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GOVERNMENT CODE SECTION 6103

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

City of Elk Grove
Office of the City Clerk
8380 Laguna Palms Way, Suite 200
Elk Grove, CA 95758



Sacramento County Recording
Craig A Kramer, Clerk/Recorder
BOOK **20080107** PAGE **0895**

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SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

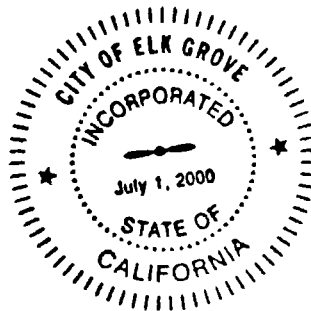
RESOLUTION NO. 2003-123

STATE OF CALIFORNIA)
)
COUNTY OF SACRAMENTO)

I, PEGGY JACKSON, City Clerk of the City of Elk Grove, County of Sacramento, State of California, certify that the attached Resolution No. 2003-123 dated June 18, 2003 is a full, true and correct copy of the whole and said original record.

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


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



RESOLUTION NO. 2003-123

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING A TENTATIVE SUBDIVISION MAP, DESIGN REVIEW
AND ABANDONMENT OF RIGHT-OF-WAY
FOR ELLIOT RANCH EAST PROJECT NO. EG-02-357
SUBJECT TO THE FINDINGS AND MMRP/CONDITIONS OF APPROVAL**

WHEREAS, Elliot Ranch Tentative Subdivision Map, represented by Wood Rodgers, Inc. (hereinafter referred to as Applicant) filed an application with the City of Elk Grove (hereinafter referred to as City) for a Rezone of ±10.2 acres from RD-20 to RD-5, and a Tentative Subdivision Map creating 52 single-family residential lots, one (1) landscape lot and Abandonment of Right-of-Way (APN 119-0161-005); and

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

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

WHEREAS, the Planning Commission considered the Applicant's request at a public hearing on May 22, 2003 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 Elliot Ranch East project, Tentative Subdivision Map based on the following findings and the attached conditions of approval (Exhibits A and B). Exhibit A is the Tentative Parcel Map, and Exhibit B is the conditions of approval.
2. Findings and evidence for this Resolution are listed as follows:

CEQA

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

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

General Plan

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

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

Evidence:

- a. The Elliot Ranch East project has been reviewed and is consistent with the land use densities and design in the General Plan. Therefore, the land use or action proposed will be consistent with the General Plan proposal being considered or studied or which will be studied within a reasonable time.
- b. The proposed Elliot Ranch East project is consistent with the General Plan Land Use Policy Map. The proposed RD-5 zone is consistent with the LDR designation and with the draft policies of the Elements of the General Plan.
- c. The City Council discussed the zoning and the General Plan Land Use for this site on August 7, 2002 and recommended the proposed land use density be incorporated into the proposed General Plan Land Use Map, therefore there is little or no probability of substantial detriment to or interference with the future adopted General Plan.
- d. The requested Rezone, Tentative Subdivision Map, and Right-of-Way Abandonment are consistent with state law and local ordinances as discussed by the following findings and evidence.

Tentative Subdivision Map

2.3 Finding: Section 66474 of the California Subdivision Map Act requires a City to deny approval of a tentative map if it makes any of the following findings:

- a. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- b. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- c. That the site is not physically suitable for the type of development.
- d. That the site is not physically suitable for the proposed density of development.
- e. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- f. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- g. That the design of the subdivision or type of improvements will conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision.

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

- a. The proposed map is consistent with the density limits as specified in the draft Elk Grove General Plan.
- b. The design or improvements of the proposed subdivision are consistent with the Elk Grove General Plan.
- c. The site is physically suitable for the development. The applicant is proposing 52 single family lots on a total of 10.2 acres which conforms to the allowable densities in the City of Elk Grove Zoning Code.
- d. The site is physically suitable for the proposed density of development. The applicant is proposing 52 single-family lots on a total of 10.2 acres, which conforms to the allowable densities of the RD-5 zoning.
- e. The Mitigated Negative Declaration prepared for the project determined that potential environmental impacts from the design of the subdivision or the proposed improvements will be less than significant levels with implementation of the proposed project design and conditions of approval.
- f. The Mitigated Negative Declaration prepared for the project determined that potential serious health problems were not identified for the project and will be less than significant levels with implementation of the proposed project design and conditions of approval.
- g. No conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision, have been identified.

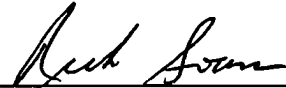
Design Review

- 2.4 Finding: The proposed project is consistent with the objectives of the General Plan, complies with applicable zoning regulations, and Citywide Design Guidelines adopted by the City.

Evidence: The Elliot Ranch East project has been reviewed against design guidelines for subdivision maps. The project has been conditioned to comply

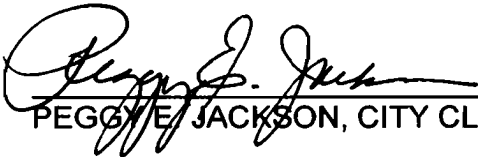
with the requirements for separated sidewalks, traffic calming, cohesive design themes for landscape corridors, street lighting, landscape planters and improvements in the right-of-ways. There will be two (2) 15 gallon street trees planted on each lot.

PASSED AND ADOPTED by the City Council of the City of Elk Grove on the 18th day of June 2003.



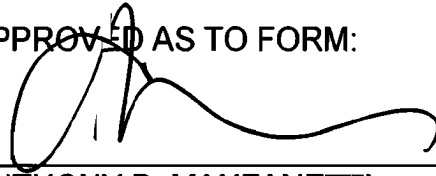
RICK SOARES, MAYOR of the
CITY OF ELK GROVE

ATTEST:



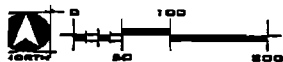
PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

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

[illegible][illegible]

X - APPROVED FOR TO BE REMOVED.
O - APPROVED FOR TO BE REMOVED AS NECESSARY BY AGREEMENT
FOR REMOVAL. (SFA, PENDING APPROVAL BY)

LANE NO.	LOT SIZE	AREAS	SWELLING LIMIT	PERMITTED	LOAD
SHOLE TREST. DIVISION FOR LOTS	0.37	92	2.4	BLANK	00-0
LOT 44-44-44-44-44	0.62	"	"	"	00-0
TRAIL OF WAY	1.00	"	"	"	00-0
TRAIL	1.00	2.1	2.4	BLANK	00-0



WOOD RODGERS
ENGINEERING • MAPPING • PLANNING • SURVEYING

2201 C St., Bldg. 100-S Tel: 916.341.7760
Sacramento, CA 95815 Fax: 916.341.7767

**Exhibit B
to Resolution
for Elliot Ranch East Tentative Subdivision Map**

Conditions of Approval

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

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
A. On-Going			
1. The development approved by this action is for a Rezone of 10.2+/- acres from RD-20 to RD-5, and a Tentative Subdivision Map to create 52 single-family residential lots, and 1 landscape corridor lot as further described in the staff report dated May 22, 2003 and Rezone exhibits in Attachment A. Lot #44 will be removed from the proposed map. The land area from Lot 44 will be spread among the remaining lots thereby reducing the total number of buildable lots from 53 to 52.	On-Going	Development Services – Planning	
2. This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.	On-Going	Development Services – Planning	
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	Development Services – Planning	
4. All Mitigation Measures in the Mitigated Negative	On-Going	Development	

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

	Declaration prepared for this project are required for this project.		Services – Planning	
5.	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.	Development Services – Planning	
B. Prior to Demolition of Any Existing Structures				
6.	Prior to demolition of any existing on-site structures, conduct an evaluation of potential asbestos-containing building materials as required by the Sacramento Metropolitan Air Quality Management District. If asbestos-containing materials are identified, remediation and disposal procedures shall be undertaken by qualified personnel in accordance with all applicable regulations, and in coordination with all applicable agencies. (Mitigation Measure HHM-1)	Prior to demolition of any existing on-site structures	Sacramento Metropolitan Air Quality Management District.	
C. Prior to Submittal of Grading or Improvement Plan				
7.	At improvement plan submittal provide calculation for the pipe capacity in conference with the 1996 Hydrology Standards Volume A and City of Elk Grove Improvement Standards. Such calculation shall be submitted to Development Services- Public Works for review.	Prior to Submittal of Grading or Improvement Plan	Development Services – Public Works	

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

8.	Prior to submittal of improvement plans, a sewer study shall be submitted to County Sanitation District 1 (CSD-1) for review and approval.	Prior to Submittal of Grading or Improvement Plan	CSD-1	
<i>D. Prior to Issuance of Grading Permit / Improvement Plan</i>				
9.	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 \$5,000 has been paid, no grading, building, sewer connection, water connection, or occupancy permit from the City will be approved.	Prior to Issuance of Grading Permit / Improvement Plan	Development Services – Planning	
10.	<p>The following note shall be placed on improvement plans and construction contracts for the project:</p> <p>Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during <u>any</u> development activities, work shall be suspended and Development Services Planning shall be immediately notified. At that time, Development Services Planning will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources.</p>	Prior to Issuance of Grading Permit / Improvement Plan	Development Services – Planning	

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	<p>In addition, pursuant to Section 5097.97 of the State Public Resources code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, adhere to the guidelines of the Native American Heritage Commission in the treatment and disposition of the remains.</p> <p>If human remains are discovered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur in the vicinity of the discovery until the county coroner has made the necessary findings as to the origin and disposition pursuant to Public Resources Code Section 5097.98.</p>			
11.	<p>Consult with the California Department of Fish and Game (CDFG) prior to approval of Improvement Plans or Building Permits, whichever occurs first, to ensure that no individual take of Swainson's hawk occurs. The CDFG may require pre-development surveys to determine the presence or absence of the hawk. If such surveys detect the hawk, the CDFG may impose restrictions on proximate development during the nesting season to ensure that take does not occur. (Mitigation Measure BR-1)</p>	<p>Prior to Issuance of Grading Permit / Improvement Plan or Building Permits, Whichever Occurs First</p>	<p>Development Services – Planning</p>	
12.	<p>Nesting surveys to determine the presence of Raptors should be conducted during the spring/early summer.</p> <ul style="list-style-type: none"> If construction activities are expected to occur during the nesting season (February-August), a pre-construction raptor survey shall be conducted within 	<p>Prior to Issuance of Grading Permit / Improvement Plan</p>	<p>Development Services – Planning</p>	

Elliot Ranch East (EG-02-357)

Conditions of Approval

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	<p>30-days of the onset of construction to determine the activity status of any nests found on the project site. In the event that nesting raptors are found, a 250-foot no-construction zone shall be established around the nest until the young have fledged.</p> <ul style="list-style-type: none"> ▪ If construction activities commence during the non-breeding season (September-January), a survey is not required and no further studies are necessary. ▪ Prior to demolition of structures or the commencement of construction activities or disturbances, a survey should be conducted by a qualified biologist to determine whether or not raptors are utilizing the site. If present, abide by the biologist's recommended measures to reduce or negate adverse impacts to these species. ▪ Applicant shall preserve on-site nesting and purchase nesting habitat at off-site preserve sites. (Mitigation Measure BR-2) 			
13.	<p>Mitigate for the loss of Swainson's Hawk habitat as follows:</p> <ul style="list-style-type: none"> ▪ Preserve 0.75 acres of similar habitat for each acre lost (for a total of 7.65 acres preserved). 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 Development Services – Planning; Or 	<p>Prior to Issuance of Grading Permit / Improvement Plan</p>	<p>Development Services – Planning</p>	

	<ul style="list-style-type: none"> ▪ Prepare and implement a Swainson's hawk mitigation plan for loss of 7.65 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; Or ▪ Submit payment of a Swainson's hawk impact mitigation fee per acre impacted for 7.65 (\$750 x 10.2 acres + administration fee) to the City of Elk Grove Development Services – Planning in the amount as set forth in Chapter 16.130 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. <p>(Mitigation Measure BR-3)</p>			
14.	<p>The City and/or the City Arborist shall review the grading plans for the proposed grading around each remaining tree. The grading plans shall show that:</p> <ul style="list-style-type: none"> ▪ No changes in the grades shall be made within the drip line of any tree to remain, unless an approved mitigation measure is taken. ▪ All surface grading for any remaining tree shall drain away from the base of the tree. No grade depression or ponding of water shall be allowed under the dripline of a remaining tree. If lot grading required a depression under the remaining tree, then a drain line shall be installed to drain the depression. Drain lines shall not be installed under remaining tree's dripline and shall be connected to the storm drain system. ▪ Excess soil will be removed as stated in the tree 	<p>Prior to Issuance of Grading Permit / Improvement Plan</p>	<p>Development Services – Planning</p>	

evaluation report submitted with the tree survey.

- Tree Numbers 201, 203, 205, 207, 209, 213, 214, and 215 shall be preserved with whatever mitigation measures are deemed necessary by the City of Elk Grove.
- Prior to construction, all trees shall be fenced at the drip line and protected during construction. During grading a certified arborist shall be onsite at all times and is allowed to adjust the fencing to accommodate construction within the dripline areas.
- The final grading plan shall not disturb the sub grade plus or minus 6" under the drip line of any existing Valley Oak to remain except for roadway encroachments into the dripline under trees #201 and #205 as shown on Exhibits A and B.
- The final utility plan shall insure no trenching beneath the drip line of any existing Valley Oak to remain (Utility, either dry or wet except for utility encroachments into the dripline under trees #201 and #205 as shown on Exhibits A and B.
- All utility lines shall be placed outside the dripline of the remaining Valley Oak trees. The City's Arborist will be consulted for the final decision on the location of the utility lines. Hand trenching for the utility line will be required and approved by the City's Arborist.
- To the extent possible, any paving under the drip line of existing trees shall be designed to allow aeration to the root zone of the existing Valley Oaks to remain. This shall be reviewed and approved by the City of Elk Grove.
- The final improvement plans are subject to the approval of the City Arborist.
- The drip line of the existing Valley Oaks shall be

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

	defined as a circle radiating out uniformly from the center of the existing Oaks with the radius of the circle, which is the perimeter of the defined drip line, as the farthest extent of any tree limb. (Mitigation Measure BR 4)			
15.	<p>1) All oak trees that are 6 inches dbh or larger, or landmark trees, on the project site that have been selected for preservation, per the approved tree exhibit all portions of adjacent off-site oak trees which have driplines that extend onto the project site, and all off-site oak trees which may be impacted by improvements associated with this project, shall be protected as follows:</p> <p>2) A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of each tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of each tree. Removing limbs that make up the dripline does not change the protected area.</p> <p>3) Any protected trees on the site that require pruning shall be pruned by a certified arborist prior to the start of construction work. All pruning shall be in accordance with American National Standards Institute (ANSI) A300 pruning standards and the International Society of Arboriculture (ISA) "Tree Pruning Guidelines."</p> <p>4) Trees #'s 202, 204, 206, 210, 211, 212, 216 and all</p>	Construction Notes on any/all Preliminary or Final Grading Plans, Improvement Plans and Building/Development Plans	Development Services – Planning	

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

trees less than 6 inch in trunk diameter are approved for removal. Tree #s 211, 212, and 216 shall be mitigated as per the City's mitigation schedule (Mitigation Measure BR 4)

- 5) Structure encroachments into an oak tree's dripline, are approved on lots as illustrated in Exhibits C - I, and shall have Above Ground Grade Beams (AGGB) foundation with piers at a minimum of ten (10) feet on center (the AGGB takes the place of a conventional trenched structure footing). Lots 14, 15, 33, 39, 40, 44 and 45 shall have AGGB for the house encroachments into the driplines. All remaining lots will be built using standard construction. AGGB piers shall be hand dug or bored. Boring/auger equipment shall not encroach into the tree's dripline. Concrete slab floors or driveway encroachments shall have a piped aeration system installed under the slab so that the tree's root system can breathe. The piped aeration system shall be installed under the supervision of an ISA certified arborist.
- 6) No signs, ropes, cables (except those which may be installed by a certified arborist to provide limb support) or any other items shall be attached to the trees. Small metallic numbering tags for the purpose of preparing tree reports and inventories shall be allowed.
- 7) No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the

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

driplines of protected trees.

- 8) Street "bulb outs" shall be placed under trees #201 and #205. Parking will be eliminated under the dripline of these trees and directly across the streets from the "bulb outs" with posted "No Parking" regulations.
- 9) Any residence constructed on Lots 32, 33, 39, 40, and 44, shall be limited to one (1) story.
- 10) No grading (grade cuts or fills) shall be allowed within the driplines of protected trees.
- 11) No trenching shall be allowed within the driplines of protected trees except trees #201 and 205 where encroachments have been approved by the City Engineer and the City's Arborist. If it is absolutely necessary to install underground utilities within the dripline of a protected tree, the utility line shall be bored or jacked under the supervision of a certified arborist.
- 12) The construction of impervious surfaces within the driplines of protected 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.
- 13) No sprinkler or irrigation system shall be installed in such a manner that it sprays water or requires trenching within the driplines of protected trees. An

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

above-ground drip irrigation system is recommended.

- 14) Landscaping beneath oak trees may include non-plant materials such as bark mulch, wood chips, boulders, etc. The only plant species that 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.
- 15) Several trees to be preserved have grading, road construction, or house construction within the radius-dripline of the tree. All driveways which pass through the dripline protection area of the on-site Oak trees to be retained and all portions of off-site Oak tree driplines which extend on the site shall be constructed such that the entire driveway section is placed directly above existing grade. No excavation for driveway construction shall be allowed with Oak tree dripline protection areas except minor excavation associated with the installation of piped aeration systems.
- 16) A piped aeration system shall be installed in all locations where impervious surfaces and/or structural development will occur within the dripline protection area of the on-site Oak trees to be retained and all portions of the off-site Oak tree driplines which extend onto the site. Installation of the aeration system shall be performed under the direct supervision of a certified arborist.

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

16.	<p>Prior to the issuance of any permits for grading, building or any other site improvements, or the recordation of any Final Subdivision Maps on the subject property, whichever occurs first, a Tree Replacement Planting Plan shall be prepared by a certified arborist or landscape architect to mitigate for the loss of native trees 6-inch dbh or larger and all non-native trees larger than 19-inch dbh or larger 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 current policies require that every inch lost will be mitigated by an inch planted or money placed in a tree mitigation bank. The Plan shall include the following elements:</p> <ol style="list-style-type: none">1) Species, size and location of all replacement plantings;2) Method of irrigation;3) The City of Elk Grove Standard Tree Planting Detail L-1, including the 10-foot depth boring hole to provide for adequate drainage;4) Planting, irrigation and maintenance schedules;5) 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;	Construction Notes on any/all Preliminary or Final Grading Plans, Improvement Plans and Building/Develo pment Plans	Development Services – Planning	
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Exhibit B: Conditions of Approval / Mitigation Monitoring and Reporting Program

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| <ul style="list-style-type: none">6) The minimum spacing for replacement oak trees shall be 20 feet on center;7) 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;8) No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of oak trees;9) No grading (grade cuts or fills) shall be allowed within the driplines of the oak trees;10) 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;11) 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;12) The construction of impervious surfaces within the 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;13) No sprinkler or irrigation system shall be installed in | | | |
|--|--|--|--|

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

	such a manner that sprays water or requires trenching within the driplines of oak trees. An above ground drip irrigation system is recommended;			
17.	<p>Construction contracts for the project shall include the following measures:</p> <p>Category 1: Reducing NOx emissions from off-road diesel powered equipment.</p> <p>The prime contractor shall provide a plan for approval by the Elk Grove Planning Department and SMAQMD demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, and operated by either the prime contractor or any subcontractor, will achieve a fleet-averaged 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average; and</p> <p>The prime contractor shall submit to the Elk Grove Planning Department and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during the construction project. The inventory shall include the horsepower rating, engine production year, and hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs.</p> <p>The use of "Lubrizol" as a fuel for diesel-powered equipment is also recommended. This alternative fuel operates in a diesel engine. Use of this fuel in a diesel</p>	Prior to Issuance of Grading Permit / Improvement Plan	Development Services – SMAQMD	

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	<p>engine will reduce Nox emissions by 14% and PM₁₀ emissions by 63%.</p> <p>and:</p> <p>Category 2: Controlling visible emissions from off-road diesel powered equipment.</p> <p>The prime contractor shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity shall be repaired immediately, and the Elk Grove Planning Department and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted to the Elk Grove Planning Department and SMAQMD throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supercede other SMAQMD or state rules or regulations.</p>			
18.	<p>A Construction Activities Storm Water General Permit must be obtained prior to construction. This is required when a site involves clearing, grading, disturbances to the ground, such as stockpiling, or excavation that</p>	<p>Prior to Issuance of Grading Permit / Improvement</p>	<p>California Regional Water Quality Control Board</p>	

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

	results in soil disturbances of at least five acres of total land area.	Plan		
19.	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. Prior to abandoning any existing agricultural wells, applicant shall use water from agricultural wells for grading and construction.	Prior to Issuance of Grading Permit / Improvement Plan	Department of Water Resources	
20.	Locations and designs of any required designated pedestrian crossings shall be reviewed and approved by Development Services Planning and Public Works prior to the construction or placement of the crossings.	Prior to Issuance of Grading Permit / Improvement Plan	Development Services – Planning and Public Works	
E. During Grading and Construction				
21.	Install on-site and off-site drainage facilities as required pursuant to the Sacramento County Floodplain Management Ordinance, and the City of Elk Grove Improvement Standards, including any fee required by the Sacramento County Water Agency.	Prior to Issuance of Grading Permit (and/or as Deemed Appropriate by Public Works)	Development Services – Public Works	
22.	During the construction phase of this project, the provisions of District Rule 403 – Fugitive Dust will apply. This rule requires that steps be taken to prevent airborne dust from traveling beyond the boundaries of the construction site.	During Grading and Construction	Development Services – Public Works and SMAQMD	

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

F. Prior to the Recordation of the Final Map

23.	The Final Map will show a public easement from the end of "B" Court and "C" Court connecting to the public easement in the landscape corridor along Franklin Blvd. The owners of lots 25, 26, 35 and 36 will be responsible for the maintenance of the sidewalk.	Prior to recordation of Final Map	Development Services – Public Works	
24.	Prior to recordation of the Final Map, a separate note will be recorded disclosing to the future property owners of Lot 44 at the time of purchase that in January 2005 he/she/they will be responsible for obtaining an arborist report at his/her/their expense to evaluate the health of Tree #203. If it is determined that the health of Tree #203 has deteriorated and the tree should be removed, the property owner will be responsible for the cost of the tree removal. It is estimated that the cost of the evaluation report would be \$200 and the cost of removing the tree could be approximately \$6,000 +/-.	Prior to recordation of Final Map	Development Services – Planning	
25.	Prior to recordation of the Final Map, a separate note will be recorded disclosing to the future property owners of all subdivision lots within the subdivision that the cul-de-sacs adjacent to Franklin Blvd. will be open for pedestrian access to Franklin Blvd and public transportation.			
26.	All real property within the boundaries of the proposed project is within a benefit zone of the District Wide Landscape and Lighting Assessment District. The owners of all real property within the boundaries of the project shall execute and deliver to the Elk Grove CSD 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	Prior to the Recordation of the Final Map	Elk Grove CSD	

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	<p>adopted to allocate the cost to the various land uses; (ii) when necessary the annexation to the appropriate zone of benefit created to fund urban services, (iii) the budget, formulas and cost of living indexes used to establish the amount of the annual assessments; and (iv) the levying of the annual assessment to fund the maintenance, operation and in some instances the existing capital costs of parks, parkways, corridors, medians, open space, trail systems, lakes, creeks and other recreational and aesthetic amenities.</p>			
27.	<p>Separate water service shall be provided to each parcel and water easements shall be dedicated to the satisfaction of the Sacramento County Water Agency.</p>	<p>Prior to the Recordation of the Final Map</p>	<p>Department of Water Resources</p>	
28.	<p>Install</p> <p>Stop signs on "A" Street at</p> <ul style="list-style-type: none"> • Elliot Ranch Road • Castlevue Drive <p>Island on</p> <ul style="list-style-type: none"> • Elliot Ranch Road east of Street "A" • Elliot Ranch Road at Franklin Blvd. • Street "A" between Street "B" and Castlevue Drive. • Castlevue Drive between Street "A" and Cristo Way <p>Choker on</p> <ul style="list-style-type: none"> • Street "B" between Street "A" and Cristo Way • Cristo Way between Street "B" and "C" Court <p>Note: If there are unresolved utility conflicts chokers will be allowed on the tree side of the street,</p>	<p>Design Approval Prior to Final Map</p> <p>Installation Prior to 1st Occupancy</p>	<p>Public Works</p>	

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

instead of both sides of the street.			
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Stripe a parking lane on			
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- | | | | |
|---|--|--|--|
| <ul style="list-style-type: none">• Castleview Drive• Elliot Ranch Road. | | | |
|---|--|--|--|

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

29.	Prior to Final Map approval, the Elliot Ranch East project area shall form or annex into a Mello-Roos Community Facilities District (CFD) and/or another financing district/mechanism that is acceptable to the City to fund a portion of the additional costs for police service and additional long-term roadway maintenance related to serving the new development.	Prior to Recordation of the Final Map	Development Services – Planning/ Finance
G. With the Recordation of the Final Map			
30.	Obtain permission from responsible agencies, and Development Services Public Works for the abandonment of right of ways proposed within the Elliot Ranch East Subdivision.	Prior to the Recordation of the Final Map	Development Services – Public Works
31.	Grant the City of Elk Grove right-of-way on Franklin Blvd. based on a 96 foot street in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Development Services – Public Works.	With the Recordation of the Final Map	Development Services – Public Works
32.	Grant the City of Elk Grove right-of-way on Castlevue Drive based on a 50 foot to 55 foot street as shown on the Elliot Ranch East Tentative Subdivision Map in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Development Services – Public Works.	With the Recordation of the Final Map	Development Services – Public Works
33.	Grant the City of Elk Grove right-of-way on Elliot Ranch Road based on a 50 foot street in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Development Services – Public Works.	With the Recordation of the Final Map	Development Services – Public Works
34.	Grant the City of Elk Grove right-of-way on all other internal streets based in accordance with the City of Elk	With the Recordation of	Development Services –

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

35.	Grove Improvement Standards and to the satisfaction of Development Services – Public Works. Grant the City of Elk Grove additional right-of-way at the intersection of Franklin Blvd. and Elliot Ranch Road to accommodate an island on Elliot Ranch Road at Franklin Blvd. to the satisfaction of Development Services – Public Works.	the Final Map With the Recordation of the Final Map	Public Works Development Services – Public Works
36.	Dedicate a 12.5 foot public utility easement for underground and/or overhead facilities and appurtenances adjacent to public streets.	With the Recordation of the Final Map	Development Services – Public Works and SMUD
37.	Provide drainage easements to off-set proved impacts as necessary at no cost to the City of Elk Grove pursuant to the Sacramento County Floodplain Management Ordinance and the City of Elk Grove Improvements Standards including any fee required by the Sacramento County Water Agency Code.	With the Recordation of the Final Map	Development Services – Public Works
38.	Dedicate the Landscape Corridors as a public utility easement for underground facilities and appurtenances.	With the Recordation of the Final Map	SMUD
39.	Notice to Purchaser: The applicant, owner or successor in interest shall notify each potential home buyer that he/she is purchasing a home near existing 69kV electrical facilities.	With the Recordation of the Final Map	SMUD
40.	Public sewer shall be constructed to the satisfaction of CSD-1. Sewer easements may be required. Design of public sewer shall be coordinated with and approved by CSD-1. All sewer easements shall be dedicated to CSD-1, be 20 feet in width and ensure continuous access for maintenance. Sacramento County Improvement	With the Recordation of the Final Map	CSD-1

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	Standards apply to any on-site sewer construction.			
41.	Provide park land dedication and/or fees according to the standards set forth in Chapter 22.40, Title 22 of the City of Elk Grove Code.	With the Recordation of the Final Map	CSD-Parks and Recreation	
<i>H. Prior to Issuance of Building Permit</i>				
42.	Two points of water connection shall be in place prior to construction of any residence.	Prior to the Issuance of First Building Permit	CSD-Fire Department	
43.	Two points of Fire Department access shall be in place prior to construction of any residence.	Prior to the Issuance of First Building Permit	CSD-Fire Department	
44.	Install fire hydrants every 500 feet throughout the subdivision and on Castlevue Drive and Elliot Ranch Road. Each court shall have a hydrant at the end. The development is required to provide a fire flow from public water system capable of delivering as a minimum 1,000 gpm at 20 psi.	Prior to the Issuance of First Building Permit	CSD-Fire Department	
45.	Install public street improvements on Franklin Blvd. based on a 96 foot street in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of the Development Services – Public Works.	Prior to the Issuance of First Building Permit	Development Services – Public Works	
46.	Install public street improvements on Castlevue Drive based on a 50 to 55 foot street as shown on the Elliot Ranch East Tentative Subdivision Map in accordance with the City of Elk Grove Improvements and to the	Prior to the Issuance of First Building Permit	Development Services – Public Works	

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

	Development Services – Public Works. Note: Improvements on Castlevue Drive at Franklin Blvd. might require signal modifications.			
47.	Install public street improvements on Elliot Ranch Road based on a 50 foot street in accordance with the City of Elk Grove Improvement Standards or to the satisfaction of the Development Services – Public Works.	Prior to the Issuance of First Building Permit	Development Services – Public Works	
48.	Install public street improvements on all other internal streets based in accordance with the City of Elk Grove Improvements Standards or to the satisfaction of the Development Services – Public Works.	Prior to the Issuance of First Building Permit	Development Services – Public Works	
49.	Install public street improvements at the intersection of Franklin Blvd. and Elliot Ranch Road to accommodate an island on Elliot Ranch Road at Franklin Blvd. to the satisfaction of the Development Services – Public Works.	Prior to the Issuance of First Building Permit	Development Services – Public Works	
50.	The floor elevation must be a minimum of one (1) foot above the 100-year water level for the area.	Prior to the Issuance of First Building Permit	Development Services – Public Works	
51.	Street lighting along local residential streets shall be designed to a pedestrian scale with a maximum height of 14 feet.	Prior to the Issuance of First Building Permit or First Occupancy (as deemed appropriate by the Public Works)	Development Services – Planning and Public Works	

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

52.	Lots 14, 15, 32, 33, 34, 35, 39, 40, 44, and 45 shall have Development Plan Review to insure tree protection and to lessen development impacts on associated trees. I. Prior to the First Occupancy	Prior to the Issuance of Building Permit	Development Services – Planning	
53.	Mitigate noise impacts from Franklin Blvd. as follows: a. A six (6) foot high solid masonry sound wall shall be constructed along Franklin Boulevard. The masonry wall should recess back towards the sidewalk opening between lots 25 and 26, and lots 35 and 36 to mitigate for noise at the pedestrian openings onto Franklin Boulevard. The solid masonry wall may step down to three (3) feet in height at the opening to provide for pedestrian sight safety (subject to staff review). The wall should also extend around the corner at Castlevue Drive to help mitigate for noise in the rear yard of lot 36. The north end of the sound wall will end at Elliot Ranch Road and will correspond with the existing masonry sound wall to the north of the Elliot Ranch Road and Franklin Boulevard intersection. (Mitigation Measure N 5) b. Improved residential building construction practices in addition to those in the California Building Code shall be used to achieve compliance with the City's interior noise standards. Specifically, second floor facades should be constructed such that all second floor room windows should have a minimum STC rating of 30. Mechanical ventilation shall be provided to allow	Prior to the First Occupancy	Development Services – Planning and Public Works	

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

	<p>occupants to close doors and windows to achieve the desired acoustical isolation.</p> <p>(Mitigation Measure N 6)</p>			
54.	Fencing along all channels and developed areas adjacent to wetlands/creeks/open spaces shall be constructed with non-combustible materials approved by Elk Grove CSD Fire Department.	Prior to the First Occupancy	Elk Grove CSD Fire Department	
55.	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 other CSD projects in close vicinity to the area. Corridors shall be inspected by CSD employees and include meandering or bifurcated sidewalks. Any proposed deviation from CSD's specifications shall be submitted to the CSD and be approved in writing. The landscape corridor on Franklin Blvd. will be cohesive in design theme with the corridor to the north and south of the project.	Prior to the First Occupancy	Elk Grove CSD	
56.	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)	Prior to the First Occupancy	Elk Grove CSD	
57.	Native and Landmark trees within land to be conveyed to Elk Grove CSD shall be protected and preserved according to standard county tree preservation measures. Native and Landmark trees to be removed shall be compensated on an inch per inch basis consistent with county tree mitigation measures. Prior to	Prior to the First Occupancy	Elk Grove CSD	

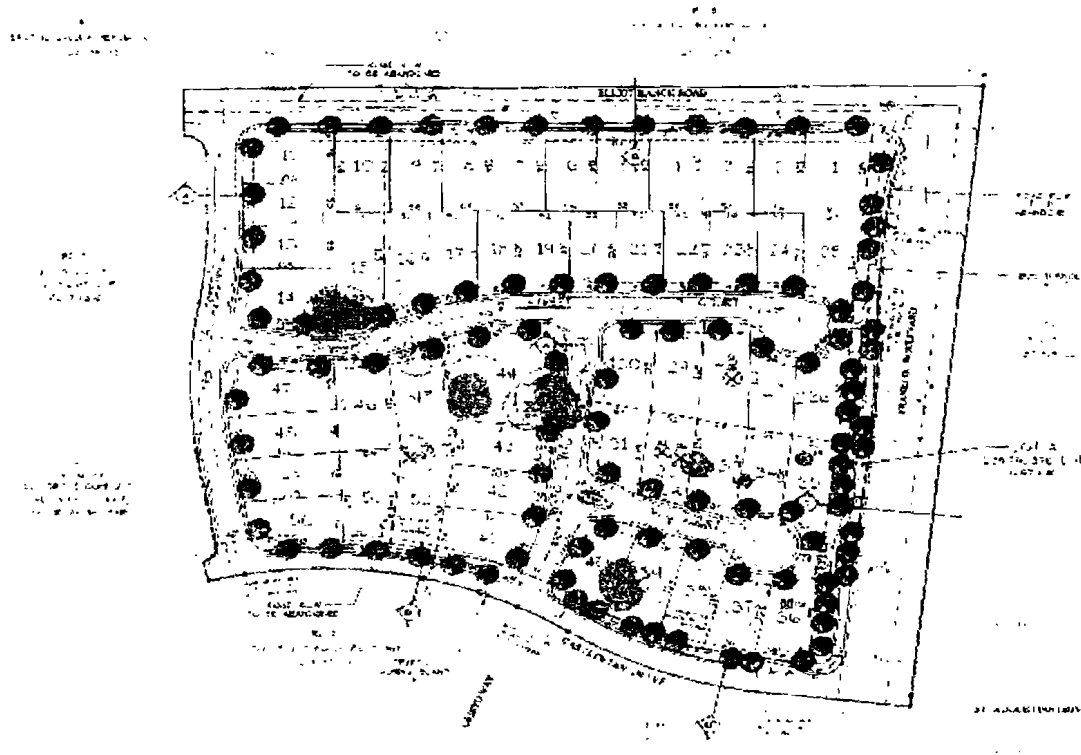
Exhibit B: Conditions of Approval / Mitigation Monitoring and Reporting Program

	conveyance of land provide an arborist report assessing species, size, health and location of trees contained on subject properties and comply with findings of report to the satisfaction of the Elk Grove CSD. All costs incurred in complying with the arborist recommendations will be the responsibility of project proponent.			
58.	The landscape lot on Franklin Boulevard should be 36 feet wide, with a 6 foot meandering sidewalk, turf, and landscaping. All landscape corridor walls shall be masonry construction. Walls design and materials shall be subject to CSD approval Graffiti resistant materials shall be used. The sidewalks shall link with adjacent developments. The developer shall submit plans to Elk Grove CSD for review and approval.	Prior to the First Occupancy	Elk Grove CSD	
59.	Any subdivision monument signs proposed to identify the development shall be reviewed and approved by the Planning Director prior to the construction or placement of the sign(s).	Prior to the First Occupancy	Development Services – Planning	

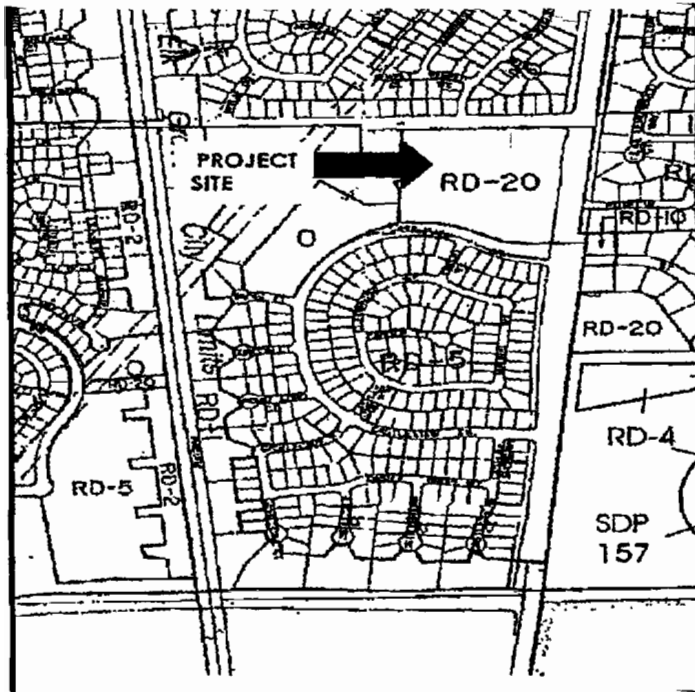
Exhibit B: Conditions of Approval / Mitigation Monitoring and Reporting Program

60.	<p>Street trees are required on local residential streets as follows:</p> <p>A minimum of two 15-gallon trees shall be planted on each single family residential lot. One of the trees shall be planted near the street and sidewalk as listed below (street tree). The second tree (accent tree) may be located anywhere in the front yard area.</p> <p>Where a monolith sidewalk abuts the back of curb, the street tree shall be planted within seven to eight feet from the back of walk.</p> <p>Where the sidewalk is separated from the back of curb with a planter strip, the street tree shall be planted centrally in the planter area.</p> <p>Street trees on local residential streets will be reviewed in conjunction with the Master Home Plans. Alternative landscape design themes along local residential streets may be approved on a case-by-case basis.</p>	Prior to Each Occupancy	Development Services – Planning	
61.	<p>When utilities and related equipment are located above ground in landscape corridors, street medians, front or street side yards, equipment shall be screened with landscape features, planting, or a combination thereof. The intent is to visually screen the equipment from the street and not to preclude access to the equipment on all sides.</p>	Prior to Each Occupancy	Development Services – Planning	
62.	<p>The owner/developer must disclose to future/potential owners the existing 69kV and 230 kV electrical facilities and any future high-pressure gas line.</p>	Prior to Each Occupancy	SMUD	

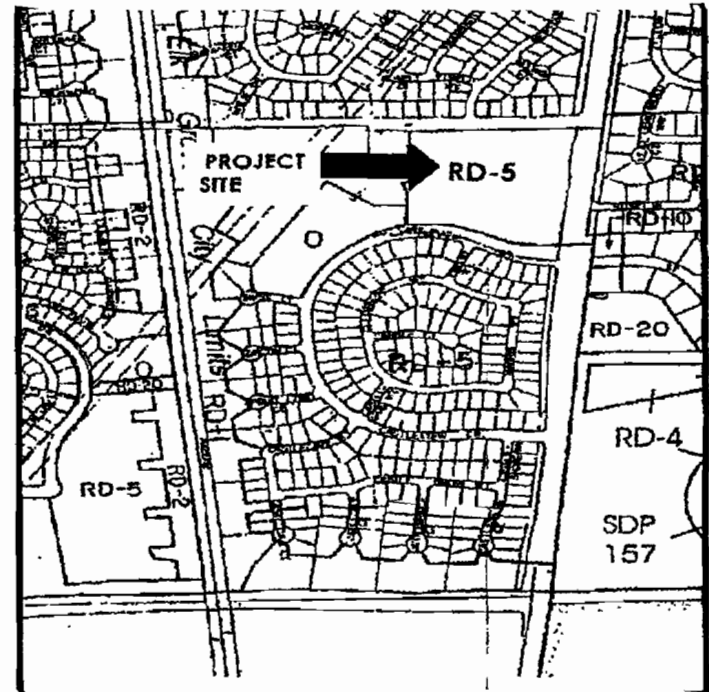
TENTATIVE SUBDIVISION MAP
ELLIOT RANCH EAST
CITY OF ELK GROVE, CALIFORNIA
MAY 23, 2003



REZONE EXHIBIT



EXISTING



PROPOSED

TREE SUMMARY

TAG NO.	DESCRIPTION		TYPE	VIGOR	STRUCTURE
	DIA.	DPL RAD			
201	48'	40'	VALLEY OAK	FAIR	FAIR-GOOD
✕ 202	46'	35'	VALLEY OAK	FAIR-GOOD	POOR
203	43'	38'	VALLEY OAK	FAIR-GOOD	FAIR
✕ 204	37'	30'	VALLEY OAK	FAIR	FAIR-POOR
205	47'	42'	VALLEY OAK	FAIR-GOOD	FAIR
✕ 206	26'	26'	VALLEY OAK	GOOD	FAIR
207	28'	28'	VALLEY OAK	GOOD	FAIR
✕ 208	66'	NA	VALLEY OAK	FAIR-GOOD	POOR
209	8'	8'	VALLEY OAK	FAIR-GOOD	FAIR
✕ 210	9'	9'	VALLEY OAK	FAIR-GOOD	FAIR
✕ 211	9'	9'	VALLEY OAK	FAIR-GOOD	FAIR
✕ 212	11'	11'	VALLEY OAK	FAIR	FAIR
213	16'	16'	VALLEY OAK	FAIR	POOR
214	10'	10'	VALLEY OAK	FAIR	FAIR
215	9'	9'	VALLEY OAK	FAIR	POOR-FAIR
✕ 216	10'	10'	VALLEY OAK	FAIR	FAIR-GOOD

✕ - DENOTES TREE TO BE REMOVED.

○ - DENOTES TREE TO BE REMOVED AS RECOMMENDED BY ARBORIST
FOR REMOVAL. TOTAL MITIGATION AMOUNT= 30'

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. 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 require 1,750 gpm and homes 4,801 square feet to 6,200 square feet require 2,000 gpm. (EGCSDFD)
- b. This development is required to provide a fire flow from public water system capable of delivering a minimum of 1,000 gpm at 20 psi in residential areas. Hydrants shall be spaced a maximum of 500 feet apart in residential 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. (EGCSDFD)
- c. Though not required, it is recommended that all single family dwellings be equipped with an automatic fire sprinkler system. (EGCSDFD)
- d. Connection to the public sewer system shall be required to the satisfaction of CSD-1. 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)
- e. The project developer/owner shall pay Zone 40 development fees applicable at the time of building permit issuance in accordance with Sacramento County Water Agency Ordinance No. 18. (Sacramento County Water Agency)
- f. 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.
- g. Provide metered connections on transmission mains to the satisfaction of the Sacramento Water Agency. (Sacramento County Water Agency)
- h. The subject property is within the Laguna Community Facilities District and is subject to special taxes levied to meet the debt service on bonds issued to build infrastructure within the District.

- i. Unless otherwise noted, all improvements and fees shall be at the expense of the developer, including any fee required by the Sacramento County Water Agency Code.
- j. Pay all appropriate development fees charged by the City and other Special Districts providing services to the site.
- k. Permits and/or fees are required for the following reviews: site plan, Park & Recreation review fee, architectural plans, fire sprinkler plans and fire alarm plans.
- l. A permit release letter from the Elk Grove Community Services District Fire Department (EGCSDFD) shall be required prior to issuance of any construction permits.
- m. Dead-end streets in excess of 150 feet require approved emergency vehicle turn-arounds. (EGCSDFD)
- n. All required roadways, water mains, fire hydrant 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. (EGCSDFD)
- o. 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. (EGCSDFD)
- p. The installation of roadway gates, addresses, landscaping, pipe bollards, fuel tanks, masonry sound walls, tree wells and/or traffic islands are subject to standards outlined by the EGCSDFD. (EGCSDFD)
- q. Secure approval from the Public Works Department of a civil-engineered site improvement plan for all on-site and off-site improvements associated with this project.
- r. Prior to the issuance of any building permit for the project, the project developer/owner shall pay Zone 40 development fees applicable at the time of building permit issuance in accordance with Sacramento County Water Agency Ordinance No. 18.