

County of Placer
Planning Department

BOARD SUBMITTAL COVER SHEET

(requested date: Late February)

TO: Board of Supervisors
FROM: Michael J. Johnson, Planning Director  **DATE:** March 21, 2006
SUBJECT: Rezoning Request: Penryn Park (PSUB-T20040706)

SUMMARY:

At its November 10, 2005 meeting the Planning Commission recommended approval of a Rezoning of the project site from "C1-UP-Dc" (Neighborhood Commercial - Conditional Use Permit Required - Design Corridor) to "C1-UP-Dc PD 9.0" (Neighborhood Commercial - Conditional Use Permit Required - Design Corridor, plus a "Planned Development" factor of nine units per acre). The Planning Commission also unanimously approved the Conditional Use Permit and Tentative Subdivision Map for the "Penryn Park" project, an 85-lot , Multi-Family Residential Planned Development, subject to the Board of Supervisors approval of a Rezoning application.

CEQA COMPLIANCE:

A Mitigated Negative Declaration has been prepared for this project in compliance with CEQA. With the incorporation of all mitigation measures, the project is not expected to cause any significant, negative impacts.

FISCAL IMPACT: None.

RECOMMENDATION:

Staff recommends the Board of Supervisors approve the Rezoning request.

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MEMORANDUM
County of Placer
Planning Department

TO: Honorable Board of Supervisors
FROM: Michael Johnson, Planning Director
DATE: March 21, 2006
SUBJECT: Rezoning Request: "Penryn Park" (PSUB-T2004 0706)

BACKGROUND:

During the summer of 2004, the applicant met with staff on multiple occasions to discuss various proposals for a higher-density residential project on the subject property. In October 2004, an Environmental Questionnaire was submitted, along with additional environmental studies which were reviewed by the Environmental Review Committee. On July 26, 2005, the Penryn MAC discussed the proposal at length. The MAC voted 3:1 to recommend approval of the project, including the rezone request. However, the MAC did not support the concept of a "gated" community. On September 2, 2005 the applicant submitted to the Planning Department an application for a Tentative Subdivision Map, Conditional Use Permit, and Variance.

PROJECT DESCRIPTION:

The applicant is requesting approval of a Rezone from the existing zoning of "C1-UP-Dc" (Neighborhood Commercial - Conditional Use Permit Required - Design Corridor) to "C1-UP-Dc PD 9.0" (Neighborhood Commercial - Conditional Use Permit Required - Design Corridor, plus a "Planned Development"). Although the site is zoned "Commercial", multi-family residential projects are allowed within this zone district. The applicant is proposing a "Planned Development" project comprised of 85 attached, residential units. In order for the Planned Development to be approved, the site must be rezoned with a "PD" factor, which meets the proposed density of the project. In this particular case, the applicant is requesting that a rezone be approved to add a PD factor of "9.0" (Planned Development with a density equal to nine units per acre). The underlying, base zoning would not change. The proposal meets the Planned Development section of the Zoning Ordinance as well as the intent of the Planned Development Guidelines. The proposal does not need a Community Plan Amendment in order to be approved.

PLANNING COMMISSION ACTION:

On November 10, 2005, the Planning Commission adopted a motion (7-0) to approve the Conditional Use Permit, Tentative Subdivision Map, and Variance for the "Penryn Park" project and recommended that the Board of Supervisors approve the Rezoning request.

ANALYSIS:

As mentioned above, the proposed project includes a Rezone request to modify the existing zoning of "C1-UP-Dc" (Neighborhood Commercial - Conditional Use Permit Required - Design Corridor) to "C1-UP-Dc PD 9.0" (Planned Development with a density equal to nine units per acre). The Planning Commission recommended the Rezone request for several reasons: 1. The proposed project density meets the range of densities allowed by the Horseshoe Bar Penryn Community Plan, which allows a maximum of 10 units per acre (no Community Plan Amendment is necessary). 2. The proposed project meets the goals and policies of the Community Plan. 3. By adding a "PD" designation to the existing, base zoning, a "Planned Development" project can be proposed which is expected to meet higher design standards than a project which is not designated "PD".

CEQA COMPLIANCE:

A Mitigated Negative Declaration has been prepared for this project in compliance with CEQA. With the incorporation of all mitigation measures, all identified impacts will be reduced to less than significant levels.

RECOMMENDATION:

Staff recommends the Board of Supervisors approve the Rezone request. Findings for approval of the Rezone are located in Exhibit C.

Respectfully submitted,



MICHAEL J. JOHNSON, AICP
Planning Director

MI/TRT/KH

EXHIBITS:

- Exhibit A - Vicinity / Location Map
- Exhibit B - Site Plan
- Exhibit C - Findings
- Exhibit D - Conditions of Approval
- Exhibit E - Planning Commission Staff Report
- Exhibit F - Ordinance for Rezone
- Exhibit G - Rezone Exhibit



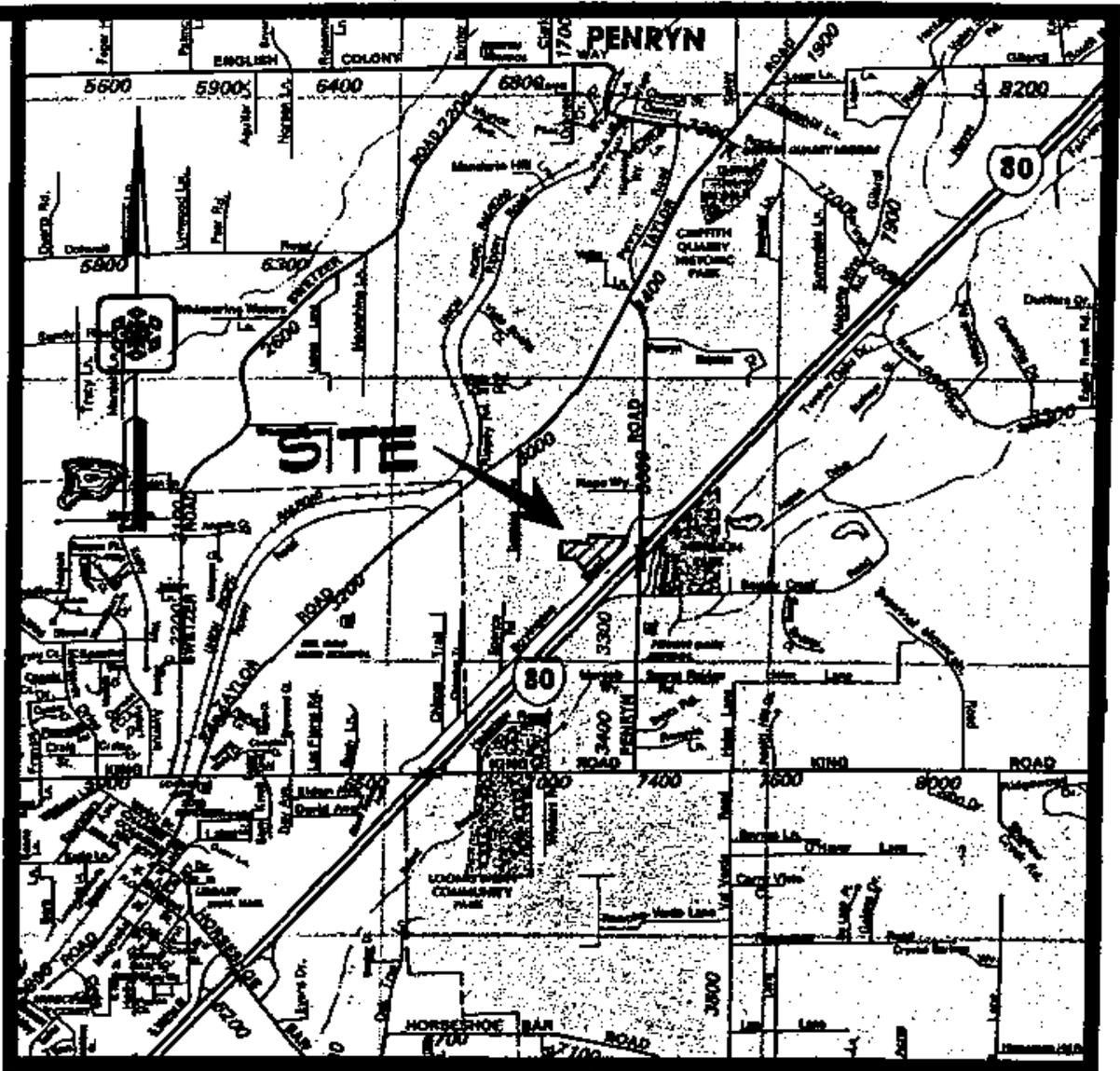
cc: Gary Mandarich (owner)
Randy Wall (engineer)

REF: Q:\PL\US\PLN\Tom\BOS\Passyn Park REA BOS Memo.doc

COPIES SENT BY PLANNING:

Wes Zicker - Planning & Engineering
Rebecca Maddex - Planning & Engineering
Stephanie Holloway - Public Works
Dana Wyminger - Environmental Health Services
Air Pollution Control District
Vance Kimbrell - Parks Department
Christa Darlington - County Counsel
Allison Carlos - CEO's Office
Michael Johnson - Planning Director
Subject/chron files
John Marin - CDRA

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VICINITY MAP

NTS.

OWNER/APPLICANT:

PENRYN PARK, LLC
 MANDARICH DEVELOPMENTS - MANAGER
 6545 SUNRISE BLVD., SUITE 300
 CITRUS HEIGHTS, CA 95610
 PHONE: (916) 727-1800
 CONTACT: GARY L. MANDARICH - PRESIDENT

EXHIBIT A

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Findings

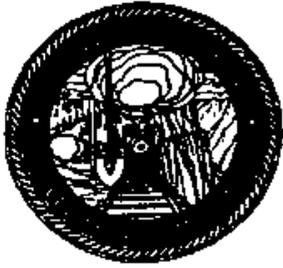
"Penryn Park" (PSUB-T2004 0706)

CEQA

1. The Mitigated Negative Declaration has been prepared as required by law. With the incorporation of all mitigation measures, the project is not expected to cause any significant adverse impacts. Mitigation measures include, but are not limited to: the fencing of sensitive areas on site; placement of sound walls; mitigation monitoring requirements; use of Best Management Practices; and other mitigation measures as outlined in the conditions of approval.
2. There is no substantial evidence in the record as a whole that the Project as revised and mitigated may have a significant effect on the environment.
3. The Mitigated Negative Declaration as adopted for the Project reflects the independent judgment and analysis of Placer County, which has exercised overall control and direction of its preparation.
4. The mitigation plan/mitigation monitoring program prepared for the Project is approved and adopted.
5. The custodian of records for the Project is the Placer County Planning Director, 11414 B Avenue, Auburn, CA 95603.

Rezoning

6. The proposed rezoning is compatible with the objectives, policies, and general land uses specified by the General Plan and Horseshoe Bar / Penryn Community Plan, adopted pursuant to the State Planning and Zoning law, and will best serve the public's welfare.
7. The proposed zoning is consistent with the intent and provisions of the Zoning Ordinance.



**CONDITIONS OF APPROVAL - REZONE/MAJOR
SUBDIVISION/CONDITIONAL USE PERMIT/VARIANCE
" PENRYN PARK SUBDIVISION (PSUBT20040706)**

THE FOLLOWING CONDITIONS SHALL BE SATISFIED BY THE APPLICANT, OR AN AUTHORIZED AGENT. THE SATISFACTORY COMPLETION OF THESE REQUIREMENTS SHALL BE DETERMINED BY THE DEVELOPMENT REVIEW COMMITTEE (DRC), COUNTY SURVEYOR, AND/OR THE PLANNING COMMISSION.

**NOTE: (Comm) - applies to commercial component; (Res) - applies to residential component;
(Comm/Res) applies to both**

1. A Tentative Map and Conditional Use Permit is approved as an 85 lot / 85 unit, Multi-Family Residential Planned Development on approximately 10 acres. In addition the project includes five (5) Open Space lots (Lots A-E), as well as an interior street lot (Lot F). The Conditional Use Permit also includes the approval of two commercial / office buildings, on two separate lots, totaling approximately 18,600 square feet on approximately 2 acres. Uses allowed within the two commercial /office parcels includes offices, (both medical and non-medical offices), medical services, restaurants (except fast food), and all other uses under the heading "Retail Trade", section 17.30.010 (B) of the Placer County Zoning Ordinance. In addition, a Variance is approved in order to allow a height of 40 feet, for one commercial building, where a maximum of 30 feet is normally required. The Variance also includes approval of a combination wall / fence height of 8-16 feet, within various locations on site, where a maximum height of 6 feet is normally required.

ADVISORY COMMENT: This project is subject to review and approval of a Rezone application, by the Placer County Board of Supervisors, to add a "Planned Development" designation ("PD 9.0") to the existing, base zoning, resulting in an allowed residential density of 9 units per acre.

2. The following Condition #'s ip3, ip5, ip7, ip8, ip20, ip21, ip23, ip24, ip25, ip26, ip27, ip30, g2, g7, rt2, rt11, rt13, rt15, rt17, rt18, ps2, ps5, v8, v17, cr2, eh 11, eh14, eh25, eh40, mc2, mc8, mc10, mc23, mc25, ep1 apply to this project as printed in *Placer County Land Development Departments' Sample Conditions*, Volume 2004, Number 1, dated July 27, 2004, as listed in Condition #2 A) thru II) below: (Comm/Res)

A) ip3 **Staging Areas:** Stockpiling and/or vehicle staging areas shall be identified on the Improvement Plans and located as far as practical from existing dwellings and protected resources in the area. (MM) (DPW)

B) ip5 **Equestrian/Pedestrian Trails:** The Improvement Plans shall provide details of the location and specifications of all proposed equestrian/pedestrian trails -
- for the review and approval of the DRC and Parks Division. Said trails shall be

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EXHIBIT D

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installed prior to the County's acceptance of the subdivision's improvements, and all easements shall be shown on the Final Map. (EHS/DPW)

C) ip7 The connection of each existing residence within this project to public sanitary sewers is required, shall be shown on the Improvement Plans, and shall be included in the engineer's estimate of costs for subdivision improvements. Note: Hook-up fees are not to be included in the Engineer's Estimate. (EHS/DPW)

D) ip8 All proposed grading, drainage improvements, vegetation and tree removal shall be shown on the Improvement Plans and all work shall conform to provisions of the County Grading Ordinance (Ref. Article 15.48, formerly Chapter 29), Placer County Code) that are in effect at the time of submittal. No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved and all temporary construction fencing has been installed and inspected by a member of the DRC. All cut/fill slopes shall be at 2:1 (horizontal:vertical) unless a soils report supports a steeper slope and DPW concurs with said recommendation.

The applicant shall revegetate all disturbed areas. Revegetation undertaken from April 1 to October 1 shall include regular watering to ensure adequate growth. A winterization plan shall be provided with project Improvement Plans. It is the applicant's responsibility to assure proper installation and maintenance of erosion control/winterization during project construction. Where soil stockpiling or borrow areas are to remain for more than one construction season, proper erosion control measures shall be applied as specified in the Improvement Plans/Grading Plans. Provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of the DPW.

Submit to the DPW a letter of credit or cash deposit in the amount of 110% of an approved engineer's estimate for winterization and permanent erosion control work prior to Improvement Plan approval to guarantee protection against erosion and improper grading practices. Upon the County's acceptance of improvements, and satisfactory completion of a one-year maintenance period, unused portions of said deposit shall be refunded to the project applicant or authorized agent.

If, at any time during construction, a field review by County personnel indicates a significant deviation from the proposed grading shown on the Improvement Plans, specifically with regard to slope heights, slope ratios, erosion control, winterization, tree disturbance, and/or pad elevations and configurations, the plans shall be reviewed by the DRC/DPW for a determination of substantial conformance to the project approvals prior to any further work proceeding. Failure of the DRC/DPW to make a determination of substantial conformance may serve as grounds for the revocation/modification of the project approval by the appropriate hearing body. (MM) (DPW)

E) ip20 Provide the DPW with a letter from the appropriate fire protection district describing conditions under which service will be provided to this project. Said letter shall be provided prior to the approval of Improvement Plans, and a fire

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protection district representative's signature shall be provided on the plans. (MM)

(DPW)

F) ip21 Extend a pressurized water system into the subdivision to County (Section 7 of the LDM) or fire district standards, whichever are greater. (DPW)

G) ip23 Submit to DPW, for review and approval, a geotechnical engineering report produced by a California Registered Civil Engineer or Geotechnical Engineer.

The report shall address and make recommendations on the following:

- a) Road, pavement, and parking area design
- b) Structural foundations, including retaining wall design (if applicable)
- c) Grading practices
- d) Erosion/winterization
- e) Special problems discovered on-site, (i.e., groundwater, expansive/unstable soils, etc.)
- f) Slope stability

Once approved by the DPW, two copies of the final report shall be provided to the DPW and one copy to the Building Department for their use. If the soils report indicates the presence of critically expansive or other soils problems which, if not corrected, could lead to structural defects, a certification of completion of the requirements of the soils report will be required for subdivisions, prior to issuance of Building Permits. This certification may be completed on a Lot by Lot basis or on a Tract basis. This shall be so noted in the CC&Rs and on the Informational Sheet filed with the Final Map(s). It is the responsibility of the developer to provide for engineering inspection and certification that earthwork has been performed in conformity with recommendations contained in the report. (MM) (DPW)

H) ip24 The Improvement Plans shall be approved by the water supply entity for water service, supply, and maintenance. The water supply entity shall submit to the Departments of Environmental Health Services and Public Works a "will-serve" letter or a "letter of availability" from the water district indicating that the agency has the ability and system capacity to provide the project's domestic and fire protection water quantity needs. (DPW/EHS)

I) ip25 An agreement shall be entered into between the developer and the utility companies specifically listing the party(ies) responsible for performance and financing of each segment of work relating to the utility installation. A copy of this agreement or a letter from the utilities stating such agreement has been made shall be submitted to the DPW prior to the filing of the Final Map(s). Under certain circumstances, the telephone company may not require any agreement or financial arrangements be made for the installation of underground facilities. If so, a letter shall be submitted which includes the statement that no agreement or financial arrangements are required for this development. (DPW)

J) ip26 Install cable TV conduit(s) in accordance with company or County specifications, whichever are appropriate. (DPW)

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K) ip27 Submit, for review and approval, a striping and signing plan with the project Improvement Plans. The plan shall include all on- and off-site traffic control devices and shall be reviewed by the County Traffic Engineer. A construction signing plan shall also be provided with the Improvement Plans for review and approval by the County Traffic Engineer. (DPW)

L) ip30 Prior to Improvement Plan approval, the applicant shall submit an engineer's estimate detailing costs for facilities to be constructed with the project which are intended to be County-owned or maintained. County policy requires the applicant prepare their cost estimate(s) in a format that is consistent with the Governmental Accounting Standards Board, 34th Standard (GASB 34). The engineer preparing the estimate shall use unit prices approved by the DPW for line items within the estimate. The estimate shall be in a format approved by the County and shall be consistent with the guidelines of GASB 34. (DPW)

M) g2 Any proposed subdivision grading beyond that necessary for construction of streets, utilities, and drainage improvements (*i.e.*, mass grading, residential pad grading) must be approved by DRC prior to approval of project Improvement Plans. The intent of this condition is to allow detailed DRC review of lot or contour grading impacts, and to ensure that grading activities do not exceed those indicated on the preliminary grading plan for this project. Grading plans, of a suitable scale and providing specific engineering detail, including limits of grading, identification of trees, existing and proposed contours, drainage patterns, etc., shall be prepared and submitted for DRC review. If grading, beyond that indicated on the preliminary grading plan, and/or environmental documents is proposed with subdivision construction, the matter shall be referred back to the Planning Commission for consideration. (MM)(DPW/PD)

N) g7 If blasting is required for the installation of site improvements, the developer will comply with applicable County Ordinances that relate to blasting and use only State licensed contractors to conduct these operations. (DPW)

O) rt2 Final approval of on-site and off-site waterline, sewerline, storm drain routes, and road locations must be obtained from the DRC. (DPW/PD)

P) rt11 All on-site parking and circulation areas shall be improved with a minimum asphaltic concrete or Portland cement surface capable of supporting anticipated vehicle loadings.

ADVISORY COMMENT: It is recommended that the pavement structural section be designed in accordance with recommendations of a soils/pavement analysis and should not be less than 2" AC over 4" Class 2 AB, or the equivalent. (DPW)

Q) rt13 Provide school bus/transit turnout(s) to the satisfaction of the California Highway Patrol, local busing provider, and the DPW. A letter shall be provided from the CHP and local busing provider which addresses the need for a

turnout and the turnout design (if required) and the turnout shall be as shown on the project Improvement Plans prior to their approval. (DPW)

R) rt15 An Encroachment Permit shall be obtained from DPW prior to Improvement Plan approvals for any landscaping within public road rights-of-way. (DPW)

S) rt17 Streetlights shall not exceed the minimum number required by DPW unless otherwise approved by the DRC. (PD)

T) rt18 Where the DRC has approved additional streetlights, the following standards shall apply: All interior street lighting shall be designed to be consistent with the "Dark Sky Society" standards for protecting the night sky from excessive light pollution. Other resources providing technical support include publications of the Illuminating Engineering Society of North America (IESNA) and the IESNA Lighting Handbook, Reference & Application, Ninth Edition and Recommended Practices (RP). The intent of these standards is to design a lighting system, where determined necessary that maintains public safety and security in the project area while curtailing the degradation of the nighttime visual environment through limiting evening light radiation and/or light spill. In addition, metal halide lighting is prohibited unless authorized by the Planning Director. All streetlighting shall be reviewed and approved by the DRC for design, location, photometrics, etc. (PD)

U) ps2 Prior to the approval of the Improvement Plans, submit to Environmental Health Services a "will-serve" letter from the franchised refuse collector for weekly or more frequent refuse collection service. (EHS)

V) ps5 Prior to the approval of the Improvement Plans, confer with local postal authorities to determine requirements for locations of cluster mailboxes, if required. The applicant shall provide a letter to DRC from the postal authorities stating their satisfaction with the development road names and box locations, or a release from the necessity of providing cluster mailboxes prior to Improvement Plan approval. If clustering or special locations are specified, easements, concrete bases, or other mapped provisions shall be included in the development area and required improvements shall be shown on project Improvement Plans. (DPW)

W) v8 No watering or irrigation of any kind shall be allowed within the dripline of native oak trees within the project boundaries. (MM) (PD)

X) v17 Prior to any grading or tree removal activities, during the raptor nesting season (March 1 - September 1), a focused survey for raptor nests shall be conducted by a qualified biologist. A report summarizing the survey shall be provided to Placer County and the California Department of Fish & Game (CDFG) within 30 days of the completed survey. If an active raptor nest is identified appropriate mitigation measures shall be developed and implemented in consultation with CDFG. If construction is proposed to take place between March 1st and September 1st, no construction activity or tree removal shall occur within 500 feet of an active nest (or greater distance, as determined by the CDFG). Construction activities may only resume after a follow up

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survey has been conducted and a report prepared by a qualified raptor biologist indicating that the nest (or nests) are no longer active, and that no new nests have been identified. A follow up survey shall be conducted 2 months following the initial survey, if the initial survey occurs between March 1st and July 1st. Additional follow up surveys may be required by the DRC, based on the recommendations in the raptor study and/or as recommended by the CDFG. Temporary construction fencing and signage as described herein shall be installed at a minimum 500 foot radius around trees containing active nests. If all project construction occurs between September 1st and March 1st no raptor surveys will be required. Trees previously approved for removal by Placer County, which contain stick nests, may only be removed between September 1st and March 1st. A note which includes the wording of this condition of approval shall be placed on the Improvement Plans. Said plans shall also show all protective fencing for those trees identified for protection within the raptor report. (PD)

Y) cr2 If any archaeological artifacts, exotic rock (non-native), or unusual amounts of shell or bone are uncovered during any on-site construction activities, all work must stop immediately in the area and a SOPA-certified (Society of Professional Archaeologists) archaeologist retained to evaluate the deposit. The Placer County Planning Department and Department of Museums must also be contacted for review of the archaeological find(s).

If the discovery consists of human remains, the Placer County Coroner and Native American Heritage Commission must also be contacted. Work in the area may only proceed after authorization is granted by the Placer County Planning Department. A note to this effect shall be provided on the Improvement Plans for the project.

Following a review of the new find and consultation with appropriate experts, if necessary, the authority to proceed may be accompanied by the addition of development requirements which provide protection of the site and/or additional mitigation measures necessary to address the unique or sensitive nature of the site. (MM)(PD)

Z) eh11 Prior to Building Permit approval, the applicant shall submit to Environmental Health Services, a solid waste management plan. A plan form specifying required information can be obtained in the EHS office. (EHS)

AA) eh14 The project owner or authorized managing entity shall insure that all construction vehicles or equipment, fixed or mobile, operated within close proximity of a residential dwelling shall be equipped with properly operating and maintained mufflers at all times during project construction. It is the owner's responsibility to obtain the services of a qualified acoustical professional to verify proper equipment mufflers if concerns relating to the issue arise. A note to this effect shall be added to the Improvement Plans where applicable. (EHS)

BB) eh25 If at any time during the course of constructing the proposed project, evidence of soil and/or groundwater contamination with hazardous material is encountered, the applicant shall immediately stop the project and contact

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Environmental Health Services Hazardous Materials Section. The project shall remain stopped until there is resolution of the contamination problem to the satisfaction of Environmental Health Services and to the Central Valley Regional Water Quality Control Board. A note to this effect shall be added to the Improvement Plans where applicable. (EHS)

CC) eh40 **ADVISORY COMMENT:** If Best Management Practices are required by the DPW for control of urban runoff pollutants, then any hazardous materials collected during the life of the project shall be disposed of in accordance with all applicable hazardous materials laws and regulations. (EHS)

DD) mc2 No lot shall be further divided. (PD)

EE) mc8 Any entrance structure proposed by the applicant shall be reviewed and approved by the DRC, shown on the project Improvement Plans, and shall be located such that there is no interference with driver sight distance as determined by the DPW, and shall not be located within the right-of-way.

ADVISORY COMMENT: Any entrance monument or structure erected within the front setback on any lot, within certain zone districts, shall not exceed 3' in height (Ref. Article 17.54.030, formerly Section 10.030, Placer County Zoning Ordinance). (PD/DPW)

FF) mc10 During project construction, staking shall be provided pursuant to Section 5-1.07 of the County General Specifications. (DPW)

GG) mc23 Prior to approval of any grading and/or improvement plans, the applicant shall submit a public information plan for DRC review and approval as follows. The applicant shall fund and operate a manned 24-hour, 7 days per week public information telephone hotline service (call center) to provide information on project marketing, construction, etc. and offer a forum to receive and resolve complaints related to project development issues. Said telephone hotline shall remain operational until the County accepts all improvements for the project as complete. (PD)

HH) mc25 Prior to recordation of the Final Map, the applicant shall submit lighting development standards for inclusion in the C.C.&R's. The standards shall be reviewed and approved by the DRC and shall include General Lighting Standards, Street Lighting Standards, Residential Standards, Prohibited Lighting and Exemptions and shall insure that individual fixtures and lighting systems in the Subdivision will be designed, constructed and installed in a manner that controls glare and light trespass, minimizes obtrusive light and conserves energy and resources. (For residential projects) (PD)

II) ep1 The applicant shall prepare and submit to the Department of Public Works (DPW), a Final Subdivision Map which is in substantial conformance to the approved Tentative Map in accordance with Chapter 16 (formerly Chapter 19) of the Placer County Code; pay all current map check and filing fees. (DPW)

3. Following Tentative Map approval, but before submittal of Improvement Plans, the applicant shall provide the Planning Department with five full-size prints of the approved Tentative Map for distribution to other County departments, if the approval of the project requires changes to the map. (CR) (PD) (Res)

IMPROVEMENTS/IMPROVEMENT PLANS

4. The project is subject to review and approval by the Placer County Design Review Committee (D/SRC). Such a review shall be conducted prior to the submittal of the Improvement Plans for the project and shall include, but not be limited to: building colors and materials, landscaping; exterior lighting; pedestrian and vehicular circulation; recreational facilities; fences and walls; noise attenuation barriers; all open space amenities; tree impacts, tree removal, tree replacement areas, entry features, etc. (CR) (PD) (Comm/Res)
5. Equestrian/Pedestrian Trails: The Improvement Plans shall provide details of the location and specifications of all proposed equestrian/pedestrian trails (where required) for the review and approval of the DRC and Parks Division. Said trails shall be installed prior to the County's acceptance of the subdivision's improvements, and all easements shall be shown on the Final Map. (CR) (PD/DFS) (Comm/Res)
6. Landscape Plan: The Improvement Plans shall provide details of the location and specifications of all proposed landscaping and irrigation for the review and approval of the D/SRC (and Parks Division if maintenance is provided through a CSA). Said landscaping shall be installed prior to the County's acceptance of the subdivision's improvements. (CR/MMIP) (PD/DFS) (Comm/Res)
7. **MM** The applicant shall prepare and submit Improvement Plans, specifications and cost estimates (per the requirements of Section II of the Land Development Manual [LDM] that are in effect at the time of submittal) to the DPW for review and approval. The plans shall show all conditions for the project as well as pertinent topographical features both on- and off-site. All existing and proposed utilities and easements, on-site and adjacent to the project, which may be affected by planned construction, shall be shown on the plans. All landscaping and irrigation facilities within the public right-of-way (or public easements), or landscaping within sight distance areas at intersections, shall be included in the Improvement Plans. The applicant shall pay plan check and inspection fees. (NOTE: Prior to plan approval, all applicable recording and reproduction cost shall be paid). The cost of the above-noted landscape and irrigation facilities shall be included in the estimates used to determine these fees. It is the applicant's responsibility to obtain all required agency signatures on the plans and to secure department approvals. If the Design/Site Review process and/or DRC review is required as a condition of approval for the project, said review process shall be completed prior to submittal of Improvement Plans. Record drawings shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the DPW prior to acceptance by the County of site improvements. (MM) (DPW) (Comm/Res)

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ADVISORY COMMENT: Conceptual landscape plans submitted prior to project approval may require modification during the Improvement Plan process to resolve issues of drainage and traffic safety. (MM) (DPW) (Comm/Res)

ADVISORY COMMENT: The applicant shall provide 5 copies of the approved Tentative Map and 2 copies of the approved conditions with the plan check application. After the 1st Improvement Plan submittal and review by the DPW, the applicant may submit the Final Map to the DPW for Technical Review. (MM)(DPW) (Comm/Res)

8. **MM** Prepare and submit with the project Improvement Plans, a drainage report in conformance with the requirements of Section 5 of the LDM and the Placer County Stormwater Management Manual that are in effect at the time of submittal, to the DPW for review and approval. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: A written text addressing existing conditions, the effects of the improvements, all appropriate calculations, a watershed map, increases in downstream flows, proposed on- and off- site improvements and drainage easements to accommodate flows from this project. The final drainage report shall analyze and confirm that the detention basin emergency spillway (on site roadway and emergency vehicle access road) will act as a channel capable of conveying 100-year peak discharge with the water surface elevation remaining below the top of curb and at a minimum of one foot below the floor elevation of any structure. The report shall identify water quality protection features and methods to be used both during construction and for long-term post-construction water quality protection. "Best Management Practice" (BMP) measures shall be provided to reduce erosion, water quality degradation, and prevent the discharge of pollutants to stormwater to the maximum extent practicable. (MM) (DPW) (Comm/Res)
9. **MM** **ADVISORY COMMENT:** Projects with ground disturbance exceeding one-acre that are subject to construction stormwater quality permit requirements of the National Pollutant Discharge Elimination System (NPDES) program shall obtain such permit from the State Regional Water Quality Control Board and shall provide to DPW evidence of a state-issued WDID number or filing of a Notice of Intent and fees prior to start of construction. (MM) (DPW) (Comm/Res)
10. **MM** Storm water run-off shall be reduced to pre-project conditions through the installation of retention/detention facilities. Retention/detention facilities shall be designed in accordance with the requirements of the Placer County Storm Water Management Manual that are in effect at the time of submittal, and to the satisfaction of DPW. The DPW may, after review of the project drainage report, delete this requirement if it is determined that drainage conditions do not warrant installation of this type of facility. In the event on-site detention requirements are waived, this project may be subject to payment of any in-lieu fees prescribed by County Ordinance. No retention/detention facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals. (MM) (DPW) (Comm/Res)
11. **MM** Drainage facilities, for purposes of collecting runoff on individual lots, shall be designed in accordance with the requirements of the County Stormwater Management Manual that are in effect

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at the time of submittal, and shall be in compliance with applicable stormwater quality standards, to the satisfaction of DPW. These facilities shall be constructed with subdivision improvements and easements provided as required by DPW. Maintenance of these facilities shall be provided by the homeowners'/property owners' association. (MM) (DPW) (Res)

12. **MM** Finished floor elevations shall be a minimum of 1' above the 100-year peak discharge water surface elevation for the emergency spillway for Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 on the Improvement Plans and Informational Sheet filed with the Final Map. Pad elevations shall be certified by the project engineer on "As-Built" plans submitted to the DPW following project construction. Benchmark elevation and location shall be shown on the Improvement Plans and Informational Sheet to the satisfaction of DRC. (MM) (DPW)) (Res)
13. **MM** Storm drainage from on-and off-site impervious surfaces (including roads) shall be collected and routed through specially designed water quality treatment facilities (BMPs) for removal of pollutants of concern (e.g. sediment, oil/grease, etc.), as approved by DPW. With the Improvement Plans, the applicant shall verify that proposed BMPs are appropriate to treat the pollutants of concern from this project. Maintenance of these facilities shall be provided by the project owners/permittees unless, and until, a County Service Area is created and said facilities are accepted by the County for maintenance. Prior to Improvement Plan or Final Map approval, easements shall be created and offered for dedication to the County for maintenance and access to these facilities in anticipation of possible County maintenance. No water quality facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals. (MM)(DPW)) (Res)
14. **MM** Storm drainage from on- and off-site impervious surfaces (including roads) shall be collected and routed through specially designed catch basins, vegetated swales, vaults, infiltration basins, water quality basins, filters, etc. for entrapment of sediment, debris and oils/greases or other identified pollutants, as approved by DPW. Maintenance of these facilities shall be provided by the project owners/permittees unless, and until, a County Service Area is created and said facilities are accepted by the County for maintenance. Contractual evidence of a monthly parking lot sweeping and vacuuming, and catch basin cleaning program shall be provided to DPW upon request. Failure to do so will be grounds for discretionary Permit revocation. Prior to Improvement Plan or Final Map approval, easements shall be created and offered for dedication to the County for maintenance and access to these facilities in anticipation of possible County maintenance. No water quality facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals. (MM)(DPW) (Comm)
15. **MM** Water quality "Best Management Practices" (BMPs) shall be applied according to guidance of the California Stormwater Quality Association (CASQA) Stormwater Best Management Practice Handbooks for Construction, for New Development / Redevelopment, or for Industrial and Commercial, (or other similar source as approved by the DPW). BMPs shall be designed to mitigate (minimize, infiltrate, filter, or treat) stormwater runoff. Flow or volume based post-construction BMPs shall be designed at a minimum in accordance with the Placer County Guidance Document for Volume and Flow-Based Sizing of Permanent Post-Construction Best

Management Practices for Stormwater Quality Protection. BMPs for the project include, but are not limited to all those identified in the approved "BMP Plan" and water quality basin, conservation of natural areas where practicable and planting of additional vegetation in landscaping areas, minimizing stormwater pollutants of concern through regular street sweeping by the HOA, incorporation into the CC&R's of prohibitions against dumping oils, solvents, yard wastes and other potential stormwater contaminants into the stormwater drainage system, water quality treatment vegetated swales, slope and channel stabilization and erosion control, and storm drain stenciling and signage prohibiting dumping at stormdrain inlets. All BMPs shall be maintained as required to insure effectiveness. Proof of on-going maintenance, such as contractual evidence, shall be provided to DPW upon request. **(MM)(DPW) (Comm/Res)**

16. **MM** This project is located within the area covered by Placer County's municipal stormwater quality permit, pursuant to the National Pollutant Discharge Elimination System (NPDES) Phase II program. Project-related stormwater discharges are subject to all applicable requirements of said permit. BMPs shall be designed to mitigate (minimize, infiltrate, filter, or treat) stormwater runoff in accordance with "Attachment 4" of Placer County's NPDES Municipal Stormwater Permit (State Water Resources Control Board NPDES General Permit No. CAS000004). **(MM) (DPW) (Comm/Res)**
17. All storm drain inlets and catch basins within the project area shall be permanently marked/embossed with prohibitive language such as "No Dumping! Flows to Creek" or other language as approved by the DPW and/or graphical icons to discourage illegal dumping. Message details, placement, and locations shall be included on the Improvement Plans. DPW-approved signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, shall be posted at public access points along channels and creeks within the project area. The homeowners'/property owners' association is responsible for maintaining the legibility of stamped messages and signs. **(DPW) (Comm/Res)**
18. All stormwater runoff shall be diverted around trash storage areas to minimize contact with pollutants. Trash container areas shall be screened or walled to prevent off-site transport of trash by the forces of water or wind. Trash containers shall not be allowed to leak and must remain covered when not in use. **(DPW) (Comm/Res)**
19. Materials with the potential to contaminate stormwater that are to be stored outdoors shall be placed in an enclosure such as, but not limited to, a cabinet, shed, or similar structure that prevents contact with runoff or spillage to the stormwater conveyance system, or protected by secondary containment structures such as berms, dikes, or curbs. The storage area shall be paved to contain leaks and spills and shall have a roof or awning to minimize collection of stormwater within the secondary containment area. **(DPW) (Comm/Res)**

GRADING

20. **MM** Any proposed subdivision grading beyond that necessary for construction of streets, utilities, and drainage improvements (i.e., mass grading, residential pad grading) must be

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approved by DRC prior to approval of project Improvement Plans. The intent of this condition is to allow detailed DRC review of lot or contour grading impacts, and to ensure that grading activities do not exceed those indicated on the preliminary grading plan for this project. Grading plans, of a suitable scale and providing specific engineering detail, including limits of grading, identification of trees, existing and proposed contours, drainage patterns, etc., shall be prepared and submitted for DRC review. If grading, beyond that indicated on the preliminary grading plan, and/or environmental documents is proposed with subdivision construction, the matter shall be referred back to the Planning Commission for consideration. **(MM)(DPW/PD) (Res)**

ROADS/TRAILS

21. Construct subdivision roads on-site to modified Urban Minor (Plate 9 LDM) standard (a 37' wide private road, emergency vehicle access, and public utility easement), with parallel parking allowed where shown on the Tentative Map on the inside lane only, and a 4' sidewalk on one side. The road(s) and storm drainage shall be maintained by the homeowner's association. All subdivision streets shall be designed to meet 15 mph design speed criteria and the interior looped driveway will be posted and signed to limit speeds to 15 mph. The roadway structural section(s) shall be designed for a Traffic Index of 5.5 (Ref. Section 4, LDM). **(DPW) (Res)**
22. Construct a public road entrance/driveway onto Boyington Road to a Plate 23, LDM standard, for the residential subdivision. The entrance/driveway shall meet the corner sight distance specifications of the Major Plate 27-1 LDM standard. The design speed of Boyington Road shall be 35 mph, unless an alternate design speed is approved by the DPW. The improvements shall begin at the outside edge of any future lane(s) as directed by the DPW. An Encroachment Permit shall be obtained by the applicant or authorized agent from DPW. **(DPW) (Res)**
23. Construct a public road entrance/driveway onto Boyington Road to a Plate 23, LDM standard, for the commercial portion of the project. The entrance/driveway shall meet the corner sight distance specifications of the Major Plate 27-1 LDM standard. The design speed of Boyington Road shall be 35 mph, unless an alternate design speed is approved by the DPW. The improvements shall begin at the outside edge of any future lane(s) as directed by the DPW. An Encroachment Permit shall be obtained by the applicant or authorized agent from DPW. **(DPW) (Comm)**
24. Reconstruct Boyington Road to a width of 32' along the entire project frontage, with concrete curb and gutter along the project side, including a 4' sidewalk along the length of the residential project frontage and a 4' sidewalk along the length of the commercial project frontage, and a 2' shoulder along the length of the Caltrans right-of-way side, as shown on the road section detail on the Tentative Map dated August 2005 and as directed by DPW. Additional widening and/or reconstruction may be required to improve existing structural deficiencies, accommodate auxiliary lanes, intersection geometrics, signalization, bikelanes, or for conformance to existing improvements. The roadway structural section shall be designed for a Traffic Index of 7.0, but said section shall not be less than 3" AC/8" Class 2 AB unless otherwise approved by DPW. **(DPW) (Comm/Res)**

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25. **MM** Construct a 20' emergency vehicle access from the on-site road, Penryn Park Circle, to Boyington Road to meet the specifications of DPW and the servicing fire protection district. The roadway structural section(s) shall be designed to carry a 40,000-pound fire truck, or as otherwise approved by DPW and the Loomis Fire Protection District. The surface of the road shall be all weather. **(MM)(DPW) (Res)**
26. The emergency vehicle access road entrance/driveway shall meet the corner sight distance specifications of the Major Plate 27-1 LDM standard. The design speed of Boyington Road shall be 35 mph, unless an alternate design speed is approved by the DPW. **(DPW) (Res)**
27. **MM** Construct a traffic signal at the intersection of Penryn Road/Boyington Road/W/B Interstate-80 off-ramp with the improvements of the project. The applicant shall receive fee credits against a portion of the traffic mitigation fees required for this project. The Director of Public Works will determine the amount of credit at the time of improvement plan approval. **(MM)(DPW) (Comm/Res)**
28. **MM** Obtain an Encroachment Permit from Caltrans for any work proposed within the State Highway right-of-way. A copy of said Permit shall be provided to the DPW prior to the approval of the Improvement Plans. Provide right-of-way dedications to the State, as required, to accommodate existing and future highway improvements. **(MM)(DPW) (Comm/Res)**
29. Proposed road names shall be submitted to the DPW Addressing Division (530-889-7530) for review and shall be approved by the DPW prior to Improvement Plan approval. **(DPW) (Res)**
30. Delineate a Class II bikeway along the project's frontage on Boyington Road pursuant to the Placer County Bikeways Master Plan. The location, width, alignment, and surfacing of the bikeway shall be subject to DPW/DRC review and approval prior to the approval of Improvement Plans. **(DPW) (Comm/Res)**
31. Prior to Improvement Plan approval, the applicant shall obtain from the Department of Public Works an encroachment permit for locating the Parsons Wall landscaping retaining wall within the Boyington Road right-of-way and, if applicable, for doing any work, including maintenance, within the County's right-of-way. Said permit shall be in recordable form and hold Placer County harmless from any damage resulting from the operation and maintenance of this retaining wall structure. The Parsons Wall shall be a rock retaining wall that varies in height from 2-4 feet, with a maximum height of 4 feet from the bottom of footing to the top of the retained soil, or as otherwise approved by DPW. The Parsons Wall shall be shown on the project Improvement Plans, and shall be located such that there is no interference with driver sight distance as determined by the DPW. **(DPW) (Comm/Res)**

32. For all residential driveways, the face of the garage shall be a minimum of 20' as measured from the face of the garage to the face of curb or back of walk, whichever is closest to the unit. **(DPW) (Res)**

PUBLIC SERVICES

33. Provide to DRC "will-serve" letters from the following public service providers prior to Improvement Plan and Final Map approvals, as required:
- A) PG&E
 - B) PCWA
 - C) SBC
 - D) South Placer Municipal Utility District
 - E) Auburn Placer Disposal Services
- If such "will serve" letters were obtained as a part of the environmental review process, and are no older than one year, they shall not be required again. **(DPW) (Comm/Res)**
34. Prior to the approval of the Improvement Plans, provide the DRC with proof of notification (in the form of a written notice or letter) of the proposed project to:
- A) Penryn Unified School District
 - B) Placer Union High School District
 - C) The Placer County Sheriff's Office **(DPW) (Res)**
35. Create a County Service Area (CSA) Zone of Benefit or annex to an existing CSA Zone of Benefit, if appropriate. The CSA will be established concurrent with and on the Final Map. In the event that the CSA is abolished by the Board of Supervisors, or the CSA is otherwise not able to function, the homeowner's association shall be responsible for all services previously provided by the CSA. The CSA shall provide the following services: **(DFS)**
- A) Street lighting
 - B) Road maintenance
 - C) Storm drainage maintenance for facilities located within public easements excluding structural stormwater quality enhancement facilities (BMP's). **(MM)**
 - D) **ADVISORY COMMENT:** Maintenance of detention facilities by the homeowners' association will be required. **(MM)**
 - E) Collection of fees for regional storm drainage facilities and maintenance pursuant to the "Dry Creek Watershed Interim Drainage Improvement Ordinance", including any future revisions thereof.
(Comm/Res)
36. Prior to the approval of the Improvement Plans, submit to Environmental Health Services a "will-serve" letter from South Placer Municipal Utility District indicating that the district can and will provide sewerage service to the project. Connection of each lot in this project to sanitary sewers is required. **(EHS) (Comm/Res)**

37. Prior to the approval of the Improvement Plans, submit to Environmental Health Services, for review and approval, a "will-serve" letter or a "letter of availability" from PCWA for domestic water service. The applicant shall connect the project to this treated domestic water supply. **(EHS) (Comm/Res)**

GENERAL DEDICATIONS/EASEMENTS

Provide the following easements/dedications on the Improvement Plans and Final Map to the satisfaction of the DPW and DRC:**(CR) (DPW)**

38. A landscape easement, along the front yard areas of all lots. Landscaping within this easement shall be installed prior to the acceptance of improvements by Placer County. Note: other landscape easements may be required as necessary. **(CR) (DPW/PD)**
39. Provide the following easements/dedications on the Improvement Plans and Final Map to the satisfaction of the DPW and DRC: **(DPW) (Res)**
- A) A 37'-wide private road, public utility, and emergency vehicle access easement (Ref. Chapter 16, formerly Chapter 19, Placer County Code) along on-site subdivision roadways. **(DPW)**
 - B) Dedicate to Placer County a 39'-wide highway easement (Ref. Chapter 12, Article 12.08 (formerly Chapter 4, Subchapter 5, Placer County Code) where the residential portion of the project fronts Boyington Road, from station 10+00 to station 18+00 as shown on EIAQ exhibit dated June 7, 2005, as measured from the centerline of the existing roadway, plan line, or other alignment as approved by the Transportation Planning Division of DPW. **(DPW)**
 - C) Dedicate a 20'-wide emergency vehicle access easement on Lot B, from Penryn Park Circle to Boyington Road, as depicted on the Tentative Map for this subdivision. **(MM)(DPW)**
 - D) Public utility easements as required by the serving utilities, excluding wetland preservation easements (WPE). **(DPW)**
 - E) Dedicate 10' multi-purpose easements adjacent to all highway easements. **(DPW)**
 - F) Slope easements for cuts and fills outside the highway easement. **(DPW)**
 - G) Drainage easements as appropriate. **(DPW)**
 - H) An Irrevocable Offer of Dedication for easements as required for access to, and protection and maintenance of, storm drainage retention/detention facilities, as well as post-construction water quality enhancement facilities (BMPs). Said facilities shall be privately maintained until such time as the Board of Supervisors accepts the offer of dedication. **(MM)(DPW)**
 - I) Designate a "no access" strip along the project frontage of Boyington Road, as well as along the radius of the entrance to Boyington Road to a minimum of 40' on both sides of the on-site road. **(DPW)**

- J) Easements as required for installation and maintenance of neighborhood identification/entrance structures, soundwalls, fences and/or gates by the homeowners' association.

ADVISORY COMMENT: A hold harmless Encroachment Permit will be required of the developer during the Improvement Plan process for maintenance activities within highway easements. (DPW/PD) (Res)

40. Provide the following easements/dedications on the Improvement Plans and Final Map to the satisfaction of the DPW and DRC: (DPW) (Comm)

- A) Dedicate to Placer County a 39'-wide highway easement (Ref. Chapter 12, Article 12.08 (formerly Chapter 4, Subchapter 5, Placer County Code) where the commercial portion of the project fronts Boyington Road, from station 18+00 to station 22+70 as shown on EIAQ exhibit dated June 7, 2005, as measured from the centerline of the existing roadway, plan line, or other alignment as approved by the Transportation Division of DPW. (DPW)
- B) Public utility easements as required by the serving utilities, excluding wetland preservation easements (WPE). (DPW)
- C) Slope easements for cuts and fills outside the highway easement. (DPW)
- D) Drainage easements as appropriate. (DPW)
- E) An Irrevocable Offer of Dedication for easements as required for access to, and protection and maintenance of post-construction water quality enhancement facilities (BMPs) such as vegetated swales. Said facilities shall be privately maintained until such time as the Board of Supervisors accepts the offer of dedication. (MM)(DPW)
- F) Designate a "no access" strip along the project frontage of Boyington Road, for Lots 86 and 87. (DPW)
- G) **ADVISORY COMMENT:** A hold harmless Encroachment Permit will be required of the developer during the Improvement Plan process for maintenance activities within highway easements. (DPW/PD) (Comm)

VEGETATION AND OTHER SENSITIVE NATURAL AREAS

41. A Revegetation Plan, prepared by a licensed landscape architect or similar professional, shall be submitted and approved by the DRC which includes the location, size and irrigation requirements for mitigation trees.

Said Plan shall be submitted to the DRC prior to the submittal of Improvement Plans and the mitigation trees shall be installed to the satisfaction of the County prior to the County's acceptance of the subdivision's improvements. All landscaping shall consist of native trees with a water-conserving drip irrigation system to be installed by the developer prior to acceptance of the subdivision's improvements. The homeowners' association shall be responsible for the maintenance of said revegetation and irrigation.

A vegetation monitoring program report, prepared by a licensed landscaping architect, shall be submitted annually to the Planning Department for a 5-year period. Said report will define areas that have been disturbed/replanted with a description of the seeding and/or planting materials, and

status of re-established vegetation, including survival rate. Any corrective actions required are the responsibility of the homeowners' association.

A letter of credit or cash deposit in the amount of 125% of the accepted proposal shall be deposited with the Placer County Planning Department to assure performance of the monitoring program. Evidence of this deposit shall be provided to the satisfaction of the DRC. Violation of any components of the approved MMIP may result in enforcement activity per Placer County Environmental Review Ordinance Article 18.28.080, formerly Section 31.870, of the Placer County Code. An agreement between the applicant and the County shall be prepared which meets DRC approval that allows the County use of the deposit to assure performance of the MMIP in the event the homeowners' association reneges. (CR) (PD/DFS) (Res)

42. Provide the DRC with a tree survey and arborist report (by an ISA Certified Arborist) depicting the exact location of all trees 6" dbh (diameter at breast height) or greater, or multiple trunk trees with an aggregate diameter of 10" dbh or greater, within 50' of any grading, road improvements, underground utilities, driveways, building envelopes etc., and all trees 18" dbh or greater, located on the entire site, and any trees disturbed from off-site improvements (*i.e.*, road improvements, underground utilities, etc.). The tree survey shall include the sizes (diameter at 4' above ground), species of trees, spot elevations, and approximate driplines. Trees to be saved, or removed shall be shown on the survey, and superimposed over the site/grading plan, as well as all proposed improvements, including any underground utilities. The survey report shall be reviewed and approved by the DRC prior to the submittal of Improvement Plans or grading plans.

If the County Planning Department determines that an update of the prior report is necessary, the applicant shall be notified in advance of approving the Improvement Plans for the project. (CR) (PD) (Comm/Res)

Advisory Comment: Trees may not be disturbed or removed prior to the approval of Improvement Plans, unless otherwise approved by the DRC.

43. Trees identified for removal, and/or trees with disturbance to their driplines, including any off site trees removed or impacted as a result of development activities, shall be replaced with comparable species on-site, in an area to be reviewed and approved by the DRC, as follows: For each diameter inch of a tree removed, replacement shall be on an inch-for-inch basis. For example, if 100 diameter inches are proposed to be removed, the replacement trees would equal 100 diameter inches (aggregate).

If replacement tree planting is required, the trees must be installed by the applicant and inspected and approved by the DRC prior to the acceptance of improvements by DPW. At its discretion, the DRC may establish an alternate deadline for installation of mitigation replacement trees if weather or other circumstances prevent the completion of this requirement. (MM) (PD) (Res)

44. Temporary Construction Fencing: The applicant shall install a 4' tall, brightly colored (usually yellow or orange), synthetic mesh material fence (or an equivalent approved by the DRC)

at the following locations prior to any construction equipment being moved on-site or any construction activities taking place:

- 1) At the limits of construction, outside the dripline of all trees to be preserved (if applicable) that are 6" dbh (diameter at breast height), or 10" dbh aggregate for multi-trunk trees, within 50' of any grading, road improvements, underground utilities, or other development activity, or as otherwise shown on the Tentative Map;
- 2) Around all Open Space lots, (or as otherwise approved by the DRC)

No development of this site, including grading, will be allowed until this condition is satisfied. Any encroachment within these areas, including driplines of trees to be saved, must first be approved by the DRC. Temporary fencing shall not be altered during construction without written approval of the DRC. No grading, clearing, storage of equipment or machinery, etc., may occur until a representative of the DRC has inspected and approved all temporary construction fencing. This includes both on-site and off-site improvements. Efforts should be made to save trees where feasible. This may include the use of retaining walls, planter islands, pavers, or other techniques commonly associated with tree preservation.

Said fencing and a note reflecting this Condition shall be shown on the Improvement Plans. **(CR) (PD/DPW) (Comm/Res)**

45. All Open Space Lots, as shown on the Tentative Map, shall be established for: A) The protection of oak groves and rock outcrops, and/or B) Common area landscaping and landscape buffers, C) Vehicular and pedestrian circulation, parking, entry areas, and emergency access areas, D) Recreation areas, and E) Drainage retention. All Open Space lots shall be defined and monumented as common areas to be owned and maintained by the homeowners association. A note shall be provided in the Development Notebook and on the Final Map prohibiting any disturbances within Open Space Lots, including the placement of fill materials, lawn clippings, oil, chemicals, or trash of any kind within the easements; nor any grading or clearing activities, or vegetation removal. A provision for the enforcement of this restriction by the homeowners' association shall be provided. **(CR) (PD/DPW) (Res)**

FEES

46. Pursuant to Section 21089 (b) of the California Public Resources Code and Section 711.4 et. seq. of the Fish and Game Code, the approval of this permit/project shall not be considered final unless the specified fees are paid. The fees required are \$880 for projects with Environmental Impact Reports and \$1,280 for projects with Negative Declarations. Without the appropriate fee, the Notice of Determination is not operative, vested or final and shall not be accepted by the County Clerk. **(Comm/Res)**

NOTE: The above fee shall be submitted to the Planning Department within 5 days of final project approval (SR) (PD) (Comm/Res)

47. **ADVISORY COMMENT:** Building Permits associated with this project shall be subject to payment of Placer County Facility Impact Fees (Ordinance #47-69-B, Article 2.120.010, formerly Chapter 38, of the *Placer County Code*) (CR) (BD) (Comm/Res)
48. The project proponent shall pay a Capital Fire Facilities Mitigation Fees, consistent with Board Resolution No. 96-216, to the LOOMIS FIRE PROTECTION DISTRICT OFFICE at 5840 Horseshoe Bar Road, Loomis - P O Box 606, Loomis. (It is recommended that an appointment be made by calling 916-652-6858). Payments shall be made prior to issuance of a Building Permit, Grading Permit, or Improvement Plans, whichever is first, for impacts generated by this project on the Loomis Fire Department's local fire protection facilities. (ES) (Comm/Res)
49. **MM ADVISORY COMMENT:** This project is subject to the one-time payment of drainage improvement and flood control fees pursuant to the "Dry Creek Watershed Interim Drainage Improvement Ordinance" (Ref. Article 15.32, formerly Chapter 4, Subchapter 20, Placer County Code.) The current estimated development fee is \$163 per single-family residence, payable to DPW prior to each Building Permit issuance. When and if additional entitlements or Building Permits are sought for each parcel, that property will become subject to this Ordinance requirement. The actual fee shall be that in effect at the time payment occurs. (MM)(DPW) (Res)
50. **MM ADVISORY COMMENT:** This project is subject to the one-time payment of drainage improvement and flood control fees pursuant to the "Dry Creek Watershed Interim Drainage Improvement Ordinance" (Ref. Article 15.32, formerly Chapter 4, Subchapter 20, Placer County Code.) The current estimated development fee is \$1,942 per acre of commercial development, payable to DPW prior to each Building Permit issuance. When and if additional entitlements or Building Permits are sought for each parcel, that property will become subject to this Ordinance requirement. The actual fee shall be that in effect at the time payment occurs. (MM)(DPW) (Comm)
51. **MM ADVISORY COMMENT:** This project is subject to payment of annual drainage improvement and flood control fees pursuant to the "Dry Creek Watershed Interim Drainage Improvement Ordinance" (Ref. Article 15.32, formerly Chapter 4, Subchapter 20, Placer County Code). Prior to Building Permit issuance, each applicant shall cause each subject parcel to become a participant in the existing Dry Creek Watershed County Service Area for purposes of collecting these annual assessments. The current estimated annual fee is \$29 per single family residence. (MM)(DPW) (Res)
52. **MM ADVISORY COMMENT:** This project is subject to payment of annual drainage improvement and flood control fees pursuant to the "Dry Creek Watershed Interim Drainage Improvement Ordinance" (Ref. Article 15.32, formerly Chapter 4, Subchapter 20, Placer County Code). Prior to Building Permit issuance, each applicant shall cause each subject parcel to become a participant in the existing Dry Creek Watershed County Service Area for purposes of collecting these annual assessments. The current estimated annual fee is \$344 per acre for the commercial property (1.9 acres x \$344 per acre = \$654 for the commercial parcel). (MM)(DPW) (Comm)

53. **MM ADVISORY COMMENT:** This project will be subject to the payment of traffic impact fees that are in effect in this area (Horseshoe Bar/Penryn/Newcastle Fee District), pursuant to applicable Ordinances and Resolutions. The applicant is notified that the following traffic mitigation fee(s) will be required and shall be paid to Placer County DPW prior to issuance of any Building Permits for the project:

- A) County Wide Traffic Limitation Zone: Article 15.28.010, Placer County Code
- B) South Placer Regional Transportation Authority (SPRTA)
- C) Placer County/City of Roseville Joint Fee

The actual fees paid will be those in effect at the time the payment occurs. **(MM)(DPW) (Comm/Res)**

54. Please be advised that pursuant to the County Code Sections 15.34.010, 16.08.100 and/or 17.54.100(D), a fee must be paid to Placer County for the development of park and recreation facilities. (For reference, the fee per unit for multi-family dwellings is currently \$405 to be paid at Final Map recordation and \$2,130 when a building permit is issued, or \$2,535 at building permit if no final map fee is paid). Because this project was approved as a planned development, it is required to provide onsite recreation facilities. Any shortage of the required onsite active recreation improvements shall be mitigated for by paying a portion of an additional park fee based on the percentage of the required onsite facilities not provided. **(FS) (Res)**

ENVIRONMENTAL HEALTH

55. The owner or occupant of each residence in this project shall subscribe to weekly mandatory refuse collection services from the refuse collection franchise holder. The **homeowners'** association shall be responsible for refuse collection service to all non-residential facilities within the project on the same basis. **(EHS) (Res)**

56. The project shall conform to the Noise Element of the Horseshoe Bar/Penryn Community Plan and the environmental document. Construct a noise barrier to the satisfaction of the DRC between the project and Interstate 80. Barriers of 6 to 7 feet are required to achieve the 65 dB Ldn noise level for the town home lots along Interstate 80, as evaluated in the June 6, 2005 Environmental Noise Assessment and October 24, 2005 Noise Assessment addendum for the project. This noise barrier, including cross section views of relationship to building pad elevations, shall be shown on the Improvement Plans. **(MM) (EHS) (Res)**

57. Town homes constructed with second stories on lots 1 through 10, and lots 46 through 49 shall incorporate the minimum facade and related construction features delineated in the June 6, 2005 Environmental Noise Assessment. These minimum construction features are necessary to comply with indoor noise standards, and will be listed as conditions on the Building Permits for these lots. **(MM) (EHS) (Res)**

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58. A) The second story town homes on lots 1 through 10, lots 46 through 49, and the lot 86 commercial building shall be constructed to finish façade stage before residential occupancy of any town homes and/or use of the recreation area. (The building facades on these lots are part of the noise barrier for the recreation area.) **(MM) (EHS) (Res)**
- B) Interim use of the commercial building as a sales office on lot 86 is proposed, with pedestrian travel to adjacent model townhomes. The soundwall between lot 86 and lot 46 will be deferred for this model home use. The noise barrier delineated in the June 6, 2005 Environmental Noise Assessment shall be in place prior to residential final occupancy of lots 46, 47, 52, 53, 54, and 55. This will be listed as a condition on the Building Permits for these buildings. **(MM) (EHS) (Res)**
59. Provide an approval from an acoustical consultant for the emergency access gate construction, and provide this construction information in a detail on the Improvement Plans. **(MM) (EHS) (Res)**
60. Protect the proposed detention facility on the property so as to reasonably prevent access by small children, to the satisfaction of the DRC and the entity owning the detention facility. Any structures or improvements to satisfy this condition shall be shown on the Improvement Plans. **(MM) (EHS) (Res)**
61. The project CC&Rs shall provide for the following: **(EHS)(Res)**
- A) Right of entry by Environmental Health Services for response to emergencies. **(EHS)**
- B) Homeowner's Association management and maintenance of the detention facility, recreation area, and noise barriers with provisions for flood control, vector control, human safety, and on-going maintenance as approved by the DRC. **(MM) (EHS) (Res)**
62. The project CC&Rs, or equivalent process as approved by the DRC, shall provide for the following: **(EHS) (Comm)**
- A) Right of entry by Environmental Health Services for response to emergencies.
- B) Ongoing maintenance and access to noise barriers as delineated in the project June 6, 2005 Environmental Noise Assessment and October 24, 2005 Noise Assessment addendum.
63. Indicate noise attenuation structures access and maintenance easements on the Final Map. The easement language shall be reviewed and approved by the DRC. **(EHS) (Res)**
64. Construction noise emanating from any construction activities for which a Grading or Building Permit is required is prohibited on Sundays and Federal Holidays, and shall only occur:
- a) Monday through Friday, 6:00 am to 8:00 pm (during daylight savings)
- b) Monday through Friday, 7:00 am to 8:00 pm (during standard time)
- c) Saturdays, 8:00 am to 6:00 pm
- In addition, temporary signs (4 feet x 4 feet) shall be located throughout the project, as determined by the DRC, at key intersections depicting the above construction hour limitations. Said

NOVEMBER, 2005