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GOVERNMENT CODE SECTION 6103

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WHEN RECORDED RETURN TO:**

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



Sacramento County Recording
Craig A Kramer, Clerk/Recorder

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SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

RESOLUTION NO. 2003-103

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. 2003-103 dated May 21, 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. 2003-103

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING A VESTING TENTATIVE SUBDIVISION MAP, DESIGN REVIEW FOR A SINGLE-FAMILY RESIDENTIAL SUBDIVISION MAP, AND ABANDONMENT OF RIGHT-OF-WAY AND UTILITIES EASEMENTS FOR ASSESSOR PARCEL NUMBERS 127-0140-017 AND 018, BOND RIDGE (EG-02-350), SUBJECT TO THE FINDINGS AND MMRP/CONDITIONS OF APPROVAL

WHEREAS, Bond Ridge, represented by Reynen & Bardis (hereinafter referred to as Applicant) filed an application with the City of Elk Grove (hereinafter referred to as City) for a Rezone of ±20.1 acres from AR-10 to AR-2, RD-5, and "O", a Vesting Tentative Subdivision Map creating 69 single-family residential lots, 1 open space lot, and 2 landscape corridor lot. (a portion of Assessor's Parcel Number 127-0140-017 and 127-0140-018); 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 March 27, 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 Bond Ridge project, Vesting Tentative Subdivision Map based on the following findings and the attached conditions of approval (Exhibits A and B). Exhibit A is the Tentative Subdivision 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 Bond Ridge project has been reviewed and is consistent with the land use densities and design in the East Elk Grove Specific 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 Bond Ridge project is consistent with the East Elk Grove Specific Plan and the General Plan Land Use Policy Map, and conditions of approval have been recommended for the project that are consistent with the draft policies of the Elements of the General Plan.
- c) Since the project is an implementation of the adopted East Elk Grove Specific Plan, there is little or no probability of substantial detriment to or interference with the future adopted general plan despite the project includes a vesting development agreement.
- d) The requested Rezone, Vesting Tentative Subdivision Map, Abandonment of Easements and Right of Way, and Minor Amendment to East Elk Grove Specific Plan are consistent with state law and local ordinances as discussed by the following findings and evidence.

Rezone

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

Evidence: The City has reviewed the proposed rezone and accompanying staff report, and has received public testimony at a duly noticed public hearing regarding the matter. As described above, the applicant's proposal is consistent with the allowed density ranges and uses in the General Plan. The proposed amendment is consistent with the Plan's objectives of orderly and systematic development and responds to opportunities and constraints in the local community area.

Minor Amendment to the East Elk Grove Specific Plan

- 2.4 Finding: The proposed Minor Amendment to the Specific Plan is one which complies with the requirements and intent of the Specific Plan and which will not change the basic configuration or intent of the Plan.

Evidence: According to the East Elk Grove Specific, the proposed RD-5 (5du/ac) density is permitted as a matter of right despite the number of dwellings proposed (69-lot subdivision) is in excess of the 67-dwelling cap imposed on to the project site. Staff has reviewed the Bond Ridge project and concluded that the proposal complies with the requirements and intent of the East Elk Grove Specific Plan and which will not change the basic configuration or intent of the Plan.

Vesting Tentative Subdivision Map & Road and Utilities Easement Abandonment

- 2.5 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 and East Elk Grove Specific Plan.

- b) The design or improvements of the proposed subdivision are consistent with the Elk Grove General Plan and East Elk Grove Specific Plan.
- c) The site is physically suitable for the development. The applicant is proposing 69 single family lots on a total of 20.1 acres which conforms to the allowable densities in the Zoning Code and the East Elk Grove Specific Plan.
- d) The site is physically suitable for the proposed density of development. The applicant is proposing 69 single family lots on a total of 20.1 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

- 2.6 **Finding:** The proposed project is consistent with the objectives of the General Plan, complies with applicable zoning regulations, Specific Plan provisions, Special Planning Area provisions, and Citywide Design Guidelines adopted by the City.

Evidence: The proposed Elk Grove General Plan has acknowledged the East Elk Grove Specific Plan as a key component of the Draft General Plan Land Use Map. As such, any project proposed must be consistent with the Specific Plan and thus consistent with the proposed General Plan. The Bond Ridge project is consistent with the designated land use densities, uses, and design in the East Elk Grove Specific Plan, and therefore, consistent with the Elk Grove General Plan. The project has been reviewed against the Citywide Design Guidelines for single-family residential subdivision maps, and it is concluded that the proposed subdivision design has met all applicable design requirements. Conditions of approval have been incorporated to ensure that minor subdivision design requirements (subdivision monument signs design; provision of designated pedestrian crossings; two street trees to be planted on each lot; 14-foot maximum height for street lights; and screening of utilities and related equipments) will be provided by the applicant.

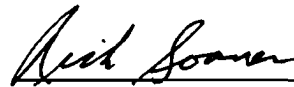
- 2.7 Finding: The proposed project will not create conflicts with vehicular, bicycle, or pedestrian modes of transportation.

Evidence: The project has been conditioned to provide right-of-ways for a circulation pattern consistent with the requirements of the East Elk Grove Specific Plan. Conditions of approval have been incorporated to ensure that the residential subdivision will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation. A trails system separated from roadways has been provided within the proposed open space to accommodate non-motorized transportation.

- 2.8 Finding: The residential subdivision is well integrated with the City's street network, creates unique neighborhood environments and establishes a pedestrian friendly environment.

Evidence: The Bond Ridge project has been designed in accordance with the East Elk Grove Specific Plan, and provides connectivity to the existing street network as well as provides an internal roadway pattern. Direct connections between roadways and the trails system have been incorporated in the subdivision design. Street trees will be planted, in accordance with the Citywide Design Guidelines, throughout the Bond Ridge subdivision to provide a pedestrian friendly environment.

PASSED AND ADOPTED by the City Council of the City of Elk Grove on the 21st day of May 2003.



RICK SOARES, MAYOR of the
CITY OF ELK GROVE

ATTEST:



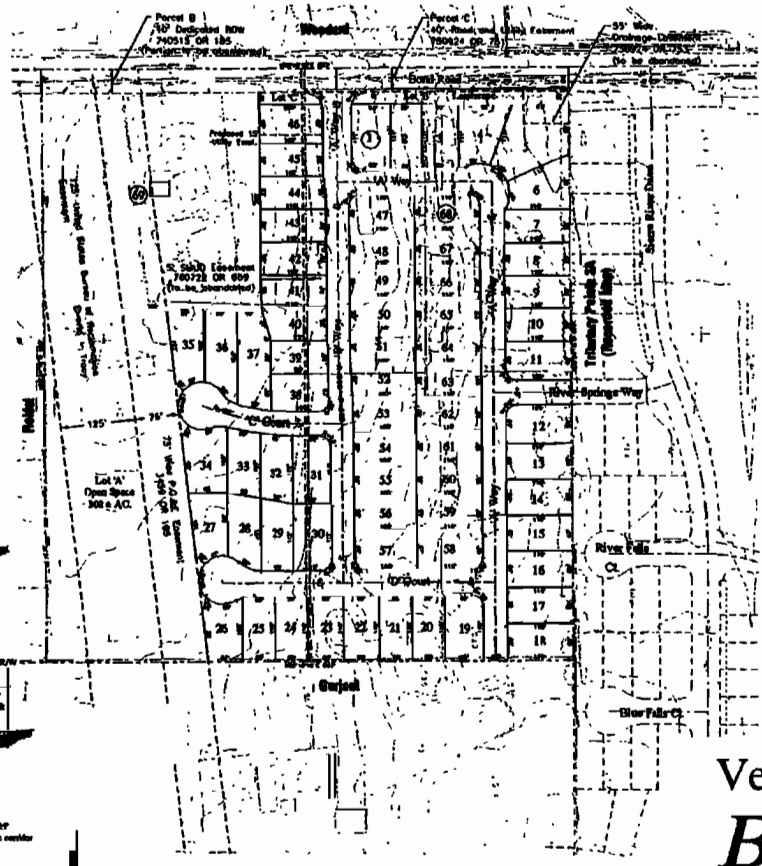
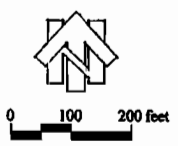
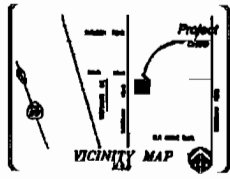
PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

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



PROJECT INFORMATION

SITE DESCRIPTION: Parcels B, and C of Parcel Map Book 25, Page 12.

ASSESSOR'S PARCEL NO: 127-0140-017, -018

OWNER: Kervatt & Brenda Parker
9350 Bond Rd
Elk Grove, CA 95624

OWNER: Lin & Chandra Hong
2430 NW Stearns Wy #771
Beaverton, OR 97006

SUBMITTER: Rayson & Berdie
5648 Business Park Dr., Suite 14
Sacramento, CA 95827

ENGINEER: Mackay & Soups
1771 Trubee Road, Ste E
Sacramento, CA 95815
(916) 929-8052

EXISTING USE: Agricultural Residential

PROPOSED USE: Single Family Residential
Open Space

EXISTING ZONING: AD-70

PROPOSED ZONING: RD-S and Open Space

SPECIAL DISTRICTS:

RECREATION:	Elk Grove Community Services Dist
WATER:	Elk Grove Water Works
FIRE:	Elk Grove Community Services Dist
SCHOOL:	Elk Grove Unified School District

SEWER & STORM DRAINAGE: Sacramento County

NUMBER OF LOTS: 72: 1044 LOTS
80: Residential Lots
2: Landscape Lots
1: Open Space Lot

ACRES: 20.16 acres (gross)

* Submitter reserves the right to the multiple final maps.
* Cul or RR shapes greater than 2 feet are indicated along portions of the project boundary.

Exhibit A
 to Vesting Tentative Subdivision Map Resolution
 for Bond Ridge

Vesting Tentative Map
BOND RIDGE
 City of Elk Grove, California
 Scale: N.T.S. October 2002

RECEIVED BY
 OCT 04 2002
 ELK GROVE
 PLANNING DEPARTMENT

MACKEY & SOUPS
 CIVIL ENGINEERS, INC.
 SACRAMENTO, CALIFORNIA 95815
 TEL 916-929-8052

7749-00

**Exhibit B
to Vesting Tentative Subdivision Map Resolution
for Bond Ridge**

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 Vesting Tentative Subdivision Map (to create 69 single-family residential lots, 1 open space lot, and 2 landscape corridor lots) and for a Rezoning of 20.1 acres from AR-10 to AR-2 (only over Lot 69), RD-5, and "O", as further described in the Planning Commission staff report dated March 27, 2003, City Council staff report dated May 21, 2003, and the revised Rezone Exhibit in Figure 2 of this document.	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 applicable Mitigation Measures adopted for the East Elk Grove Specific Plan are required for this project along with the Mitigation Measures in the Mitigated Negative Declaration prepared for this project.	On-Going	Development Services – Planning	
5.	The Vesting 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	

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

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.	Submit an analysis for 100-year flood drainage for review. The analysis shall demonstrate the means by which the 100-year run-off will be conveyed to existing drainage system and that the existing drainage system has adequate capacity to handle the 100-yr run-off. The analysis shall also display overland release points of the 100-year run-off.	Prior to Submittal of Grading	Development Services – Public Works	
8.	At improvement plan submittal provide calculation for the pipe capacity in conference with the 1996 Hydrology Standards Volume 2 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	
9.	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	

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

D. Prior to Issuance of Grading Permit / Improvement Plan			
10.	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
11.	<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> <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</p>	Prior to Issuance of Grading Permit / Improvement Plan	Development Services – Planning

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

	coroner has made the necessary findings as to the origin and disposition pursuant to Public Resources Code Section 5097.98. (Mitigation Measure "H" for East Elk Grove Specific Plan)			
12.	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)	Prior to Issuance of Grading Permit / Improvement Plan or Building Permits, Whichever Occurs First	Development Services – Planning	
13.	<p>Mitigate for the loss of Swainson's Hawk habitat as follows:</p> <ul style="list-style-type: none"> ▪ For projects within a one-mile radius of an active nest site, the project proponent should preserve 1.0 acre of similar habitat for each acre lost (20.1 acres). This land should be protected through a fee title or conservation easement acceptable to the California Department of Fish and Game (CDFG); OR ▪ Prepare and implement a Swainson's hawk mitigation plan to the satisfaction of the California Department of Fish and Game that includes the preservation of Swainson's hawk foraging habitat; OR ▪ Submit payment of a Swainson's hawk impact mitigation fee per acre impacted 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; OR ▪ Should the City of Elk Grove adopt a Swainson's hawk mitigation policy or program (which may include a mitigation fee payable prior to the issuance of building 	Prior to Issuance of Grading Permit / Improvement Plan	Development Services – Planning	

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

	permits) prior to implementation of one of the measures above, the project proponent may be subject to that program instead. (Mitigation Measure BR-2)			
14.	<p>Nesting surveys to determine the presence of this species (i.e. Raptors and Burrowing Owls) 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 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. ▪ 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 disturbance of blackberry thickets, a survey should be conducted by a qualified biologist to determine whether or not raptors or tricolored blackbirds are utilizing the site. If present, abide by the biologist's recommended measures to reduce or negate adverse impacts to these species. ▪ Applicant shall preserve on-site nesting and upland foraging habitat where feasible, and purchase nesting and upland foraging habitat at off-site preserve sites. (Mitigation Measure BR-3) 	Prior to Issuance of Grading Permit / Improvement Plan	Development Services – Planning	
15.	Prior to approval of improvement plans, a special-status/rare plant survey shall be conducted, at the time of year when special-status/rare plant species are both evident and	Prior to Issuance of Grading Permit /	Development Services – Planning	

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

	identifiable, by a qualified botanist for the portions of the project site supporting wetland and riparian vegetation. Results of this survey shall be submitted to the City of Elk Grove Development Services – Planning and California Department of Fish and Game for review and approval. (Mitigation Measure BR-4)	Improvement Plan		
16.	If special-status or rare plant species are found within the proposed development area, a mitigation plan prepared by a qualified botanist in consultation with the Department of Fish and Game, shall be submitted to the City of Elk Grove for review and approval. Upon approval, the mitigation plan shall be implemented. Mitigation measures may include transplanting individual plants to another location on-site, establishing off-site preserves, or measures recommended by the biologist or CDFG. (Mitigation Measure BR-5)	Prior to Issuance of Grading Permit / Improvement Plan	Development Services – Planning	
17.	Conduct a focused survey for vernal pool fairy shrimp and vernal pool tadpole shrimp at the time of year when the species are both evident and identifiable, by a qualified biologist for the portions of the project site supporting wetland habitat. If either species is present on the site, a mitigation plan shall be prepared in consultation with U.S. Fish and Wildlife Service and any necessary permits or approvals shall be received prior to disturbance of the site. A copy of any/all required permits and verification of any required actions shall be submitted to the City. (Mitigation Measure BR-6)	Prior to Issuance of Grading Permit / Improvement Plan	Development Services – Planning	
18.	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 California tiger salamander occurs. The CDFG may require pre-development surveys to determine the presence or absence of the species. If such surveys detect California tiger salamander, the CDFG may impose restrictions on proximate development during the nesting season to ensure that take does not occur. (Mitigation Measure BR-7)	Prior to Issuance of Grading Permit / Improvement Plan or Building Permits, Whichever Occurs First	Development Services – Planning	

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

<p>19.</p>	<p>The project proponent shall ensure that the project will result in no net loss of any wetland habitat found on the site. No net loss shall be achieved by the following methods:</p> <p>a. Preserve and protect the existing on-site wetlands.</p> <p>OR, if any wetlands are to be disturbed:</p> <p>b. Prior to any disturbance of on-site wetlands, submit a Wetland Habitat Mitigation Plan to the City of Elk Grove for review and approval. The Wetland Habitat Mitigation Plan shall provide a detailed description of the size, location and design of proposed wetland creation sites, and a detailed description of how the created wetlands will be monitored and managed to ensure the success of the mitigation effort, OR</p> <p>c. Prior to any disturbance of on-site wetlands, purchase credits at an approved wetland mitigation bank. Documentation of such purchase shall be submitted to City of Elk Grove Development Services – Planning for review and approval. (Mitigation Measure BR-8)</p>	<p>Prior to Issuance of Grading Permit / Improvement Plan</p>	<p>Development Services – Planning</p>	
<p>20.</p>	<p>The following measure is required to mitigate for the loss of large trees, which are considered by the City as important aesthetic (and, in some cases, biological) resource, proposed to be removed (see Tree Exhibit for Bond Ridge):</p> <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. The Plan shall comply with the City Tree Preservation Ordinance, East Elk Grove Specific Plan and General Plan policies, and shall be submitted to the City for review and approval. The Plan shall</p>	<p>Prior to Final Map, Issuance of Grading Permit / Improvement Plan or Building Permit, or Other Site Improvements, Whichever Occurs First</p>	<p>Development Services – Planning</p>	

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

include the following elements:

- Species, size and location of all replacement plantings;
- Method of irrigation;
- The City of Elk Grove Standard Tree Planting Detail L-1, including the 10-foot depth boring hole to provide for adequate drainage;
- Planting, irrigation and maintenance schedules;
- 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 trees which do not survive that period;
- No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of any oak trees to be preserved;
- No grading (grade cuts or fills) shall be allowed within the driplines of any oak trees to be preserved;
- 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 trees to be preserved;
- No trenching shall be allowed within the dripline of any oak trees to be preserved. 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;
- The construction of impervious surfaces within the driplines of oak trees to be preserved shall be stringently minimized.

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

	<p>When it is absolutely necessary, a piped aeration system per City standard detail shall be installed under the supervision of a certified arborist;</p> <ul style="list-style-type: none"> ▪ No sprinkler or irrigation system shall be installed in such a manner that sprays water or requires trenching within the driplines of oak trees. An above ground drip irrigation system is recommended; ▪ 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 that are tolerant of the natural, semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants. ▪ Pursuant to Policy CAQ-8 of the City's draft General Plan, off-site mitigation or payment of an in-lieu fee maybe required by the City for the removal of native and non-native trees that are subject to protection. (Mitigation Measure BR-9) 			
21.	<p>Construction contracts for the project shall include the following measures to be monitored by the City and SMAQMD:</p> <p>Category 1: Reducing NOx emissions from off-road diesel powered equipment.</p> <p>The prime contractor shall provide a plan for approval by the Elk Grove Planning Department and SMAQMD demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, and operated by either the prime contractor or any 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>Prior to Issuance of Grading Permit / Improvement Plan</p>	<p>Development Services – Public Works</p>	

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

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.

The use of "Lubrizol" as a fuel for diesel-powered equipment is also recommended. This alternative fuel operates in an diesel engine. Use of this fuel in a diesel engine will reduce Nox emissions by 14% and PM₁₀ emissions by 63%.

and:

Category 2: Controlling visible emissions from off-road diesel powered equipment.

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

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

	to determine compliance. Nothing in this section shall supercede other SMAQMD or state rules or regulations.			
22.	Install 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	
23.	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 results in soil disturbances of at least five acres of total land area.	Prior to Issuance of Grading Permit / Improvement Plan	California Regional Water Quality Control Board	
24.	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	Water Supply	
25.	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	
26.	Provide physical roadway barriers designed to only allow right in/right out traffic onto Bond Road. Design of the barriers shall be reviewed and approved by Public Works.	Prior to Issuance of Grading Permit / Improvement Plan	Development Services – Planning and Public Works	

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E. During Grading and Construction			
27.	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
F. Prior to the Recordation of the Final Map			
28.	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 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.	Prior to the Recordation of the Final Map	Elk Grove CSD
29.	Obtain permission from responsible agencies, including Sacramento Municipal Utility District (SMUD) and Development Services Public Works for the abandonment of easements and right of ways proposed within the Bond Ridge area.	Prior to the Recordation of the Final Map	SMUD
30.	Separate water service shall be provided to each parcel and water easements shall be dedicated to the satisfaction of the Elk Grove Water Service..	Prior to the Recordation of the Final Map	Department of Water Resources

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31.	Provide on-site and off-site drainage easements as necessary to offset project impacts, at no cost to the City of Elk Grove, 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 the Recordation of the Final Map	Development Services – Public Works	
32.	Grant the City of Elk Grove right-of-way on Bond Road (based on a 72-foot street section) and all other internal streets (with dimensions displayed on the Tentative Subdivision Map) in accordance with East Elk Grove Specific Plan, and to the satisfaction of Development Services Public Works.	Prior to the Recordation of the Final Map	Development Services – Public Works	
G. With the Recordation of the Final Map				
33.	Dedicate a 12.5-foot public utility easement for underground and/or overhead facilities and appurtenances adjacent to all public street right-of-ways.	With the Recordation of the Final Map	Development Services – Public Works and SMUD	
34.	Dedicate the west 5 feet of Lot 23 on the Tentative Subdivision Map as a public utility easement for underground facilities and appurtenances.	With the Recordation of the Final Map	Development Services – Public Works and SMUD	
35.	Dedicate Lots B & C (Landscape Corridors) on the Tentative Subdivision Map as a public utility easement for underground facilities and appurtenances.	With the Recordation of the Final Map	Development Services – Public Works and SMUD	
36.	The transmission line easements shall be labeled on the Final Map as a "Restricted Building and Use Area".	With the Recordation of the Final Map	Development Services – Public Works and SMUD	
37.	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	With the Recordation of the Final Map	CSD-1	

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	and ensure continuous access for maintenance. Sacramento County Improvement Standards apply to any on-site sewer construction.			
38.	Dedicate maintenance easements in all public and private streets over all water lines to the satisfaction of the City of Elk Grove Water Agency.	With the Recordation of the Final Map	Water Supply	
39.	Provide Elk Grove CSD all of the necessary on-site Trail & Open Space Easements/Dedications, in accordance with the East Elk Grove Specific Plan, to successfully interlink the Trail System with all adjoining property owners and transportation projects.	With the Recordation of the Final Map	Elk Grove CSD	
40.	Provide park land dedication and/or pay in lieu fees as required by the City of Elk Grove Code.	With the Recordation of the Final Map	Elk Grove CSD	
41.	Land dedicated to the Elk Grove Community Services District for Parks shall be zoned "O", will be free and clear of any past or future taxes or assessments; any liens or encumbrances, and any easements not disclosed on the tentative map. Any structures, walls, fences, wells or storage tanks must be removed per Elk Grove CSD specifications and in accordance with all applicable laws and regulations prior to the acceptance by District of any grant deed or easement.	With the Recordation of the Final Map	Elk Grove CSD	
H. Prior to Issuance of Building Permit				
42.	Make payments to the City of Elk Grove for the design and construction of Bond Road from center south to the Bond Ridge property based on a 72-foot street section in accordance with the East Elk Grove Specific Plan, the City of Elk Grove Improvement Standards and to the satisfaction of Development Services Public Works. The applicant shall provide a cost estimate to Development Services Public Works for review and approval.	Prior to the Issuance of First Building Permit	Development Services – Public Works	

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	<p>Project proponent(s) shall install landscaping and sidewalks on Bond Road for APNs 127-0140-017 and 018. (Landscaping shall be installed prior to first occupancy)</p> <p>Note: Model Homes are not subject to this condition.</p>			
43.	<p>Internal public streets shall be substantially completed based upon their dimension displayed on the Bond Ridge Vesting Tentative Subdivision Map, in accordance with the City of Elk Grove Improvement Standards, the East Elk Grove Specific Plan, and to the satisfaction of Development Services – Public Works.</p> <p>Full street improvement shall be completed prior to first occupancy.</p> <p>Note: Model Homes are not subject to this condition.</p>	<p>Prior to the Issuance of First Building Permit</p>	<p>Development Services – Public Works</p>	
44.	<p>Street lighting along local residential streets shall be designed to a pedestrian scale with a maximum height of 14 feet.</p>	<p>Prior to the Issuance of First Building Permit or First Occupancy (as deemed appropriate by the Public Works)</p>	<p>Development Services – Planning and Public Works</p>	
I. Prior to the First Occupancy				
45.	<p>Mitigate noise impacts from Bond Road as follows:</p> <p>a. A sound wall shall be constructed at the location shown on Figure 1 in the Environmental Noise Assessment prepared by Bollard and Brennan, Inc dated December 10, 2002 to reduce future Bond Road traffic noise levels in back yards located adjacent to Bond Road. This wall shall be 8 feet in height, which will be consistent with the height of the existing sound barrier along Bond Road, and</p>	<p>Prior to the First Occupancy</p>	<p>Development Services – Planning and Building</p>	

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	<p>will satisfy the City of Elk Grove standard for new residential developments.</p> <p>b. Suitable materials for the noise barrier include earthen berms, masonry block, precast concrete panels, or combinations of berms and solid barriers.</p> <p>c. Air conditioning shall be included for all residences in this development to allow the occupants to close doors and windows as desired to achieve additional acoustical isolation.</p> <p>d. Dwellings on lots 1 through 5, 45 and 46 in the Tentative Subdivision Map shall incorporate construction practices contained in Table 4 in the Environmental Noise Assessment prepared by Bollard and Brennan dated December 10, 2002. These practices would ensure compliance with the City's residential interior noise standards. (NO-1)</p>			
46.	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	(moved from section H)
47.	<p>The wetland/riparian corridors of creeks and open spaces create an unusual fire hazard and challenge to emergency responders. The following requirements apply:</p> <p>a) Provide non-combustible fences along all developed areas adjacent to wetlands/creeks/open spaces.</p> <p>b) Provide access to all wetland corridors at the end of cul-de-sacs via rolled curbs and gates with pipe bollards. Bike lanes adjacent to creeks shall be a minimum of 10 feet wide with a turning radius of no less than 35 feet inside and 45 feet outside. All bike paths shall be paved with 2 inches of AC over 4 inches of AB compacted to 95 percent.</p> <p>c) Any bridges over creeks or wetlands areas shall be capable of supporting 65,000 GVW.</p> <p>d) Provide at least 10 feet of greenbelt or other</p>	Prior to the First Occupancy	Elk Grove CSD Fire Department	(moved from section H)

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	defensible space between non-combustible fences and the creek/wetland areas.			
48.	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.	Prior to the First Occupancy	Elk Grove CSD	
49.	All landscape corridor wall 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	
50.	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 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.	Prior to the First Occupancy	Elk Grove CSD	
51.	The 25-foot landscape corridor on Bond Road (Lots B and C on the Tentative Subdivision Map) shall include 10 feet of turf and irrigation at back of curb, a 6-foot meandering or bifurcated sidewalk, and a planter for the remaining area, with a 8-foot masonry fence. 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	

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52.	Any subdivision monument signs proposed to identify the development shall be review and approved by the Planning Director prior to the construction or placement of the sign(s).	Prior to the First Occupancy	Development Services – Planning	
53.	<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	
54.	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.	Prior to Each Occupancy	Development Services – Planning	
55.	The owner/developer must disclose to future/potential owners the existing 69kV and 230 kV electrical facilities and any future high-pressure gas line.	Prior to Each Occupancy	SMUD	

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J. Others				
56.	<p>Improve trail system as follows:</p> <ul style="list-style-type: none"> • The open space trail corridor (Lot A on the Tentative Subdivision Map) shall be developed with landscaping, a bike/pedestrian trail, and an equestrian trail, according to the standards from the East Elk Grove Specific Plan. This includes a minimum of 15-foot landscaping on the east side of the trail, a 10-foot wide trail, and 2-foot of decomposed granite on each side of the trail. (See specifications on page 4-50, Figure 4.6-4 on page 4-51, and on page 5-27 of the East Elk Grove Specific Plan) • Horse trail shall have a minimum width of 5 feet. • 7 feet minimum clearance shall be provided between horse and bicycle trail. • Trail will be located out of the 10-year floodplain. • Open fencing with 6-foot tubular steel shall be provided along all open space corridors with specifications being determined by Elk Grove CSD. • Signage for the trail will be funded and provided by the developers in accordance with Elk Grove CSD specifications (i.e. Signs Manual). • When the improvements to the corridor have received final acceptance by Elk Grove CSD, the District will accept grant of a landscape maintenance easement from the Applicant and assume the future obligation for operation, maintenance, repair and replacement. Applicant shall be responsible to fund the direct cost of performing this work until the District has incorporated these costs into the 	<p>Prior to the First Acceptance of Subdivision Improvements by Development Services Planning</p>	<p>Elk Grove CSD</p>	

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	<p>annual budget for the Landscape and Lighting Assessment District. If the inclusion of these costs results in an increase in the assessments requiring a ballot approval pursuant to the provision of Proposition 218, the Applicant's funding obligation could continue until Prop 218 compliance is met. Applicant's funding obligation will be addressed in the agreement with the District.</p>			
57.	<p>Prior to Final Map approval, the Bond Ridge 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.</p> <p>If an approved financing district/mechanism is not in place prior to approving the Final Map for Bond Ridge, this condition shall not apply.</p>	Prior to Approval of Final Map	Development Services – Planning	
58.	<p>A deceleration lane on Bond Road eastbound approaching "A" Way shall be provided, as deemed necessary by Public Works. The deceleration lane shall be designed to the satisfaction of Public Works.</p>	Prior to Issuance of Grading Permit / Improvement Plan	Development Services – Public Works	

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

Figure 1 – Tentative Subdivision Map

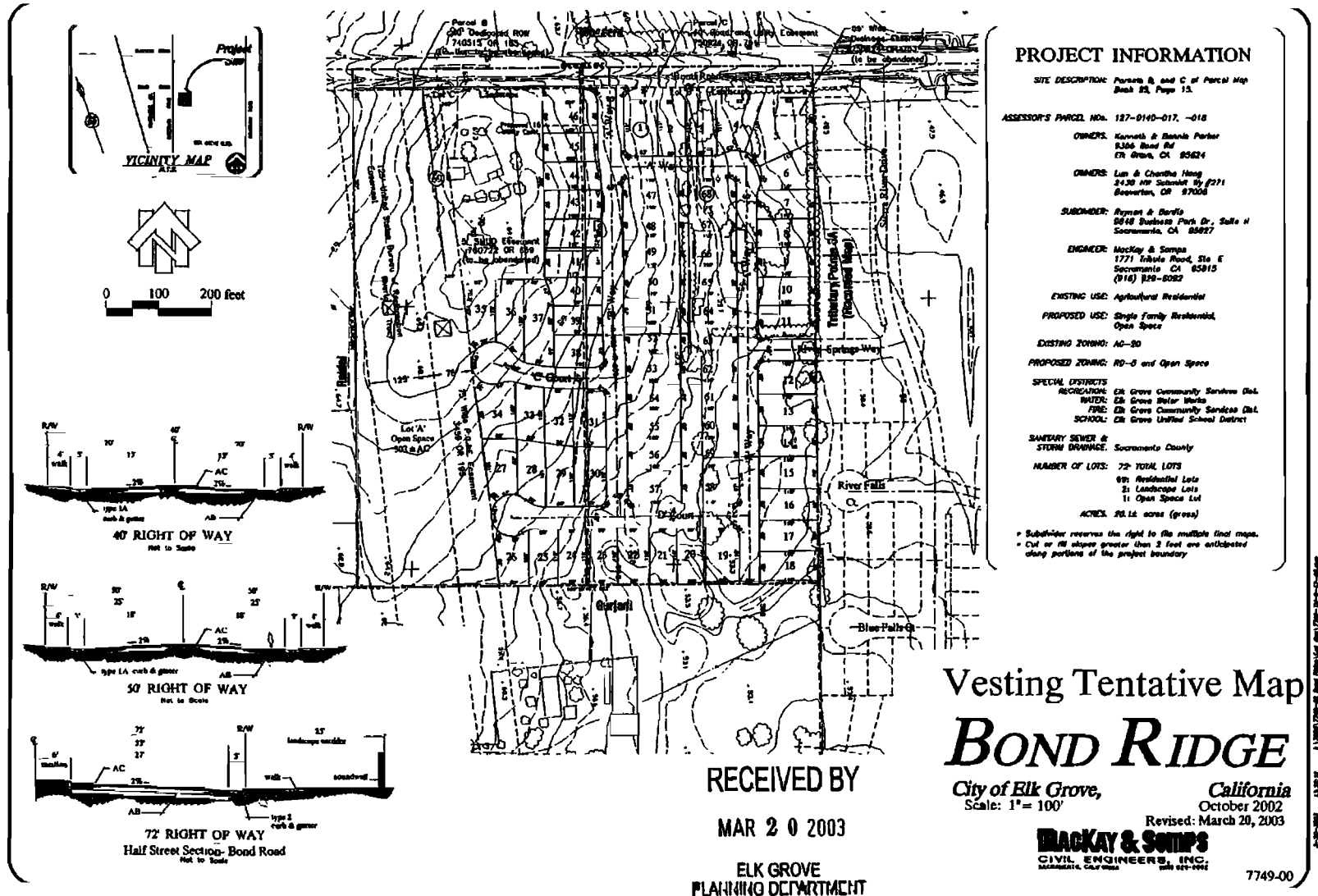


Exhibit B: Conditions of Approval / Mitigation Monitoring and Reporting Program

Figure 2 – Rezone Exhibit (Revised)

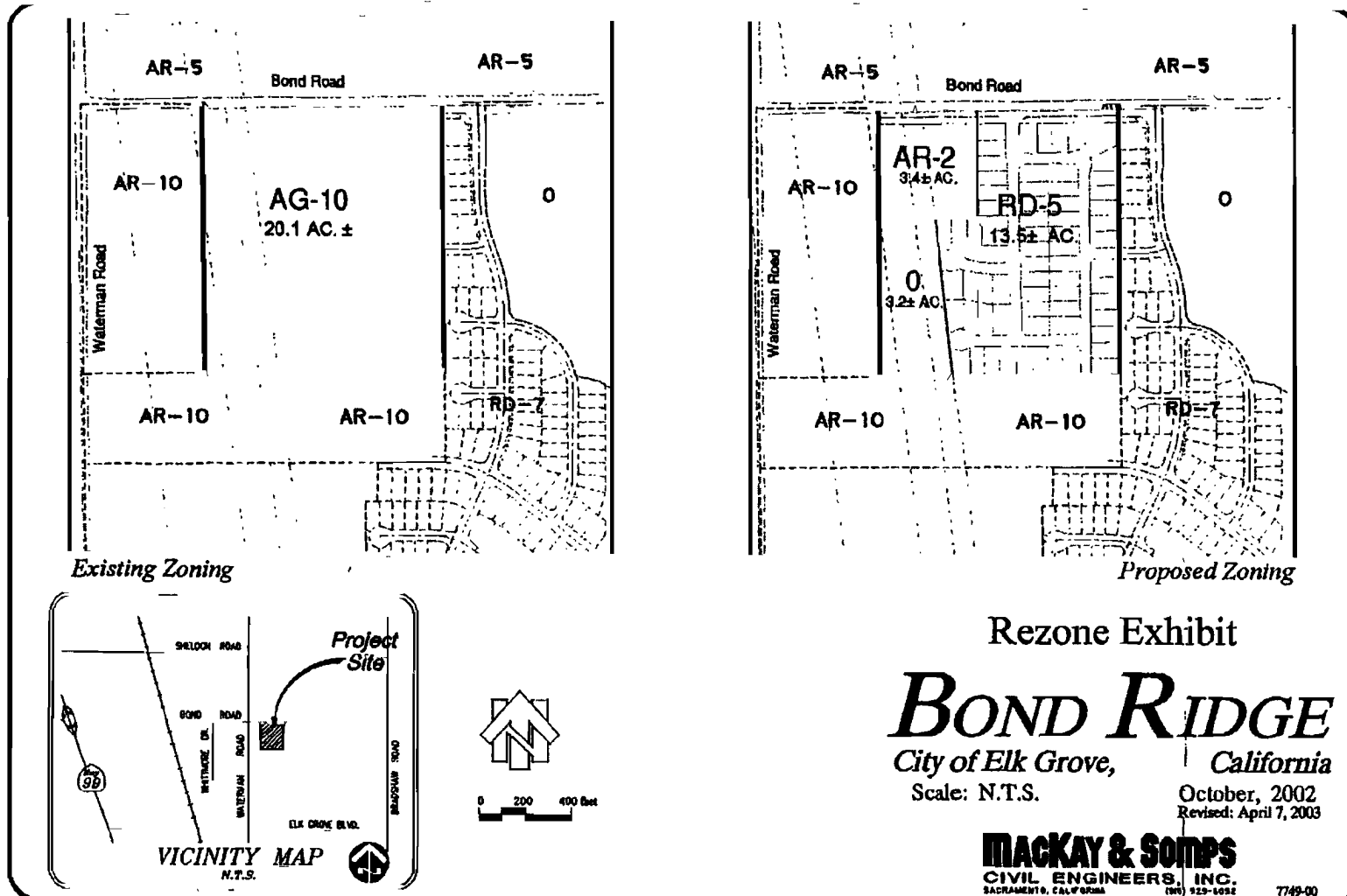
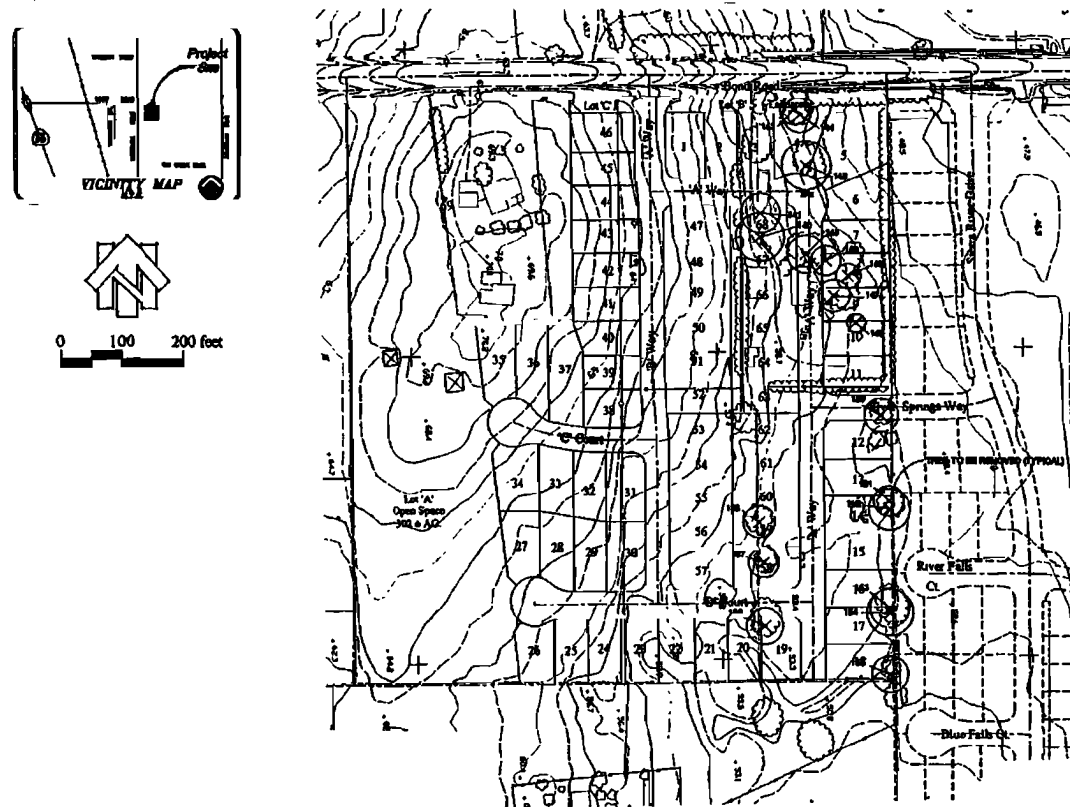


Exhibit B: Conditions of Approval / Mitigation Monitoring and Reporting Program

Figure 3 – Tree Exhibit



RECEIVED BY
OCT 04 2002
ELK GROVE
PLANNING DEPARTMENT

Tree Number	Tree Type	Measure	Tree Size (inches DBH)
140	Blue Oak (Quercus douglasii)	41	20
141	Blue Oak (Quercus douglasii)	7	20
142	Blue Oak (Quercus douglasii)	10	40
143	Little Leaf (Fraxinus velutina)	10	30
144	Large Leaf (Fraxinus velutina)	20	20
145	Blue Oak (Quercus douglasii)	20	10
146	Blue Oak (Quercus douglasii)	10	20
147	Blue Oak (Quercus douglasii)	10	20
148	Blue Oak (Quercus douglasii)	10	20
149	Blue Oak (Quercus douglasii)	10	20
150	Blue Oak (Quercus douglasii)	10	20
151	Blue Oak (Quercus douglasii)	10	20
152	Blue Oak (Quercus douglasii)	10	20
153	Blue Oak (Quercus douglasii)	10	20
154	Blue Oak (Quercus douglasii)	10	20
155	Blue Oak (Quercus douglasii)	10	20
156	Blue Oak (Quercus douglasii)	10	20
157	Blue Oak (Quercus douglasii)	10	20
158	Blue Oak (Quercus douglasii)	10	20

Tree Exhibit
BOND RIDGE
City of Elk Grove, California
Scale: N.T.S.
September 2002
BLACK & SONS
CIVIL ENGINEERS, INC.
7749-00

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. The designs of the buildings are required to be consistent with the guidelines in Section 4.3.4 Residential Design Guidelines of the East Elk Grove Specific Plan.
- b. 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)
- c. 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)
- d. An approved automatic fire sprinkler system shall be installed within all new R-3 occupancies when the total floor area exceeds 5,999 square feet and/or the total livable area exceeds 4,999 square feet. As of February 1, 2003, all contractors for single-family homes and duplexes shall provide an option for residential fire sprinklers. (EGCSDFD)
- e. 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)
- f. 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)
- g. 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.
- h. Provide metered connections on transmission mains to the satisfaction of the Sacramento Water Agency. (Sacramento County Water Agency)
- i. The property owner shall pay development impact fees in accordance with the Elk Grove/West Vineyard Public Facilities Financing Plan Development Impact Fee Program and Chapter 16.82 of the Elk Grove Municipal Code.
- j. Building floor elevation shall be a minimum of 1 foot above the 100-year water level for the area in which Bond Ridge is located.

Bond Ridge (EG-02-350)

Conditions of Approval (Draft – Planning Commission March 27, 2003)

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- k. 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.
- l. Pay all appropriate development fees charged by the City and other Special Districts providing services to the site.
- m. 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.
- n. A permit release letter from the Elk Grove Community Services District Fire Department (EGCSDFD) shall be required prior to issuance of any construction permits.
- o. Dead-end streets in excess of 150 feet require approved emergency vehicle turn-arounds. (EGCSDFD)
- p. 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)
- q. 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)
- r. 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)
- s. 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.
- t. 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.
- u. The proposed public street entrance to Bond Road ("A" Way on the Tentative Subdivision Map) must be a minimum of 50 feet in width for a distance of 100 feet from the cross street right-of-way line with a 40-foot taper to transition from a 50-foot street to a 40-foot street.