Division</p>	

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3. 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 Division	
4. Prior to final approval of the drainage study, the Department of Water Resources shall review the language and provisions of the conservation easement. (Water Resources)	Prior to Final Approval of the Drainage Study	Water Resources	
5. Prior to the issuance of the first grading permit, applicant shall execute the project's AQ-15 Plan. (Planning Division)	Prior to Issuance of First Grading Permit	Planning Division	
6. Prior to the issuance of any grading permits comply with, record, and pay fees for the Mitigation Monitoring and Reporting Program (MMRP) associated with the project. Until the MMRP has been recorded and the estimated MMRP fee of \$9,500 has been paid, no grading, building, sewer connection, water connection, or occupancy permit from the City will be approved.	Prior to Issuance of Any Grading Permit	Planning Division	
7. Construction traffic involving heavy haulers moving fill to and from the project site shall operate during off-	Prior to the issuance of Grading Permits.	Planning Division and Sac. Metropolitan	

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peak hours. (MM 4.4.1)		Air Quality Management District	
8. In order to mitigate erosion and sediment control problems on the project site, the project shall comply with the City's Land Grading and Erosion Control Ordinance. Additionally, because the project size is more than five acres, a Notice of Intent (NOI) must be filed prior to construction to obtain coverage under the State's General Construction Activity Storm Water Permit. As a condition of the General Permit, a Storm Water Pollution Prevention Plan (SWPPP) must be developed for the project. Permits are issued by the State Water Resources Control Board, which can provide all information necessary to complete and file the necessary documents. Compliance with the General Permit is enforced in the Sacramento area by the Central Valley Regional Water Quality Control Board. (Water Resources)	Prior to Issuance of Grading Permits	Water Resources	
9. Prior to the issuance of grading permits, the project applicant shall prepare a Storm Water Pollution and Prevention Plan (SWPPP) to be administered through all phases of grading and project construction. The SWPPP shall incorporate Best Management Practices (BMPs) to ensure that potential water quality impacts during construction phases are minimized. The SWPPP shall address spill prevention and include countermeasure plan describing measures to ensure proper collection and disposal of all pollutants	Prior to issuance of Grading Permits.	Water Resources and Central Valley Regional Water Quality Control Board	

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<p>handled or produced on the site during construction, including sanitary wastes, cement, and petroleum products. These measures shall be consistent with the City's [Sacramento County] Drainage Manual and Land Grading and Erosion Control Ordinance may include (1) restricting grading to the dry season; (2) protecting all finished graded slopes from erosion using such techniques as erosion control matting and hydroseeding; (3) protecting downstream storm drainage inlets from sedimentation; (4) use of silt fencing and hay bales to retain sediment on the project site; (5) use of temporary water conveyance and water diversion structures to eliminate runoff into Laguna Creek; and (6) any other suitable measures The SWPPP shall be submitted to the Central Valley Regional Water Quality Control Board and to the City for review and approval. (MM 4.7.1)</p>			
<p>10. Prior to the approval of improvement and/or grading plans, a Tree Replacement Planting Plan shall be prepared by a certified arborist or landscape architect to mitigate for the loss of native trees larger than 6" dbh and all non-native trees larger than 19" dbh that are proposed for removal or that would be adversely affected by the project. The Plan shall comply with the City Code and General Plan policies and be submitted to the City for review. The Plan shall include the following elements:</p> <p>a. Species, size and location of all replacement plantings;</p>	<p>Prior to the Issuance of Grading Permits</p>	<p>Planning Division</p>	

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<ul style="list-style-type: none"> b. Method of irrigation; c. The City of Elk Grove Standard Tree Planting Detail L-1, including the 10-foot depth boring hole to provide for adequate drainage; d. Planting, irrigation and maintenance schedules; e. Identify the maintenance entity and include their written agreement to provide care and irrigation of the trees for a 3-year establishment period, and to replace any of the replacement oak trees which do not survive that period. f. The minimum spacing for replacement oak trees shall be 20 feet on center; g. Replacement oak trees shall not be planted within 15 feet of the driplines of existing oak trees to be retained on-site, or within 15 feet of a building foundation or swimming pool excavation. h. No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of oak trees. i. No grading (grade cuts or fills) shall be allowed within the driplines of the oak trees. j. Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of any oak tree. k. No trenching shall be allowed within the dripline of oak trees. If it is absolutely necessary to install underground utilities within the dripline of an oak tree, the utility line shall be bored or jacked under the supervision of a certified arborist. l. The construction of impervious surfaces within the 			

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<p>driplines of oak trees shall be stringently minimized. When it is absolutely necessary, a piped aeration system per City standard detail shall be installed under the supervision of a certified arborist.</p> <p>m. No sprinkler or irrigation system shall be installed in such a manner that sprays water or requires trenching within the driplines of oak trees. An above ground drip irrigation system is recommended.</p> <p>n. Landscaping beneath oak trees may include non-plant materials such as bark mulch, wood chips, boulders, etc. The only plant species, which shall be planted within the driplines of oak trees are those which are tolerant of the natural semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants. (MM 4.9.1a)</p>			
<p>11. Prior to construction activities, the verified waters of the U.S. delineation for the site shall be submitted to the Corps and the appropriate permit(s) shall be acquired. Any wetlands that would be lost or disturbed shall be replaced or rehabilitated on a "no-net-loss" basis in accordance with the Corps' mitigation guidelines. Habitat restoration, rehabilitation, and/or replacement shall be at a location and by methods agreeable to the Corps. (MM 4.9.7b)</p>	<p>Prior to the Issuance of Grading Permits</p>	<p>U.S. Army Corps of Engineers and Planning Division</p>	

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12.	Prior to grading or other site preparation activities, the applicant shall install temporary fabric fencing, a minimum of 3 feet in height, along the western edge of the property to prevent giant garter snakes from entering construction areas. The fencing will need to be regularly inspected and maintained. Exclusion fencing must remain in place and be maintained for the duration of the construction activities in order to prevent snakes from entering construction areas. (MM 4.9.8a)	Prior to the Issuance of Grading Permits	Monitoring by Qualified Biologist Reporting to Planning Division	
13.	Prior to approval of improvement plans, the applicant shall provide the Planning Division with proof of consultation with the U.S. Fish and Wildlife Service and shall provide proof of any necessary permits or approvals for vernal pool fairy shrimp and vernal pool tadpole shrimp impacts on the project site. If the applicant does not provide proof of consultation and any necessary permits or approvals, a focused survey for vernal pool fairy shrimp and vernal pool tadpole shrimp shall be conducted, at the time of year when the species are both evident and identifiable, by a qualified biologist for the portions of the project site supporting wetland habitat. Results of this survey shall be submitted to the City of Elk Grove Planning Department. If either species is present on the site, a mitigation plan shall be prepared in consultation with U.S. Fish and Wildlife Service and any necessary permits or approvals shall be received prior to disturbance of the site. Measures may include	Prior to the Issuance Of Grading Permits	California Department of Fish and Game, Planning Division	

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preservation of some or all vernal pools, construction of new vernal pool habitat, or other measures recommended by the biologist or USFWS. (MM 4.9.10a)			
14. If special-status or rare plant species are found within the proposed development area, a mitigation plan prepared by a qualified botanist in consultation with the Department of Fish and Game, shall be submitted to the City of Elk Grove for review and approval. Upon approval, the mitigation plan shall be implemented. Mitigation measures may include transplanting individual plants to another location on-site, establishing off-site preserves, or measures recommended by the biologist or CDFG. (MM 4.9.10b)	Prior to the Issuance of Grading Permits	U.S. Fish and Wildlife Service, Planning Division	
15. Prior to approval of improvement plans, the applicant shall provide the Planning Division with proof of consultation with the California Department of Fish and Game and shall also submit any necessary permits or approvals for special-status and/or rare plant impacts on the project site. If the applicant does not provide proof of consultation and any necessary permits or approvals, a special-status/rare plant survey shall be conducted, at the time of year when special-status/rare plant species are both evident and identifiable, by a qualified botanist for the portions of the project site supporting wetland and riparian vegetation. Results of this survey shall be	Prior to the Issuance of Grading Permits	California Department Of Fish and Game, Planning Division	

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	submitted to the City of Elk Grove Planning Department and California Department of Fish and Game for review and approval. (MM 4.9.10a)			
16.	Open fencing shall be used along the creek corridor. Open fence designs will be included in landscaping plans described in mitigation measure 4.12.1a. (MM 4.12.1c)	Prior to the Issuance of Grading Permits	Planning Division and CSD	
17.	If solid fences and walls are used, the color and material used will blend with the features of the surrounding area. Continuous fences and walls shall be softened with landscaping. Solid fence and wall designs will be included in landscaping plans described in mitigation measure MM 4.12.1a. (MM 4.12.1b)	Prior to the Issuance of Grading Permits	Planning Division and CSD	
18.	Landscaping plans for the project shall be developed and designed to preserve existing features of the surrounding development and internal components of the project including the Laguna Creek Parkway and conservation easement. The applicant shall consult with the EGCSO and the plans shall be reviewed and approved by the City of Elk Grove Planning Department prior to approval of project site grading plans. (MM 4.12.1a)	Prior to the Issuance of Grading Permits	Planning Division	
19	The portion of the landscape plans that apply to the Laguna Creek Parkway shall be approved by the Elk Grove Community Service District and the City of Elk	Prior to the Issuance of Grading Permits	Planning Division and CSD	

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	Grove. (CSD and Planning Division)			
20.	Prior to construction activities, the wetland delineation prepared for the project site shall be submitted by the Corps for verification. (MM 4.9.7a)	Prior to the Issuance of Grading Permits	U.S. Army Corps of Engineers and Planning Division	
21.	<p>The following measures shall be implemented in order to minimize effects from any proposed project activities to native trees that would be retained:</p> <ul style="list-style-type: none"> • Trees to be preserved should be protected with high-visibility fencing one-foot outside the dripline. • Any authorized fill or grading occurring within the dripline of any tree to be preserved shall be supervised by an International Society of Arboriculture Certified Arborist. • City of Elk Grove permitted tree removal shall be conducted under the supervision of an International Society of Arboriculture Certified Arborist, where such removal could adversely affect trees designated for preservation. • Oak tree replacement according to the City of Elk Grove Tree Preservation and Protection Ordinance shall be used for mitigating the removal of any oak trees within the project area. • Procedures and protocols used for tree preservation and protection shall conform to standards established by the County of Sacramento Tree Preservation Ordinance. • Any future pruning, cabling, and other corrective 	Prior to the Issuance of Grading Permits	Planning Division	

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	<p>measures applied to preserved trees if necessary shall be conducted by an International Society of Arboriculture Certified Arborist, and shall conform to the pruning standards of the Western Chapter of the International Society of Arboriculture.</p> <p>The above measures shall appear as standards in the improvement plans. (MM 4.9.1b)</p>			
22.	<p>Obtain applicable State Fish and Game and U.S. Army Corps of Engineers permits prior to issuance of grading permits. (Water Resources)</p>	<p>Prior to the Issuance of Grading Permits</p>	<p>Water Resources</p>	
23.	<p>The project applicant shall place the following mitigation requirements in all construction contracts and shall require the use of Best Available Control Technologies (BACT), including but not limited to the following requirements. Proof of these contractor requirements shall be provided to the City prior to the issuance of grading permits.</p> <ul style="list-style-type: none"> • The project applicant and/or prime contractor shall comply with SMAQMD Rule 403 that requires taking reasonable precautions to prevent the emissions of fugitive dust, such as "using water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the construction of roadways, or the clearing of land" where possible and applying "asphalt, oil, water, or suitable chemicals on dirt roads, materials, stockpiles, and other surfaces 	<p>Prior to the Issuance of Grading Permits</p>	<p>Planning Division and Sac. Metropolitan Air Quality Management District</p>	

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<p>which can give rise to airborne dust."</p> <ul style="list-style-type: none"> • Clean earth-moving construction equipment with water once per day. • Reduce traffic speeds on all unpaved surfaces to 15 miles per hour or less. • Use low-emission on-site stationary equipment whenever possible. • Encourage construction employees to carpool to the work site. • Minimize idling time to 10 minutes. • Maintain construction equipment through regular and proper maintenance. • All material transported offsite shall be either sufficiently watered or securely covered to prevent public nuisance. • During initial grading, earthmoving, or site preparation a 100-foot paved (or palliative-treated) apron shall be constructed, extending onto the construction site from the adjacent paved road(s) where vehicles and equipment egress. <p>(MM 4.6.1a)</p>			
<p>24. Prior to the approval of improvement and/or grading plans, the demolition of structures, and/or the disturbance of blackberry thickets, the applicant shall provide the Planning Division with proof of consultation with California Department of Fish and Game and U.S. Fish and Wildlife Service and shall also submit proof of any necessary permits or approvals regarding tricolored blackbird impacts on the project</p>	<p>No Earlier than 45 Days and no Later than 20 Days Prior to Grading</p>	<p>Monitoring by Qualified Biologist Reporting to Public Works Department</p>	

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<p>site. If the applicant does not provide proof of consultation and any required permits or approvals, a survey shall be conducted by a qualified biologist to determine whether tricolored blackbirds are utilizing the site. If present, consult with the CDFG and/or USFWS to determine the measures necessary to avoid or mitigate adverse impacts to the protected bird species present on the site. Mitigation measures may include flagging the nest and avoiding disturbance, passive relocation, or other measures recommended by the biologist or CDFG. (MM 4.9.6)</p>			
<p>25. 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 special-status birds such as white-tailed kite, Cooper's hawk, and loggerhead shrike, or common bird species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code occur on the site. These surveys shall include all areas in or within 250 feet of the construction zone. If active nests are present, consult with CDFG and/or USFWS to determine the measures necessary to mitigate or avoid impacts to the species. Any required permits or approvals shall be obtained from CDFG and/or USFWS prior to disturbance of the site. Mitigation measures may include postponement of construction activities until the young have fledged or other measures recommended by the biologist or CDFG. (MM 4.9.5)</p>	<p>No Earlier than 45 Days and no Later than 20 Days Prior to Grading</p>	<p>Monitoring by Qualified Biologist Reporting to Public Works Department</p>	

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26.	<p>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 special-status birds such as burrowing owl and northern harrier occur on the site. These surveys shall include all areas in or within 250 feet of the construction zone, including the extent of the directly affected portion of the drainage ditch. If active nests are present, consult with CDFG and/or USFWS to determine the measures necessary to mitigate or avoid impacts to the species. Any required permits or approvals shall be obtained from CDFG and/or USFWS prior to disturbance of the site. Mitigation measures may include flagging the burrow and avoiding disturbance, passive relocation, active relocation to move owls from the site, or other measures recommended by the biologist or CDFG. (MM 4.9.4)</p>	<p>No Earlier than 45 Days and no Later than 20 Days Prior to Grading</p>	<p>Monitoring by Qualified Biologist Reporting to Public Works Department</p>	
27.	<p>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 active nests are located, results of the survey shall be reported to</p>	<p>No Earlier than 45 Days and no Later than 20 Days Prior to Grading</p>	<p>Planning Division and California Department of Fish and Game</p>	

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<p>CDFG and any necessary mitigation plans shall be prepared and permits or approvals shall be obtained from CDFG prior to disturbance of the site. Mitigation measures may include postponement of clearing and construction activities, at the discretion of the biological monitor, until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting; or other measures recommended by the biologist or CDFG. (MM 4.9.2)</p>			
<p>28. Construction personnel shall participate in a Service-approved worker environmental awareness program. Under this program, workers shall be informed about the presence of giant garter snakes and habitat associated with the species and that unlawful take of the animal or destruction of its habitat is a violation of the Act. Prior to construction activities, a qualified biologist approved by the Service shall instruct all construction personnel about: (1) the life history of the giant garter snake; (2) the importance of irrigation canals, marshes/wetlands, and seasonally flooded areas, such as rice fields, to the giant garter snake; and (3) the terms and conditions of the biological opinion. Proof of this instruction shall be submitted to the Sacramento U.S. Fish and Wildlife Office. (MM 4.9.8d)</p>	<p>Prior to Project Grading and Construction</p>	<p>Monitoring by Qualified Biologist Reporting to City of Elk Grove Public Works Department</p>	
<p>29. Prior to the approval of improvement plans, the applicant shall provide the Planning Division with proof of consultation with the U.S. Fish and Wildlife Service and shall provide proof of any necessary</p>	<p>Within 24 Hours Prior to Grading and Construction</p>	<p>Monitoring by Qualified Biologist Reporting to U.S. Fish and Wildlife</p>	

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<p>permits or approvals for giant garter snake impacts on the project site. If the applicant does not provide proof of consultation and any necessary permits or approvals, within 24-hours prior to commencement of construction activities, the site shall be inspected by a qualified biologist who is approved by the Service's Sacramento Fish and Wildlife Office. The biologist will provide the Service with a field report form documenting the monitoring efforts within 24-hours of commencement of construction activities. The monitoring biologist needs to be available thereafter; if a snake is encountered during construction activities, the monitoring biologist shall have the authority to stop construction activities until appropriate corrective measures have been completed or it is determined that the snake will not be harmed. Giant garter snakes encountered during construction activities should be allowed to move away from construction activities on their own. Capture and relocation of trapped or injured individuals can only be attempted by personnel or individuals with current Service recovery permits pursuant to Section 10(a)1(A) of the Act. The biologist shall be required to report any incidental take to the Service immediately by telephone at (916) 979-2725 and by written letter addressed to the Chief, Endangered Species Division, within one working day. The project area shall be re-inspected whenever a lapse in construction activity of two weeks or greater has occurred. (MM 4.9.8e)</p>		<p>Service, City of Elk Grove Public Works Department</p>	

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30.	No further mitigation is required if there are no bat species utilizing the project site as roosting habitat. However, if this species is determined to exist on the site, consultation with CDFG shall be required to determine suitable measures to avoid disturbance of roosting bats. Mitigation measures may include not removing trees while bats are occupying the trees, or other measures recommended by the biologist or CDFG. (MM 4.9.9b)	Prior to the Issuance of Grading and Demolition Permits	California Department of Fish and Game, Planning Division	
31.	Prior to construction and demolition activities, a survey shall be conducted by a qualified biologist to determine whether or not bats are utilizing the trees and abandoned buildings on the site to roost. Maternity roosts are generally occupied by mothers and young between May and August. Results of this survey shall be submitted to California Department of Fish and Game (CDFG) and the City of Elk Grove Planning Department for review. (MM 4.9.9a)	Prior to the Issuance of Grading and Demolition Permits	California Department of Fish and Game, Planning Division	
32.	Any dewatered habitat must remain dry for at least 15 consecutive days after April 15 and prior to excavating or filling of the dewatered habitat. (MM 4.9.8c)	Prior to Project Grading Construction Contractor Must Coordinate with City Public Works Department	Monitoring by Qualified Biologist Reporting to City of Elk Grove Public Works Department	
33.	Construction activities, particularly within the western portion of the site, should be conducted as much as is feasible within the active period of the snake	Prior to Project Grading Construction Contractor Must	Monitoring by Qualified Biologist Reporting to City	

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(generally from May 1 to October 1). Direct impacts are lessened during this time because snakes are actively moving and avoiding danger. More danger is posed to snakes during their inactive period, as they are occupying underground burrows or crevices and are more susceptible to direct effects, especially during excavation. (MM 4.9.8b)	Coordinate with City Public Works Department	of Elk Grove Public Works Department	
34. A Conditional Letter of Map Revision pursuant to the City of Elk Grove Floodplain Management Ordinance, and the City of Elk Grove Improvement Standards, shall be approved by FEMA prior to approval of improvements for the commercial component. (Water Resources)	Prior to Approval of Improvement Plans	Water Resources	
35. A Letter of Map Revision pursuant to the City of Elk Grove Floodplain Management Ordinance, and the City of Elk Grove Improvement Standards, shall be approved by FEMA prior to issuance of the first Certificate of Occupancy for the commercial component. (Water Resources)	Prior to First Certificate of Occupancy for the Commercial Component	Water Resources and Building Inspection	
36. The proposed project shall revise residential access to the site to provide a primary public access of at least a 50-foot street and a second access of at least a 36-foot street. (MM 4.4.4a)	Prior to Approval of Grading or Improvement Plans or the Recordation of a Final Map, Whichever Occurs First	Public Works Department	
37. Street light fixtures shall be installed and shielded in	Prior to Approval of	Planning Division	

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such a manner that no light rays are emitted from the fixture at angles above the horizontal plane. High-intensity discharge lamps shall be prohibited. Offsite illumination shall not exceed 2-foot candles. Street lighting plans shall be submitted with project improvement plans for City review and approval. (MM 4.12.3b)	Facility Improvement Plans for Project Roadways		
38. Outdoor light fixtures for non-residential areas (such as the commercial, and recreation areas) shall be low-intensity, shielded and/or directed away from residential areas and the night sky. All light fixtures shall be installed and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane. High-intensity discharge lamps shall be prohibited. Lighting plans shall be provided as part of facility improvement plans to the City with certification that adjacent residential areas will not be adversely affected and that offsite illumination will not exceed 2-foot candles. (MM 4.12.3a)	Prior to Approval of Facility Improvement Plans for the Recreation and Commercial Areas	Planning Division	
39. Bare metallic surfaces on new structures shall be painted to minimize reflectance. (MM 4.12.2c)	Prior to Approval of Facility Improvement Plans for the Recreation and Commercial Areas	Planning Division	
40. Commercial structure exterior materials shall be composed of a minimum of 50 percent low-	Prior to Approval of Facility Improvement	Planning Division	

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reflectance, non-polished finishes. (MM 4.12.2b)	Plans for the Recreation and Commercial Areas		
41. Non-glare glass shall be used in all commercial buildings to minimize and reduce impacts from daytime glare. (MM 4.12.2a)	Prior to Approval of Facility Improvement Plans for the Recreation and Commercial Areas	Planning Division	
42. Prior to construction activities, the applicant shall acquire a Streambed Alteration Agreement from the CDFG. The Streambed Alteration Agreement shall contain resource protection conditions including, but not limited to, the following: <ul style="list-style-type: none"> • Protect and maintain the riparian, wetland, stream, or lake systems and to ensure a "no net loss" of riparian, wetland, or stream habitat value or acreage. Vegetation removal shall not exceed the minimum necessary to complete operations. • Treatment of construction materials, spoils, or fill, so that they cannot be discharged into Laguna Creek. • Streams and wetlands must be provided buffers acceptable to the Department of Fish and Game. No grading or construction activities shall be allowed within these buffers. • Restoration of the area. Restoration shall include revegetations with trees, shrubs, and grasses native to the area. 	Prior to Approval of Improvement Plans	California Department of Fish and Game, and Planning Division	

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	(MM 4.9.7c)			
43.	Prior to the improvement of the site, the soil on and surrounding Areas 1, 2, and 3 shall be tested for potentially hazardous materials in accordance with local, state, and federal regulations. (MM 4.3.4)	Prior to Issuance of Permits for Site Improvements	Sacramento County Environmental Management Department	
44.	Prior to the approval of any grading and/or building permits for any development of the site, the project applicant or property owner shall obtain all applicable permits from the State Department of Fish and Game, US Fish and Wildlife Service, and the U.S. Army Corps of Engineers. A copy of any/all required CDFG, USFWS, and USAGE permits shall be submitted to the City. (MM 4.9.7d)	Prior to Approval of Grading and/or Building Permits	Planning Division, California Department of Fish and Game, U.S. Army Corps of Engineers, and U.S. Fish and Wildlife Service	
45.	<p>The developer shall ensure that roadways damaged by the project are returned to pre-project conditions by incorporating the following measures into the construction contract documents:</p> <ul style="list-style-type: none"> • Prior to construction activities, a pre-construction survey of project area roadways with City of Elk Grove officials will be performed to determine existing roadway conditions. • A post-project survey of project traveled roadways with City of Elk Grove officials shall be performed to determine if any damage has occurred from construction activities. If damage has occurred, the construction contractor shall be responsible for repairing the damage to the 	Prior to Approval of Improvement Plans	Planning Division	

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	satisfaction of the City of Elk Grove. (MM 4.11.4)			
46.	<p>Prior to improvement plan approval or building permit issuance, whichever occurs first, the project proponent shall:</p> <ul style="list-style-type: none"> • Preserve 0.75 acre of similar habitat for each acre lost (26.2 acres x 0.75 ratio = 19.7 acres). This land should be protected through a fee title or conservation easement acceptable to the California Department of Fish and Game (CDFG) and proof of fee title or conservation easement shall be submitted to the City of Elk Grove Planning Department; OR • Prepare and implement a Swainson's hawk mitigation plan for loss of 26.2 acres of foraging habitat to the satisfaction of the California Department of Fish and Game that includes the preservation of Swainson's hawk foraging habitat and submit copy of approved plan to the City of Elk Grove Planning Department; OR • Submit payment of the Swainson's hawk impact mitigation fee per acre impacted for 19.7 acres (26.2 acres at a 0.75 conservation ratio) to the City of Elk Grove Planning Department in the amount set forth in Chapter 16.130 of the City of Elk Grove Code as such may be amended from time to time and to the extent that said Chapter remains in effect. (MM 4.9.3) 	Prior to Improvement Plan Approval or Building Permit Issuance	Planning Division	

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47.	The electrical transformer shall be assumed to contain PCBs and shall be removed prior to removal activities and disposed of by a licensed and certified PCB removal contractor, in accordance with local, state, and federal regulations. (MM 4.3.1)	Prior to Dismantling and Removal Activities	Sacramento County Environmental Management Department	
48.	<p>The project engineer shall consult with the City when designing the improvements to Laguna Creek and the developer shall submit the design of the Laguna Creek improvements and a drainage study to the City for review prior to the approval of the first final map. The study shall include improvements to Laguna Creek to mitigate the impacts of increased runoff from both the residential subdivision map and the commercial parcel map. Detail of improvements, such as channel widening/alteration specifics, building pad elevations, final drainage calculations, removal of vegetation, shall be included in the drainage study. There shall be no net loss of storage for any fill placed within the 100-year floodplain of Laguna Creek with in-kind replacement, or other mitigation as deemed appropriate in the drainage study.</p> <p>If the proposed improvements to Laguna Creek are limited by the conservation easement (such as limiting the removal of vegetation or methods of vegetation removal from the channel), the applicant shall submit to the City of Elk Grove a revised drainage study that includes the modeling of the channel to reflect such</p>	Prior to Approval of the First Final Map	Water Resources and Planning Division	

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<p>vegetation growth. The drainage study shall be completed and approved by the City of Elk Grove prior to approval of the first final map. (MM 4.7.3)</p>			
<p>49. The project applicant shall consult with the Elk Grove Community Service District (EGCSD) regarding its Sale and Operating Agreement with the California State Fish and Game Department and the Wildlife Conservation Board (approved by the EGCSD Board on October 17, 1995) when designing the improvements to Laguna Creek. If the proposed improvements impact the EGCSD's responsibility to fulfill its obligation, a redesign to the drainage plan will be required or an option will be identified that is agreeable to the EGCSD. Approval of this drainage Master Plan shall be by the City of Elk Grove, in consultation with the EGCSD. An easement will be provided by the project proponent to the District's well site with all supporting facilities being protected (i.e. cistern, weir, etc.) which enables the EGCSD to fulfill its obligation under the Sale and Operating Agreement. (CSD)</p>	<p>Prior to Approval Of the First Final Map</p>	<p>CSD</p>	
<p>50. Dedicate additional right-of-way on Bond Road and Elk Grove-Florin Road (concurrently with the recordation of the final map) and install public street improvements (prior to final occupancy approval) pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation of the Public Works Agency. Note: A bus turnout will be required on southbound Elk</p>	<p>Concurrently with Recordation of Final Map and Prior to Final Occupancy Approval</p>	<p>Department of Transportation</p>	

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	Grove-Florin Road at the intersection of Bond Road and Elk Grove-Florin Road. (Department of Transportation)			
51.	Grant the City right-of-way on Bond Road and Elk Grove-Florin Road based on an 84-foot standard pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation of the Public Works Agency. (Department of Transportation)	Prior to Recordation of Final Map	Department of Transportation	
52.	Non-exclusive cross access easements to parcel 116-0100-080, which is N.A.P.O.T.S., should be provided to the satisfaction of the Department of Transportation per the Sacramento County Improvement Standards. (Department of Transportation, LDSIR)	Concurrently with the Recordation of Final Map Creating Six Commercial Parcels	Department of Transportation, LDSIR, and CSD	
53.	Grant the City right-of-way for Elk Grove-Florin Road, Bond Road, and the indicated internal streets based upon the requirements of the Transportation Department. (LDSIR)	Prior to Recordation of Final Map	Transportation Department, LDSIR	
54.	State Well Number 07N05E36A01M is located in the project area. This well has been monitored since 1958 and provides valuable information regarding groundwater trends in the area. Coordinate Sacramento County Water Agency to preserve this well casing and provide access for monitoring purposes. (Water Supply)	Prior to Recordation of Final Map	Water Supply	

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<p>55. Developer shall negotiate with the CSD to locate the 25-foot Landscape Pedestrian Access Lot to Castello Park. This lot should include a 12-foot wide trail, and 6.5-feet of low growth landscape material on each side of the trail. Some of the design features include the following:</p> <ul style="list-style-type: none"> • A 12-foot wide, hard surface, all weather pavement will be installed. Access will be open at both ends to enable unrestricted pursuit by Sheriff's vehicles. • Proper curbing and signs shall be placed at both entrance prohibiting parking in front of the passage way. A four inch vertical curb, painted red and proper signs will discourage most unwanted traffic. • Nighttime illumination of 1.5 foot candles (minimum) shall be maintained along the foot walk. Fixtures will be vandal resistant and have shields to prevent unwanted light from entering adjacent homes. • A funding mechanism and/or CC&R's should be in place to provide funds for lighting and maintenance fees, road and fence repair, and enforcement of parking laws. • A landscape plan to be reviewed and approved by the Elk Grove Community Services District. (CSD, Sheriff's Department) 	<p>Prior to Recordation of Final Map</p>	<p>CSD, Sheriff's Department</p>	
<p>56. Dedicate Parcel 3 of the original Tentative Parcel Map</p>	<p>Prior to</p>	<p>Water Resources</p>	

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to the City of Elk Grove to the satisfaction of the Water Resources Department. (Water Resources)	Recordation of Final Map		
57. Prior to the recordation of the Final Map, a 20-foot landscape buffer area will be created by the developer immediately adjacent to the trail section where it abuts the commercial property. The 20-foot landscape buffers shall not drain across the improved trail sections. (CSD)	Prior to Recordation of Final Map	CSD	
58. All real property within the boundaries of the proposed project is within a benefit zone of the District Wide Landscape and Lighting Assessment District. Prior to recording any final maps, approving improvement plans, or issuing any building permits, the owners of all real property within the boundaries of a project shall execute and deliver to the 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	Prior to Recordation of Final Map	CSD	

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other recreational and aesthetic amenities. (CSD)			
59. Dedicate a 12.5-foot public utility easement for underground and overhead facilities and appurtenances adjacent to all public ways. (LDSIR, SMUD, PG&E)	Prior to Recordation of Final Map	LDSIR, SMUD, PG&E	
60. Provide the Elk Grove Community Services District all of the Trail and Open Space Easements/Dedications necessary to successfully interlink the Trail System with all adjoining property owners and transportation projects. (CSD)	Prior to Recordation of Final Map	CSD	
61. The creek parkway Open Space zone shall be dedicated in fee title to the Elk Grove CSD prior to recordation of a final map for the project. (CSD)	Prior to Recordation of Final Map	CSD	
62. Provide drainage easements (prior to recordation of final map) and install facilities (prior to the issuance of building permits) pursuant to the City of Elk Grove Floodplain Management Ordinance, Sacramento County Water Agency Code, and City of Elk Grove Improvement Standards, including any fee required by the Sacramento County Water Agency Code. The pertinent provisions of the above-referenced codes, standards, fees, and ordinances shall be applicable at the time of site improvement plan approval.	Prior to Recordation of Final Map and Prior to the Issuance of Building Permits	Water Resources	
63. The project applicant shall prepare construction specifications that will require the contractor to	Prior to Tentative Map	Planning Division	

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<p>perform the following tasks:</p> <ul style="list-style-type: none"> • Limit construction activities to the hours of 7:00 a.m. to 6:00 p.m. on weekdays and the hours of 8:00 a.m. to 5:00 p.m. on Saturdays and Sundays. • Locate fixed construction equipment such as compressors and generators as far as feasibly possible from sensitive receptors. Shroud or shield all impact tools, and muffle or shield all intake and exhaust ports on power construction equipment. <p>The construction specifications shall be submitted to the City for review and approval prior to the City's approval of the project's tentative maps. (MM 4.5.1)</p>	Approval		
<p>64. Prior to recordation of final map, dedicate a 25-foot Landscape Corridor to the Elk Grove Community Services District adjacent to the right-of-way for both Elk Grove-Florin Road and Bond Road, and prior to final occupancy approval, improve the Landscape Corridor. When improvements to the corridors and medians have been completed in accordance with plans, specifications, and the inspection procedures approved by the Elk Grove Community Services District, an easement shall be conveyed to the District for ongoing maintenance, operation, repair and replacement. Applicant 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 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</p>	<p>Prior to Recordation of Final Map and Prior to Final Occupancy Approval</p>	CSD	

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	applicant may be met by entering into a subsidy agreement with the District. (CSD)			
65.	Prior to building demolition, an interior inspection of the structures shall be conducted by an environmental professional to identify ACMs. If substances are detected at concentrations that could pose a health hazard, physical barriers will be installed to prevent asbestos emissions upon removal of ACMs (i.e., tenting). An onsite asbestos removal professional trained in the Asbestos Hazard Emergency Response Act (AHERA) and meeting the U.S. Environmental Protection Agency Asbestos Abatement Consultant Certification requirements shall be retained to oversee proper asbestos waste maintenance and handling. (MM 4.3.2)	Prior to Issuance of a Building Demolition Permit	Sac. County Environmental Management Dept. and Sac. County Metropolitan Air Quality Management District	
66.	Prior to the issuance of demolition permits for existing onsite structures, all loose and peeling paint shall be removed and disposed of by a licensed and certified lead paint removal contractor, in accordance with local, state, and federal regulations. (MM 4.3.3a)	Prior to Issuance of a Building Demolition Permit	Sac. County Environmental Management Dept. and Sac. Metropolitan Air Quality Management District	
67.	The demolition contractor shall be informed that all paint on the buildings shall be considered as containing lead. The contractor shall take appropriate precautions to protect his/her workers, the surrounding community, and to dispose of construction waste containing lead paint in accordance with local, state, and federal regulations.	Prior to Issuance of A Building Demolition Permit and Included in Demolition and Removal Contracts	Sac. County Environmental Management Dept. and Sac. Metropolitan Air Quality Management District	

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(MM 4.3.3b)			
68. Prior to final occupancy, the project developer shall construct required frontage improvements and stripe a right turn lane along Bond Road. The resulting eastbound approach shall consist of a left turn lane, two through lanes, a bike lane, and a right turn lane. In addition, sidewalk shall be constructed along the entire Bond Road project frontage. (MM 4.4.2a)	Prior to Final Occupancy	Public Works Department	
69. Place a note on the Final Map requiring that development along the southern project boundary shall be limited to single story units.	On the Final Map	Building Division and Planning Division	
70. Place a note on the Final Map requiring development plan review for both the residential and commercial components of the project for the Planning Commission's approval. Residential development plan review shall be a staff level review and shall be limited to 71.a, 71.h, and 71.i. Commercial development plan review shall be a Planning Commission review and shall include but not be limited to 71.b through 71.g. a. Any homes along the 25-foot pedestrian access easement to Castello Park will either be orientated to face the pathway, or will be orientated to face the street with the garage on	On the Final Map	Planning Department	

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<p>the opposite side of the easement. An open type of fence shall be installed for visibility. A vertical wrought iron or ornamental iron fence is required.</p> <p>b. The minimum building setback for the commercial buildings shall be either:</p> <ul style="list-style-type: none"> • 60-feet, as measured from the Open Space zone boundary/20-foot buffer edge, to be improved with a landscape parking lot consistent with the GC Zoning and an aesthetic transition from the creek parkway to the commercial; or • The development shall be found in substantial compliance with Attachment A. The intent of the review is to provide setbacks as stated above, or to provide wider open space areas along the creek corridor. <p>c. Trash enclosures within lots adjacent to the creek parkway may be located within 10-feet of the landscape buffer, but shall open away from the creek parkway, shall be block wall with colors consistent with the rear elevations of the buildings, and shall be screened from view from the parkway with landscaping.</p> <p>d. The elevation of any buildings that face the parkway, constructed on any lot adjacent to the creek parkway, shall be finished and landscaped in materials similar to the side of the building facing the street/front elevation, and parking lots shall be landscaped with shade trees consistent with the creek parkway design guidelines and</p>			

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<p>Zoning Code standards. In addition, any elevation facing the parkway shall incorporate architectural features consistent with the side of the building facing the street/front elevation.</p> <p>e. The buffer transition from open space to commercial shall be fully landscaped to provide screening of the building and an aesthetic transition from the creek parkway to the commercial development.</p> <p>f. Any/all commercial buildings located adjacent to the creek parkway shall have any/all roll-up doors located away from the creek. Any/all roll-up doors shall be painted/finished in colors consistent with the building elevation containing the roll-up doors.</p> <p>g. Exterior lighting for security considerations shall be reviewed for those lots adjacent to the parkway and will be the responsibility of the property owners. Lighting specifications will be determined during the building design review stage and shall be approved by Sacramento County Sheriff Department, the Elk Grove CSD, the Department of Parks and Recreation, and the Fire Department.</p> <p>h. The height of the masonry wall along the south side of the 36-foot access road at Elk Grove-Florin Road shall be constructed at a height of ten (10) feet.</p> <p>i. A six-foot solid block wall will be provided between Castello Park and the residential lots, subject to the approval of the Planning Division</p>			

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	and the Elk Grove Community Services District.			
71.	The project shall conform to the specific provisions of the Sacramento County Landscape Water Conservation Ordinance (Chapter 14.10 of the Sacramento County Code) to the satisfaction of the County Landscape/Oak Tree Coordinator. (Water Supply)	Prior to the Issuance of Building Permits	Water Supply	
72.	Prior to final occupancy, the project developer shall construct required frontage improvements and stripe a third lane along Elk Grove-Florin Road. The resulting southbound departure leg from the Bond Road intersection shall consist of a three through lanes and a bike lane. In addition, sidewalk shall be constructed along the entire Elk Grove-Florin Road project frontage. (MM 4.4.2b)	Prior to Final Occupancy	Public Works Department	
73.	The existing median along Elk Grove-Florin road shall be extended to prohibit left-out movements from the project site. (MM 4.4.2c)	Prior to the Issuance of Building Permits	Public Works Department	
74.	A standard bay taper shall be used to develop the left turn lanes at the Bond Road intersection. (MM 4.4.2d)	Prior to the Issuance of Building Permits	Public Works Department	
75.	The driveway width at the west driveway of the commercial portion on Bond Road shall accommodate the: <ul style="list-style-type: none"> • one inbound lane (right-turn only) 	Prior to Issuance of Building Permits	Public Works Department	

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	<ul style="list-style-type: none"> • one outbound lane (right turn only) • a concrete median (minimum two feet wide) to allow right turn movements only along the driveway throat. The median should extend at least 30 feet beyond the first parking aisle. <p>Right-turn-in and right-turn-out access shall be maintained for the west driveway along Bond Road. (MM 4.4.3a)</p>			
76.	<p>The access driveway of the commercial portion on Elk Grove-Florin Road shall be designed to provide access of right-in and right-out movements. The existing median shall be extended to prohibit left-out movements. The concrete median shall be widened at the driveway to channel northbound left turning traffic into the driveway. (MM 4.4.3b)</p>	Prior to Final Occupancy	Public Works Department	
77.	<p>Access at the commercial and residential driveways along Bond Road and Elk Grove-Florin Road shall consist of right-in, right-out movements only. (MM 4.4.3c)</p>	Prior to Final Occupancy	Public Works Department	
78.	<p>The project applicants shall install a bus turnout on southbound Elk Grove-Florin Road at the intersection of Bond Road and Elk Grove-Florin Road in consultation with the City Department of Transportation. (MM 4.4.5)</p>	Prior to Issuance of Building Permits	Department of Transportation	
79.	<p>The project applicant shall contribute to the project's fair share for providing a second eastbound left turn</p>	Prior to Issuance of Building Permits	Public Works Department	

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	lane and reconfigure the westbound approach to consist of a left turn lane, two through lanes, and a right turn lane at the Bond Road/Elk Grove Florin Road intersection. (MM 4.4.6a)			
80.	Along the north side of Bond Road west of the Bond Road/Elk Grove-Florin Road intersection, the project applicant provide for the realignment of the westbound lanes and a ½ street improvement along the south side of Bond Road. (MM 4.4.6b)	Prior to Issuance of Building Permits	Public Works Department	
81.	The developer shall provide parkland dedication and/or fees as required by Chapter 22.40, Park and Recreation Dedication and Fees, of the City Code. (MM 4.11.3, LDSIR)	Prior to Issuance of Building Permits	Planning Division	
82.	Vertical wrought iron, decorative iron, or other open non-climbing fencing shall be installed where Laguna Creek Corridor abuts either residential or commercial uses. (MM 4.11.2)	Prior to Issuance of Building Permits	Planning Division	
83.	Provision for the on-site collector sewer maintenance within the private road area shall be contained in a street maintenance agreement for the project. CSD-1 will provide maintenance only in easements dedicated to CSD-1, or in public right of ways. (CSD-1)	Prior to Issuance of Building Permits	CSD-1	
84.	Provisions for public sewer easements may be required. If required, the sewer easement shall be	Prior to Issuance of Building Permits	CSD-1	

Exhibit B: FINAL Conditions of Approval / Mitigation Monitoring and Reporting Program¹

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
dedicated to CSD-1, be a minimum of twenty (20) feet in width and ensure continuous access for maintenance. (CSD-1)			
85. The Bell South property shall be annexed into the Elk Grove/West Vineyard Public Facilities Financing Plan. Because annexation would not occur until the next Fee Program update, building permits shall not be issued unless either the project is annexed into the Elk Grove/West Vineyard Public Facilities Financing Plan or the property owner pays development fees as if the project were located within Subzone No.4 of the Elk Grove/West Vineyard Public Facilities Financing Plan area as adopted by the City of Elk Grove on July 1, 2001, including any authorized adjustments and updates thereto and any other fees adopted by the City in accordance with the requirements of Chapter 5 (commencing with Section 66000) of Division 1 of Title 7 of the Government Code or pursuant to any other enabling law. (MM 4.11.1, Infrastructure Finance Section)	Prior to Issuance of Building Permits	Infrastructure Finance Section and Building Department	
86. This development shall be subject to the Elk Grove Unified School District's residential fee in place at the time a building permit is applied for. (EGUSD)	Prior to Issuance of Building Permits	EGUSD	
87. If human remains are discovered, all work must stop in the immediate vicinity of the find, and the County Coroner must be notified, according to Section 7050.5 of California's Health and Safety Code. If the remains	As a Condition of Project Approval, and Implemented During Construction	Planning Division	

Exhibit B: FINAL Conditions of Approval / Mitigation Monitoring and Reporting Program¹

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>are Native American, the coroner will notify the Native American Heritage Commission, which in turn will inform a most likely descendant. The descendant will then recommend to the landowner appropriate disposition of the remains and any grave goods. (MM 4.10.2b)</p>	<p>Activities</p>		
<p>88. If any prehistoric or historic artifacts, or other indications of archaeological resources are found once the project construction is underway, all work in the immediate vicinity must stop and the City shall be immediately notified. An archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, shall be retained to evaluate the finds and recommend appropriate mitigation measures. (MM 4.10.2a)</p>	<p>As a Condition of Project Approval, and Implemented During Construction Activities</p>	<p>Planning Division</p>	
<p>89. The fish ponds shall be preserved in place. If that is not feasible, the ponds shall be documented for the Historic American Engineering Record (HAER) by a qualified historian. (MM 4.10.1b)</p>	<p>As a Condition of Project Approval, and Implemented During Construction Activities</p>	<p>Planning Division</p>	
<p>90. The hatchery site, including its 11 contributing buildings, shall be preserved in place. If that is not feasible, the buildings shall be documented for the Historic American Building Survey (HABS) by a qualified historian. (MM 4.10.1a)</p>	<p>As a Condition of Project Approval, and Implemented During Construction Activities</p>	<p>Planning Division</p>	

Exhibit B: FINAL Conditions of Approval / Mitigation Monitoring and Reporting Program¹

	<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
91.	<p>On-site source and treatment control measures are required for this project in accordance with the latest version of the Guidance manual for On-Site Stormwater Quality Control Measures. In all cases, source control measures on the improvement plans will include provision of a permanent storm drain message "No Dumping – Flows to Creek" or other approved message at each inlet. Other on-site source and treatment control measure(s) referenced in the Manual shall be incorporated and used in accordance with the specific commercial activities associated with EG-00-004. As a condition of rezoning and prior to improvement and/or development plan approval, the final design of the proposed on-site source and treatment controls will be approved by the Department of Water Resources. (Water Resources)</p>	<p>Prior to and During Construction Activities and Throughout the Life of the Project</p>	<p>Water Resources</p>	
92.	<p>The project applicant shall implement BMPs to ensure that long-term water quality is protected. The BMPs shall be designed, constructed and maintained to meet a performance standard established by the City. The City or project applicant shall retain a qualified specialist to monitor the effectiveness of the BMPs selected. Monitoring activities, along with funding for monitoring, shall be established and shall include (but not be limited to) initial setup, yearly maintenance, and yearly monitoring.</p> <p>During project operation, the project shall implement actions and procedures established to reduce the</p>	<p>Prior to and During Construction Activities and Throughout the Life of the Project</p>	<p>Water Resources and Planning Division</p>	

Exhibit B: FINAL Conditions of Approval / Mitigation Monitoring and Reporting Program¹

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>pollutant loadings in storm drain systems. The two main categories of these BMPs are "source control" and "treatment control." Source control BMPs are usually the most effective and economical in preventing pollutants from entering storm and non-storm runoff. Source control BMPs that are relevant to the Bell South project and shall be implemented include:</p> <ul style="list-style-type: none"> a) Public Education/Participation activities. Information shall be provided to new project residents and tenants regarding pollution prevention; b) Materials Management activities. The project shall implement the following measures within any common landscaping or other facilities on-site. c) Materials Use Controls, which include good housekeeping practices (storage, use and cleanup) when handling potentially harmful materials, such as cleaning materials, fertilizers, paint, and where possible using, safer alternative products; d) Material Exposure Controls, which prevent and reduce pollutant discharge to storm water by minimizing the storage of hazardous materials (such as pesticides) on site, storing materials in a designated area, installing secondary containment, conducting regular inspections, and training employees and subcontractors; and e) Material Disposal and Recycling, which includes storm drain system signs and stenciling with language to discourage illegal dumping of 			

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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>
<p>unwanted materials. The project shall notify project residents of household hazardous waste and used oil recycling at collection centers and round-up activities conducted by the City.</p> <p>f) Spill Prevention and Cleanup activities which are directed toward reducing the risk of spills during the outdoor handling and transport of chemicals, and toward developing plans and programs to contain and rapidly clean up spills before they get into a storm drain system. This BMP also deals with the prevention and reduction of pollution from vehicle leaks and spills from vehicles during transport, as well as aboveground storage tanks;</p> <p>g) Illegal Dumping controls. The Covenants, Conditions, and Restrictions (C, C, & R's) for the project shall include a prohibition on the dumping of waste products (solid waste/liquid waste and yard trash) into storm drain systems, open space areas, and creeks;</p> <p>h) Stormwater pollution source controls shall be conditioned to provide a permanent storm drain message "No Dumping – Flows to Creek" or other approved message at each storm drain inlet. This may be accomplished with a stamped concrete impression (for curbs) or manufactured colored tiles, which are epoxied in, place adjacent to the inlet (for parking lots and areas without curbs).</p> <p>i) Street and storm drain maintenance activities. These activities control the movement of pollutants and remove them from pavements through catch basin cleaning, storm drain</p>			

Exhibit B: FINAL Conditions of Approval / Mitigation Monitoring and Reporting Program¹

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>flushing, street sweeping, and by regularly removing illegally dumped material from storm channels and creeks. (The City of Elk Grove would be responsible for regular storm drain maintenance within the public right of way; grease traps and other stormwater quality control devices on private property shall be maintained by the project.) (MM 4.7.2a)</p>			
<p>93. Development activities at the project site will not block or obstruct bus access on Elk Grove-Florin Road and Bond Road. Any temporary obstruction to transit operations shall be communicated to Regional Transit in a timely manner. Please contact Deidre Brown at (916) 321-2894. (Regional Transit)</p>	<p>Prior to and During Construction Activities</p>	<p>Regional Transit</p>	
<p>94. Construction contracts for the project shall include the following measure, as required in the project's AQ-15 Plan, to be monitored by the City and SMAQMD:</p> <p><u>Category 1: Reducing NOx emissions from off-road diesel powered equipment.</u> The prime contractor shall provide a plan for approval by the City of Elk Grove 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</p>	<p>Prior to and During Construction Activities</p>	<p>Planning Division and Sacramento Metropolitan Air Quality Management District</p>	

Exhibit B: FINAL Conditions of Approval / Mitigation Monitoring and Reporting Program¹

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>average; and</p> <p>The prime contractor shall submit to the City of Elk Grove and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during the construction project. The inventory shall include the horsepower rating, engine production year, and hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs.</p> <p>and:</p> <p><u>Category 2: Controlling visible emissions from off-road diesel powered equipment.</u></p> <p>The prime contractor shall ensure that emissions from all off-road diesel powered equipment used on the 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 City of Elk Grove and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted to the City and SMAQMD throughout the duration of the project,</p>			

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<p>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. (MM 4.6.1B)</p>			
<p>95. Prior to construction activities on the site, the project applicant shall conduct a soil sample and laboratory test to determine the expansion potential and stability of the soil for commercial and residential components (Parcels 1 and 4 of Tentative Parcel Map1) of the site as well as Parcel 3 of Tentative Parcel Map 1, if soil from that Parcel will be used as fill for the commercial and residential components. If it is determined that the area contains expansive soils, the following mitigation measures shall be employed:</p> <ul style="list-style-type: none"> • Expansive soils can be excavated and replaced with non-expansive materials. The required depth of excavation shall be specified by a registered civil engineer based on actual soil conditions; • Expansive soils may be treated in place by mixing them with lime. Lime-treatment alters the chemical composition of the expansive clay minerals such that the soil becomes non-expansive; or, 	<p align="center">Prior to Construction Activities</p>	<p align="center">Public Works Department</p>	

Exhibit B: FINAL Conditions of Approval / Mitigation Monitoring and Reporting Program¹

	<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	<ul style="list-style-type: none"> Implement other engineering practices for mitigation of expansive soil conditions considered appropriate by the City of Elk Grove Public Works Department. (MM4.8.2) 			
96.	<p>Biofilter swales and vegetated strips shall be utilized in providing biofiltration of pollutants in project runoff prior to entering Laguna Creek. The project engineer shall consult with the City when designing storm water conveyance facilities, and the developer shall submit designs of the areas to these agencies for review and approval prior to approval of the Final Map. (MM 4.7.2b)</p>	<p>Design shall be Submitted Prior to Construction Activities</p>	<p>Water Resources and Planning Division</p>	
97.	<p>Sound walls shall be constructed along Bond Road as shown in Figure 4.5-5 (except for along the west side of Laguna Creek) of the Draft EIR. Sound wall design shall include extensions perpendicular to Bond Road. The extensions shall be implemented on either side of the project entrance. The height of the sound wall may be reduced gradually over the extension length to a height of 6 feet above pad elevation. (MM 4.5.2)</p>	<p>Prior to Final Occupancy Approval</p>	<p>Building Department</p>	
98.	<p>Install public street improvements on Bond Road and Elk Grove-Florin Road pursuant to the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation of the Public Works Agency. Note: Elk Grove-Florin Road is designated as a thoroughfare standard north of Bond Road and through the intersection; therefore,</p>	<p>Prior to Final Occupancy Approval</p>	<p>Department of Transportation</p>	

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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>
	the intersection will have a non-standard design configuration. Please verify the intersection configuration with the Department of Transportation. (Department of Transportation)			
99.	Construction of public collector sewer will be required. Sacramento County Improvement Standards apply to on-site sewer construction. (CSD-1)	Prior to Final Occupancy Approval	CSD-1	
100.	Destroy all abandoned wells on the proposed project site in accordance with the requirements of the Sacramento County Environmental Health Division. Clearly show all abandoned/destroyed wells on the improvement plans for the project. (Water Supply)	Prior to Issuance of Grading and Demolition Permits	Water Supply	
101.	Prior to the recordation of the Final Map, provide a tree replacement plan so that replacement shall occur on site to the maximum extent feasible.	Prior to the Recordation of the Final Map	Planning Division	
102.	Provide public water service to each parcel. Elk Grove Water Works is the retail water provider in this area. (Water Supply)	Prior to Final Occupancy Approval	Water Supply	
103.	Install public street improvements on Elk Grove-Florin Road, Bond Road, and the indicated internal streets pursuant to the Elk Grove City Improvement Standards. (LDSIR)	Prior to Final Occupancy Approval	Transportation Department, LDSIR	
104.	The water system for this subdivision shall be connected to the secondary water mains at two	Prior to Final Occupancy	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>
	Approval		
105. Landscape Corridors and the 20-foot landscape buffer adjacent to the Parkway shall be constructed and installed in accordance with plans and specifications approved by the Elk Grove Community Services District and shall be consistent with the Elk Grove Community Services District "General Guidelines for Landscape Corridor Design" and other CSD projects in close vicinity to the area. Corridors will be inspected by District employees and include meandering or bifurcated sidewalks, subject to EGCSO approval. Any proposed deviation from CSD's specifications would need to be submitted to the CSD and be approved in writing. (CSD)	Prior to Final Occupancy Approval	CSD	
106. For all residential and commercial lots adjacent to the creek parkway, fencing shall be installed within the lots adjacent to the buffer and shall be black, wrought iron. Fencing size and specifications shall be subject to approval by the Elk Grove CSD, the Planning Division, County Sheriff's and Fire Departments. The owners of the individual lots shall maintain fencing. Applicant shall be responsible for removal of all chain link fencing adjacent to the Laguna Creek Parkway. (CSD)	Prior to Final Occupancy Approval	Planning Division and CSD	

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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>
<p>107. Prior to the recordation of the Final Map, developer shall submit improvement plans for review and approval for the Laguna Creek/Open Space Corridor. Prior to final occupancy approval, developer shall be responsible for developing and improving the Corridor including but not limited to the following:</p> <ul style="list-style-type: none"> • Resurfacing of the Laguna Creek Trail (10-feet of asphalt with 2-feet decomposed granite shoulders and a 5-foot wide equestrian system. Trail shall be located out of the 10-year floodplain. The intent of this 10-year floodplain requirement is to ensure that flood conditions with respect to the trail are not degraded as a result of the project.) • Landscaping Plan and installation. • Two interpretive kiosks and two benches. One of the interpretive kiosks shall document the history of the prior fish hatchery function. • All improvements shall be built with plans and specifications being approved by the Elk Grove Community Services District. • Signage for the trail will be funded and provided by the developers in accordance with the EGCSO specifications (i.e. Sign Manual). • New fencing and landscaping adjacent to the well site. (CSD) 	<p>Prior to Recordation of the Final Map and Prior to Final Occupancy Approval</p>	<p>CSD and Planning Division</p>	
<p>108. Access driveway from the LC parcels onto Bond Road west of Elk Grove-Florin Road will be restricted to right-turn-in and right-turn-out only. Access driveway from the LC parcels onto Elk Grove-Florin Road south of</p>	<p>Prior to Final Occupancy Approval</p>	<p>Transportation Department</p>	

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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>
Bond Road will be restricted to right-turn-in and right-turn-out only. Note: Left turns into the project as proposed could impact traffic operations. (Transportation Department)			
109. A sound wall, constructed of solid material such as masonry or concrete blocks and 6 feet above pad elevation, shall be constructed between the proposed residential area and the existing James McKee Elementary School/Preschool, as shown in Figure 4.5-6 of the Draft EIR. (MM 4.5.3)	Prior to Final Occupancy Approval	Building Department	
110. Place a note on the Final Map requiring disclosure to residents that a transit stop may be constructed at or near the corner of Bond Road and Elk Grove-Florin Road in the future. (Regional Transit)	On the Final Map	Regional Transit	

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. Construction of public sewer within Bond Road will be required. The approximate length of the required sewer in Bond Road is 800 feet. (CSD-1)
- b. An approved sewer study to the satisfaction of CSD-1 shall be required prior to submittal of improvement plans. (CSD-1)
- c. Developing this property may require the payment of additional sewer impact fees. Applicant should contact the Fee Quote Desk at 875-6679 for sewer impact fee information. (CSD-1)
- d. The proposed development is wholly within the Florin Resource Conservation District / Elk Grove Water Works (FRCD/EGWW) service area as identified by Sacramento County, and is not included in the Sacramento County Water Agency (SCWA) Zone 40 area. The proposed development is subject to the fees, taxes, etc. as defined by FRCD/EGWW. This development will be supplied groundwater from FRCD/EGWW production facilities until treated surface water is available on a conjunctive use basis. The water supply required for the proposed development is currently available from existing FRCD/EGWW wells. The existing distribution system may not be adequately sized to meet the proposed development demands (maximum day demand plus appropriate fire flow requirement as determined by the Elk Grove Fire Department) while maintaining acceptable system pressures. A more accurate assessment of system capabilities can be made after the development plan is approved by the City of Elk Grove. Depending on the fire flow requirements, the development could be connected to existing 8-12" pipelines adjacent to the development in the easterly, southerly and westerly directions. Site-specific comments will be provided upon formal request for water service to the development, and after all applicable FRCD/EGWW fees (i.e. - Plan Check Deposit) have been made in accordance with FRCD/EGWW Plan Submittal and Development Standards. (FRCD/EGWW)
- e. All commercial buildings exceeding 3,599 square feet shall be equipped with an approved automatic fire sprinkler system. (Fire Department)
- f. Permits and/or fees are required for the following reviews: site plan, civil plans, architectural plans, fire sprinkler plans, special extinguishing plans, and fire alarm plans. Additional permits and fees may apply depending upon the scope of the project. (Fire Department)
- g. A permit release letter from the Elk Grove Community Services District Fire Department (EGCSDFD) shall be required prior to the Elk Grove Building Department issuing any construction permits. (Fire Department)
- h. This development is required to provide a fire flow from public water system capable of delivering as a minimum 50 PSI static pressure and 3,000 gpm at 20 psi residual pressure in commercial areas and 50 PSI static pressure and 1,000 GPM at 20 PSI

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residual pressure in residential, single-family home areas. Hydrants shall be spaced a maximum of 300 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. (Fire Department)

- i. Dead-end streets in excess of 150 feet require approved emergency vehicle turn-arounds. (Fire Department)
- j. All required roadways, street signs, addresses, 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. (Fire Department)
- k. 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. (Fire Department)
- l. The installation of addresses, landscaping, pipe bollards, masonry sound walls, tree wells, traffic calming devices, and/or traffic islands are subject to standards outlined by the EGCSDFD. (Fire Department)
- m. Traffic pre-emption devices, approved by the EGCSDFD, 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 EGCSDFD. (Fire Department)
- n. Required fire alarm systems (other than on single family dwellings) shall be connected to a UL listed central station approved by the Sacramento Regional Fire/EMS Communications Center. (Fire Department)
- o. The wetlands/riparian corridors of creeks and open spaces create an unusual fire hazard and challenge to emergency responders. The following requirements apply:
 - Provide non-combustible fences along all developed areas adjacent to wetlands/creeks/open spaces.
 - Provide access to all wetland corridors at the end of cul-de-sacs via rolled curbs and gates with pipe bollards. Bike lanes adjacent to creeks shall be a minimum of 10 feet wide with a turning radius of not less than 35 feet inside and 45 feet outside. All bike paths shall be paved with 2 inches of AC over 4 inches of AB compacted to 95 percent.
 - Any bridges over creeks or wetland areas shall be capable of supporting 65,000 GVW.
 - Provide at least 10 feet of greenbelt or other defensible space between noncombustible fences and the creek/wetland areas. (Fire Department)
- p. Though not required, it is recommended that all single family dwellings be equipped with an automatic fire sprinkler system. As approximately 80% of all fire deaths occur in residential dwellings, these life safety systems drastically improve the occupant's chance of surviving a fire. (Fire Department)

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- q. Commercial developments in excess of 10,000 square feet require looped fire mains of a minimum of eight (8) inch diameter to supply fire hydrants spaced at a maximum of 300-foot intervals. This on-site fire main shall be connected to the municipal water main at not less than two (2) points. (Fire Department)
- r. All landscape corridor walls shall be of masonry construction. Wall design and materials shall be subject to CSD approval. Graffiti resistant materials shall be used. (Check planning area for type of material for masonry wall.) (CSD)
- s. Landscape Corridors shall be constructed and installed in accordance with plans and specifications approved by the Elk Grove Community Services District and shall be consistent with the Elk Grove Community Services District "General Guidelines for Landscape Corridor Design" and other CSD projects in close vicinity to the area. Corridors will be inspected by District employees and include meandering or bifurcated sidewalks, subject to EGCSO approval. Any proposed deviation from CSD's specifications would need to be submitted to the CSD and be approved in writing. (CSD)
- t. Homes that have attached garages with side or rear doors shall have solid core or metal covered doors with dead bolt locks. (Sheriff's Department)
- u. Sky-light 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. (Sheriff's Department)
- v. All external door frames, including the side garage, shall 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)
- w. The Sheriff's Department highly recommends that homes be designed with the front of the garage aligned with or set back 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)
- x. Patrol officers should be able to see the entire cul-de-sac from the intersection. Large radius curves will be permitted if they meet the visibility from intersection criteria. (Sheriff's Department)
- y. If homes are adjacent to open areas, then vertical wrought iron or decorative iron fencing will be installed. This is to enhance viewing of the open area in addition to making it more difficult to climb over the fence. (Sheriff's Department)
- z. The size, number, and location of driveways shall be to the satisfaction of the Department of Transportation of the Public Works Agency. Note: Driveway widths of 45 feet should be provided on major streets. (Department of Transportation)
- aa. Applicant shall add a note to the Final Map indicating that the Pacific Bell Underground Service Alert should be called at 800-642-2444 two working days before digging in the proximity of telephone plant. (Pacific Bell)

- 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-00-003 and EG-00-004, has been established for the project entitled "BELL SOUTH".

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 preceding 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 \$9,500, 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.

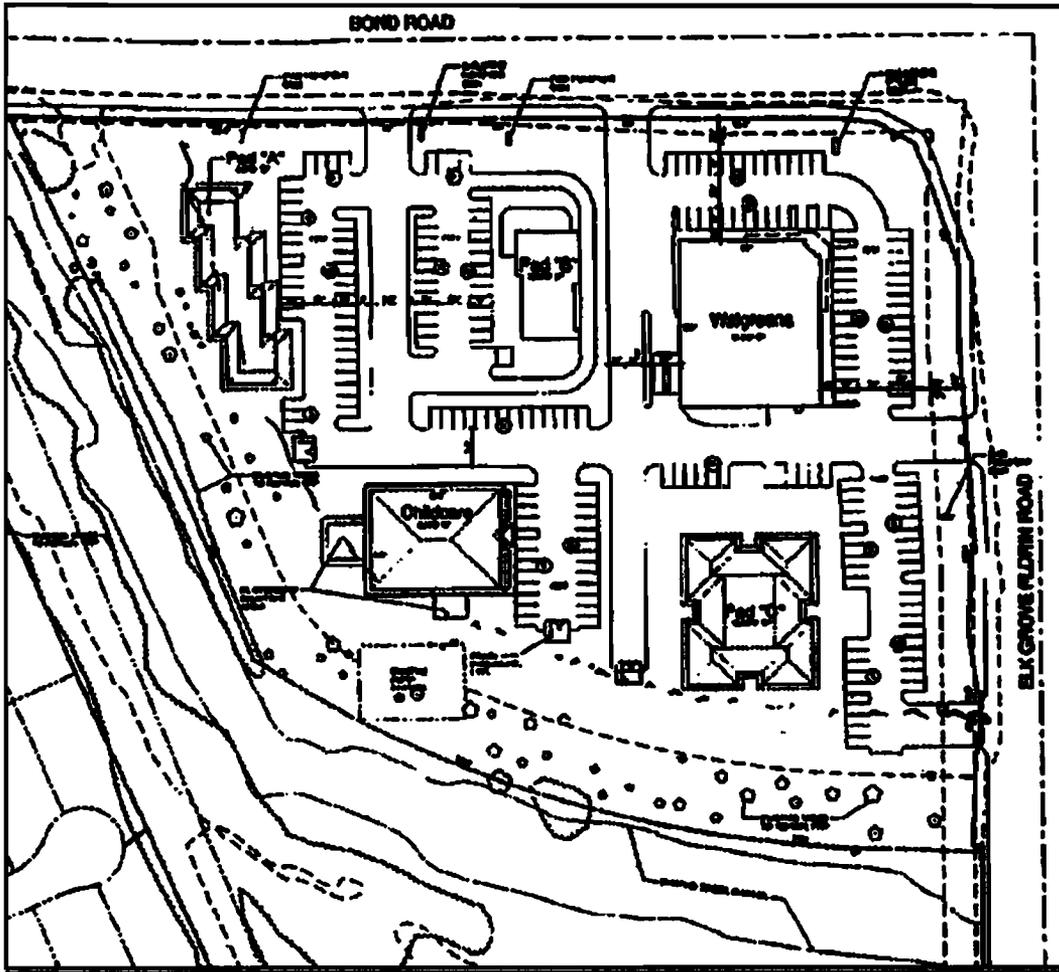
The requirements of this adopted Program run with the real property that is the subject of the project, as described in **Attachment B**. Successive owners, heirs and assigns of this real property are bound to comply with all of the requirements of the adopted Program.

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.

Attachment A – Conceptual Site Plan for Parcels 1-6



Attachment B – Legal Description

THE NE ¼ OF THE NE ¼ OF SEC 36, T7N R5E, MDB&M EXC THAT POR DESC AS BEG AT A PT LOC S00°36'04"E 492.33' AND S89°23'56"W 504.63' FR THE NE COR SD SEC 36; TH S89°23'56"W 42.50'; TH S00°36'04"E 60'; TH N89°23'56"E 85'; TH N00°36'04"W 60'; TH S89°23'56"W 42.50' TO P.O.B.

EXC R/W REC ON 990310-603

CONTG 39.11 AC