



COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, Agency Director

**PLANNING
SERVICES DIVISION**

Paul Thompson
Deputy Planning Director

HEARING DATE: December 12, 2013
ITEM NO.: 1
TIME: 10:05

TO: Placer County Planning Commission
FROM: Development Review Committee
DATE: December 12, 2013
SUBJECT: **TENTATIVE SUBDIVISION MAP (PSUB 20080156)**
BELCARA SUBDIVISION / CONDITIONAL USE PERMIT
MITIGATED NEGATIVE DECLARATION (MODIFIED)

COMMUNITY PLAN: Foresthill Divide Community Plan

COMMUNITY PLAN DESIGNATION: Forest Residential, 1-4.6 acre minimum

ZONING: RF-B-X 2.3 PD = 0.44 (Residential-Forest, combining minimum Building Site of 2.3 acres, combining Planned Residential Development of 0.44 units per acres), and RF-B-X 4.6 PD 0.44 (Residential-Forest, combining Minimum Building site of 4.6 acres, combining Planned Residential Development of 0.44 units per acre), and RF-B-X 20 PD 0.44 (Residential=Forest, combining minimum Building Site of 20 acres, combining Planned Residential Development of 0.44 units per acre)

ASSESSOR'S PARCEL NUMBERS: 078-191-060, 078-191-062, 078-191-064

STAFF PLANNER: Melanie Jackson, Associate Planner

LOCATION: The project site is located on the north side of Foresthill Road (18399 Foresthill Road), approximately eight miles east of Interstate 80 in Foresthill, Placer County

APPLICANT: Jack Remington, Andregg Geomatics

PROPOSAL: The applicant requests that the Placer County Planning Commission approve a 39-lot Tentative Subdivision Map and Conditional Use Permit (Planned Residential Development) on a 169.2-acre site on the Foresthill Divide.

CEQA COMPLIANCE: A Mitigated Negative Declaration was prepared for the project and circulated for public comment on August 8, 2011. Following the comment period, the Mitigated Negative Declaration was modified and re-circulated on October 24, 2011. Following the conclusion of the second comment period, a final modification to the Mitigated Negative Declaration was prepared and circulated for public comment. On October 2, 2013 the public comment period for the final Mitigated Negative Declaration (Modified) closed. The Mitigated Negative Declaration (Modified) prepared for the project has been finalized pursuant to CEQA. The Mitigated Negative Declaration (Modified) 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. A public hearing notice was also published in the Sacramento Bee newspaper. 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 on the north side of Foresthill Road (18399 Foresthill Road), approximately eight miles east of Interstate 80 in the Foresthill area. The subdivision site is comprised of 169.2 acres and is accessed from Foresthill Road by a single, gated entry. Approximately 276 feet of the subject property borders the Foresthill Road right-of-way. The surrounding properties include the 61-lot Monte Verde Estates subdivision to the east, and undeveloped public lands (Auburn State Recreation Area) to the north, south and west.

The site was previously developed as the Monarch Mine Vineyard, an existing 25-acre vineyard that is operated and utilized for grape growing and wine production. There are two existing residences and accessory storage facilities located in the central portion of the site, on proposed lots 11, 12 and 17. The existing residences are also served by septic systems, and domestic drinking water is provided by the Foresthill Public Utility District. The site also contains an existing well that would be destroyed with the implementation of the subdivision.

The property is characterized by rolling topography, ranging from moderate slopes along ridge tops to steep slopes in the western portion of the site. Elevations range from 1,560 feet to 2,360 feet above mean sea level on the ridge dividing the North and Middle Forks of the American River. The eastern portion of the site is located on the Foresthill Divide and the north and western portions of the site drop off approximately 2,700 feet to the North Fork American River Canyon. Vegetation on-site includes a mix of montane hardwood, montane hardwood-conifer, mixed chaparral, blue oak-foothill pine, annual grassland and vineyard. Wetlands occupy approximately 0.18 acres of the project site, including 0.01 acres of seasonal seep (300 square feet in size) and 0.17 acres of ephemeral drainages. The seasonal seep is located on the northeastern portion of parcel 078-191-064, and the ephemeral drainages are located on the west side of the property and on the south side of the property where the drainage runs alongside the existing asphalt access road.

The North Fork of the American River is located approximately 2,700 feet (at the shortest traveled distance from the project site to the edge of the river) to the northwest of the nearest subdivision building envelope. The North Fork of the American River is located within the Auburn State Recreation Area, which is utilized by the public for hiking, biking and equestrian trails, campsites, river access and other recreational opportunities. The Long Point Fuel Break Trail traverses the western side of the subject property but currently is not dedicated for public use. This portion of the trail is located on the owner's private property and a gate is located at the southern end of the west property line. A non-motorized public trail easement overlaying the Long Point Fuel Break Trail would be offered for dedication to Placer County as a part of the Belcara Subdivision project.

EXISTING LAND USE AND ZONING:

	LAND USE	ZONING
SITE	The site contains approximately 25 acres of vineyards, oak woodlands, montane conifer stands and two residences	RF-B-X 2.3 PD 0.44 (Residential-Forest, combining minimum Building Site of 2.3 acres, combining Planned Residential Development of 0.44 units per acre), and RF-B-X 4.6 PD 0.44 (Residential-Forest, combining minimum Building Site of 4.6 acres, combining Planned Residential Development of 0.44 units per acre), and RF-B-X 20 PD 0.44 (Residential-Forest, combining minimum Building Site of 20 acres, combining Planned Residential Development of 0.44 units per acre)
NORTH	Auburn State Recreation Area	Open Space
SOUTH	Auburn State Recreation Area	Open Space
EAST	Residential Subdivision (Monte Verde Estates)	RF-B-X 20 PD 0.44 Ac. Min. (Residential Forestry, combining minimum Building Site of 20 acres, combining Planned Residential Development of 0.44 acres)
WEST	Auburn State Recreation Area	Open Space

BACKGROUND:

On March 19, 2008, the Planning Services Division received an application for the proposed Belcara Conditional Use Permit and Subdivision project. A Mitigated Negative Declaration

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(Modified) was prepared for the project and was published for public review on August 8, 2011. Two comment letters were received, and staff determined that the Mitigated Negative Declaration should be revised to add information pertaining to potential impacts to trees and biological resources resulting from the project. The A Mitigated Negative Declaration (Modified) was circulated for public review a second time on October 24, 2011.

Following the conclusion of the public comment period for the October 24, 2011 Mitigated Negative Declaration (Modified), the project was presented to the Foresthill Forum as an informational item on December 5, 2011. At the Forum, issues that were discussed amongst the members and the public were aesthetics, ridgeline development, biology, agriculture and traffic. Discussions about traffic focused on the access to and from the subdivision. Nine comment letters were received in response to the revised Mitigated Negative Declaration (Modified). The comment letters reiterated comments that were made at the Foresthill Forum meeting, and identified issues related to aesthetics, agricultural Impacts, biological impacts, air quality, water quality, recreational impacts, land use impacts, traffic impacts and cumulative impacts.

Following the Foresthill Forum meeting and the receipt of comment letters, a gate to the subdivision that was included in the project proposal and in the Modified Mitigated Negative Declaration (Modified) was removed to be consistent with the policies set forth in the Foresthill Divide Community Plan. In addition, to respond to the comments that were received at the December 5, 2011 Foresthill Forum meeting, the Mitigated Negative Declaration (Modified) was revised a second time and was re-circulated for public comment on September 1, 2013. Four comment letters were received on the second Mitigated Negative Declaration (Modified) that focused on impacts to traffic, aesthetics and fire protection. These correspondence letters are discussed in the Responses to Comments section included below.

FORESTHILL FORUM:

As stated above, the project was taken to the Foresthill Forum as an information item on December 5, 2011 and comments on the project from the public and the Forum members were received by staff. The project was taken to the Foresthill Forum a second time on September 5, 2013 during the period that the second Mitigated Negative Declaration (Modified) was being circulated for public review. After hearing a presentation from staff and taking questions and comments from the public, the Foresthill Forum took action to recommend approval of the project (4 yes, 2 no, 1 abstain) to the Planning Commission, subject to conditions. These conditions include improvements to the proposed ingress/egress to the project site to provide for an eastbound acceleration lane east of the project entrance on Foresthill Road, implementation of a requirement for onsite water storage, a provision for a secondary ingress/egress, inclusion of lots 16 and 17 in the "Important Viewshed" and, completion of a traffic study for the project.

PROJECT DESCRIPTION:

The Belcara Subdivision project proposes to develop a 39-lot Planned Residential Development (PD) on a 169.2-acre site on the Foresthill Divide. The residential lots would range in size between 0.83 acres to 6.3 acres, with an average lot size of 1.8 acres. Three open space lots totaling 93.21 acres (approximately 53 percent of the site) are also proposed. Lot A (90.5 acres) would encompass the majority of the western and northern

portions of the site where there is sloping topography and significant vegetative cover. A meandering, multi-use, non-motorized trail easement connecting to the Long Point Fuel Break Trail is also proposed along the western and northern portions of this lot; Lot B (1.5 acres) would be situated at the project entrance on Foresthill Road; and Lot C (0.71 acres) would serve as a dry detention basin for collected runoff. The three open space lots would be owned and maintained by the homeowners association. Lot D would be an approximate 0.35 acre roadway Lot from the end of Road "B" to the eastern property line. The 0.5 acre Homeowner's Park (Lot E) would be developed on this lot, directly north of the basin.

The project proposes constructing a public road entrance/driveway at Foresthill Road and a left turn lane would also be constructed on Foresthill Road for entry into the subdivision. The existing gate at the project's entry is proposed to be removed. An interior road system with several cul-de-sacs would provide access to the residential lots an emergency access road would be provided near the northeast corner of the site via the Ampezo Place cul-de-sac in the Monte Verde Subdivision. The subdivision roadways (5.58 acres) would be County Maintained.

The project site is developed with two residences and a 25-acre wine grape vineyard (Monarch Mine Vineyards). In order to accommodate the project, two existing residences and approximately half of the 25-acre vineyard would be removed. Some portions of the remaining vineyard will be incorporated into proposed residential lots and will be maintained by the individual property owners. The remaining vineyards are located within designated Open Space areas and will be maintained by the subdivision Homeowner's Association. All vineyard operations will be subject to a "Vineyard Operations and Maintenance Plan", outlining the interface of residential and agricultural land uses, as specified in the CC&R's and enforced by the Homeowner's Association.

The 39 lots would be clustered in order to limit the development footprint resulting in: 1) reducing grading impacts and tree removal, 2) reducing the visual impact to Foresthill Road, 3) eliminating any visual impact from the centerline of the North Fork of the American River, 4) setting back the development footprint from the canyon rim and, 5) ensuring that home sites are located below the canopy height of the surrounding oak woodlands. As a means of reducing wildfire hazard, the project proposes establishing a 300-foot Shaded Fuel Break Easement along the western and northern borders of the residential lots, between the lots and the undeveloped oak woodlands. (The California Department of Forestry and Fire Protection defines a Shaded Fuel Break as "a strategic location along a ridge, access road or other location where fuels have been modified. The width of the fuel break is usually 100-300 feet, depending on the site. This is a carefully planned thinning of dense vegetation so fire does not easily move from the ground into the overhead tree canopy. A shaded field break is not the removal of all vegetation in a given area." A detailed description of a Shaded Fuel Break is included below.) The project would also establish a County Service Area to provide the funding for the maintenance of the fuel break by the Foresthill Fire Protection District. The Foresthill Public Utility District will provide water service to the site on-site sewage disposal systems will be utilized for wastewater treatment.

Project entitlements requested include a Tentative Subdivision Map and a Conditional Use Permit (for the Planned Residential Development). The proposed density is consistent with the Foresthill Divide Community Plan land use designation of Forest Residential 1-4.6 acre minimum, and the site's zoning of RF-B-X PD 2.3 (Residential-Forest, combining minimum Building Site of 2.3 acres, combining Planned Residential Development of 0.44 units per acre), RF-B-X 4.6 PD 0.44 (Residential-Forest, combining minimum Building Site of 4.6 acre minimum, combining Planned Residential Development of 0.44 units per acre), and RF-B-X 20 PD 0.44 (Residential-Forest, combining minimum Building Site of 20 acres, combining Planned Residential Development of 0.44 units per acre).

DISCUSSION OF ISSUES:

Community Plan Consistency/Zoning Consistency

The property is within the Foresthill Divide Community Plan area and the Plan's land use designation for the site is Forest Residential 1-4.6 acre minimum. Site zoning is RF-B-X 2.3 PD 0.44 (Residential-Forest 2.3 acre minimum, Planned Development 0.44 units/acre), RF-B-X 20 PD 0.44 (Residential-Forest 4.6 acre minimum, Planned Development 0.44 units/acre) and RF-B-X 20 PD 0.44 (Residential-Forest 20 acre minimum, Planned Development 0.44 units/acre). The proposed use and density is consistent with the Placer County General Plan and the Community Plan policies as well as the Zoning Ordinance standards for a 39 lot Planned Residential Development density of 0.44 units per acre. Furthermore, the Planned Development designation for the project would result in clustering on the project site, which would enable a greater amount of open space to be preserved due to the smaller lot sizes.

Conditional Use Permit - Planned Residential Development

As discussed above, the applicant requests approval of a Tentative Subdivision Map, and a Conditional Use Permit to allow for a Planned Residential Development Section 17.54.080. This section of the Placer County Zoning Ordinance states that the purpose and intent of Planned Residential Developments "to further the public health, safety, peace, morals, comfort and general welfare by addressing the simultaneous needs of the County, including, but not limited to: the protection of environmentally sensitive areas; the preservation of natural, cultural, and historical resources; the conservation of visual and aesthetic resources; the maintenance of a given area's existing quality of life, the need to provide for an increasing variety of housing types, designs and layouts; the efficient use of land; and the effective development and use of public facilities and services."

The Belcara Planned Residential Development meets the goals and policies as set forth in this section of the Placer County Zoning Ordinance. This is illustrated by the Planned Development Worksheet that was prepared and submitted for the project (Attachment F). As discussed above, the Belcara Subdivision project proposes to develop 39 residential lots on the 169.2-acre. This proposed number of lots is consistent with the number of lots permitted for the project site, which is calculated by multiplying the net acreage (remaining acreage after required deductions) by the Planned Residential Development designation of 0.44 units per acre ($88.66 \times 0.44 = 39$).

The project proposal also includes a total of 91.06 acres of Open Space (where 33.8 acres are required) and 1 acre of recreation area (where 0.5 acres are required). Lot A

(90.5 acres) would encompass the majority of the western and northern portions of the site where there is sloping topography and significant vegetative cover. A meandering, multi-use, non-motorized trail easement connecting to the Long Point Fuel Break Trail is also proposed along the western and northern portions of this lot; Lot B (1.57 acres) would be situated at the project entrance on Foresthill Road; and Lot C (0.71 acres) would serve as a dry detention basin for collected runoff. A 0.5-acre Homeowner's Park (Lot E) would be developed directly north of the basin. The three open space lots would be owned and maintained by the homeowners association. The 0.5 acre Homeowner's Park (Lot E) would be developed directly north of the basin.

Based on the information discussed above, the proposed Planned Residential Development is consistent with the standards set forth in the Placer County Zoning Ordinance.

Environmental Analysis

Consistent with the requirements of the California Environmental Quality Act, staff prepared an initial study and a Mitigated Negative Declaration was circulated for public comment on August 8, 2011. As discussed above, after receiving comments on the first Mitigated Negative Declaration, a modified Mitigated Negative Declaration was circulated for public comment on October 24, 2011. Following the conclusion of the second comment period, a final modification to the Mitigated Negative Declaration was prepared and circulated for public comment. On October 2, 2013 the public comment period for the final Mitigated Negative Declaration (Modified) closed. Environmental issues discussed in the environmental document include: Aesthetics, Air Quality, Biological Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality and Transportation and Traffic. The Mitigated Negative Declaration (Modified) concludes that, with the implementation of mitigation measures included in the document, environmental impacts will be reduced to less than significant levels.

Aesthetics

Foresthill Road

The subject property is located on the north side of Foresthill Road on the Foresthill Divide. The project would be accessed by a roadway connection onto Foresthill Road. Foresthill Road is identified as a scenic roadway in the Foresthill Divide Community Plan due to its rural features and open landscape. However, consistent with Policy 3.C.1-12 of the Foresthill Divide Community Plan Design Guidelines, the project will include a 50-foot wide landscaped buffer area along the projects site frontage at Foresthill Road.

North Fork American River Canyon

The site is located at the top of the North Fork American River Canyon rim, at an elevation of approximately 1,560 feet above sea level. According to a Visual Impact Analysis prepared for the project by King Engineering in February of 2008, residences that would be constructed on the proposed lots would not be visible from the centerline of the North Fork of the American River. Further, the development would not be visible from properties within the rivers' immediate vicinity, given the location of the proposed building sites.

Visual Character

The project site consists of moderate to steeply sloping topography that contains both agricultural, open space and rural residential land uses. The site contains approximately 25 acres of vineyards and the remainder contains a mixture of conifers, oak, chaparral and grassland. Approval of the proposed project would allow for development of 39 newly created lots and accompanying infrastructure. This development will result in the removal of vineyards and trees and will result in site grading. As a result, the proposed project has the potential to degrade the visual character or quality of the site and its surroundings. However, the topography of the property and remaining vegetation on the project site will significantly inhibit visual disturbances to neighboring properties because many of the residences would be screened from view by the heavy tree coverage. Additionally, mitigation measures identified in the environmental document will reduce potential impacts to the visual character of the site to a less than significant level.

Air Quality

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. Operational related emissions would result from the 39 new dwelling units what would be constructed at a later date. The 39 new dwelling units would generate air quality impacts below the significant level and would not violate air quality standards or substantially contribute to existing air quality violations. With the implementation of mitigation measures identified in the environmental document, these impacts would be mitigated to a less than significant level.

Biological Resources

A biological study was prepared by ECORP Consulting, Inc. in October of 2007. The study included an analysis of potential impacts to trees and special-status plant, animal and bird species that may result from the development of the proposed subdivision. In addition, a Wetlands Delineation was prepared by Davis Consulting Earth Scientists in May of 2007. Findings of these reports are discussed below.

Trees

The biological study prepared for the project site identified three vegetative communities that contain oak trees, including Montane Hardwood (approximately 88 acres), Montane Hardwood-Conifer (46 acres), and Blue Oak-Foothill Pine (6 acres). The study further identified that, within these communities were 46 Blue Oak, 216 Black Oak and 2 Canyon Live Oak trees that qualify as "protected trees" by the standards of the Placer County Tree Ordinance (ABACUS Arborist Report, June 29, 2006). The study's analysis of potential tree impacts notes that the project as designed will retain a majority of the oak woodland by setting aside most of the Montane Hardwood area (approximately 85.83 acres) as open space and will limit development to areas previously disturbed by existing residential and agricultural development. A total of approximately 2.17 acres of the Montane Hardwood and 8.8 acres of Montane Hardwood-Conifer would potentially be impacted by the project. The Blue Oak-Foothill Pine community would not be impacted by the project. In order to ensure that the potential impacts to resulting from the development of the proposed subdivision are less than significant, mitigation measures have been identified in the environmental document.

Special-status Species

The biological study determined that two special-status species formally listed by the state and Federal agency Endangered Species Acts have the potential to occur on the project site, including Valley Elderberry Longhorn Beetle and Layne's ragwort. However, neither species are known to occur on the project site.

The study further determined that a variety of special-status bird species may nest on the project site and that development of the proposed subdivision may directly or indirectly affect nesting of those species and other non-nesting species, their migratory corridors or their foraging habitat. In addition, project development may affect potential roosting and/or foraging habitat for special-status bat species. These affects may result from tree and vegetation removal and other underground disturbances associated with construction activities. Therefore, mitigation measures are included in the environmental document to ensure that potential impacts to all special-status species that may occur on the project site remain less than significant.

Wetlands

The Wetland Delineation that was prepared for the subject property determined that wetlands occupy approximately 0.18 acres of the project site, broken down by 0.01 acres of seasonal seep (300 square feet in size) and 0.17 acres of ephemeral drainages. According to the Wetland Delineation, the footprint of the proposed subdivision is designed so that it will not impact any of the jurisdictional wetlands identified. However, mitigation measures are included in the environmental document that will ensure that impacts to wetlands will remain less than significant.

Geology and Soils

The proposed project would result in the construction of 39 single-family dwelling units and associated infrastructure including roadways, septic, drainage and water. Potential disruption to soil and topography of the site may result from implementation of the proposed project. In addition, construction of the project may also result in an increased risk of erosion and contamination of storm water runoff. Analysis of geology and soils for the proposed project determined site specific impacts associated with soil disruptions and topography changes. However, with the implementation of mitigation measures set forth in the environmental document, impacts to soil and geology of the site would remain less than significant.

Hazards and Hazardous Materials

The proposed project would result in the development of residential units in a heavily wooded area that contains the potential for wildfire danger. The project site is located within the Very High Fire Hazard Severity Zone of the State Responsibility Areas. The Foresthill Divide Community Plan states that new residential development located in high fire risk areas shall be responsible for the establishment and on-going maintenance of shaded fuel breaks and other defensible space mechanisms. The community plan further states that a mechanism shall be established for the costs associated with the required maintenance. Consistent with these requirements, mitigation measures are identified in the environmental document that reduce the risk of wildfire hazards and reduce impacts related to wildfire hazards to a less than significant level.

Hydrology and Water Quality

The proposed project will increase impervious surfaces on the site as a result of the construction of the onsite roadways, driveways and structures. The increase of impervious surfaces has the potential to result in downstream impacts and impacts to water quality. The proposed projects impacts associated with water quality and increases in runoff will be mitigated to a less than significant level by implementation of mitigation measures included in the environmental document.

Transportation and Traffic

The proposed project at build out will generate approximately 39 additional PM peak hour trips and approximately 363 average daily trips. With the project traffic added to the existing traffic volumes, all area roadway segments and intersections will continue to operate within acceptable Level of Service standards. The increases in traffic due to this project are consistent with those anticipated in the Foresthill Divide Community Plan and Community Plan EIR, both individually and on a cumulative basis. The Foresthill Divide Community Plan includes a fully funded Capital Improvement Program which, with payment of traffic mitigation fees for the ultimate construction of the Capital Improvement Program improvements, would reduce the cumulative traffic impacts to less than significant levels.

The project proposes to construct an improved subdivision roadway encroachment onto the existing Foresthill Road. The increased development at the intersection has the potential to increase the impacts to vehicle safety due to the increase in vehicle turning movements.. The proposed roadway improvements will be designed and constructed to meet or exceed the current minimum design standards for traffic circulation safety.

The proposed project includes the construction of an eastbound left turn lane on Foresthill Road to provide access to the site. The eastbound left turn lane is designed for separation of left turning traffic from faster through moving traffic and is designed for a 55 mph design speed. The proposed turn lane will expedite the movement of through traffic, control the movement of turning traffic, increase the capacity of the intersection, and improve safety characteristics.

The applicant prepared a Sight Distance exhibit to identify any potential safety impacts of the proposed encroachment onto Foresthill Road. The proposed roadway encroachment onto Foresthill Road meets the 605 foot required safe Corner Sight Distance at a 55 mph speed for both westbound and eastbound vehicles leaving the site.

A westbound right turn lane into the site was considered on Foresthill Road. The Caltrans Highway Design Manual provides the following guidance: "For right turning traffic, delays are less critical and conflicts less severe than for left turning traffic. In rural areas, a history of high speed rear-end collisions may warrant the addition of a right turn lane". Based on this guidance, County staff has reviewed the collision history of rear-end type crashes from 2003-2010 which resulted in reported injuries. It is important to note that the subject intersection has no history of reported crashes fitting these parameters. The overall history of injury rear-end crashes on Foresthill Road from 2003 to 2010 was determined to be 19 over the 8 year time span, resulting in a crash rate of 0.067 crashes

per million vehicle miles traveled. Furthermore, only 12 of these crashes occurred in the 55 mph speed radar enforced zone and can therefore be classified as "high speed". Therefore, it was the determination of County engineering staff that there is not a significant history of this type of collision and a westbound right turn lane is not warranted. The project does, however, provide a deceleration taper for right turning vehicles that will allow a right turning vehicle the ability to partially utilize the shoulder area for deceleration and to complete the right turn maneuver.

The proposed subdivision will be accessed from a single encroachment onto Foresthill Road. The proposed onsite private roadways function as one large cul-de-sac with only one ingress and egress point. With only one ingress and egress point, the project has the potential to create impacts to adequate emergency access. Furthermore, existing access to an existing Parcel to the west (APN: 078-191-065) has the potential to be impacted by the construction of the project.

The proposed project's traffic and circulation impacts will be mitigated to a less than significant level by implementing the mitigation measures included in the Mitigated Negative Declaration (Modified) and the Conditions of Approval.

RESPONSES TO COMMENTS:

On October 2, 2013, the Public Review period for the Mitigated Negative Declaration (Modified) closed. Four comment letters were received on the Mitigated Negative Declaration (Modified) for the Belcara Planned Residential Development. These comment letters were received from: Sherry Wicks on behalf of Foresthill Residents for Responsible Growth, Michael Garabedian on behalf of Friends of the North Fork, Roy and Tamra West and Tim Woodall on behalf of Protect American River Canyons. These comments will be discussed separately below.

Foresthill Residents for Responsible Growth

On October 1, 2013 correspondence from Foresthill Residents for Responsible Growth (FROG) was received by Placer County Environmental Coordination Services. In the correspondence, FROG states that a traffic study should be completed for the proposed project, and should address existing traffic conditions, project generated future and long-term traffic conditions and traffic mitigation recommendations. Responses to these comments are discussed below.

Traffic Study

The project was determined by Placer County Planning Services Division to be constant with the land use analyzed in the Foresthill Divide Community Plan (FDCP). Growth within the community plan area was anticipated with the development of the plan and a corresponding traffic impact analysis was performed which identified impacts and mitigations for such growth through 2030. Due to the determination of FDCP growth consistency and lack of additional zoning changes to the property, it was determined by the Department of Public Works that a traffic impact analysis (aka traffic study) would not be necessary to disclose further impacts caused by the proposed development. However, County engineering staff routinely considers potential traffic safety concerns of encroachments onto existing roadway facilities. A detailed engineering review of these

potential concerns was done with the project evaluation and corresponding improvement conditions of approval have been recommended to the Planning Commission for approval.

Existing Traffic Conditions

Foresthill Road is a Major Collector Roadway and has been identified in the Foresthill Divide Community Plan (dated: December 2008) as currently operating at a level of service (LOS) B (eastbound) and LOS C (westbound) during the AM traffic perk hours. The roadway is also defined in the plan as operating at LOS C (eastbound and westbound) during the PM traffic perk hours; with an overall Average Daily Traffic (ADT) volume of 6,569 vehicles per day. The roadway is currently posted with a 55 mph speed limit in the area of the project.

Project Generated Future and Long-term Traffic Conditions

Policy 5.A.1-1 of the Community Plan states that Foresthill Road shall maintain an acceptable LOS D. Growth projections within the Community Plan have established that LOS D will be maintained on Foresthill Road with the exception of two segments. For the LOS D to be maintained on this roadway, an additional 0.4 miles of westbound passing lane will need to be constructed. The Placer County capital improvement program (CIP) has been amended to include community plan mitigation improvements.

The project proposal would result in the construction of 39 new single-family dwelling lots. The proposed project at build out will generate approximately 39 additional PM peak hour trips and approximately 363 average daily trips. With the project traffic added to the existing traffic volumes, all area roadway segments and intersections will continue to operate within acceptable Level of Service standards. The increases in traffic due to this project are consistent with those anticipated in the Foresthill Divide Community Plan and Community Plan EIR, both individually and on a cumulative basis. For potential cumulative traffic impacts, the Foresthill Divide Community Plan includes a fully funded Capital Improvement Program which, with payment of traffic mitigation fees for the ultimate construction of the Capital Improvement Program improvements, would help reduce the cumulative traffic impacts to less than significant levels.

Traffic Mitigation Recommendations

Existing Left Turn Restrictions

The existing Monarch Mine minor subdivision roadway encroachment onto Foresthill Road was reviewed and approved with conditions between 2004-2006. At that time, the County restricted eastbound left turns from Foresthill Road onto the Monarch Mine subdivision roadway due to lack of a separated dedicated left turn lane. The intent of the restriction was to prevent vehicles stopping in the eastbound thru lane, looking to gain access from the high speed facility. The improvement plan documents for the Monarch Mine development required a "right turn only" sign be installed at the subdivision exit rather than the applicant evaluating the possibility of a northbound acceleration lane. The proposed access has now been fully evaluated and it has been determined by engineering staff that left turns could be safely provided for from the development thru the proposed roadway design and recommended conditions of approval.

Encroachment onto Foresthill Road

Sight distance of westbound and eastbound vehicles on Foresthill Road from the proposed access has been determined to meet the 605 feet required for safe Corner Sight Distance at 55 mph. Corner Sight Distance is defined by Caltrans as the sight distance required in order to provide 7-½ seconds for a driver on the crossroad to complete the necessary maneuver while the approaching vehicle travels at the assumed design speed for the main highway. This is an industry standard and has been utilized in the analysis of the safety of the encroachment by County Engineering staff. The maximum available sight distance from the subdivision roadway has been determined to be 900' to the west and 870' to the east with minor tree trimming within the County's right-of-way.

The project is also required to construct an expanded roadway encroachment which will allow for a widened shoulder area in which vehicles exiting or entering the roadway westbound (aka: westbound right turn "in" or westbound right turn "out") can decelerate or accelerate, respectfully. This improvement will be designed and constructed in accordance with County Plate R-17 design standards for 55 mph.

Right Turns In

The Caltrans Highway Design Manual provides the following guidance on right turn lane facilities; "For right-turning traffic, delays are less critical and conflicts less severe than for left-turning traffic. In rural areas a history of high speed rear-end collisions may warrant the addition of a right-turn lane". County staff has reviewed the collision history of rear-end type crashes from 2003-2010 which resulted in reported injuries. The overall history of injury rear-end crashes on Foresthill Road from 2003 to 2010 was determined to be 19 over the 8 year time span, resulting in a crash rate of 0.067 crashes per million vehicle miles traveled. Furthermore, only 12 of these crashes occurred in the 55 mph speed radar enforced zone and can therefore be classified as "high speed". It is important to note that the subject intersection has no history of reported crashes fitting these parameters. Upon review of the history of injury rear-end collision on Foresthill Road from 2003-2010, it was determined that there is not a significant history of this type of collision. Based on this guidance from the State and lack of collision history, County staff determined that there was no justification for a requirement for a right turn lane facility with the proposed project.

Left Turns In

Due to the proposed increase of traffic use at the existing encroachment location with the proposed subdivision, the County has determined that there is the need for a separated left turn lane. This type of facility provides physical separation of left turning traffic from faster thru movement traffic. The facility will be designed for comfortable deceleration of a vehicle from 55 mph at the entry of the lane to 0 mph at the end of the lane. The purpose of a left-turn lane is to expedite the movement of through traffic, control the movement of turning traffic, increase the capacity of the intersection, and improve safety characteristics of the roadway. With construction of this facility, the current eastbound left turn restriction will be eliminated. The left turn lane has been conditioned to meet all County and State roadway design standards at a design speed of 55 mph, which has been posted in accordance with the California Vehicle Code (CVC) requirements for radar enforceable roadways based on the prima facie speeds for 2 lane highways.

Left Turns Out / Acceleration Lane

A number of members of the community have expressed the need for an eastbound acceleration lane along Foresthill Road east of the proposed subdivision. The County has considered this facility in regards to traffic safety along the roadway. It was the professional opinion of the County Traffic Engineers that due to the available corner sight distance from the stop limit location of the proposed subdivision roadway, vehicles exiting the subdivision roadway with a left turn (southbound to eastbound) will have sufficient time and distance to perceive an approaching vehicle, make a decision of whether or not to proceed and accelerate to the appropriate speed. Additionally, there are two eastbound thru lanes at this location, so should the need arise for an approaching vehicle to pass a vehicle accelerating eastbound along Foresthill Road from the subdivision access, a facility is available that will allow for this maneuver.

Staff has not identified any potential impacts included within the body of the Foresthill Residents for Responsible correspondence that would require analysis beyond what was analyzed in the Mitigated Negative Declaration (Modified).

Friends of the North Fork

On October 2, 2013, correspondence from Friends of the North Fork was received by Placer County Environmental Coordination Services. The correspondence states that there are discrepancies in County correspondence related to traffic studies, road design and traffic related environmental impacts. The correspondence also noted issues related to visibility impacts to Interstate 80, the practicality of vegetative screening as a Condition of Approval, 20-acre Parcel B and the status of the Foresthill Divide Community Plan Design Guidelines.

Traffic Study / LOS / Circulation

The correspondence from Friends of the North Forks states that an engineering study of speed, traffic circulation, etc. is needed in the environmental review. The requirement for a Traffic Study, the roadway LOS information, and turning movement discussions are addressed in Section 16 (Transportation) of the Modified Mitigated Negative Declaration and again above under "Responses to Comments, Foresthill Residents for Responsible Growth".

Roadway Design Consistency

The correspondence from Friends of the North Forks appears to identify inconsistencies in the roadway design requirements by the County. The applicant has been required to analyze the environmental impacts for constructing a left turn lane and the acceleration/deceleration tapers of the encroachment since the project's application. The applicant has also analyzed the environmental impacts for constructing the recommended replacement of the existing 8' wide paved shoulder along the improvement area along Foresthill Road that was identified during the environmental review process. The recommended Caltrans standard left turn pocket has been analyzed at a 55 mph design speed with no length reductions. Additional text is routinely included in staff's standard requirement for a 55 mph design speed in the event that the applicant is able to provide evidence (i.e. speed survey, etc.) of existing design speeds that are less than the identified 55 mph and approved by the Director of Public Works. Any reduction in design speed would continue to meet Placer County safety requirements and the environmental document would continue to be adequate because the environmental review analyzed a

larger impact area. Staff has been consistent in our improvement recommendations and our environmental review of the recommended improvements.

Original Standards for the Construction of Foresthill Road

The correspondence from Friends of the North Fork suggests that the standards that the existing Foresthill Road was originally built to should be analyzed. The environmental review of the original design standards for the existing roadway section for Foresthill Road is beyond the scope of the required environmental review of the proposed project. The environmental review process for the proposed project did analyze the design and safety impacts of constructing a roadway encroachment access onto the existing design of Foresthill Road at design vehicle speeds of 55 mph. Sight distance of westbound and eastbound vehicles on the existing Foresthill Road from the proposed access has been determined to meet the 605 feet required for safe Corner Sight Distance at 55 mph. In addition, the environmental review also included the analysis of additional improvements along the existing Foresthill Road alignment (i.e. left turn lane).

Visibility from Interstate 80

The correspondence from Friends of the North Forks states that, the American River Canyon is visible from Interstate 80. It then comments as to whether a visual assessment of the project site from a specific location on Interstate 80 (beginning before and after the freeway exit sign at the Bowman exit on Interstate 80) was completed. Finally, the correspondence suggests that, if the project is visible from this specific location on Interstate 80, then construction of the proposed project would have a damaging aesthetic impact to views of the North Fork American River Canyon for persons traveling on Interstate 80.

It was determined by staff that there was no necessity to assess the visibility of the project site from Interstate 80 because Interstate 80 is not a scenic corridor. However, a visual analysis that illustrates the potential visibility of the project site from the specified reach of Interstates 80 (beginning before and after the freeway exit sign at the Bowman exit on Interstate 80) was prepared by the Placer County Community Development Resource Agency Geographic Information Systems staff (Attachment I - Visibility from Interstate). This visual analysis indicates that there is a potential for portions of the Belcara project to be seen in the specified reach of Highway 80.

Potential visual impacts resulting from residential construction on the project site would be reduced by limiting development boundaries with designated building envelopes that are included on the Tentative Map. The woodland areas located outside of the building envelopes would be preserved in their natural state, with the exception of the individual driveway accesses. These building envelopes would be preserved in perpetuity through the use of deed restrictions on the proposed parcels, and will be imposed by the Homeowner's Association and by Placer County Community Development Resources Agency at the time of application for a building permit. A mitigation measure included in the Mitigated Negative Declaration (Modified) sets forth design standards for lots within the subdivision that would inhibit visual impacts. Adherence to the mitigation measures will be ensured by the Homeowner's Association's and the Placer County Development Review Committee's review of proposed development on these individual lots.

20-acre Parcel B

The correspondence from Friends of the North Fork states that "20-acre Parcel B is therefore demonstrated by the County to be directly in the line of site of the North Fork [of the American River]."

A 20-acre Parcel B is shown on the Tentative Map. The Tentative Map includes a note on the parcel, "N.A.P.O.T.S" which stands for "Not a part of this subdivision". The parcel is included on the Tentative Map to illustrate properties surrounding the subdivision. It is not a part of the subdivision proposal.

Vegetative Visual Screening

The correspondence from Friends of the North Fork suggests that mitigation measures included in the environmental document for placement/preservation of vegetation to inhibit visual impacts to the North Fork American River Canyon would be defeated by mitigation measures for fire protection, including defensible space and a 300-foot shaded fuel break.

The Foresthill Divide Community Plan delineates an "Important Viewshed" area and includes guidelines for development of properties located within this area. Lots 20, 21 and 22 of the proposed project are located within the Important Viewshed area. As a result, specific mitigation measures pertaining to these lots are included in the environmental document and impose screening requirements for residential structures to ensure that the development of these lots will not disturb the aesthetics of the North Fork American River Canyon.

However, the environmental document also includes mitigation measures for fire protection purposes, including a 300 foot shaded fuel break. In addition, standard defensible space fire protection measures will also apply to the areas surrounding the residential structures.

The California Department of Forestry and Fire Protection defines a Shaded Fuel Break as "a strategic location along a ridge, access road or other location where fuels have been modified. The width of the fuel break is usually 100-300 feet, depending on the site. This is a carefully planned thinning of dense vegetation so fire does not easily move from the ground into the overhead tree canopy. A shaded field break is not the removal of all vegetation in a given area." Further, the Prescription for a Shaded Fuel Break provided by the California Department of Forestry includes the following:

"1. Understory Fuels

Understory fuels over 1 foot in height are to be removed in order to develop vertical separation and low horizontal continuity of fuels. Individual plants or groups of plants up to 10 feet in canopy diameter may be retained provided there is a horizontal separation between plants of 3 times the height for low volatility brush or 5 times the height for high volatility brush of the residual plants and the residual plants are not within the drip lines of an overstory tree.

For rare and endangered species concerns, elderberry trees shall not be removed or treated within the shaded fuel breaks in elevations below 3000 feet.

2. *Mid-story Fuels*

Only trees up to the 10-inch diameter class [at breast height (dbh)] may be removed. Exception to this size limit shall be trees that have significant defect and/or which do not have a minimum of a 16-foot saw log. Live but defective trees larger than the 10-inch diameter class providing cavities or obvious wildlife use will be retained.

Trees shall be removed to create horizontal distances between residual trees from 20 feet between trunks up to 8 to 15 feet between tree crown drip lines. Larger overstory trees (> 10 inches dbh) do count as residual trees and, in order to reduce ladder fuels, shall have vegetation within their drip lines removed. Prune branches off of all residual trees from 8 to 10 feet off the forest floor, not to reduce the live crown ratio below 1/2 of the height of the tree.

For rare and endangered species concerns, elderberry trees shall not be removed or treated within the shaded fuel breaks below the 3000 feet elevation level.

Criteria for residual trees (< 10 inch diameter class (dbh))”

Therefore, although the shaded fuel break will include vegetation removal, not all of the vegetation will be removed. The tree canopy within the Shaded Fuel Break area will remain, and the affects of vegetative screening will still be in place. Therefore, placement of the shaded fuel break will not inhibit vegetative screening of residential development on the subject property.

Status of Forest Hill Divide Community Plan Design Guidelines

The correspondence from Friends of the North Fork states “What is the status of the creation of the design guidelines provided for in the Foresthill Divide Community Plan?”

The Foresthill Divide Community Plan, adopted in December of 2008, includes the Foresthill Community Design Guidelines as Appendix C. The first page of these guidelines includes the statement “Foresthill Design Guidelines: Public Review Draft – 2/5/2002.” The word “draft” included in this statement is misleading in that it suggests that the design guidelines have not yet been adopted. However, the design guidelines, having been included as an appendix in the Foresthill Divide Community Plan were adopted with the Community Plan in December 2008. The statement “Public Review Draft – 2/5/2002”, is a typo in the Foresthill Design Guidelines. The design guidelines were formally adopted in December of 2008 as a part of the Foresthill Divide Community Plan (the design guidelines are included as “Appendix C” in the community plan). Therefore, the design guidelines apply to new development within the areas delineated in the Community Design Guidelines Map, which include the areas designated as Mill Site Mixed Use Area,

Historic Downtown Mixed Use Area and Canyon Mixed Use Area. The Belcara Planned Development is not located within the designated areas subject to the design guidelines.

Staff has not identified any potential impacts included within the body of the Friends of the North Fork correspondence that would require analysis beyond what was analyzed in the Mitigated Negative Declaration (Modified).

Roy and Tamra West

On September 17, 2013, correspondence from Roy and Tamara West was received by Placer County Environmental Coordination Services. In their correspondence, Mr. and Mrs. West express concerns related to ingress and egress onto Foresthill Road and specifically, the need for a right turn lane into the project site.

A westbound right turn lane entering the project site was discussed in Item XVI-3 in section the Transportation and Traffic section in the Mitigated Negative Declaration (Modified). The right turn lane is also addressed above under "Responses to Comments, Foresthill Residents for Responsible Growth, Right Turns In".

Staff has not identified any potential impacts included within the body of the correspondence from Roy and Tamara West that would require analysis beyond what was analyzed in the Mitigated Negative Declaration (Modified).

Protect American River Canyons

On October 2, 2013, correspondence from Protect American River Canyons was received by Placer County Environmental Coordination Services. The correspondence states that PACR's principal objection to the Mitigated Negative Declaration (Modified) is the discussion related to visual impacts to the North Fork of the American River Canyon created by the proposed project.

Potential visual impacts imposed by the development of the proposed project are discussed under "Section I. Aesthetics" of the Mitigated Negative Declaration (Modified).

Staff has not identified any potential impacts included within the body of the Protect American River Canyons correspondence that would require analysis beyond what was analyzed in the Mitigated Negative Declaration (Modified).

RECOMMENDATION:

Staff recommends that the Planning Commission adopt the Mitigated Negative Declaration (Modified) and Mitigation Monitoring Program as set forth in Attachment D and approve the 39-lot Tentative Subdivision Map and Conditional Use Permit (Planned Residential Development) (PSUB 20080156), as shown on Attachment C subject to the following findings and attached recommended Conditions of Approval.

FINDINGS:

CEQA:

After considering the proposed Mitigated Negative Declaration (Modified), the mitigation measures included therein and the staff report and all comments thereto, the Planning Commission hereby adopts the Negative Declaration (Modified) and the Mitigation

Monitoring and Reporting Plan as set forth in Attachment D to this staff report and based upon the following findings:

1. The Mitigated Negative Declaration (Modified) or the Belcara Planned Residential Development project has been prepared as required by law. With the incorporation of all mitigation measures, including MM I.1, MM I.2, MM III.1, MM IV.1, MM IV.2, MM IV.3, MM IV.6, MM IV.7, MM IV.8, MM VI.1, MM VI.2, MM VI.3, MM VI.4, MM VI.5, MM VI.6, MM VIII.1, MM IX.1, MM IX.2, MM IX.3, MM IX.4, MM IX.5, MM XVI.1, MM XVI.2, MM XVI.3, MM XVI.5, MM XVI.6, MM XVI.7 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 (Modified) 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 and Reporting Program prepared for the Project is approved and adopted (Attachment E).
5. The custodian of records for the project is the Placer County Planning Director, 3091 County Center Drive, Suite 140, Auburn CA, 95603.

Tentative Subdivision Map:

1. The proposed subdivision, together with the provisions for its design and improvements, is consistent with the Foresthill Divide Community Plan, the Placer County General Plan and with the applicable County Zoning Ordinances. The proposed density of the Belcara Planned Development is consistent with the density anticipated in the Foresthill Divide Community Plan and was considered as a part of the build out of the Foresthill community.
2. The site of the subdivision is physically suitable for the type and proposed density of development.
3. The project, with the recommended conditions, is compatible with the neighborhood and adequate provisions have been made for necessary public services and mitigation of potential environmental impacts.
4. The design and proposed improvements of the subdivision are not likely to cause substantial environmental damage or public health problems.

Conditional Use Permit:

1. The proposed use is consistent with all applicable provisions of Chapters 17 of the Placer County Code.

2. The proposed use 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.
3. The establishment, maintenance or operation of the Belcara Planned Development will not be detrimental to the health, safety and general welfare of people residing or working in the neighborhood of the proposed use, and will not be detrimental or injurious to property or improvements in the neighborhood or the general welfare of the County in that the proposed residential land use is compatible with the adjacent residential uses. The manner in which the Belcara Subdivision is located in an area that does not result in a visual intrusion to surrounding properties within the Foresthill Divide community nor the North Fork American River Canyon. Improvements for ingress and egress to the subdivision are designed in a manner that does not result in unsafe traffic conditions. (Phil – please review. Maybe add projections well within LOS? If you can think of anything to bolster traffic info, please add as you see fit)
4. The proposed use is consistent with the character of the immediate neighborhood, which is residential in nature and will not be contrary to its orderly development.
5. The proposed use will not generate a volume of traffic beyond the capacity of roads providing access to the use, consistent with the applicable requirements of the Placer County General Plan and the Foresthill Divide Community Plan.

Planned Residential Development

As of January 1, 2013, Senate Bill 1241 requires that the legislative body of a county make three specific findings before approving a tentative map or a parcel map for which a tentative map was not required, for areas located in a state responsibility area or a very high fire hazard severity zone, as defined.

1. The proposed use and development of the property as a Planned Residential Subdivision, together with the provisions for its design and improvements, 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 as well as with all applicable provisions of the Placer County Code.
2. The proposed Planned Residential Development subdivision is consistent with respect to the purposes of a Planned Residential Development in that it will further the public health, safety, peace, morals comfort and general welfare by addressing the simultaneous needs of the County for: protecting environmentally sensitive areas; preserving natural resource; and conserving visual and aesthetic resources.

3. The proposed Planned Residential Development Subdivision is consistent with the base zoning of RF-B-X 2.3 PD 0.44 (Residential-Forest, combining minimum Building Site of 2.3 acres, combining Planned Residential Development of 0.44 units per acre), RF-B-X 4.6 PD 0.44 (Residential-Forest, combining minimum Building Site of 4.6 acres, combining Planned Residential Development of 0.44 units per acre), and RF-B-X 20 PD 0.44 (Residential-Forest, combining minimum Building Site of 20 acres, combining Planned Residential Development of 0.44 units per acre) and is within the limits of the Forest Residential, 1-4.6 acre minimum land use designation in the Foresthill Divide Community Plan.
4. The proposed Planned Residential Development subdivision include three open space lots (93.21 acres) that provide for resource protection, recreational amenity, as well as visual enjoyment. The open space/common area lots would be held in common ownership by the Homeowner's Association for the benefit of Placer County.
5. The proposed Planned Residential Development subdivision has been designated in a manner such that adequate public services are provided.
6. The design and density of the proposed Planned Residential Development subdivision are consistent and compatible with the character of the immediate neighborhood and will not be contrary to its orderly development.

SB 1241 – Fire

1. The design, location and associated improvements of each proposed parcel resulting from approval of the proposed Tentative Subdivision Map as a whole are consistent with regulations adopted by the State of California pursuant to PRC 4290 (defensible space) and 4291 (clearance requirements). Each proposed parcel will be subject to the California Department of Forestry defensible space requirements of creating 100 feet of defensible space around every building or structure that is used for support or shelter of any use or occupancy. Further, required by the Foresthill Divide Protection District, a 300-foot shaded fuel break will be located around the perimeter of the project site for fire prevention and protection purposes and a County Service Area with the district will be established to maintain the fuel break. These requirements will be enforced by the Foresthill Fire Protection District and the California Department of Forestry.
2. Structural fire protection and suppression services will be available to the proposed parcels. Services will be provided by Foresthill Fire Protection District and, where necessary, the California Department of Forestry and fire protection. As required for new projects, a "Will Serve" letter from Foresthill Fire Protection

District must be provided to the Placer County Development Review Committee prior to approval of improvement plans for the project.

3. 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.

Respectfully submitted,

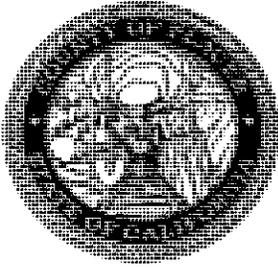


Melanie Jackson
Associate Planner

ATTACHMENTS:

- Attachment A - Conditions of Approval
- Attachment B - Vicinity Map
- Attachment C - Tentative Subdivision Map
- Attachment D - Mitigated Negative Declaration (Modified)& Mitigation Monitoring and Reporting Program
- Attachment E - Planned Residential Development Worksheet
- Attachment F - Foresthill Forum Letter
- Attachment G - Community Correspondence
- Attachment H - Visibility from Interstate 80 Exhibit

cc: Jack Remington on behalf of Andregg Geomatics – Applicant
Jeff Dutra – Property Owner
Phil Frantz – 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



**RECOMMENDED CONDITIONS OF APPROVAL – TENTATIVE
SUBDIVISION MAP/CONDITIONAL USE PERMIT "BELCARA
SUBDIVISION" (PSUB 20080156)**

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. Approval of the Tentative Subdivision Map and Conditional Use Permit (Planned Residential Development) for the Belcara Subdivision allows for the development of 39 residential lots on Assessor's Parcel Numbers 078-191-060, 078-191-062, 078-191-064.

A total of 93.21 acres of open space shall be set aside as Lot A (90.5 acres), Lot B (1.5 acres) and Lot C (0.71 acres). The three open space lots shall be owned and maintained by the homeowners association.

Lot D shall consist of a private access easement for Lots 29 and 30 and an emergency access easement. A private Homeowner's Park shall be delineated on the Final Map as Lot E. Three parking spaces shall be provided for the Homeowner's Park. These lots shall be owned and maintained by the Homeowner's Association.

2. Following Tentative Map approval, but before submittal of Improvement Plans, the applicant shall provide the Planning Services Division with five full-size prints of the approved Tentative Map for distribution to other County departments, if the approval of the project requires changes to the map. **(CR) (PD)**

IMPROVEMENTS/IMPROVEMENT PLANS

3. The applicant shall prepare and submit Improvement Plans, specifications and cost estimates (per the requirements of Section II of the Land Development Manual [LDM] that are in effect at the time of submittal) to the Engineering and Surveying Department (ESD) for review and approval of each phase. The plans shall show all physical improvements as required by the conditions for the project as well as pertinent topographical features both on and off site. All existing and proposed utilities and easements, on site and adjacent to the project, which may be affected by planned construction, shall be shown on the plans. All landscaping and irrigation facilities within the public right-of-way (or public easements), or landscaping within sight distance areas at intersections, shall be included in the Improvement Plans. The applicant shall pay plan check and inspection fees and, if applicable, Placer County Fire Department improvement plan

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ATTACHMENT A

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review and inspection fees with the 1st Improvement Plan submittal. (NOTE: Prior to plan approval, all applicable recording and reproduction cost shall be paid). The cost of the above-noted landscape and irrigation facilities shall be included in the estimates used to determine these fees. It is the applicant's responsibility to obtain all required agency signatures on the plans and to secure department approvals. If the Design/Site Review process and/or Development Review Committee (DRC) review is required as a condition of approval for the project, said review process shall be completed prior to submittal of Improvement Plans. Record drawings shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the ESD in both hard copy and electronic versions in a format to be approved by the ESD prior to acceptance by the County of site improvements.

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

The applicant shall provide five (5) copies of the approved Tentative Subdivision Map(s) and two copies of the approved conditions with the plan check application. The Final Subdivision Map(s) shall not be submitted to the Engineering and Surveying Department (ESD) until the Improvement Plans are submitted for the second review. Final technical review of the Final Subdivision Map(s) shall not conclude until after the Improvement Plans are approved by the ESD.

Any Building Permits associated with this project shall not be issued until, at a minimum, the Improvement Plans are approved by the Engineering and Surveying Department.

Prior to the County's final acceptance of the project's improvements, submit to the Engineering and Surveying Department two copies of the Record Drawings in digital format (on compact disc or other acceptable media) in accordance with the latest version of the Placer County Digital Plan and Map Standards along with two blackline hardcopies (black print on bond paper) and two PDF copies. The digital format is to allow integration with Placer County's Geographic Information System (GIS). The final approved blackline hardcopy Record Drawings will be the official document of record. (MM VI.1) (ESD)

4. The Improvement Plans shall show all proposed grading, drainage improvements, vegetation and tree removal and all work shall conform to provisions of the County Grading Ordinance (Ref. Article 15.48, Placer County Code) and Stormwater Quality Ordinance (Ref. Article 8.28, Placer County Code) that are in effect at the time of submittal. No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved and all temporary construction fencing has been installed and inspected by a member of the Development Review Committee (DRC). All cut/fill slopes shall be at a maximum of 2:1 (horizontal: vertical) unless a soils report supports a steeper slope and the Engineering and Surveying Department (ESD) concurs with said recommendation. Fill slopes shall not exceed 1.5:1 (horizontal: vertical).

The applicant shall revegetate all disturbed areas. Revegetation, undertaken from April 1 to October 1, shall include regular watering to ensure adequate growth. A winterization plan shall be provided with project Improvement Plans. It is the applicant's responsibility to ensure proper installation and maintenance of erosion control/winterization before, during, and after project DECEMBER, 2013 PC

construction. Soil stockpiling or borrow areas, shall have proper erosion control measures applied for the duration of the construction as specified in the Improvement Plans. Provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of the Engineering and Surveying Department (ESD).

The applicant shall submit to the ESD a letter of credit or cash deposit in the amount of 110 percent of an approved engineer's estimate for winterization and permanent erosion control work prior to Improvement Plan approval to guarantee protection against erosion and improper grading practices. Upon the County's acceptance of improvements, and satisfactory completion of a one-year maintenance period, unused portions of said deposit shall be refunded to the project applicant or authorized agent.

If, at any time during construction, a field review by County personnel indicates a significant deviation from the proposed grading shown on the Improvement Plans, specifically with regard to slope heights, slope ratios, erosion control, winterization, tree disturbance, and/or pad elevations and configurations, the plans shall be reviewed by the DRC/ESD for a determination of substantial conformance to the project approvals prior to any further work proceeding. Failure of the DRC/ESD to make a determination of substantial conformance may serve as grounds for the revocation/modification of the project approval by the appropriate hearing body. (MM VI.2) (ESD)

5. Staging Areas: The Improvement Plan(s) shall identify the stockpiling and/or vehicle staging areas with locations as far as practical from existing dwellings and protected resources in the area. (ESD)

6. The Improvement Plan submittal shall include a final drainage report in conformance with the requirements of Section 5 of the Land Development Manual and the Placer County Storm Water Management Manual that are in effect at the time of submittal, to the Engineering and Surveying Department for review and approval. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: A written text addressing existing conditions, the effects of the improvements, all appropriate calculations, a watershed map, increases in downstream flows, proposed on- and off-site improvements and drainage easements to accommodate flows from this project. The report shall identify water quality protection features and methods to be used both during construction and for long-term post-construction water quality protection. "Best Management Practice" measures shall be provided to reduce erosion, water quality degradation, and prevent the discharge of pollutants to stormwater to the maximum extent practicable. (MM IX.1) (ESD)

7. The Improvement Plan submittal and final Drainage Report shall provide details showing that storm water run-off shall be reduced to pre-project conditions through the installation of retention/detention facilities. Retention/detention facilities shall be designed in accordance with the requirements of the Placer County Storm Water Management Manual that are in effect at the time of submittal, and to the satisfaction of the Engineering and Surveying
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Department (ESD) and shall be shown on the Improvement Plans. The ESD may, after review of the project final drainage report, delete this requirement if it is determined that drainage conditions do not warrant installation of this type of facility. In the event on-site detention requirements are waived, this project may be subject to payment of any in-lieu fees payable prior to Improvement Plan approval as prescribed by County Ordinance. Maintenance of detention facilities by the homeowner's association, property owner's association, property owner, or entity responsible for project maintenance shall be required. No retention/detention facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals. (MM IX.2) (ESD)

8. Prior to Improvement Plan or Final Subdivision Map(s) approval, the final Drainage Report shall evaluate the following off-site drainage facilities for condition and capacity and shall be upgraded, replaced, or mitigated as specified by the Engineering and Surveying Department. The Improvement Plans shall provide details of the location and specifications of all proposed off-site drainage facility improvements and drainage easements to accommodate the improvements. Prior to Improvement Plan or Final Subdivision Map(s) approval, the applicant shall obtain all drainage easements and necessary permits required by outside agencies:

- A) The existing 24-inch culvert under Foresthill Road located just south of the proposed subdivision road encroachment. (MM IX.3) (ESD)

9. This project is located within the permit area covered by Placer County's Small Municipal Separate Storm Sewer System (MS4) Permit (State Water Resources Control Board National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000004, Order No. 2013-0001-DWQ), pursuant to the NPDES Phase II program. Project-related stormwater discharges are subject to all applicable requirements of said permit.

The project shall implement permanent and operational source control measures as applicable. Source control measures shall be designed for pollutant generating activities or sources consistent with recommendations from the California Stormwater Quality Association (CASQA) Stormwater BMP Handbook for New Development and Redevelopment, or equivalent manual, and shall be shown on the Improvement Plans.

The project is also required to implement Low Impact Development (LID) standards designed to reduce runoff, treat stormwater, and provide baseline hydromodification management to the extent feasible. (MM IX.5) (ESD)

10. The Improvement Plans shall show that water quality treatment facilities/Best Management Practices (BMPs) shall be designed according to the guidance of the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development / Redevelopment, and for Industrial and Commercial (or other similar source as approved by the Engineering and Surveying Department (ESD) such as the Stormwater Quality Design Manual for the Sacramento and South Placer Regions).

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Construction (temporary) BMPs for the project include, but are not limited to: Fiber Rolls (SE-5), Staw Bale Barrier (SE-9), Straw Wattles, Storm Drain Inlet Protection (SE-10), Velocity dissipation Devices (EC-10), Hydroseeding (EC-4), Silt Fence (SE-1), Stabilized Construction Entrance (TC-1), Geotextiles & Mats (EC-7), Wind Erosion Control (WE-1), Velocity Dissipation Devices (EC-10), and revegetation techniques.

Storm drainage from on- and off-site impervious surfaces (including roads) shall be collected and routed through specially designed catch basins, vegetated swales, vaults, infiltration basins, water quality basins, filters, etc. for entrapment of sediment, debris and oils/greases or other identified pollutants, as approved by the Engineering and Surveying Department (ESD). BMPs shall be designed at a minimum in accordance with the Placer County Guidance Document for Volume and Flow-Based Sizing of Permanent Post-Construction Best Management Practices for Stormwater Quality Protection. Post-development (permanent) BMPs for the project include, but are not limited to: Extended Detention/Water Quality Basins (TC-22), Vegetated Swales (TC-30), Vegetated Buffer Strips (TC-31), Infiltration Trenches (TC-10), etc. No water quality facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.

All BMPs shall be maintained as required to insure effectiveness. The applicant shall provide for the establishment of vegetation, where specified, by means of proper irrigation. Proof of on-going maintenance, such as contractual evidence, shall be provided to ESD upon request. Maintenance of these facilities shall be provided by the project owners/permittees unless, and until, a County Service Area is created and said facilities are accepted by the County for maintenance. Prior to Improvement Plan or Final Subdivision Map approval, easements shall be created and offered for dedication to the County for maintenance and access to these facilities in anticipation of possible County maintenance. (MM VI.5 and MM IX.4) (ESD)

11. Prior to Improvement Plan approval, the applicant shall obtain a State Regional Water Quality Control Board National Pollutant Discharge Elimination System (NPDES) construction stormwater quality permit and shall provide to the Engineering and Surveying Department evidence of a state-issued Waste Discharge Identification (WDID) number or filing of a Notice of Intent and fees. (MM VI.6) (ESD)

12. The Improvement Plan submittal shall include a final geotechnical engineering report produced by a California Registered Civil Engineer or Geotechnical Engineer for Engineering and Surveying Department (ESD) review and approval. The report shall address and make recommendations on the following:

- A) Road, pavement, and parking area design;
- B) Structural foundations, including retaining wall design (if applicable);
- C) Grading practices;
- D) Erosion/winterization;

- E) Special problems discovered on-site, (i.e., groundwater, expansive/unstable soils, etc.)
- F) Slope stability

Once approved by the ESD, two copies of the final report shall be provided to the ESD and one copy to the Building Services Division for its use. It is the responsibility of the developer to provide for engineering inspection and certification that earthwork has been performed in conformity with recommendations contained in the report. (MM VI.3) **(ESD)**

13. The Improvement Plans shall show the extension of a pressurized water system into the subdivision to County (Section 7 of the LDM) or fire district standards, whichever are greater, to the satisfaction of Development Review Committee and the serving fire district. **(ESD)**

14. The Improvement Plans shall be approved by the water supply entity for water service, supply, and maintenance. The water supply entity shall submit to the Environmental Health Services Division and the Engineering and Surveying Department a "will-serve" letter or a "letter of availability" from the water district indicating that the agency has the ability and system capacity to provide the project's domestic and fire protection water quantity needs. **(ESD)**

15. Install cable TV conduit(s) in accordance with company or County specifications, whichever are appropriate, unless otherwise specified by the cable company. **(ESD)**

16. The Improvement Plans shall include a striping and signing plan and shall include all on- and off-site traffic control devices. Prior to the commencement of construction, a construction signing plan shall be provided to the ESD for review and approval. **(ESD)**

17. Prior to Improvement Plan approval, provide the Engineering and Surveying Department with a letter from the appropriate fire protection agency describing conditions under which service will be provided to this project. A representative's signature from the appropriate fire protection district shall be provided on the Improvement Plans. **(ESD)**

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

19. The Improvement Plans shall include the message details, placement, and locations showing that all storm drain inlets and catch basins within the project area shall be permanently marked/embossed with prohibitive language such as "No Dumping! Flows to Creek." or other language and/or graphical icons to discourage illegal dumping as approved by the Engineering and Surveying Department (ESD). ESD-approved signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, shall be posted at public access points along channels and creeks within the project area. The Homeowners' association is responsible for maintaining the legibility of stamped messages and signs. **(ESD)**

20. Recreational Facilities: The Improvement Plans shall provide details of the construction of the proposed recreational facilities, public and private, both on- and off-site, for the review and approval of the Development Review Committee and County Parks Division (PD's). All recreation facilities shall be designed to meet Americans with Disabilities Act (ADA) Federal Guidelines and, where appropriate, the Consumer Product Safety Commission Guidelines, and the requirements of the American Society for Testing and Materials. Approval shall be evidenced by signature of a Parks Division representative on the Improvement Plans.

Recreational facilities shall include the following items: Approximately 0.5 acre developed active parkland for the private use of the homeowners. At a minimum, the park shall contain a municipal quality playground/tot lot and hard court.

The park shall be operated and maintained by the Homeowners Association). Park facilities, as generally depicted on the tentative map, described herein, and approved by the Development Review Committee, shall be constructed and accepted as complete by the County prior to the acceptance of phase 1 improvements. **(PD/DFS)**

GRADING

21. Prior to Improvement Plan approval, any proposed subdivision grading beyond that necessary for construction of streets, utilities, and drainage improvements (i.e., mass grading, residential pad grading) must be approved by the Development Review Committee (DRC). The intent of this condition is to allow detailed DRC review of lot or contour grading impacts, and to ensure that grading activities do not exceed those indicated on the preliminary grading plan for this project. Grading plans, of a suitable scale and providing specific engineering detail, including limits of grading, identification of trees, existing and proposed contours, drainage patterns, etc., shall be prepared and submitted for DRC review. If grading, beyond that indicated on the preliminary grading plan, and/or environmental documents is proposed with subdivision construction, the matter shall be referred back to the Planning Commission for consideration. **(ESD)**

22. Prior to Improvement Plan approval, submit Proof of Contract with a State licensed contractor if blasting is required for the installation of site improvements. The developer shall comply with applicable County Ordinances that relate to blasting and use only State licensed contractors to conduct these operations. (MM VI.4) (ESD)

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

24. The preliminary geotechnical engineering report performed by Holdrege & Kull, dated November 19, 2007, indicated the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects.

For non-pad graded lots, prior to Building Permit Issuance, the applicant shall submit to the Building Services Division for review and approval, a soil investigation of each lot in the subdivision produced by a California Registered Civil or Geotechnical Engineer (Section 17953-17955 California Health and Safety Code).

The soil investigations shall include recommended corrective action that is likely to prevent structural damage to each proposed dwelling. In addition, the applicant shall include in the Development Notebook (or modify the Development Notebook to include) the soil problems encountered on each specific lot as well as the recommended corrective actions. A note shall be included on the Improvement Plans, - Conditions, Covenants, and Restrictions (CC&Rs), and the Informational Sheet filed with the Final Subdivision Map(s), which indicates the requirements of this condition. (MM VI.3) (ESD)

ROADS/TRAILS

25. The Improvement Plans shall show the construction of subdivision road(s) on site to a Rural Minor (Plate 3 Land Development Manual (LDM)) standard. All subdivision streets shall be designed to meet 25 miles per hour (mph) design speed criteria, as specified in the latest version of the Caltrans *Highway Design Manual* unless otherwise approved by the Department of Public Works. The roadway structural section(s) shall be designed for a Traffic Index of 6.0 (Ref. Section 4, LDM). (ESD)

26. The Improvement Plans for the initial phase shall show the construction of a public road entrance/driveway onto Foresthill Road to a Plate R-17 Major, Land Development Manual (LMD) standard. The design speed of Foresthill Road shall be 55 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
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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 10.0, 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.3) (ESD)

27. The Improvement Plans for the initial phase shall show the construction of a left-turn lane at the project entrance along Foresthill Road (based on buildout of the subdivision). Traffic striping shall be done by the developer's contractor. The removal of existing striping and other pavement markings shall be completed by the developer's contractor. The design shall conform to criteria specified in the latest version of the Caltrans *Highway Design Manual* for a design speed of 55 miles per hour (mph), unless an alternative is approved by the Department of Public Works. (MM XVI.2) (ESD)

28. The Improvement Plans for the initial phase shall show the re-striping of the existing lane drop east of the project site from an outside lane drop to an inside lane drop (including the arrows, legends, and signs), unless otherwise approved by the DPW. The striping shall be completed by the developer's contractor. (ESD)

29. The Improvement Plans shall show the construction of a shared driveway from Road A1 across Lot 38 to Lot 39 to the Placer County Land Development Manual (LDM) standards. The shared driveway shall be 18 feet wide with two one foot shoulders with a minimum paved section of 2 inches AC over 4" AB (Section 4.05.f.7) and a LDM Plate R-2 turnaround shall be provided at all building sites (Section 4.05.f.6.c and d). The shared driveway is for access to Lots 38 and 39 only. Access to any other Lot (3 or more Lots) would require the widening of the driveway to meet a road standard and the construction of a vehicle turnaround at the end of the road. (ESD)

30. The Improvement Plans for the initial phase shall show the construction of a 20 foot wide paved Emergency Vehicle Access road from the end of the on-site subdivision road to the existing pavement of the Ampezo Place cul-de-sac located offsite in the existing Monte Verde Estates subdivision as shown on the Tentative Map. Construct a gate across the onsite Emergency Vehicle Access road as shown on the Tentative Map. The Emergency Vehicle Access road and gate shall be constructed to the satisfaction of the Engineering and Surveying Department and the servicing fire district. (MM XVI.4) (ESD)

31. The Improvement Plans for the initial phase shall show the reconstruction and realignment of the existing dirt access to APN 078-191-065 from the onsite subdivision road until the driveway meets and matches the existing driveway location and grade as shown on the Tentative map and to the satisfaction of the Engineering and Surveying Department. (MM XVI.6) (ESD)

32. The Improvement Plans shall show that roadway improvements, constructed with each project phase, shall include adequate vehicular turn-around improvements (cul-de-sac or

hammerhead) and easements as required by the Engineering and Surveying Department. As each road is extended into other project phases, these turn-around improvements shall be removed or modified as required. **(ESD)**

33. The Improvement Plans shall show the provision of school bus/transit turnout(s) along the on site subdivision road, if required, to the satisfaction of the California Highway Patrol (CHP), local busing provider, and the Engineering and Surveying Department. Prior to Improvement Plan approval, a letter shall be provided from the CHP and local busing provider that addresses the need for a turnout and the turnout design. **(ESD)**

34. The Improvement Plans for the initial phase shall show the construction of a streetlight, designed in accordance with the Caltrans Traffic Manual and Standard Plans and installed to the satisfaction of the Department of Public Works and the electrical service provider, at the intersection of the on site subdivision road and Foresthill Road.

Streetlights shall be of a type, height, and design to direct lighting downward, shielding, to the greatest extent practical, light exposure beyond that needed for proper intersection lighting. Electrical service and ongoing maintenance and operation of the street lights shall be the responsibility of the homeowner's association or other entity responsible for maintenance. The developer shall choose the appropriate rate schedule from the electrical service provider to fund service as well as ongoing maintenance costs. **(ESD)**

35. The Improvement Plans for the initial phase shall show the construction of a paved 8 foot wide shoulder along the entire length of the project's roadway improvements along Foresthill Road to the satisfaction of the Department of Public Works and Engineering and Surveying Department. **(ESD)**

36. Prior to Improvement Plan approval and/or recordation of the Final Subdivision Map(s), proposed road names shall be submitted to the Engineering and Surveying Department (ESD) - Addressing (530-745-7530) for review and approval. **(ESD)**

37. The Improvement Plans shall show the construction of a minimum of 3 parallel parking stalls (each stall 9 feet wide by 22 feet long) outside of the roadway width adjacent to the "Homeowners Park" Lot (adjacent to Lot C) to the satisfaction of the DRC. **(ESD)**

38. The Development Notebook, CC&Rs, and the Informational Sheet filed with the Final Map shall include the following Lot access restrictions: **(ESD)**

- A) Lot 39 and Open Space Lot B shall not have access onto the Foresthill Road right-of-way.
- B) Lots 1, 2, 13, 18, 24, 25, 38 and 39 shall not have access rights onto Road A1/A2

- C) Lot 36 shall only have access rights onto Road B and shall not be permitted to access the private access easement/shared driveway over/on Lot 38.
- D) Lot 37 shall not have access rights from the private access easement/shared driveway over/on adjacent Lot 38 or onto Road A1 for a minimum of 50 feet from the southern property line.
- E) Lots 28 and 31 shall not have access rights onto the private road easement/Emergency Vehicle Access road from the end of cul-de-sac of Road B to the eastern subdivision property line.

39. Non-Motorized Multi-Purpose Trails: The Improvement Plans shall provide details of the location and specifications of all proposed non-motorized multi-purpose trails, both public and private, for the review and approval of the Development Review Committee and Parks Division. Alignment of trails shall be staked and reviewed for approval by a member of the Parks and Grounds Division staff prior to beginning of trail construction. Trails shall be installed prior to the County's acceptance of the subdivision's improvements. Trails shall be constructed and accepted by the Placer County Parks Division prior to preparation of a legal description and map of the trails to be used in dedication of public trail easements.

Trail construction shall include trail tread, drainage appurtenances, clearing, seeding, and planting as necessary for erosion control. Tread width shall be a minimum of 6' and shall be out sloped at approximately 3%. The trail tread shall be graded and compacted and not exceed 12% longitudinal slope. Water must be diverted from the trail's surface before it builds up to erosive force. To divert water, use outslopes, grade reversals, grade dips, and/or lead ditches, in conjunction with inslopes or culverts. The trail surface shall be generally be graded native. In areas prone to saturation, the trail tread shall be stabilized as recommended by the engineer.

Vegetation clearing adjacent to trails should be minimum 10' above ground, and 2' on each side of the trail tread. Excessive clearing is undesirable. Removal of trees should be minimized in favor of limbing, brushing, and meandering of trails around status trees. However, dead and dying trees in proximity of the trail, in the determination of the Development Review Committee and/or a professional arborist, shall be removed prior to acceptance. Occasionally widen the cleared area to allow for passing in extended areas of limited visibility and/or steep terrain.

The trail tread shall be located a minimum of 10 feet from the edge of pavement of the adjacent street right-of-way. The crossing of any wetland areas shall also be reviewed and approved by the Development Review Committee, Parks Division, and all appropriate state and federal regulatory agencies, and shall be bridged to provide public safety while preserving the existing wetlands habitat.(PD/DFS)

PUBLIC SERVICE

40. Prior to Improvement Plan approval and recordation of the Final Subdivision Map(s), provide to the Development Review Committee "will-serve" letters from the following public service providers, as required:

- A) PG&E
- B) Foresthill Telephone Company, Inc.
- C) Foresthill Public Utility District
- D) Auburn Placer Disposal Service

If such "will-serve" letters were obtained as a part of the environmental review process, and are still valid, (received within one year) no additional verification shall be required. **(ESD)**

41. Prior to Improvement Plan approval and recordation of the Final Subdivision Map(s), confer with local postal authorities to determine requirements for locations of cluster mailboxes, if required. Prior to Improvement Plan approval, the applicant shall provide a letter to the Development Review Committee (DRC) from the postal authorities stating its satisfaction with the development box locations, or a release from the necessity of providing cluster mailboxes. The Improvement Plans and Final Subdivision Map(s) shall show easements, concrete bases, or other mapped provisions that shall be included in the development area and required improvements if clustering or special locations are specified. **(ESD)**

42. Prior to Improvement Plan approval, provide the Development Review Committee (DRC) with proof of notification (in the form of a written notice or letter) of the proposed project to:

- A) Foresthill Union Elementary School District
- B) Placer Union High School District
- C) The Placer County Sheriff's Office **(ESD)**

43. Concurrent with the approval of the Final Subdivision Map(s) by the Board of Supervisors, the developer shall establish a new Zone of Benefit (ZOB) within an existing County Service Area (CSA) or annex to a pre-existing ZOB or Lighting and Landscape District (L&L), as directed by County, to provide adequate funding for services to the project. The ZOB shall be created in accordance with the procedures required by Proposition 218 and related statutory provisions. With the proposed Final Subdivision Map(s), the developer shall submit to the County for review and approval a complete and adequate engineer's report supporting the level of assessments necessary for the establishment of the ZOB. The report shall be prepared by a registered engineer in consultation with a qualified financial consultant and shall establish the basis for the special benefit appurtenant to each lot to be established by the Final Subdivision Map(s).

In the event the ZOB is for any reason abolished or otherwise unable to provide the necessary funding to support the services, a homeowners association shall then be established and shall be responsible for providing all services previously funded by the ZOB.

The ZOB shall fund the following services at a service level defined by County:

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- A) Road maintenance. **(ESD)**
- B) Street lighting (when proposed and approved within a public easement) – applicant to choose the appropriate rate schedule from **PG&E** to fund electrical service as well as maintenance costs. **(ESD)**
- C) Storm drainage maintenance for conveyance facilities located within public easements
- D) The annual maintenance of fuel break areas related to fire protection needs by the Homeowners' Association and/or the servicing fire district. Maintenance to be provided by the servicing fire district(s). **(ESD)**
- E) Maintenance of Public Trails

44. Prior to the filing of Final Subdivision Map(s), an agreement shall be entered into between the developer and the utility companies specifically listing the party(ies) responsible for performance and financing of each segment of work relating to the utility installation. A copy of this agreement or a letter from the utilities stating such agreement has been made shall be submitted to the Engineering and Surveying Department. Under certain circumstances, the telephone company may not require any agreement or financial arrangements be made for the installation of underground facilities. If so, a letter shall be submitted that includes the statement that no agreement or financial arrangements are required for this development. **(ESD)**

GENERAL DEDICATIONS / EASEMENTS

45. On the Improvement Plans and Final Subdivision Map(s), provide the following easements/dedications to the satisfaction of the Engineering and Surveying Department (ESD) and the Development Review Committee (DRC):

- A) Dedicate to Placer County a 40 foot wide highway easement (Ref. Chapter 16, Article 16.08, Placer County Code) along on-site subdivision roadways for road and utility purposes. After completion of improvements, said roads may be accepted into the County's maintained mileage system. **(ESD)**
- B) Dedicate to Placer County one-half of an 88 foot-wide highway easement (Ref. Chapter 12, Article 12.08, Placer County Code) where the project fronts Foresthill Road, as measured from the centerline of the existing roadway, plan line, or other alignment as approved by the Transportation Division of the Department of Public Works. **(ESD)**
- C) Public utility easements as required by the serving utilities, excluding Wetland Preservation Easements (WPE). **(ESD)**
- D) Dedicate a minimum 12.5 foot wide multi-purpose easement adjacent to all highway easements. **(ESD)**
- E) Drainage easements as appropriate. **(ESD)**

- F) A minimum 40 foot-wide private road, public utility, public support, and emergency access or ingress/egress easement from the end of Road B to the existing road easements / emergency access easements within the Monte Verde Estates subdivision. This easement is for access to Lots 29 and 30 and an Emergency Vehicle Access. **(ESD)**
- G) Designate a "no-access" strip on Lot 39 and Open Space Lot B onto the Foresthill Road right-of-way. **(ESD)**
- H) Designate a "no-access" strip on Lots 1, 2, 13, 18, 24, 25, 38, and 39 onto Road A1/A2. **(ESD)**
- I) Designate a "no-access" strip on Lot 37 onto Road A1 for a minimum of 50 feet from the southern property line. **(ESD)**
- J) Dedicate a 40 foot wide private access, -public utility, public support, and emergency access easement (Ref. Chapter 16, Article 16.08, Placer County Code) by separate instrument along the onsite subdivision Road A1 and A2 alignment for the benefit of the existing parcel to the west (APN: 078-191-065) as shown on the Tentative map and to the satisfaction of the Engineering & Surveying Department. **(MM XVI.7) (ESD)**
- K) Dedicate a 25 foot wide private access, -public utility, public support, and emergency access easement by separate instrument along the existing and reconstructed/realigned dirt access driveway from the onsite subdivision Road, across the proposed Open Space Lot A, Lot 20, and Lot 21, appurtenant to and for the benefit of the existing parcel to the west (APN: 078-191-065) as shown on the Tentative Map and to the satisfaction of the Engineering and Surveying Department. **(MM XVI.5) (ESD)**
- L) Dedicate a 50 foot wide private access, public utility, public support, and emergency access easement by separate instrument along the location show on the Tentative Map from the onsite subdivision Road, across the proposed Open Space Lot A to and for the benefit of the existing parcel to the west (APN: 078-191-065) and to the satisfaction of the Engineering and Surveying Department. The applicant has provided this easement for future driveway access only rather than a roadway access. **(ESD)**
- M) Dedicate a minimum 40 foot wide private access and public utility easement (Ref. Chapter 16, Article 16.08, Placer County Code) from Road A over Lot 38 and adjacent to the northern property line appurtenant to Lots 38 and 39. Access to any additional Lot (3 or more Lots) would require the dedication of a private road, public support and emergency access easement over the road alignment. **(ESD)**
- N) Drainage easements to the Homeowners' Association a minimum of 20' wide over the areas show on the approved Tentative Map or approved Improvement Plans as Drainage Easements (D.E.) or Meandering Drainage

Easements (MDE) (on Lots A, B, 1, 2, 15, 19, 36, and between Lots 9/10, 25/26, 28/29).

- O) Dedicate to Placer County a minimum 15' foot-wide public multi-use trail easement through/along Open Space Lot A-, as shown on the Tentative Subdivision Map(s).
- P) Dedicate to the Homeowners' Association a minimum 15 foot-wide multi-use trail easement through/along Lot(s) 4, as shown on the Tentative Subdivision Map(s).
- Q) Dedicate to the Homeowners' Association and the servicing fire district a 300' shaded fuel break easements for installation and maintenance as shown on the Tentative Map. Said easement shall also include access from the onsite subdivision roadways. **(ESD)**

46. Trail Easement Requirements: A minimum 15'-wide (or as otherwise approved by the Parks Division) irrevocable offer of dedication of a public multi-use trail easement(s) through (Open Space Lot A as conceptually shown on the Tentative Map and approved by the Development Review Committee, in consultation with the Parks Division. The legal description for the trail easement(s) shall be created following construction of the approved trail based on a survey of the trail centerline performed by a licensed land surveyor.

Trail Construction Requirements: Trails shall be constructed in accordance with the requirements of Condition 39.

Trail Maintenance Responsibility: Maintenance of all public trails shall be by the CSA Zone of Benefit). Maintenance of private trails shall be by the Homeowners Association.

The dedication of public trail easements and inclusion of maintenance funding for public trails within the Zone of Benefit is intended to provide public access to the trail within the easement and to include that work on the trail and immediate appurtenances within the trail easement required for facilitation of safe and sustained public trail use and shall not be construed as conveying any right or obligation on the part of the County to maintain open space or any other land management activities in proximity to the trail. **(DFS/ESD)**

VEGETATION & OTHER SENSITIVE NATURAL AREAS

47. On the Final Subdivision Map, Lots A, B, C, D and E shall be defined as common area lots to be owned and maintained by the homeowners' association, except as otherwise required by permits from State or federal agencies.

48. The following note, which addresses permitted and unpermitted uses and activities within the Open Space lots, shall be included in the "Information Sheet" and Development Notebook for the project:

- a) The following are not permitted to be placed in the Open Space parcels: fill materials, yard waste, oil and chemicals and household trash.
- b) No grading, vegetation removal (except for defensible space, see below), landscaping, fencing or residential accessory facilities (e.g., patios, swimming pools, spas, shade structures, play areas, gardens, garden sheds, etc.) are permitted in the open space lots.
- c) A defensible space of up to 30 feet in width can be created in the area between the rear or side property lines on individual lots and the Open Space areas with the approval of the Development Review Committee (DRC).
- d) Native oak trees growing within this 30-foot area are not to be removed or disturbed.
- e) The defensible space area shall be created only through mechanical means (i.e., weed eater, manual hoeing, etc.). No disking or roto-tilling is permitted in this area.
- f) The application of chemical herbicide applications to establish or maintain the defensible space is not permitted.
- g) Any clearing, removal, trimming or other maintenance of vegetation, including snags and downed trees, beyond the 30-foot defensible space area is not permitted without the approval of the DRC.
- h) Trimming or other maintenance activity is allowed only for the benefit of fish, wildlife, fire protection, and water quality resources, and for the elimination of diseased growth, or as otherwise required by the fire department, and only with the written consent of DRC.
- i) Passive recreational activities (i.e., hiking, bird watching, etc.) are allowed in the Open Space parcels.

Specific provisions regarding the easement restrictions shall be contained within the Conditions, Covenants & Restrictions (CC&Rs). **(MM) (PD)**

49. If the initial construction activities occur between the times of April 1 to October 31, which is the breeding season for most bat species, a nocturnal bat survey shall be conducted. However, if initial construction or other activities occur outside of this time period, surveys will be conducted to verify that the habitat does not support existing nesting bats or migratory bats.

Implementation of these mitigation efforts should minimize impacts to nesting and migratory bats. Any proposed tree removal shall be scheduled to avoid the nesting season. If demolition and construction cannot be scheduled prior to the issuance of grading permits, preconstruction surveys for nesting bats shall be conducted by a qualified wildlife biologist to ensure that nests are not being disturbed during construction operations.

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If a preconstruction survey it necessary, it shall be conducted no more than 14 days prior to the initiation of demolition/construction activities during the early part of the breeding season and no more than 30 days prior to the initiation of these activities during the late breeding season. During this survey, the qualified wildlife biologist shall inspect all trees and immediately adjacent to the impact areas for bat nests. If the above survey does not identify any nesting bat species on or near the construction site, further mitigation is not required. However, should any bat species be found nesting on or near the construction site (within 500 feet of construction activities), consultation shall be made with the California Department of Fish & Game to determine the appropriate course of action. (PLN MM IV.1)

50. If the initial construction activities occur between the times of March 1 to July 31, which is the breeding season for raptors and most migratory bird species, a nesting survey shall be conducted. However, if initial construction or other activities occur outside of this time period, surveys shall be conducted to verify that the habitat does not support existing nesting raptors or migratory birds.

Implementation of these mitigation efforts should minimize impacts to nesting raptors and migratory birds. Any proposed tree removal will be scheduled to avoid the nesting season. If demolition and construction cannot be scheduled prior to the issuance of grading permits, preconstruction surveys for nesting raptors shall be conducted by a qualified wildlife biologist to ensure that raptor nests are not being disturbed during construction operations.

If a preconstruction survey it necessary, it shall be conducted no more than 14 days prior to the initiation of demolition/construction activities during the early part of the breeding season (March-April) and no more than 30 days prior to the initiation of these activities during the late breeding season (May-July). During this survey, the qualified wildlife biologist shall inspect all trees and immediately adjacent to the impact areas for raptor and migratory bird nests. If the above survey does not identify any nesting raptor species on or near the construction site, further mitigation is not required. However, should any raptor species be found nesting on or near the construction site (within 500 feet of construction activities), the following mitigation measures shall be implemented.

Prior to the issuance of grading permits, the project applicant, in consultation with Placer County and California Department of Fish & Game, shall avoid all birds of prey or migratory bird nest sites located in the construction area during the breeding season while the nest is occupied with adults and/or eggs or young. The occupied nest shall be monitored by a qualified wildlife biologist to determine when the nest is no longer used. Avoidance shall include the establishment of a no disturbance buffer zone around the nest site. The size of the buffer zone shall be determined in consultation with Placer County and California Department of Fish & Game. Highly visible temporary construction fencing shall delineate the buffer zone. If a legally protected species nest is located in a tree designated for removal, the removal shall be deferred

until after July 31 or until the adults and young are no longer dependent on the nest site, as determined by a qualified biologist. (PLN MM IV.2)

51. The project applicant shall contact the United States Fish and Wildlife Service (USFWS) to determine if a pre-construction survey is necessary to determine the presence or absence of Layne's Ragwort and Valley Elderberry longhorn beetle on the project site. The applicant shall provide a letter from the USFWS stating this determination to the Placer County Planning Services Division prior to approval of Improvement Plans. If a preconstruction survey is required, the applicant shall consult with the USFWS to determine the appropriate course of action. Evidence shall be provided to the Placer County Planning Services Division with the results of the survey prior to approval initial construction activities. (PLN MM IV.3)

52. Prior to approval of improvements plans, the applicant shall mitigate for the loss of 10.97 acres of Montane-Hardwood and Montane Hardwood-Conifer forest resulting from construction activities related to the installation of roads, utilities, building envelopes, sewage disposal areas, a detention basin, and a park site via an impact fee of \$6,000.00 per acre. In addition, single trunk oaks within the above improvement areas that are greater than 24 inches diameter at breast height (dbh) shall be mitigated on an inch for inch basis at the rate of \$100.00 per inch. (PLN MM IV.4)

53. Prior to Improvement Plan approval, the applicant shall furnish to the Development Review Committee (DRC) evidence that the California Department of Fish & Wildlife, the U. S. Army Corps of Engineers, and the U. S. Fish and Wildlife Service have been notified by certified letter regarding the existence of wetlands, streams, and/or vernal pools on the property. Prior to Improvement Plan approval, if permits are required, they shall be obtained and copies submitted to DRC. Any clearing, grading, or excavation work shall not occur until the Improvement Plans have been approved. (PLN MM IV.5)

54. Prior to Improvement Plan approval, where off-site mitigation has been determined to be acceptable for compensation of wetland/riparian impacts, the applicant or agent shall provide mitigation as follows:

- a. Provide written evidence of payment that compensatory habitat has been established through the purchase of mitigation credits at a County-qualified wetland mitigation bank. Evidence of payment shall describe the amount and type of habitat purchased at the bank site. The amount of money required to purchase credits shall be equal to the amount necessary to replace wetland or riparian habitat acreage. Evidence of payment shall describe the amount and type of habitat purchased at the bank site and resource values including compensation for temporal loss. Or,
- b. Construct wetland and/or riparian habitat in an off-site location acceptable to Placer County and any State or Federal resource agency with jurisdiction over the

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habitat. A wetland/riparian mitigation plan shall be reviewed and approved by Placer County and any affected State or Federal resource agency prior to initiation of construction of any compensatory habitat. Or,

- c. Provide a combination of mitigation bank credit purchase and off-site construction as outlined above. Or,
- d. Provide evidence of an in-lieu fee payment consistent with the U. S. Army Corps of Engineers mitigation rule (33 CFR Parts 325 and 332). (PLN MM IV.6)

55. The Improvement Plans and Final Subdivision Map shall show all Wetland Preservation Easements (WPE's) (Lots A and B as depicted on the Tentative Subdivision Map). The WPE's shall be defined and monumented as "Wetland Preservation Easements" and dedicated to the homeowner's association.

The purpose of said easements is for the protection and preservation of on-site wetland/stream corridor habitats. A note shall be provided on the Final Subdivision Map(s) prohibiting any disturbances within said easements, including the placement of fill materials, lawn clippings, oil, chemicals, or trash of any kind within the easements; nor any grading or clearing activities, vegetation removal, or domestic landscaping and irrigation, including accessory structures, swimming pools, spas, and fencing (excepting that specifically required by these conditions). Trimming or other maintenance activity is allowed only for the benefit of fish, wildlife, fire protection, and water quality resources, and for the elimination of diseased growth, or as otherwise required by the fire department, and only with the written consent of Development Review Committee. A provision for the enforcement of this restriction by the homeowners' association shall be provided. (PLN MM IV.7)

56. The Improvement Plans and Information Sheet recorded concurrently with the Final Subdivision Map shall show all Permanent Protective Fencing. The applicant shall install permanent fencing, as approved by the Development Review Committee (DRC), with upright posts embedded in concrete along and around all wetland preservation easement boundaries on Lots A and B, or within 100 feet of the centerline/high water mark of the ephemeral streams and seasonal seep, to the satisfaction of the DRC. Such fencing shall provide a physical demarcation to future homeowners of the location of protected easement areas or Open Space lots as required by other conditions of this project. (PLN MM IV.8)

CULTURAL RESOURCES

57. If an inadvertent discovery of cultural materials is made during project-related construction activities, ground disturbances in the area of the find shall be halted and a qualified professional archaeologist will be notified regarding the discovery. The archaeologist shall determine whether the resource is potentially significant as per the California Register of Historical Resources and develop appropriate mitigation.

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58. In accordance with the California Health and Safety Code, if human remains are uncovered during ground- disturbing activities, the contractor and/or the project proponent shall immediately halt potentially damaging excavation in the area of the burial and notify the Placer County Coroner and a professional archaeologist to determine the nature of the remains. The coroner is required to examine all discoveries of human remains with 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission by phone within 24 hours of making that determination. Following the coroner's findings, the property owner, contractor, or project proponent, an archaeologist and the Native American Heritage Commission- designated Most Likely Descendent shall ensure that additional human interments are not disturbed.

FEES

59. 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. 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 XV.1)
(DPW)

60. 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. The fee to be paid is the fee in effect at the time of Final Subdivision Map recordation/Building Permit issuance. (For reference, the current fee for single family dwellings is \$660 per unit at Final Subdivision Map and \$3,500 per unit when a Building Permit is issued. The fee to be paid is the fee in effect at the time of Final Subdivision Map recordation/Building Permit issuance.

In addition to the requirements of County Code Sections 15.34 and 16.08.100, pursuant to Article 17.54.100(D) of the Placer County Code, this project's Planned Development status requires that it provide in-tract recreation facilities and/or pay additional fees up to an amount equal to the full park and recreation facilities fees required under Sections 15.34 and 16.08.100 (For reference, the current park fee for a Planned Development would be up to \$660 per unit at final map and \$3,500 per unit at building permit issuance, less credits applied as described below, and in addition to the fees paid under County Code Sections 15.34.010 and 16.08.100.). To satisfy this requirement, in-tract recreation amenities will be constructed in accordance with the description in Condition 20. The value of constructed in-tract recreation facilities shall be
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determined by the Department of Facility Services and subtracted from the amount of Planned Development park fees due. **(PD/DFS)**

ENVIRONMENTAL HEALTH

61. Prior to Final Occupancy approval, the Property Owner shall submit **(EHS)**

- a) A Hazardous Materials Project/Business Activities Screening Form shall be submitted to an Environmental Health Services (EHS) Technician, for review and approval. "Hazardous" materials, as defined in California Health and Safety Code Division 20, Chapter 6.95, Articles 1 & 2, shall not be allowed on any premises in regulated quantities without notification to EHS.

62. Prior to Final Subdivision Map(s) approval, the applicant shall submit the following documents to Environmental Health Services for review and approval the following documents: **(EHS)**

- a) A site plan of the subdivision, prepared by a qualified consultant, showing lot boundaries, the minimum usable sewage disposal area designated for each lot, locations of existing and proposed water wells and sewage disposal systems, site topography at the contour interval specified in the Land Development Manual, roadways, easements, driveways, water lines, and other constraints to on-site sewage disposal system. **(EHS)**
- b) An individual plot plan (on 8½ inch x 11 inch or 8½ inch x 14 inch format) for each lot and suitable site evaluation field report prepared by a qualified consultant establishing a suitable minimum usable sewage disposal area. The subdivision site plan described in this condition shall not be acceptable unless it is in agreement with each lot's plot plan and site evaluation field report. **(EHS)**
- c) Indicate on the Improvement Plans and Final Subdivision Map(s) or Development Notebook the location of each lot's approved minimum usable sewage disposal area. Notation shall be made on the documents that the shown sewage disposal area shall not be graded, compacted, or, in any way, altered or encumbered. **(EHS)**

63. Prior to Improvement Plans approval, a Note shall be placed on Improvement Plans to indicate that if at any time during the course of executing the proposed project, evidence of soil and/or groundwater contamination with hazardous material is encountered, the applicant shall immediately stop the project and contact Environmental Health Services Hazardous Materials Section. The project shall remain stopped until there is resolution of the contamination problem to the satisfaction of Environmental Health Services and to Central Valley Regional Water Quality

Control Board. A note to this effect shall be added to the Improvement Plans where applicable. (EHS)

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

65. Contact Environmental Health Services, pay required fees, obtain permits, approvals, and inspections, and properly destroy the existing well on lot 11. (EHS)

66. Prior to the approval of the Improvement Plans, submit to EHS, for review and approval, a "will-serve" letter or a "letter of availability" from Foresthill Public Utility District for domestic water service. The applicant shall connect the project to this treated domestic water supply. (EHS)

67. The Improvement Plans shall show that the project shall abide by the Placer Mosquito and Vector Control District Guidelines and Standards for Vector Prevention in Proposed Development. The Placer Mosquito and Vector Control District will be allowed to review the Improvement Plans. (EHS)

AIR QUALITY

68. Prior to approval of Grading or Improvement Plans, (whichever occurs first), on project sites where greater than one acre of surface area is disturbed, 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.

69. A. Include the following standard note on all building plans approved in association with this project: Prior to building permit approval, in accordance with District Rule 225, only U.S. EPA Phase II certified wood burning devices shall be allowed in single-family residences. The emission potential from each residence shall not exceed a cumulative total of 7.5 grams per hour for all devices. Masonry fireplaces shall have either an EPA certified Phase II wood burning device or shall be a U.L. Listed Decorative Gas Appliance.

B. Include the following standard note on all building plans approved in association with this project: Prior to building permit approval, in accordance with District Rule 225, only

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U.S. EPA Phase II certified wood burning devices shall be allowed in single-family residences. The emission potential from each residence shall not exceed a cumulative total of 7.5 grams per hour for all devices. Masonry fireplaces shall have either an EPA certified Phase II wood burning device or shall be a U.L. Listed Decorative Gas Appliance. (APCD MM III.1)

70. *The following notes shall be placed on the grading/improvement plans associated with this project.*

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 Improvement/Grading Plan: The prime contractor shall be responsible for keeping adjacent public thoroughfares clean of silt, dirt, mud, and debris, and shall "wet broom" the streets (or use another method to control dust as approved by the individual jurisdiction) if silt, dirt, mud or debris is carried over to adjacent public thoroughfares.

c. Include the following standard note on the Improvement/Grading Plan: The contractor shall apply water or use other method to control dust impacts offsite. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site.

d. Include the following standard note on the Improvement/Grading Plan: During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less.

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

f. Include the following standard note on the Improvement/Grading Plan: 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).

g. Include the following standard note on the Improvement/Grading Plan: The contractor shall suspend all grading operations when fugitive dust exceeds Placer County APCD Rule 228 (Fugitive Dust) limitations. The prime contractor shall be responsible for having an individual who is CARB-certified to perform Visible Emissions Evaluations (VEE). This individual shall evaluate compliance with Rule 228 on a weekly

basis. It is to be noted that fugitive dust is not to exceed 40% opacity and not go beyond the property boundary at any time. Lime or other drying agents utilized to dry out wet grading areas shall not exceed Placer County APCD Rule 228 Fugitive Dust limitations. Operators of vehicles and equipment found to exceed opacity limits will be notified by APCD and the equipment must be repaired within 72 hours.

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

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

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

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

l. Include the following standard note on the Improvement/Grading Plan: During construction, no open burning of removed vegetation shall be allowed unless permitted by the PCAPCD. All removed vegetative material shall be either chipped on site or taken to an appropriate recycling site, or if a site is not available, a licensed disposal site.

MISCELLANEOUS CONDITIONS

71. 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 attorney's fees awarded in any proceeding brought in any State or Federal court, challenging the County's approval of that certain Project known as the Belcara Subdivision. 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.

72. The Improvement Plans shall show the location of any entrance structure proposed by the applicant for the review and approval by the Development Review Committee. Any entrance structure proposed shall be located such that there is no interference with driver sight distance as determined by the Engineering and Surveying Department, and shall not be located within the right-of-way.

Any entrance monument or structure erected within the front setback on any lot, within certain zone districts, shall not exceed 3 feet in height (Ref. Chapter 17, Article 17.54.030, Placer County Zoning Ordinance). **(ESD)**

73. No roadway gated entrance is proposed or allowed. Any future roadway gated entry feature/structure proposed by the applicant shall be returned to the Planning Commission for approval of a modification of the discretionary permit. **(ESD)**

74. Prior to Improvement Plan approval or recordation of the Final Subdivision Map(s): This project is located within a "State Responsibility Area" and, as such, is subject to fire protection regulations established by the State Board of Forestry. Compliance with these regulations shall be evidenced by submittal of a letter from California Department of Forestry (CAL FIRE) or the local fire authority having jurisdiction to the Engineering and Surveying Department. Conditions, Covenants, & Restrictions (CC&Rs) shall include notification to future lot owners that said regulations include provisions applicable to residential construction. **(ESD)**

75. The Improvement Plans shall include a note stating that: During project construction, staking shall be provided pursuant to Section 5-1.07 of the County General Specifications. **(ESD)**

76. The Improvement Plans shall show compliance with any conditions imposed by the California Department of Forestry (CAL FIRE) or the serving fire district. **(ESD)**

77. Prior to submittal of the Final Subdivision Map(s), the applicant shall submit to the satisfaction of the Development Review Committee a Revised Tentative Subdivision Map(s) which:

- A) Shows the switching of the northern property line of Lot 38 with the private road easement line on Lot 37. This would provide the private access

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easement/shared driveway on and over Lot 38 for the benefit of Lots 38 and 39.

- B) Shows the change of the 40 foot wide private road easement over the on site subdivision roads to a Highway Easement dedicated to Placer County in both the roadway cross section and the plan view.
- C) Deletes the Lot D designation from the proposed County Maintained roadways. The EVA at the end of Road "B" can remain as Lot D and be shown as a separate road Lot.
- D) Shows the dedication of a 12.5 foot MPE adjacent to all highway easements in both the roadway cross section and the plan view.
- E) Shows the construction of a shared driveway and turnaround(s) from Road A1 to Lots 38 and 39.
- F) Shows the "no-access" strip on Lot 37 onto Road A1 as required in the conditions herein.
- G) Designates the Homeowner's Park as Lot E.
- H) Shows building envelopes as approved by the serving Fire District.

CC&Rs

The project CC&Rs shall provide for the following:

78. Prior to recordation of the initial Final Subdivision Map(s), Conditions, Covenants, and Restrictions (CC&Rs) shall be prepared and submitted for review and approval by the Engineering and Surveying Department, County Counsel, and other appropriate County Departments. CC&Rs shall be recorded concurrently with the filing of the Final Subdivision Map and shall contain provisions/notifications for:

- A) The applicants shall create a Homeowners' association with certain specified duties/responsibilities including the enforcement of all of the following notifications.
- B) A note shall be included that states that: Maintenance of all water quality Best Management Practices (BMPs) shall be the responsibility of the Homeowners' association. Inspection of these BMPs shall be conducted at least annually. Maintenance records and proof of inspections shall be retained on site, and shall be available for County review upon request.
- C) A note shall be included that states that: Homeowners' association is required to maintain stormwater detention facilities.
- D) A note shall be included that states that: Maintenance of on-site private roadways, roadway drainage, and easements is the responsibility of the Homeowners' association or other entity.
- E) A note shall be included that states that: Maintenance and operation of street lighting constructed with the subdivision improvements shall be the

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responsibility of the Homeowners' association. The developer shall choose the appropriate rate schedule from the electrical service provider to fund service as well as maintenance costs.

- F) A note shall be included which states that: None of the provisions required by the Conditions of Approval shall be altered without the prior written consent of Placer County. **(ESD)**
- G) The notification to lot owners that construction of driveways that exceed 12 percent gradient (gravel surface) or 15 percent (all weather surface) may impair emergency and construction vehicle and equipment access to building sites.
- H) Applicant or **Homeowners'** Association shall distribute printed educational materials highlighting information regarding the stormwater facilities/Best management Practices (BMP's), recommended maintenance, and inspection requirements, as well as –conventional water conservation practices and surface water quality protection, to future buyers. Copies of this information shall be included in the Development Notebook.
- I) Notification to future owners that inspections of stormwater facilities/Best Management Practices(BMPs) shall be conducted by the **Homeowners'** association at least annually. Maintenance records and proof of inspections shall be retained and provided to Engineering and Surveying Division upon request.
- J) Notification to future owners of Lots 36 and 37 that access rights are not permitted to the private access easement/shared residential driveway on Lot 38.
- K) Notification that the owner or occupant of each residence shall subscribe to weekly mandatory refuse collection services from the refuse collection franchise holder. The homeowners' association shall be responsible for refuse collection service to all non-residential facilities within the project on the same basis. **(EHS)**
- L) A Vineyard operations and maintenance plan that outlines the interface of residential and agricultural land uses. **(EHS)**
- M) A note shall be included that states that: All restrictions not monitored by Placer County shall be monitored and enforced by the Homeowner's Association.
- N) Notification shall be provided to future owners of the location of all public trail easements within and adjacent to the development both constructed and vacant. Placement of any amenities within public trail easements (including but not limited to landscaping, irrigation lines, driveways, retaining walls, gates, and fencing) that impede the public use, construction, or maintenance of the trail is prohibited and may result in removal or destruction at the owner's expense. Ongoing maintenance activities will result in vegetation

clearing and grading within the trail easement. Public trail construction and maintenance may be performed by agency staff, volunteers, contractors, and/or inmate/probationary forces. No debris, including vegetative material, shall be discarded in public trail easements and may result in removal at the owners' expense. Public agencies are generally not obligated to provide visual screening or fencing along public trail easements.

79. Covenants, Conditions and Restrictions (CC&Rs) in draft form shall be submitted to the Engineering and Surveying Department for review pursuant to Section 16.28.060 together with an index identifying the specific CC&R section that corresponds with each applicable condition of approval. The CC&Rs shall contain provisions to satisfy all applicable conditions of approval imposed on the conditionally approved vesting tentative map and County Code including the identification of an entity or entities that will be empowered to levy assessments and perform all the work needed for the upkeep of subdivision improvements. The CC&Rs shall reference any Annexation to a previously established set of CC&Rs may satisfy this requirement. The executed and approved CC&Rs shall record concurrently with the final map and each document shall reference the recording information of the other. **(ESD)**

NOTIFICATION TO FUTURE BUYERS

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

DEVELOPMENT STANDARDS

81. Prior to recordation of the Final Subdivision Map(s), an "Informational Sheet" identifying general and specific lot development restrictions, setbacks, easements, tree protection, architectural guidelines, water conservation, location of 100-year floodplain, etc., as defined within the conditions herein, and shall be subject to Development Review Committee (DRC) approval. The "Informational Sheet" shall be prepared, filed, and recorded with the Final Subdivision Map(s). The specific content and form of this information shall be subject to DRC approval. **(PD/ESD)**

82. Prior to recordation of the Final Subdivision Map(s), a reference manual (i.e., development notebook) shall be submitted for approval to the Planning Services Division which shall include plot plans for each lot in the project, depicting all dimensions, easements, setbacks, height limits, no access strips and other restrictions which might affect the construction of structures on said lot and in the case of a Planned Residential Development subdivision, the permitted lot coverage per Placer County Zoning Ordinance Section 17.54.100.A.2.e. No Building Permits may be issued for the project until this manual is provided to and accepted by the Development Review Committee for format and content requirements. **(PD)**

83. The Development Notebook shall include a note on all Development Notebook pages describing a separate lot that states "All improvements, including structures, accessory structures, pools, spas, decking, gazebos, fencing, domestic landscaping and irrigation, hardscaping, etc., shall be confined to the defined building envelopes. No setbacks are required within the building envelopes". Said building envelopes shall be defined and monumented as building sites. (PD)

84. All vineyard operations will be subject to a "Vineyard Operations and Maintenance Plan" that outlines the interface of residential and agricultural land uses. The Vineyards Operations and Maintenance Plan shall be reviewed and approved by the DRC and the Agricultural Commissioner and shall be included in the CC&Rs and enforced by the Homeowner's Association.

85. The County *Right-to-Farm Ordinance* shall apply to all lots included in the subdivision. The *Placer County Right-to-Farm Ordinance* states "No agricultural activity, operation, or facility, or appurtenances thereof, conducted or maintained for commercial purposes, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after the same has been in operation for more than one year if it was not a nuisance at the time it began." A note to this affect shall be included in the CC&R's for the subdivision. The Ordinance also requires that prospective buyers of property in Placer County be informed of the Right-to-Farm ordinance by signing a disclosure statement during the escrow process.

86. All items contained in this section shall also be included in the CC&Rs for the Belcara Subdivision.

- a. All parcels that contain building envelopes within the Important Viewshed area as delineated on Exhibits E, F and G (Important Viewshed Overlays) of the Mitigated Negative Declaration (Modified) shall be reviewed and approved by the Placer County Development Review Committee to ensure that visual impacts resulting from proposed structures and lighting are minimized to the maximum extent possible. These lots are Lot 20, Lot 21 and Lot 22. The design standards that shall be adhered to on these parcels include, but are not limited to, the following:
 - i. All structures shall be single-story and shall be constructed below the tree canopy height of the surrounding vegetation, including oak woodlands.
 - ii. Where necessary, vegetative screening shall be utilized to screen structures to ensure that they do not unduly intrude into the viewshed of nearby roadways, public trails and recreation lands, and the public and private viewshed of the American River.

- iii. Structures shall be designed to blend with the natural environment by using colors similar to the inherent color of earth tones found in the natural environment of Foresthill and by the use of natural materials such as stone and/or brick.
- iv. Further Design considerations for future development shall include the following: ridgeline development techniques to minimize visual impacts, setbacks from ridgelines and canyon rims, slope protection, use of appropriate re-vegetation materials and methods, limits on grading, limits on slope development, use and location of lighting to minimize visual impacts, tree protection and retention of key visual features.
- b. Proposed construction shall be designed to retain the well recognized views of surrounding lands, ridges and canyons from public rights-of-way or properties.
- c. The views of proposed development within the subdivision from other properties shall be considered when making decisions on compatibility of the proposed development, and visual impacts shall be minimized to the maximum extent possible.

87. Residential lighting shall be designed to be consistent with the "Dark Sky Society" standards for protecting the night sky from excessive light pollution. All exterior lighting, 50 watts or greater, shall be a "full cut-off" design so that the light source is fully screened from off-site and shall not "spill over" onto adjacent properties (PLN MM I.1). Where the Design Review Committee has approved additional streetlights, the following standards shall apply, *"All interior street lighting shall be designed to be consistent with the 'Dark Sky Society' standards for protecting the night sky from excessive light pollution."* Other resources providing technical support include publications of the Illuminating Engineering Society of North America and the Illuminating Engineering Society of North America Lighting Handbook, Reference & Application, Ninth Edition and Recommended Practices. The intent of these standards is to design a lighting system, where determined necessary that maintains public safety and security in the project area while curtailing the degradation of the nighttime visual environment through limiting evening light radiation and/or light spill. In addition, metal halide lighting is prohibited unless authorized by the Planning Director. All street lighting shall be reviewed and approved by the Design Review Committee for design, location, photometrics, etc." (PLN MM I.2)

88. Prior to Improvement Plan approval, the following measures shall be implemented:

- A. A pressurized hydrant system, per 2007 CFC, shall be approved by the serving fire district.
- B. A minimum 300 foot Shaded Fuel Break shall be created within the perimeter of the development and shall be approved by the fire district.

- C. A County Service Agreement shall be established with the serving fire district (presently Foresthill Fire District) to maintain the Shaded Fuel Break.
- D. The Fire access road shall be constructed and shall be consistent with the type of road construction included in the rest of the development.
- E. The owner shall remit development fees of \$500 per new parcel upon approval of the final map, to be paid to the serving fire district. (PLN MM VIII.1)

EXERCISE OF PERMIT

89. The project is approved as a phased project. The Development Review Committee shall determine when any of the preceding conditions apply to a given phase of development where such timing is not specified in the condition. **(ESD)**

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

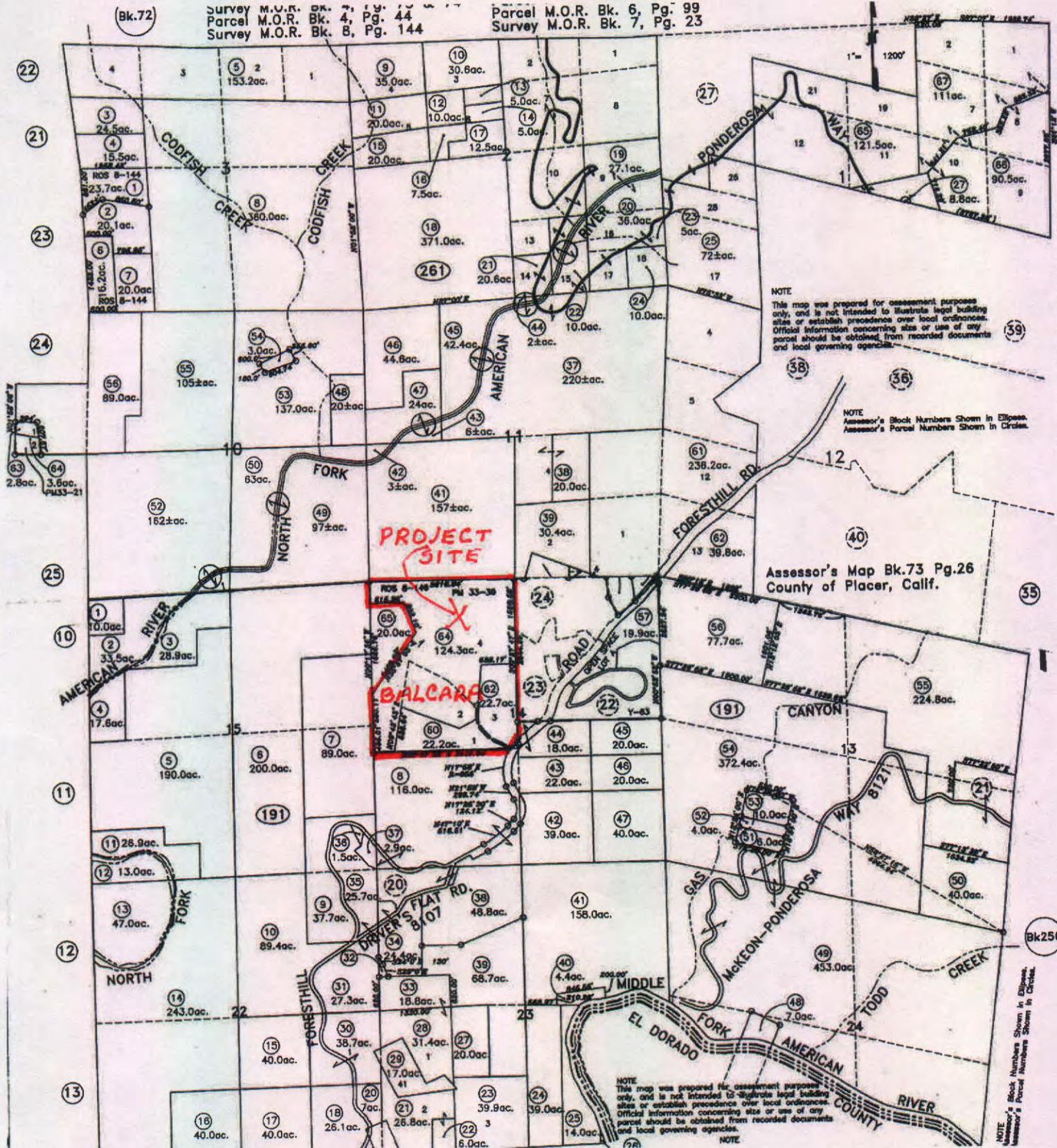
91. Prior to the County's recordation of the Final Map, submit to the Engineering and Surveying Department the map in digital format (on compact disc or other acceptable media) in accordance with the latest version of the Placer County Digital Plan and Map Standards. The digital format is to allow integration 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)**

92. This Tentative Subdivision Map shall expire on December 22, 2016 unless previously exercised.

(Bk.72)

Survey M.O.R. Bk. 7, Pg. 44
Parcel M.O.R. Bk. 4, Pg. 44
Survey M.O.R. Bk. 8, Pg. 144

Parcel M.O.R. Bk. 6, Pg. 99
Survey M.O.R. Bk. 7, Pg. 23



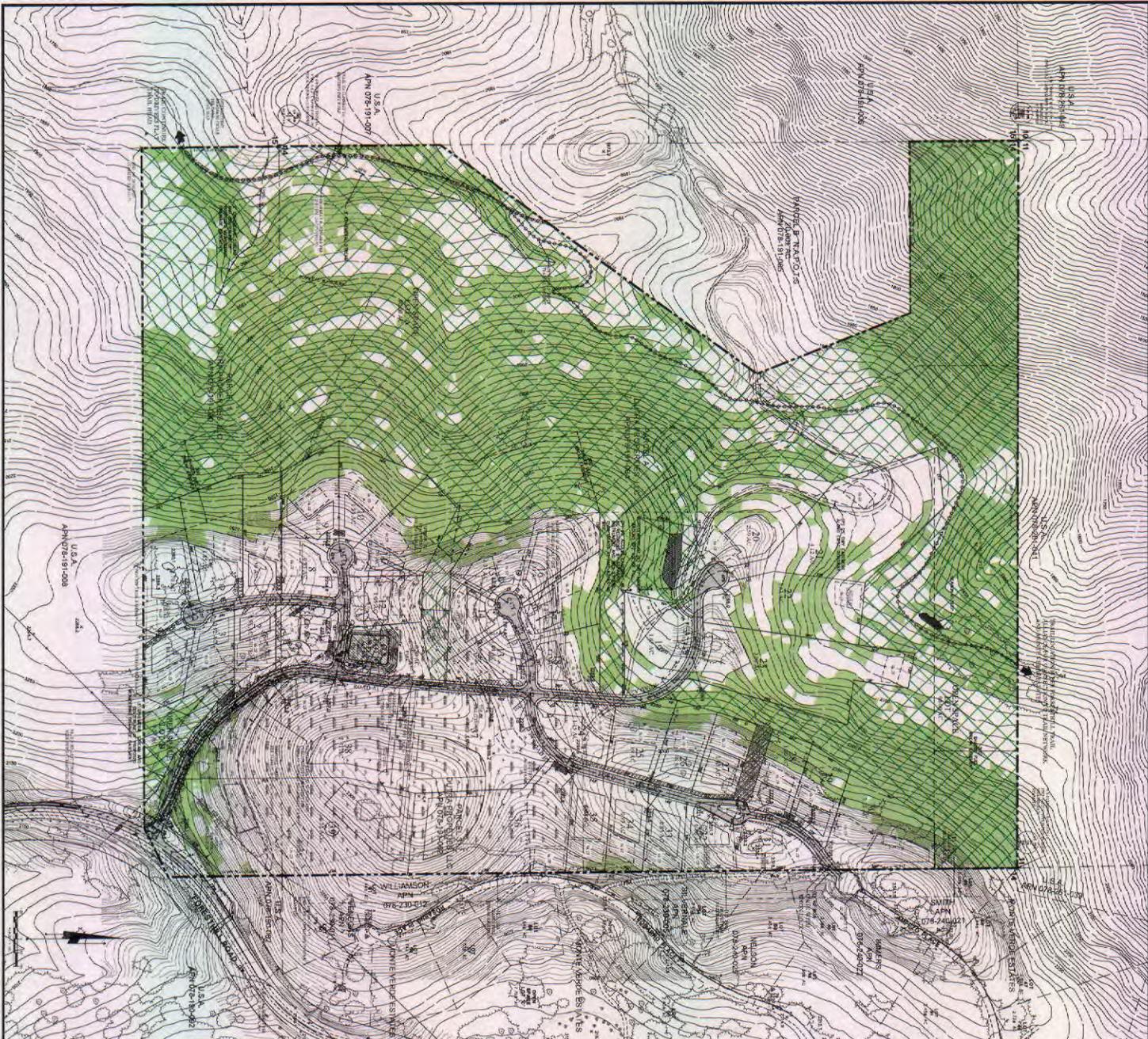
NOTE
This map was prepared for assessment purposes only, and is not intended to illustrate legal building sites or establish precedence over local ordinances. Official information concerning size or use of any parcel should be obtained from recorded documents and local governing agencies.

NOTE
Assessor's Block Numbers Shown in Ellipse.
Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk.73 Pg.26
County of Placer, Calif.

NOTE
This map was prepared for assessment purposes only, and is not intended to illustrate legal building sites or establish precedence over local ordinances. Official information concerning size or use of any parcel should be obtained from recorded documents and local governing agencies.

NOTE
Assessor's Block Numbers Shown in Ellipse.
Assessor's Parcel Numbers Shown in Circles.



SUBDIVIDER/APPLICANT/TOWER
 BELCARA
 1000 BELCARA DRIVE
 SAN JOSE, CA 95128
 (408) 253-1234

PLANNER/ENGINEER
 PLANNING
 1000 BELCARA DRIVE
 SAN JOSE, CA 95128
 (408) 253-1234

SITE ADDRESS
 1000 BELCARA DRIVE
 SAN JOSE, CA 95128



VESTING TENTATIVE MAP FOR BELCARA A PLANNED DEVELOPMENT
 Placer County, California
 SEPTEMBER 4, 2012

SILVER FOX
 ANDERSON OPERATIONS, INC.
 1000 BELCARA DRIVE
 SAN JOSE, CA 95128
 (408) 253-1234

UTILITIES SERVICES
 WATER: CALIFORNIA WATER SERVICE
 SEWER: CALIFORNIA WATER SERVICE
 GAS: CALIFORNIA WATER SERVICE
 POWER: CALIFORNIA WATER SERVICE
 TELEPHONE: CALIFORNIA WATER SERVICE

NOTES
 1. THIS TENTATIVE MAP IS SUBJECT TO THE STATE COUNTY AND LOCAL ORDINANCES AND REGULATIONS.
 2. THE SUBDIVIDER HAS OBTAINED ALL NECESSARY PERMITS FROM THE APPLICABLE AGENCIES.
 3. THE SUBDIVIDER HAS OBTAINED ALL NECESSARY PERMITS FROM THE APPLICABLE AGENCIES.
 4. THE SUBDIVIDER HAS OBTAINED ALL NECESSARY PERMITS FROM THE APPLICABLE AGENCIES.



LAND USE TABLE/DEVELOPMENT STANDARDS

LAND USE	MIN. LOT AREA (SQ FT)	MIN. LOT WIDTH (FT)	MIN. LOT DEPTH (FT)	MIN. FRONT YARD SETBACK (FT)	MIN. SIDE YARD SETBACK (FT)	MIN. REAR YARD SETBACK (FT)	MAX. BUILDING COVERAGE (%)	MAX. BUILDING HEIGHT (FT)
RESIDENTIAL	5,000	30	120	10	5	5	35	35
COMMERCIAL	10,000	40	150	15	10	10	40	40
INDUSTRIAL	20,000	60	200	20	15	15	50	50

CONSTRUCTION SEQUENCE

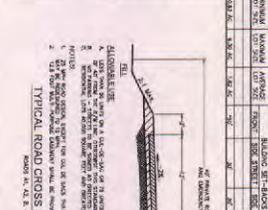
NO.	DESCRIPTION	DATE
1	PRELIMINARY ENGINEERING	08/20/12
2	PERMITS	09/10/12
3	CONSTRUCTION	10/01/12
4	COMPLETION	11/01/12

PLACER COUNTY ZONING ORDINANCE TO COUNTY ACTION

SECTION 17.01.010. ZONING DISTRICTS AND ZONING MAPS.

SECTION 17.01.020. ZONING MAPS.

SECTION 17.01.030. ZONING MAPS.



PLANNING

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