

**Resolution No. 2005-349**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING A TENTATIVE SUBDIVISION MAP AND SPECIAL DEVELOPMENT PERMIT FOR THE SHELDON TERRACE PROJECT NO. EG-04-587, SUBJECT TO THE FINDINGS AND CONDITIONS OF APPROVAL**

**WHEREAS**, SKK Development, represented by Claybar Engineering (hereinafter referred to as Applicant) filed an application with the City of Elk Grove (hereinafter referred to as City) for a Rezone, Tentative Subdivision Map, and Special Development Permit. (Assessor's Parcel Number 116-0021-036); and

**WHEREAS**, the City Council is the appropriate authority to hear and take action on this project after a recommendation by the Planning Commission; and

**WHEREAS**, the City determined that the Sheldon Terrace Project was subject to the California Environmental Quality Act and prepared an initial study evaluating the potential environmental effects of the project; and

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

**WHEREAS**, the City has agreed to implement proposed mitigation measures that avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and

**WHEREAS**, a Mitigation Monitoring and Reporting Program has been prepared in accordance with City of Elk Grove regulations and is designed to ensure compliance during project implementation; and

**WHEREAS**, all project changes required to avoid significant effects on the environment have been incorporated into the project and/or are identified in the Mitigation Monitoring Plan; and

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

**WHEREAS**, the City distributed the Notice of Intent to Adopt the Mitigated Negative Declaration on July 29, 2005 and was posted at the Sacramento County Clerk's Office, distributed through the State Clearinghouse and at the City offices, pursuant to CEQA Guidelines 15072. A 30 day review and comment period was opened on July 29, 2005 and closed on August 29, 2005. The Mitigated Negative Declaration was made available to the public during this review period; and

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

**WHEREAS**, the City has considered the comments received during the public review period, and they do not alter the conclusions in the Initial Study and Mitigated Negative Declaration; and

**WHEREAS**, the Planning Commission considered the Applicant's request at public hearings on October 6, 2005 and October 20, 2005 and recommended City Council approval of the project.

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

### Findings

#### **CEQA**

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

Evidence: An Initial Study was prepared for the proposed project. Potential adverse environmental impacts were identified in the areas of biology, noise, and air quality. The City determined that the mitigation proposed in the Mitigation Monitoring and Reporting Program will reduce impacts to a less than significant level and a Mitigated Negative Declaration was prepared. On the basis of the Mitigated Negative Declaration, comments received, and the entire administrative record, there is no substantial evidence that the project will have a significant adverse impact on the environment.

#### **General Plan**

Finding: The proposed Sheldon Terrace project is consistent with the goals and policies of the Elk Grove General Plan.

Evidence: The Sheldon Terrace project site is currently designated Medium Density Residential (MDR) on the General Plan land use map. This project includes a request for a rezone of the site from SC to RD-15, an implementing zoning district of MDR.

#### **Rezone**

Finding: The proposed rezone is in the public interest (Section 65358(a) of the Government Code).

Evidence: The proposed rezone of the project site from SC to RD-15 is consistent with the site's Medium Density Residential General Plan Designation. However, as detailed in the staff report, the proposed project does not meet the minimum development standards for RD-15 zoning. Approval of a Special Development Permit is required to allow for the proposed Sheldon Terrace project.

### **Tentative Subdivision Map**

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

Evidence:

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

### **Special Development Permit**

Finding: The proposed Sheldon Terrace project will carry out and be consistent with the intent of the General Plan. The Special Development Permit affords the project with the ability to provide a unique housing product type and a desirable environment for project residents. The proposal development density is compatible with existing land uses that surround the project site.


Evidence: The site is currently identified for medium density residential uses by the City's General Plan. Upon approval of the entitlements requested, the project will be consistent with subject property's zoning and land use designations. The project proposes to construct a clustered single family housing product, configured in an eight-lot pattern. The Special Development Permit will allow the setback deviation and

proposed lot pattern of the clustered units. This will not create any land use conflicts or unsafe conditions. The project will not be a hazard or nuisance in the community at large. The units will be served by all requisite public utilities. The Special Development Permit will provide housing variety for the City's residents.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 9<sup>th</sup> day of November 2005.

  
DANIEL BRIGGS, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

  
ANTHONY B. MANZANETTI,  
CITY ATTORNEY

**EXHIBIT A**

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<b>A. On-Going</b>				
1.	<p>The development approved by this action is for a Rezone of 15.9 acres from SC to RD-15, a Tentative Subdivision Map to create 214 single family lots, and a Special Development Permit to allow for deviation from setback standards, as illustrated by the following:</p> <ul style="list-style-type: none"> <li>• Rezone Exhibit (received 8-25-5)</li> <li>• Tentative Subdivision Map (received 8-30-5)</li> <li>• Preliminary Site Plan (received 8-30-5)</li> <li>• Preliminary Grading and Drainage Plan (received 8-30-5)</li> <li>• Preliminary Sanitary Sewer Plan (received 8-30-5)</li> <li>• Preliminary Water Plan (received 8-30-5)</li> <li>• Emergency Access Exhibit (received 8-30-5)</li> <li>• Architectural Elevations (received 2-6-4)</li> </ul> <p>Deviations from the approved plans shall be reviewed by the City for substantial compliance and may require amendment by the appropriate hearing body.</p>	On-Going	Planning	
2.	This action does not relieve the Applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.	On-Going	Planning	
3.	The Applicant or Successors in Interest (hereby referred to as the Applicant) shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.	On-Going	Planning	
4.	The Tentative Subdivision Map approval is valid for three years from the date of City Council approval, unless an extension of time is subsequently approved.	Three years, commencing with the date of City Council approval	Planning	

**Mitigation Monitoring and Reporting Program / Conditions of Approval**

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
5.	The Special Development Permit approval is valid for three years from the date of City Council approval, unless an extension of time is subsequently approved.	Three years, commencing with the date of City Council approval.	Planning	
6.	Appropriate 'No Parking' signs will be installed, maintained and enforced by the Home Owners Association to ensure that on street parking does not interfere with emergency response and trash pick-up.	On-Going	Public Works	
7.	Any on site traffic calming devices and locations must be approved by Public Works prior to installation, including but not limited to speed bumps.	On-Going	Public Works	
8.	If an access control gate is added at any time in the future, the City of Elk Grove Public Works Department shall approve the geometrics of the entry design.	On-Going	Public Works	
9.	If there are any discrepancies between the approved tentative map and the conditions of approval, the conditions of approval shall supersede the approved tentative map.	On-Going	Public Works	
10.	The Applicant shall pay all appropriate development fees charged by the City and other Special Districts providing services to the site.	On-Going	Public Works	
11.	Street (trench) cuts into existing streets require a separate encroachment permit and the payment of street cut fees. Where multiple street cuts into the same street occur, a single, final surface (pavement) trench repair over all the trench cuts is required. Pavement grinding is required for the full length and width of the trenches.	On-Going	Public Works	
12.	The Applicant shall implement Best Management Practices (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 Best Management Practices 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. During project operation, the project shall implement actions and procedures established to reduce the pollutant loadings in storm drain systems.	On-Going	Public Works	

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<b>B. Prior to Issuance of Grading Permit / Approval of Improvement Plans</b>				
13.	Landscape improvement plans shall be submitted to the City for Water Conservation Requirement review. The applicant shall submit landscape plans as part of improvement plans and as part of the City's building permit application.	Prior to Approval of Improvement Plans	Public Works, Planning	
14.	<p><b>Mitigation Measure 1 (Biological Resources)</b>            In order to mitigate for the loss of Swainson's hawk foraging habitat, the applicant shall implement one of the following City of Elk Grove's approved mitigation alternatives.</p> <p><b><u>Monitoring Action</u></b>            Prior to any site disturbance, such as clearing or grubbing, or the issuance of any permits for grading, building, or other site improvements, whichever occurs first, the project applicant shall:</p> <ul style="list-style-type: none"> <li>• Preserve 1.0 acre of similar habitat for each acre lost. This land shall be protected through a fee title or conservation easement acceptable to the CDFG and the City of Elk Grove as set forth in Chapter 16.130.040(a) of the City of Elk Grove Municipal Code as such may be amended from time to time and to the extent that said Chapter remains in effect, OR</li> <li>• Submit payment of Swainson's hawk impact mitigation fee per acre of habitat impacted (payment shall be at a 1:1 ratio) to the City of Elk Grove in the amount set forth in Chapter 16.130 of the City of Elk Grove Code as such may be amended from time to time and to the extent that said chapter remains in effect.</li> </ul>	Prior to any site disturbance, such as clearing or grubbing, or the issuance of any permits for grading, building, or other site improvements, whichever occurs first.	Planning; CDFG	
15.	<p><b>Mitigation Measure 2 (Biological Resources – Burrowing Owls)</b>            In order to reduce impacts to burrowing owls to a less than significant level, the Applicant shall contract a qualified biologist to conduct a pre-construction survey. Within thirty days of the commencement of any clearing, grading or construction that would occur during the nesting/breeding season (February 1 through August 31), a field survey</p>	Prior to the commencement of any clearing, grading or construction		

**Mitigation Monitoring and Reporting Program / Conditions of Approval**

<p align="center"><u>Conditions of Approval</u></p>	<p align="center"><u>Timing/ Implementation</u></p>	<p align="center"><u>Enforcement/ Monitoring</u></p>	<p align="center"><u>Verification (date and Signature)</u></p>
<p>shall be conducted by a qualified biologist to determine if active nests of burrowing owls occur on the site. These surveys shall include all areas in or within 250 feet of the construction zone. If ground disturbing activities are delayed or suspended for more than 30 days after the preconstruction survey, the site shall be resurveyed. If no owls or nesting habitat (burrows with evidence of being occupied by Burrowing Owls) are found, no further action is necessary.</p> <p>If burrowing owls or their nests are found, the Applicant shall comply with the following measures:</p> <ul style="list-style-type: none"> <li>• Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by the Department verifies through non-invasive methods that either: (1) the birds have not begun egg-laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.</li> <li>• To offset the loss of foraging and burrow habitat on the project site, a minimum of 6.5 acres of foraging habitat (calculated on a 100 m {approximately 300 feet} foraging radius around the burrow) per pair or unpaired resident bird, should be acquired and permanently protected. The protected lands should be adjacent to occupied burrowing owl habitat and at a location acceptable to the Department. <i>Protection of additional habitat acreage per pair or unpaired resident bird may be applicable in some instances.</i></li> <li>• When destruction of occupied burrows is unavoidable, existing unsuitable burrows should be enhanced (enlarged or cleared of debris) or new burrows created (by installing artificial burrows) at a ratio of 2:1 on the protected lands site.</li> <li>• If owls must be moved away from the disturbance area, passive relocation techniques shall be used rather than trapping. At</li> </ul>			



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	<p>least one or more weeks will be necessary to accomplish this and allow the owls to acclimate to alternate burrows.</p> <ul style="list-style-type: none"> <li>The project sponsor shall provide funding for long-term management and monitoring of the protected lands. The monitoring plan shall include success criteria, remedial measures. And an annual report to the Department.</li> </ul>			
16.	<p><b>Mitigation Measure 3 (Noise)</b> In order to mitigate for noise levels that exceed 60 dB Ldn for outdoor areas, the Applicant shall construct noise barriers along the northern and eastern project boundaries, as recommended by the project-specific acoustical analysis (Brown and Buntin, Received August 2005).</p> <p>The noise barriers shall be constructed of concrete, masonry block or pre-cast concrete and shall be the heights required by site-specific noise analyses. At a minimum, the barrier height along Sheldon Road shall be 12 feet in height at Lot 148 and 11 feet in height at Lot 160. The barrier height along State Route 99 shall be 9 feet in height at Lot 161 and 6 feet in height at Lot 181. The location of noise barriers shall be clearly identified on the project improvement plans. All noise barriers shall be protected with graffiti-resistant paint or clear graffiti-resistant coating.</p>	Shown on Improvement Plans; Constructed Prior to Issuance of Building Permit	Planning	
17.	All driveways shall require an encroachment permit. At that time the curb, gutter, sidewalk and all public improvements shall be evaluated to determine if those improvements need to be repaired/reconstructed.	Prior to Issuance of an Encroachment Permit	Public Works	
18.	The site design shall be required to demonstrate the ability of an emergency vehicle, inside radius of 38' and outside radius of 58', to adequately circulate the site, with the proposed parking spots through the loop streets, excluding shared driveways. If there is not adequate emergency vehicle circulation the site will be required to be redesigned.	Prior to Approval of Improvement Plans	Public Works	
19.	All structural street sections shall be designed to City of Elk Grove Standards.	Prior to Approval of Improvement Plans	Public Works	

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20.	Vertical curbs shall be designed and installed adjacent to all planter strips.	Prior to Approval of Improvement Plans	Public Works	
21.	All private improvements within the subdivision must be constructed accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Prior to Approval of Improvement Plans	Public Works	
22.	The Applicant shall prepare and submit a comprehensive drainage study that addresses handling all flows generated by the project including but not limited to, defining the watershed boundary, defining the local controlling 100-year water level, method of flow conveyance with adequate supporting calculations, and detailed hydrologic and hydraulic analysis.	Prior to Approval of Improvement Plans	Public Works	
23.	The Applicant shall comply with all NPDES Permit and City's Stormwater Ordinance requirement before, during, and after construction as require by the Permit and the Ordinance and in accordance with the latest version of the Guidance Manual of On-site Stormwater Quality Control Measure.	Prior to Grading Permit Issuance and/or deemed necessary by Public Works	Public Works	
24.	All development within the City must comply with the regulations of the Federal Emergency Management Agency (FEMA) and the City of Elk Grove and Sacramento County Flood Plain Management Ordinances. Amendments and/or revisions of FEMA flood maps will be required for all development located in the federal or local flood zone. All amendments and/or revisions must be final and submitted to the City prior to issuance of the first building permit. The elevation of all building pads must be certified by a registered Civil Engineer or licensed Land Surveyor and submitted to the City prior to issuance of a building permit and the lowest finished floor elevation must be a minimum of 1 (one) – foot above the 100-year frequency water level.	Prior to the Issuance of any permits for grading, building or any other site improvements	Public Works	
25.	The Applicant shall obtain applicable State Fish and Game, U.S. Army Corps of Engineers, and State Water Board permits prior to issuance of grading permits.	Prior to the Issuance of any permits for grading, building	Public Works	

**Mitigation Monitoring and Reporting Program / Conditions of Approval**

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		or any other site improvements		
26.	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. If the project size is more than one acre, a Notice of Intent (NOI) must be filed prior to construction to obtain coverage under the State's General Construction Activity Storm Water Permit.	Prior to Issuance of Grading Permits	Public Works	
27.	Prior to the issuance of grading permits, the 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 to ensure that potential water quality impacts during construction phases are minimized. The SWPPP shall address spill prevention and include counter measure plan describing measures to ensure proper collection and disposal of all pollutants handled or produced on the site during construction, including sanitary wastes, cement, and petroleum products. These measures shall be consistent with the City's Improvement Standards and Land Grading and Erosion Control Ordinance and may include but not necessary limited to: (1) restricting grading to the dry season; (2) protecting all finished graded slopes from erosion using such techniques as erosion control matting and hydroseeding; (3) 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 any receiving water body; and (6) any other suitable measures. The SWPPP shall be submitted to the Central Valley Regional Water Quality Control Board and to the City for review. A copy of the SWPPP must be kept accessible on the project site at all times.	Prior to Issuance of Grading Permits	Public Works	
28.	The project is required to provide a minimum of two points of access / egress to the development. Roadways shall meet minimum Public Works roadway standards.	Prior to Approval of Improvement Plans	Public Works, Planning, Elk Grove Fire Department	

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29.	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 improvements plans for the project. Prior to abandoning any existing agricultural wells, applicant shall use water from agricultural wells for grading and construction.	Prior to Approval of Improvement Plans	SCWA	
30.	The project is required to connect to the existing Sacramento County Water Agency system at a minimum of two locations. Please coordinate with the Agency and adjacent projects to accomplish this. A looped water distribution systems shall be provided.	Prior to Approval of Improvement Plans	SCWA	
31.	Prior to approval of improvement plans, the Applicant shall submit sound wall design plans to Planning for review and approval. The walls shall be architecturally compatible with the project and surrounding existing uses. Landscaping shall be installed to further reduce view of the sound wall along the portion of the project site on Sheldon Road, but not within the freeway right-of-way. Sound walls and landscaping shall be installed prior to the first certificate of occupancy.	Prior to Approval of Improvement Plans;  Prior to the 1 <sup>st</sup> Certificate of Occupancy	Planning	
32.	The Applicant shall provide for security gates at all three project access points.	Prior to Approval of Improvement Plans;  Prior to the 1 <sup>st</sup> Certificate of Occupancy	Planning, Public Works	
33.	The Applicant shall provide pedestrian access to Sheldon Road to the satisfaction of Public Works and Planning. This access shall consist of a 6 foot wide sidewalk with landscaping on either side as appropriate. Design of the pedestrian access shall be included in the Improvement Plans and shall be constructed prior to release of the first occupancy.	Prior to Approval of Improvement Plans;  Prior to the 1 <sup>st</sup> Certificate of Occupancy	Planning, Public Works	
34.	The westerly project boundary shall be landscaped to the satisfaction of Public Works and Planning.	Prior to Approval of Improvement	Planning, Public Works	

**Mitigation Monitoring and Reporting Program / Conditions of Approval**

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		Plans;  Installation Prior to the 1 <sup>st</sup> Certificate of Occupancy		
35.	The Applicant shall provide a construction management plan for review and approval by Public Works. The plan shall focus on reducing construction impacts to the surrounding residents as well as activities associated with reconstruction of the Sheldon Road Interchange. The plan shall be fully enacted prior to the issuance of a grading permit and shall remain in effect throughout the construction phase of the project.	Prior to Approval of Improvement Plans and Issuance of Grading Permit	Planning, Public Works	
<b><i>C. Prior to Approval of Final Map</i></b>				
36.	The project area shall annex into a Mello-Roos Community Facilities District (CFD) to fund a portion of the additional costs for police service related to serving the new development. The application fee for the annexation is due prior to the annexation being complete.	Prior to Recordation of the Final Map	Finance	
37.	The project area shall annex into Street Maintenance Assessment District #1 to fund a portion of the additional costs for long-term roadway maintenance related to serving the new development. The application fee for the annexation is due prior to the annexation being complete.	Prior to Recordation of the Final Map	Finance	
38.	Prior to approval of the final map, the project area shall form or annex into a Mello-Roos CFD, assessment, district, other financing district, or will provide some other funding mechanism, which is acceptable to the Finance Department of the City to fund the project's fair share of landscape maintenance costs which may include, but not be limited to, roadway corridors, interchanges, medians, drainage corridors, trails, open space, and parks, and maintenance costs of other community facilities.	Prior to Approval of the Final Map	Finance	
39.	The Applicant shall provide separate public water service to each parcel and dedicate maintenance easements in all public and private streets over all water lines to the satisfaction of Sacramento County Water Agency.	Prior to the Recordation of the Final Map	SCWA	
40.	The Applicant shall dedicate any private drive, ingress and egress easement, or Irrevocable Offer of Dedication and 12.5 feet adjacent	On the Final Map	SMUD, Public Works	

**Mitigation Monitoring and Reporting Program / Conditions of Approval**

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	thereto, as well as adjacent to public streets, as a public utility easement for underground facilities and appurtenances except where buildings are located.			
41.	The Applicant shall dedicate Lots R, S, T, and U as a public utility easement for underground facilities and appurtenances.	On the Final Map	SMUD	
42.	The Applicant shall dedicate Lots A-P, and 5 feet adjacent thereto as a public utility easement for underground facilities and appurtenances except for those areas where structures are located.	On the Final Map	SMUD	
43.	The Applicant shall provide and show on the map two points of access to public streets for this project (i.e. connection to Glastris Way and Michener Drive). Access agreements shall be provided prior to final map.	Prior to Approval of Final Map	Public Works	
44.	The Applicant shall provide evidence that "E" Street at the entrance to parcel 116-0021-013 has appropriate access via a reciprocal access agreement, prior to final map. Otherwise "E" Street will only be allowed emergency vehicle access to parcel 116-0021-013.	Prior to Approval of Final Map	Public Works	
45.	Per General Plan Policy CI-11 and action CI-11 and as provided in the Subdivision Map Act (Government Code sections 66479 et seq.), the Applicant shall reserve, for the benefit of the City of Elk Grove, the right-of-way for the intersection portion of the Sheldon Road/SR99 interchange per Alternative 2A contained within the Draft Project Report for the Sheldon Road Overcrossing, EA 03-372000, dated 12/04.	Prior to Approval of Final Map	Public Works	
46.	Dedicate and improve Sheldon Road, south half section based upon the Sheldon Road/SR99 interchange per Alternative 2A contained within the Draft Project Report for the Sheldon Road Overcrossing, EA 03-372000, dated 12/04, in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Prior to Approval of Final Map	Public Works	
47.	The Applicant shall improve property necessary to construct the Michener Way extension, from the existing Michener Way to the appropriate distance past the first entrance of the Sheldon Terrace Subdivision (proposed "A" Street). The street section shall consist of 30' of pavement from back of curb to back of curb with a 4 foot sidewalk adjacent to the subdivision and be designed to allow an emergency vehicle turn around	Prior to Approval of Final Map	Public Works	

**Mitigation Monitoring and Reporting Program / Conditions of Approval**

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	in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works. Parking will be prohibited. Existing improvements shall be reviewed and considered by Public Works when determining satisfaction of this condition.			
48.	The Applicant shall acquire, dedicate and improve Glastris Way extension, from the existing Glastris Way to "D" Street, based on 40' residential street in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Prior to Approval of Final Map	Public Works	
49.	All streets shall appropriately transition from public to private streets. "D" Street between "B" Street and Glastris Way shall be 40' wide and transition back to 37' on the private street.	Prior to Approval of Final Map	Public Works	
50.	This project shall be designed to adequately accommodate the placement of trash and recycle containers on all streets without blocking common lot driveways or private driveways. This may require additional street frontage and the installation of no parking signs prohibiting parking on solid waste service days. An alternative solution may be approved by the City of Elk Grove's Integrated Waste Program Manager. All trash, recycling and green waste carts are to be stored onsite out of view of the general public.	Prior to Approval of Final Map	Public Works	
51.	The Applicant shall provide Home Owner's Association bylaws including but not limited to common area ownership, maintenance, and joint access, for review and approval by Public Works.	Prior to Approval of Final Map	Public Works	
52.	All improvements shall be designed in accordance with the City of Elk Grove Improvement Standards, as further conditioned herein, and to the satisfaction of Public Works.	Prior to Approval of Final Map	Public Works	
53.	The Applicant shall dedicate all private streets as an easement to allow access for services such as utility and emergency vehicles.	Prior to Approval of Final Map	Public Works	
54.	Improvement plan must be approved by Public Works prior to City Council approval of Final Map.	Prior to Approval of Final Map	Public Works	
55.	The Applicant shall 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	Prior to Recordation of Final Map and Prior to the	Public Works	

**Mitigation Monitoring and Reporting Program / Conditions of Approval**

	<b><u>Timing/ Implementation</u></b>	<b><u>Enforcement/ Monitoring</u></b>	<b><u>Verification (date and Signature)</u></b>
<p style="text-align: center;"><b><u>Conditions of Approval</u></b></p> <p>Improvement Standards, including any fee required by the City of Elk Grove. The pertinent provisions of the above-referenced codes, standards, fees, and ordinances shall be applicable at the time of site improvement plan approval.</p>	Issuance of Building Permits		
56. The applicant shall provide evidence that the adjacent commercial parcel has agreed to relinquish reciprocal ingress and egress, utility and parking agreements for this property.	Prior to Approval of Final Map	Public Works	
<b>D. Prior to Issuance of Building Permit</b>			
57. The private recreation area, Lot Q, will not be considered for Quimby credit. Lot Q shall be maintained by the Homeowner's Association. The Applicant shall provide park land dedication and/or fees according the standards set forth in Chapter 22.40, Title 22 of the City of Elk Grove code.	Prior to Issuance of Building Permits	Planning, Building	
58. The Applicant shall pay Zone 40 development fees applicable at the time of building permit issuance in accordance with Sacramento County Water Agency Ordinance No. 18.	Prior to Issuance of Building Permits	SCWA	
59. The project shall conform to the specific provisions of the City of Elk Grove Water Conservation Ordinance (formerly Chapter 14.10 of the Sacramento County Code) to the satisfaction of the City's Landscape/Oak Tree Coordinator.	Prior to Issuance of Building Permits	SCWA	
<p>60. <b>Mitigation Measure 4 (Noise)</b>            In order to mitigate for noise levels that exceed 45 dB Ldn standards for interior spaces, the Applicant shall ensure that:</p> <ul style="list-style-type: none"> <li>• Windows in the second floor rooms of the Plan 2 Master Bedroom and the Plan 2A Optional Bedroom adjacent to Sheldon Road should be provided with acoustical glazing with a minimum STC rating of 35.</li> <li>• Air conditioning or other suitable mechanical ventilation should be provided to allow residents to close windows for the desired acoustical isolation.</li> </ul> <p>All attenuation measures recommended within the interior noise analysis shall be reflected on all building plans as well as subsequent plans</p>	Prior to Issuance of Building Permits	Planning	



**Mitigation Monitoring and Reporting Program / Conditions of Approval**

<b><u>Conditions of Approval</u></b>		<b><u>Timing/ Implementation</u></b>	<b><u>Enforcement/ Monitoring</u></b>	<b><u>Verification (date and Signature)</u></b>
	submitted for each production home, as applicable.			
61.	The Final Map shall be completed, approved and recorded prior to 1 <sup>st</sup> building permit.  Building permits for model homes may be issued prior to recordation of the final map per existing model home permit release checklist.	Prior to Issuance of the 1 <sup>st</sup> Building Permit	Public Works	
62.	At all street intersections, public or private, within one block of the proposed project, applicant shall install and/or replace street name signs in accordance with the City of Elk Grove Standard Details.	Prior to Issuance of the 1 <sup>st</sup> Building Permit	Public Works	
63.	All public improvements shall be constructed in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Prior to Issuance of the 1 <sup>st</sup> Building Permit	Public Works	
64.	Impact fees for CSD-1 shall be paid prior to the filing and recording of the Final Map or issuance of the Building Permits, whichever occurs first.	Prior to Issuance of Building Permits or Approval of Final Map, whichever occurs first	CSD-1, Planning	
<b><i>D. Prior to Certificate of Occupancy</i></b>				
65.	Due to the unique access problems associated with the "T" style driveways, all homes in this project will require a fire sprinkler system be installed in accordance with the NFPA 13D.	Prior to Certificate of Occupancy	Elk Grove Fire Department	
66.	The "T" style driveways shall be posted as "No Parking – Fire Lane" in order to allow for ambulance access to the residences. Posting shall be in accordance with the California Vehicle Code.	Prior to Certificate of Occupancy	Elk Grove Fire Department	
67.	The owner/developer shall disclose to future/potential owners the existing or proposed 69kv electrical facilities.	Prior to Certificate of Occupancy	SMUD	
68.	The Applicant shall submit Pad Certification for each structure or appropriate documents as determined by Public Works.	Prior to Certificate of Occupancy	Public Works	
69.	Any improvements, public or private, damaged in construction shall be replaced in-kind or with new improvement.	Prior to Certificate of Occupancy	Public Works	
70.	The Applicant shall provide for graffiti-resistant paint or clear graffiti-resistant coating of any masonry monument sign(s), and any sound or	Prior to Certificate of Occupancy	Community Enhancement	

**Mitigation Monitoring and Reporting Program / Conditions of Approval**

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	privacy walls.		and Code Compliance	
71.	<p>Sewer service shall be provided to the property as follows:</p> <ul style="list-style-type: none"> <li>a. Connection to public sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to sewer construction.</li> <li>b. Each building shall have a separate connection to the CSD-1 sewer system.</li> <li>c. CSD-1 shall require an approved sewer study prior to the approval of Final Map or submittal of improvement plans for plan check to CSD-1, whichever ever comes first. This sewer study shall demonstrate that the 8-inch line has sufficient capacity to serve the project and the adjacent developments as originally sized prior to this rezone or shall demonstrate an alternative method of service.</li> <li>d. CSD-1 will provide maintenance only in public right-of-ways and in 20-foot wide easements dedicated to CSD-1 for the purpose of continuous access and maintenance. The Homeowners Association By-Laws of the subject project shall include a provision to repair and/or replace all non-asphalt and/or enhanced surface treatments of streets and driveways damaged by CSD-1 maintenance and repair operations.</li> </ul>	Prior to Certificate of Occupancy	CSD-1	
72.	Public water service shall be provided to each building. Water supply will be provided by the Sacramento County Water Agency via Elk Grove Water Service.	Prior to Certificate of Occupancy	Development Services - Planning	

**General Compliance Items for Building Permit:**

1. Dead-end streets in excess of 150 feet require emergency vehicle turn-around. (EGCSD Fire)
2. Any and all gates impeding fire lanes or roadways shall comply with Appendix VII of the 2002 Sacramento County Fire Code. (EGCSD Fire)
3. If homes exceeding 3,600 square feet (including garages and covered porches) will be built in this subdivision, additional fire flow analysis of the water system must be conducted. Single-family dwellings 3,601 square feet to 4,800 square feet required 1,750 gpm. Homes 4,801 square feet to 6,200 square feet require 2,000 gpm. (EGCSD Fire)
4. An approved automatic fire sprinkler system shall be installed within all new R-3 occupancies when the total floor area (area under roof including garages and attached solid roof canopies) exceeds 5,999 square feet and/or the total liveable area (area not including garages and attached solid roof canopies) exceeds 4,999 square feet. (EGCSD Fire)
5. As of February 1, 2003, all contractors for single-family homes and duplexes (R-3 occupancies) shall provide an option for residential fire sprinklers. Prior to the prospective buyer signing a sales contract, the contractor or their agent shall obtain from the Fire Department an informational packet containing education materials approved by the fire department, including a form explaining the option for residential sprinklers. The contractor or their agent shall provide the approved informational packet to any and all prospective buyers and require the execution of signed receipt for the educational material from the prospective buyer. The contractor shall install residential fire sprinklers upon the request and execution of a purchase agreement by the homebuyer. Fire sprinkler systems for single-family homes and duplexes shall be designed and installed to not less than the minimum requirements contained NFPA 13D, 1996 edition. (EGCSD Fire)
6. All civil engineering plans are required to be submitted in an electronic format. When plans are ready for final signature, it is required that the engineering firm submit an electronic copy of the complete plan as it appears in the approved printed plans with addresses. All electronic formats will be submitted on Windows/DOS formatted diskettes, zip disks, or on compact disk (CD). Emailed copies will not be accepted at this time. Electronic formats can be submitted in either of the following data transfer formats listed below: DXF (Drawing Interchange File; any version accepted), DWG (applies to AUOCAD drawing file; any version is accepted). (EGCSD Fire)
7. Addresses for all lots shall be provided to the Fire Department within sixty (60) days of Fire Department signature of approval for development plans. (EGCSD Fire)
8. No more than 40 building permits shall be issued when a single point of access exists for a subdivision. Since there is no process in place for confirming the sequence in which multiple units are built, the above information should be considered and the Elk Grove CSD Fire Department should be consulted on this matter. (EGCSD Fire)
9. This development is required to provide fire flow from a public water system capable of delivering at 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 residual pressure in residential, single-family home areas. 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. (EGCSD Fire)
10. All required roadways, water mains, fire hydrants, and fire flow shall be provided prior to the existence of any combustible construction or storage in this development. The slope of access roadways shall not exceed 10% for asphalt and 5% for concrete. 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. (EGCSD Fire)
11. EGCSDFD approved traffic pre-emption devices of a type approved by the Elk Grove Fire Department shall be installed on all traffic signal devices erected or modified by this

## Mitigation Monitoring and Reporting Program / Conditions of Approval

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- development. These devices shall be installed and functioning prior to any occupancy and at no cost to the Elk Grove Fire Department. (EGCSD Fire)
12. The installation of on-site or off-site fire protection equipment, including fire hydrants and water mains, shall meet the standards of the EGCSDFD and the water purveyor having jurisdiction. (EGCSD Fire)
  13. The installation of roadway gates, addresses, landscaping, pipe bollards, fuel tanks, masonry sound walls, tree wells, and/or other traffic calming devices is subject to standards outlined by the Elk Grove Fire Department. All proposed traffic-mitigation plans shall be submitted to the Elk Grove CSD Fire Department for review and approval prior to installation. (EGCSD Fire)
  14. Developing this property may require the payment of additional sewer impact fees. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information. (CSD-1)
  15. All projects are subject to SMAQMD rules and regulations in effect at the time of construction. A complete listing of current rules is available at [www.airquality.org](http://www.airquality.org) or by calling 916.874.4800. (SMAQMD)