



**RECOMMENDED CONDITIONS OF APPROVAL - TENTATIVE
MAP/MINOR BOUNDARY LINE ADJUSTMENT CONDITIONAL
USE PERMIT - "MILL ROAD SUBDIVISION " (PSUB 20040344)**

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. The Tentative Map, Minor Boundary Line Adjustment and Conditional Use Permit (PSUB 2006 0344) are approved for the Mill Road Subdivision, a 22-lot Planned Development on a 6.75 acre parcel at the northwest corner of Luther and Mill Roads in the Bowman area.

A Conditional Use Permit shall be considered exercised when a Building Permit has been issued, and construction of a building foundation has been started (see also Article 17.58.160, formerly Chapter 30, Section 20.160 B.2. of the Placer County Code). (PD)

This project approval is predicated upon the Board of Supervisors approving a Rezoning from RS AG (Residential Single-family, Combining Agriculture) to RS AG PD 4 (Residential Single-family, Combining Agriculture, Combining Planned Development 4 units/acre)

2. 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)

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: Architectural colors, materials, and textures of all structures; landscaping; irrigation; exterior lighting; pedestrian and vehicular circulation; fences and walls; all open space amenities; tree impacts, tree removal, entry features. (PD)

4. 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 DRC

(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. (MMIP) (PD/DFS)

5. **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 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 at intersections, shall be included in the Improvement Plans.

The applicant shall pay plan and inspection fees. 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 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 ESD prior to acceptance by the County of site improvements.

Conceptual landscape plans submitted prior to project approval may require modification during the Improvement Plan process to resolve issues of drainage and traffic safety.

Technical review of the Final Map may not commence until the Improvement Plans are approved by the ESD. 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. (ESD)

6. **mm** All proposed grading, drainage improvements, vegetation and tree removal shall be shown on the Improvements Plans and all work shall conform to provisions of the County Grading Ordinance (Chapter 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 ESD concurs with said recommendation. (ESD)

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. Provide for erosion control where roadside drainage is off 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 approval 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. (ESD)

7. 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. (ESD)

8. **mm** Submit to ESD, for review and approval, a Geotechnical Engineering Report prepared 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 control/winterization.
- Special problems discovered on-site (i.e., groundwater, expansive or unstable soils, etc.)
- Slope stability.

Once approved by the ESD, two copies of the final report shall be provided to the ESD and one copy to the Building Department for their use. If the soils report indicates the presence of critically expansive or other soil problems which, if not corrected, would lead to structural defects, additional investigations, prior to issuance of building permits, may be required. (ESD)

9. 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)

10. **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 Storm Water Management Manual that are in effect at the time of submittal, to the Engineering and Surveying Division 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 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. (ESD)

11. **mm** Storm drainage from on-site impervious surfaces 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 ESD. 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 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. (ESD)

12. 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 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. (ESD)

13. **mm** Water quality treatment facilities (BMPs) shall be designed according to the guidance of the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development / Redevelopment, and for Industrial and

Commercial (or other similar source as approved by the Engineering and Surveying Department (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: infiltration swale, Fiber Rolls (SE-5), Hydroseeding (EC-4), Stabilized Construction Entrance (LDM Plate C-4), Storm Drain Inlet Protection (SE-10), Silt Fence (SE-1), revegetation techniques, and concrete washout areas. 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. (ESD)

14. **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). (ESD)

15. **mm** 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 stamped messages and signs. (ESD)

16. 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. (ESD)

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

18. 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)

19. 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)

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

ROADS/TRAILS

23. mm Construct a left-turn lane on Luther Road at the Mill Road intersection. 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 35 mph, unless an alternative is approved by DPW. (ESD)

24. Construct subdivision road(s) on site to an Urban Minor (Plate R-5 LDM) standard with sidewalks on one side. All subdivision streets shall be designed to meet 125 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)

25. Construct the following: 11' left turn lane, 11' through lane, 6' shoulder, plus curb, gutter, and a 4' sidewalk where the project fronts Luther Road as measured from the existing centerline thereof or as directed by the Engineering and Surveying Division (ESD) and the DPW. The road shall be designed to meet 35 mph design speed criteria, as specified in the latest version of the Caltrans *Highway Design Manual* unless otherwise approved 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 8, but said section shall not be less than 3" AC/8" Class 2 AB unless otherwise approved by ESD. (ESD)

26. Construct the following: 11' through lane, 6' shoulder, lane transition and painted island on the offsite portion of Luther Road to the east of Mill Road. The road shall be designed to meet 35 mph design speed criteria, as specified in the latest version of the Caltrans *Highway Design Manual* unless otherwise approved 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 8, but said section shall not be less than 3" AC/8" Class 2 AB unless otherwise approved by ESD. (ESD)

27. Construct one-half of a 28' road section plus curb, gutter, and a 4' sidewalk where the project fronts Mill Road (Urban Secondary ~ Plate R-6 LDM residential standard), between Luther Road and the subdivision entrance, as measured from the existing centerline thereof or as directed by the Engineering and Surveying Division (ESD) and the DPW and as shown on the Tentative Map. The road shall be designed to meet 25 mph design speed criteria, as specified in the latest version of the Caltrans *Highway Design Manual* unless otherwise approved 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 6, but said section shall not be less than 3" AC/8" Class 2 AB unless otherwise approved by ESD. (ESD)

28. Construct a 20' wide road section where the project fronts Mill Road, beyond the subdivision entrance. The road shall be designed to meet 25 mph design speed criteria, as specified in the latest version of the Caltrans *Highway Design Manual* unless otherwise approved 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 6, but said section shall not be less than 3" AC/8" Class 2 AB unless otherwise approved by ESD. (ESD)

29. Construct a public road entrance/driveway onto Luther Road to a Plate R-17 LDM standard plus curb, gutter & 4' sidewalk. The design speed of Luther 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 and the Engineering and Surveying Department (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, but said section shall not be less than 3" AC/8" Class 2 AB unless otherwise approved by the ESD. (ESD)

30. Delineate a Class II bikeway along the project's frontage on Luther 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)

31. Roadway improvements shall include adequate vehicular turn-around improvements (Plate -U22.1) and easements as required by the Engineering and Surveying Division. (ESD)

32. Provide school bus/transit turnout(s) to the satisfaction of the California Highway Patrol, local busing provider, and the Engineering and Surveying Division. 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)

33. A Recordable Encroachment Permit shall be obtained from the Department of Public Works prior to Improvement Plan approvals for any landscaping within public road rights-of-way. (ESD)

34. 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)

GRADING

35. Prior to issuance of an Early Grading Permit to allow for on-site rough grading, the applicant must submit Improvement Plans and any related documents as required by these conditions of approval to the Engineering and Surveying Department (ESD) for review. The

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review for the initial submittal of the Improvement Plans must be completed by DRC and satisfactorily address issues relating to dust control, tree removal, wetlands, protective fencing, grading, drainage, and erosion control.

Upon DRC determination that an Early Grading Permit may be issued, the applicant shall prepare a separate Rough Grading Plan and submit it to ESD for review and approval. Separate plan check, inspection and winterization fees will be required and will be based on the engineer's estimate. If design/site review process and/or DRC review is required as a condition of approval for this project, said review(s) shall be completed prior to the submittal of the Early Grading Permit.

ADVISORY COMMENT: The Improvement Plans shall be approved by ESD prior to the issuance of any Building Permits. (MM) (ESD/PD)

36. 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)

PUBLIC SERVICES

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

- A) PG&E
- B) Placer County SMD #1
- C) PCWA
- D) SBC/AT&T
- E) Auburn Placer Disposal

If such "will serve" letters were obtained as a part of the environmental review process, and are still valid, they shall not be required again. (ESD)

38. 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)**

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) Auburn Unified School District
- B) The Placer County Sheriff's Office **(ESD)**

40. 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: **(DFS)**

- A) Street lighting
- B) Road maintenance
- C) Storm drainage maintenance for facilities located within public easements excluding structural stormwater quality enhancement facilities (BMPs).
- D) Maintenance of detention facilities by the homeowners' association will be required.

GENERAL DEDICATIONS / EASEMENTS

41. 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) A 42'-wide private road, public utility, and emergency access easement along on-site subdivision roadways. **(ESD)**
- B) An Irrevocable Offer of Dedication to Placer County for a 42'-wide highway easement (Ref. Chapter 16, Article 16.08, Placer County Code) along on-site subdivision roadways for road and utility purposes. Said roads shall be privately maintained until such time as the County Board of Supervisors accepts the offer of dedication. **(ESD)**
- C) Dedicate to Placer County a minimum of one-half of a 70'-wide highway easement (Ref. Chapter 12, Article 12.08, Placer County Code) where the project fronts Mill Road, as measured from the centerline of the existing roadway, plan line, or other alignment as approved by the Transportation Division of DPW and as shown on the Tentative Map. **(ESD)**
- D) 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. **(ESD)**

- E) Public utility easements as required by the serving utilities, excluding wetland preservation easements (WPE). **(ESD)**
- F) Dedicate 12.5' multi-purpose easements adjacent to all highway easements. **(ESD)**
- G) Slope easements for cuts and fills outside the highway easement. **(ESD)**
- H) Drainage easements as appropriate. **(ESD)**

VEGETATION AND OTHER SENSITIVE NATURAL AREAS

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. **(PD)**

Advisory Comment: Trees may not be disturbed or removed prior to the approval of Improvement Plans.

43. Trees identified for removal, and/or trees with disturbance to their driplines, shall be replaced with comparable species on-site, in an area to be reviewed and approved by the DRC, as follows:

- a) A revegetation plan, as recommended by an ISA-certified arborist or similarly qualified professional, to provide an appropriate level of mitigation to offset the loss of trees, and as approved by the DRC, shall be established in Common Open Space Lot A as shown on the approved Tentative Map.

If replacement tree planting is required, the trees must be installed by the applicant and inspected and approved by the DRC prior to (CHOOSE ONE): A) The acceptance of improvements by the Engineering and Surveying Department, or: B) the issuance of a final Certificate of Occupancy by the Placer County Building Department. 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)**

- b) In lieu of the tree planting mitigation for tree removal listed above, a contribution of \$100 per diameter inch at breast height for each tree removed or impacted or the

current market value, as established by an Arborist, Forester or Registered Landscape Architect, of the replacement trees, including the cost of installation, 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 (Choose one): acceptance of improvements, issuance of a Certificate of Occupancy, issuance of a Building Permit, Grading Permit, or any other discretionary permit issued by Placer County.

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)**

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

The purpose of Lot A is to: a) Protect existing wetlands; and b) Protect existing oak groves.

The purpose of this common area is for the protection and preservation of on-site wetland and oak grove habitats. A note shall be provided in the Development Notebook prohibiting any disturbances within said easements, 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. **(MM) (PD/ESD)**

45. 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

46. 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)

FEES

47. 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 \$2,500 for projects with Environmental Impact Reports and \$1,800 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. **NOTE: The above fee shall be submitted to the Planning Department within 5 days of final project approval. (PD)**

48. **mm** This project will be subject to the payment of traffic impact fees that are in effect in this area, 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

The current total combined estimated fee is \$4,350 per single family dwelling unit. 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).

49. 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. The fee to be paid is the fee in effect at the time of Final Map recordation/Building Permit issuance. (For reference, the fee for single-family housing is currently is \$580 per lot to be paid at final map and \$3,045 per unit due when a building permit is issued.) (PD)

Pursuant to Article 17.54.100(D) of the Placer County Code, this project's Planned Development status requires that it provide onsite recreation facilities. The applicant has requested to opt out of this requirement and instead pay an additional park fee for each unit. The net result of this request is that the project would pay the equivalent of double the applicable park fee. (For reference, the current fee for this option would be \$1,160 at final map and \$6,090 per unit at building permit issuance.) (PD/DFS)

ENVIRONMENTAL HEALTH

50. Prior to Final Occupancy approval, structures within the project, whose septic systems are abandoned/destroyed shall be appropriately connected to public replacement facility (Placer County Facility Services, Special Districts) to the satisfaction of EHS. (EHS)

51. Prior to Building Permit issuance for a dwelling on Lots 3 to 13, provide building plans that include all second floor windows with a direct line of site of the UPRR tracks be fitted with STC 32 rated windows and each dwelling (lots 3 to 13) be fitted with a fresh air ventilation system which would allow residents to keep their windows closed during the nighttime hours while still being able to circulate fresh air. (MM) (EHS)

52. Prior to Improvement Plan approval, 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)

53. 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:

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- 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' x 4' 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.

PLEASE NOTE: 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/ESD/PD)

54. Prior to Improvement Plans approval, a Note shall be placed on Improvement Plans to indicate that 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 the EHS Hazardous Materials Section. The project shall remain stopped until there is resolution of the contamination problem to the satisfaction of EHS and to the Central Valley RWQCB. (EHS)

55. Best Management Practices are required for this project for the collection and control of urban runoff pollutants. 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).

AIR POLLUTION

56. The applicant shall submit to the District and receive approval of a Construction Emission / Dust Control Plan prior to groundbreaking. This plan must address the minimum Administrative Requirements found in section 300 and 400 of District Rule 228, Fugitive Dust (www.placer.ca.gov/airpollution/airpolut.htm).

57. Construction equipment exhaust emissions shall not exceed District Rule 202 Visible Emission limitations. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified and the equipment must be repaired within 72 hours.

58. No open burning of removed vegetation during infrastructure improvements.

59. Minimize idling time to 5 minutes for all diesel power equipment.
60. The project is an area that is known to contain naturally occurring asbestos (NOA). The applicant will be required to comply with the Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, And Surface Mining Operations.
61. Open burning of any kind shall be prohibited and included in any CC&R's that are developed.
62. Only natural gas/propane fired, fireplace appliances are allowed and are to be included in any CC&R's that are developed.

MISCELLANEOUS CONDITIONS

63. No lot shall be further divided. **(PD)**
64. Approval of this Tentative Map is subject to the approval of the Board of Supervisors of a Rezoning to or a similar zone district which permits the project's proposed density and design. **(PD)**
65. No Lot shall be divided by a tax district boundary. **(PD)**
66. 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 Engineering and Surveying Department, and shall not be located within the right-of-way.
- Any entrance monument or structure erected within the front setback on any lot, within certain zone districts, shall not exceed 3' in height (Ref. Chapter 17, Article 17.54.030, Placer County Zoning Ordinance). **(PD/ESD)**
67. A model home sales use has been approved as a part of this project. These facilities will be limited to Lots 1, 2, 21 and 22 shall not be allowed on the project site until the proposed project's locations design, proposed parking, etc., have been reviewed and approved by the DRC and Building Permits have been issued. The temporary model home parking lots shall be constructed as an all-weather surface capable of supporting a 40,000 pound fire truck. The temporary model home sales offices shall be used solely for the first sale of homes within the project.

68. Temporary sales trailers and model home sales, which have been granted approval of a Conditional Use Permit, are subject to review and approval of the DRC. Such a review shall be required prior to the issuance of a building permit and shall include, but is not limited to: building colors and materials, landscaping, parking and circulation, lighting, signage, etc. **(PD)**

69. No on-site or off-site flags/pennants are permitted in connection with a model home sales use and/or a temporary sales trailer. **(PD)**

70. 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 Mill Road Subdivision (the Project). The applicant shall, upon written 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)**

71. 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)**

72. Any future gated entry feature proposed by the applicant shall be returned to the Planning Commission for approval of a modification of the discretionary permit. **(ESD)**

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

CONDITIONS, COVENANTS, & RESTRICTIONS

74. 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 Department, County Counsel, and other appropriate County Departments and shall contain provisions/notifications related to those issues raised in Conditions 76, 77, 78, 79, 82, 83, 84 and 85.

- A) The applicants shall create a Homeowners' association with certain specified duties/responsibilities including the enforcement of all of the following notifications.
- B) None of the provisions required by this condition of approval shall be altered without the prior written consent of Placer County.

NOTIFICATION TO FUTURE BUYERS

75. Notification to future homeowners and builders that removal or disturbance of oak trees 6" dbh or greater or multiple trunk trees with an aggregate diameter of 10" 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. **(MM) (PD)**

76. 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 approval. **(PD)**

Lots approved with this subdivision are also subject to the provisions of the Placer County Tree Preservation Ordinance. **(PD)**

77. 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)**

78. 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 – 12.5' to porch
20' to garage
- B) Side – 5' (single-story),
7.5' (two-story),
3' (garage) Lots 1-13 and 20,
5' Lot 14
- C) Rear – 10' (single-story)
20' (two-story) Lots 2, 5-7, 9-11, 13, 16 and 19-20
18' Lot 1
14' Lot 3-4
8' Lot 8
18' Lot 12
5' Lots 14-15, 17-18 and 21-22 – access structure only
- D) Lot Width @ 55'
27' Lot 3
36' Lot 4
47' Lots 5-7
51'.6" Lots 9-11
53' Lots 15, 16
46' Lot 18
48' Lot 19

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). (PD)

79. Notification that 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)

80. Notification to future owners of Lots 3 to 13, that building permits for dwelling units will require 2nd floor dwellings windows with 32 STC rated and a fresh air ventilation system installed in the dwellings. These special construction features are designed to reduce indoor noise levels, due to nearby transportation sources. (EHS)

81. 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)

82. 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 17.54.030B1 of the Placer County Zoning Ordinance). **(PD)**

83. 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)**

84. 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)**

85. 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)**

86. 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

87. The Development Standards for this project are as follows:

88. In no case shall the face of a garage be closer than 20' to either street property line on corner lots. **(PD)**

89. The structural setbacks for this Planned Development are as follows:

- A) Front – 12.5' to porch
20' to garage
- B) Side – 5' (single-story),
7.5' (two-story),
3' (garage) Lots 1-13 and 20,
5' Lot 14
- C) Rear – 10' (single-story)
20' (two-story) Lots 2, 5-7, 9-11, 13, 16 and 19-20
18' Lot 1
14' Lot 3-4
8' Lot 8

18' Lot 12
5' Lots 14-15, 17-18 and 21-22 – access structure only

- D) Lot Width @ 55'
- 27' Lot 3
 - 36' Lot 4
 - 47' Lots 5-7
 - 51'.6" Lots 9-11
 - 53' Lots 15, 16
 - 46' Lot 18
 - 48' Lot 19

- E) Accessory structures/pools/spas per Zoning Ordinance Section 10.082 B (5). (PD)

MITIGATION MONITORING

90. If on-site tree replacement is proposed, 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, prior to the submittal of the project's Improvement Plans for review and approval by the DRC. Said plan shall provide for a minimum of 18 native oak trees to be planted by the project developer within Common Area Lots and any other areas 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 5 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.

Prior to the approval of the Improvement Plans, a Letter of Credit, Certificate of Deposit, or cash deposit in the amount of 100% of the accepted proposal shall be deposited with the Placer County Planning Department to assure on-going performance of the monitoring program. Evidence of this deposit shall be provided to the satisfaction of the DRC prior to the approval of Improvement Plans. For the purposes of administrative and program review by Placer County, an additional 25% of the estimated cost of the Monitoring Program shall be paid to the County, in cash, at the time that the 100% deposit is made. With the exception of the 25% administrative fee, 100% of the estimated costs of implementing the monitoring program shall be returned to the applicant once the applicant has demonstrated that all 5 years of monitoring have

been completed to the satisfaction of the DRC. Refunds will only be available at the end of the entire review period.

It is the applicant's responsibility to ensure compliance with the MMIP. 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). If a monitoring report is not submitted for any one year, or combination of years, as outlined in these conditions, the county has the option of utilizing these funds and hiring a consultant to implement the MMIP.

Failure to submit annual monitoring reports could also result in forfeiture of a portion of, or all of, the deposit. An agreement between the applicant and County shall be prepared which meets DRC approval that allows the County use of this deposit to assure performance of the MMIP in the event the homeowners' association reneges **(MMIP) (PD)**

EXERCISE OF PERMIT

91. 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)**

92. The applicant shall have 36 months to exercise this Tentative Map. Unless exercised, this approval shall expire on April 12, 2010. **(PD)**