



COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, AICP
Agency Director

PLANNING

MEMORANDUM

TO: Honorable Board of Supervisors

FROM: Michael J. Johnson, CDRA Director

DATE: March 10, 2009

SUBJECT: **RIOLO VINEYARD SPECIFIC PLAN (PSPA T20050186),**
Development Standards and Design Guidelines, Amendments to the Placer County General Plan, Amendments to the Dry Creek/West Placer Community Plan, Rezoning, Development Agreement, Large-Lot Vesting Tentative Subdivision Map, Small-Lot Vesting Tentative Subdivision Map (PSUB 20040397), Final Environmental Impact Report (SCH# 2005092041)

REQUESTED ACTIONS: The Board of Supervisors is asked to consider the Riolo Vineyard Specific Plan project, including consideration of the following actions related to the approval of the Riolo Vineyard Specific Plan:

- Approval of amendments to the Placer County General Plan;
- Approval of amendments to the Dry Creek/West Placer Community Plan;
- Approval of the Riolo Vineyard Specific Plan;
- Approval of the Riolo Vineyard Specific Plan Development Standards;
- Approval of the Riolo Vineyard Specific Plan Design Guidelines;
- Approval of the Rezoning to Specific Plan (SPL-RVSP);
- Approval of the Project Development Agreement;
- Approval of the Large-Lot Vesting Tentative Subdivision Map;
- Approval of the Small-Lot Vesting Tentative Subdivision Map; and
- Certification of the Final Environmental Impact Report.

In association with these actions, the Board of Supervisors is also asked to accept the Public Facility Financing Plan and the Urban Services Plan that have been prepared for this project.

This project was noticed and scheduled to be heard by the Board on February 10, 2009. On February 9, 2009, a letter was delivered from Brigit Barnes and Associates commenting on the environmental document and the project on behalf of Russ and George Carollo and the Frisvold family. A response was submitted on February 10, 2009, by Kevin Kemper on behalf of the Applicant. This matter was

continued by the Board to this date in order to provide staff the opportunity to review this late correspondence.

(It should be noted that the environmental document for this project includes analysis of the cancellation of a Williamson Act contract that covers the property owned by the Frisvold family. This entitlement was included in the project description at the request of the Frisvold family after they filed a request for cancellation. Their request for cancellation was withdrawn by them just prior to the hearing on February 10. A representative of the Frisvold family participated in many discussions involving the project and the environmental document and had opportunities to comment on the environmental document, but prior to February 9, the Frisvold family indicated no objection to the document.)

Staff has reviewed the Barnes letter and the Kemper letter, which are attached hereto as Exhibit 13. Staff has concluded that the Kemper letter fully and adequately responds to the issues raised in the Barnes letter and there is no need to amend or change the recommendations as originally proposed in the staff report of February 10, 2009. This staff report is essentially identical to the prior staff report, and there is no change in the Requested Actions, as listed above. The only document that has been modified from the documents provided to the Board of Supervisors for the hearing on February 10, 2009, is the Public Facilities Financing Plan. These modifications are discussed under "Other Supporting Documents" on page 21, below.

GENERAL PLAN DESIGNATION: The area encompassed by the Riolo Vineyard Specific Plan is within the Dry Creek/West Placer Community Plan on the Land Use Diagram of the Placer County General Plan. The Dry Creek/West Placer Community Plan describes the land uses within the Riolo Vineyard Specific Plan area as Low-Density Residential (LDR), Greenbelt/Open Space (G & OS) and Commercial (C). The Low-Density Residential land use designation within the Riolo Vineyard Specific Plan area is additionally identified as "Development Reserve," which indicates that the County anticipates the preparation of a Specific Plan for any development proposal within this project area.

ZONING: The project site is currently zoned OPD=2 (Open Space, combining Planned Residential Development maximum two units per acre), RS-AG-B-20-DR-PD=2 (Single-family Residential, combining Agriculture, combining minimum Building Site of 20,000 square feet, combining Development Reserve, combining Planned Residential Development maximum two units per acre), C1-UP-Dc (Neighborhood Commercial, Conditional Use Permit Required, combining Design Scenic Corridor), and CPD-Dc (Commercial Planned Development, combining Design Scenic Corridor).

PROJECT TEAM LEADER: Ann Baker, Principal Planner

LOCATION: The project is located in the unincorporated portion of southwest Placer County. The site is south of Dry Creek between Watt Avenue to the west and Walerga Road to the east. The southern boundary is PFE Road. The Sacramento County / Placer County boundary is located less than one-quarter mile to the south of PFE Road. (Exhibit 2).

APPLICANT: PFE Investors, LLC.

BACKGROUND: The Riolo Vineyard Specific Plan is located in an area of unincorporated Placer County that is experiencing a transition from agricultural uses to suburban, residential development. At

the time the Dry Creek/West Placer Community Plan (Community Plan) was adopted in 1990, a vision for growth within the Plan Area was developed. The Community Plan specifically identifies the area "south of Dry Creek and west of Walerga Road" as an area to be planned as a single unit (i.e., a Specific Plan), through the Design Review (DR) land use designation. The Riolo Vineyard Specific Plan area (Plan Area) is designated in the Community Plan for large-lot residential development with an aggregate density of up to two units per acre for the entire site. Under the Community Plan, minimum lot sizes ranging from 12,000 square feet to 15,000 square feet are described, while up to 20 percent of the units could be as small as 10,000 square feet. The Community Plan also recognizes the exceptionally broad floodplain associated with Dry Creek and provides for density transfers to take place. The density transfers provided by the Community Plan would permit increased densities above two units per acre (i.e. smaller lots) on lands suitable for development in recognition of the development limitation imposed by the Dry Creek floodplain. The 933 units proposed under the Riolo Vineyard Specific Plan would not exceed the overall two units per acre density limitation for the Plan Area.

The Riolo Vineyard Specific Plan is located south and east of the previously approved Placer Vineyards Specific Plan (PVSP). The development of the Riolo Vineyard Specific Plan would require some infrastructure that would also be utilized by development within the PVSP, specifically, arterial roadway improvements to Watt Avenue and Walerga Road, as well as sewer conveyance improvements. The construction of this infrastructure would be required of the first project to develop. Other services and facilities may also be shared by the two Specific Plan developments. The PVSP includes a library, an aquatic center and other public facilities that are anticipated be used by residents of the Riolo Vineyard Specific Plan area and other developments in the Southwest Placer County region.

In addition to the PVSP, a number of low-density residential subdivisions, similar in nature to the proposed project, have been approved to the east, north and southeast of the Plan Area. Doyle Ranch, Silver Creek, Morgan Place, Morgan Creek, Brookwood, Whisper Creek, Riolo Greens and Winding Creek are among the subdivisions that have been approved and, in some cases, built in recent years within the Dry Creek/West Placer Community Plan.

An application for the development of a Specific Plan for the Plan Area was submitted in 2004 by PFE Investors, L.L.C (PFE Investors). The project proponent owns eight of the 15 parcels (322.8 acres or approximately 61.4 percent) that comprise the Plan Area. The balance of the Plan Area (seven parcels, or 38.6 percent) is under the control of non-participating ownership.

PROJECT DESCRIPTION: The applicant is requesting approval of the Riolo Vineyard Specific Plan for the development of a largely residential community, with an anticipated build-out of 933 dwelling units. The residential development includes a mix of low-density, medium-density and high-density residential uses. The proposed land use plan also includes a 7.5-acre commercial site, a 3.1-acre high-density residential site (proposed as affordable housing), two rural-residential sites (including the existing Riolo home site), four park sites, six 10-acre agricultural-residential home sites, four public or quasi-public sites (including an expansion site for the existing Union Cemetery), as well as landscaping and open space lots (Exhibit 3). Implementation of the proposed project will result in a build-out population of approximately 2,477 persons (based on the anticipated occupancy of approximately 2.0 to 2.7 persons per residence, depending upon the type of residential unit). New employment opportunities within the Riolo Vineyards Specific Plan project are limited to those associated with the development of the 7.5-acre commercial site.

PFE Investors submitted a Large-Lot Vesting Tentative Subdivision Map for all of the property within the Plan Area that is under its ownership and a Small-Lot Vesting Tentative Subdivision Map for a portion of the Plan Area. The Large-Lot Vesting Tentative Subdivision Map divides the property into 20 lots covering 292.2 acres, but does not convey any development rights (Exhibit 4). The purpose of the Large-Lot Vesting Tentative Subdivision Map is to reconfigure the property lines consistent with the land use designations described within the Specific Plan and to allow properties to be sold, if desired. The Conditions of Approval for the Large-Lot Vesting Tentative Subdivision Map are attached to this report as Exhibit 5.

The Small-Lot Vesting Tentative Subdivision Map covers an 86.5-acre portion of the site and divides the property into 300 lots, including 157 medium-density residential lots, 128 low-density residential lots, two rural-residential lots, one high-density residential lot, three public/quasi public lots, six open-space lots, and three park-and-recreation lots (Exhibit 6).

The submitted maps are consistent with the proposed Specific Plan and accompanying documents. The Planning Commission recommended approval of both the Large-Lot Vesting Tentative Subdivision Map and the Small-Lot Vesting Tentative Subdivision Map, subject to the conditions of approval prepared by County staff except for amending the language of Condition 195 on the Small-Lot Vesting Tentative Subdivision Map (Exhibit 7), and subject to the approval of the Specific Plan project before the Board.

PROPOSED RIOLO VINEYARD SPECIFIC PLAN

Land Use Summary

The Riolo Vineyard Specific Plan (RVSP) is a predominantly residential development with supporting land use and infrastructure on 525.8 acres. The Land Use Diagram (Exhibit 3) provides a graphic depiction of the location and extent of the proposed land use types. Table 1, below, provides a summary of the land use designations, lot sizes and the number of units where applicable, the total acreage for each land use type and the percent of the project site represented by that land use:

**Table 1
Summary of Land Use Designations**

Land Use	Lot Size	Units	Acres	Percent
<i>Residential</i>				
Low Density Residential	5,500 sf or larger	588	211.1	42.0
Medium Density Residential	2,000 - 5,499 sf	277	36.3	17.1
High Density Residential	N/A	60	3.2	0.6
Rural Residential	2 acre minimum	2	5.0	1.0
Residential Total		927	255.6	60.7
<i>Agricultural</i>				
Agriculture - 10	10 acre minimum	6	61.3	11.7
Agriculture	N/A	N/A	29.8	5.7
Agricultural Total		6	91.1	17.4
<i>Commercial</i>				
Commercial	N/A	N/A	7.5	1.4
Commercial Total			7.5	1.4
<i>Green Space</i>				
Open Space	N/A	N/A	123.9	23.6
Parks and Recreation	N/A	N/A	10.1	1.9

Green Space Total			134.0	25.5
<i>Public or Quasi-Public</i>				
Cemetery	N/A	N/A	4.8	0.9
Major Road/Landscape Corridor	N/A	N/A	20.3	3.9
Pump Station/RW Facility	N/A	N/A	2.0	0.4
Substation	N/A	N/A	0.5	0.1
Public/Quasi-Public Total			27.6	5.3

Note: sf = square feet; RW = Recycled Water; N/A = Not Applicable

Ownership within the Specific Plan includes the project applicant, PFE Investors, with control over approximately 61.4 percent of the site. The non-participating properties include the Frisvold parcel (APN 023-200-057), the Singh parcel (APN 023-200-019), the Lund parcel (APN 023-220-063), the Park Arya parcel (APN 023-220-065) and the Elliott parcel (APN 023-221-005). Also, the County owns the former Doyle Ranch mitigation site along Dry Creek (APN 023-221-054) and the Roseville Public Cemetery District (APN 023-200-027) owns a 1.9-acre parcel adjacent to Watt Avenue.

With the exception of the Singh property and the lands under public ownership, the Specific Plan anticipates future development on all of the parcels within the Riolo Vineyard Specific Plan. The Singh parcel is currently an agricultural truck farm, and development is not anticipated since the site is entirely within the 100-year floodplain. Both the Lund and Elliott properties are envisioned for future development as Low Density Residential uses. The Frisvold property is designated for Medium Density Residential development and the Park Arya parcel, located at the intersection of Walerga Road and PFE Road, is designated as a Commercial site.

Within the Specific Plan, the proposed low-density residential development is anticipated to be traditional single-family, detached residential development. In contrast, the medium-density residential development allows for an alternative product type that may include detached, zero-lot line or attached units on smaller lots and may include private alley access to garages located at the rear of the lots.

The applicant owns the only High Density Residential site within the Plan Area, which is located at the intersection of Watt Avenue and PFE Road. The Specific Plan envisions the 3.1-acre site to be developed as a multi-family project such as apartments or condominiums that could provide 60 or more residential units. The applicant has identified this 3.1-acre site as the location for the development of the affordable housing units that are required for the portion of the project proposed by PFE Investors, plus any additional affordable units that could be constructed on the site to accommodate the affordable housing obligations of other Specific Plan developers.

Proposed Circulation System

Arterial Roadways and Site Access

The project site will be served by three major, existing roadways: Watt Avenue to the west, PFE Road to the south and Walerga Road to the east. The proposed project accommodates the projected ultimate expansion of each of these major roadways. In addition, the applicant will be responsible for the construction frontage improvements as well as the widening of the major roadways and intersection improvements, as identified in the accompanying Development Agreement. As subsequent tentative subdivision maps are submitted to the County within the Riolo Vineyard Specific Plan, applicants will be responsible for any frontage improvements that are associated with that phase of development.

Watt Avenue is an existing arterial roadway that extends from Baseline Road to the north, continuing south into Sacramento County. The ultimate right-of-way for Watt Avenue is planned as a 130-foot-wide, six-lane facility. Right-of-way for Watt Avenue is planned to accommodate a 20-foot-wide landscape median, on-street bike lanes and a dedicated lane to accommodate bus rapid transit (BRT). A primary entry way to the project site is planned for Watt Avenue, immediately north of the Union Cemetery. A secondary access point is located further to the south to serve the high-density residential parcel.

PFE Road is currently a two-lane roadway that is proposed to be widened to a 64-foot-wide, four-lane facility with a six-foot-wide paved median strip and Class II bike lanes. This roadway will also serve as a primary access to the site. A major entryway is proposed just east of the Frisvold parcel, and a second entrance is planned across from the future site of the Rex Fortune Elementary School. Additional access points include a connection at the high-density residential parcel, one access to serve the Frisvold parcel and one access to serve the commercial site.

The ultimate roadway cross-section for Walerga Road provides for a 106-foot-wide, six-lane facility with a 20-foot-wide landscape median and Class II bike lanes. The primary entry way along Walerga Road is proposed north of the commercial site. The commercial site is served with another, secondary access that would permit only right-in and right-out movements.

Proposed Internal Roadways

Primary Residential Street - The internal Circulation Plan includes one primary residential street that will ultimately connect Watt Avenue to Walerga Road. The road is planned as a two-lane roadway with Class II bike lanes. The circulation plan proposes two roundabouts/circles along this roadway as well. One roundabout/circle is located just east of the project entryway from Watt Avenue, with a second roundabout/circle located just east of the easterly-most AG-10 lot, as shown on the submitted Small-Lot Vesting Tentative Subdivision Map (Attachment F). These features provide traffic calming, oak tree preservation and serve as a visual amenity. The submitted Small-Lot Vesting Tentative Subdivision Map would construct this primary roadway from Watt Avenue, east to the Southern Tributary of Dry Creek. Future subdivisions would be responsible for its extension to Walerga Road, including a tributary crossing.

The right-of-way for the primary residential roadway varies from 40 feet to 58 feet to accommodate varying parking requirements. Where this road traverses open space and/or agricultural uses, parking on the roadway will not be permitted (40-foot-wide right-of-way). Where this road fronts on open space and residential development, parking will be permitted only on the residential side of the road (45-foot-wide right-of-way). Areas where this roadway is adjacent to residential development on both sides, parking will be permitted on both sides of the street (52-foot-wide right-of-way). Where this roadway is adjacent to active parks and residential uses, a 58-foot-wide right-of-way is planned to allow for parking on both sides of the street and a six-foot-wide sidewalk within the right-of-way to serve the park.

Secondary Residential Streets - Other public roadways within the Plan Area are planned as secondary residential streets. Although some variation occurs throughout the site depending upon the adjacent land uses, these roadways are typically two-lane, 40-foot-wide roads with parking on both sides of the street.

Privately-Owned Alleys - Within the medium-density development (as proposed by the applicant on the Small-Lot Vesting Tentative Subdivision Map), private residential alleys are included. These privately-owned alleys, maintained by the Homeowners' Association, would have a 24-foot-wide right-of-way to provide access to residential garages at the rear of the lot. No parking would be permitted along these alleys.

Public Services

Parks / Open Space Network

The Riolo Vineyard Specific Plan proposes a large amount of open space, roughly coinciding with the 100-year floodplain of Dry Creek, exclusive of those areas within the private Agricultural-Residential parcels. A total of 123.9 acres of open space are included in the plan, representing 23.6 percent of the total project site. The open space will serve to protect the floodplain of Dry Creek, offer habitat for Swainson's hawk and other wildlife, provide for the preservation and re-creation of wetlands, and serve as a visual amenity to project residents and recreational users of the regional Dry Creek trail system.

The Specific Plan includes a system of trails that traverse the open space, extending the regional trail system within the Dry Creek riparian corridor and connecting to the proposed development. Four active park sites, totaling 10.7 acres, are also included in the land use plan to serve Plan Area residents with tot lots, ball fields, picnic areas and other recreational amenities. (Note that the park acreage does not include the additional acreage or monetary obligations that may be required of the non-participating property owners at the time development is proposed.) The Plan Area will also be served by the Dry Creek Regional Park that is planned for a site east of Walerga Road. Landscape corridors, to be located along all major roadways and primary residential streets, will contain pedestrian and/or bike lanes. These will enhance connectivity and recreational opportunities within the Plan Area. The corridors comprise 3.9 percent of the total project site and cover 20.3 acres.

Fire and Police Protection

Fire protection and rescue/emergency response would be provided by the Placer County Fire Department (PCFD). In addition, Cal Fire would provide personnel and administration for wildland fire protection, under contract with Placer County. The Placer County Sheriff's Department provides general law enforcement services to the Plan Area, while the California Highway Patrol provides traffic enforcement.

In recognition of the impact of the proposed urban level development represented by the Riolo Vineyard Specific Plan as well as other large specific plans, Placer County contracted for urban service studies to address the future need for services. As a result of that effort, applicants will be required to fund the additional personnel and equipment that will be required to serve their developments.

Library

It is anticipated that the future residents of the Plan Area will utilize the library facilities within the Placer Vineyards Specific Plan area which have been sized to accommodate the Riolo Vineyard Specific Plan population.

Schools

The Plan Area is located within the boundary of the Center Unified School District (CUSD). As stated by the CUSD, the Specific Plan is not required to provide school sites. A new middle school,

Wilson Riles Middle School, is located south of the site along PFE Road. Adequate capacity is available for the residents of the RVSP. A new elementary school, Rex Fortune Elementary School, is proposed to be constructed adjacent to the middle school by 2012. However, that facility will not be adequate to serve all the new elementary students generated from the build-out of the Plan Area plus other development in the vicinity. Center High School, located in Antelope, is currently impacted. The students generated by RVSP would exacerbate the existing over-crowding.

A representative of the CUSD has submitted a letter in response to the proposed RVSP (Exhibit 8). The District is concerned with the provision of infrastructure to the future Rex Fortune Elementary School. The District has also requested that a signal or pedestrian crossing be provided, connecting the Plan Area with the District's school sites that are located south of PFE Road. (Note that this signal is identified as a Mitigation Measure 9-20A in the Draft EIR.) The Specific Plan requires that a signal be installed prior to the issuance of the 450th residential building permit. The provision of a site for the SMUD substation was also an area of discussion. The Riolo Vineyard Specific Plan provides for a site within the Plan Area that would serve SMUD's needs.

As indicated in the Draft Environmental Impact Report for the project, mitigation is limited by State law to a statutory developer fee. However, other Specific Plans within Placer County have entered into agreements with the CUSD to assist in providing adequate school facilities for their developments. The CUSD has requested that the applicants enter into a similar agreement for this Specific Plan project. At this time, the applicants are meeting with CUSD representatives. An agreement is anticipated prior to any development within the applicant's initial Small-Lot Vesting Tentative Subdivision Map.

Public Utilities

Sanitary Sewer

The project proposes to convey wastewater to the Dry Creek Waste Water Treatment Plant (DCWWTP), which is the nearest existing treatment facility. The City of Roseville owns and operates the DCWWTP on behalf of the participants of the South Placer Wastewater Authority.

The RVSP proposes three alternatives for the conveyance of wastewater. The three alternatives have been proposed to accommodate various phasing plans (Initially, the project was proposed to be phased from east to west. Currently, the applicants propose phasing from west to east.) Alternative 1, the preferred alternative, would convey all wastewater from the Plan Area to a pump station and forcemain that would be located along Dry Creek, connecting to the existing facilities located east of Walerga Road. This alternative accommodates the currently proposed phasing plan. In the second alternative, a portion of the wastewater from the easternmost part of the Plan Area would be conveyed north and connect to an 8-inch sewer line within the future Dry Creek Regional Park. The third alternative would also convey the flows from the eastern portion of the site to the north along Walerga Road, but would connect to the proposed forcemain where it crosses Walerga Road rather than to the line in the Dry Creek Park. The latter two alternatives would accommodate a phasing plan that develops from east to west. At this time, the applicant prefers, and staff concurs with, a phasing plan that develops from west to east with the accompanying "Alternative 1" sewer alternative.

Water Supply and Distribution System

The Riolo Vineyard Specific Plan area (Plan Area) must be annexed into the service area of the Placer County Water Agency (PCWA) Zone 1. PCWA will provide wholesale water supplies and California-American Water Company (Cal-Am) will retail water to the site. The initial source of

water will be conveyed through PCWA's Foothill Water Treatment Plant. Delivery of water supplies would be through Roseville's distribution system. A cooperative agreement between Roseville and PCWA permits PCWA to wheel up to 10 million gallons daily (mgd) to serve the Plan Area and other projects.

The Plan Area has two points of connection for the water distribution system. A 16-inch water main is located within Walerga Road and currently terminates at PFE Road. A second point of connection is a proposed 24-inch water main that would be extended along PFE Road, terminating at Walerga Road. The latter is intended to be the primary source of water, once construction is complete. Until that time, the 16-inch water main will be the source for water. Ultimately, the 16-inch water main will only serve as a secondary, emergency connection.

Recycled Water

Recycled water supply improvements are currently proposed for the Riolo Vineyard Specific Plan. As is the case for the other Specific Plans within unincorporated Placer County, the City of Roseville will be the wholesaler of recycled water from the Dry Creek Waste Water Treatment Plant (DCWWTP) to the Plan Area. It is the City of Roseville's stated policy to provide new developments with recycled water in amounts equal to the wastewater flows received. As recognized by the Recycled Water Master Plan for both this project and for the Placer Vineyards Specific Plan, recycled water allocation from the DCWWTP would not be adequate to serve the projected demand of the Placer Vineyard Specific Plan, even under a scenario where recycled water allocated to the Riolo Vineyard Specific Plan were to be transferred to Placer Vineyards.

The project proponents, however, have proposed an alternative plan to distributing recycled water to the public uses within the Riolo Vineyard Specific Plan area. Given the high costs of providing infrastructure for a recycled water system and the limited use for the supply within a largely residential project, the applicants have proposed to forego construction of a recycled water system. Domestic water would be used in the place of recycled water. If this option is implemented, the County may opt to negotiate with the City of Roseville to transfer the Riolo Vineyard Specific Plan recycled water capacity for use within the adjacent Placer Vineyards Specific Plan area. The County has no preference between the two alternatives. In either case, wastewater generated within County developments would be returned for use as recycled water within this or other County developments.

Drainage and Flood Control

The Plan Area is wholly contained within the Dry Creek watershed. The drainage plan would provide for the collection of runoff for discharge into the existing channels that drain into Dry Creek. Overland ditches are planned to convey stormwater from storm drain pipes across the Dry Creek overbank floodplain to the creek. These ditches would be designed as low-velocity, grass-lined channels.

The applicants also propose to excavate within the 100-year floodplain to provide volumetric compensation for impacts (fill) elsewhere in the floodplain. Maintenance of this storage area has been a topic of discussion between the County and the applicant. The current proposal, as agreed upon by the applicant and staff, would identify the ownership and maintenance of the volumetric compensation areas as a responsibility of a future homeowner's association, rather than the County.

Solid Waste Disposal

Solid waste collection and disposal in the Plan Area would be by Placer County's franchise waste collector, Auburn Placer Disposal Service. After collection, solid waste would be transported to the

Western Placer Waste Management Authority's Materials Recovery Facility located at the intersection of Athens Road and Fiddymment Road.

Electrical Service

The Sacramento Municipal Utility District (SMUD) will provide electric service to the Plan Area. An electric substation to serve the Plan Area and the surrounding area is planned to be located just north of the commercial parcel located at the intersection of Walerga Road and PFE Road.

Natural Gas Service

PG&E would provide natural gas upon request and in accordance with the rules and tariffs of the California Public Utilities Commission. Gas service to the Plan Area would be obtained by constructing off-site transmission facilities necessary to serve the Plan Area.

Telephone and Communications Service

Surewest (or a competitive provider) will provide telephone services to the Plan Area.

REQUESTED ENTITLEMENTS

The Riolo Vineyard Specific Plan requires a series of sequential actions by the Board of Supervisors in conjunction with the consideration of the proposed project. The necessary entitlements are discussed below:

Amendments to the Placer County General Plan

The applicant is proposing amendments to the Placer County General Plan. The requested amendments (additions in underlined type, deletions in strike-through) are listed in Table 2, below.

**Table 2
Proposed General Plan Amendments**

General Plan Policy Number	Proposed Amendment
Agricultural Land Use	
1.H.6.	The County shall require new non-agricultural development immediately adjacent to agricultural lands to be designed to provide a buffer in the form of a setback of sufficient distance to avoid land use conflicts between the agricultural uses and the non-agricultural uses <u>except as it may be determined to be unnecessary or inappropriate within a Specific Plan as part of the Specific Plan approval</u> . Such setback or buffer areas shall be established by recorded easement or other instrument, subject to the approval of County Counsel. A method and mechanism (e.g., a homeowners association or easement dedication to a non-profit organization or public entity) for guaranteeing the maintenance of this land in a safe and orderly manner shall be also established at the time of development approval.
Development Form and Design	

1.O.1.	Except as otherwise provided in the Design Guidelines of an approved Specific Plan, the County shall require all new development to be designed in compliance with applicable provisions of the Placer County Design Guidelines Manual.
Streets and Highways	
3.A.7.	<p>The County shall develop and manage its roadway system to maintain the following minimum levels of service (LOS), or as otherwise specified in a Community or Specific Plan.</p> <ul style="list-style-type: none"> • LOS "C" on rural roadways, except within one-half mile of state highways where the standard shall be LOS "D." • LOS "C" on urban/suburban roadways except within one-half mile of state highways where the standard shall be LOS "D." • <u>An LOS no worse than specified in the Placer County Congestion Management Program (CMP) for the state highway system.</u> <p>The County may allow exceptions to these levels of service standards where it finds that the improvements or other measures required to achieve the LOS standards are unacceptable based on established criteria. In allowing any exception to the standards, the County shall consider the following factors:</p>
	<ul style="list-style-type: none"> • The number of hours per day that the intersection of roadway segment would operate at conditions worse than the standard. • The ability of the required improvement to significantly reduce peak hour delay and improve traffic operations. • The right-of-way needs and the physical impacts on surrounding properties. • The visual aesthetics of the required improvement and its impact on community identity and character. • Environmental impacts including air quality and noise impacts. • Construction and right-of-way acquisition costs. • The impacts on general safety. • The impacts of the required construction phasing and traffic maintenance. • The impacts on quality of life as perceived by residents. • Consideration of other environmental, social, or economic factors on which the County may base finding to allow an exceedance of the standards. <p>Exceptions to the standards will only be allowed after all feasible measures and options are explored, including alternative forms of transportation.</p>
3.A.8.	<p>A General Plan amendment is proposed to delete Policy 3.A.8 since the policy is proposed to be included in Policy 3.A.7, as described above.</p> <p>Proposed General Plan Amendment: The County's level of service standards for the State highway system shall be no worse than those adopted in the Placer County Congestion Management Program (CMP).</p>
3.A.12.	<p>The County shall require an analysis of the effects of traffic from all land development projects. Each such project shall construct or fund improvements necessary to mitigate the effects of traffic from the project consistent with Policy 3.A.7. Such improvements may include a fair share of improvements that provide benefits to others.</p>
Land Use Conflicts	
7.B.1.	<p>The County shall identify and maintain clear boundaries between urban/suburban and agricultural areas and require land use buffers between such uses where feasible, <u>except as may be determined to be unnecessary or inappropriate within a Specific Plan as part of the Specific Plan approval</u></p> <p>These buffers shall occur on the parcel for which the development permit is sought and shall favor protection of the maximum amount of farmland.</p>

General Plan Consistency

The Placer County General Plan designates the Riolo Vineyard Specific Plan area as a part of the Dry Creek/West Placer Community Plan. No change to the General Plan land use designations are proposed for the project site.

The project does, however, include a request for a number of General Plan amendments as identified in Table 2, above. Most of these policy amendments also have been proposed and approved by the Board of Supervisors for the Placer Vineyards Specific Plan and/or Regional University Specific Plan projects and address modifications to General Plan policy language that are necessary to allow the County to process and approve a Specific Plan. The amendments address a number of issues, including land use buffers between urban land uses and existing agricultural lands, Level of Service (LOS) standards for specific plans, and references to project-specific design guidelines. With the approval of the requested policy amendments to the Placer County General Plan (as have already been approved for the Placer Vineyards and Regional University Specific Plans), the proposed Riolo Vineyard Specific Plan will be consistent with the General Plan.

Amendments to the Dry Creek/West Placer Community Plan

The applicant is proposing amendments to the Dry Creek/West Placer Community Plan. The requested amendments (additions in underlined type, deletions in strike-through) are listed in Table 3, below.

**Table 3
Proposed Community Plan Amendments**

Policy Number	Proposed Amendment
II. Community Development: Land Use	
2	The County shall require new non-agricultural development immediately adjacent to agricultural lands to be designed to provide a buffer in the form of a setback of sufficient distance to avoid land use conflicts between the agricultural uses and the non-agricultural uses <u>except as it may be determined to be unnecessary or inappropriate within a Specific Plan as part of the Specific Plan approval.</u> Such setback or buffer areas shall be established by recorded easement or other instrument, subject to the approval of County Counsel. A method and mechanism (e.g., a homeowners association or easement dedication to a non-profit organization or public entity) for guaranteeing the maintenance of this land in a safe and orderly manner shall be also established at the time of development approval.
25	Continue to implement zoning policies which minimize potential loss of property and threat to human life caused by flooding and prohibit the creation of new building sites within the floodplain. <u>Through the adoption of a Specific Plan, the County may approve alteration of the existing 100-year floodplain, based upon a demonstration that such alteration will not result in an significant increase in flood risk under post-development conditions.</u>
Description of Low Density Residential (LDR) Land Use District, Item (c), page 39	The LDR district allows for the greatest number of new dwelling units in the Plan area and, consequently, the greatest change to the existing rural environment. Approximately 1,128 acres or 12% of the Plan area is encompassed by this land use district. It allows for a range of densities from 1-2 dwelling units per acre or approximately 1/2-1 acre lot sizes and can accommodate in excess of 2,000 homes. It is less than 10% built-out at present. The LDR district is found in two separate areas. Much of the land south of Dry Creek and north of the Sacramento County line is included in this district as is an area between Roseville City limits and East Drive in the north-eastern portion of the Plan area. In the area adjoining Roseville, this district will provide a lower density transition area between the higher densities in Roseville, lower densities to the west, and commercial uses along Baseline Road. To the south of Dry Creek and west of Walerga Road a large area (330± acres) included in the LDR district also has a "Development Reserve" (DR) designation attached to it. For several reasons it is believed that this "DR" area should be planned as a distinct unit and therefore subject to approval by the County of a "Specific Plan" which would address a wide range of issues relative to development. Much of the property in this DR area is encumbered with California Land Conservation Act (Williamson Act) contracts which guarantee that the land will stay in agricultural use for a period of years. The landowners have filed "notices of non-renewal" meaning that the property will not be so encumbered after 1998. (In some cases land in this area will be out of the Williamson Act as early as 1992.) Also, the floodplain of Dry Creek in this area is exceptionally broad thus rendering a significant amount of land unsuitable for homes but, possibly useful for parks, golf courses, open space, or other recreational uses. The only cemetery in the Plan area also lies within this "DR" area. A need exists to expand this use and such an expansion should be included in any design for the

Policy Number	Proposed Amendment
	<p>area. As a tool to ensure the preservation of the floodplain and associated, woodlands, density can be permitted to be transferred off of the floodplain and used on adjoining lands. In this area the result could be a significant increase in density on the lands which are found to be suitable for development. And finally, the land remains in relatively large parcels thus increasing the opportunity for cooperative planning for the ultimate and most appropriate use of the land. The Specific Plan process can address the issues of timing of development, provision of infrastructure, preservation and appropriate use of the floodplains, and placement of permitted density within the area. With a specific plan, this area should be considered as a whole and permit the relocation of commercial uses to the best possible location and still be considered compatible with the Community Plan. Also, minimum lot sizes in PUDs within the LDR district should not be less than 12-15,000 sq. ft. A small percentage of lots, up to a maximum of 20%, in any PUD in this district may be as small as 10,000 sq. ft. <u>Smaller lot sizes may be permitted within an adopted Specific Plan.</u></p>
<p>II. Community Development: Public Services</p>	
4	<p>Maintain natural conditions within the 100-year floodplain of all streams except where work is required to maintain the stream's drainage characteristics and where such work is done in accordance with the Placer County Flood Damage Prevention Ordinance, Department of Fish and Game regulations and Clean Water Act provisions administered by the U.S. Army Corps of Engineers, or when facilities for the treatment of urban run-off can be located in the floodplain providing that there is no destruction of riparian vegetation. <u>Through the adoption of a Specific Plan, the County may approve alteration of the existing 100-year floodplain, based upon a demonstration that such alteration will not result in a significant increase in flood risk under post-development conditions.</u></p>
5	<p>Designate the 100-year floodplain of Dry Creek, including the major tributaries as open space, and provide for some compatible use of these areas in order to encourage their preservation. <u>Through the adoption of a Specific Plan, the County may approve alteration of the existing 100-year floodplain, based upon a demonstration that such alteration will not result in a significant increase in flood risk under post-development conditions.</u></p>
<p>III. Environmental Resources Management: Natural Resources</p>	
14	<p>No construction activities shall occur within the Dry Creek floodplain and only limited alteration of its tributaries shall be permitted except as part of the development of the floodplain as a recreational area, or for stream enhancement, or where work is done in accordance with the Placer County Flood Damage Prevention Ordinance, Department of Fish and Game Regulations, and Clean Water Act Provisions administered by the U.S. Army Corps of Engineers. <u>Through the adoption of a Specific Plan, the County may approve alteration of the existing 100-year floodplain, based upon a demonstration that such alteration will not result in a significant increase in flood risk under post-development conditions.</u></p>
<p>IV. Transportation / Circulation: Circulation</p>	
6	<p>The rights-of-way for roads shall be wide enough to accommodate roadways, trails, bikeways, drainage, public utilities, landscaping/vegetation, and suitable separation between facilities. Minimum right-of-way width for Waterga Road shall be 144 feet. Minimum right-of-way width shall be 120 feet for PFE Road, Baseline Road, Cook-Riolo Road, Don Julio Blvd., and Watt Avenue. Other roads shall have a 60-foot minimum right-of-way width. <u>Through the adoption of a Specific Plan, the County may modify these right-of-way standards, and may elect to exclude landscaped areas, sidewalks and utilities from the defined public right-of-way.</u></p>
9	<p>The level of service (LOS) on roadways and intersections identified in the Capital Improvement Program (CIP) shall be a Level C or better. The first priority for available funding shall be the correction of potential hazards</p> <p>Land development projects shall be approved only if LOS C can be sustained on the CIP roads and intersection after:</p> <p>a. Traffic from approved projects has been added to the system.</p> <p>b. Improvements funded by this program have been constructed.</p> <p><u>The County may allow exceptions to this level of service (LOS) standard where it finds that the improvements or other measures required to achieve the LOS standard are unacceptable based on established criteria. In allowing any exception to the standard, the County shall consider the following factors:</u></p> <ul style="list-style-type: none"> • <u>The number of hours per day that the intersection or roadway segment would operate at conditions worse than the standard.</u> • <u>The ability of the required improvement to significantly reduce peak hour delay and improve traffic operations.</u> • <u>The right-of-way needs and the physical impacts on surrounding properties.</u> • <u>The visual aesthetics of the required improvement and its impact on community identity and</u>

Policy Number	Proposed Amendment
	<p>character.</p> <ul style="list-style-type: none"> • <u>Environmental impacts including air quality and noise impacts</u> • <u>Construction and right-of-way acquisition costs.</u> • <u>The impacts on general safety.</u> • <u>The impacts of the required construction phasing and traffic maintenance.</u> • <u>The impacts on quality of life as perceived by residents.</u> • <u>Consideration of other environmental, social, or economic factors on which the County may base findings to allow an exceedance of the standards.</u> <p><u>Exceptions to the standard will only be allowed after all feasible measures and options are explored, including alternative forms of transportation.</u></p>

Dry Creek/West Placer Community Plan

The Dry/Creek West Placer Community Plan (Community Plan) is part of the Placer County General Plan. The Riolo Vineyard Specific Plan project must also demonstrate consistency with the Community Plan for the project to be approved by the County.

The proposed project would change the Community Plan land use designation for the Plan Area to "Riolo Vineyard Specific Plan." The more detailed land use designations and descriptions would then be defined by the Specific Plan documents.

In addition, the proposed amendments to the Community Plan include policy amendments that allow for the approval of a Specific Plan, similar to the General Plan amendments. These include the need for agricultural land use buffers and Level of Service standards for roadways. The County has previously approved these amendments in conjunction with the Placer Vineyards and/or Regional University Specific Plans.

This Specific Plan project, however, includes requests for a number of Community Plan amendments that are unique to the Riolo Vineyard Specific Plan (RVSP). The project specific amendments include one amendment relating to the right-of-way for PFE Road and one addressing the minimum lot sizes permitted, and four amendments pertaining to development in the floodplain. An explanation of each is discussed below.

PFE Road Right-of-Way: Community Plan Policy 6 requires a minimum right-of-way for PFE Road of 120 feet. The applicant has requested an amendment to that policy to permit a Specific Plan project to develop alternative standards. In this case, the proposed amendment reflects two changes to the road cross-section that require the amendment. First, the Community Plan envisioned that PFE Road would include a 20-foot-wide landscaped median. The RVSP proposes a six-foot paved median as an alternative. Placer Vineyard Specific Plan, located adjacent to the Riolo Vineyard Specific Plan project site, maintains the 20-foot-wide landscaped medians as set forth in the Community Plan. While staff has some concern that permitting an alternate approach for PFE Road is inconsistent with the community vision and eliminates an amenity associated with the Dry Creek West Placer Community, the requested amendment would serve to address two issues. First, the applicant's proposal does not compromise the physical condition of the roadway. The reduction in the total width, in part, recognizes that landscape corridors are no longer included in the right-of-way, but they are identified as a separate parcel, thus reducing the total right-of-way width. Secondly, the reduction in width recognizes the increasing narrow parcels (proceeding east-to-west) located on the south side of PFE Road along the Sacramento County line. The additional road right-of-way could adversely impact the ability to develop these irregularly-shaped properties which have limited lot depth. The

Planning Commission concluded that, based upon the above, there was merit to the proposed amendment.

Reduction in Minimum Lot Size: The amendment to the Community Plan to address the reduced lot sizes (the RVSP provides for lots as small as 2,000 square feet) is not an amendment to a policy, but rather an amendment to a discussion about this specific project site within the Community Plan. The Community Plan requires a minimum lot size of 12,000 to 15,000 square feet. A minimum lot size of 10,000 square feet is permitted for up to 20 percent of the lots within a PUD. Also, in recognition of the expansive Dry Creek floodplain, the Community Plan permits a transfer of density from the undevelopable floodplain to areas of higher elevation. This transfer of density acknowledges that smaller lot sizes will result.

While the West Placer MAC opposed this amendment to the Community Plan, the Planning Commission has concluded that the applicant's proposal is more efficient in terms of per-unit infrastructure costs and may offer a more affordable home to buyers and could reduce development pressure on agricultural-designated areas within the County. Also, the Riolo Vineyard Specific Plan largely internalizes the smaller lots. The smaller lots within the areas set aside for medium-density and high-density residential land uses are bordered by the larger-lot, low-density residential development or by public uses, limiting the potential for land use conflicts. The Planning Commission recommended approval of this amendment.

Floodplain Development: As indicated above, four Community Plan amendments relate to the County's policy on development in the floodplain. Two other Community Plan policies, while not proposed to be changed, are relevant to the discussion concerning the applicant's proposal to alter the 100-year floodplain. These policies include:

Community Development: Land Use Policy 25 - "Continue to implement policies which minimize potential loss of property and threat to human life caused by flooding and prohibit the creation of new building sites within the floodplain."

Community Development: Public Services Policy, Flood Control 41 - "The approximate 100-year floodplain designation for Dry Creek and its tributaries shall be revised and modified as additional information becomes available, or as changes occur in the Dry Creek watershed which should cause changes in the flow characteristics. The modifications shall also lead to changes in zoning so that the 100-year floodplain continues to lie within the Open Space/Greenbelt land use designation."

Community Development: Public Services, Flood Control Policy 4 - "Maintain natural conditions within the 100-year floodplain of all streams except where work is required to maintain the stream's drainage characteristics and where such work is done in accordance with the Placer County Flood Damage Prevention Ordinance, Department of Fish and Game regulations and Clean Water Act provisions administered by the U.S. Army Corps of Engineers, or when facilities for the treatment of urban run-off can be located in the floodplain providing that there is no destruction of riparian vegetation."

Community Development: Public Services Policy 5 - "Designate the 100-year floodplain of Dry Creek, including the major tributaries as open space, and provide for some compatible use of these areas in order to encourage their preservation."

Environmental Resources Management: Natural Resources Policy 2 - "Preserve in their natural condition all stream environment zones, including floodplains and riparian vegetation areas."

Environmental Resources Management: Natural Resources Policy 14 - "No construction activities shall occur within the Dry Creek floodplain and only limited alteration of its tributaries shall be permitted except as part of the development of the floodplain as a recreational area, or for stream enhancement, or where work is done in accordance with the Placer County Flood Damage Prevention Ordinance, Department of Fish and Game Regulations, and Clean Water Act Provisions administered by the U.S. Army Corps of Engineers."

As proposed by the applicant, each policy amendment would add language to allow for an exception to the policy for an adopted Specific Plan, provided that the alteration to the floodplain did not result in a significant increase in flood risk.

Implementation of the Riolo Vineyard Specific Plan, as proposed, would result in development and fill within the existing 100-year floodplain of Dry Creek and its tributary flowing from the south through the project site. The proposed fill would be used to:

- Elevate the proposed 1-acre building pads to be located within each of the AG-10 lots;
- Fill portions of Lots 5 through 17, as shown on the Small-Lot Vesting Tentative Subdivision Map, and an unknown number of similar residential lots in the future phase of the project on the north side of the drainage, immediately north of PFE Road;
- Construct the roadway crossing of the tributary as an extension of Street "A" as shown on the Small-Lot Vesting Tentative Subdivision Map.

For the initial development, fill would also be used for minor encroachments to permit the construction of other roadways and infrastructure. Under existing conditions, approximately 267 acres of the 526-acre Plan Area are within the existing 100-year floodplain elevation. Under post-project conditions, approximately 16 acres would be elevated and filled along the fringe of the floodplain. Approximately 251 acres of the Plan Area would remain as floodplain.

The applicant's proposal would further alter the pre-development 100-year floodplain by excavating areas within the proposed open-space lots and within the future AG-10 lots (outside of the building pad). The excavated material would be used to elevate areas of the site above the 100-year floodplain to allow for the creation of new building sites as well as roadway alignments and public uses, as indicated above. The applicant has demonstrated that the amount of fill required for the proposed development would be compensated by the material excavated. Engineering studies submitted as part of the environmental review process have shown that the result would be no-net-increase in flood elevation under post-development conditions. The proposed Conditions of Approval for the Small-Lot Vesting Tentative Subdivision Map will require the applicants to obtain a Letter of Map Revision (LOMR) prior to acceptance of project improvements as complete.

Floodplain development proposals along Dry Creek in Placer County have a long history. Beginning in the early 1990's, various projects were proposed in the area that eventually was developed as Doyle Ranch, Morgan Creek and Riolo Greens, commonly called "CFD" projects. Early proposals to

channelize Dry Creek and otherwise modify the floodplain were rejected by the Board of Supervisors or never came to fruition.

In the early 1990's, developers in the vicinity of Dry Creek proposed a "regional" solution to the flooding problems along the 100-year floodplain of Dry Creek. A system to control flooding was devised that would use the Southern Tributary (within the Plan Area) as a major conveyance area for flood waters, leaving other properties that would be outside of the 100-year floodplain because of the new flood control facility, to be developed. The Board of Supervisors rejected the proposal, citing the inability to accurately predict flood events along Dry Creek and the resulting unacceptable risk to life and property that it represented.

Since then, the Board of Supervisors has taken action on a number of individual development projects located along Dry Creek and in the vicinity of the Riolo Vineyard Specific Plan. In all cases, the Board of Supervisors directed the applicants to redesign their projects to remove lots from the 100-year floodplain of Dry Creek, resulting in a substantial reduction in the total number of lots approved for each development.

In early 1995, the Board of Supervisors dealt with floodplain development issues for three major subdivisions noted above - Doyle Ranch, Morgan Creek Golf and County Club and Riolo Greens - within the Dry Creek corridor. Early in 1995, severe winter storms resulted in the redefinition of the 100-year floodplain. The floodplain was determined to be more extensive than previously thought. In the case of each of the three projects, the conditions of approval required the applicants to submit a revised tentative map that would be consistent with the most recent delineation of the future, unmitigated 100-year floodplain (i.e. natural floodplain at build-out) and remove all residential lots and subdivision improvements from the 100-year floodplain. This redesign resulted in the loss of approximately 90 lots in total for all three projects.

While direction from the Board of Supervisors has been clear on development within the primary floodplain, there is less clarity when dealing with minor tributaries. On August 14, 1995, the Board of Directors of the Placer County Flood Control and Water Conservation District approved Resolution 95-3 (Exhibit 9), stating:

"It is hereby recommended that in general no new land development entitlements be allowed to build or fill within the future, unmitigated 100-year floodplain of *major* streams in Placer County (emphasis added.)

Exceptions to the policy would be permitted under reasonable circumstances such as:

- Greater public benefits are obtained. (An example of this would be development of a park area or public road. Development of the floodplain for typical residential/commercial/industrial purposes would not be considered appropriate.)
- The risk associated with a minor change can be mitigated acceptably.
- The risk associated with a minor change is virtually undetectable, even on a cumulative basis."

The Resolution further recognized that "our ability to accurately predict 100-year flows is very tenuous given our limited base of historical information for precipitation and stream flow for our major streams." (Note that the historical record of precipitation and stream flow in the Dry Creek watershed is less than 50 years.) Dry Creek and the Southern Tributary clearly demonstrate the

characteristics of the major stream or tributary, exhibiting extensive floodplains and having a long history of periodic, and at times, catastrophic flooding, to which the above resolution applies. The West Placer MAC has recommended against the proposed amendments to policies contained within the Dry Creek/West Placer Community Plan concerning development in the 100-year floodplain and recommended denial of the project. The West Placer MAC's concerns are described in more detail in a later section of this report.

The Planning Commission recommended approval of the four policy amendments, subject to the elimination of the term "significant" that is contained within each of these policies. The Commission further concurred with staff's recommendations listed above, allowing fill for the AG-10 building pads and infrastructure improvements. However, the Commission voted 4 - 2 (Commissioners Crabb and Johnson voting no; Commissioner Denio absent) to permit fill to create the small residential lots on either side of the South Tributary. The Commissioners recommending the additional fill cited the project proponents' engineering studies demonstrating no impact to flood elevations as adequate mitigation for alteration of the 100-year floodplain. The Commissioners voting "no" expressed concern for potential risks to life and property. (Additional discussion of the Planning Commission Hearing is provided in a later section of this report.) The Board of Supervisors should provide revised policy direction for development within the 100-year floodplain to staff for this and future development projects, since the Planning Commission's recommendation suggested amending staff's current understanding of the Board's policy direction.

Riolo Vineyard Specific Plan

As part of the requested actions, the approval of the Riolo Vineyard Specific Plan will be considered. The Specific Plan establishes a development framework for the area and addresses land use, housing, circulation, resource management, public utilities, public services, and implementation.

Riolo Vineyard Specific Plan Development Standards and Design Guidelines

The approval of the Riolo Vineyard Specific Plan Development Standards and Design Guidelines are included in the project's list of entitlements. The Development Standards and Design Guidelines are provided as separate documents accompanying the Specific Plan to address the uses and standards within the Riolo Vineyard Specific Plan area, and will be adopted by separate actions.

Rezoning

The Riolo Vineyard Specific Plan area is currently zoned OPD=2, RS-A-B-20-DR-PD=2, C1-UP-Dc, and CPD-Dc. The proposed project would rezone all participating properties within the Specific Plan area to the "Specific Plan" (SPL-RVSP) zoning district (Article 17.51 of the Zoning Ordinance). Exhibit 10 depicts the proposed zoning for the site.

Large-Lot Vesting Tentative Subdivision Map

The proposed project includes a Large-lot Vesting Tentative Subdivision Map to subdivide the property into 20 lots that cover 292.2 acres.

Small-Lot Vesting Tentative Subdivision Map

The applicant has submitted a Small-Lot Vesting Tentative Subdivision Map to divide an 86.5-acre site into 157 medium-density residential lots (5 to 10 dwelling units per acre), 28 low-density residential lots (1 to 5 dwelling units per acre), two AG-10 lots, two park-site lots, ten landscape-corridor lots and one public/quasi-public lot.

Development Agreement

As part of the requested actions, the Board will consider the approval of a Development Agreement between the County and the property owner, Brytc Gardens Associates, Ltd.. (PFE Investors, LLC has been acting as the applicant with the authority of the owner.) Development Agreements are authorized by California Government Code Section 65864 et seq. and Section 17.58.210 of the Placer County Zoning Ordinance. A Development Agreement sets forth the property owner's specific obligations relating to: infrastructure construction, financing, and timing; financial contributions for infrastructure maintenance and public services; and other obligations that may be imposed by the County as conditions of approval. A Development Agreement also provides the property owner with certain vested development rights. Development Agreements are recorded documents that obligate future property owners to the terms of the agreement. The other property owners within the Specific Plan area who are not a part of this entitlement application will be required to enter into separate Development Agreements with the County in the future, at the time as they apply for rezoning and submit a development proposal.

The Development Agreement enforces the obligations of the developer as it develops that portion of the Specific Plan area under its control. The Development Agreement is a binding contract with a 20-year period that set the terms, rules, conditions, regulations, entitlements, responsibilities, and other provisions relating to site development. The Development Agreement address issues relating to the development of the project area (i.e., permitted uses, affordable housing requirements), the obligations of the applicant and the County (i.e., dedications, improvements, financing), as well as the general provisions of the Agreements (i.e., term, annual review, default).

The Applicant's obligation to provide affordable housing, consistent with the requirement outlined in the text of the Specific Plan, is described in the Development Agreement. The goal of the provision is to provide 10% of the total units affordable to very-low (4%), low (4%) and moderate income (2%) households. The Development Agreement provides for the dedication of the high-density residential parcel (APN 023-200-056) for affordable housing through a deed restriction. An Irrevocable Offer of Dedication to the County is also to be executed and recorded. Furthermore, the Applicant is required to install infrastructure and roadway improvements at the site prior to the issuance of the 75th building permit. The Development Agreement also provides for a per-unit building permit fee of \$1800 per residential unit as an "Affordable Housing Building Fee." While the Applicant will use its best efforts to construct or cause to be constructed a minimum of 54 affordable units prior to the issuance of the 400th building permit, there is no requirement to do so. If the units are constructed, however, all "Affordable Housing Building Fees" collected will be returned to the Applicant and no additional fees will be assessed.

A copy of the proposed Development Agreement is attached to the Ordinance Adopting a Development Agreement, which is Attachment H to the Memorandum of County Counsel accompanying this staff report. Similar to the practice for other Specific Plan reviews, an overview of its material terms will be provided to the Board at the public hearing. The applicant is in agreement with all of the terms except Sections 2.5.5.1 (Riolo Vineyard Specific Plan Fee) and Section 2.5.5.5 (Services Shortfall Fee). Both of these provisions pertain to fiscal issues. The applicant has acknowledged that the ultimate determination as to whether these provisions will remain included within the Development Agreement will be addressed by the Board of Supervisors as part of the approval process. Staff believes it is important to retain these provisions and is prepared to provide the Board with an overview to assist it in making their determinations.

OTHER SUPPORTING DOCUMENTS

To aid in the understanding of the details relating to the public facilities financing and the types/costs of urban level of services associated with the RVSP project, the Planning Commission and the Board of Supervisors have been provided a Public Facilities Financing Plan and Urban Services Plan for review and consideration.

Public Facilities Financing Plan

The Riolo Vineyard Public Facilities Financing Plan defines the specific mechanisms that will be required to fund the capital costs of all infrastructure necessary to implement the Specific Plan. The Financing Plan also describes the mechanism for reimbursement to the Applicant for the costs of the Specific Plan approval process and to any developer for costs incurred by that developer if it constructs infrastructure that benefits other property owners both within and outside the Specific Plan area. Subsequent to the hearing on February 10, 2009, and in response to concerns from some property owners, Section IV of the Financing Plan was revised to clarify the process whereby these types of costs will be determined and then allocated to the various property owners. A revised Financing Plan containing the changes has been provided to the Board with the staff report.

Urban Services Plan

The Riolo Vineyard Specific Plan Urban Services Plan (Services Plan) describes the standards, delivery, costs, and funding mechanisms for the following types of public services in the Plan area: County-wide services (e.g., probation, health services); fire protection; Sheriff protection; library services; transit services; local parks operations and maintenance; regional park facilities operations and maintenance; recreation services; open space maintenance; landscape corridors maintenance; and local roads maintenance.

The Urban Services Plan describes a financing strategy to fund an urban level of public services that will be provided to Riolo Vineyard's future residents commensurate with surrounding jurisdictions. These sources include existing revenues as well as newly created funding sources paid by future development in Riolo Vineyard. This document, like the Public Facilities Plan, is not among those documents that require action by the Planning Commission. However, a copy was provided on 02-10-09 for consideration and comment today.

OTHER PROJECT-RELATED PLANS

In addition to the Specific Plan and Development Standards and Design Guidelines, master plan documents have been prepared for the project. These plans include a Sewer Master Study, a Drainage Master Plan, a Water Master Plan, and a Recycled Water Master Plan. The master plan documents provide comprehensive infrastructure planning for the Plan Area. Subsequent projects proposed within the Plan Area will be required to be consistent with the master plans. However, site-specific infrastructure planning may be required on a case-by-case basis.

CEQA COMPLIANCE

The Riolo Vineyard Specific Plan EIR was prepared pursuant to CEQA and the County's Environmental Review Ordinance. A Notice of Preparation (SCH No. 2005092041) for the EIR was

distributed on September 2, 2005. A copy of the Notice of Preparation is provided in Appendix B1 of the Draft EIR. In January 2008, the County released the Draft EIR for the Riolo Vineyard Specific Plan and circulated the document for a 45-day public review period. The Draft EIR evaluated the existing environmental resources in the vicinity of the Specific Plan area and off-site infrastructure, analyzed potential impacts on those resources resulting from the proposed project, and identified mitigation measures that could avoid or reduce the magnitude of those significant impacts. The Planning Commission held a public hearing on February 28, 2008 to provide an opportunity for the public to comment on the Draft EIR.

In October 2008, the County released the Final EIR, which includes responses to comments received on the Draft EIR. One comment letter was received by the County on the Final EIR from the City of Roseville (Attachment 11). The Mitigation Measure 14-1b will be changed to reflect the additional language added by the City of Roseville. This is also addressed in the Development Agreement. Chapter 14 Mitigation Measures are included in the Mitigation Monitoring and Reporting Program. At Roseville's request, the Placer County Fire Department is attending meetings with Roseville's fire district to discuss mutual aid.

The Draft EIR and the Final EIR together constitute the Final EIR for the project. The Board of Supervisors is responsible for certifying the Riolo Vineyard Specific Plan Final EIR and ultimately acting on the proposed project, based on the Planning Commission's recommendation. As such, written findings will be prepared pursuant to state and local requirements for certifying the Final EIR. If the proposed project is approved, a Statement of Overriding Considerations must be adopted to explain how the project's benefits outweigh the unavoidable adverse environmental impacts of the proposed project. The Planning Commission is not being requested to make any recommendation regarding the adequacy of the Final EIR. However, any comments the Commission may have regarding this document will be forwarded to the Board of Supervisors with the Commission's recommendations.

ENVIRONMENTAL IMPACT ANALYSIS

Provided below is a summary analysis of pertinent environmental topics addressed in the Draft Environmental Impact Report.

Land Use

The Land Use chapter of the Draft EIR describes the existing and proposed land uses, agricultural resources, and relevant land use policies for the RVSP. This chapter discusses changes in land use, land use compatibility, and General Plan and Community Plan consistency.

The site currently consists of low-density rural residences, a riparian corridor immediately south of Dry Creek, a public cemetery, wetlands, agricultural parcels, trees, and grasslands. The elevation ranges from 80 to 120 feet above mean sea level. The topography includes uplands in the southern part of the site and a floodplain in the northern section. A distinct border with a 10 to 20 percent slope splits these two areas. Current land uses in the Plan Area include rural residences, agriculture, and open space.

The Draft EIR includes mitigation requiring buffers from adjacent agricultural uses and notification of residential property owners of County's Right-to-Farm Ordinance. Impacts that would remain significant after mitigation include the loss of farmland and the cancellation of a Williamson Act contract.

Population, Employment and Housing

The Draft EIR evaluates the proposed project's potential impacts on population, employment, and housing, including affordable housing. As proposed, the project's residential and commercial land uses would bring additional residents and employees to this unincorporated area of Placer County. The RVSP allows for up to 933 residential units, which would result in a projected population increase of 2,477 people. It is anticipated that the proposed project would generate 176 jobs at build out. Impacts related to population, employment and housing are not regarded as significant in the Draft EIR.

Biological Resources

The Biological Resources Chapter of the Draft EIR addresses potential effects on biological resources caused by construction and operation of the RVSP. Existing site characteristics, such as habitat types and animal and plant species present, are described based on site-specific information developed for the proposed project, and published technical information.

The habitat types present at the project site include annual grasslands, cultivated fields, seasonal wetlands, and a riparian woodland that is associated with the perennial stream, Dry Creek. The project site contains potential habitat for a variety of special-status species, including plants, invertebrates, birds, mammals, reptiles, and amphibians.

Conversion of the project site and off-site areas for development of the RVSP would result in impacts on habitat availability and habitat function, the filling of jurisdictional wetlands, and loss of vernal pool crustacean and amphibian species. Mitigation measures were identified for each of these impacts that reduce the impacts to less than significant. Impacts on rare plants, birds including raptors, bats, and pond turtles would also be reduced to less than significant levels with mitigation identified for the proposed project in the Draft EIR.

Cultural Resources

The Draft EIR describes the potential impacts on archaeological/paleontological, and historic-era resources for the RVSP project and associated off-site improvement areas. Impacts identified in the Draft EIR include impacts on unknown, subsurface archeological, paleontological, or historic resources, and disturbances to human remains interred outside of formal cemeteries. Mitigation measures identified for the project would reduce the impacts to less than significant levels.

Visual Resources

The Draft EIR evaluates the potential changes to the existing visual characteristics of the project site that could result from development of the RVSP. The analysis focuses on the effects on views, compatibility with the visual characteristics of surrounding uses, and the likelihood that sensitive receptors would be disturbed by light and glare generated or reflected by new structures within the Specific Plan area.

The RVSP area is generally undeveloped area of open, gently rolling pastures and grassland with vineyards and some remnant orchard. The Plan Area's northern boundary is defined by Dry Creek, which is a riparian woodland. The areas surrounding the project site are currently developed with the agricultural lands, open space, residences, and institutional uses. Mitigation measures identified for the project would reduce the light and glare impacts and impact to the Union Cemetery.

to less than significant levels. However, construction activities would result in temporary and long-term unavoidable significant impacts to the visual characteristics of the project site.

Transportation and Circulation

The transportation section of the Draft EIR analyzes the transportation and circulation impacts associated with development of the RVSP, including roadways, transit services and bicycle facilities. The traffic analysis examines eight traffic scenarios; existing conditions with- and without-project, existing conditions with- and without- project with PFE Road closed west of Cook Riolo Road, cumulative (2025) conditions with and without project with PFE Road open as well as closed. An analysis of both AM and PM Peak Hours was performed. To satisfy the City of Roseville's LOS policy requirements, the Draft EIR also includes a separate analysis using the City of Roseville's CIP travel demand model and LOS post-processor for cumulative 2020 conditions. The analysis also studied intersections and roadway segments within Sacramento County, Sutter County, and on the State Highway network (Caltrans).

The Draft EIR analyzed 36 road segments and 23 intersections in Placer County, Sutter County, Sacramento County, the City of Roseville, and on Caltrans facilities. The results indicate that, under existing conditions, with PFE Road open and with the addition of project traffic (absent mitigation), 13 of the 36 study roadway segments would operate at an unacceptable LOS based on the minimum LOS thresholds established by local jurisdictions and Caltrans; 5 of the 24 study intersections would operate worse during the AM Peak Hour than the minimum LOS threshold established by local jurisdictions and Caltrans; 9 of the 24 intersections would operate worse during the PM Peak Hour than the minimum LOS threshold.

The Draft EIR also identifies mitigation measures to reduce identified impacts due to contribution of project traffic on local roadways. Where impacts are identified and are within Placer County, the developers are required to construct the improvements or provide funding to the County that constitutes the project's fair share of the costs associated with the project's contribution of traffic. The mitigation also requires payment of applicable fees toward to the South Placer Regional Transportation Authority and other adopted regional impact fees for improvements to road facilities. The Draft EIR also requires the payment of impact fees to Placer County in amounts that constitute the project's fair share contributions to the construction of transportation facilities and/or improvements needed in whole or in part because of the Project. The Applicant's responsibility to construct roadway improvements, as well as the payment of fees and eligibility for fee credit, is described in the draft Development Agreement.

The Draft EIR also requires that RVSP create a Community Service Area (CSA) to fund the cost of transit services and any related capital costs for buses, passenger amenities and facilities needed to provide public transit service to the study area.

Significant and unavoidable impacts of the project include the contribution to traffic volumes on regional roadways and intersections that would exceed their capacity with or without the proposed project. Also, additional transit patrons would not be accommodated by existing transit service.

Air Quality

The Draft EIR summarizes the climate in the project area, existing air quality conditions in the project area for both "criteria air pollutants" and "toxic air contaminants", and federal, state, and regional air quality standards. The document then assesses the air quality effects caused by stationary, mobile,

and area sources related to the proposed project and recommends mitigation measures to reduce or eliminate significant impacts.

The RVSP lies within the Sacramento Valley Air Basin. Ambient air quality is generally determined by climatological conditions, the topography of the air basin, and the type and amount of pollutants emitted. The RVSP area is subject to a combination of topographical and climatic factors, which result in high potential for regional and local pollutant accumulation.

The Draft EIR identifies significant and unavoidable impacts under the Air Quality Chapter for the RVSP project. These impacts include effects on air quality during both construction and operation phases: exhaust and fugitive dust emissions generated by construction activities, and the generation of both mobile and stationary source air pollutants increasing total air pollution emissions. In addition, the Draft EIR identifies impacts from emissions of greenhouse gases contributing to global warming.

Noise

The Draft EIR discusses the existing noise environment in the vicinity of the RVSP project site, and the potential of the proposed project to increase noise levels due to project construction and operation. Transportation noise is identified as the predominant source of noise. The project proposes masonry wall where noise attenuation is required. The Draft EIR identifies transportation noise sources in excess of an L_{dn} of 60 dBA externally at the property line and in excess of 45 dBA internally at second floor locations to be significant and unavoidable. Although construction noise is exempt under County Code, the Draft EIR includes mitigation to limit the hours of construction activities. Construction noise was determined to be significant and unavoidable (temporary impact).

Soils, Geology, and Seismicity

The Draft EIR describes the existing geology, soils, and seismic conditions in the vicinity of the RVSP area, including the project site and adjacent infrastructure corridors. The potential physical environmental effects related to seismic hazards and erosion is evaluated. The text also evaluates geotechnical problems that could affect development in the study area and provides a context to evaluate project-related conditions with regard to regional soils, geology, and seismicity characteristics. Faulting, ground shaking, erosion, slope and soil instability, and mineral resources are addressed in this chapter of the Draft EIR.

The Draft EIR found no impacts related to risk of fault rupture or landslides; less than significant impacts resulting from seismic ground shaking, and potentially significant impacts associated with soil erosion and expansive soils. Compliance with applicable laws and mitigation measures identified for the project would reduce the impacts to less than significant levels.

Hydrology and Water Quality

The Draft EIR addresses potential hydrologic effects related to drainage and water quality resulting from development and occupancy of the RVSP.

The existing terrain on the project site is generally level, with natural drainage patterns running from south to north towards Dry Creek, with a small portion of the site in the southwest corner that drains southwest through a culvert that passes under PFE Road. The proposed project site lies entirely within the Dry Creek watershed. The portions of Dry Creek traversing the project site are mapped by the Federal Emergency Management Agency in the Flood Insurance Rate Map.

Impacts identified include increased runoff anticipated from the addition of impervious surfaces which could cause flooding, exposure of people or structures to flooding in the 100-year floodplain, sedimentation in local drainages, and the potential degradation of water quality from surface runoff containing pollutants from vehicles, fertilizers, pesticides and herbicides entering downstream waterways. Each of these impacts would be reduced to less than significant levels with the implementation of mitigation measures that are identified for the project in the DEIR.

Public Services and Utilities

The Public Services and Public Utilities Chapter of the Draft EIR addresses public services and utilities in Placer County. Public services include: law enforcement, fire protection, public schools, recreation, and libraries. Existing levels of service and the ability of each service provider to accommodate the project are evaluated. The Draft EIR also describes public utilities including: water supply, wastewater service (including recycled water), solid waste disposal, and other dry utilities (electricity, natural gas, cable, and telephone service) that would serve the RVSP. The existing utilities and their capacity to accommodate development of the RVSP are discussed earlier in the report under the description of the Riolo Vineyard Specific Plan.

Hazards and Hazardous Materials

The Draft EIR describes the potential adverse impacts on human health resulting from exposure to hazards that could result from the implementation of the RVSP. Hazards evaluated include those associated with existing identified or suspected contaminated sites; hazards associated with potential exposure to hazardous materials used, generated, stored, or transported in or adjacent to the project site; potential hazards associated with unused wells and abandoned septic systems; and mosquito hazards associated with on-site natural water features and stormwater drainage basins. The discussion includes a summary of applicable hazardous materials laws, regulations, and agencies responsible for their implementation.

Past agricultural uses on the site could have resulted in physical or chemical contamination hazards. Site remediation has occurred; however, there is a potential that unidentified contaminated soils are present on the site that resulted from historical site uses. The Draft EIR found that compliance with applicable laws and regulations would reduce potential impacts.

Other CEQA Sections

Chapter 16 of the Draft EIR provides a project alternative analysis and a cumulative impact analysis. For purposes of the cumulative impact analysis, the Draft EIR considers development as identified in the 1994 Placer County General Plan, as well as proposed projects within the County. The Draft EIR also identified and evaluated four alternatives: the "No Development Alternative/Community Plan Alternative," the "Floodplain Encroachment Avoidance Alternative," the "Reduced Density Alternative," and the "Clustered Development Alternative." Among the alternatives analyzed, the "No Development Alternative" would be the Environmentally Superior Alternative. Among the "build" alternatives, the "Reduced Density Alternative" was determined to be the Environmentally Superior Alternative.

Unavoidable Significant Environmental Impacts

The Draft EIR summarizes potential environmental impacts that would result from implementation of the proposed RVSP in Table 2-2 (see Draft EIR Chapter 2). In some cases, impacts that have been

identified would be less than significant. In other instances, with the incorporation of the mitigation measures proposed, impacts would be reduced to levels that are less than significant. However, some impacts have been identified where no feasible mitigation measures are available, or the proposed mitigation does not reduce the impact to a less than significant level. Those impacts would remain as significant unavoidable adverse impacts. Chapter 16 (Section 16.4) of the Draft EIR listed the significant unavoidable adverse impacts identified for the RVSP project. The significant and unavoidable impacts related to the project are identified above, under the specific subject areas covered in the Draft EIR. Cumulative impacts include:

- Permanent loss of farmland
- Loss of vegetation and wildlife habitat
- Transformation in landscape character from rural to urban
- Increase in ambient night sky illumination
- Unacceptable levels of service along some roadway segments and at some intersections within the transportation analysis study area:
 - With PFE Road open, the proposed project would cause PFE Road east of Watt Avenue to operate at LOS E. Walerga Road south of PFE Road and Baseline Road west of Locust Road would have an increased volume to capacity ratio of more than one percent at an already substandard LOS;
 - With PFE Road closed, the proposed project would cause Watt Avenue south of Baseline Road and PFE Road, east of Watt Avenue, to operate at LOS E. Walerga Road south of PFE Road and Baseline Road from Watt Avenue to Walerga Road would have an increased volume to capacity ratio of more than one percent at a substandard LOS;
 - With PFE Road open or closed, the proposed project would cause the intersection of Watt Avenue at PFE Road to operate at LOS D, and the following intersections to have an increase in the volume to capacity ratio of more than one percent at a substandard LOS: Watt Avenue at Baseline Road, Fiddymont Road/Walerga Road at Baseline Road, Walerga Road at PFE Road and Cook-Riolo Road at PFE Road;
 - With PFE Road closed, the proposed project would cause the intersection of Galleria Boulevard and Antelope Creek Drive to operate beyond acceptable LOS thresholds;
 - With PFE Road open, the proposed project would contribute traffic to the freeway segment between Riego Road and Elkhorn Boulevard on SR 70/99, and between Watt Avenue and Eureka Road on I-80, which would be operating at LOS F;
 - With PFE Road closed, the proposed project would cause the freeway segment of SR 70/99 between Riego Road and Elkhorn Boulevard, SR 65 between Blue Oaks Boulevard and I-80, and I-80 between Watt Avenue and Eureka Road to operate beyond acceptable LOS thresholds;
- Increase in regional criteria pollutant emissions during construction and operation;
- Increase in noise;
- Increased risk of flooding due to an increase in surface drainage.

FINAL ENVIRONMENTAL IMPACT REPORT: The County received 11 comment letters on the Draft EIR. The County prepared responses to those comments and has published these in a separate document. The Draft EIR, together with the Final EIR, comprise the Final EIR. The

comments generally requested additional information or clarification. Some of the responses provide additional analysis to supplement the analysis in the Draft EIR. The Final EIR also includes some changes to the text of the Draft EIR. Any changes to the Draft EIR have been presented in the Final EIR and these changes do not alter the conclusions of the Draft EIR and no new significant impacts were identified in the Final EIR.

At the February 10, 2009 hearing, the Board received a comment letters from Bridget Barnes & Associates, Inc., and Kevin Kemper on behalf of the Applicant. The Board of Supervisors unanimously voted to continue the public hearing to March 10, 2009, and directed staff to review and provide responses to this letter, as appropriate, prior to the Board's consideration of the project entitlements. Staff has reviewed the comment letters and has concluded that the comments do not alter the conclusions of the Final EIR or result in any new significant impacts that were not identified in the Draft EIR. The comment letters are attached to this staff report as Exhibit 13.

PUBLIC NOTICES AND REFERRAL FOR COMMENTS: Public notices were mailed to property owners of record within 300 feet of the project site and any property owner who might be affected by any off-site improvements, including properties within Sacramento County. Other public interest groups and citizens were sent copies of the public hearing notice including all those who submitted letters regarding the EIR and/or requested notification. A public hearing notice was also published in the *Roseville Press Tribune* newspaper. The Community Development Resource Agency staff and the Department of Public Works, Environmental Health, and Air Pollution Control District were transmitted copies of the project plans and application for review and comment.

Planning Commission Action

The Planning Commission considered the Riolo Vineyard Specific Plan project at its December 18, 2008 hearing. At that meeting, the Planning Commission discussed the following related to the Riolo Vineyard Specific Plan project:

Development within the Floodplain: Most of the discussion by the Planning Commission concerned the proposed development in the floodplain. The Commission considered: 1) the amendments to the Dry Creek/West Placer Community Plan, 2) the Applicants proposal to fill within the 100-year floodplain for infrastructure and for the building pads for the AG-10 lots within the Dry Creek 100-year floodplain, and 3) the Applicants proposal to fill within the 100-year floodplain of the Southern Tributary to allow for the construction of 12 medium-density residential lots.

The Commission determined that the amendments to the Community Plan policy language, as set forth in the staff report, are acceptable with the exception of the use of the term "significant" contained in the following policies: II. Community Development: Land Use (#25), II Community Development (# 4 and #5), and III. Environmental Resource Management: Natural Resources (#14). The analysis for the project's impact to the floodplain concluded that there would be no impact to the flood elevation. Therefore, the Commission voted unanimously to remove the term "significant" from the affected policies (See Table 3).

The Planning Commission accepted the recommendation contained in the staff report that interprets the Community Plan policies to allow fill within the 100-year floodplain of Dry Creek for infrastructure and the building pads of the AG-10 lots. Furthermore, the Commission did not recommend the reduction in size of the building pad to something less than an acre, as suggested by staff. The Commission recommended retaining the Applicant's proposal of a 1-acre building pad.

The required fill for the 12 medium-density residential lots was debated. The majority of the Commissioners (on a 4 to 2 vote, with Commissioners Crabb and Johnson voting "no" and Commissioner Denio absent) determined that the Applicant had demonstrated that the proposed volumetric compensation would be adequate to mitigate for the proposed areas of fill and, therefore, the proposed fill for the 12 lots would be acceptable. Commissioners Crabb and Johnson voted against permitting fill for the 12 medium-density residential lots, citing concerns for public safety with increased risks to life and property. While the engineering plans for the modifications to the floodplain are based upon the most recent data, past experiences have proven that conditions in the future may result in a change to that data and render the engineering plans and calculations inaccurate. The outcome of that scenario could be flooded homes.

The Commission asked about the areas of the project where the volumetric compensation would occur. The topsoil could be removed and potentially used as fill for other areas of the site. The Commission concluded that Condition 195 of the Small-Lot Vesting Tentative Subdivision Map should be amended to include the preservation of the top 6-inches of soil and its replacement once excavation to the appropriate depth had occurred. The Commission suggested that this would address the ability to use this land for agricultural purposes in the future and directed staff to add the appropriate language to Condition 195 (see Exhibit 7).

After receiving public testimony, the Planning Commission voted 4 - 2 (Commissioner Denio absent, Commissioners Crabb and Johnson voting "no") to approve the Riolo Vineyard Specific Plan project as proposed by the Applicant, with the aforementioned amendment to Condition 195 of the Small-Lot Vesting Tentative Subdivision Map Conditions of Approval. The Commissioners voting "no" did so because of their opposition to the proposed modification of any existing 100-year floodplain areas.

West Placer Municipal Advisory Council

The Riolo Vineyard Specific Plan project site is within the purview of the West Placer Municipal Advisory Council (MAC). On February 14, 2008, staff presented an overview of the project and received comments on the Draft EIR. Although the meeting was not intended to discuss the merits of the project, staff inquired what issues were of concern so that these could be addressed more fully at subsequent meetings. The West Placer MAC expressed concern regarding the project's impacts to the Center Unified School District, the proposed lot sizes (and the amendment to the Community Plan to permit smaller lots) and the proposal for development in the 100-year floodplain of Dry Creek (and the amendments to the Community Plan to allow development within the floodplain).

The West Placer MAC heard the item again on September 11, 2008 for formal recommendations on the project entitlements and the proposed amendments to the Dry Creek West Placer Community Plan. The MAC voted unanimously to recommend denial of the project and the requested Community Plan amendments. Specifically, the MAC:

1. Recommended denial of the Small-Lot Vesting Tentative Subdivision Map:
The MAC opposes development in the floodplain. The members noted that current Community Plan policies preclude fill and/or lots in the 100-year floodplain. The MAC also recognized that adjacent and nearby projects have redesigned subdivisions to eliminate lots from the floodplain.

The MAC also indicated that they could not support lots as small as 2000 square feet within their community. The proposed densities are not consistent with the Community Plan and serves to establish a precedent for future development.

The MAC is opposed to the use of soundwalls for noise attenuation. The MAC considers increasing setback distances from roadways to be a better alternative to the use of soundwalls. This approach is also consistent with the Community Plan.

2. Recommended denial of the Riolo Vineyards Specific Plan.

In addition to the reasons for denying the subdivision map, as stated above, the MAC members expressed additional concerns regarding the Specific Plan. The MAC felt that the plan proposed inadequate park facilities to serve community. The current land use plan locates the largest park site entirely within the floodplain of Dry Creek, which may limit its use to the dry season.

The MAC members also had concerns with the requirements that are imposed upon non-participating property owners through the established land use plan designations and policies. The Specific Plan establishes density restrictions/limitations on sequent phases for non-participating landowners that may not be desirable. The members felt that additional amendments to the Community Plan could be the result.

The letter forwarded by the West Placer MAC concerning its recommendations is included in this report as Exhibit 12.

RECOMMENDATION: Staff brings forward the Planning Commission recommendation to approve the proposed Riolo Vineyard Specific Plan project as set forth in the memorandum of County Counsel accompanying this staff report (Exhibit 1) and as proposed by the Applicant.

As an alternative, the Board of Supervisors may consider an interpretation of the Dry Creek Community Plan policies enumerated above to preclude the modification of the floodplain that would permit the development of the 12 medium-density residential lots (Lots 5 through 17 as shown on the Small-Lot Vesting Tentative Subdivision Map). A second consideration to be made is the size of the building pad for the AG-10 lots. The Applicant proposes a one-acre building pad. A reduction in the size of the pad would reduce the extent of the modifications to be made to the 100-year floodplain and may reduce the associated risks. These actions would be consistent with prior Board of Supervisors direction and consistent with prior approvals of other adjacent and nearby developments.

Respectfully submitted.



Michael J. Johnson, AICP
Agency Director

Attached to this report for the Board's information/consideration are:

ATTACHMENTS

- Exhibit 1. Memo from the Office of the County Counsel (March 10, 2009)
- Attachment A. Resolution Certifying the Final Environmental Impact Report, Adopting a Statement of Findings, a Statement of Overriding Considerations and Mitigation. Monitoring Plan for the Riolo Vineyard Specific Plan, Related Entitlements and Development Agreement
 - Exhibit A. CEQA Findings of Fact and Statement of Overriding Considerations
 - Attachment B. A Resolution Amending the Placer County General Plan
 - Exhibit A. Proposed General Plan Amendments
 - Attachment C. A Resolution Amending the Dry Creek/West Placer Community Plan
 - Exhibit A. Proposed Community Plan Amendments
 - Attachment D. A Resolution Adopting the Riolo Vineyard Specific Plan
 - Exhibit A. Riolo Vineyard Specific Plan
 - Attachment E. An Ordinance Adopting Development Standards for the Riolo Vineyard Specific Plan
 - Exhibit A. Riolo Vineyard Development Standards
 - Attachment F. A Resolution Adopting Design Guidelines for the Riolo Vineyard Specific Plan
 - Exhibit A. Riolo Vineyard Design Guidelines
 - Attachment G. An Ordinance Rezoning Certain Properties within the Riolo Vineyard Specific Plan
 - Exhibit A. Riolo Vineyard Specific Plan Community Plan Amendment and Rezone Map
 - Attachment H. An Ordinance Adopting a Development Agreement for a Portion of the Property Comprising the Riolo Vineyard Specific Plan
 - Exhibit A. Riolo Vineyard Development Agreement
 - Attachment I. Vesting Tentative Subdivision Map Findings
- Exhibit 2. Vicinity Map
- Exhibit 3. Riolo Vineyard Specific Plan Land Use Map
- Exhibit 4. Large-Lot Vesting Tentative Subdivision Map
- Exhibit 5. Conditions of Approval (Large-Lot Vesting Tentative Subdivision Map)
- Exhibit 6. Small-Lot Vesting Tentative Subdivision Map
- Exhibit 7. Conditions of Approval (Small-Lot Vesting Tentative Subdivision Map)
- Exhibit 8. Correspondence from Center Unified School District (October 22, 2008)
- Exhibit 9. Board of Directors, Placer County Flood Control and Water Conservation District, Resolution No 95-3
- Exhibit 10. Riolo Vineyard Specific Plan Community Plan Amendment and Rezone Map
- Exhibit 11. Comment Letter from the City of Roseville on the Final EIR
- Exhibit 12. Letter from West Placer Municipal Advisory Committee
- Exhibit 13. Barnes Letter (February 9, 2009) and Kemper Letter (February 10, 2009)

Other Attachments (distributed with this staff report)

Riolo Vineyard Specific Plan Public Facilities Financing Plan (March 2009)

The following attachments were distributed with the 02-10-09 staff report and are on file for review at the Clerk of the Board:

Riolo Vineyard Specific Plan Draft Environmental Impact Report (January 2008)

Riolo Vineyard Specific Plan Final Environmental Impact Report (October 2008)

Mitigation Monitoring Reporting Program (October 2008)
Riolo Vineyard Specific Plan (December 2008)
Riolo Vineyard Development Standards (December 2008)
Riolo Vineyard Design Guidelines (December 2008)
Riolo Vineyard Specific Plan Public Facilities Financing Plan
Riolo Vineyard Urban Services Plan
Large-Lot and Small-Lot Vesting Tentative Subdivision Map (Full Set)

cc:

Rob Aragon, Applicant Representative
Kevin Kemper, Applicant Attorney
Brigit S. Barnes & Associates, Inc., Attorney for Frisvold (non-participating property owner)
Stephen AuClair, Representative for Elliott (non-participating property owner)
Gina Langford, Environmental Coordinator
Michael Johnson, Agency Director
Loren Clark, Planning Department
John Marin, CDRA Director
Joanne Auerbach, Redevelopment
Wes Zicker, Engineering & Surveying Division
Richard Eiri, Engineering & Surveying Division
Chuck Grant, Engineering & Surveying Division
Ken Grehm, DPW Transportation
Stephanie Holloway, DPW Transportation
Andrew Gaber, DPW Transportation
Jill Pahl, Environmental Health Services
Tom Christoff, Air Pollution Control District
Andrew Darrow, Flood Control District
Vance Kimbrell, Facility Services-Special Districts
Andy Fisher, Facility Services-Parks Division
Jim Durfee, Facility Services
Scott Finley, County Counsel
Allison Carlos, County Executive Office
Rui Cunha, Office of Emergency Services
Bob Eicholtz, CDF/Placer County Fire
Christine Turner, Agricultural Commissioner
City of Lincoln
City of Roseville
Placer County Water Agency