RECOMMENDED CONDITIONS OF APPROVAL – MINOR USE PERMIT - "CELEBRATION COMMUNITY FELLOWSHIP CHURCH" (PMPA 20070467)

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

1. This Minor Use Permit (PMPA20070467) is approved to allow for the construction and operation of a ±19,000 square-foot church with associated parking and landscaping consistent with the site plan on file with this application.

2. This use permit does not approve any day-care, nursery school, or full-time grammar, middle or high school use except that normally associated and incidental to regular church service use (e.g. Sunday school, bible school, daycare facilities for children while parents attend services, etc.).

3. A Minor Use Permit shall be considered exercised when a Building Permit has been issued, and construction of a building foundation has been started (see Section 17.58.160 of the Placer County Code Zoning Ordinance). **(PD)**

IMPROVEMENTS/IMPROVEMENT PLANS

4. The project is subject to review and approval by the Placer County Development Review Committee (DRC). Such a review shall be conducted during review of the Improvement Plans for the project and shall include, but not be limited to: Architectural colors, materials, and textures; landscaping; irrigation; signs; exterior lighting; pedestrian and vehicular circulation; fences and walls; noise attenuation barriers; tree impacts, tree removal, tree replacement areas, entry features, etc. **(PD)**

5. Landscape Plan: The Improvement Plans shall provide details of the location and specifications of all proposed landscaping and irrigation – for the review and approval of the DRC. Said landscaping shall be installed prior to the County's acceptance of the projects improvements. **(MMIP) (PD/DFS)**

6. Where the DRC has approved parking lot lights, the following standards shall apply: All lighting shall be designed to be consistent with the "Dark Sky Society" standards for protecting the night sky from excessive light pollution. Other resources providing technical support include publications of the Illuminating Engineering Society of North America (IESNA) and

the IESNA Lighting Handbook, Reference & Application, Ninth Edition and Recommended Practices (RP). The intent of these standards is to design a lighting system, where determined necessary, that maintains public safety and security in the project area while curtailing the degradation of the nighttime visual environment through limiting evening light radiation and/or light spill. In addition, metal halide lighting is prohibited unless authorized by the Planning Director. All parking lot lighting shall be reviewed and approved by the DRC for design, location, photometrics, etc. **(PD)**

7. The applicant shall prepare and submit Improvement Plans, specifications and cost estimates (per the requirements of Section II of the Land Development Manual [LDM] that are in effect at the time of submittal) to the Engineering and Surveying Department (ESD) for review and approval. The plans shall show all conditions for the project as well as pertinent topographical features both on- and off-site. All existing and proposed utilities and easements, on-site and adjacent to the project, which may be affected by planned construction, shall be shown on the plans. All landscaping and irrigation facilities within the public right-of-way (or public easements), or landscaping within sight distance areas at intersections, shall be included in the Improvement Plans. The applicant shall pay plan check and inspection fees. (NOTE: Prior to plan approval, all applicable recording and reproduction costs shall be paid). The cost of the above-noted landscape and irrigation facilities shall be included in the estimates used to determine these fees. It is the applicant's responsibility to obtain all required agency signatures on the plans and to secure department approvals. If the Design/Site Review process and/or DRC review is required as a condition of approval for the project, said review process shall be completed prior to submittal of Improvement Plans. Record drawings shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the ESD prior to acceptance by the County of site improvements. **(MM 6.1) (ESD)**

8. All proposed grading, drainage improvements, vegetation, tree impacts and tree removal shall be shown on the Improvement Plans and all work shall conform to provisions of the County Grading Ordinance (Section 15.48, Placer County Code) and the Placer County Flood Control District's Stormwater Management Manual. The applicant shall pay plan check fees and inspection fees. No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved and any required temporary construction fencing has been installed and inspected by a member of the DRC. All cut/fill slopes shall be at 2:1 (horizontal:vertical) unless a soils report supports a steeper slope and the Engineering and Surveying Department (ESD) concurs with said recommendation.

All facilities and/or easements dedicated or offered for dedication to Placer County or to other public agencies which encroach on the project site or within any area to be disturbed by the project construction shall be accurately located on the Improvement Plans. The intent of this requirement is to allow review by concerned agencies of any work that may affect their facilities.

The applicant shall revegetate all disturbed areas. Revegetation undertaken from April 1 to October 1 shall include regular watering to ensure adequate growth. A winterization plan shall be provided with project Improvement Plans. It is the applicant's responsibility to assure proper installation and maintenance of erosion control/winterization during project construction. Provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of the ESD. Submit to the ESD a letter of credit or cash deposit in the amount of 110% of an approved engineer's estimate for winterization and permanent erosion control work prior to Improvement Plan approval to guarantee protection against erosion and improper grading practices. Upon the County's acceptance of improvements, and satisfactory completion of a one-year maintenance period, unused portions of said deposit shall be refunded to the project applicant or authorized agent.

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

Any work affecting facilities maintained by, or easements dedicated or offered for dedication, to Placer County or other public agency may require the submittal and review of appropriate improvement plans by ESD or the other agency. **(MM 6.2) (ESD)**

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

10. Prepare and submit with the project Improvement Plans, a drainage report in conformance with the requirements of Section 5 of the LDM and the Placer County Storm Water Management Manual that are in effect at the time of submittal, to the Engineering and Surveying Department for review and approval. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: A written text addressing existing conditions, the effects of the improvements, all appropriate calculations, a watershed map, increases in downstream flows, proposed on- and off-site improvements and drainage easements to accommodate flows from this project. The report shall identify water quality protection features and methods to be used both during construction and for long-term post-construction water quality protection. "Best Management Practice" (BMP) measures shall be provided to reduce

erosion, water quality degradation, and prevent the discharge of pollutants to stormwater to the maximum extent practicable. **(MM 8.1) (ESD)**

11. Storm water run-off shall be reduced to pre-project conditions through the installation of retention/detention facilities. Retention/detention facilities shall be designed in accordance with the requirements of the Placer County Storm Water Management Manual that are in effect at the time of submittal, and to the satisfaction of the Engineering and Surveying Department (ESD). The ESD may, after review of the project drainage report, delete this requirement if it is determined that drainage conditions do not warrant installation of this type of facility. In the event on-site detention requirements are waived, this project may be subject to payment of any in-lieu fees prescribed by County Ordinance. No retention/detention facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals. **(MM 8.2) (ESD)**

12. Water quality Best Management Practices (BMPs) shall be designed according to the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development / Redevelopment, and/or for Industrial and Commercial, (and/or other similar source as approved by the Engineering and Surveying Department (ESD).

Construction (temporary) BMPs for the project include, but are not limited to: Fiber Rolls (SE-5), Straw Bale Barrier (SE-9), Straw Wattles, Storm Drain Inlet Protection (SE-10), Hydroseeding (EC-4), Silt Fence (SE-1), Stabilized Construction Entrance (TC-1), and revegetation techniques.

Storm drainage from on- and off-site impervious surfaces (including roads) shall be collected and routed through specially designed catch basins, vegetated swales, vaults, infiltration basins, water quality basins, filters, etc. for entrapment of sediment, debris and oils/greases or other identified pollutants, as approved by the ESD. BMPs shall be designed at a minimum in accordance with the Placer County Guidance Document for Volume and Flow-Based Sizing of Permanent Post-Construction Best Management Practices for Stormwater Quality Protection. Post-development (permanent) BMPs for the project include, but are not limited to: infiltration/treatment vault. No water quality facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.

All BMPs shall be maintained as required to insure effectiveness. The applicant shall provide for the establishment of vegetation, where specified, by means of proper irrigation. Proof of on-going maintenance, such as contractual evidence, shall be provided to ESD upon request. Maintenance of these facilities shall be provided by the project owners/permittees unless, and until, a County Service Area is created and said facilities are accepted by the County for maintenance. Contractual evidence of a monthly parking lot sweeping and vacuuming, and

catch basin cleaning program shall be provided to the ESD upon request. Failure to do so will be grounds for discretionary permit revocation.) Prior to Improvement Plan, easements shall be created and offered for dedication to the County for maintenance and access to these facilities in anticipation of possible County maintenance. **(MM 6.3) (ESD)**

13. Projects with ground disturbance exceeding one-acre that are subject to construction stormwater quality permit requirements of the National Pollutant Discharge Elimination System (NPDES) program shall obtain such permit from the State Regional Water Quality Control Board and shall provide to the Engineering and Surveying Department evidence of a state-issued WDID number or filing of a Notice of Intent and fees prior to start of construction. **(MM 6.4) (ESD)**

14. Provide the Engineering and Surveying Department with a letter from the appropriate fire protection district describing conditions under which service will be provided to this project. Said letter shall be provided prior to the approval of Improvement Plans, and a fire protection district representative's signature shall be provided on the plans. **(ESD)**

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

16. This project is located within the area covered by Placer County's municipal stormwater quality permit, pursuant to the National Pollutant Discharge Elimination System (NPDES) Phase II program. Project-related stormwater discharges are subject to all applicable requirements of said permit. BMPs shall be designed to mitigate (minimize, infiltrate, filter, or treat) stormwater runoff in accordance with "Attachment 4" of Placer County's NPDES Municipal Stormwater Permit (State Water Resources Control Board NPDES General Permit No. CAS000004). **(MM 8.3) (ESD)**

17. The project is subject to review and approval by the Placer County Development Review Committee (DRC). Such a review shall be conducted prior to the approval of the Improvement Plans for the project and shall include, but not be limited to: noise attenuation barriers. **(EHS)**

18. Prior to Improvement Plan approval, any on-site sewage disposal area within 50' of any planned construction shall be shown on the Improvement Plans. **(EHS)**

GRADING

19. Prior to Grading Permit or Improvement Plan approval and before any grading or clearing occurs on the project site, within 50' of any on-site sewage disposal area, the on-site sewage disposal area of any affected lot shall be fenced off with fluorescent construction fencing and clearly marked with a sign that states "KEEP OFF! Reserved for Sewage Disposal Only". **(ESD/EHS)**

ROADS/TRAILS

20. Construct public road entrances/driveways onto Neils Road to a Plate R-17, LDM standard. The design speed of Neils Road shall be 35 mph, unless an alternate design speed is approved by the DPW. The improvements shall begin at the outside edge of any future lane(s) as directed by the DPW and the Engineering and Surveying Department (ESD). An Encroachment Permit shall be obtained by the applicant or authorized agent from DPW. The Plate R-17 structural section within the main roadway right-of-way shall be designed for a Traffic Index of 7.5, but said section shall not be less than 3" AC/8" Class 2 AB unless otherwise approved by the ESD. **(ESD)**

Note: Joint pole and pullboxes at the southerly access will need to be adjusted to proposed finish grade (as shown on the project site plan) in order to provide the minimum required sight distance required by the Placer County Standard Plate R-17.

21. Construct one-half of a 32' road section where the project fronts Neils Road, as measured from the existing centerline thereof or as directed by the Engineering and Surveying Department (ESD) and the Department of Public Works (DPW). Additional widening and/or reconstruction may be required to improve existing structural deficiencies, accommodate auxiliary lanes, intersection geometrics, signalization, bikelanes, or for conformance to existing improvements. The roadway structural section shall be designed for a Traffic Index of 7.5, but said section shall not be less than 3" AC/8" Class 2 AB unless otherwise approved by the ESD and DPW. **(ESD)**

22. All on-site parking and circulation areas shall be improved with a minimum asphaltic concrete or Portland cement surface capable of supporting anticipated vehicle loadings. It is recommended that the pavement structural section be designed in accordance with recommendations of a soils/pavement analysis and should not be less than 2" AC over 4" Class 2 AB, or the equivalent. **(ESD)**

23. A recordable Encroachment Permit shall be obtained from DPW prior to Improvement Plan approvals for any landscaping within public road rights-of-way. **(ESD)**

24. Obtain an Encroachment Permit from Caltrans for any work proposed within the State Highway right-of-way. A copy of said Permit shall be provided to the Engineering and Surveying Department prior to the approval of the Improvement Plans. (ESD)

PUBLIC SERVICES

25. Prior to the approval of the Improvement Plans, submit to EHS a "will-serve" letter from the franchised refuse collector for weekly or more frequent refuse collection service. The owner or occupant of the Celebration Community Fellowship church shall subscribe to weekly mandatory refuse collection services from the refuse collection franchise holder. **(EHS)**

GENERAL DEDICATIONS/EASEMENTS

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

a) Dedicate to Placer County one-half of a 60'-wide highway easement (Ref. Chapter 12, Article 12.08, Placer County Code) where the project fronts Neils Road, as measured from the centerline of the existing roadway, plan line, or other alignment as approved by the Transportation Division of DPW. **(ESD)**

b) Drainage easements as appropriate. **(ESD)**

c) An Irrevocable Offer of Dedication for easements as required for access to, and protection and maintenance of, storm drainage retention/detention facilities, as well as post-construction water quality enhancement facilities (BMPs). Said facilities shall be privately maintained until such time as the Board of Supervisors accepts the offer of dedication. **(ESD)**

VEGETATION & OTHER SENSITIVE NATURAL AREAS

27. This project is subject to review and approval by the State Dept. of Fish & Game, National Marine Fisheries Services (NMFS), and/or the U. S. Army Corps of Engineers. It is the applicant's responsibility to obtain such approvals, if necessary, prior to any grading, clearing, or excavation. **(PD/ESD)**

28. Prior to approval of Improvement Plans, the applicant shall furnish to the DRC, evidence that the U. S. Army Corps of Engineers have been notified by certified letter regarding the existence of wetlands on the property. If permits are required, they shall be obtained and copies submitted to DRC prior to any clearing, grading, or excavation work. **(MM) (PD)**

29. The applicant shall provide to the DRC evidence of an agency-approved form of mitigation for any fill of Federal Waters of the United States. Mitigation for wetland impacts may be provided through purchase of wetland credits at an agency-approved offsite mitigation bank or other agency-approved in lieu fund, including payment into the Placer County Wetland Trust Fund. Impacts to Waters of the United States totaling 0.02 acres will be mitigated at a 2:1 ratio or as approved by the US Army Corps of Engineers to attain a "no net loss" of wetland function. **(MM) (PD)**

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

31. Temporary Construction Fencing: The applicant shall install a 4' tall, brightly colored (usually yellow or orange), synthetic mesh material fence (or an equivalent approved by the DRC) at the following locations prior to any construction equipment being moved on-site or any construction activities taking place:

a) At the limits of construction, outside the drip-line of all trees 6" dbh (diameter at breast height), or 10" dbh aggregate for multi-trunk trees, within 50' of any grading, road improvements, underground utilities, or other development activity, or as otherwise shown on the Tentative Map;

b) Around any and all "special protection" areas as discussed in the project's environmental review documents.

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

Said fencing and a note reflecting this Condition shall be shown on the Improvement Plans. **(MM) (PD/ESD)**

32. Prior to approval of the Improvement Plans, the applicant shall submit to the Placer County Tree Preservation Fund payment in the amount of $55,060.00 for impacts to oak woodlands. If changes in the project are required during the Improvement Plan process, this figure may be altered provided that it is consistent with County policy. This payment must be received prior to any construction related activities on-site. **(MM) (PD)**

33. Native oaks shall be planted and maintained along the northwest property lines between

the project site and the Interstate 80 on-ramp. These trees shall be minimum 15-gallon size and shall be planted in all locations where the existing and remaining oaks do not form a continuous screen of the project site from Interstate 80. **(MM) (PD)**

34. The applicant shall plant and maintain a minimum of 25 valley oak trees (or other native oak approved by the Planning Department) along the project frontage at the northbound Interstate 80 on-ramp. These trees shall be maintained in good health and remain viable for a minimum of five years. An oak tree monitoring program report, prepared by a licensed landscaping architect, shall be submitted annually to the Planning Department for a five-year period. Said report will define areas in which oak trees have been planted with a description of their status, including survival rate. Any corrective actions required are the responsibility of the property owner. **(MM) (PD)**

A letter of credit or cash deposit in the amount of 125% of the accepted proposal shall be deposited with the Placer County Planning Department to assure performance of the monitoring program. Evidence of this deposit shall be provided to the satisfaction of the DRC. Violation of any components of the approved MMIP may result in enforcement activity per Placer County Environmental Review Ordinance Article 18.28.080, of the Placer County Code. An agreement between the applicant and the County shall be prepared which meets DRC approval that allows the County use of the deposit to assure performance of the MMIP in the event the property owner fails to perform. **(MM) (PD)**

35. Prior to any grading or tree removal activities, during the raptor nesting season (March 1 - September 1), a focused survey for raptor nests shall be conducted by a qualified biologist. A report summarizing the survey shall be provided to Placer County and the California Department of Fish & Game (CDFG) within 30 days of the completed survey. If an active raptor nest is identified, appropriate mitigation measures shall be developed and implemented in consultation with CDFG. If construction is proposed to take place between March 1st and September 1st, no construction activity or tree removal shall occur within 500 feet of an active nest (or greater distance, as determined by the CDFG). Construction activities may only resume after a follow up survey has been conducted and a report prepared by a qualified raptor biologist indicating that the nest is no longer active, and that no new nests have been identified. A follow up survey shall be conducted 2 months following the initial survey, if the initial survey occurs between March 1st and July 1st. Additional follow up surveys may be required by the DRC, based on the recommendations in the raptor study and/or as recommended by the CDFG. Temporary construction fencing and signage as described herein shall be installed at a minimum 500 foot radius around trees containing active nests.

If all project construction occurs between September 1st and March 1st no raptor surveys will be required. Trees previously approved for removal by Placer County, which contain stick nests, may only be removed between September 1st and March 1st. A note which includes the wording of this condition of approval shall be placed on the Improvement Plans. Said plans

shall also show all protective fencing for those trees identified for protection within the raptor report. **(MM) (PD)**

CULTURAL RESOURCES

36. Prior to any construction activities on the site, the owner shall submit an application to the State Historic Office of Preservation for nomination of the site into the National Register of Historic Places. Determination of eligibility or lack thereof must be received prior to approval of the Improvement Plans from Placer County. **(MM) (PD)**

37. A 70-foot radius exclusion area, known as an Environmentally Sensitive Area (ESA) shall be established around the sensitive area in the northwestern portion of the site as indicated on the site plan. No ground disturbing activities shall occur within the ESA. **(MM) (PD)**

38. Prior to approval of the Improvement Plans, the Environmentally Sensitive Areas shall be recorded, as approved by Placer County, as an exclusive public easement for the protection and enjoyment of the sensitive cultural resource with right of ingress and egress over the grantor's property. **(MM) (PD)**

39. Prior to approval of the Improvement Plans, the property owner shall record a Deed Restriction which acknowledges the cultural resource within the ESA and restricts the use of the ESA in perpetuity. **(MM) (PD)**

40. The Monitoring and Treatment Plan created by GeoEngineers shall be adopted for the project and adhered to throughout all phases of construction. The Plan requires worker cultural awareness training, discovery procedures and the presence of an archeological monitor, a Native American monitor and a Cultural Resource Specialist (CRS) during all ground-disturbing activities, as well as other phases of the project. The Plan shall be relied upon throughout the development of the site. **(MM) (PD)**

41. If major archaeological or historical resources are discovered, which require temporary halting or redirecting of grading or construction activity, the archaeologist shall report such findings to the project developer, and to the Planning Department. These actions, as well as final mitigation and disposition of the resources shall be subject to approval by the California Register of Historic Resources (CRHR) or the Native American Heritage Commission (NAHC). The archaeologist shall submit a follow-up report to the CRHR and the Planning Department which shall include the period of inspection, an analysis of the resources found, and present repository of the resources. **(MM) (PD)**

42. A registered professional archaeologist shall provide Sensitivity Training required for

the project to the general contractor and all sub-contractors on the job site at the time of the pre-construction meeting and the construction kick-off meeting. Immediately following the Sensitivity Training, the general contractor shall submit to the Planning Department notification that the Training has been completed. This will be required prior to building permit process. **(MM) (PD)**

43. All known sensitive sites and features shall be flagged or fenced to the satisfaction of the Registered Professional Archaeologist to prevent disturbance during construction activities. Evidence of this requirement shall be provided to Planning Department staff prior to any on-site grading. **(MM) (PD)**

44. Concurrent with submittal of Improvement Plans, the applicant shall provide written evidence to the Planning Department that a qualified archaeologist has been retained by the applicant to observe grading and construction activities. The archaeologist shall establish procedures for cultural resource surveillance and shall establish, in cooperation with the project developer, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of discovered cultural resources. If major archaeological or historical resources are discovered, which require temporary halting or redirecting of grading or construction activity, the archaeologist shall report such findings to the project developer, and to the Planning Department. These actions, as well as final mitigation and disposition of the resources shall be subject to approval by the California Register of Historic Resources (CRHR) or the Native American Heritage Commission. The archaeologist shall submit a follow-up report to the CRHR and the Planning Department which shall include the period of inspection, an analysis of the resources found, and present repository of the resources. **(MM) (PD)**

45. If any archaeological artifacts, exotic rock (non-native), or unusual amounts of shell or bone are uncovered during any on-site construction activities, all work must stop immediately in the area and the Registered Professional Archaeologist shall evaluate the deposit. The Placer County Planning Department and Department of Museums must also be contacted for review of the archaeological find(s). If the discovery consists of human remains, the Placer County Coroner and Native American Heritage Commission must also be contacted. Work in the area may only proceed after authorization is granted by the Placer County Planning Department. A note to this effect shall be provided on the Improvement Plans for the project. Following a review of the new find and consultation with appropriate experts, if necessary, the authority to proceed may be accompanied by the addition of development requirements which provide protection of the site and/or additional mitigation measures necessary to address the unique or sensitive nature of the site. **(MM) (PD)**

46. Throughout construction of the project, and until a Certificate of Occupancy is issued for the church, the Registered Professional Archaeologist shall provide evidence that the Treatment Plan is being implemented and adhered to. Such evidence shall consist of a written

description of how the Plan is being implemented (for example: presence of a Native American Monitor, treatment of finds, etc.) as well as updates on the progress of the project. These updates shall be submitted every six months to the Planning Department. **(MM) (PD)**

FEES

47. Pursuant to Section 21089 (b) of the California Public Resources Code and Section 711.4 et. seq. of the Fish and Game Code, the approval of this permit/project shall not be considered final unless the specified fees are paid. The fees required are $2,060.25 for projects with Negative Declarations. Without the appropriate fee, the Notice of Determination is not operative, vested or final and shall not be accepted by the County Clerk. **NOTE: The above fee shall be submitted to the Planning Department within 5 days of final project approval. (MM) (PD)**

48. This project will be subject to the payment of traffic impact fees that are in effect in this area (Auburn/Bowman), pursuant to applicable Ordinances and Resolutions. The applicant is notified that the following traffic mitigation fee(s) will be required and shall be paid to Placer County DPW prior to issuance of any Building Permits for the project:

a) County Wide Traffic Limitation Zone: Article 15.28.010, Placer County Code

The current total combined estimated fee is $41,032.31 for the 19,000 square feet church facility. The fees were calculated using the information supplied. If either the use or the square footage changes, then the fees will change. The actual fees paid will be those in effect at the time the payment occurs. **(MM15.1) (ESD)**

ENVIRONMENTAL HEALTH

49. Prior to Improvement Plan approval, there shall be adequate assurances that a public water well, designed and operated in conformance with the California Safe Drinking Water Act, the California Waterworks Standards, and related codes and regulations, can serve the project. Domestic water quality and quantity shall be subject to approval by EHS. Back flow prevention devices shall be provided on water service lines as required by EHS. **(EHS)**

50. Prior to Building Permit issuance, the domestic water supplying entity shall be in compliance with the requirements of Placer County Code, Section 16.08.040(e). **(EHS)**

51. Prior to Building Permit issuance, this project shall obtain a Transient or Non-transient (whichever is applicable) Non-community Water System Permit. **(EHS)**

52. Indicate on the Improvement Plans <u>and</u> Final Map or Development Notebook the location of the approved minimum usable sewage disposal area. Notation shall be made on the documents

that the shown sewage disposal area shall not be graded, compacted, or, in any way, altered or encumbered. **(EHS)**

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

54. Construction noise emanating from any construction activities for which a Grading or Building Permit is required is prohibited on Sundays and Federal Holidays, and shall only occur:

a) Monday through Friday, 6:00 am to 8:00 pm (during daylight savings)
b) Monday through Friday, 7:00 am to 8:00 pm (during standard time)
c) Saturdays, 8:00 am to 6:00 pm

In addition, temporary signs 4' x 4' shall be located throughout the project, as determined by the DRC, at key intersections depicting the above construction hour limitations. Said signs shall include a toll free public information phone number where surrounding residents can report violations and the developer/builder will respond and resolve noise violations. This condition shall be included on the Improvement Plans and shown in the development notebook.

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

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

55. Prior to Final Occupancy approval, construct a noise barrier to the satisfaction of the DRC between the project and Interstate 80. This noise barrier, including cross section views of relationship to building pad elevations, shall be shown on the Improvement Plans. The project shall conform to the Noise Element of the Auburn Bowman Community Plan and the environmental document. **(EHS)**

56. The project will be able to meet the 70-dB requirement of the Auburn Bowman Community Plan by installing a 6-foot soundwall as detailed according to the BAC ENA of June 12, 2008. The soundwall shall incorporate absorptive material as indicated in the ENA to mitigate reflected sound energy and associated noise exposure to the closest neighbors. This action will reduce noise from future church concerts and other amplified events to meet the

Placer County General Plan 45-dB hourly Leq performance criterion at the closest neighboring residences on Neils Road.

The interior noise exposure as detailed in the discussion (from the Mitigated Negative Declaration) could be as high as 44-dB hourly Leq from future I-80 traffic conditions. This level exceeds the established interior noise exposure standard for Church uses as described in the Auburn Bowman Community Plan. In order for this project to meet the 40-dB hourly Leq interior noise standard, the project proponent shall follow the July 19, 2005 ENA by BAC which will reduce this impact to less than significant.

a) Design and orient the project building so that noise-insensitive rooms (e.g., restrooms, hallways, storage rooms, Lobby) are positioned between noise-sensitive rooms (e.g., Church Sanctuary, meeting rooms, offices, classrooms) and I-80.

b) Minimize the surface area of windows and doors (acoustically-weak elements) on project building facades with line-of-sight to I-80.

c) Doors and/or windows within building facades with line-of-sight to I-80 will provide for a laboratory STC (sound transmission classification) rating of 35 or greater. Assuming fixed window glazing, STC 35 performance may be obtained with a ¼" laminated glazing assembly. **(EHS)(MM XI-1,2)**

57. The discharge of fuels, oils, or other petroleum products, chemicals, detergents, cleaners, or similar chemicals to the surface of the ground or to drainage ways on or adjacent to the site is prohibited. **(EHS)**

58. Placer County Code Chapter 8, Article 8.24 provides that Industrial and other non-domestic wastes shall not be disposed of in the on-site sewage disposal system at any time. **(EHS)**

59. If at any time during excavation, grading, or during the course of constructing the proposed project, evidence of soil or groundwater contamination with hazardous materials is encountered, the applicant shall immediately stop the project and contact the EHS Hazardous Materials Section. The project shall remain stopped until there is resolution of the contamination problem to the satisfaction of EHS and the Central Valley Regional Water Quality Control Board. A note to this effect shall be placed on the Improvement Plans. **(EHS)**

60. Prior to Building Permit issuance, the applicant/owner shall contact EHS, pay required fees, and obtain an approved Site Evaluation Report and Construction Permit, and as approved, install on-site sewage disposal system(s) for the Celebration Community Fellowship Church. Connect the church facilities to the new system(s). **(EHS)**

61. Prior to Improvement Plan approval place a Note on the Improvement Plans to indicate that the approved on-site sewage disposal system area and the 100% replacement area must remain

unaltered and available, free of vehicular traffic, parking, structures of any type, or soil modification. **(EHS)**

62. If the project kitchen ever functions or operates in a manner that would qualify it as a food facility as defined in the California Retail Food Code, then the owner shall pay required fees, obtain a plan check and permit to operate a food facility in conformance with the requirements of said law. **(EHS)**

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

64. During construction, temporary storage and use of hazardous substances shall comply with Fire and EHS regulations and requirements, and spill prevention practices shall be used. **(EHS)**

65. Mosquitoes are known to thrive in areas where the ponding of water has occurred. Mosquitoes can carry dangerous vectors which can harm human health. Drip irrigation and/or low volume bubblers and low volume spray irrigation is required for landscaped areas where shrubbery and trees are located to prevent the ponding of water and a habitat for mosquitoes. The lawn areas as well as all planting areas of the property graded to prevent the ponding of water and to allow for effective irrigation methods. **(EHS)**

AIR POLLUTION

66. a) Prior to approval of Grading or Improvement Plans, (whichever occurs first), on project sites greater than one acre, the applicant shall submit a Construction Emission / Dust Control Plan to the Placer County APCD. If APCD does not respond within twenty (20) days of the plan being accepted as complete, the plan shall be considered approved. The applicant shall provide written evidence, provided by APCD, to the local jurisdiction (city or county) that the plan has been submitted to APCD. It is the responsibility of the applicant to deliver the approved plan to the local jurisdiction. The applicant shall not break ground prior to receiving APCD approval, of the Construction Emission / Dust Control Plan, and delivering that approval to the local jurisdiction issuing the permit.

b) Include the following standard note on the Grading Plan or Improvement Plans: The prime contractor shall submit to the District a comprehensive inventory (i.e. make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower of greater) that will be used in aggregate of 40 or more hours for the construction project. If any new equipment is added after submission of the inventory, the prime contractor shall contact the APCD prior to the new equipment being utilized. At least three business days prior to the use of subject

heavy-duty off-road equipment, the project representative shall provide the District with the anticipated construction timeline including start date, name, and phone number of the property owner, project manager, and on-site foreman.

c) Prior to approval of Grading or Improvement Plans, whichever occurs first, the applicant shall provide a written calculation to the Placer County APCD for approval by the District demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction as required by CARB. . Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. The following link shall be used to calculate compliance with this condition and shall be submitted to the Placer County APCD as described above: http://www.airquality.org/ceqa/ (click on the current "Roadway Construction Emissions Model").**(APCD)**

67. a) In order to control dust, operational watering trucks shall be on site during construction hours. In addition, dry, mechanical sweeping is prohibited. Watering of a construction site shall be carried out in compliance with all pertinent APCD rules (or as required by ordinance within each local jurisdiction). **(APCD)**

b) Include the following standard note on the Improvement/Grading Plan: The contractor shall apply water or use other method to control dust impacts offsite. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site. *(Based on APCD Rule 228 / section 401.1, 401.4)* **(APCD)**

c) Include the following standard note on the Improvement/Grading Plan: The prime contractor shall be responsible for keeping adjacent public thoroughfares clean of silt, dirt, mud, and debris, and shall "wet broom" the streets (or use another method to control dust as approved by the individual jurisdiction) if silt, dirt, mud or debris is carried over to adjacent public thoroughfares. *(Based on APCD Rule 228 / section 401.5)* **(APCD)**

68. Include the following standard note on the Improvement/Grading Plan: During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less. *(Based on APCD Rule 228 / section 401.5)* **(APCD)**

69. Include the following standard note on the Improvement/Grading Plan: The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) are excessive and dust is impacting adjacent properties. *(Based on APCD Rule 228)* **(APCD)**

70. Include the following standard note on the Improvement/Grading Plan: In order to minimize wind driven dust during construction, the prime contactor shall apply methods such as surface stabilization, establishment of a vegetative cover, paving, (or use another method to control dust as approved by the individual jurisdiction). *(Based on APCD Rule 228 / section 402)* **(APCD)**

71. Include the following standard note on the Improvement/Grading Plan: The contractor shall suspend all grading operations when fugitive dust exceeds Placer County APCD Rule 228 (Fugitive Dust) limitations. The prime contractor shall be responsible for having an individual who is CARB-certified to perform Visible Emissions Evaluations (VEE). This individual shall evaluate compliance with Rule 228 on a weekly basis. It is to be noted that fugitive dust is not to exceed 40% opacity and not go beyond the property boundary at any time. Lime or other drying agents utilized to dry out wet grading areas shall not exceed Placer County APCD Rule 228 Fugitive Dust limitations. Operators of vehicles and equipment found to exceed opacity limits will be notified by APCD and the equipment must be repaired within 72 hours. *(Based on APCD Rule 228)* **(APCD)**

72. Include the following standard note on the Improvement/Grading Plan: Construction equipment exhaust emissions shall not exceed Placer County APCD Rule 202 Visible Emission limitations. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified by APCD to cease operations and the equipment must be repaired within 72 hours. *(Based on APCD Rule 202)* **(APCD)**

73. Include the following standard note on the Improvement/Grading Plan: A person shall not discharge into the atmosphere volatile organic compounds (VOC's) caused by the use or manufacture of Cutback or Emulsified asphalts for paving, road construction or road maintenance, unless such manufacture or use complies with the provisions of Rule 217. *(Based on APCD Rule 217).* **(APCD)**

74. Include the following standard note on the Improvement/Grading Plan: During construction the contractor shall utilize existing power sources (e.g., power poles) or clean fuel (i.e. gasoline, biodiesel, natural gas) generators rather than temporary diesel power generators. **(APCD)**

75. Include the following standard note on the Improvement/Grading Plan: During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel powered equipment. **(APCD)**

76. Include the following standard note on the Improvement/Grading Plan: During construction, no open burning of removed vegetation shall be allowed unless permitted by the PCAPCD. All removed vegetative material shall be either chipped on site or taken to an

appropriate recycling site, or if a site is not available, a licensed disposal site. *(Based on APCD Rule 310)* **(APCD)**

77. Include the following standard note on the Improvement/Grading Plan: If required by the Engineering Division and/or the Department of Public Works, the contractor shall hold a pre-construction meeting prior to any grading activities (or as required by ordinance within each local jurisdiction). The contractor shall invite the Placer County APCD to the pre-construction meeting in order to discuss the construction emission/dust control plan with employees and/or contractors. **(APCD)**

78. Include the following standard note on the Improvement/Grading Plan: Processes that discharge 2 pounds per day or more of air contaminants, as defined by Health and Safety Code Section 39013, to the atmosphere may require a permit. **Permits may be required for both construction and operation.** Developers/contractors should contact the District prior to construction and obtain any necessary permits prior to the issuance of a Building Permit. *(Based on the California Health & Safety Code section 39013:* http://www.leginfo.ca.gov/cgi-bin/displaycode?section=hsc&group=39001-40000&file=39010-39060) **(APCD)**

79. Include the following standard note on all building plans approved in association with this project: Stationary sources or processes (i.e. certain types of engines, boilers, heaters, etc.) associated with this project shall be required to obtain an Authority to Construct (ATC) permit from the Placer County Air Pollution Control District prior to the construction of these sources. In general, the following types of sources shall be required to obtain a permit: 1). Any engine greater than 50 brake horsepower, 2). Any boiler that produces heat in excess of 1,000,000 Btu per hour, or 3) Any equipment or process which discharge 2 pounds per day or more of pollutants. Note that equipment associated with residential structures containing no more than 1 to 4 residential units are exempt from this requirement. Developers / contactors should contact the District prior to construction for additional information. *(Based on APCD Rule 501 and the California Health & Safety Code, Section 39013).* **(APCD)**

80. Include the following standard note on all building plans approved in association with this project: To limit the quantity of volatile organic compounds in architectural coatings supplied, sold, offered for sale, applied, solicited for application, or manufactured for use within the District, all projects must comply with APCD Rule 218. Please see our website for additional information: *(Based on APCD Rule 218)* **(APCD)**

81. Include the following standard note on all building plans approved in association with this project: In order to limit the emission of nitrogen oxides (NOx) from natural gas-fired water heaters, all projects that utilize gas fired water heaters must comply with Rule 246. *(Based on APCD Rule 246).* **(APCD)**

82. As required by the Placer County APCD, Landscape Plans submitted for Design Review shall include native drought-resistant species (plants, trees and bushes) in order to reduce the demand for irrigation and gas powered landscape maintenance equipment. In addition, a maximum of 25% lawn area is allowed on site. As a part of the project design, the applicant shall include irrigation systems which efficiently utilize water (*e.g.*, prohibit systems that apply water to non- vegetated surfaces and systems which create runoff). In addition, the applicant shall install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls, rain "shut off" valves, or other devices as reviewed and approved by the Design Site Review Committee. **(APCD)**

MISCELLANEOUS CONDITIONS

83. The applicant shall, upon written request of the County, defend, indemnify, and hold harmless the County of Placer (County), the County Planning Commission, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorneys fees awarded by a court, arising out of or relating to the processing and/or approval by the County of Placer of that certain development project known as the Celebration Community Fellowship Church. The applicant shall, upon written request of the County, pay or, at the County's option, reimburse the County for all costs for preparation of an administrative record required for any such action, including the costs of transcription, County staff time, and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision. This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the County relating to the approval of the Project. Upon request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provisions of this condition. **(CC) (MM) (PD)**

84. Concurrent with submittal of Improvement Plans, a detailed lighting and photometric plan shall be submitted to the DRC for review and approval, which include the following:

a) The site lighting plan small demonstrate compliance with the Auburn Bowman Community Plan and the Placer County Design Guidelines. The night lighting design shall be designed to minimize impacts to adjoining and nearby land uses. No lighting is permitted on top of structures.

b) Site lighting fixtures in parking lots shall be provided by the use of high pressure sodium (HPS) mounted on poles not to exceed 14 feet in height. The metal pole color shall be such that the pole will blend into the landscape (i.e., black, bronze, or dark bronze). All site lighting in parking lots shall be full cut-off design so that the light source is fully screened to minimize the impacts discussed above. Wall pack or other non cut-off lighting shall not be used.

c) Building lighting shall be shielded and downward directed such that the bulb or ballast is not visible. Lighting fixture design shall complement the building colors and materials and shall be used to light entries, soffits, covered walkways and pedestrian areas such as plazas. Roof and wall pack lighting shall not be used. Lighting intensity shall be of a level that only highlights the adjacent building area and ground area and shall not impose glare on any pedestrian or vehicular traffic.

d) Landscape lighting may be used to visually accentuate and highlight ornamental shrubs and trees adjacent to buildings and in open spaces. Lighting intensity shall be of a level that only highlights shrubs and trees and shall not impose glare on any pedestrian or vehicular traffic. **(MM) (PD)**

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

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

87. Parking spaces, ramps, and access ways shall meet CBC accessibility standards. **(ESD)**

MITIGATION MONITORING

88. A Mitigation Monitoring Implementation Program (MMIP) for the replacement of native oaks and other trees, prepared by an ISA certified arborist, Registered Forester, or Landscape Architect, shall be submitted to the Planning Department, prior to the submittal of the project's Improvement Plans for review and approval by the DRC. Said plan shall provide for a minimum of 25 native oak trees to be planted by the project developer within areas determined appropriate by the DRC. The Plan shall include a site plan that indicates the trees' location, installation and irrigation requirements and other standards to ensure the successful planting and continued growth of these trees.

Installation of all trees and irrigation systems must be completed prior to the County's acceptance of the project's improvements. Access rights for monitoring and maintenance, if necessary, shall be provided by the property owner.

An annual monitoring report for a minimum period of five (5) years from the date of installation, prepared by the above-cited professional, shall be submitted to the DRC for review and approval. Any corrective action shall be the responsibility of the property owner.

Prior to the approval of the Improvement Plans, a Letter of Credit, Certificate of Deposit, or cash deposit in the amount of 100% of the accepted proposal shall be deposited with the Placer County Planning Department to assure on-going performance of the monitoring program.

Evidence of this deposit shall be provided to the satisfaction of the DRC prior to the approval of Improvement Plans. For the purposes of administrative and program review by Placer County, an additional 25% of the estimated cost of the Monitoring Program shall be paid to the County, in cash, at the time that the 100% deposit is made. With the exception of the 25% administrative fee, 100% of the estimated costs of implementing the monitoring program shall be returned to the applicant once the applicant has demonstrated that all five (5) years of monitoring have been completed to the satisfaction of the DRC. Refunds will only be available at the end of the entire review period.

It is the applicant's responsibility to ensure compliance with the MMIP. Violation of any components of the approved MMIP may result in enforcement activities per Placer County Environmental Review Ordinance, Article 18.28.080 (formerly Section 31.870). If a monitoring report is not submitted for any one year, or combination of years, as outlined in these conditions, the county has the option of utilizing these funds and hiring a consultant to implement the MMIP. Failure to submit annual monitoring reports could also result in forfeiture of a portion of, or all of, the deposit. An agreement between the applicant and County shall be prepared which meets DRC approval that allows the County use of this deposit to assure performance of the MMIP in the event the homeowners' association reneges **(MMIP) (PD)**

EXERCISE OF PERMIT

89. The applicant shall have 24 months to exercise this Minor Use Permit. Unless exercised, this approval shall expire on June 7, 2012. **(MM) (PD)**