

RESOLUTION NO. 2003-161

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING A TENTATIVE SUBDIVISION MAP, DESIGN REVIEW,
AND ABANDONMENT OF AN EXISTING IRREVOCABLE OFFER OF DEDICATION
FOR NEWTON RANCH UNIT 2 PROJECT NO. EG-02-370,
SUBJECT TO THE FINDINGS AND MMRP/CONDITIONS OF APPROVAL**

WHEREAS, Newton Ranch, represented by County Builders (hereinafter referred to as Applicant) filed an application with the City of Elk Grove (hereinafter referred to as City) for a Rezone of ±33.59 acres from AR-10 to RD-4, "O", and MP a Tentative Subdivision Map creating 99 single-family residential lots and 1 open space lot (a portion of Assessor's Parcel Numbers 134-0110-072 & 134-0110-074); 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 June 26, 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 Newton Ranch Unit 2 project, 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 Newton Ranch Unit 2 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 Newton Ranch Unit 2 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 which is 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, Tentative Subdivision Map, Abandonment of I.O.D. 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.

Tentative Subdivision Map & Abandonment of Irrevocable Offer of Dedication

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 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 99 single family lots on a total of 25.8 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 99 single family lots on a total of 25.8 acres, which conforms to the allowable densities of the RD-4 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, 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 Newton Ranch Unit 2 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.

2.5 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.


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

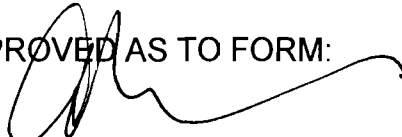
Evidence: The Newton Ranch Unit 2 project has been designed in accordance with the East Elk Grove Specific Plan, and provides connectivity to the existing street network as well as provides an internal roadway pattern. Direct connections between roadways and the trails system have been incorporated in the subdivision design. Street trees will be planted, in accordance with the Citywide Design Guidelines, throughout the Newton Ranch Unit 2 subdivision to provide a pedestrian friendly environment.

PASSED AND ADOPTED by the City Council of the City of Elk Grove on the 20th day of August 2003.


SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:


PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

ANTHONY B. MANZANETTI,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2003-161**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

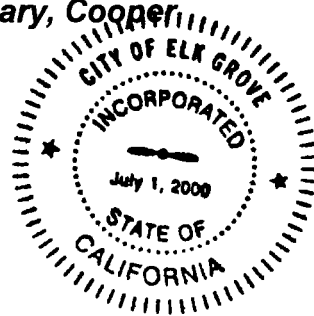
I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on the 20th day of August, 2003 by the following roll call vote:


AYES 4: COUNCILMEMBERS: Scherman, Soares, Leary, Cooper

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 1: COUNCILMEMBERS: Briggs



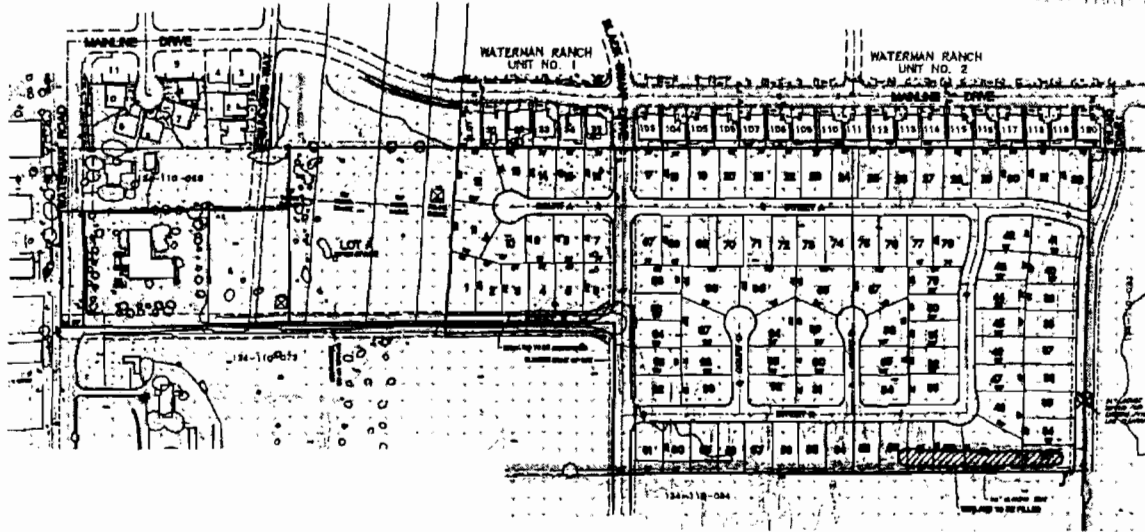


**Peggy E. Jackson, City Clerk
City of Elk Grove, California**



**TENTATIVE SUBDIVISION MAP
AND I.O.D. ABANDONMENT
NEWTON RANCH UNIT NO. 2 - ALTERNATE C**
CITY OF ELK GROVE - SACRAMENTO COUNTY - CALIFORNIA
SEPTEMBER, 2002 SCALE: 100'
BAKER-WILLIAMS ENGINEERING GROUP

RECEIVED BY
JUL 9 1 2003
ELK GROVE
PLANNING DEPARTMENT



- OWNER: 134-110-074
ELK GROVE COMMUNITY SERVICES DISTRICT
225 WEST 1ST ST.
ELK GROVE, CALIFORNIA 95758
- OWNER: 134-110-074
ELK GROVE COMMUNITY SERVICES DISTRICT
225 WEST 1ST ST.
ELK GROVE, CALIFORNIA 95758
- DEVELOPER:
BAKER-WILLIAMS ENGINEERING GROUP
1000 W. 1ST ST., SUITE 100
ELK GROVE, CA 95758
TEL: (916) 782-1810
- DESIGNED:
BAKER-WILLIAMS ENGINEERING GROUP
1000 W. 1ST ST., SUITE 100
ELK GROVE, CA 95758
TEL: (916) 782-1810
- ASSIGNMENT: PARCEL NAMED:
134-110-074 & 974
- EXISTING USE:
134-110-074: OFFICE/WAREHOUSE
134-110-074: OFFICE/WAREHOUSE
- PROPOSED USE:
134-110-074: OFFICE/WAREHOUSE
134-110-074: OFFICE/WAREHOUSE
- EXISTING ZONING:
M-10
- PROPOSED ZONING:
M-10
- ACREAGE:
33.8 ACRES NET
NUMBER OF LOTS:
10
- SEWER:
QUALITY OF SEWERAGE:
WATER SUPPLY:
ELK GROVE COMMUNITY SERVICES DISTRICT
DRAINAGE:
DRAINAGE'S QUALITY:
FIRE PROTECTION:
ELK GROVE COMMUNITY SERVICES DISTRICT
ELECTRIC SERVICE:
D.A.B.
GAS SUPPLY:
P.S. & I.
TELEPHONE SERVICE:
FRENCH COMMUNICATIONS
SCHOOL DISTRICT:
ELK GROVE UNIFIED SCHOOL DISTRICT
PARK DISTRICT:
ELK GROVE COMMUNITY SERVICES DISTRICT
PROPOSED IMPROVEMENTS:
CITY OF ELK GROVE STANDARDS

Exhibit A
to Tentative Subdivision Map for Newton Ranch Unit 2



NO.	DATE	DESCRIPTION

DATE	PROJECT NUMBER
OCT. 2002	914

BW BAKER-WILLIAMS ENGINEERING GROUP
 Engineering, Planning, and Surveying Professionals - Civil Services
 1000 West 1st Street, Suite 100 - Elk Grove, CA 95758
 (916) 782-1810 • Fax: (916) 782-1810 • www.baker-williams.com

**TENTATIVE SUBDIVISION MAP
NEWTON RANCH UNIT NO. 2 - ALT. C**
CITY OF ELK GROVE - SACRAMENTO COUNTY - CALIFORNIA

**Exhibit B
to Tentative Subdivision Map Resolution
for Newton Ranch Unit 2**

Conditions of Approval

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

<u>Conditions of Approval / Mitigation Measure</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
A. On-Going				
1.	The development approved by this action is for a Rezone of 33.64 acres from AR-10 to RD-4, O and MP, Tentative Subdivision Map (to create 99 single-family residential lots and 1 open space lot), and the abandonment of an irrevocable offer of dedication as further described in the staff report dated June 26, 2003 and associated exhibits.	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 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 Submittal of Grading or Improvement Plan				
6.	Provide calculation for the pipe capacity in conformance	Prior to Submittal of	Development	

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

	with the 1996 Hydrology Standards Volume II and City of Elk Grove Improvement Standards.	Grading or Improvement Plans	Services – Public Works	
7.	Project shall submit a drainage study that details whether additional improvements to the existing detention basin are needed to mitigate the projects runoff.	Prior to Submittal of Grading or Improvement Plan	Development Services – Public Works	
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	
C. Prior to Issuance of Grading Permit / Improvement Plan				
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.	Any project that includes the use of equipment capable of releasing emissions to the atmosphere may require permit(s) from the SMAQMD prior to operation. The applicant, developer or operator of a project that includes an emergency generator, boiler or heater should contact the District early to determine if a permit is required and to begin the permit application process. Portable construction equipment that has an internal combustion engine with a horsepower rating greater than 50 are required to have a District permit or a California Air Resources Board portable equipment registration. Other general types of uses that require a District permit are operations that generate airborne particulate emissions. (Mitigation Measure AQ-2)	Prior to Issuance of Grading Permit / Improvement Plan	SMAQMD	
11.	Category 1: Reducing NOx emissions from off-road diesel powered equipment. The project shall provide a plan from approval by the City of Elk Grove and SMAQMD	Prior to Issuance of Grading Permit /	SMAQMD	

<p>demonstrating that the heavy duty (>50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20% NOx reduction and 45% particulate reduction compared to the most recent CARB fleet average; and</p> <p>The project representative shall submit to the City of Elk Grove and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of 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. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the project representative shall provide SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.</p> <p align="center">And:</p> <p>Category 2: Controlling visible emissions from off-road diesel powered equipment. The project shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40% opacity for more than three minutes in any one hour. Any equipment found to exceed 40% opacity shall be repaired immediately, and the City of Elk Grove and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that</p>	<p align="center">Improvement Plan</p>		
---	--	--	--

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

	<p>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. (Mitigation Measure AQ-3)</p>			
12.	<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 coroner has made the necessary findings as to the origin and</p>	<p>Prior to Issuance of Grading Permit / Improvement Plan</p>	<p>Development Services – Planning</p>	

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

	disposition pursuant to Public Resources Code Section 5097.98. (Mitigation Measure "H" for East Elk Grove Specific Plan)			
13.	Consult with the U.S. Fish and Wildlife Service (USFWS) prior to approval of Improvement Plans or Building Permits, whichever occurs first, to ensure that no individual take of California tiger salamander occurs. The USFWS may require pre-development surveys to determine the presence or absence of the salamander. If such surveys detect the salamander, the USFWS may impose restrictions on proximate development during the breeding season to ensure that take does not occur. (Mitigation Measure BR-4)	Prior to Issuance of Grading Permit / Improvement Plan or Building Permits, Whichever Occurs First	Development Services – Planning	
14.	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 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-1)	Prior to Issuance of Grading Permit / Improvement Plan	Development Services – Planning	
15.	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-2)	Prior to Issuance of Grading Permit / Improvement Plan	Development Services – Planning	
16.	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	Prior to Issuance of Grading Permit / Improvement	Development Services – Planning	

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

	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-3)	Plan		
17.	<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-6)</p>	Prior to Issuance of Grading Permit / Improvement Plan	Development Services – Planning	
18.	The applicant shall initiate consultation with the U.S. Army Corps of Engineers to determine if the wetlands are Federally protected under Section 404 of the Federal Clean Water Act. If the 0.255 acres of wetlands are protected a Section 404 Fill permit may be required by the U.S. Army Corps of Engineers prior to grading or any other site disturbance. (BR-7)	Prior to Issuance of Grading Permit / Improvement Plan	Development Services – Planning	
19.	<ul style="list-style-type: none"> For projects within a one-mile radius of an active nest site, 	Prior to Issuance	Development	

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

	<p>the project proponent should preserve 1.0 acre of similar habitat for each acre lost (29.9 acres). This land should be protected through a fee title or conservation easement acceptable to the California Department of Fish and Game (CDFG); OR</p> <ul style="list-style-type: none"> • 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 Municipal Code as such may be amended from time to time and to the extent that said Chapter remains in effect; OR <p>Should the City of Elk Grove adopt a Swainson's hawk mitigation policy or program (which may include a mitigation fee payable prior to the issuance of building permits) prior to implementation of one of the measure above, the project proponent may be subject to that program instead. (BR-5)</p>	<p>of Grading Permit / Improvement Plan</p>	<p>Services - Planning</p>	
<p>20.</p>	<p>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.</p>	<p>Prior to Issuance of Grading Permit (and/or as Deemed Appropriate by Public Works)</p>	<p>Development Services – Public Works</p>	
<p>21.</p>	<p>The applicant shall provide a drainage system for the project to the satisfaction of Public Works. If the drainage system is proposed to flow under Elk Grove Creek, it is the responsibility of the applicant to obtain all necessary permits from the Army Corps of Engineers prior to approval of plans or</p>	<p>Prior to Issuance of Improvement Plans</p>	<p>Development Services – Public Works</p>	

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

	construction of the drainage system.			
22.	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	
23.	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	
E. During Grading and Construction				
24.	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. (Mitigation Measure AQ-1)	During Grading and Construction	Development Services – Public Works and SMAQMD	
F. Prior to the Recordation of the Final Map				
25.	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	Prior to the Recordation of the Final Map	Elk Grove CSD	

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

	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.			
26.	Grant the City of Elk Grove right-of-way on all internal streets as shown in the Newton Ranch Unit No. 2 tentative subdivision map, in accordance with the East Elk Grove Specific Plan, the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Prior to Recordation of the Final Map	Development Services – Public Works	
27.	Project proponents, future successors or interests shall reserve a minimum 100ft x 100ft water well site located on lot numbers 75 & 76 (Attachment A) and necessary easements to the satisfaction of the Sacramento County Water Agency (SCWA). Acceptance and approval of the site shall be subject to meeting Department of Health Services (DHS) setback requirements and obtaining acceptable results from hydrogeologic evaluations (exploratory drilling). If these conditions cannot be satisfied, then alternate sites on Newton Ranch Unit 2 shall be selected and similarly evaluated. Prior to final map approval, the project proponent shall grant right-of-entry to SCWA to conduct hydrogeologic evaluations. In addition, prior to final map recordation, the property owner shall enter into an agreement with SCWA consistent with Chapter 22.50 of the Sacramento County Code (City of Elk Grove Code) and Government Code Title 7, Division 2, Article 4.	Prior to Recordation of the Final Map	Department of Water Resources	
28.	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	
29.	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	Prior to the Recordation of the Final Map	Development Services – Public Works	

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

	Standards, including any fee required by the Sacramento County Water Agency. From the point where the project's storm drain pipe outfalls, Elk Grove Creek shall be improved from the outfall point to Waterman Road, including ultimate box culverts under Waterman Road, consistent with the East Elk Grove Specific Plan Drainage Master Plan. In addition, this condition may require the construction of drainage facilities from the SDMH at the intersection of Mainline and Wyland Drive down to the southern extents of the project. Any proposed phasing of the off-site improvements shall be consistent with the approval of the City of Elk Grove and the Sacramento County Water Agency.			
30.	The 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 the Recordation of the Final Map	Development Services-Planning	
G. With the Recordation of the Final Map				
31.	Dedicate a 12.5-foot public utility easement for underground and/or overhead facilities and appurtenances adjacent to Waterman Road.	With the Recordation of the Final Map	SMUD	
32.	Dedicate a 12.5-foot public utility easement for underground facilities and appurtenances adjacent to all public street rights of ways.	With the Recordation of the Final Map	Development Services – Public Works and SMUD	
33.	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	
34.	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	With the Recordation of the Final Map	CSD-1	

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

	easements shall be dedicated to CSD-1, be 20 feet in width and ensure continuous access for maintenance. Sacramento County Improvement Standards apply to any on-site sewer construction.			
35.	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	
36.	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	
37.	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	
38.	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				
39.	Install all internal streets as shown in the Newton Ranch Unit No. 2 tentative subdivision map, in accordance with the East Elk Grove Specific Plan, the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Prior to Issuance of First Building Permit	Development Services – Public Works	
40.	The floor elevation must be a minimum of 1 foot above the 100-year water level for the area.	Prior to Issuance of First Building Permit	Development Services – Public Works	
41.	The property owner shall pay development impact fees in accordance with the Elk Grove/West Vineyard Public	Prior to Issuance of First Building	Development Services –	

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

	Facilities Financing Plan Development Impact Fee Program as adopted by the City of Elk Grove on July 1, 2000 and October 25, 2000, including any authorized adjustments and updates thereto.	Permit	Planning	
42.	<p>The single family homes shall incorporate the following building/design features in order to meet the interior noise environment of 45db.</p> <p>a. Exterior facades of each residential dwelling shall be constructed of stucco and or/brick.</p> <p>b. All exterior windows and sliding glass doors shall be double-paned, with a minimum STC rating of 25 and shall be weatherstripped or mounted in low infiltration design frames meeting air filtration standards.</p> <p>c. Air conditioning, or other suitable means of ventilation, shall be provided to allow occupants to close doors and windows for the required acoustical isolation.</p> <p>d. Exterior doors shall be solid-core and the door perimeters shall be weatherstripped.</p> <p>Any departure of deviation from the above measures must be substantiated by an acoustical analysis which is prepared by a professional acoustical consultant and submitted and approved by Development Services – Planning.</p>	Prior to the Issuance of First Building Permit	Development Services – Planning	
43.	Street lighting along local residential streets shall be designed to a pedestrian scale with a maximum height of 14 feet or to the satisfaction of Public Works.	Prior to the Issuance of First Building Permit or First Occupancy (as deemed appropriate by the Public Works)	Development Services – Planning and Public Works	
44.	No more than 40 building permits shall be issued when a single point of access exists for a subdivision. Since there is no process in place for confirming the sequence in which the units are built, the Elk Grove CSD Fire Department (EGCSDFD) should be consulted on this matter.	Prior to Issuance of Building Permit for 41 st home.	EGCSD Fire Department	

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

I. Prior to the First Occupancy				
45.	Developer shall construct and install a 40-foot wide landscape trail system for recreational uses. This includes 10-foot wide trail, 2-foot shoulders on each side, 5-foot wide equestrian trail, 7-foot open area between the equestrian trail and bike trail, and a minimum of 14 feet of landscaping between the homes and the trail corridor. Trail shall be out of the 10-year floodplain. Open fencing shall be provided along all open space corridors with specifications being determined by the EGCSD.	Prior to First Occupancy	EGCSD Parks & Recreation	
46.	Install a 15-foot wide landscape corridor on the west side of the Open Space parcel to screen visibility to the MP zoned parcel. This corridor should include dense planting of trees and shrubs.	Prior to First Occupancy	EGCSD Parks & Recreation	
47.	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	
48.	The owner/developer shall label SMUD's transmission line easement as a "restricted Building and Use Area".	Prior to the First Occupancy	SMUD	
49.	Street trees are required on local residential streets as follows: 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. 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. 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.	Prior to Each Occupancy	Development Services – Planning	

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

	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.			
50.	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	
51.	The owner/developer must disclose to future/potential owners the existing 69kV electrical facilities.	Prior to Each Occupancy	SMUD	

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 there are any discrepancies between the approved tentative map and the conditions of approval, the conditions of approval shall supersede the approved tentative map. (Public Works)
- c. It appears that several of the proposed streets will not be fully improved under the scope of this project. As such, the reduced widths of the roadway may require fire lane identification to limit parking on the street to only one side. Refer to Sacramento Valley Fire Marshals' Association Standard No. 3 for Fire Lane Identification requirements. The proposed streets that are of concern are Black Swain Drive south of Court E, Wyland Drive and Street E. (EGCSDFD)
- d. 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)
- e. 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)
- f. 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)
- g. 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)
- h. 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)
- i. 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.

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

- j. Provide metered connections on transmission mains to the satisfaction of the Sacramento Water Agency. (Sacramento County Water Agency)
- k. 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.
- l. 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.
- m. Pay all appropriate development fees charged by the City and other Special Districts providing services to the site.
- n. 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.
- o. A permit release letter from the Elk Grove Community Services District Fire Department (EGCSDFD) shall be required prior to issuance of any construction permits.
- p. Dead-end streets in excess of 150 feet require approved emergency vehicle turn-arounds. (EGCSDFD)
- q. 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)
- r. 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)
- s. 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)
- t. 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.
- u. 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.
- v. 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.

Attachment A - Well Site

