



**RECOMMENDED CONDITIONS OF APPROVAL – TENTATIVE
MAP - "MAGGI COUNTRY ESTATES" (PSUB20060221)**

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.

1. This project is approved as a 17-lot residential Subdivision. The approval includes a Tentative Subdivision Map.
2. Following Tentative Subdivision Map approval, but before submittal of Improvement Plans, the applicant shall provide the Planning Department with five full-size prints of the approved Tentative Subdivision Map for distribution to other County departments with the following revisions: 1) Depict fencing delineating the Wetland Preservation Easement (Open Space Lot A for Seasonal Drainage), and 2) accurately depict the location, type, and size of all native trees to be removed as a result of grading on individual lots, construction of the perimeter fence, road construction, and any other associated improvements. (PD)

IMPROVEMENTS/IMPROVEMENT PLANS

3. The project is subject to review and approval by the Development Review Committee (DRC). 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: landscaping; irrigation; 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 and signage, trails, etc. (PD)
4. 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 Engineering and Surveying Division (ESD) 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

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drawings shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the ESD prior to acceptance by the County of site improvements.

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.

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 ESD, the applicant may submit the Final Map to the ESD for initial technical review. **(MM) (ESD)**

5. 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) (ESD)**

6. 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, 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 the Engineering and Surveying Division (ESD) 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 ESD.

Submit to the ESD 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/ESD for a determination of substantial conformance to the project approvals prior to any further work proceeding. Failure of the DRC/ESD 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) (ESD)**

7. 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 Storm Water Management Manual that are in effect at the time of submittal, to the Engineering and Surveying Division for review and approval. The

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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 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) (ESD)**

8. Submit to ESD, 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:

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

Once approved by ESD, two copies of the final report shall be provided to ESD 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) (ESD)**

9. Water quality treatment facilities (BMPs) shall be designed according to the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction and for New Development/Redevelopment (or other similar source as approved by the ESD). BMPs for the project include, but are not limited to: Fiber Rolls (SE-5), Hydroseeding (EC-4), Stabilized Construction Entrance (TC-1), Storm Drain Inlet Protection (SE-10), and revegetation techniques. **(MM) (ESD)**

10. 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 the Engineering and Surveying Division (ESD). The applicant shall provide for the establishment of vegetation, where specified, by means of proper irrigation, for effective performance of BMPs. 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.

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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) (ESD)**

11. Drainage facilities, for purposes of collecting runoff on individual lots, shall be designed in accordance with the requirements of the County Storm Water Management Manual that are in effect at the time of submittal, and shall be in compliance with applicable stormwater quality standards, to the satisfaction of the Engineering and Surveying Division (ESD). These facilities shall be constructed with subdivision improvements and easements provided as required by ESD. Maintenance of these facilities shall be provided by the homeowners' association. **(MM) (ESD)**

12. 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 Engineering and Surveying Division (ESD)). 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: Vegetated Swale (TC-30) and rock outfall protection. All BMPs shall be maintained as required to insure effectiveness. Proof of on-going maintenance, such as contractual evidence, shall be provided to ESD upon request. **(MM) (ESD)**

13. **ADVISORY COMMENT:** Projects with ground disturbance exceeding one-acre are subject to construction stormwater quality permit requirements of the National Pollutant Discharge Elimination System (NPDES) program. The applicant shall obtain any required permits from the State Regional Water Quality Control Board and shall provide to the Engineering and Surveying Division evidence of a state-issued WDID number or filing of a Notice of Intent and fees prior to start of construction. **(MM) (ESD)**

14. 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) (ESD)**

15. Provide the Engineering and Surveying Division 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 protection district representative's signature shall be provided on the plans. **(MM) (ESD)**

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

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17. 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 Department of Environmental Health Services and the Engineering and Surveying Division 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. **(ESD/EHS)**

18. 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 Engineering and Surveying Division 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. **(ESD)**

19. Install cable TV conduit(s) in accordance with company or County specifications, whichever are appropriate. **(ESD)**

20. 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 Engineering and Surveying Division (ESD) and/or graphical icons to discourage illegal dumping. Message details, placement, and locations shall be included on the Improvement Plans. ESD-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' association is responsible for maintaining the legibility of signs. **(ESD)**

21. 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. **(MM) (ESD)**

22. 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 Engineering and Surveying Division 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. **(ESD)**

23. 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 ESD. The ESD may, after review of the project drainage report, delete

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this requirement if it is determined that drainage conditions do not warrant installation of this type 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) (ESD)

24. 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/ESD)

GRADING

25. 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) (ESD/PD)

26. In order to protect site resources, no grading activities of any kind may take place within the 100-year flood plain of the stream/drainage way nor within the watershed of the vernal pool(s), unless otherwise approved as a part of this project. (MM) (ESD/PD)

27. 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. (ESD)

ROADS/TRAILS

28. Construct subdivision road(s) on-site to a Rural Minor (Plate R-3 (formerly Plate 2) LDM) standard. The road(s) and storm drainage shall be maintained by a CSA. All subdivision streets shall be designed to meet a minimum 25 mph design speed criteria, as specified in the latest version of the Caltrans Highway Design Manual unless otherwise approved by DPW. The roadway structural section(s) shall be designed for a Traffic Index of 5.5 (Ref. Section 4, LDM). (ESD)

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

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30. Construct a public road entrance onto Auburn-Folsom Road to a Plate R-17 LDM standard. The design speed of Auburn-Folsom Road shall be 45 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 and the Engineering and Surveying Division (ESD). An Encroachment Permit shall be obtained by the applicant or authorized agent from DPW. The Plate R-17 structural section within the main roadway right-of-way shall be designed for a Traffic Index of 8.5, but said section shall not be less than 3" AC/8" Class 2 AB unless otherwise approved by the ESD. (ESD)

31. Proposed road names shall be submitted to the Engineering and Surveying Division (ESD)-Addressing (530-889-7530) for review and shall be approved by the ESD prior to Improvement Plan approval. (ESD)

32. Construct a two-way left turn lane on Auburn-Folsom Road from the project entrance to Horseshoe Bar Road. Traffic striping shall be done by the developer's contractor. The removal of existing striping and other pavement markings shall be completed by the developer's contractor. The design shall conform to criteria specified in the latest version of the Caltrans Highway Design Manual for a design speed of 45 mph, unless an alternative is approved by DPW. (ESD)

33. On lots where subdivision roadway cuts/fills exceed 4' in vertical height (as measured from finished road grade) or driveway grades would exceed 12% at any reasonable access location, the driveways shall be shown on the Improvement Plans and constructed with subdivision improvements, or specific development standards for that lot shall be established for inclusion in the Development Notebook and with appropriate CC&R restrictions and notification to the satisfaction of the DRC. Said driveways shall have a paved width of not less than 10', a minimum structural section of 2" AC/4" AB, and shall extend from the roadway edge not less than 50' into the lot, or as deemed appropriate by the ESD. These driveways shall be constructed such that the slope between the street and building site does not exceed 16%, or as otherwise approved by the servicing fire district and the ESD. (ESD)

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

35. Delineate a Class II bikeway along the project's frontage on Auburn-Folsom Road pursuant to the Placer County Bikeways Master Plan. The location, width, alignment, and surfacing of the bikeway shall be subject to ESD/DRC review and approval prior to the approval of Improvement Plans. (ESD)

36. Provide school bus/transit turnout(s) to the satisfaction of the California Highway Patrol, local busing provider, and the ESD. 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. (ESD)

37. Construct one-half of a 40' road section where the project fronts Auburn-Folsom Road, as measured from the existing centerline thereof or as directed by DPW. Additional widening and/or reconstruction may be required to improve existing structural deficiencies, accommodate auxiliary lanes,

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intersection geometrics, signalization, bikelanes, or for conformance to existing improvements. The roadway structural section shall be designed for a Traffic Index of 8.5, but said section shall not be less than 3"AC/8" Class 2 AB unless otherwise approved by DPW.

PUBLIC SERVICES

38. Provide to DRC "will-serve" letters from the following public service providers prior to Improvement Plan and Final Map approvals, as required:

- A) P.G. & E.
- B) Pac Bell
- C) Placer County Sewer, SMD #3
- D) PCWA
- E) Auburn Placer Disposal Service

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. (ESD)

39. 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) Placer Unified/Loomis High School District
- B) The Placer County Sheriff's Office (ESD)

40. 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 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. (ESD)

41. 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 Homeowners' Association shall be responsible for all services previously provided by the CSA. The CSA shall provide the following services:

- Road maintenance
- Storm drainage maintenance for facilities located within public easements excluding structural stormwater quality enhancement facilities (BMPs).
- Construction and maintenance of public trails
- **ADVISORY COMMENT:** Maintenance of detention facilities by the Homeowners' Association will be required.

42. If a Pipeline Extension Agreement (PLX) or other connection requirement with the domestic water purveyor is necessary in order to provide service to the subdivision, prior to Final Map approval, provide evidence of the agreement or work plan with the "will serve" or "water availability" letter to the DRC for verification of service for all lots of the Final Map. (EHS)

GENERAL DEDICATIONS/EASEMENTS

43. Provide the following easements/dedications on the Improvement Plans and Final Map to the satisfaction of the Engineering and Surveying Division (ESD) and DRC: (ESD)

a. Dedicate to Placer County a 40 foot-wide highway easement (Ref. Chapter 16, Placer County Code) along on-site subdivision roadways for road and utility purposes.

ADVISORY COMMENT: After completion of improvements, said roads may be accepted into the County's maintained mileage system. (ESD)

b. Dedicate to Placer County one-half of an 84 foot-wide highway easement (Ref. Chapter 12, Article 12.08, Placer County Code) where the project fronts Auburn-Folsom Road, as measured from the centerline of the existing roadway, plan line, or other alignment as approved by the Transportation Planning Division of DPW. (ESD)

c. Public utility easements as required by the serving utilities, excluding wetland preservation easements (WPE). (ESD)

d. Dedicate 12.5 feet multi-purpose easements adjacent to all highway easements. (ESD)

e. Drainage easements as appropriate. (ESD)

f. 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 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) (ESD)

g. A 40'-wide emergency access easement on Lot 17, from "A" Street to the easterly boundary of Lot 17 as shown on the Tentative Map. (ESD/PD)

h. Construct and dedicate to Placer County a 10 foot-wide public multiple-use, non-motorized trail, of decomposed granite, along the frontage of Auburn-Folsom Road, as shown on the Tentative Map. The trail shall be built to standards of the County Parks and Grounds Division.

Dedicate to Placer County a minimum 10 foot-wide multiple-use, non-motorized trail easement through/along Lots 6, 7, 8, and 9, as shown on the Tentative Map. The trail easement shall be routed so as to completely avoid any wetlands or wet areas of the property, especially at the southwest corner of the site. Lot 9 will be impacted with the need to construct a trail outside any wetland area.

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In addition, dedicate to Placer County a minimum 10 foot-wide public multiple-use, non-motorized trail floating easement along the entire western boundary of the project. This trail may meander within 10 feet of the property line, or as otherwise necessary to allow the trail to be separated from the neighboring homes as much as possible and to avoid removal of trees as much as feasible.

There shall be no barriers to construction of the trails across the easements, such as wetlands, swales, or steep terrain (over 5% grade).

The Tentative Map shall show that the trail route shall provide for non-obstructed connections throughout the project, including at the southeast corner of the project from the trail along Auburn-Folsom Road to the trail easement that will run along the south perimeter of the project.

A rail fence (as approved by the Parks and Grounds Division) shall be constructed to separate and clearly identify and protect all trails and trail easements. Allowable uses on the trails shall be determined by Placer County. **(ESD/PD)**

- i. Slope easements for cuts and fills outside the highway easement. **(ESD)**

VEGETATION AND OTHER SENSITIVE NATURAL AREAS

44. Prior to approval of Improvement/Grading Plans, the applicant shall furnish to the DRC, evidence that the California Department of Fish & Game, the U. S. Army Corps of Engineers, the National Marine Fisheries Services (NMFS), and the U. S. Fish and Wildlife Service (if applicable) have been notified by certified letter regarding the existence of wetlands, streams, and/or vernal pools on the property. If permits are required, they shall be obtained and copies submitted to DRC prior to any clearing, grading, or excavation work. **(DPW/PD)**

45. It is anticipated that the proposed project will impact 31 protected trees. Trees identified for removal, and/or trees with disturbance to their driplines, shall be replaced on a 3 to 1 basis with comparable species on-site, in an area to be reviewed and approved by the DRC, as follows: **(PD)**

- a. Revegetation utilizing seedlings, as recommended by an ISA-certified arborist or similarly qualified professional and as approved by the DRC, must be established in Open Space Lot, A and outside of wetland preservation areas, as shown on the approved Tentative Map.

If applicant opts to replace trees on-site, the trees must be installed by the applicant and inspected and approved by the DRC prior to the acceptance of improvements by the Department of Public Works. 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)**

OR

- b. In lieu of 50 percent of the mitigation for tree removal listed above, a contribution of \$100 per diameter inch at breast height for each tree removed or impacted shall be paid to the Placer County Tree Preservation Fund. If tree replacement mitigation fees are to be paid in the place of tree replacement mitigation planting, these fees must be paid prior to acceptance of improvements.

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ADVISORY COMMENT: The unauthorized disturbance to the dripline of a tree to be saved shall be cause for the Planning Commission to consider revocation of this permit/ approval. **(MM) (PD)**

46. **Permanent Protective Fencing:** The applicant shall install the following permanent fencing:

A) Permanent post and cable fencing with upright redwood posts embedded in concrete every 25 feet on-center, five feet outside of all wetland boundaries, where feasible (to allow for maintenance of fence, or within 50 feet of the centerline of the Stream). The fence shall include signage every 50 feet on-center that reads: "Wetland Preservation Area, Do Not Disturb". Such fencing shall be included in the Development Notebook recorded concurrently with the Final Map as well as on the project Improvement Plans.

B) Permanent post-and-cable fencing with upright redwood posts that shall be embedded in concrete every 25 feet on-center around the Open Space lot, to the satisfaction of the DRC. Such fencing shall provide a physical demarcation to future homeowners of the location of protected open space areas. Such fencing shall be included in the Development Notebook recorded concurrently with the Final Map as well as on the project Improvement Plans. **(MM) (PD)**

C) Perimeter fence constructed of steel fence posts in concrete with wood fencing.

47. **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) Adjacent to any and all wetland preservation easements that are within 50' of any proposed construction activity;

2) At the limits of construction, outside the dripline of all trees 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;

3) Around all Open Space lots within 50 feet of any development activity.

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. **(MM) (PD/DPW)**

48. Lot A shall be defined and monumented with redwood post and cable as common area lots to be owned and maintained (including the removal of unauthorized debris) by the homeowners' association.

The purpose of Open Space Lot A is to: Protect existing wetlands and wildlife and stream corridors (as demarcated with post and cable fencing shown on the Tentative Map); and to provide private recreational facilities for the project residents, including a pedestrian path and a tot lot.

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A note shall be provided in the Development Notebook prohibiting any disturbances within Open Space Lot A, including the placement of fill materials, lawn clippings, oil, chemicals, or trash of any kind within the open space lots; nor any grading or clearing activities, vegetation removal unless specifically approved herein. Trimming or other maintenance activities are allowed only for the benefit of fish, wildlife, and water quality resources, and for the elimination of diseased growth, or thinning as necessary for the maintenance of the natural vegetation, and only with the written consent of Placer County DRC. (PD)

49. 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 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)

CULTURAL RESOURCES

50. 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 Professional archaeologist shall be 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)

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51. **ADVISORY COMMENT:** Please be advised that pursuant to 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 currently is \$555.00 per lot to be paid at final map and \$2,930.00 per unit due when a building permit is issued. The fees collected will be the fees in effect at the time of final map recordation and building permit respectively.) **(PD)**

52. 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 fee required is \$1280 for projects with Negative Declarations, payable to Placer County (includes posting fee).

Without the appropriate fee, the NOD is not operative, vested nor final and shall not be accepted by the County Clerk. **NOTE: The above fee shall be submitted to the Planning Department within 5 days of final project approval. The filing and posting of the NOD starts a 30-day statute of limitations on court challenges to the approval under CEQA. Where a NOD has not been filed, this period is extended to 180 days. (PD)**

53. This project will be subject to the payment of traffic impact fees that are in effect in this area (Newcastle/Horseshoe Bar 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 (SPARTA)
- C) Placer County/City of Roseville Joint Fee

The current total combined estimated fee is \$5,140 per single-family residence. The fees were calculated using the information supplied. If either the use or the square footage changes, then the fees will change. The actual fees paid will be those in effect at the time the payment occurs. **(ESD)**

54. **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 \$690 per single-family residence, payable to the Engineering and Surveying Division prior to Building Permit issuance. The actual fee shall be that in effect at the time payment occurs. **(MM) (ESD)**

55. **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 Final Map approval, the applicant shall cause the subject property 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 \$117 per single-family residence. **(MM) (ESD)**

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ENVIRONMENTAL HEALTH

56. The owner or occupant of each residence in this project shall subscribe to weekly mandatory refuse collection services from the refuse collection franchise holder. (EHS)

57. 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)

58. 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 signs shall include a toll free public information phone number where surrounding residents can report violations and the developer/builder will respond and resolve noise violations. This condition shall be included on the Improvement Plans and shown in the development notebook.

ADVISORY COMMENT: Essentially, quiet activities, which do not involve heavy equipment or machinery, may occur at other times. Work occurring within an enclosed building, such as a house under construction with the roof and siding completed, may occur at other times as well.

The Planning Director is authorized to waive the time frames based on special circumstances, such as adverse weather conditions. (EHS/PD)

59. Properly destroy, under permit and inspection, the existing well(s) and septic system(s) located within the project site. Said destruction shall be shown on the Improvement Plans. (EHS)

60. 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 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)

61. **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)

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62. The project CC&Rs shall provide for the following: The CC&R's will provide notification of buyers to the history of agricultural activities and provide reference to the reports and records that describe the cleanup activities. (EHS)

AIR POLLUTION

63. The applicant shall comply with District Rule 228, Fugitive Dust.
64. Construction equipment exhaust emissions shall not exceed District Rule 202 Visible Emission limitations.
65. No open burning of removed vegetation during infrastructure improvements. Vegetative material should be chipped or delivered to waste to energy facilities.
66. Minimize idling time to 5 minutes for all diesel power equipments.
67. Use California diesel fuel for mobile and stationary construction equipment.
68. Open burning shall be prohibited through Conditions, Covenants, & Restrictions on all lots.
69. Only U.S. EPA Phase II certified wood-burning devices shall be installed in single-family residences. Masonry fireplaces must have installed UL listed decorative natural gas fireboxes. The emission potential from each residence shall not exceed 7.5 grams per hour.

MISCELLANEOUS CONDITIONS

70. No gated/controlled entry features are permitted for this project. All other 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)

71. The applicant shall, upon written request of the County, defend, indemnify, and hold harmless the County of Placer (County), the County Planning Commission, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorneys fees awarded by a court, arising out of or relating to the processing and/or approval by the County of Placer of that certain development project known as Maggi Country Estates (the Project). The applicant shall, upon written

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request of the County, pay or, at the County's option, reimburse the County for all costs for preparation of an administrative record required for any such action, including the costs of transcription, County staff time, and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision. This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the County relating to the approval of the Project. Upon request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provisions of this condition. (CC)

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

CONDITIONS, COVENANTS, & RESTRICTIONS

73. Prior to the filing of the Final Map, Conditions, Covenants, and Restrictions (CC&Rs) shall be prepared and submitted to and approved by the Engineering and Surveying Division, County Counsel, and other appropriate County Departments and shall contain provisions/notifications related to those issues raised in Conditions 8, 10, 11, 12 and 23 under Improvement Plans, and 90 and 91 under Notification to Future Buyers. (PD/DPW/EHS/APCD)

74. The applicants shall create a Homeowners' association with certain specified duties/responsibilities including the enforcement of all of the following notifications. (DPW)

The CC&Rs shall include lighting development standards. These 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. (PD)

75. None of the provisions required by this condition of approval shall be altered without the prior written consent of Placer County. (PD/DPW/EHS/APCD)

NOTIFICATION TO FUTURE BUYERS

76. All uses allowed per Sections 17.44.010, Residential-Agricultural, and 17.52.020, Agriculture of the Placer County Zoning Ordinance shall be allowed in this subdivision, subject to compliance with Zoning Ordinance requirements, including Section 17.56.050, Animal Raising and Keeping.

77. Notification to future homeowners/builders that removal or disturbance of native California trees 6" dbh or greater, if single trunk, or 10" aggregate for multiple trunk, if located within any building setback areas, or areas outside of a recorded building envelope, or other areas not previously approved for tree removal, requires a Tree Permit. (PD)

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ADVISORY COMMENT: Lots approved with this Subdivision are also subject to the provisions of the Placer County Tree Preservation Ordinance. (PD)

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

79. Notification to future owners of the County's Right to Farm Ordinance, which discloses the potential effects of residing near on-going agricultural operations. This statement shall inform lot owners that farm operators have a "right to farm" their lands despite potential nuisance to neighboring residences, including noise, odors, and use of toxic and hazardous materials.

80. ADVISORY COMMENT: As provided for in Section 17.56.050 of the Placer County Code, animal raising and keeping, including livestock and cattle, may be permitted on each residential lot within the subdivision.

81. Notification to all future owners that all outdoor lighting shall be shielded such that direct rays from the lamp are directed downward and do not cross property lines. Motion sensor lighting shall be encouraged to minimize night sky light pollution. (MM) (PD)

82. Notification to all lot owners of the requirements to submit all building plans and site/grading plans to the homeowners' association Architectural Review Committee prior to submittal to Placer County for Building Permits. Building plans shall comply with architectural guidelines, building setbacks, height restrictions, building coverage, and other conditions of approval. Efforts should be made to locate residences away from sensitive areas such as trees, rock outcrops, etc. (MM) (PD)

83. Notification to the future owners of affected lots that are located adjacent to common area lots, regarding the provision of an access easement to the homeowners' association for maintaining fencing around the perimeter of such lots. A minimum 24-hour notification to affected homeowners shall be provided prior to any work by the homeowners' association. (PD)

84. Notification to all future lot owners that minimum setbacks for all structures shall be as follows, unless a greater setback is indicated within the Development Notebook that is described elsewhere in these conditions of approval: A) Front - 50 feet from property line; B) Side - 30 feet from property line; C) Rear - 30 feet from property line. Setbacks for pools and related equipment areas are defined in Placer County Code, Article 17.54.140, formerly Zoning Ordinance Section 10.082 B (5), except where otherwise specified in this condition. (PD)

85. Notification to all future lot owners of a listing of drought tolerant plant materials and information regarding drip irrigation systems designed to conserve water. (PD)

86. Notification to all future lot owners of the tree preservation and maintenance techniques contained in the publication entitled *Living Among the Oaks* by the University of California Cooperative Extension. A copy of this publication shall be distributed by the developer or authorized agent to all new

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Homeowners'. Irrigation under the driplines of oak trees is prohibited, except as otherwise described within this publication. **(PD)**

87. Notification to the future owners that no structures, including solid fencing over 3' in height, may be installed in front setback areas, including any property frontages along roadways (unless otherwise allowed under section 17.54.030.B.1 of the Placer County Zoning Ordinance). **(PD)**

88. Each new lot owner shall be provided with a copy of the Development Notebook page(s) applicable to the subject lot, including plot plans and all use restrictions. **(PD)**

89. No storage of boats, trailers, recreational vehicles, campers, or inoperable vehicles within the project except to the side or rear of a residence, and screened from street view. **(PD)**

90. Applicant or Homeowners' association shall distribute printed educational materials highlighting information regarding the stormwater facilities/BMPs, recommended maintenance, and inspection requirements, as well as conventional water conservation practices and surface water quality protection, to future buyers. Copies of this information shall be included in the Development Notebook. **(ESD/EHS)**

91. Inspections of stormwater facilities/BMPs shall be conducted by the Homeowners association at least annually and maintenance records and proof of inspections shall be retained. **(ESD)**

DEVELOPMENT STANDARDS

92 Pursuant to the Zoning Ordinance, setbacks established herein apply to all structures and accessory structures. Setbacks for swimming pools/spas/pool equipment, etc. shall conform to Placer County Code, Article 17.54.140, formerly Zoning Ordinance Section 10.082 B (5). **(PD)**

A) Pools and spas, and pool and spa equipment setback requirements per Zoning Ordinance Section 17.54.140, formerly Section 10.082 B (5), except where otherwise specified in this condition. **(PD)**

93. The maximum building coverage per residential lot in this Subdivision is per Zoning Ordinance Section 17.44.010.E. **(PD)**

94. Prior to recordation of the Final Map(s), a reference manual (i.e., development notebook) shall be submitted for approval to the Planning Department which shall include plot plans for each lot in the project, depicting all dimensions, easements, setbacks, height limits and other restrictions which might affect the construction of structures on said lot, including the permitted building space ratio per Zoning Ordinance Section 1006(b)(3), prior to the issuance of Certificates of Use and Occupancy. No Building Permits may be issued for the project until this manual is provided to and accepted by the DRC for format and content requirements. **(PD)**

MITIGATION MONITORING

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95. In order to protect site resources, no grading activities of any kind may take place within the riparian area (open space lot A) or within the Wetland Preservation Easement, unless otherwise approved as a part of this project. **(PD)**

96. Open Space Lot A is required as shown on the Tentative Map. Said lot shall be for the protection of wetland and riparian habitats and shall be established over an area with a minimum of 50' from the edge of all delineated wetlands, (or from the edge of riparian vegetation, whichever is greater), as indicated on the approved Tentative Map. **(PD)**

Note: A "Wetland Preservation Easement", a minimum of 30 feet from the rear property lines of lots 1 and 6 shall be shown on the Tentative Map. This setback shall be recorded on the Information Sheet of the Final Map and shown in the Development Notebook. A note shall be provided on the Information Sheet and in the Development Notebook prohibiting any disturbances within this setback, including the placement of fill materials, lawn clippings, oil, chemicals, or trash of any kind within the easements; nor any grading or clearing activities, vegetation removal, or domestic landscaping and irrigation, including accessory structures, swimming pools, spas, and fencing (excepting that specifically required by these conditions).

97. The Open Space Lot, as shown on the Tentative Map, shall be defined and monumented as a common area lot to be owned and maintained (including the removal of unauthorized debris) by the homeowners' association. The purpose of the creation of these lots is to protect trees, wetlands, and riparian vegetation. A note shall be provided in the Development Notebook prohibiting any disturbances within these 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, vegetation removal, or domestic landscaping and irrigation, including accessory structures, swimming pools, spas, and fencing (excepting that specifically required by these conditions). Trimming or other maintenance activity is allowed only for the benefit of fish, wildlife, fire protection, and water quality resources, and for the elimination of diseased growth, or as otherwise required by the fire department, and only with the written consent of DRC. A provision for the enforcement of this restriction by the Homeowners' Association shall be provided. **(PD)**

98. Provide the DRC with a tree survey and arborist report (by an ISA Certified Arborist) depicting the exact location of all trees 6 inches dbh (diameter at breast height) or greater, or multiple trunk trees with an aggregate diameter of 10 inches dbh or greater, within 50-feet of any grading, road improvements, underground utilities, driveways, building envelopes etc., and all trees 18 inches 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 four feet above ground), species of trees, spot elevations, and approximate drip lines. 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. **(PD)**

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99. Prior to approval of Improvement/Grading Plans, the applicant shall furnish to the DRC, evidence that the U. S. Army Corps of Engineers, the California Department of Fish & Game (CDFG), and the U. S. Fish and Wildlife Service (if applicable) have been notified by certified letter regarding the existence of wetlands, streams, ponds and/or vernal pools on the property. If permits are required, they shall be obtained and copies submitted to DRC prior to any clearing, grading, or excavation work. **(PD)**

100. 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 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)**

101. No watering or irrigation of any kind shall be allowed within the drip line of native oak trees within the project boundaries. **(PD)**

102. The applicant shall install permanent fencing, as may be approved by the DRC, with upright posts embedded in concrete along and around the Open Space lot, and around all detention facilities (if applicable) to the satisfaction of the DRC. Such fencing shall provide a physical demarcation to future homeowners of the location of protected easement areas or Open Space lots as required by other conditions of this project. Such fencing shall be shown on the Information Sheet recorded concurrently with the Final Map, on the project Improvement Plans, as well as on individual lot sheets within the Development Notebook. **(PD)**

103. The applicant shall install a 4 foot 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 drip line of all trees 6 inches dbh (diameter at breast height), or 10 inches dbh aggregate for multi-trunk trees, within 50 feet of any grading, road improvements, underground utilities, or other development activity, or as otherwise shown on the Tentative Map (including olive trees to be saved during the installation of improvements).;

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2) Around any 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. **(PD)**

104. In order to mitigate wetland/riparian impacts, the applicant or agent shall provide mitigation as follows: Provide written evidence that compensatory habitat has been established through the purchase of mitigation credits at a County-qualified wetland mitigation bank. The amount of money required to purchase credits shall be equal to the amount necessary to replace wetland or riparian habitat acreage and resource values including compensation for temporal loss. Evidence of payment, which describes the amount and type of habitat purchased at the bank site, must be provided to the County prior to issuance of Improvement Plans or Building Permits which would result in the degradation or loss of the habitat. The amount to be paid shall be the fee in effect at the time the Final Map is recorded is exercised (for guidance, if the Map were recorded today, the fee would be \$49,000 per acre for permanent and seasonal wetlands and/or \$70,000 per acre for vernal pools). **(PD)**

105. Prior to the approval of the Improvement Plans, 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. An amount equal to the cost for administrative and program review by the County shall be paid to Placer County and deducted from this deposit before the balance is returned to the applicant, or shall be paid by the applicant or homeowners' association on an annual basis. Violation of any components of the approved MMIP may result in enforcement activities per Placer County Environmental Review Ordinance Article 18.28.080 (formerly Section 31.870). An agreement between the applicant and 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. **(PD)**

106. A Mitigation Monitoring Implementation Program (MMIP) for the replacement of native oaks and other trees, prepared by an ISA certified arborist, Registered Forester, or Landscape Architect, shall be submitted to the Planning Department, in conjunction with the project's Improvement Plans for review and approval by the DRC. Said plan shall provide for native trees to be planted by the project developer within Common Area Lots and any residential lots determined appropriate by the DRC. The Plan shall include a site plan that indicates the trees' location, installation and irrigation requirements and other standards to ensure the successful planting and continued growth of these trees. Installation of all trees and irrigation systems must be completed prior to the County's acceptance of the subdivision's improvements. Access rights for monitoring and maintenance, if necessary, shall be provided to the homeowners' association. An annual monitoring report for a minimum period of five years from the date of installation, prepared by the above-cited professional, shall be submitted to the DRC for review and approval. Any corrective action shall be the responsibility of the homeowners' association. **(PD)**

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107. Notification to future homeowners and builders that removal of oak trees 6 inches dbh or greater or multiple trunk trees with an aggregate diameter of 10 inches dbh or greater and not previously approved for removal by Placer County is prohibited unless prior approval is received by the Placer County Development Review Committee. A provision for the enforcement of this restriction by the homeowners association shall be provided. **(PD)**

108. Notification to future homeowners/builders that removal or disturbance in excess of 50% of the native California trees 6 inches dbh or greater, if single trunk, or 10 inches aggregate for multiple trunk requires a Tree Permit. **(PD)**

109. Notification to future homeowners/builders that tree removal is permitted within the building envelope area and all other removal or disturbance of the native California trees 6" dbh or greater, if single trunk, or 10" aggregate for multiple trunk requires approval of the DRC. **(PD)**

EXERCISE OF PERMIT

110. The applicant shall prepare and submit to the Engineering and Surveying Division (ESD), a Final Subdivision Map which is in substantial conformance to the approved Tentative Map in accordance with Chapter 16 of the Placer County Code; pay all current map check and filing fees. **(ESD)**

111. The applicant shall have 36 months to exercise this Subdivision Tentative Map. Unless exercised, this approval shall expire on August 1, 2009. **(PD)**