

COUNTY OF PLACER
Community Development/Resource Agency

PLANNING
SERVICES DIVISION

Michael J. Johnson, AICP
Agency Director

Paul Thompson, Deputy Director

MEMORANDUM

TO: Honorable Board of Supervisors

FROM: Michael J. Johnson, AICP
Agency Director

DATE: November 5, 2013

SUBJECT: **BLACKHAWK LANE REZONE AND MINOR LAND DIVISION (20090218)**

ACTION REQUESTED

1. Conduct a Public Hearing to consider a rezone for the Blackhawk Lane Rezone and Minor Land Division project.
2. Adopt the Mitigated Negative Declaration, including the Mitigation Monitoring Program, for the Blackhawk Lane Rezone and Minor Land Division project.
3. Adopt an Ordinance to rezone Assessor Parcel Number(s): 064-270-022 from RF-B-X 160 acre minimum PD=0.05 (Residential Forestry, combining a minimum Building Site of 160 acres, combining Planned Residential Development of 0.05 units per acre) to RF-B-X 20 acre minimum (Residential Forestry, combining minimum Building Site of 20 acres).

PROPOSAL

The applicant is requesting approval of a Rezone in order to allow the subdivision of an approximately 53-acre property into two separate parcels: Parcel 1, totaling 21 acres; and a designated remainder parcel totaling approximately 32 acres. The designated remainder parcel includes portions of the property that are currently developed with a single-family residence and associated structures.

The proposed Rezone would result in changing that portion of the property currently zoned RF-B-X 160-acre minimum PD = 0.05 (Residential Forestry, combining minimum Building Site of 160 acres, combining Planned Residential Development of 0.05 acres) to RF-B-X 20-acre minimum (Residential Forestry, combining minimum Building Site of 20 acres) (Attachment G).

The applicant also proposed a two-lot Minor Land Division which was approved by the Planning Commission on August 22, 2013, contingent upon approval of the proposed rezone.

Foresthill Divide Community Plan Consistency

The Foresthill Divide Community Plan designates the property as Rural Estate 4.6- to 20-acre minimum. For this reason, a change from the acreage requirement of 160 acres to an acreage requirement of 20 acres is consistent with the Foresthill Divide Community Plan.

PROJECT LOCATION

The project site is located at 6960 Blackhawk Lane in the Foresthill Area [Attachment A], adjacent to the Black Oak Ridge Subdivision, and comprised of two Assessor Parcel Numbers: 064-270-022 and 064-340-005. Blackhawk Lane is accessed off Foresthill Road.

The project area is located in the upper foothills on the western slope of the Sierra Nevada. The topography of the site slopes to the west and north towards Blackhawk Canyon Creek. Elevations on site range between approximately 3,300 and 3,400 feet. The site supports mixed conifer forest habitat. Embedded within the habitat are a few structures and disturbed areas. The project site is bordered by Blackhawk Lane, the Black Oak Ridge Subdivision, and undeveloped property.

The applicant lives on APN 064-270-022, and after the Parcel Map is recorded, this parcel will be identified as the "Designated Remainder" parcel. A remainder lot is permitted under the Subdivision Map Act provided that at such time the applicant elects to sell the remainder parcel, he will be required to obtain a Certificate of Compliance. The Minor Land Division has been conditioned accordingly. With the approval of the Minor Land Division and contingent on approval of the proposed rezone, the applicant may record a Parcel Map to divide and sell what is designated on the attached Tentative Parcel Map exhibit as Parcel 1 [Attachment B].

FORESTHILL FORUM

On August 5, 2013, the project was taken to the Foresthill Forum as an Action Item. At the time of the Forum's consideration, the applicant's original proposal included a Rezone to RF-B-X 4.6 acre minimum (Residential Forestry, combining Minimum Building Site of 4.6 acres) and a Minor Land Division to create four parcels consisting of 6.5 acres, 7.2 acres, 7.9 acres and 32.8 acres.

At the Forum meeting, the public expressed concerns that they would prefer the minimum parcel size for the project site not fall below a 20-acre minimum, in order to keep the size of the newly created lots consistent with the surrounding parcels. As a result of the recommendations from the public and the forum members, the project applicant made the decision to modify his minimum acreage request from a 4.6-acre minimum parcel size to a 20-acre minimum parcel size and revised his Parcel Map request to a two-parcel map. This is the proposal that was considered and acted upon by the Planning Commission.

PLANNING COMMISSION ACTION

The project was presented to the Planning Commission on August 22, 2013. At that hearing, the Commission received a presentation from staff and heard comments from the applicant and members of the community. Concerns about the project raised at the hearing included the proposed minimum parcel size, site access, fire safety and road maintenance.

Two members of the public spoke at the hearing to address concerns related to the proposed minimum parcel size that would result from approval of the Rezone. Both members stated that they were in full support of the 20-acre minimum parcel size. Other concerns that were discussed included fire safety protections and road maintenance fees.

Representatives for neighboring property owners and the Black Oak Ridge subdivision shared concerns that they did not want to see approval of the Rezone to allow for a minimum acreage of 4.6 acres (which was originally proposed). As noted above, these concerns were also expressed during the Foresthill Forum meeting that occurred on August 5, 2013. In response to the public comment received at the Forum, the applicant revised his original proposal to Rezone the property to a 20-acre minimum parcel size. At the Planning Commission hearing, these representatives stated that they were in full support of the modified proposal to a 20-acre minimum parcel size and that their concerns regarding this issue had been resolved.

After conducting the public hearing, the Planning Commission took action (7:0:0:0) to adopt the Mitigated Negative Declaration and adopt the findings, approve the Minor Land Division subject to modified

Conditions of Approval that would allow for two driveway access options [Conditions 9, 35)A and 35)C]. The Planning Commission also determined that the Rezone request of the subject property to RF-B-X 20 acre minimum (Residential Forestry, combining minimum Building Site of 20 acres) was consistent with the Foresthill Divide Community Plan and County General Plan and compatible with the zoning of the surrounding area, and took action to forward a recommendation for approval of the Rezone to the Board of Supervisors.

DISCUSSION OF ISSUES

Rezone

The subject property is comprised of approximately 53 acres, and the applicant is requesting approval of a rezone to allow subdivision of the property into two parcels consisting of an approximately 21-acre parcel and an approximately 32-acre parcel. The parcels that are included in the Minor Land Division are currently zoned RF-B-X 20 ac. min. (Residential Forestry combining minimum Building Site of 20 acres) and RF-B-X 160 ac. min. PD = 0.05 (Residential Forestry combining minimum Building Site of 20 acres, combining Planned Residential Development of 0.05 units per acre).

The Foresthill Divide Community Plan designates the subject property as Rural Estate, 4.6- to 20-acre minimum, and the proposed rezone is consistent with this designation.

The subject property is zoned RF-B-X 160 acre minimum PD = 0.05 (Residential Forestry, combining minimum Building Site of 160 acres, combining Planned Residential Development of 0.05 acres) and RF-B-X 20 acre minimum (Residential Forestry, combining minimum Building Site of 20 acres). The Placer County Zoning Ordinance treats properties that fall within more than one zone district in the following manner, per Section 17.02.050(B)(4)(Interpretation; Map Boundaries):

“Where a zoning boundary crosses a parcel rather than following a property line, so that single parcel is covered by two separate zone districts, the larger of the minimum parcel sizes required in the two zones by Articles 17.06 through 17.52 (Zone Districts and Allowable Uses of Land) shall apply to any proposed parcel within more than one zone district.”

The zone boundary requirements set forth in the Zoning Ordinance require that the more restrictive zoning apply. In this case, a 160-acre minimum parcel size is more restrictive than the 20-acre minimum parcel size. Therefore, the 160-acre minimum parcel size applies to the entire parcel, and the applicant cannot subdivide the subject property into two parcels without a rezone to allow for a 20-acre minimum parcel size. As a result, the applicant is requesting a Rezone to 20-acre minimum in order to allow for the two-lot Minor Land Division on the property.

The proposed Rezone of the property is also consistent with the parcel size of the surrounding properties. The majority of the properties surrounding the subject parcel are 20 acres in size or smaller. The lots located within the subdivision are both proposed to be more than 20 acres in size. The properties located to the south and east of the property range from 4.6 acres in size to 22.2 acres in size with the majority of which no larger than eight acres. Finally, the 160-acre minimum zoning area consists of a small strip with 20-acre zoning bordering both the east and west sides of the subject property. Therefore, the Rezone from 160-acre minimum parcel size to 20-acre minimum parcel size is consistent with all surrounding properties and will not result in “spot” zoning.

Environmental Analysis

Consistent with the requirements of the California Environmental Quality Act, a Mitigated Negative Declaration was prepared for the proposed project. Environmental issues discussed in the environmental document include: Air Quality, Biological Resources, and Transportation and Traffic. The Mitigated Negative Declaration concluded that, with the implementation of mitigation measures included in the document, environmental impacts will be reduced to less than significant levels. An Errata was prepared to reflect the applicant’s modification of the project to 20-acre zoning minimum and a two lot parcel map.

The Planning Commission took action at the hearing to adopt the Mitigated Negative Declaration and Errata for the approval of the Minor Land Division

RECOMMENDATION

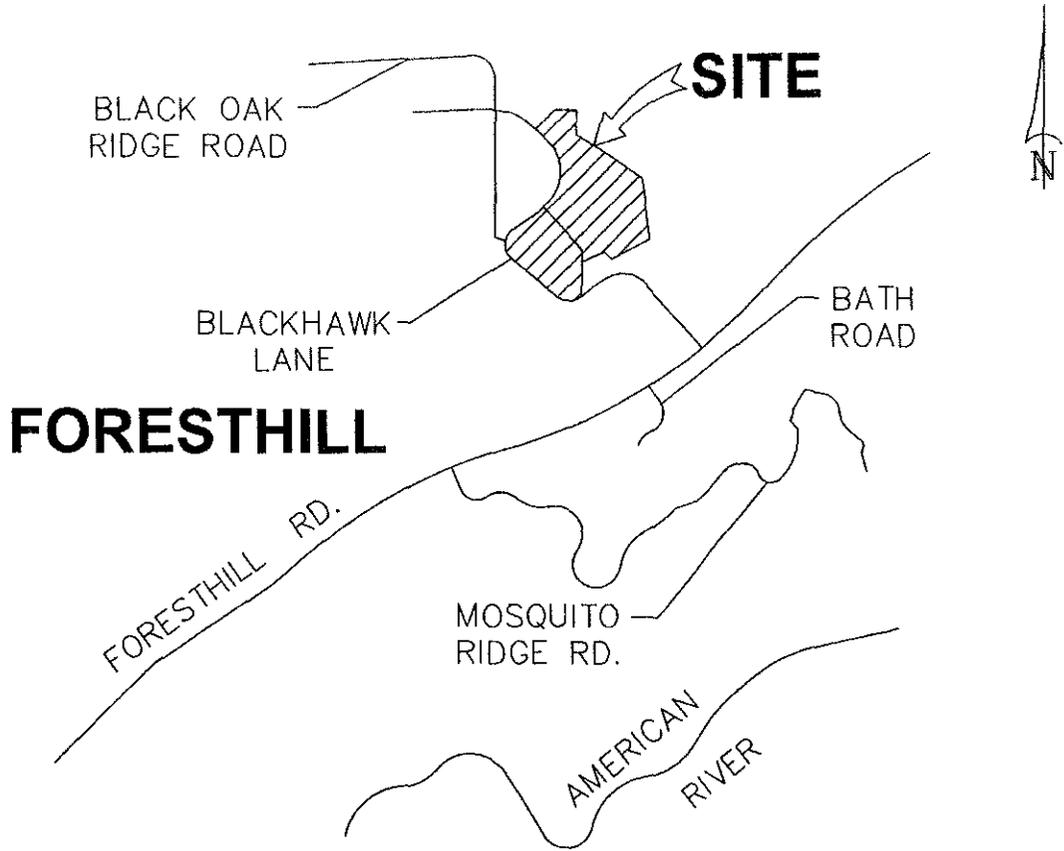
Staff recommends that the Board of Supervisors take the following action:

1. Adopt the Mitigated Negative Declaration and Errata, including the Mitigation Monitoring Program, for the Blackhawk Lane Rezone and Minor Land Division project, based on the following findings:
 - A. The Mitigated Negative Declaration and Errata for the Blackhawk Minor Land Division and Rezone project has been prepared as required by law. With the incorporation of all mitigation measures, including MM III.1, MM III.2, MM IV.1, MM IV.2, MM IV.3, MM XVI.1, MM XVI.2, MM XVI.3 and MM XVI.4 the project is not expected to cause any significant adverse impacts.
 - B. There is no substantial evidence in the record as a whole that the project as revised and mitigated may have a significant effect on the environment.
 - C. The Mitigated Negative Declaration and Errata as adopted for the project reflects the independent judgment and analysis of Placer County which has exercised overall control and direction of its preparation.
 - D. The custodian of records for the project is the Placer County Planning Director, 3091 County Center Drive, Suite 140, Auburn CA, 95603.
2. Adopt the Ordinance as set forth in Attachment C approving a Rezone of the eastern portion of Assessor's Parcel Number 064-270-022 from RF-B-X 160 ac. min. (Residential Forestry, combining minimum Building Site of 20 acres) to RF-B-X 20 ac. min. (Residential Forestry combining minimum Building Site of 20 acres) based on the following findings:
 - A. The zoning, as amended through this action, is consistent with applicable goals and policies of the Placer County General Plan and the Foresthill Divide Community Plan and is consistent with the land uses in the immediate area.
 - B. The proposed zoning would not represent spot zoning and would not be contrary to the orderly development of the area.

ATTACHMENTS:

- Attachment A: Vicinity Map
- Attachment B: Proposed Ordinance
- Attachment C: Existing Zoning Map
- Attachment D: Proposed Zoning Map
- Attachment E: Tentative Parcel Map
- Attachment F: Conditions of Approval
- Attachment G: August 22, 2013 Planning Commission Staff Report (duplicate attachments removed)
- Attachment H: Mitigated Negative Declaration and Errata
- Attachment I: Mitigation Monitoring Program
- Attachment J: Correspondence

- cc: Hogan Land Services – Applicant
Richard Kraemer – Property Owner
Michael Johnson – Community Development/Resources Agency Director
Paul Thompson – Deputy Director, Planning Services
Phil Frantz – Engineering and Surveying Department
Justin Hansen – Environmental Health Services
Karin Schwab – County Counsel



VICINITY MAP

NOT TO SCALE

**KRAEMER
ANDREGG
GEOMATICS**

www.andregg.com
800-400-7072

25

Before the Board of Supervisors County of Placer, State of California

In the matter of:

AN ORDINANCE AMENDING THE PLACER COUNTY
CODE, CHAPTER 17, MAP J, RELATING TO REZONING
IN THE FORESTHILL AREA - "Blackhawk Lane Minor
Land Division and Rezone", APN: 064-270-022,
(PMLD 20090218)

Ordinance No: _____

First Reading: _____

The following ORDINANCE was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held _____, by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chair, Board of Supervisors

Attest:
Clerk of said Board

Ann Holman

The Board of Supervisors of the County of Placer, State of California, does hereby ordain as follows:

1. Placer County Code, Chapter 17, Map J, relating to Rezoning in the Foresthill area, is amended from RF-B-X 160 ac. min. PD=0.05 (Residential Forestry, combining a minimum Building Site of 160 acres, combining Planned Residential Development of 0.05 acres) to RF-B-X 20 ac. min. (Residential Forestry, combining minimum Building Site of 20 acres).
2. The Board finds that the assignment of a new zone district is compatible with the objectives, policies, and general land uses specified by the Foresthill Divide Community Plan adopted pursuant to the State Planning and Zoning law, and will best serve the public's welfare.

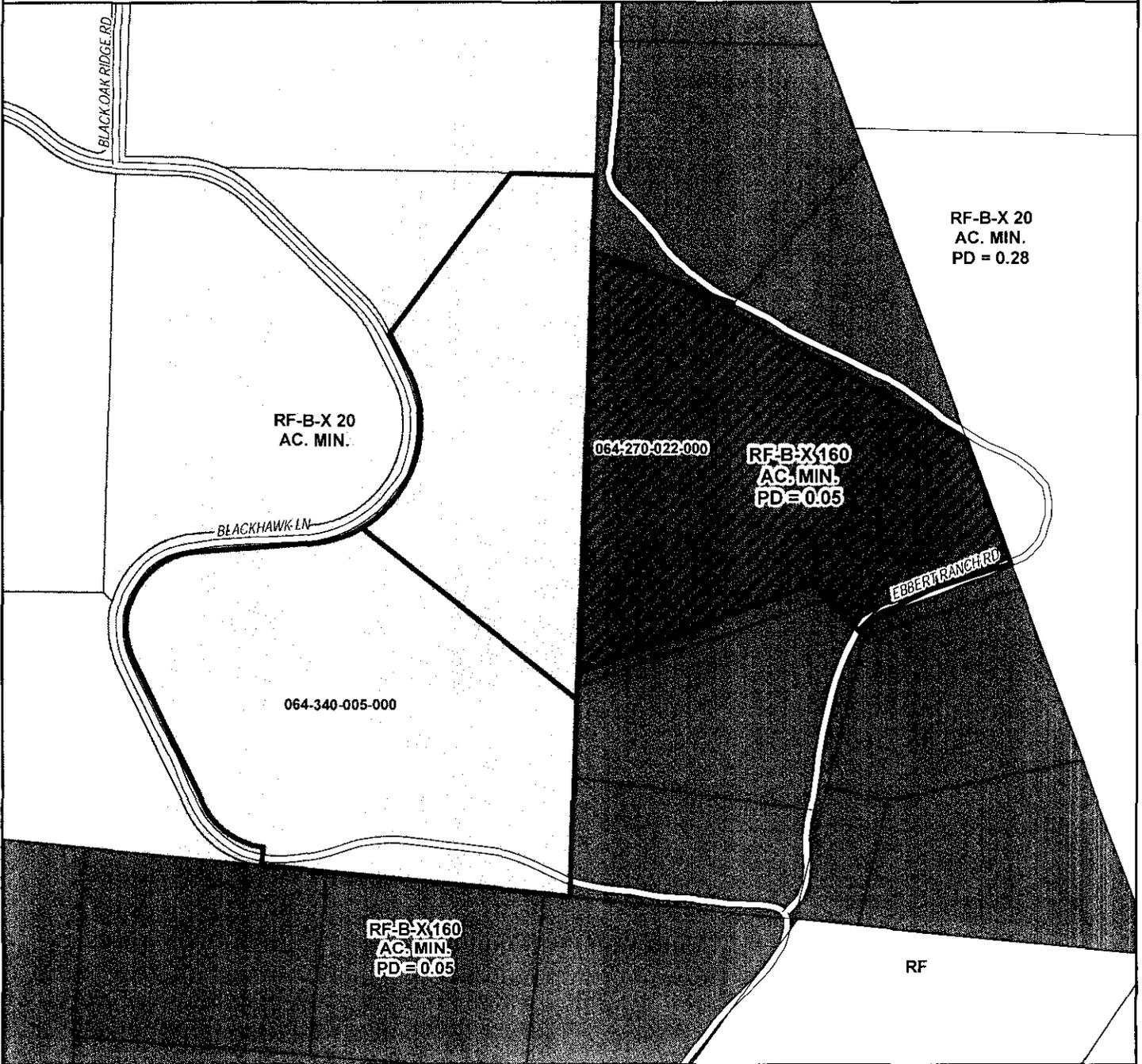
3. Notice of all hearings required by statute and ordinance has been given and all hearings have been held as required by statute and ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER:

Section 1: That portion of Chapter 17 of the Placer County Code relating to zoning for the Blackhawk Land Minor Land Division and Rezone is amended from RF-B-X 160 ac. min. PD=0.05 (Residential Forestry, combining a minimum Building Site of 160 acres, combining Planned Residential Development of 0.05 acres) to RF-B-X 20 ac. min. (Residential Forestry, combining minimum Building Site of 20 acres) as shown on Exhibit A, attached hereto and incorporated herein by reference.

Section 2: This ordinance shall take effect and be in full force and effect upon thirty (30) days after its passage. The Clerk is directed to publish this ordinance, or a summary thereof, within fifteen (15) days in accordance with Government Code Section 25124.

KRAEMER PROPERTY - EXISTING ZONING



LEGEND

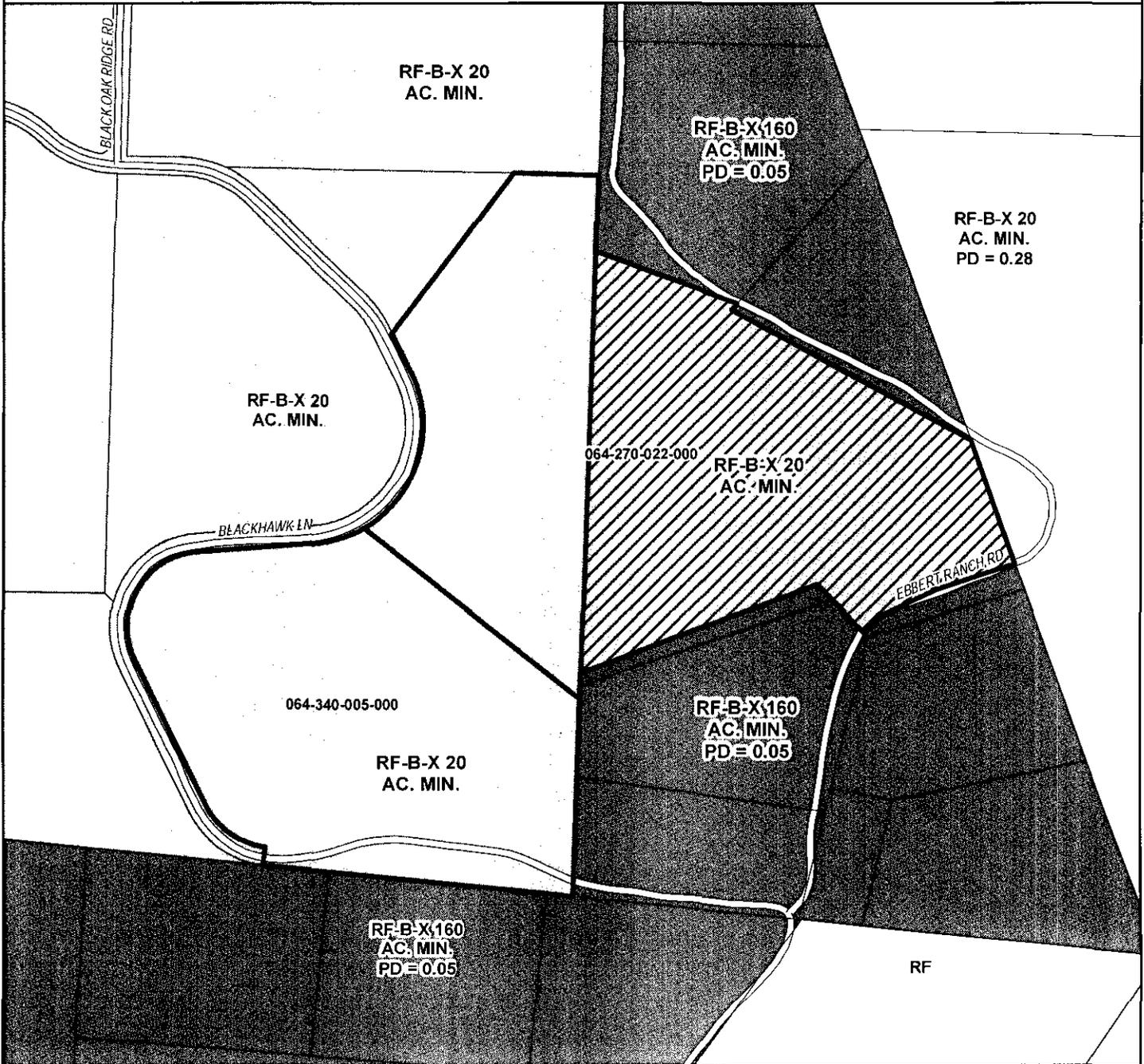
- | | |
|---|---|
|  AREA OF REZONE |  RF |
|  PROJECT PARCELS |  RF-B-X 20 AC. MIN. PD = 0.28 |
|  PARCEL |  RF-B-X 20 AC. MIN. |
|  ROADS |  RF-B-X 160 AC. MIN. PD = 0.05 |

DATA DISCLAIMER:

The features on this map were prepared for geographic purposes only and are not intended to illustrate legal boundaries or supercede local ordinances. Official information concerning the features depicted on this map should be obtained from recorded documents and local governing agencies.

28

KRAEMER PROPERTY - PROPOSED ZONING



PROPOSED ZONING CHANGE
 Existing Zoning: RF-B-X 160 AC. MIN. PD = 0.05
 Proposed Zoning: RF-B-X 20 AC. MIN.

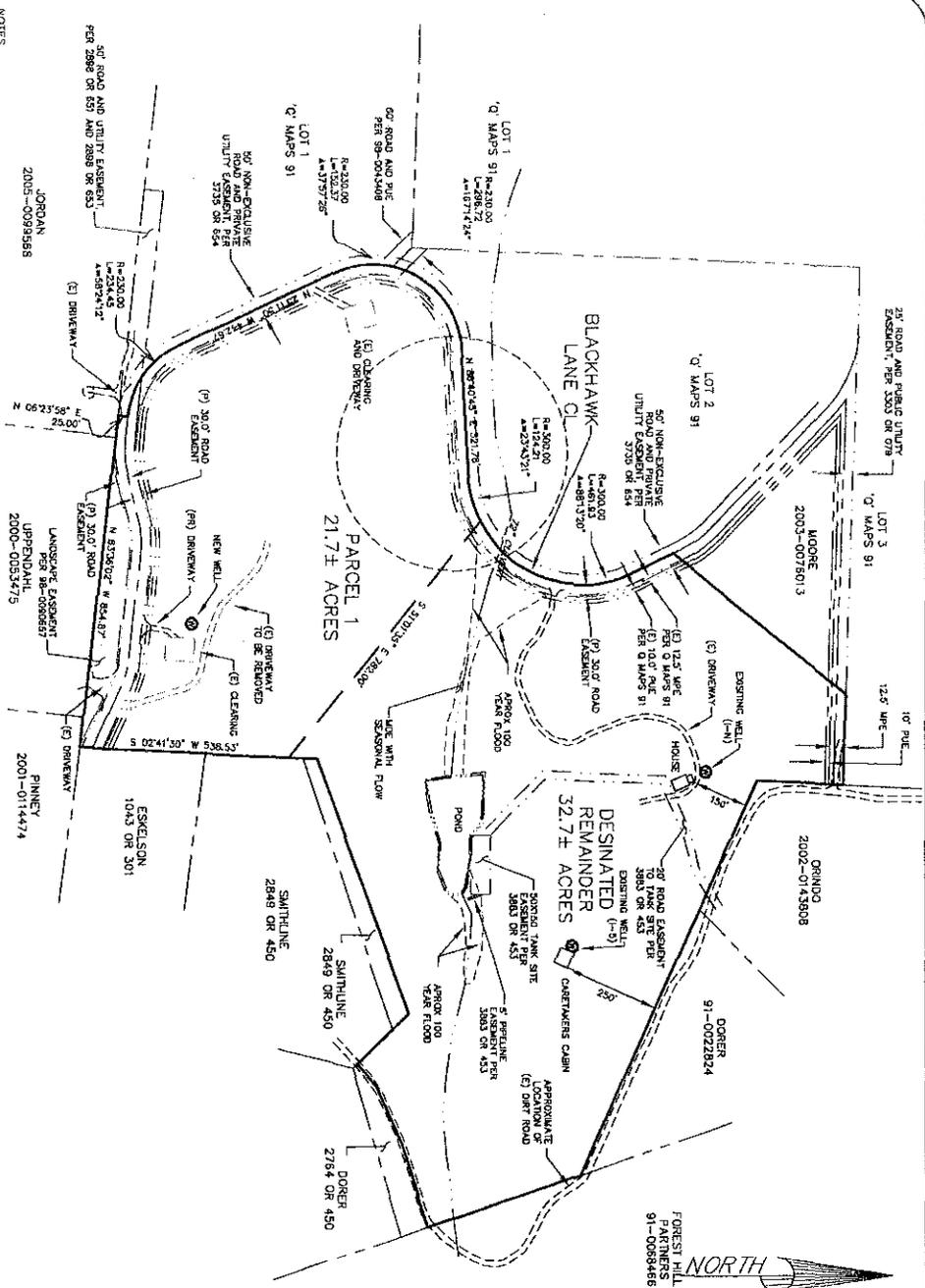
LEGEND

- | | |
|-----------------|-------------------------------|
| AREA OF REZONE | RF |
| PROJECT PARCELS | RF-B-X 20 AC. MIN. PD = 0.28 |
| PARCEL | RF-B-X 20 AC. MIN. |
| ROADS | RF-B-X 160 AC. MIN. PD = 0.05 |

DATA DISCLAIMER:
 The features on this map were prepared for geographic purposes only and are not intended to illustrate legal boundaries or supercede local ordinances.
 Official information concerning the features depicted on this map should be obtained from recorded documents and local governing agencies.

29

- NOTES:
1. THIS MAP DOES NOT CONSTITUTE A BOUNDARY SURVEY. BOUNDARY INFORMATION SHOWN IS PER RECORD DATA FROM RECORDS AS OR 2001-0129322 AND 2001-0129383.
 2. THIS TENTATIVE MAP CONFORMS WITH ALL APPLICABLE REQUIREMENTS OF THE PLACER COUNTY LAND DEVELOPMENT MANUAL.
 3. ALL PROPOSED IMPROVEMENTS WILL BE IN ACCORDANCE WITH PLACER COUNTY LAND DEVELOPMENT MANUAL.
 4. ALL NEW DRAINAGE WILL HAVE TO CONFORM TO PLANE 17(VANNOY) PER PLACER COUNTY COMMUNITY DEVELOPMENT RESOURCE MGMT.
1. NEGATIVE MAP STATEMENT
 I HEREBY STATE THAT THIS TENTATIVE MAP ACCURATELY DEPICTS THE BOUNDARY INFORMATION SHOWN ON THIS TENTATIVE MAP. I AM NOT PROVIDING ANY WARRANTY, EXPRESS OR IMPLIED, REGARDING THE ACCURACY OF THE BOUNDARY INFORMATION SHOWN ON THIS TENTATIVE MAP. ALL EXPENSES TO BE INCURRED BY THE APPLICANT FOR THIS TENTATIVE MAP ARE LISTED IN THE NOTES.
- MICHAEL R. HOGAN, U.S. 7352 DATE



PROJECT SUMMARY
 PROJECT ADDRESS: [REDACTED] LANE
 FRESNELLO, CA 95431
 COORDINATE: 270-022 327± ACRES
 ZONED: R-B-X
 APPROX. 340-005 217± ACRES
 ZONED: R-B-X
 PROPOSED PARCELS:
 DESIGNATED REMAINDER AREA: 32.7± ACRES
 PARCEL 1
 TOTAL AREA
 54.4

GENERAL INFORMATION
 OWNER: [REDACTED] LAND
 FRESNELLO, CA 95431
 SURVEYOR: [REDACTED] 270-022 327± ACRES
 HOGAN LAND SERVICES
 541 FARMERS LANE
 SANTA ROSA, CA 95405
 707-522-2104

COMMUNITY PLAN AREA:
 FRESNELLO COMMUNITY PLAN
 GENERAL PLANNING AND USE
 RURAL ESTATES 4.8 TO 20 ACRE MIN.
 SCALE: 1" = 200'

UTILITIES
 GAS: PACIFIC GAS & ELECTRIC
 PROPOSED GAS: PACIFIC GAS & ELECTRIC
 WATER: FRESNELLO
 SEWER: FRESNELLO
 FLOOD: FRESNELLO
 SCHOOL: FRESNELLO HIGH SCHOOL, DIST

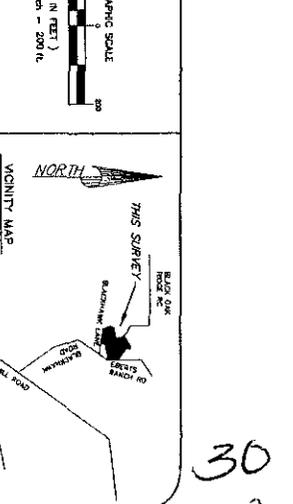
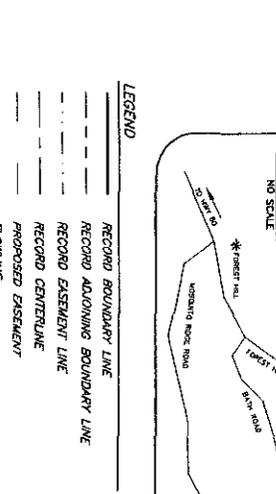
RECEIVED
 AUG 06 2013
 PLANNING DEPT.

TENTATIVE PARCEL MAP
 OF THE LANDS OF
KRAEMER

AS DESCRIBED IN DOCUMENT NUMBER 2004-0148932 & DOCUMENT NUMBER 2004-0148932 AND LING WITHIN SECTION 13 OF TOWNSHIP 13 NORTH, RANGE 10 EAST MDN.

STATE OF CALIFORNIA
 COUNTY OF PLACER
 APR. 04-30-03 & 04-20-02 DATE: FEBRUARY 2012

HOGAN LAND SERVICES
 A CALIFORNIA CORPORATION
 541 FARMERS LANE
 SANTA ROSA, CA 95405
 www.hoganis.com
 Tel (707) 544-2104
 Fax (707) 522-2105
 208 / 1340 THIS SHEET ONLY





**CONDITIONS OF APPROVAL – MINOR LAND DIVISION
"BLACKHAWK LANE " (PMLD 20090218)**

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 Land Division (PMLD 20090218) is approved to allow for a subdivision of a 53-acre parcel to create two parcels consisting of 21.7-acres and 32.7-acres on Assessor Parcel Numbers 064-270-022 and 064-340-005.

Approval of the Minor Land Division Final Map shall be subject to the Board of Supervisors approval of a Rezone to change the property's zoning from RF-B-X 160 ac. min. (Residential Forest, combining minimum Building Site of 160 acres) to RF-B-X 20 ac. min. (Residential Forest, combining minimum Building Site of 20 acres).

IMPROVEMENTS/IMPROVEMENT PLANS

2. Prior to Final Parcel Map recordation, construct a driveway onto Blackhawk Lane to a Plate R-17 (Minor), Land Development Manual (LMD) standard. The design speed of Blackhawk Lane shall be 30 miles per hour (mph), unless an alternate design speed is approved by the Department of Public Works (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 ESD. The Plate R-17 structural section within the main roadway right-of-way shall be designed for a Traffic Index of 6.0, but said section shall not be less than 3 inches Asphalt Concrete (AC)/8 inches Class 2 Aggregate Base (AB) unless otherwise approved by the ESD. (MM XVI.4) **(ESD)**

3. Prior to Final Parcel Map recordation, the existing driveways/encroachments located within proposed Parcel 1 shall be physically removed and revegetated as part of the proposed driveway Encroachment Permit to the satisfaction of the Engineering and Surveying Department and Department of Public Works. **(ESD)**

PUBLIC SERVICES

4. Provide will-serve letters from the following agencies that express satisfaction with the proposed project.

NOVEMBER 2013 BOS

Electric Company: Pacific Gas & Electric
School Districts: Foresthill Union/High School District
Fire Protection District(s): Foresthill Fire District & CDF

GENERAL DEDICATIONS/EASEMENTS

5. Show all record easements on the parcel map.
6. Dedicate to Placer County one-half of a 60 foot wide highway easement where the project fronts Blackhawk Lane, as measured from the existing centerline of the existing roadway, plan line or other alignment as approved by the Transportation Division of the Department of Public Works.
Where the entire Blackhawk Lane pavement falls within the proposed Minor Land Division boundary, then a full width easement dedication of a highway easement shall be required.
7. Dedicate 12.5 foot wide multi-purpose easements adjacent to all highway easements (and on both sides of the highway easement, as necessary).
8. Create maintenance easements as necessary for fire suppression water tank and appurtenances, as well as emergency vehicle access easements as required by the serving fire district.
9. Dedicate a “No Access” strip along the Parcel 1 frontage on Blackhawk Lane excepting the proposed driveway locations as identified on the Tentative Parcel Map and to the satisfaction of the ESD/DPW. (MM XVI.2) (ESD)

VEGETATION & OTHER SENSITIVE NATURAL AREAS

10. Prior to approval of grading plans, improvement plans, or recordation of the Final Map, whichever occurs first, trees identified for removal, and/or trees with disturbance to its critical root zone, shall be mitigated through replacement with comparable species on-site, in an area to be reviewed and approved by the Development Review Committee (DRC) or through payment of in-lieu fees, as follows:
 - A. For each diameter inch of a tree removed, replacement shall be on an inch-for-inch basis. For example, if 100 diameter inches are proposed to be removed, the replacement trees would equal 100 diameter inches (aggregate). If replacement tree planting is proposed, the tree replacement/mitigation plan must be shown on Improvements Plans and must be installed by the applicant and inspected and approved by the Development Review Committee (DRC). At its discretion, the DRC may establish an alternate deadline for installation of mitigation replacement trees if weather or other circumstances prevent the completion of this requirement.

B. In lieu of the tree planting mitigation for tree removal listed above, a tree replacement mitigation fee of \$100 per diameter inch at breast height for each tree removed or impacted or the current market value, as established by an Arborist, Forester or Registered Landscape Architect, of the replacement trees, including the cost of installation, shall be paid to the Placer County Tree Preservation Fund. (MM IV.2)

11. Prior to any construction activities, a Tree Permit shall be required for all trees six inches in diameter at breast height (dbh) or greater, or multi-trunked trees 10 inches (dbh) or greater, that are located within 50 feet of a development activity on Lot 1 and the Designated Remainder Lot. (MM IV.3)

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

CULTURAL RESOURCES

13. If any archaeological artifacts, exotic rock (non-native), or unusual amounts of shell or bone are uncovered during any on-site construction activities, all work must stop immediately in the area and a SOPA-certified (Society of Professional Archaeologists) archaeologist retained

to evaluate the deposit. The Placer County Planning Department of 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 parcel map for the project.

FEES

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

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

The current total combined estimated fee is \$4,425 per single family residential dwelling unit. The fees were calculated using the information supplied. If the use or the square footage changes, then the fees will change. The actual fees paid shall be those in effect at the time the payment occurs. (MM XVI.1) **(ESD)**

ENVIRONMENTAL HEALTH

15. Perform soil mantle testing in the proposed leachfield area for parcel 1 to a minimum depth of 6 feet, unless soils or special engineering considerations dictate otherwise. **(Completed)**

16. Soil percolation testing shall be performed by a qualified consultant in the sewage disposal area for parcel . Submit the test results to the Division of Environmental Health for review and approval. **(Completed)**

17. Submit to Environmental Health Services, a site plan, prepared by a qualified consultant, for parcel 1 and the remainder parcel. Each site plan must accurately depict the lot boundaries, the minimum required sewage disposal area, percent slope in the sewage disposal area, major rock outcroppings, all test hole locations, drainage and water ways, proposed well locations, roadways, easements and other pertinent or special design considerations. **(Completed)**

18. The septic tank serving the existing residence on the remainder parcel shall be evaluated by a licensed septic tank pumper, who shall submit to the Environmental Health Services for review and approval, a report of its capacity, structural condition, materials (e.g., concrete, redwood, metal, fiberglass, etc.) and the necessity for pumping

In lieu of having the tank evaluated at this time, the applicant may submit proof that the septic tank has been pumped within the last three (3) years. Other report information listed above is still required. **(Completed)**

19. Contact Environmental Health Services, pay required fees, and obtain an Environmental Health Septic System Evaluation for the designated remainder parcel. A complete septic system tracing may be required if an adequate septic system as-built is not on file at Environmental Health Services. The findings of this evaluation may result in a requirement to replace the existing septic system with a permit from Environmental Health Services. **(Completed)**

20. A water well shall be drilled on parcel 1 under permit with Environmental Health Services, which meets minimum water quality standards and for which a well final certificate has been issued. **(Completed)**

21. Submit to Environmental Health Services, for review and approval, a 4-hour yield report for the well serving the existing residence on the remainder parcel. Additional domestic water storage or construction of a new well with adequate yield may be required, depending upon the results of the report. **(Completed)**

22. Submit to Environmental Health Services, for review and approval, the results of a bacteriological water analysis from the wells located on parcel 1 and the remainder parcel. Bacteriological analysis must also include a negative chlorine residual result. **(Completed)**

23. Submit to Environmental Health Services, for review, the results of water quality testing including (1) Primary Standards- inorganic chemicals as described in Title 22 California Code of Regulations, Article 4, Section 64431 and (2) Secondary Drinking Water Standards as described in Title 22 California Code of Regulations, Article 16, Section 6449. The testing should be conducted on the wells located on parcel 1 and the remainder parcel. **(Completed)**

AIR QUALITY

24. Prior to approval of a Grading Plan, 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. MM III.1

25. MM III.2
- 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).
 - b. Include the following standard note on the 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.
 - c. Include the following standard note on the 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.
26. MM III.3 Include the following standard notes on the Grading Plan:
- a. During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less.
 - b. The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) are excessive and dust is impacting adjacent properties.
 - c. In order to minimize wind driven dust during construction, the prime contractor 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).
 - d. 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.
 - e. 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.
 - f. 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.

- g. 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.
- h. During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel powered equipment.
- i. 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.

MISCELLANEOUS CONDITIONS

27. The applicant shall defend, indemnify, and hold harmless the County of Placer, the County Board of Supervisors, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorneys fees awarded in any proceeding brought in any State or Federal court, challenging the County's approval of that certain Project know as the Blackhawk Lane-Kraemer. The applicant shall, upon written request of the County pay, or at the County's option reimburse the County for, all reasonable costs for defense of any such action and preparation of an administrative record, including the County staff time, costs of transcription 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 written request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provisions of this condition.

28. A building permit shall be required prior to any construction on site.

29. All portions of the subject property that are located within the Black Oak Ridge Subdivision shall annex into the subdivision prior to Building Permit approval. Said property shall be subject to all Conditions of Approval for that Subdivision.

30. Pursuant to County Code Sections 15.34 and 16.08.100, a fee must be paid to Placer County for the development of park and recreation facilities. This fee applies to any residential unit on site. The fee to be paid is the fee in effect at the time of Building Permit issuance. (For reference, the current fee for single-family dwellings is \$640.00 per unit at Final Parcel Map and \$3,400 per unit when a Building Permit is issued. If no Final Parcel Map is recorded prior to building permit issuance, the entire \$4,040.00 per unit will be due at Building Permit

issuance. The fee to be paid is the fee in effect at the time of Final Parcel Map recordation/Building Permit Issuance.

31. Identify the 100-year floodplain on the Final Parcel Map for the on site drainage way located within the proposed Remainder Parcel as shown on the Tentative Map. The flood plain shall be shown on the Final Parcel Map and the following note shall be added "No grading of any kind shall be permitted within the 100-year floodplain without first obtaining a valid grading permit from the Engineering and Surveying Division and complying with all provisions of the Placer County Grading Ordinance and any other applicable ordinances." **(ESD)**

32. Prior to recordation of the Final Parcel Map, submit the map in digital format (on compact disc or other ESD- approved media) to the ESD in accordance with the latest version of the Placer County Digital Plan and Map Standards. The digital format is to allow integration with Placer County's Geographic Information System (GIS). The recorded map filed at the Placer County Recorder's Office will be the official document of record. **(ESD)**

33. Prior to recordation of the Final Parcel Map(s), the Placer County standard "remainder note" must appear on the face of the recorded Parcel Map(s) to designate a remainder. Pursuant to Government Code, Section 66424.6 the remainder is not being created for the purpose of sale, lease, or financing. Prior to any sale thereof, the owner shall comply with the applicable provisions of Government Code, Section 66424.6. **(ESD)**

34. Submit evidence that there are no delinquent taxes and that any existing assessments have been split. **(ESD)**

35. Prior to submittal of the Final Parcel Map, the applicant shall submit to the satisfaction of the Development Review Committee a Revised Tentative Parcel Map which: **(ESD)**

- A) Shows the two proposed new driveway encroachment locations onto Blackhawk Lane for access to Parcel 1 to the satisfaction of the Engineering and Surveying Department and Department of Public Works.
- B) Shows a note that all existing driveways and encroachments within Parcel 1 shall be removed and revegetated at a minimum within the County right-of-way.
- C) Shows a "No Access" strip along the Parcel 1 frontage with Blackhawk Lane excepting the approved driveway locations to the satisfaction of the Engineering and Surveying Department and Department of Public Works.
- D) Includes a filled out, wet signed and stamped, Tentative Map Statement.

CC&Rs

36. All portions of the subject property that are located within the Black Oak Ridge Subdivision shall annex into the subdivision and shall be subject to the CC&R's established for the subdivision and the enforcement thereof by the Homeowner's Association.

DEVELOPMENT STANDARDS

37. All Parcels shall meet the requirements of the applicable zone district as described in the Placer County Zoning Ordinance. This includes, but is not limited to, width, frontage, etc. Each parcel shall meet the minimum lot area, as described in section 17.54.040 A.

38. Per Section 66424.6(d) of the Subdivision Map Act, the property owner shall obtain a Certificate of Compliance or Conditional Certificate of Compliance prior to sale of the "Designated Remainder Parcel".

EXERCISE OF PERMIT

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

40. This parcel map shall expire on September 3, 2016 unless previously exercised.



COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, Agency Director

**PLANNING
SERVICES DIVISION**

Paul Thompson
Deputy Planning Director

HEARING DATE: August 22, 2013
ITEM NO.: 3
TIME: 10:40 a.m.

TO: Placer County Planning Commission
FROM: Development Review Committee
DATE: August 22, 2013
SUBJECT: **REZONE AND MINOR LAND DIVISION (PMLD 20090218)**
BLACKHAWK LANE MINOR LAND DIVISION AND REZONE
MITIGATED NEGATIVE DECLARATION

COMMUNITY PLAN: Foresthill Divide Community Plan

COMMUNITY PLAN DESIGNATION: Rural Estate 4.6 – 20 Acre Minimum

ZONING: RF-B-X 20 acre minimum (Residential Forestry, combining a minimum Building Site of 20 acres) and RF-B-X 160 acre minimum PD=0.05 (Residential Forestry, combining a minimum Building Site of 160 acres, combining Planned Residential Development of 0.05 units per acre)

STAFF PLANNER: Melanie Jackson, Associate Planner

LOCATION: The project site is located at 6960 Blackhawk Lane, approximately 1.4 miles north of the intersection of Foresthill Road and Blackhawk Lane in the Foresthill area.

ASSESSOR'S PARCEL NUMBER: 064-270-022, 064-340-005

APPLICANT: Mike Mueller, Hogan Land Services on behalf of Richard Kraemer

PROPOSAL: The applicant requests that the Placer County Planning Commission forward a recommendation for approval to the Board of Supervisors for a Rezone to change the subject property zoning from RF-B-X 160 acre minimum PD=0.05 (Residential Forestry, combining a minimum Building Site of 160 acres combining Planned Residential Development of 0.05 units per acre) to RF-B-X 20 acre minimum (Residential Forestry, combining a minimum Building Site designation of 20 acres).

The applicant is also requesting approval of a Minor Land Division to divide an approximately 53-acre property into two parcels consisting of 21.7 acres and 32.7 acres.

CEQA COMPLIANCE: A Mitigated Negative Declaration and Errata (Attachment E) has been prepared for the project and has been finalized pursuant to CEQA. The Mitigated Negative Declaration must be found to be adequate by the decision-making body to satisfy the requirements of CEQA, and a recommended finding for this purpose can be found at the end of this staff report.

PUBLIC NOTICES AND REFERRAL FOR COMMENTS:

Public notices were mailed to property owners of record within 300 feet of the project site. Community Development Resource Agency staff and the Departments of Public Works, Environmental Health, and the Air Pollution Control District were transmitted copies of the project plans and application for review and comment. All County comments have been addressed and conditions have been incorporated into the staff report.

SITE CHARACTERISTICS:

The project site is located at 6960 Blackhawk Lane in the Foresthill area, adjacent to and partially within the Black Oak Ridge Subdivision. The project site slopes downward to the west and north sides of the property towards Blackhawk Canyon Creek. Elevations on site range between approximately 3,300 and 3,400 feet. The site supports a mixed conifer forest habitat. The project site is developed with a single-family residence, outbuildings, driveways and house pads. The site is bordered by Blackhawk Lane, the Black Oak Ridge Subdivision and properties developed with single-family residences.

EXISTING LAND USE AND ZONING:

	LAND USE			ZONING
SITE	Developed residence	with	single-family	RF-B-X 160 Ac. Min. PD = 0.05 (Residential-Forestry, combining minimum Building Site of 160 acres, combining Planned Residential Development of 0.05 units per acre); RF-B-X 20 ac. min. (Residential-Forestry, combining a Building Site of 20 acres)
NORTH	Developed residences	with	single-family	RF-B-X 160 Ac. Min. PD = 0.05 (Residential-Forestry, combining minimum Building Site of 160 acres, combining Planned Residential Development of 0.05 units per acre); RF-B-X 20 ac. min. (Residential-Forestry, combining a Building Site of 20 acres)
SOUTH	Developed	with	single-family	RF-B-X 160 Ac. Min. PD = 0.05

	residences			(Residential-Forestry, combining minimum Building Site of 160 acres, combining Planned Residential Development of 0.05 units per acre); RF-B-X 20 Ac. Min. (Residential-Forestry, combining a Building Site of 20 acres)
EAST	Developed residences	with	single-family	RF-B-X 20 Ac. Min. (Residential Forestry, combining minimum building site designation of 20 acre minimum parcel size)
WEST	Developed residences	with	single-family	RF-B-X 20 Ac. Min. (Residential Forestry, combining minimum building site designation of 20 acre minimum parcel size)

BACKGROUND:

The subject property borders the Black Oak Ridge Subdivision. Black Oak Ridge Subdivision is an 18-lot residential subdivision that was recorded in March of 1990. At the time of recordation, the owner of the property that is the subject of this Rezone/Minor Land Division, Mr. Kraemer, owned a 35.5-acre property that shared the eastern property line with Lot 2 of the subdivision. At the time, Lot 2 was owned by Mr. Davey and consisted of 37.59 acres.

In 2001, Mr. Kraemer and Mr. Davey completed a Minor Boundary Line Adjustment (MBR-10774) between the 35.5 acre property (now recognized as APN's 064-270-022 and 064-340-005) and the 37.59 acre property (Lot 2). The purpose of a Minor Boundary Line Adjustment is to either reconfigure common boundary lines or increase or decrease the total acreage of a property by way of merging a portion/s of two or more properties that share a common boundary line. As defined in the Subdivision Map Act, "land taken from one parcel is added to an adjoining parcel," and "a greater number of parcels than originally existed are not thereby created". [Subdivision Map Act section 66411(D)]

The MBLA completed by Mr. Kraemer and Mr. Davey resulted in a transfer of 21.55 acres from Mr. Davey's parcel (37.59 acres) to Mr. Kraemer's parcel (37.59 acres) and a transfer of 4.0 acres from Mr. Kraemer's parcel to Mr. Davey's parcel (Lot 2)[Attachment G]. In total, Mr. Kraemer acquired 17.5 acres, resulting in a total acreage of approximately 53 acres.

Although the MBLA expanded the acreage of Mr. Kraemer's single, "separately saleable and buildable" parcel, the property is assessed with two Assessor Parcel Numbers. This is because a Minor Boundary Line Adjustment merges parcels that were once separately assessed, and the parcels continue to be assessed as separate parcels after the Minor Boundary Line Adjustment is complete.

As stated above, the portion of Mr. Davey's property that was acquired by Mr. Kraemer was included as a lot within the Black Oak Ridge Subdivision as Lot 2 and, as such, was subject

42 3

to the CC&R's and the Homeowner's Association. However, completion of the Minor Boundary Line Adjustment did not transfer Lot 2 out of the subdivision. This portion of Mr. Kraemer's property remains within the Black Oak Ridge Subdivision and continues to be subject to the CC&R's and their enforcement by the Homeowner's Association. As a result, a condition of approval of this Parcel Map will require that the newly created parcel (Parcel 1 on the tentative map) shall be annexed into the Black Oak Ridge Subdivision.

FORESTHILL FORUM:

On August 5, 2013, the project was presented before the Foresthill Forum as an action item. The project that was considered by the Forum was a four lot parcel map with a proposed rezone from RF-B-X 20 ac. min. (Residential Forestry, combining minimum building site of 20 acres) and RF-B-X 160 ac. min. PD = 0.05 (Residential Forestry, combining minimum Building Site of 160 acres minimum parcel size, combining Planned Residential Development designation of 0.05 units per acre) to RF-B-X 4.6 ac. min. (Residential Forestry, combining minimum Building Site of 4.6 acres). After a brief presentation, the Forum unanimously voted to recommend approval of a Rezone of the portion of the property zoned RF-B-X 160 ac. min. (Residential Forestry, combining minimum Building Site of 160 acres) on condition that it is Rezoned to RF-B-X 20 ac. min. (Residential Forestry, combining minimum Building Site of 20 acres).

PROJECT DESCRIPTION:

The applicant is requesting approval of a Rezone and Minor Land Division in order to subdivide an approximately 53-acre property into two separate parcels consisting of Parcel 1, totaling 21 acres, and a designated remainder parcel totaling approximately 32 acres. The designated remainder parcel will include the portions of the property that are developed with the single-family residence and appurtenances. As a Condition of Approval of the Minor Land Division, the applicant will be required to construct a public road entrance/driveway onto Blackhawk Lane to a Plate R-17(Minor) standard to access the existing residence.

The proposed Rezone would result in changing the properties zone designation of RF-B-X 160 ac. min. PD = 0.05 (Residential Forestry, combining minimum Building Site of 160 acres, combining Planned Residential Development of 0.05 acres) to RF-B-X 20 ac. min. (Residential Forestry, combining minimum Building Site of 20 acres). The proposed Rezone is consistent with the Foresthill Divide Community Plan, which designates the property as Rural Estate 4.6-20 acre minimum.

DISCUSSION OF ISSUES:

Community Plan Consistency/Zoning Consistency

The subject property is comprised of approximately 53 acres and the applicant would like to process a parcel map to subdivide the property into two parcels consisting of an approximately 21-acre parcel and an approximately 32-acre parcel. The Assessor's Parcel Numbers that are included in the Minor Land Division, 064-340-005 and 064-270-022 are zoned RF-B-X 20 ac. min. (Residential Forestry combining minimum Building Site of 20 acres) and RF-B-X 160 ac. min. PD = 0.05 (Residential Forestry combining minimum Building Site of 20 acres, combining Planned Residential Development of 0.05 units per acre).

43 4

The Placer County Zoning Ordinance treats properties that fall within more than one zone district in the following manner, per Section 17.02.050(B)(4)(Interpretation; Map Boundaries):

“Where a zoning boundary crosses a parcel rather than following a property line, so that single parcel is covered by two separate zone districts, the larger of the minimum parcel sizes required in the two zones by Articles 17.06 through 17.52 (Zone Districts and Allowable Uses of Land) shall apply to any proposed parcel within more than one zone district.”

Because the 160 acre combining minimum Building Site acreage is the more restrictive of the two combining minimum Building Site designations on the property, the applicant cannot create a parcel less than 160 acres in size without the approval of a Rezone to allow for a smaller acreage requirement. Hence, the applicant is requesting a Rezone to 20-acre minimum in order to allow for the approval of a two-lot Minor Land Division on the property.

As stated above, the proposed Rezone of the property to allow for a 20-acre minimum parcel size as opposed to a 160-acre minimum parcel size is consistent with the Foresthill Divide Community Plan, which designates the property as Rural Estate 4.6-20 acre minimum. This designation applies to all portions of the property, including that portion with the designation of 160-acre minimum parcel size. Hence, the Rezone requested by the applicant would bring the entire parcel into conformance with the Foresthill Divide Community Plan.

The Rezone of the property to a 20-acre minimum parcel size is also consistent with the parcel size of the surrounding properties. The majority of the properties surrounding the subject parcel consist of 20 or fewer acres. The lots located within the subdivision consist of just over 20-acres each, and the properties located to the south and east of the property range from 4.6 acres in size to 22.2 acres in size with the majority of which no larger than eight acres. All of the residential parcels immediately surrounding the subject property that are located within the 160-acre minimum zoning area are less than 160 acres and the majority are less than 20-acres in size. Finally, the 160 acre minimum Building Site zoning area consists of a small strip with 20-acre minimum Building Site designations bordering both the east and west sides of the subject property. Therefore, the Rezone from 160-acre minimum parcel size to 20-acre minimum parcel size is consistent with all surrounding properties and will not result in “spot” zoning.

The Rezone is required to be heard and approved by the Board of Supervisors. For this reason, the Development Review Committee is requesting that the Planning Commission forward a recommendation to the Board of Supervisors for the Rezone for the property.

Minor Land Division

The applicant is requesting approval of Minor Land Division 20090218 to allow for a division of a 53-acre parcel to create two parcels consisting of approximately 33 acres and approximately 22 acres. The 33-acre parcel is developed with a single-family residence and appurtenances and is designated as a Remainder Parcel on the Tentative

Parcel Map. The resultant 22-acre parcel will have the capability for construction of a single-family residence. The proposed Minor Land Division is consistent with the Foresthill Divide Community Plan designation of Rural Estate 4.6 – 20 Acre Minimum and the provisions of the Placer County General Plan and the Subdivision Map Act.

Environmental Analysis

Consistent with the requirements of the California Environmental Quality Act, a Mitigated Negative Declaration was prepared for the proposed project. Environmental issues discussed in the environmental document include: Air Quality, Biological Resources, and Transportation and Traffic. The Mitigated Negative Declaration concludes that, with the implementation of mitigation measures included in the document, environmental impacts will be reduced to less than significant levels.

Air Quality

Establishment of the proposed project will result in an additional separately saleable, buildable parcel. Operational emissions would result from future construction of additional dwelling units. Construction of the project will include on-site road improvements which may result in short-term diesel exhaust emissions from on-site heavy-duty equipment and would generate diesel related air emissions from the off-road diesel equipment required for site grading. However, with the implementation of mitigation measures included in the Environmental Document, these affects would be mitigated to a less than significant level.

Biological Resources

A Wetland, Biological, and Arborist Constraints Analysis for the subject property were conducted by North Fork Associates on May 15, 2009. The field study identified Brandegees' clarkia and Western viburnum as special status plant species that could occur on the project site. However, neither of these species was observed during the field survey of the site.

The study did determine that the project site provides suitable nesting habitat for raptors known from the region, including Cooper's hawk, a species that was detected during the field survey of the site. With the implementation of mitigation measures included in the Environmental Document, these affects would be mitigated to a less than significant level.

Transportation and Traffic

The proposed project has the potential to create significant impacts to the area's transportation system as a result of cumulative traffic impacts from an increase in traffic associated with a new single-family residential lot. These potential cumulative impacts will be mitigated to a less than significant level with the payment of traffic mitigation fees. Further, the project will have vehicle sight distance impacts at some locations on the property. However, these impacts will be mitigated to a less than significant level by the implementation of the mitigation measures included in the Environmental Document.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt the Mitigated Negative Declaration, Errata and Mitigation Monitoring Plan as set forth in Attachment E and approve the Minor Land Division (PMLD 20090218) to allow for the creation of two parcels

consisting of a 32-acre designated remainder parcel and a 21-acre parcel as shown on Attachment C.

Forward a recommendation for approval to the Board of Supervisors of the Rezone as depicted in Attachment D to change the property zoning from RF-B-X 160 ac. min. (Residential Forestry, combining minimum Building Site of 20 acres) to RF-B-X 20 ac. min. (Residential Forestry combining minimum Building Site of 20 acres) subject to the following findings and attached recommended conditions of approval.

FINDINGS:

CEQA:

After considering the proposed Mitigated Negative Declaration, Errata, the proposed mitigation measures, the staff report and all comments thereto, the Planning Commission and hereby adopts the Mitigated Negative Declaration, Errata the Mitigation Monitoring Plan as set forth in Attachment E to this staff report and based upon the following findings:

1. The Mitigated Negative Declaration and Errata for the Blackhawk Minor Land Division and Rezone project has been prepared as required by law. With the incorporation of all mitigation measures, including MM III.1, MM III.2, MM IV.1, MM IV.2, MM IV.3, MM XVI.1, MM XVI.2, MM XVI.3 and MM XVI.4 the project is not expected to cause any significant adverse impacts.
2. There is no substantial evidence in the record as a whole that the project as revised and mitigated may have a significant effect on the environment.
3. The Mitigated Negative Declaration and Errata as adopted for the project reflects the independent judgment and analysis of Placer County which has exercised overall control and direction of its preparation.
4. The Mitigation Monitoring Program prepared for the Project is approved and adopted.
5. The custodian of records for the project is the Placer County Planning Director, 3091 County Center Drive, Suite 140, Auburn CA, 95603.

Minor Land Division:

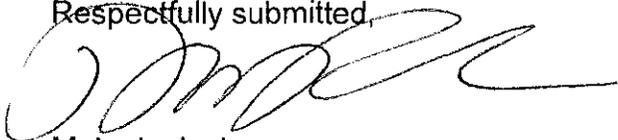
1. The proposed map is consistent with the objectives, policies, general land uses and programs as specified in the Placer County General Plan and the Foresthill Divide Community Plan. The design and required improvements of the proposed subdivision are also consistent with said plans and applicable County ordinances.
2. The site of the proposed parcel map is physically suitable for the type and proposed density of the development.

3. The proposed parcel map and associated improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
4. The proposed parcel map and the associated improvements are not likely to cause serious health problems.
5. The proposed parcel map and the associated improvements will not conflict with easements acquired by the public at large for access through, or use of property, within the proposed subdivision.
6. The design, location and associated improvements of each proposed parcel resulting from approval of the proposed parcel map as a whole are consistent with regulations adopted by the State of California pursuant to PRC 4290 & 4291 (clearance requirements).
7. Structural fire protection and suppression services will be available to the proposed parcels. Services will be provided by Foresthill Fire District.
8. To the extent practicable, ingress and egress onto/out of the proposed parcels meet the regulations for road standards for fire equipment access adopted per PRC 4290 and any local ordinance.

Rezone:

The Planning Commission, having considered the staff report, supporting documents and public testimony, finds that the proposed rezone would not be inconsistent with public health, safety and welfare, and would be otherwise consistent with the County General Plan and Foresthill Divide Community Plan, and is in compliance with applicable requirements of State law and recommends that the Board of Supervisors approve the Rezoning.

Respectfully submitted,



Melanie Jackson
Associate Planner

ATTACHMENTS:

- Attachment A – Conditions of Approval
- Attachment B – Vicinity Map
- Attachment C – Tentative Map
- Attachment D – Rezone Exhibit

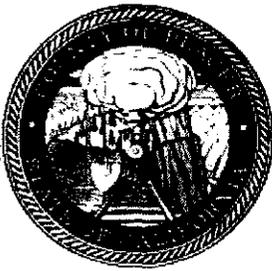
Attachment E - Mitigated Negative Declaration & Errata & Mitigation Monitoring and Reporting Program

Attachment F – Correspondence from Property Owner dated August 9, 2013

Attachment G – MBR 10774 Davey/Kraemer

Attachment H – Community Correspondence

cc: Hogan Land Services – Applicant
Richard Kraemer – Property Owner
Rebecca Taber – Engineering and Surveying Division
Justin Hansen – Environmental Health Services
Gerry Haas – Air Pollution Control District
Andy Fisher – Placer County Parks Division
Karin Schwab – County Counsel's Office
Michael Johnson – CDRA Director
Paul Thompson – Deputy Planning Director
Subject/chrono files



COUNTY OF PLACER
Community Development Resource Agency

ENVIRONMENTAL
COORDINATION
SERVICES

Michael J. Johnson, AICP
Agency Director

E. J. Ivaldi, Coordinator

MITIGATED NEGATIVE DECLARATION

In accordance with Placer County ordinances regarding implementation of the California Environmental Quality Act, Placer County has conducted an Initial Study to determine whether the following project may have a significant adverse effect on the environment, and on the basis of that study hereby finds:

- The proposed project will not have a significant adverse effect on the environment; therefore, it does not require the preparation of an Environmental Impact Report and this Negative Declaration has been prepared.
Although the proposed project could have a significant adverse effect on the environment, there will not be a significant adverse effect in this case because the project has incorporated specific provisions to reduce impacts to a less than significant level and/or the mitigation measures described herein have been added to the project. A Mitigated Negative Declaration has thus been prepared.

The environmental documents, which constitute the Initial Study and provide the basis and reasons for this determination are attached and/or referenced herein and are hereby made a part of this document.

PROJECT INFORMATION

Table with 2 columns: Title, Plus#. Rows include: Blackhawk Lane Minor Land Division (Plus# PMLD 20090218), Description (Rezoning and subdivision of 53-acre property), Location (6960 Blackhawk Lane, Foresthill), Project Owner (Richard Kraemer), Project Applicant (Jack Remington), and County Contact Person (Melanie Jackson).

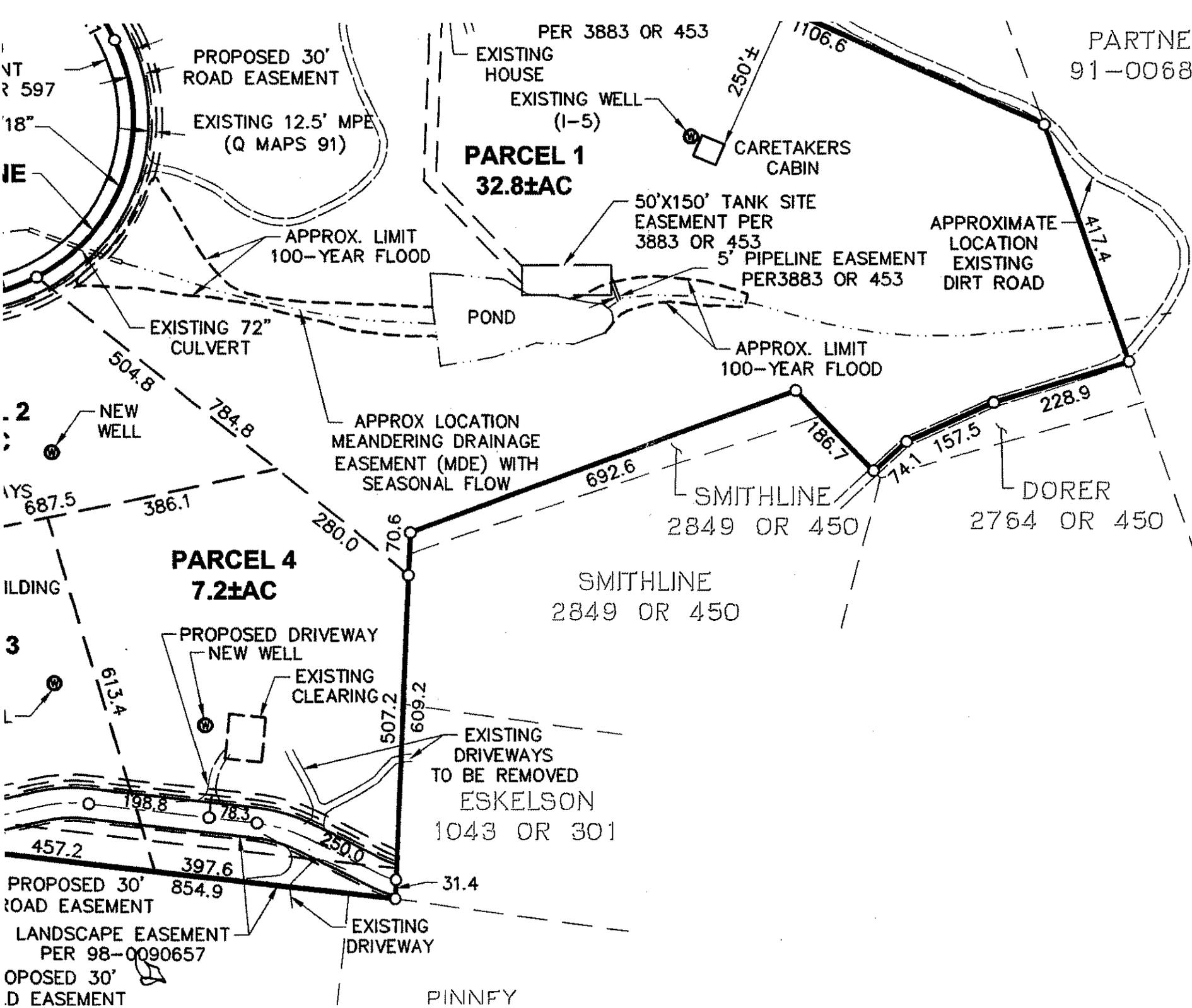
PUBLIC NOTICE

The comment period for this document closes on May 11, 2012. A copy of the Negative Declaration is available for public review at the County's web site (http://www.placer.ca.gov/Departments/CommunityDevelopment/EnvCoordSvcs/NegDec.aspx), Community Development Resource Agency public counter, and at the Foresthill Public Library.

If you wish to appeal the appropriateness or adequacy of this document, address your written comments to our finding that the project will not have a significant adverse effect on the environment: (1) identify the environmental effect(s), why they would occur, and why they would be significant, and (2) suggest any mitigation measures which you believe would eliminate or reduce the effect to an acceptable level.

49

PARTNERS
91-0068166



PARCEL 1
32.8±AC

PARCEL 4
7.2±AC

SMITHLINE
2849 OR 450

DORER
2764 OR 450

ESKELSON
1043 OR 301

PINNFY

PROPOSED 30'
ROAD EASEMENT

EXISTING 12.5' MPE
(Q MAPS 91)

PER 3883 OR 453

EXISTING
HOUSE

EXISTING WELL
(I-5)

CARETAKERS
CABIN

50'X150' TANK SITE
EASEMENT PER
3883 OR 453

5' PIPELINE EASEMENT
PER 3883 OR 453

APPROXIMATE
LOCATION
EXISTING
DIRT ROAD

APPROX. LIMIT
100-YEAR FLOOD

APPROX. LIMIT
100-YEAR FLOOD

EXISTING 72"
CULVERT

POND

APPROX LOCATION
MEANDERING DRAINAGE
EASEMENT (MDE) WITH
SEASONAL FLOW

SMITHLINE
2849 OR 450

PROPOSED DRIVEWAY
NEW WELL

EXISTING
CLEARING

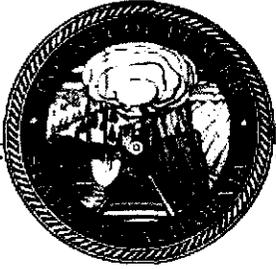
EXISTING
DRIVEWAYS
TO BE REMOVED

ESKELSON
1043 OR 301

PROPOSED 30'
ROAD EASEMENT

LANDSCAPE EASEMENT
PER 98-0090657

PROPOSED 30'
ROAD EASEMENT



COUNTY OF PLACER
Community Development Resource Agency

**ENVIRONMENTAL
COORDINATION
SERVICES**

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INITIAL STUDY & CHECKLIST

This Initial Study has been prepared to identify and assess the anticipated environmental impacts of the following described project application. The document may rely on previous environmental documents (see Section C) and site-specific studies (see Section I) prepared to address in detail the effects or impacts associated with the project.

This document has been prepared to satisfy the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) and the State CEQA Guidelines (14 CCR 15000 et seq.) CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects.

The Initial Study is a public document used by the decision-making lead agency to determine whether a project may have a significant effect on the environment. If the lead agency finds substantial evidence that any aspect of the project, either individually or cumulatively, may have a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial, the lead agency is required to prepare an EIR, use a previously-prepared EIR and supplement that EIR, or prepare a Subsequent EIR to analyze the project at hand. If the agency finds no substantial evidence that the project or any of its aspects may cause a significant effect on the environment, a Negative Declaration shall be prepared. If in the course of analysis, the agency recognizes that the project may have a significant impact on the environment, but that by incorporating specific mitigation measures the impact will be reduced to a less than significant effect, a Mitigated Negative Declaration shall be prepared.

Project Title: Blackhawk Lane Minor Land Division	Plus# PMLD 20090218
Entitlement(s): Rezone, Minor Land Division	
Site Area: 53 acres	APN: 064-270-022, 064-340-005
Location: The project site is located on Blackhawk Lane, approximately 1.4 miles north of its intersection with Foresthill Road, in the Foresthill area. (6960 Blackhawk Lane, Foresthill, Placer County)	

A. BACKGROUND:

Project Description:

The applicant is requesting approval of a Rezone and Minor Land Division in order to subdivide an approximately 53-acre property (two separate parcels) into four new parcels consisting of 6.5 acres, 7.2 acres, 7.9 acres and 32.8 acres. The zoning is proposed to be changed from RF-B-X 20 Acre Minimum (Residential-Forestry, combining a minimum building site of 20 acres) and RF-B-X 160 Acre Minimum PD = 0.05 (Residential Forestry, combining a minimum building site of 160 acres, combining Planned Residential Development of 0.05 Units per acre) to RF-B-X 4.6 Acre Minimum (Residential-Forestry, combining a minimum building site of 4.6 acres). The proposed zoning is consistent with the Foresthill Divide Community Plan, which designates the property as Rural Estate 4.6-20 acre minimum.

Project Site (Background/Existing Setting):

The project site is located at 6960 Blackhawk Lane in the Foresthill Area, adjacent to the Black Oak Ridge Subdivision. A portion of the project site is located within the Black Oak Ridge Subdivision. This portion of the project site was acquired through a Minor Boundary Line Adjustment that was completed in October of 2001.

The project area is located in the upper foothills on the western slope of the Sierra Nevada. The topography of the site slopes to the west and north towards Blackhawk Canyon Creek. Elevations on site range between

approximately 3,300 and 3,400 feet. The site supports mixed conifer forest habitat. Embedded within the habitat are a few structures and disturbed areas. The study area is bordered by Blackhawk Lane, the Black Oak Ridge Subdivision, and undeveloped property.

Proposed Parcel 1 would consist of approximately 32.8 acres and makes up the northeast portion of the tentative map. This portion of the site is developed with an approximately 1,700 square-foot single family residence, outbuildings, and a sewage disposal and repair area. This portion of the site would be set aside as one large parcel, and because the site is already developed with a single-family residence, it will not be analyzed as a part of Initial Study. However, any further development of this portion of the project site that requires an entitlement will be reviewed under a separate environmental analysis. The remaining 20.2 acres is undeveloped with the exception of driveways and building pads, and is proposed to be split into three parcels consisting of 6.5 acres, 7.2 acres and 7.9 acres.

B. ENVIRONMENTAL SETTING:

Location	Zoning	General Plan/Community Plan Designations	Existing Conditions and Improvements
Site	RF-B-X 160 Ac. Min. PD = 0.05 (Residential-Forest, combining minimum Building Site of 160 acres, combining Planned Development of 0.05 units per acre); RF-B-X 20 Acre Minimum (Residential-Forestry, combining a Building Site of 20 acres)	Foresthill Divide Community Plan / Rural Estate 4.6 - 20 Acre Minimum	Developed with single-family residences
North	same as project site	Foresthill Divide Community Plan / Forest Residential 1 - 4.6 Acre Minimum	same as project site
South	same as project site	Foresthill Divide Community Plan / Forest Residential 1 - 4.6 Acre Minimum	same as project site
East	same as project site	Foresthill Divide Community Plan / Forest Residential 1 - 4.6 Acre Minimum	same as project site
West	RF-B-X 20 Ac. Min. (Residential-Forest, combining minimum Building Site of 20 acres)	Foresthill Divide Community Plan / Forest Residential 1 - 4.6 Acre Minimum	same as project site

C. PREVIOUS ENVIRONMENTAL DOCUMENT:

The County has determined that an Initial Study shall be prepared in order to determine whether the potential exists for unmitigatable impacts resulting from the proposed project. Relevant analysis from the County-wide General Plan and Community Plan Certified EIRs, and other project-specific studies and reports that have been generated to date, were used as the database for the Initial Study. The decision to prepare the Initial Study utilizing the analysis contained in the General Plan and Specific Plan Certified EIRs, and project-specific analysis summarized herein, is sustained by Sections 15168 and 15183 of the CEQA Guidelines.

Section 15168 relating to Program EIRs indicates that where subsequent activities involve site-specific operations, the agency would use a written checklist or similar device to document the evaluation of the site and the activity, to determine whether the environmental effects of the operation were covered in the earlier Program EIR. A Program EIR is intended to provide the basis in an Initial Study for determining whether the later activity may have any significant effects. It will also be incorporated by reference to address regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole.

The following documents serve as Program-level EIRs from which incorporation by reference will occur:

- ➔ Placer County General Plan EIR
- ➔ Foresthill Divide Community Plan EIR

Section 15183 states that "projects which are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified shall not require additional environmental review, except as may be necessary to examine whether there are project-specific significant effects which are peculiar to the project or site." Thus, if an impact is not peculiar to the project or site, and it has been

addressed as a significant effect in the prior EIR, or will be substantially mitigated by the imposition of uniformly applied development policies or standards, then additional environmental documentation need not be prepared for the project solely on the basis of that impact.

The above stated documents are available for review Monday through Friday, 8am to 5pm, at the Placer County Community Development Resource Agency, 3091 County Center Drive, Auburn, CA 95603. For Tahoe projects, the document will also be available in our Tahoe Division Office, 565 West Lake Blvd., Tahoe City, CA 96145.

D. EVALUATION OF ENVIRONMENTAL IMPACTS:

The Initial Study checklist recommended by the State of California Environmental Quality Act (CEQA) Guidelines is used to determine potential impacts of the proposed project on the physical environment. The checklist provides a list of questions concerning a comprehensive array of environmental issue areas potentially affected by the project (see CEQA Guidelines, Appendix G). Explanations to answers are provided in a discussion for each section of questions as follows:

- a) A brief explanation is required for all answers including "No Impact" answers.
- b) "Less Than Significant Impact" applies where the project's impacts are insubstantial and do not require any mitigation to reduce impacts.
- c) "Less Than Significant with Mitigation Measures" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The County, as lead agency, must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from earlier analyses may be cross-referenced).
- d) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- e) All answers must take account of the entire action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts [CEQA Guidelines, Section 15063(a)(1)].
- f) Earlier analyses may be used where, pursuant to the tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration [CEQA Guidelines, Section 15063(c)(3)(D)]. A brief discussion should be attached addressing the following:
 - ➔ **Earlier analyses used** – Identify earlier analyses and state where they are available for review.
 - ➔ **Impacts adequately addressed** – Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards. Also, state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - ➔ **Mitigation measures** – For effects that are checked as "Less Than Significant with Mitigation Measures," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- g) References to information sources for potential impacts (i.e. General Plans/Community Plans, zoning ordinances) should be incorporated into the checklist. Reference to a previously-prepared or outside document should include a reference to the pages or chapters where the statement is substantiated. A source list should be attached and other sources used, or individuals contacted, should be cited in the discussion.

I. AESTHETICS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect on a scenic vista? (PLN)				X
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway? (PLN)				X
3. Substantially degrade the existing visual character or quality of the site and its surroundings? (PLN)			X	
4. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (PLN)			X	

Discussion- Items I-1,2:

The project site is not located within or near a scenic vista or a state scenic highway corridor and would not result in an environmental impact to these resources.

Discussion- Item I-3:

The project site is developed with a single-family residence, outbuildings, driveways and house pads. The parcel map would result in the separation of some of these areas into separately saleable, legally transferrable properties. Following recordation of the Final Map, each parcel would include rights to develop a single-family residence along with other uses such as a secondary residence, guest house or other residential accessory structures consistent with Residential Forestry zoning. The potential construction of such residential improvements would be consistent with the character of surrounding properties and would result in a less than significant impact to the existing visual character of the site and its surroundings. No mitigation measures are required.

Discussion- Item I-4:

As previously stated, the parcel map would ultimately result in the creation of three additional separately saleable, buildable lots. With approval of the final map, each of these lots may be developed with a single-family residence, secondary residence, and/or guest house. The potential construction of such residential improvements would result in an incremental increase in the amount of nighttime light or glare in the project vicinity associated with residential lighting applications. However, the impacts from these new sources of light or glare would be less than significant. No mitigation measures are required.

II. AGRICULTURAL & FOREST RESOURCES – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (PLN)				X
2. Conflict with General Plan or other policies regarding land use buffers for agricultural operations? (PLN)				X
3. Conflict with existing zoning for agricultural use, a Williamson Act contract or a Right-to-Farm Policy? (PLN)				X
4. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)),				X

timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (PLN)				
5. Involve other changes in the existing environment which, due to their location or nature, could result in the loss or conversion of Farmland (including livestock grazing) or forest land to non-agricultural or non-forest use? (PLN)			X	

Discussion- Item II-1:

The proposed project will not result in the conversion of Prime Farmland, Unique Farmland or Farmland of Statewide or Local Importance because the property does not fall within any of these designations.

Discussion- Item II-2:

The proposed project will not conflict with the Foresthill Divide Community Plan land use buffers for agricultural operations because there are no known agricultural operations on or near the project site.

Discussion- Item II-3:

The base zoning for the property is Residential Forestry. The requested zone change is limited to the minimum parcel size for the project area and the land uses allowed by the base zoning would remain the same. Additionally, the proposed project will not conflict with the existing zoning for an agricultural use, a Williamson Act Contract or a Right-to-Farm Policy as the property is not currently under a Williamson Act Contract and a Right-to-Farm Policy would still be applicable if the property were subdivided.

Discussion- Item II-4:

The project site qualifies as "forest land" as defined by Public Resources Code section 12220(g). The project includes a rezone of the project site from Residential-Forestry 20 acre minimum and Residential Forestry 160 acre minimum to Residential Forestry 4.6 acre minimum. Approval of the requested rezone will result in a rezoning of forest land. Although, the rezone of the property would allow for the creation of three additional parcels, the allowable uses of the Residential Forestry zone district would not change, so there would be no impact.

Discussion- Item II-5:

The proposed project will include the rezone and subdivision of property defined as forest land by Public Resources Code 12220(g). The subdivision and rezone will include changes to the property such as construction of driveways, single-family residences, septic systems and leach fields. These changes in the existing environment will result in the conversion of forest land to a non-forest use. However, the project site is zoned Residential Forestry, which allows for residential construction. Impacts resulting from the creation of three additional parcels will be limited to the areas where the residential structures and appurtenances are constructed and will not result in a substantial change to the project environment. No mitigation measures are required.

III. AIR QUALITY – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plan? (APCD)			X	
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (APCD)		X		
3. Result in a cumulatively considerable net increase of any criteria for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (APCD)		X		
4. Expose sensitive receptors to substantial pollutant concentrations? (APCD)			X	

5. Create objectionable odors affecting a substantial number of people? (APCD)			X	
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Discussion- Item III-1:

The project site is located within the Mountain Counties Air Basin (MCAB) and is under the jurisdiction of the Placer County APCD. The MCAB is designated as nonattainment for federal and state ozone (O₃) standards, nonattainment for the state particulate matter standard (PM₁₀) and partially designated nonattainment for the federal particulate matter standard (PM_{2.5}). The project proposes a minor land division to create three additional parcels and a rezone to allow for the new parcel sizes. The increase in density resulting from three additional parcels would not contribute a significant air quality impact to to the region, as the resultant emissions would be below the significant level. No mitigation measures are required.

Discussion- Items III-2,3:

Operational related emissions would result from future construction of additional dwelling units. The occupancy of the additional dwellings would generate air pollutants below the significant level and will not violate air quality standards or substantially contribute to existing air quality violations.

Construction of the project will include on-site road improvements which may result in short-term diesel exhaust emissions from on-site heavy-duty equipment and would generate diesel PM emissions from the use of off-road diesel equipment required for site grading. In addition, dust created by potential land clearing and grading activity could result in significant emissions of particulate matter. In order to reduce construction related air emissions, associated grading plans shall list the District's Rules and State Regulations. If a Grading Permit is required, then a Dust Control Plan shall be submitted to the Placer County Air Pollution Control District for approval prior to the commencement of earth disturbing activities demonstrating all proposed measures to reduce air pollutant emissions. With the implementation of the following mitigation measures and notes on the grading improvement plans, construction related emissions would not result in a cumulatively considerable net increase of any non-attainment criteria.

Mitigation Measures- Items III-2,3:

MM III.1 Prior to approval of a Grading Plan, 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.

- 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).
- b. Include the following standard note on the 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.
- c. Include the following standard note on the 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.

MM III.2 The applicant shall include the following standard notes on the Grading Plan:

- a. During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less.
- b. The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) are excessive and dust is impacting adjacent properties.
- c. In order to minimize wind driven dust during construction, the prime contractor 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).
- d. 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

56

- e. 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.
- f. 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.
- g. 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.
- h. During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel powered equipment.
- i. 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.

Discussion- Items III-4,5:

The project includes minor grading operations that would result in short-term diesel exhaust emissions from on-site heavy-duty equipment and would generate diesel PM emissions and odor from the use of off-road diesel equipment required for site grading. Because of the dispersive properties of diesel PM and the temporary nature of the mobilized equipment use, short-term construction-generated odor and TAC emissions would not expose sensitive receptors to substantial pollutant concentrations and therefore would have a less than significant effect. No mitigation measures are required.

IV. BIOLOGICAL RESOURCES – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish & Game, U.S. Fish & Wildlife Service or National Oceanic and Atmospheric Administration Fisheries? (PLN)		X		
2. Substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number of restrict the range of an endangered, rare, or threatened species? (PLN)		X		
3. Have a substantial adverse effect on the environment by converting oak woodlands? (PLN)		X		
4. Have a substantial adverse effect on any riparian habitat or other sensitive natural community, including oak woodlands, identified in local or regional plans, policies or regulations, or by the California Department of Fish & Game, U.S. Fish & Wildlife Service, U.S. Army Corps of Engineers or National Oceanic and Atmospheric Administration Fisheries? (PLN)				X
5. Have a substantial adverse effect on federal or state protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) or as defined by state statute, through direct removal, filling, hydrological interruption, or other means? (PLN)				X
6. Interfere substantially with the movement of any native resident or migratory wildlife species or with established native resident or migratory wildlife corridors, or impede the use of		X		

native wildlife nesting or breeding sites? (PLN)				
7. Conflict with any local policies or ordinances that protect biological resources, including oak woodland resources? (PLN)		X		
8. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (PLN)				X

Discussion- Items IV-1,2,6:

The project area is located within the upper foothills on the western slope of the Sierra Nevada, in the Foresthill area. The topography of the site slopes to the west and north towards Blackhawk Canyon Creek, with elevations range from approximately 3,300 and 3,400 feet. A Wetland, Biological, and Arborist Constraints Analysis for the subject property were conducted by North Fork Associates on May 15, 2009. The field study identified Brandegees clarkia and Western viburnum as special status plant species that could occur on the project site because the project site includes suitable habitat for these species. However, neither of these species was observed during the May 7, 2009 field survey of the site. The biological analysis also identified that, of the nine animal species that occur in the region, none were possible or likely to occur on the project site. However, the study determined that the project site provides suitable nesting habitat for raptors known from the region, including Cooper's hawk, a species that was detected during the field survey of the site.

Mitigation Measures- Items IV-1,2,6:

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

Discussion- Items IV-3,7:

The Wetland, Biological, and Arborist Constraints Analysis for the subject property that was conducted by North Fork Associates determined that the subject property contains approximately 21.7 acres of Mixed Conifer Forest. The mixed conifer forest that is located onsite is dominated by ponderosa pine and Douglas-fir. Other common tree species included onsite are incense cedar, black oak, and canyon live oak, with scattered white fir. Shrub and sub-shrub species found onsite include tanbark oak, buck brush, deer brush, madrone, mahala mat, and Sierra mountain misery. Several of the tree species identified onsite qualify as "protected trees" by the standards of the Placer County Tree Ordinance. These trees include native trees with a diameter at breast height of at least six inches or 10 inches aggregate for multi-trunked trees. Site disturbance from road and driveway improvements and/or residential development on the project site may result in impacts to these protected trees. In order to mitigate these impacts to a less than significant level, the following mitigation measures are required:

Mitigation Measures- Items IV-3,7:

MM IV.2 Prior to approval of Improvement Plans, trees identified for removal, and/or trees with disturbance to its critical root zone, shall be mitigated through replacement with comparable species on-site, in an area to be reviewed and approved by the Development Review Committee (DRC) or through payment of in-lieu fees, as follows:

- A) For each diameter inch of a tree removed, replacement shall be on an inch-for-inch basis. For example, if 100 diameter inches are proposed to be removed, the replacement trees would equal 100 diameter inches (aggregate). If replacement tree planting is proposed, the tree replacement/mitigation plan must be shown on

58

Improvements Plans and must be installed by the applicant and inspected and approved by the Development Review Committee (DRC). At its discretion, the DRC may establish an alternate deadline for installation of mitigation replacement trees if weather or other circumstances prevent the completion of this requirement.

- B) In lieu of the tree planting mitigation for tree removal listed above, a tree replacement mitigation fee of \$100 per diameter inch at breast height for each tree removed or impacted or the current market value, as established by an Arborist, Forester or Registered Landscape Architect, of the replacement trees, including the cost of installation, shall be paid to the Placer County Tree Preservation Fund.

MM IV.3 Prior to any construction activities, a Tree Permit shall be required for all trees six inches diameter at breast height (dbh) or greater, or multi-trunked trees 10 inches (dbh) or greater, that are located within 50 feet of any development activity on Lots 2, 3, and 4, including grading, clearing, house placement, or other site disturbance.

Discussion- Items IV-4,5:

The project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community or on federally protected wetlands because no streams, ponds or riparian habitat occur within the study area. No mitigation measures are required.

Discussion- Item IV- 8:

The proposed project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional, or state habitat conservation plan because the project site is not governed by any such plan. No mitigation measures are required.

V. CULTURAL RESOURCES – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Substantially cause adverse change in the significance of a historical resource as defined in CEQA Guidelines, Section 15064.5? (PLN)			X	
2. Substantially cause adverse change in the significance of a unique archaeological resource pursuant to CEQA Guidelines, Section 15064.5? (PLN)			X	
3. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (PLN)			X	
4. Have the potential to cause a physical change, which would affect unique ethnic cultural values? (PLN)				X
5. Restrict existing religious or sacred uses within the potential impact area? (PLN)				X
6. Disturb any human remains, including these interred outside of formal cemeteries? (PLN)			X	

Discussion- Items V-1,2,3,6:

A Cultural Resources Records Search was conducted for the property on January 29, 2010 by the North Central Information Center. The report determined that the project site has a low to moderate sensitivity for identifying prehistoric archaeological sites, and historic period cultural resources in the project area, and that a further archival and/or field study by a cultural resource professional was necessary prior to the initiation of ground breaking construction related activity. In response to a request that the applicant seek further cultural review of the project site, Melinda Peak of Peak and Associates, Inc. provided a letter that determined that "It is highly unlikely that parcels 2, 3 and 4 contain cultural resources based on their location," and concluded that a field survey of the new parcels should be required as a condition of approval of the proposed project. Therefore, standard conditions of approval will be applied to the project that will require 1) that the applicant retain a qualified professional to perform a field survey of the project site prior to any site disturbance on individual lots, and 2) immediate consultation with the appropriate experts in the event sensitive resources are uncovered on-site during construction activities in order to provide protection of the site. No mitigation measures are required.

59

Discussion- Items V-4,5:

The proposed rezone and minor land division will not cause a physical change that would affect unique ethnic cultural values, nor would it restrict existing religious or sacred uses within the potential impact area because the project site and its surroundings do not contain aspects involving unique ethnic cultural values or religious or sacred uses.

VI. GEOLOGY & SOILS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Expose people or structures to unstable earth conditions or changes in geologic substructures? (ESD)			X	
2. Result in significant disruptions, displacements, compaction or overcrowding of the soil? (ESD)			X	
3. Result in substantial change in topography or ground surface relief features? (ESD)			X	
4. Result in the destruction, covering or modification of any unique geologic or physical features? (ESD)			X	
5. Result in any significant increase in wind or water erosion of soils, either on or off the site? (ESD)			X	
6. Result in changes in deposition or erosion or changes in siltation which may modify the channel of a river, stream, or lake? (ESD)			X	
7. Result in exposure of people or property to geologic and geomorphological (i.e. Avalanches) hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? (ESD)			X	
8. Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? (ESD)			X	
9. Be located on expansive soils, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property? (ESD)			X	

Discussion- Items VI-1,4:

According to the United States Department of Agriculture (USDA) Soil Survey of Placer County and the United States Department of Agriculture ~ Natural Resources Conservation Service Web Soil Survey, the proposed project is located on three different soils classified as: Aiken loam, Aiken cobbly loam, and Cohasset cobbly loam. The identified soil constraints are the slope of the soil, fragmentation of the soil, and shrink-swell expansive soil. The Soil Survey does not identify any unique geologic or physical features for the existing soil types. No known unique geologic or physical features exist on the site that will be destroyed or modified. Construction of three additional houses and associated improvements will not create any unstable earth conditions or change any geologic substructure. The project will be constructed in compliance with the California Building Code to address building issues and will obtain Grading Permits as necessary to address grading issues. Therefore, this impact is less than significant, and no mitigation measures are required.

Discussion- Items VI-2,3,5,6:

The project proposal will ultimately result in the construction of three new single family residences including new driveways. The proposed project improvements will generally be at the same grade as the existing topography. Also, any erosion potential will only occur during the short time of the construction of the improvements. The project will be constructed in compliance with the California Building Code to address building issues and will obtain Grading Permits as necessary to address grading issues. Therefore, the impacts to soil disruptions, topography, and erosion are less than significant, and no mitigation measures are required.

60

Discussion- Items VI-7,8:

The project is located within Placer County. The California Department of Mines and Geology classifies the project site as a low severity earthquake zone. The project site is considered to have low seismic risk with respect to faulting, ground shaking, seismically related ground failure and liquefaction. The future residential units will be constructed in compliance with the California Building Code, which includes seismic standards. Therefore, this impact is less than significant, and no mitigation measures are required.

Discussion- Item VI-9:

According to the United States Department of Agriculture (USDA) Soil Survey of Placer County and the United States Department of Agriculture ~ Natural Resources Conservation Service Web Soil Survey, the site has moderate limitations resulting from expansive soil (shrink-swell). The project will be constructed in compliance with the California Building Code which will address impacts from expansive soils. Therefore, this impact is less than significant, and no mitigation measures are required.

VII. GREENHOUSE GAS EMISSIONS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant and/or cumulative impact on the environment? (APCD)			X	
2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (APCD)			X	

Discussion- All Items:

Greenhouse gas (GHG) emissions of primary concern from land use projects include carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O). Construction related activities resulting in exhaust emissions may come from fuel combustion for heavy-duty diesel and gasoline-powered equipment, portable auxiliary equipment, material delivery trucks, and worker commuter trips. Operational GHG emissions would result from motor vehicle trips generated by the additional residents, on-site fuel combustion for space and water heating, landscape maintenance equipment, and fireplaces/stoves; and off site emissions at utility providers associated with the project's electricity and water demands.

The project would result in minor grading and additional dwelling units. The construction and operational related GHG emissions resulting from the project would not substantially hinder the State's ability to attain the goals identified in AB 32 (i.e., reduction of statewide GHG emissions to 1990 levels by 2020; approximately a 30 percent reduction from projected 2020 emissions). Thus, the construction and operation of the project would not generate substantial greenhouse gas emissions, either directly or indirectly, which may be considered to have a significant impact on the environment, nor conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases and is therefore considered to have a less than significant impact. As such, no mitigation measures are required.

VIII. HAZARDS & HAZARDOUS MATERIALS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Create a significant hazard to the public or the environment through the routine handling, transport, use, or disposal of hazardous or acutely hazardous materials? (EHS)			X	
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (EHS)			X	

61

3. Emit hazardous emissions, substances, or waste within one-quarter mile of an existing or proposed school? (APCD)				X
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (EHS)			X	
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (PLN)				X
6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing in the project area? (PLN)				X
7. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (PLN)			X	
8. Create any health hazard or potential health hazard? (EHS)				X
9. Expose people to existing sources of potential health hazards? (EHS)				X

Discussion- Items VIII-1,2:

The use of hazardous substances during normal construction activities is expected to be limited in nature, and will be subject to standard handling and storage requirements. Accordingly, impacts related to the routine transport, use, disposal or release of hazardous substances, are considered to be less than significant. No mitigation measures are required.

Discussion- Item VIII-3:

There are no school sites located within a quarter mile of the project location. Further, the project does not propose a use that typically would involve any activities that would emit hazardous substances or waste that would affect a substantial number of people and is therefore considered to have a less than significant impact.

Discussion- Item VIII-4:

The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, any hazard to the public or the environment related to the project location is considered to be less than significant. No mitigation measures are required.

Discussion- Item VIII-5:

The project is not located within an airport land use plan area or within two miles of a public airport or public use airport.

Discussion- Item VIII-6:

The project is not located within the vicinity of a private airstrip.

Discussion- Item VIII-7:

The project site is located within an area determined by the California Department of Forestry and Fire Protection to be at Moderate-Moderate/High risk for wildland fires. The project was reviewed by Gary Kirk, Deputy Fire Marshal at Foresthill Fire District, and it was recommended that the project be conditioned to 1) meet the requirements of the Public Resource Code 4290 (defensible space), and 2) pay a development fee of \$500.00 per resulting parcel to the Foresthill Fire District prior to the approval of the final map. No mitigation measures are required. No mitigation measures are required.

Discussion- Items VIII-8,9:

The project will not create any health hazard, potential health hazard or expose people to existing sources of potential health hazards.

62

IX. HYDROLOGY & WATER QUALITY – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Violate any federal, state or county potable water quality standards? (EHS)			X	
2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lessening of local groundwater supplies (i.e. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (EHS)			X	
3. Substantially alter the existing drainage pattern of the site or area? (ESD)				X
4. Increase the rate or amount of surface runoff? (ESD)			X	
5. Create or contribute runoff water which would include substantial additional sources of polluted water? (ESD)			X	
6. Otherwise substantially degrade surface water quality?(ESD)			X	
7. Otherwise substantially degrade ground water quality? (EHS)			X	
8. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard boundary or Flood Insurance Rate Map or other flood hazard delineation map? (ESD)				X
9. Place within a 100-year flood hazard area improvements which would impede or redirect flood flows? (ESD)				X
10. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (ESD)				X
11. Alter the direction or rate of flow of groundwater? (EHS)			X	
12. Impact the watershed of important surface water resources, including but not limited to Lake Tahoe, Folsom Lake, Hell Hole Reservoir, Rock Creek Reservoir, Sugar Pine Reservoir, French Meadows Reservoir, Combie Lake, and Rollins Lake? (EHS, ESD)			X	

Discussion- Item IX-1:

The project will utilize on site individual water wells for each parcel, which have been installed through permits obtained from Placer County Environmental Health Services. The location of the water wells meets setbacks and water quality testing has been performed and reviewed. Therefore, the likelihood of this project to violate potable water quality standards is less than significant. No mitigation measures are required.

Discussion- Item IX-2:

This minor land division will result in the creation of three additional parcels for residential development. It is anticipated that the relatively low development density would result in limited water usage consistent with residential use, such that the risk of depletion of groundwater supplies would be expected to be less than significant. For a minor land division, the low density development would not result in a significant amount of impervious surfaces and therefore the risk the minor land division would interfere substantially with groundwater recharge would be less than significant. No mitigation measures are required.

63

Discussion- Item IX-3:

The proposed project will ultimately include the construction of three new single family residential homes and driveway improvements. The home and driveway improvements will be located at or near their existing grade. The overall drainage patterns on the approximately 54 acre site from the proposed ultimate construction will not be changed. Therefore, there is no impact.

Discussion- Item IX-4:

The proposed project will ultimately include the construction of three new single family residential homes and driveways. These improvements will add only a small amount of impervious surfaces as compared to the entire project area, approximately 54 acres. No downstream drainage facility or property owner will be significantly impacted. Therefore, this impact is less than significant. No mitigation measures are required.

Discussion- Items IX-5,6:

The area of disturbance for the ultimate project improvements is relatively small for the construction of three single family residential homes and driveways as compared to the entire project area, approximately 54 acres. The proposed improvements will not create runoff water that will substantially increase pollutants or degrade long term surface water quality beyond the existing conditions. Therefore, this impact is less than significant. No mitigation measures are required.

Discussion- Item IX-7:

For a minor land division, development density is relatively low and standard best management practices are typically used during construction. Therefore, the potential for the project to substantially degrade groundwater quality is less than significant and no mitigation measures are required. No mitigation measures are required.

Discussion- Items IX-8,9,10:

The project site is not located within a 100-year flood hazard area as defined and mapped by the Federal Emergency Management Agency (FEMA). The ultimate project improvements are not proposed within a local 100-year flood hazard area and no flood flows will be redirected after construction of any improvements. The project site is not located within any levee or dam failure inundation area. Therefore, there is no impact.

Discussion- Item IX-11:

This minor land division will result in the creation of three additional parcels for residential development, which will result in limited increased water usage consistent with residential use, such that the potential to alter the direction or rate of flow of groundwater would be less than significant. No mitigation measures are required.

Discussion- Item IX-12:

The ultimate proposed improvements of three new single-family residential homes and driveways will not create runoff water that will substantially increase pollutants or degrade long term surface water quality beyond the existing conditions of any watershed of important water resources. Therefore, this impact is less than significant. No mitigation measures are required.

X. LAND USE & PLANNING – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Physically divide an established community? (PLN)				X
2. Conflict with General Plan/Community Plan/Specific Plan designations or zoning, or Plan policies adopted for the purpose of avoiding or mitigating an environmental effect? (EHS, ESD, PLN)			X	
3. Conflict with any applicable habitat conservation plan or natural community conservation plan or other County policies, plans, or regulations adopted for purposes of avoiding or mitigating environmental effects? (PLN)				X

64

4. Result in the development of incompatible uses and/or the creation of land use conflicts? (PLN)			X	
5. Affect agricultural and timber resources or operations (i.e. impacts to soils or farmlands and timber harvest plans, or impacts from incompatible land uses)? (PLN)			X	
6. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? (PLN)			X	
7. Result in a substantial alteration of the present or planned land use of an area? (PLN)			X	
8. Cause economic or social changes that would result in significant adverse physical changes to the environment such as urban decay or deterioration? (PLN)				X

Discussion- Item X-1:

The proposed project would not physically divide an established community.

Discussion- Item X-2:

The project will not conflict with the Placer County General Plan or the Foresthill Divide Community Plan. The current zoning for the project is RF-B-X 20 ac. min. (Residential Forestry, combining minimum building site of 20 acres) and RF-B-X 160 ac. min. (Residential Forestry, combining minimum building site of 160 acres). The applicant is requesting approval of a rezone to modify the minimum acreage requirement of 20 acres and 160 acres to allow for a minimum acreage requirement of 4.6 acres. While this request differs from the current zoning for the property, it is consistent with the Foresthill Divide Community Plan designation of Rural Estate 4.6 - 20 Acre Minimum. Because the property is designated with a 4.6 acre minimum in the Foresthill Divide Community Plan, the increased density that the rezone will allow will not create impacts beyond those delineated in the Foresthill Divide Community Plan EIR because the rezone is consistent with the minimum acreage analyzed in that document. No mitigation measures are required.

Discussion- Item X-3:

The project site is not located within any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved Habitat Plan Area.

Discussion- Item X-4:

The property is zoned Residential-Forestry and is surrounded by properties zoned the same. Approval of the requested rezone will not change the base zoning of the project site. The rezone will change the minimum parcel size to allow for parcels of 4.6 acres or larger where surrounding properties range in size from approximately 4.6 acres to 20 acres. Due to the proposed size of the properties and the rural nature of the area, impacts resulting from the rezone will be less than significant. Therefore, the proposed project will not result in the development of incompatible uses and/or result in the creation of land use conflicts because the proposed project is consistent with that of the surrounding uses. No mitigation measures are required.

Discussion- Item X-5:

The proposed project will not affect agricultural and timber resources or operations in the project area because there are no known agricultural or timber operations on the project site or within the immediate vicinity. Because the property and surrounding properties are zoned for residential use, it is unlikely that timber uses would be developed on such sites due to the limited size of surrounding properties and in turn, the economic viability of such operations. As such, no mitigation measures are required.

Discussion- Item X-6:

The proposed project will not disrupt or divide the physical arrangement of an established community. No mitigation measures are required.

Discussion- Item X-7:

The proposed project is consistent with the existing Foresthill Divide Community Plan designation of Rural Estate, 4.6-20 acre minimum. A rezone from RF-B-X 20 Acre Minimum (Residential-Forestry, combining a minimum building site of 20 acres) to RF-B-X-4.6 Acre Minimum (Residential-Forestry, combining a minimum building site of 4.6 acres) will result in four parcels consisting of 6.5 acres, 7.2 acres, 7.9 acres and 32.8 acres. This rezone will not

65

substantially change the character of the area as surrounding properties are of similar size with parcels ranging from 4.6 acres to 20 acres. No mitigation measures are required.

Discussion- Item X-8:

The proposed project will not cause economic or social changes that would result in significant adverse physical changes to the environment, such as urban decay or deterioration.

XI. MINERAL RESOURCES – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. The loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (PLN)			X	
2. The loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (PLN)				X

Discussion- Item XI-1:

The Mineral Land Classification of Placer County (California Department of Conservation-Division of Mines and Geology, 1995) was prepared for the purpose of identifying and documenting the various mineral deposits found in the soils of Placer County. The site and immediate vicinity are classified as Mineral Resource Zone 2b^(P-3) [MRZ-2b^(P-3)], meaning, this is an area underlain by mineral deposits where geologic information indicates that significant inferred resources are present. Areas with this classification contain discovered mineral deposits that are either inferred reserves as determined by limited sample analysis, exposure and past mining history or are deposits that presently are sub-economic. With respect to those mineral deposits formed by hydrothermal processes, as well as aggregates and industrial minerals, the site and vicinity have been classified as Mineral Resource Zone 4 (MRZ-4). As is the case with deposits formed by mechanical concentration, this is an area of no known mineral resource significance and there are no aggregate operations or quarries in the vicinity. Because the site has never been mined, and because no valuable, locally important mineral resources have been identified on the project site, implementation of the proposed project will result in less than significant impacts to mineral resources. No mitigation measures are required.

Discussion- Item XI-2:

No recovery site has been delineated on the subject property or vicinity. Therefore, no impacts to the availability of locally-important mineral resources would occur as a result of the development of this site.

XII. NOISE – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Exposure of persons to or generation of noise levels in excess of standards established in the local General Plan, Community Plan or noise ordinance, or applicable standards of other agencies? (PLN)			X	
2. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (PLN)				X
3. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (PLN)			X	
4. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a				X

66

public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (PLN)				
5. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (PLN)				X

Discussion- Items XII-1,3:

Construction of the project, through build-out, will increase ambient noise levels. Adjacent residents may be negatively impacted. This impact is considered to be temporary and less than significant. A condition of approval for the project will be recommended that limits construction hours so that early evening and early mornings, as well as all day Sunday, will be free of construction noise. No mitigation measures are required.

Discussion- Item XII-2:

The project will not create a substantial permanent increase in ambient noise.

Discussion- Item XII-4:

The project does not lie within an airport land use plan.

Discussion- Item XII-5:

The project does not lie with the vicinity of a private airstrip.

XIII. POPULATION & HOUSING – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Induce substantial population growth in an area, either directly (i.e. by proposing new homes and businesses) or indirectly (i.e. through extension of roads or other infrastructure)? (PLN)				X
2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (PLN)				X

Discussion- All Items:

The project would result in the development of three new residential lots and would not induce substantial population growth in the area or result in the displacement of substantial numbers of existing housing. The one residence located onsite would remain.

XIV. PUBLIC SERVICES – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental services and/or facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Fire protection? (ESD, PLN)			X	
2. Sheriff protection? (ESD, PLN)			X	
3. Schools? (ESD, PLN)			X	

4. Maintenance of public facilities, including roads? (ESD, PLN)			X	
5. Other governmental services? (ESD, PLN)			X	

Discussion- Item XIV-1:

The proposed project does not propose any new fire protection facilities. The proposed project would result in additional demand for fire protection services as provided by the Foresthill Fire Protection District. However, this additional demand will not result in the provision of new or physically altered government service or facilities that would cause significant environmental impacts. No mitigation measures are required.

Discussion- Items XIV-2,3,5:

The Foresthill Fire District provides fire protection services to the project area; the Placer County Sheriff's Department provides police protection services to the project area; the Placer County Department of Public Works is responsible for maintaining County roads; and the school districts serving the project site include the Foresthill Union School District and Placer Union High School District. Since the proposed project is consistent with the underlying land use designations, the project's development will result in negligible additional demand on the need for these public services. As is required for all new projects, "Will Serve" letters will need to be provided from these public service providers. The incremental increase in demand for these services will not result in new or physically altered governmental services that would cause significant impacts. No mitigation measures are required.

Discussion- Item XIV-4:

The proposed project would result in the creation of three new single-family dwelling lots with associated infrastructure including roadways that will be accessed from a County maintained road. The project does not generate the need for more maintenance of public facilities than what was expected with the build out of the Community Plan. This is a less than significant impact and no mitigation measures are required.

XV. RECREATION – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (PLN)			X	
2. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (PLN)				X

Discussion- Item XV-1:

There would be a negligible increase in the use of existing recreational areas for the surrounding area as a result of the development of the three single-family residences. However, these impacts would be offset by the payment of park fees as part of the conditioning process. No mitigation measures are required.

Discussion- Item XV-2:

The project does not include, nor does it require, construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

XVI. TRANSPORTATION & TRAFFIC – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. An increase in traffic which may be substantial in relation to the existing and/or planned future year traffic load and capacity of the roadway system (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (ESD)		X		
2. Exceeding, either individually or cumulatively, a level of service standard established by the County General Plan and/or Community Plan for roads affected by project traffic? (ESD)		X		
3. Increased impacts to vehicle safety due to roadway design features (i.e. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (ESD)		X		
4. Inadequate emergency access or access to nearby uses? (ESD)				X
5. Insufficient parking capacity on-site or off-site? (ESD, PLN)				X
6. Hazards or barriers for pedestrians or bicyclists? (ESD)				X
7. Conflicts with adopted policies, plans, or programs supporting alternative transportation (i.e. bus turnouts, bicycle lanes, bicycle racks, public transit, pedestrian facilities, etc.) or otherwise decrease the performance or safety of such facilities? (ESD)				X
8. Change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (PLN)				X

Discussion- Items XVI-1,2:

This project proposal will ultimately result in the construction of three additional residential single family parcels. The proposed project will generate approximately 3 additional PM peak hour trips and approximately 30 average daily trips. The proposed project creates site-specific impacts on local transportation systems that are considered less than significant when analyzed against the existing baseline traffic conditions; however, the cumulative effect of an increase in traffic has the potential to create significant impacts to the area's transportation system. With the project traffic added to the existing traffic volumes, all area roadway segments and intersections will continue to operate within acceptable LOS standards. For potential cumulative traffic impacts, the Placer County General Plan includes a fully funded Capital Improvement Program, which with payment of traffic mitigation fees for the ultimate construction of the CIP improvements, will help reduce the cumulative traffic impacts to less than significant levels. The proposed project's impacts associated with increases in traffic can be mitigated to a less than significant level by implementing the following mitigation measures:

Mitigation Measures- Items XVI-1,2:

MM XVI.1 This project will be subject to the payment of traffic impact fees that are in effect in this area (Foresthill), 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 estimated fee is \$4,425 per single family residential unit. The fees were calculated using the information supplied. If either the use or the square footage changes, then the fees will change. The actual fees paid will be those in effect at the time the payment occurs.

Discussion- Item XVI-3:

The project site has vehicle sight distance impacts at certain locations for the three proposed and undeveloped parcels. Two access encroachment locations have been found to be acceptable to the County for the three parcels. One driveway location will access Parcel 4 while Parcel 2 and 3 will be accessed from a joint driveway that will be constructed along the property line between the two parcels. The project ultimately proposes to construct driveway improvements that connect onto the existing Blackhawk Road. The proposed project's impacts associated with increases in traffic can be mitigated to a less than significant level by implementing the following mitigation measures:

Mitigation Measures- Item XVI-3:

MM XVI.2 On the Final Parcel Map(s), provide the following easements/dedications to the satisfaction of the Engineering and Surveying Department (ESD) and the Development Review Committee (DRC):

- A) Designate a "no-access" strip on Parcel(s) 2, 3, and 4 onto Blackhawk Lane excepting the two driveway locations as identified on the Tentative Parcel Map and to the satisfaction of the DPW/ESD.

MM XVI.3 Prior to Final Parcel Map recordation, construct a shared driveway accessing Parcels 2 and 3 with a 18' wide pavement section with 1' AB shoulders for a minimum of 40' into the parcels centered along the shared property line between Parcels 2 and 3 to the satisfaction of the ESD/DPW.

MM XVI.4 Prior to Final Parcel Map recordation, construct two public road entrances/driveways onto Blackhawk Lane to a Plate R-17 Minor, Land Development Manual (LMD) standard as shown on the Tentative Parcel Map. One shared encroachment access both Parcels 2 and 3 while the second encroachment accesses Parcel 4. The design speed of Blackhawk Lane shall be 30 miles per hour (mph), unless an alternate design speed is approved by the Department of Public Works (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. An Encroachment Permit shall be obtained by the applicant or authorized agent from ESD. The Plate R-17 structural section within the main roadway right-of-way shall be designed for a Traffic Index of 6.0, but said section shall not be less than 3 inches Asphalt Concrete (AC)/8 inches Class 2 Aggregate Base (AB) unless otherwise approved by the ESD.

Discussion- Item XVI-4:

The servicing fire district has reviewed the proposed project and has not identified any impacts to emergency access. Therefore, there is no impact.

Discussion- Item XVI-5:

The proposed project is providing parking spaces in accordance with the Placer County Zoning Ordinance. The project will not result in insufficient parking capacity on or off-site, nor will it cause a change in air traffic patterns.

Discussion- Item XVI-6:

The proposed project will be constructing driveway improvements that do not create any hazards or barriers for pedestrians or bicyclists. Therefore, there is no impact.

Discussion- Item XVI-7:

The proposed project will not conflict with any existing policies or preclude anticipated future policies, plans, or programs supporting alternative transportation. Therefore, there is no impact.

XVII. UTILITIES & SERVICE SYSTEMS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (ESD)				X
2. Require or result in the construction of new water or wastewater delivery, collection or treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (EHS, ESD)			X	

3. Require or result in the construction of new on-site sewage systems? (EHS)			X	
4. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (ESD)			X	
5. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (EHS)			X	
6. Require sewer service that may not be available by the area's waste water treatment provider? (EHS, ESD)				X
7. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs in compliance with all applicable laws? (EHS)			X	

Discussion- Items XVII-1,6:

The proposed project will utilize septic systems for the method of sewage disposal. Therefore, there is no impact.

Discussion- Item XVII-2:

The proposed project will construct water wells for each parcel to provide the water service. Therefore, the project will not require or result in the construction of new water or wastewater delivery, collection, or treatment facilities or expansion of existing facilities. No mitigation measures are required.

Discussion- Item XVII-3:

A minimum usable sewage disposal area has been defined for proposed parcels 2, 3, and 4 of the proposed minor land division, and a 100% septic replacement area has been defined for the two existing residences on proposed parcel 1. Through the completion of the soils testing, the minimum usable sewage disposal areas and the 100% septic replacement areas have been shown to meet minimum effective soil depth requirements and to meet minimum standards of the Placer County Onsite Sewage Disposal Ordinance and Manual. The onsite sewage disposal systems are required to be installed under permit and inspection with Environmental Health Services and will be required to meet all applicable requirements of the Placer County Onsite Sewage Disposal Ordinance and Manual. Therefore, impacts from new onsite sewage systems are expected to be less than significant. No mitigation measures are required.

Discussion- Item XVII-4:

Storm water will be collected and conveyed in the existing drainage facilities. The existing system has the capacity to accept flows from the proposed project since the proposed project will only generate a minor increase in flows from the pre development condition. No new storm water drainage facilities or expansion of existing facilities is required. Therefore, this impact is less than significant and no mitigation measures are required.

Discussion- Item XVII-5:

Each proposed parcel will be served by an on-site domestic water well that meets minimum water quantity standards for single family residential development. No mitigation measures are required.

Discussion- Item XVII-7:

The project will be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. No mitigation measures are required.

E. MANDATORY FINDINGS OF SIGNIFICANCE:

Environmental Issue	Yes	No
1. Does the project have the potential to degrade the quality of the environment, substantially impact biological resources, or eliminate important examples of the major periods of California history or prehistory?		X

2. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)		X
3. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?		X

F. OTHER RESPONSIBLE AND TRUSTEE AGENCIES whose approval is required:

<input checked="" type="checkbox"/> California Department of Fish and Game	<input type="checkbox"/> Local Agency Formation Commission (LAFCO)
<input checked="" type="checkbox"/> California Department of Forestry	<input type="checkbox"/> National Marine Fisheries Service
<input type="checkbox"/> California Department of Health Services	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> California Department of Toxic Substances	<input checked="" type="checkbox"/> U.S. Army Corp of Engineers
<input type="checkbox"/> California Department of Transportation	<input checked="" type="checkbox"/> U.S. Fish and Wildlife Service
<input type="checkbox"/> California Integrated Waste Management Board	<input type="checkbox"/> _____
<input checked="" type="checkbox"/> California Regional Water Quality Control Board	<input type="checkbox"/> _____

G. DETERMINATION – The Environmental Review Committee finds that:

Although the proposed project **COULD** have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because the mitigation measures described herein have been added to the project. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

H. ENVIRONMENTAL REVIEW COMMITTEE (Persons/Departments consulted):

Planning Services Division, Melanie Jackson, Chairperson
 Planning Services Division, Air Quality, Gerry Haas
 Engineering and Surveying Department, Phillip A. Frantz
 Department of Public Works, Transportation
 Environmental Health Services, Justin Hansen
 Flood Control Districts, Andrew Darrow
 Facility Services, Parks, Andy Fisher
 Environmental Engineering Division, Janelle Heinzler
 Placer County Fire/CDF, Bob Eicholtz/Brad Albertazzi



Signature _____ Date March 28, 2012
 E. J. Ivaldi, Environmental Coordinator

I. SUPPORTING INFORMATION SOURCES:

The following public documents were utilized and site-specific studies prepared to evaluate in detail the effects or impacts associated with the project. This information is available for public review, Monday through Friday, 8am to 5pm, at the Placer County Community Development Resource Agency, Environmental Coordination Services, 3091 County Center Drive, Suite 190, Auburn, CA 95603. For Tahoe projects, the document will also be available in our Tahoe Division office, 565 West Lake Blvd., Tahoe City, CA 96145.

County Documents	<input checked="" type="checkbox"/> Community Plan
	<input checked="" type="checkbox"/> Environmental Review Ordinance

	<input checked="" type="checkbox"/> General Plan	
	<input checked="" type="checkbox"/> Grading Ordinance	
	<input checked="" type="checkbox"/> Land Development Manual	
	<input checked="" type="checkbox"/> Land Division Ordinance	
	<input type="checkbox"/> Stormwater Management Manual	
	<input type="checkbox"/> Tree Ordinance	
	<input type="checkbox"/> _____	
Trustee Agency Documents	<input type="checkbox"/> Department of Toxic Substances Control	
	<input type="checkbox"/> _____	
Site-Specific Studies	Planning Department	<input checked="" type="checkbox"/> Biological Study
		<input checked="" type="checkbox"/> Cultural Resources Pedestrian Survey
		<input checked="" type="checkbox"/> Cultural Resources Records Search
		<input type="checkbox"/> Lighting & Photometric Plan
		<input type="checkbox"/> Paleontological Survey
		<input checked="" type="checkbox"/> Tree Survey & Arborist Report
		<input type="checkbox"/> Visual Impact Analysis
		<input checked="" type="checkbox"/> Wetland Delineation
		<input checked="" type="checkbox"/> Acoustical Analysis
		<input type="checkbox"/> _____
	Engineering & Surveying Department, Flood Control District	<input type="checkbox"/> Phasing Plan
		<input checked="" type="checkbox"/> Preliminary Grading Plan
		<input type="checkbox"/> Preliminary Geotechnical Report
		<input type="checkbox"/> Preliminary Drainage Report
		<input type="checkbox"/> Stormwater & Surface Water Quality BMP Plan
		<input type="checkbox"/> Traffic Study
		<input type="checkbox"/> Sewer Pipeline Capacity Analysis
		<input type="checkbox"/> Placer County Commercial/Industrial Waste Survey (where public sewer is available)
		<input type="checkbox"/> Sewer Master Plan
		<input checked="" type="checkbox"/> Sight Distance Exhibit
	<input checked="" type="checkbox"/> Tentative Map	
	Environmental Health Services	<input type="checkbox"/> Groundwater Contamination Report
		<input type="checkbox"/> Hydro-Geological Study
		<input type="checkbox"/> Acoustical Analysis
		<input type="checkbox"/> Phase I Environmental Site Assessment
		<input type="checkbox"/> Soils Screening
		<input type="checkbox"/> Preliminary Endangerment Assessment
	<input checked="" type="checkbox"/> Well Report	
	Planning Department Air Quality	<input type="checkbox"/> CALINE4 Carbon Monoxide Analysis
		<input type="checkbox"/> Construction Emission & Dust Control Plan
<input type="checkbox"/> Geotechnical Report (for naturally occurring asbestos)		
<input type="checkbox"/> Health Risk Assessment		
<input type="checkbox"/> URBEMIS Model Output		
<input type="checkbox"/> _____		
Fire Department	<input type="checkbox"/> Emergency Response and/or Evacuation Plan	
	<input type="checkbox"/> Traffic & Circulation Plan	

23

Blackhawk Lane Minor Land Division Initial Study & Checklist continued

		<input type="checkbox"/>
	Mosquito Abatement District	<input type="checkbox"/> Guidelines and Standards for Vector Prevention in Proposed Developments
		<input type="checkbox"/>

74



COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, Agency Director

**PLANNING
SERVICES DIVISION**

Paul Thompson
Deputy Planning Director

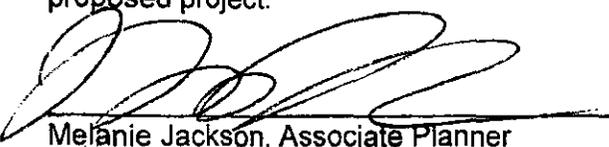
Mitigated Negative Declaration (Errata)

Project Name: **Blackhawk Lane Minor Land Division and Rezone (PMLD T20090218)**

The Mitigated Negative Declaration was posted for a 30-day public review from **April 11, 2012** to **May 11, 2012**. During the public review period, the following modifications to the project description were made:

1. The applicant modified the Rezone Request as follows:
 - a. The original request was to Rezone the entire property from RF-B-X 20 ac. min. (Residential Forestry, combining Minimum Building Site of 20 acres) and RF-B-X-160 ac. min. PD = 0.05 (Residential Forestry, combining Minimum Building Site of 160 acres, combining Planned Residential Development of 0.05 acres) to RF-B-X 4.6 ac. min. (Residential Forestry, combining minimum Building Site of 4.6 acres).
 - b. The revised request is to Rezone the portion of property designated as RF-B-X PD = 160 (Residential Forestry, combining Minimum Building Site of 160 acres, combining Planned Residential Development of 0.05 acres) to RF-B-X 20 ac. min. (Residential Forestry, combining Minimum Building Site of 20 acres).
2. The applicant modified the Tentative Map request from a four-lot Parcel Map to a two-lot Parcel Map. The two-lot Parcel Map will result in one new separately saleable, buildable parcel, and the second parcel will be a Designated Remainder Parcel.

CEQA Finding: These changes are minor modifications to the project description and do not affect the level of impacts or mitigation measures discussed in the Mitigated Negative Declaration, nor does the change require recirculation of the environmental document. The decision-makers must acknowledge the same as part of their findings to evaluate/approve the proposed project.


Melanie Jackson, Associate Planner

8/14/13
Date

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**Mitigation Monitoring Program
Mitigated Negative Declaration PLUS # PMLD 20090218
for Black Hawk Lane Minor Land Division and Rezone**

Section 21081.6 of the Public Resources Code requires all public agencies to establish monitoring or reporting procedures for mitigation measures adopted as a condition of project approval in order to mitigate or avoid significant effects on the environment. Monitoring of such mitigation measures may extend through project permitting, construction, and project operations, as necessary.

Said monitoring shall be accomplished by the county's standard mitigation monitoring program and/or a project specific mitigation reporting program as defined in Placer County Code Chapter 18.28, Mitigation Monitoring and Reporting Program.

Standard Mitigation Monitoring Program (pre project implementation):

The following mitigation monitoring program (and following project specific reporting plan, when required) shall be utilized by Placer County to implement Public Resources Code Section 21081.6. Mitigation measures adopted for discretionary projects must be included as conditions of approval for that project. Compliance with conditions of approval is monitored by the county through a variety of permit processes as described below. The issuance of any of these permits or county actions which must be preceded by a verification that certain conditions of approval/mitigation measures have been met, shall serve as the required monitoring of those condition of approval/mitigation measures. These actions include design review approval, improvement plan approval, improvement construction inspection, encroachment permit, recordation of a final map, acceptance of subdivision improvements as complete, building permit approval, and/or certification of occupancy.

The following mitigation measures, identified in the Mitigated Negative Declaration, have been adopted as conditions of approval on the project's discretionary permit and will be monitored according to the above Standard Mitigation Monitoring Program verification process:

Mitigation Measures #'s: MM III.1; MM III.2; MM IV.1; MM IV.2; MM IV.3; MM XVI.1; MM XVI.2; MM XVI.3; MM XVI.4

Kathi Heckert

From: Maywan Krach
Sent: Monday, August 12, 2013 8:43 AM
To: Kathi Heckert
Subject: FW: Dates for Upcoming Commission Meetings

FYI

From: Terrie Malella [<mailto:malellat@sebastiancorp.net>]
Sent: Friday, August 09, 2013 6:38 PM
To: Melanie Jackson
Subject: Dates for Upcoming Commission Meetings

August 9, 2013

I would like to notified when meetings are held for the Black Hawk and Black Oak Ridge Estates. Kraemer's two properties were supposed to contain a park and a horse stable area. These were part of Mike Davies sales pitch to the people who bought lots in these two subdivisions. My Black Hawk and Black Oak Ridge Estates neighbors were never made aware that Davies and Kraemer were move boundaries and changing the lots to less than 20 acres.

Please keep us informed about changing our subdivision into smaller saleable lot sizes. We do want to show up at the meeting for this proposal.

Thank you,
Sue Hicks
HOA President
Terrie Malella
HOA Secretary

*Sent legal notice
via e-mail 8/12/13 km*

Planning Commission

Black Oak Ridge Estates
Homeowners Association
P.O. Box 76
Foresthill, CA 95631
May 9, 2012

RECEIVED

MAY 10 2012

CDRA

Melanie Jackson
Placer County Planning Dept.
Placer County Community Development Resource Agency
3091 County Center Dr., Ste. 190
Auburn, CA 95603

Re: Minor Land Division and Rezone PMLD-T20090218
Project Location 6960 Blackhawk Lane, Placer County
Applicant: Kraemer/Jack Remington Andregg Geomatics

Ms. Jackson:

The land in question PMLD-T20090218, lies within the Black Oak Ridge Estates Subdivision. This project is moving forward and the Black Oak Ridge Estates Homeowners Association is requesting that our letter be placed in this file for the public record.

The Black Oak Ridge Estates Homeowners Association has never received notification and needs to be notified of any changes or variances approved by the county according to California Government Code section 65905 regarding "Public hearing on application for variance or permit Notice."

According to California Government Code section 1354, the HOA has the right of enforceability because the CC&R's: **(a)** The covenants and **restrictions** in the declaration shall be enforceable equitable servitudes, unless unreasonable, and shall inure to the benefit of and bind all **owners** of separate interests in the development. Unless the declaration states otherwise, these servitudes may be enforced by any **owner** of a separate interest or by the association, or by both. **(b)** A governing document other than the declaration may be enforced by the association against an **owner** of a separate interest or by an **owner** of a separate interest against the association.

We have checked county records and have found that several land boundary changes were made within the HOA lands without the notification from the county. These changes were not in

accordance with the subdivision requirements made by the county that each parcel in the Black Oak Ridge Estates and the Black Hawk Lane Estates be 20 acre or larger parcels.

We look forward to your response to these matters of boundary changes that affect all members of both HOA's.

Sincerely,

A handwritten signature in black ink that reads "Sue Hicks". The signature is written in a cursive, flowing style.

Sue Hicks, President
Black Oak Ridge Estates
Homeowners Association
(530-367-2411)

cc: Placer County Department of Planning
Placer County Planning Commissioners
Placer County Board of Supervisors
Foresthill Residents for Responsible Growth-Sherry Wicks
Black Oak Ridge Estates Homeowners

Foresthill Residents for responsible Growth, Inc.

P. O. Box 568, Foresthill, CA 95631
530-367-4803

May 10, 2012

RECEIVED

MAY 10 2012

CDRA

Melanie Jackson
Placer County Community Development Resource Agency
3091 County Center Dr., Ste. 190
Auburn, CA 95603

RE Blackhawk Lane MLD & REZONE -- PMLD-T20090218

Dear Ms. Jackson:

It has come to our attention that the above referenced Minor Land Division and Rezone request involves property that lies within the boundaries of a subdivision created under the Subdivision Map Act. We are extremely concerned that if this project moves forward without following due process to make the appropriate and legal subdivision modifications (which should include Black Oak Ridge Estates Homeowners Association), State laws may be violated.

There appears to have been past violations so we're extremely concerned that this pattern does not continue.

Please consider this letter our request that the County further explore the required process necessary to modify existing subdivisions and avoid any legal actions in the future. Thank you for your consideration in this matter.

Sincerely,



Sherry Wicks, Chairman

cc Shute, Mihaly & Weinberger LLP
Placer County Planning Commission
Placer County Board of Supervisors
Black Oak Ridge Estates HOA
Placer County Counsel
Foresthill Forum

"Every man holds his property subject to the general right of the community to regulate its use to whatever degree the public welfare may require it."

Theodore Roosevelt

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