



RECOMMENDED CONDITIONS OF APPROVAL - VESTING TENTATIVE MAP CONDITIONAL USE PERMIT—“NORTHSTAR HIGHLANDS II - SMALL LOT & LARGE LOT” (PSUB T20060609) (PSM20120079)

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.

A. The following entitlements are approved for the Northstar Highlands II project:

1. Vesting Tentative Subdivision Map and Conditional Use Permit to create 47–16 Lots/Phases, 6 Road Lots (“K” lots), and Lots X-2, X-3, and X-4 (for conveyance to the Resort owner for resort operations/maintenance) on 64.7 acres, including the development of 576–446 residential units with a combination of whole and fractional ownership (22–50 townhomes lots, 10 single-family lots, and 554–386 condominiums) and up to 200–147 non-residential and commercial condominiums including 4,000 square feet of commercial space, and 32 employee housing units. A Large Lot “No Development Rights” Tentative Map is also approved.

Within the 47–16 Large Lots/Phases described above, the Tentative Map will establish a clustered, planned development per Section 17.54.080 of the Zoning Ordinance to provide for the following. The sizes of all Parcels are intended to be accurate; however, some Lots may change in size and shape depending on final PD calculations and boundary requirements when each of the sub-phase Final Maps are recorded. The number of residential and commercial condominium units may be transferred between Lots with the approval of the DRC as long as the total number of units identified above is not exceeded.

- a. Lot 2B is being created as a 2.261.91 acre common area lot that will include up to 67 residential condominium units and 30 non-residential and commercial condominium units.
- b. Lot 2C is being created as a 3.944.60 acre common area lot that will include up to 111 residential condominium units and 30 non-residential and commercial condominium units.
- c. Lot 4 is being created as a 3.343.01 acre common area lot that will include up to 32 residential condominium units and 15 non-residential commercial condominium units.
- d. Lot 8A is being created as a 2.242.01 acre common area lot that will include up to 36–32 residential condominium units and 40–15 non-residential commercial condominium units.
- e. Lot 8B is being created as a 1.220.79 acre common area commercial lot that will include up to 24 residential condominium units and 10 commercial condominium units a standalone swim and fitness amenity facility.

- f. Lot 9A is being created as a 1.32 acre ~~common area lot~~ that will include up to ~~24~~ 6 residential condominium units and ~~10~~ commercial condominium ~~unitstownhome lots along with a common area lot.~~
- g. ~~Lot 9B is being created as a 1.93 acre common area lot that will include up to 43 residential condominium units and 15 commercial condominium units.~~
- hg. Lot 9C is being created as a ~~6.284.94~~ acre ~~common area lot~~ that will include up to ~~43~~ 10 residential condominium units and ~~15~~ commercial condominium ~~unitstownhome lots.~~
- ih. Lot 9D is being created as a ~~2.422.17~~ acre common area lot that will include up to ~~43~~ 36 residential condominium units and ~~15~~ 10 non-residential ~~commercial~~ condominium units.
- ji. Lot 9E is being created as a ~~3.732.74~~ acre ~~common area lot~~ that will include up to ~~43~~ 6 residential condominium units and ~~15~~ commercial condominium ~~unitstownhome lots and a common area lot.~~
- kj. Lot 9F is being created as a ~~0.902.16~~ acre common area lot that will include up to 36 residential condominium units and 15 non-residential commercial condominium units ~~lot that will include the development of a chapel.~~
- lk. Lot 10A-I is being created as a ~~2.562.58~~ acre common area lot that will include up to ~~6~~ residential townhome ~~Lots~~ 36 residential condominium units and 15 non-residential commercial condominium units.
- l. Lot 10A-II is being created as a 2.74 acre lot that will include up to 4 residential townhome Lots and a common area lot.
- m. Lot 10B is being created as a ~~3.994.28~~ acre ~~common area lot~~ that will include up to 16 residential townhome Lots. A Final Map (CC Maps 25) has been recorded on Lot 10B in substantial conformance with this Vesting Tentative Map.
- n. Lot 10C is being created as a ~~4.141.85~~ acre ~~common area lot~~ that will include up to ~~24~~ residential condominium units and ~~10~~ commercial condominium units 8 residential townhome lots.
- ~~o. Lot 10D is being created as a 0.83 acre common area lot that will include up to 21 residential condominium units and 8 commercial condominium units.~~
- po. Lot 10E is being created as a ~~2.193.20~~ acre common area lot that will include up to ~~43~~ 36 residential condominium units and 17 ~~non-residential commercial~~ condominium units.
- qp. Lot 10G is being created as a 9.41 acre lot that will include up to 10 single-family Lots and 1 Road Lot.
- q. Lot 12 is being created as a 4.721.92 acre lot that will include up to 32 employee housing units.

2. Conditional Use Permit to develop

- a. 4,000 square feet of commercial/skier service uses,
- b. 15,000 square feet of common homeowners facilities,
- c. three tennis courts and new and relocated ski trials,
- d. 1,000 square foot non-denominational chapel,
- e. 32 employee housing units, and
- f. parking, setback and height standards for a planned development (See Condition 138 for restrictions)

3. Rezone of a 4.4 acre area from TPZ and Forestry (FOR) to RM-Ds-PD-15.0 to accommodate the 32-unit employee housing complex on Lot 12. Said rezone is to become effective 10 years following adoption by the Board of Supervisors.

4. With the inclusion of 60 units from the Phase I project into the Phase II project, the total number of residential units approved with Phase I shall now be 178 units (238 units minus 60 units).

On July 11, 2013, the Planning Commission approved a Modification (PSM 20120079) of the Highlands Phase II project, which reduced the approved residential density of Northstar Highlands II from 576 to 446 residential units. (Section A: Entitlements Approved Conditions 1, 1a. through 1g, 1h through 1m, 1p, and 1q were modified, old Conditions 1g, and 1o, were deleted, Condition 1l., and 1p, were added) (Section B. Conditions 2, 141 thru 145, and 153 were added. Conditions 6, 7, 11, 27, 35, 54, 55, 56, 57, 75A), 87, 89, 90, 91, 114, 121, 122, 126, 139, 148, and 149 were modified, old Condition 144 and 147 were deleted, numbering changed due to additions and deletions.)

B. CONDITIONS OF APPROVAL

1. 1.—The Phase II project is approved as a phased project as described in the application. Construction of individual phases may occur concurrently and is not required to occur sequentially pursuant to these conditions of approval provided herein. The Development Review Committee (DRC) shall determine when any of the conditions apply to a given phase of development where such timing is not specified in the condition. Adjustment to conditions may be considered if said revisions accomplish equivalent or better standards.
2. Prior to approval of any Final Map for future development of lots/phases within the Highlands II project area, the applicant shall provide, for review and approval of the Development Review Committee, a Planned Development worksheet, consistent with the Planned Residential Development Ordinance

IMPROVEMENT PLANS

23. 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 DRC 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. **(PD/DFS)**

34. 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 Departments of Environmental Health Services and Public Works 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. **(DPW/EHS)**

45. **MM 4.8.1e** Staging Areas: Stockpiling and/or vehicle staging areas shall be identified on the Improvement Plans and located as far as practical from existing dwellings and protected resources in the area. **(ESD)**

56. **MM 4.8.1e** 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 project phase. The plans shall show all conditions for the project as well as pertinent topographical features both on- and off-site. All existing and proposed utilities and easements, on-site and adjacent to the project, which may be affected by planned construction, shall be shown on the plans. All landscaping and irrigation facilities within the public right-of-way (or public easements), or landscaping within sight distance areas at intersections, shall be included in the Improvement Plans. The applicant shall pay plan check and inspection fees (and Placer County Fire Department improvement plan review and inspection fees, if applicable) 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 DRC review is required as a condition of approval for the project, said review process shall be completed prior to submittal of Improvement Plans. Record drawings shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the ESD prior to acceptance by the County of site improvements.

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. Technical review of the Final Map shall not conclude until the Improvement Plans are approved by the ESD. The applicant shall provide 5 copies of the approved Tentative Map and 2 copies of the approved conditions with the plan check application. After the 2nd Improvement Plan submittal, the review of the Final Map may commence. **(ESD)**

67. **MM 4.8.1g** All proposed grading, drainage improvements, vegetation and tree removal shall be shown on the Improvement Plans and all work shall conform to provisions of the County Grading Ordinance (Ref. Article 15.48, Placer County Code) that are in effect at the time of

submittal. No grading, clearing, or tree disturbance (except per the current timber harvest plan) shall occur until the Improvement Plans are approved and all temporary construction fencing has been installed and inspected by a member of the DRC. All cut/fill slopes shall be no steeper than 2:1 (horizontal:vertical) unless a soils report supports a steeper slope and the Engineering and Surveying Department (ESD) concurs with said recommendation.

The applicant shall revegetate all disturbed areas. Revegetation undertaken from April 1 to October 1 shall include regular watering to ensure adequate growth. A winterization plan shall be provided with project Improvement Plans. It is the applicant's responsibility to assure proper installation and maintenance of erosion control/winterization during project construction. Where soil stockpiling or borrow areas are to remain for more than one construction season, proper erosion control measures shall be applied as specified in the Improvement Plans/Grading Plans. Provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of the ESD.

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

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

78. MM 4.7.2a Prepare and submit with the project Improvement Plans, a drainage report in conformance with the requirements of Section 5 of the LDM and the Placer County Storm Water Management Manual that are in effect at the time of submittal, to the Engineering and Surveying Department for review and approval. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: A written text addressing existing conditions, the effects of the improvements, all appropriate calculations, a watershed map, increases in downstream flows, proposed on- and off-site improvements and drainage easements to accommodate flows from this project. The report shall identify water quality protection features and methods to be used both during construction and for long-term post-construction water quality protection. "Best Management Practice" (BMP) measures shall be provided to reduce erosion, water quality degradation, and prevent the discharge of pollutants to stormwater to the maximum extent practicable. **(ESD)**

89. MM 4.7.2a Storm water run-off shall be reduced to pre-project conditions through the installation of retention/detention facilities. Retention/detention facilities shall be designed in accordance with the requirements of the Placer County Storm Water Management Manual that are in effect at the time of submittal, and to the satisfaction of the Engineering and Surveying Department (ESD). 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. The ESD may, after review of the project drainage report, delete this requirement if it is determined that drainage conditions do not warrant installation of this type of facility. In the event on-site detention requirements are waived, this project may be subject to payment of any in-lieu fees prescribed by County Ordinance. No retention/detention facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals. **(ESD)**

910. **MM 4.7.2a/ MM 4.7.4b / MM 4.8.3** Water quality Best Management Practices (BMPs) shall be designed according to the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development / Redevelopment, and/or for Industrial and Commercial, (and/or other similar source as approved by the Engineering and Surveying Department (ESD)).

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

Storm drainage from on- and off-site impervious surfaces (including roads) shall be collected and routed through specially designed catch basins, vegetated swales, vaults, infiltration basins, water quality basins, filters, etc. for entrapment of sediment, debris and oils/greases or other identified pollutants (such as those water quality control features identified in Draft EIR Table 3-7 and in the Storm Water Pollution Prevention Plan prepared for Northstar Village Phase 1 - PSOMAS, 2003), as approved by the ESD. BMPs shall be designed at a minimum in accordance with the Placer County Guidance Document for Volume and Flow-Based Sizing of Permanent Post-Construction Best Management Practices for Stormwater Quality Protection. Post-development (permanent) BMPs for the project include, but are not limited to: Water Quality Inlets (TC-50), Storm Drain Signage (SD-13), 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 facilities shall be provided by the project applicant until the community is under the control of a Home Owners Association or similar entity, then it is the association's obligation to provide facility maintenance. This situation will prevail 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 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. **(ESD)**

4011. **MM 4.7.2a** Show the limits of the 100-year flood plain for the West Fork of West Martis Creek and West Martis Creek through the Phase ~~2~~II developed area on the Improvement Plans and Informational Sheet(s) filed with the Final Map(s) and designate same as a building setback line unless greater setbacks are required by other conditions contained herein. **(ESD)**

4112. **MM 4.7.2a** Show any finished house pad elevations or non residential pad elevations 2' above the 100-year flood plain line (or finished floor 3' above) for any Lot within 50' of the

identified 100-year flood plain limit on the Improvement Plans and Informational Sheet filed with the Final Map. Pad elevations shall be certified by the project engineer on "As-Built" plans submitted to the ESD following project construction. Benchmark elevation and location shall be shown on the Improvement Plans and Informational Sheet to the satisfaction of DRC. **(ESD)**

~~12~~13. **MM 4.7.2a** All drainage facilities shall be designed with the assumption that upstream watersheds are fully developed. Future development shall not exceed the capacity of the facilities that are provided. In addition, facilities shall be designed with the assumption that all surfaces are impervious, as a result of winter snowpack, during peak flow conditions, per Placer County and Placer County Flood Control and Water Conservation District requirements. **(ESD)**

~~13~~14. **MM 4.7.2a** Snow storage areas shall be located outside of areas that drain directly into drainages and will include water quality control features, such as water treatment wetlands and detention basins. **(ESD)**

~~14~~15. **MM 4.7.2a** All related underground and surface drainage systems must be addressed in order to ensure full integration of areas that will generate runoff. These areas will include rooftops, sidewalks, cut/fill slopes, patio areas, streets, parking lots, up gradient off-site source areas, and impervious landscaping areas. Seepage from underground sources must also be addressed. **(ESD)**

~~15~~16. **MM 4.7.2c** Runoff from the downhill road edge will be allowed to sheet flow onto the road shoulder and across vegetated slopes, vegetated swales or filter strips. Sheet runoff shall be allowed to continue across landscape areas and open space where possible. Vegetated swales and slopes shall be designed per the CASQA BMP recommendations found in the New Development and Redevelopment Handbook on fact sheets TC 30 and TC 31. In addition, principles and practices outlined in Section 3.2.4 Landscape and Open Space of the aforementioned handbook including mulches, lower soil compaction and adding amendments to the soil to increase the soils stability and permeability will be incorporated into the design. Where overland flow must remain concentrated, swales will be designed with a combination of rock and vegetation to promote reduction in flow velocity and increased infiltration opportunities. **(ESD)**

~~16~~17. **MM 4.7.2e** Drainage facilities, for purposes of collecting runoff on individual lots, shall be designed in accordance with the requirements of the County Storm Water Management Manual that are in effect at the time of submittal, and shall be in compliance with applicable stormwater quality standards, to the satisfaction of the Engineering and Surveying Department (ESD). These facilities shall be constructed with subdivision improvements and easements provided as required by ESD. Maintenance of these facilities shall be provided by the homeowners'/property owners' association. **(ESD)**

~~17~~18. **MM 4.7.2f** The following off-site drainage facilities shall be evaluated in the drainage report for condition and capacity and shall be upgraded, replaced, or mitigated as specified by the Engineering and Surveying Department **(ESD)**:

- A) Northstar Drive at West Martis Creek
- B) SR 267 at West Martis Creek.

~~18~~19. **MM 4.7.3d** Prior to improvement plan approvals; the project applicant shall develop a Temporary and Permanent BMP Plan (including maintenance) and identify who will be responsible for ensuring its implementation and making the necessary updates/modifications. The BMPs (as described under Impact 4.7.3 and in Table 3-4 of the Draft EIR) shall be designed according to the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction and for New Development/Redevelopment (or other similar source as approved by the Engineering and Surveying Department). **(ESD)**

~~19~~20. **MM 4.7.3e** Straw bales, waddles, or similar devices used for erosion control shall be certified as weed-free unless materials collected on-site, such as pine needles, are used. **(ESD)**

~~20~~21. **MM 4.7.5.a** As part of the submittal of the final drainage report for each phase of the project, the report shall include the following:

Any exposed utility crossings on roadway bridges or box culverts that span West Martis Creek and the West Fork of West Martis Creek shall be placed on the downstream side of the culvert/bridge, shall not restrict the flow capacity of the culvert and shall be placed in protective sleeves. Any sewer line crossings shall be placed in protective sleeves. Any sewer line crossings shall be placed in steel casings to preclude the possibility of damage to the sewer line or spill into the creek if there is a leak.

For drainage structures serving the West Fork of West Martis Creek and West Martis Creek and other drainage courses where there may be potential for erosion from high velocity floodwaters, erosion protection and bank stabilization measures such as rock slope protection shall be implemented to maintain the integrity of the structures.

All potential surface waters of the State, and all waters of the U.S. including wetlands shall be avoided in the project design, to the maximum extent practicable. All proposed project features that would include impacts to surface waters of the State shall meet Lahontan RWQCB requirements of the grant of an exemption for the placement of fill in surface waters of the state as set forth in the Basin Plan. **(ESD)**

~~21~~22. **MM 4.7.6.a** The drainage report shall identify measures (rock and/or grass lined swales) to intercept offsite storm runoff on the upslope side of buildings and convey said runoff around or between site buildings. **(ESD)**

~~22~~23. **MM 4.8.1a** Submit to the Engineering and Surveying Department (ESD), for review and approval, a geotechnical engineering report produced by a California Registered Civil Engineer or Geotechnical Engineer with each phase. The report shall incorporate the following measures, as necessary, as identified in the Preliminary Geotechnical Investigation by Marvin E. Davis and Associates (2002). The report shall also 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 Department for their use. If the soils report indicates the presence of critically expansive or other soils problems which, if not corrected, could lead to structural defects, a certification of completion of the requirements of the soils report will be required for subdivisions, prior to issuance of Building Permits. This certification may be completed on a Lot by Lot basis or on a Tract basis. This shall be so noted in the CC&Rs and on the Informational Sheet filed with the Final Map(s). 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. **(ESD)**

2324. **MM 4.1.1b** During demolition and construction activities, the project applicant shall limit the amount of daily construction equipment traffic by staging heavy construction equipment and vehicles on the project site at the end of each workday rather than removing them. **(ESD)**

2425. **MM 4.3.5** Clear demarcation of construction areas, including fencing, temporary walls, signage, protective barriers, and security provisions for public safety shall be noted in the project improvement plans and shall be located away from existing dwellings and protected resources in the area to the satisfaction of the County. These public safety protection features shall be in place prior to the onset of construction. **(ESD)**

2526. **MM 4.7.1a** The applicant shall design storm drainage facilities to provide groundwater recharge, attenuate peak flows, and minimize risk of erosion, by designing storm drain outfalls that collect roadway runoff to direct flows to infiltration facilities that will promote groundwater recharge. **(ESD)**

2627. 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. ~~Projects with ground disturbance exceeding one-acre that are subject to construction stormwater quality permit requirements of the National Pollutant Discharge Elimination System (NPDES) program shall obtain such permit from the State Regional Water Quality Control Board and shall provide to the Engineering and Surveying Department evidence of a state-issued WDID number or filing of a Notice of Intent and fees prior to start of construction.~~ **(ESD)**

2728. Provide the Engineering and Surveying Department with a letter from the appropriate fire protection district describing conditions under which service will be provided to this project. Said letter shall be provided prior to the approval of Improvement Plans, and a fire protection district representative's signature shall be provided on the plans. **(MM) (ESD)**

2829. Extend a pressurized water system into the subdivision to County (Section 7 of the LDM) or fire district standards, whichever are greater. **(ESD)**

~~2930~~. 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 prior to the recordation of the Final Map(s). Under certain circumstances, the telephone company may not require any agreement or financial arrangements be made for the installation of underground facilities. If so, a letter shall be submitted which includes the statement that no agreement or financial arrangements are required for this development. **(ESD)**

~~3031~~. Install cable TV conduit(s) in accordance with company or County specifications, whichever are appropriate. **(ESD)**

~~3132~~. Submit, for review and approval, a striping and signing plan with the project Improvement Plans. The plan shall include all on- and off-site traffic control devices and shall be reviewed by the County Traffic Engineer. A construction signing plan shall also be provided with the Improvement Plans for review and approval by the County Traffic Engineer. **(ESD)**

~~3233~~. 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)**

~~3334~~. All storm drain inlets and catch basins within the project area shall be permanently marked/embossed with prohibitive language such as "No Dumping! Flows to Creek" or other language as approved by the Engineering and Surveying Department and/or graphical icons to discourage illegal dumping. Message details, placement, and locations shall be included on the Improvement Plans. ESD-approved signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, shall be posted at public access points along channels and creeks within the project area. The Property Owners' association is responsible for maintaining the legibility of stamped messages and signs. **(ESD)**

~~3435~~. This project is located within the area covered by Placer County's municipal stormwater quality permit, pursuant to the National Pollutant Discharge Elimination System (NPDES) Phase II program. Project-related stormwater discharges are subject to all applicable requirements of said permit. BMPs shall be designed to mitigate (minimize, infiltrate, filter, or treat) stormwater runoff in accordance with "Attachment 4" of Placer County's NPDES Municipal Stormwater Permit (State Water Resources Control Board NPDES General Permit No. CAS000004, Board Order 2003-005-DWQ) and shall be shown on the Improvement Plans. **(ESD)**

~~3536~~. All stormwater runoff shall be diverted around trash storage areas to minimize contact with pollutants. Trash container areas shall be screened or walled to prevent off-site transport of trash by

the forces of water or wind. Trash containers shall not be allowed to leak and must remain covered when not in use. **(ESD)**

3637. Loading dock areas shall be covered and run-on and/or runoff of stormwater to the dock area shall be minimized. Direct connections to storm drains from depressed loading docks (truck wells or sumps) are prohibited. **(ESD)**

3738. The emergency access road connection between Highlands View Road and Big Spring Drive shall only be used for emergency access and transit as contained in the approved Gate Management Plan. Any existing private rights to this easement, as described in the September 3, 2008 letter from Placer County to East-West Partners, shall be maintained. This condition shall not be construed to override or eliminate the ability of private property owners having private rights to this roadway alignment the continued use of this alignment. **(ESD)**

3839. Prior to recordation of any Final Map, the applicant / project Homeowners Association shall agree to the terms of the approved Gate Management Plan/System (dated 6-13-08) or amend the Gate Management Plan/System which implements permanent and effective traffic control measures meeting the access restrictions on the Big Springs Drive Emergency Access Road connection to the satisfaction of the NCSD and ESD. **(ESD)**

3940. Upon agreement between the County and the applicant, the applicant shall have the option to enter into a Deferred Improvement Agreement with the County that allows the applicant to obtain "Foundation Only" early building permits as provided for in County Code Section 15.040.060(C), absent the 20% limit noted in Section 15.040.060(E), provided that the applicant has met all conditions required of Section 15.040.060(C).

All "Foundation Only" early building permits shall be limited to foundation construction only and shall not include any vertical framing construction. This restriction shall not be required on the initial 10% or 2 units constructed as model homes. These model home building permits shall be non occupancy building permits. **(ESD)**

GRADING

4041. **MM.4.7.4a:** The drainage report and subsequent site development submittals shall address storm drainage management during construction and thereafter and shall include provisions for the application of "Best Management Practice" (BMP) measures and water quality control features (such as those identified in Draft EIR **Table 3-4** and in the Storm Water Pollution Prevention Plan prepared for Northstar Village Phase 1 - PSOMAS, 2003) to reduce erosion, water quality degradation, etc from all project improvements. Permanent water quality control features described in the report shall demonstrate (such as through routine water quality monitoring) that the water quality controls are adequate to meet the Water Quality Control Plan for the Lahontan Region (Basin Plan) water quality objectives for Martis Creek, as well as comply with the Basin Plan's narrative water quality state antidegradation policy and maintain beneficial uses of Martis Creek and Martis Creek reservoir as designed by the Basin Plan. The project will also participate in the Martis Valley Community Plan Comprehensive Water Quality Monitoring Program and subsequent requirement of Martis Valley Community Plan Natural

Resources Implementation Program 18. Storm water discharges and discharge of earth and materials into the 100-year floodplain (i.e., bridge crossing structures) shall be in compliance with all current requirements of the Lahontan Regional Water Quality Control Board (e.g., Lahontan Region Project Guidelines for Erosion Control). **(ESD)**

4142. **MM 4.7.3b** Grading activities shall be prohibited during the winter months, unless approved by the County and the Lahontan Regional Water Quality Control Board. Exposed graded areas shall be protected during the winter months using appropriate methods. **(ESD)**

4243. **MM 4.8.1c** The project applicant shall ensure that the construction contractor is responsible for securing a source of transportation and deposition of excavated materials. All earth work shall be monitored by a geotechnical engineer tasked with the responsibility of providing oversight during all excavation, placement of fill, and disposal of materials removed from and deposited on the subject and other sites. Prior to export/import of any soil to/from an off-site location, the applicant shall obtain a Grading Permit from the Engineering and Surveying Department. **(ESD)**

4344. **MM 4.8.1d** The project applicant/construction contractor shall ensure that before disposal of spoil, the surface of the disposal site is prepared to receive the material. Grubbing of the ground surface to remove surface vegetation shall be performed. The area shall be properly keyed into hillside areas and modified to control drainage. As the spoil is transported to the site, it shall be adequately moisturized and compacted to the requirements of an onsite geotechnical engineer. The project applicant/construction contractor shall ensure the use and implementation of temporary BMPs to ensure erosion control throughout this process and permanent BMPs after the engineered fill is placed in its final location.

Excavation and grading of the project components could result in soil erosion. To ensure that soils do not directly or indirectly discharge sediments into surface waters of West Martis Creek as a result of construction activities, water quality protection measures shall be implemented by the project applicant/construction contractor during construction as discussed in Section 4.7, Hydrology and Water Quality. The mitigation measures shall be in accordance with County Engineering and Surveying Department Grading Ordinance requirements and Lahontan RWQCB regulations involving control of stormwater discharges under the National Pollutant Discharge Elimination System (NPDES) program. The project is subject to construction-related storm water permit requirements of the Federal Clean Water Act National Pollutant Discharge Elimination System (NPDES) program. Any required permits shall be obtained through the State Regional Water Quality Control Board or Environmental Protection Agency. **(ESD)**

4445. **MM 4.8.1f** During grading operations the project applicant/construction contractor shall temporarily dewater zones of seepage occurring from fractures, using a system of ditches directing water inflows to sumps where water can be removed by pumps and treated with BMP's to protect water quality. **(ESD)**

4546. In order to protect site resources, no grading activities of any kind may take place within the 100-year flood plain of the stream/drainage way nor within the watershed of the vernal pool(s), unless otherwise approved as a part of this project. **(ESD/PD)**

4647. **MM 4.8.1h** If blasting is required for the installation of site improvements, the developer will comply with applicable County Ordinances that relate to blasting and use only State licensed contractors to conduct these operations. **(ESD)**

ROADS AND TRAILS

4748. **MM 4.1.1c** The project applicant shall develop a trails construction plan for identifying construction activities and the time frame for construction operations for trail relocation, modification, or construction proposed during that phase. All trails that require relocation shall be constructed and completed before disturbance of existing trails occurs. **(PD/DFS/NCSD)**

4849. **MM 4.1.1a** Prior to Improvement Plan approval and/or during any construction or demolition activities requiring complete or partial closure of existing roadways, the project applicant shall perform the following tasks to the satisfaction of the Placer County Public Works Department: **(ESD)**

- A) Provide written notice to property owners along affected roadways and the Northstar Fire District 1 week before roadway closures.
- B) Ensure public safety by clearly marking and securing roadway construction areas.
- C) Place steel plates over open trenches at the end of each workday (or other appropriate measures) to restore vehicle access to all residents.
- D) Ensure access and parking for users and residents of buildings to remain on the project site.
- E) Obtain written approval from the County Director of Public Works for any proposed temporary road closures or detour routes.
- F) Obtain written approval from the Northstar Fire Department (NFD) and CDF for any proposed temporary road closures or detour routes.
- G) Ensure access for users of Northstar Drive.
- H) Post Notice of planned closure on affected roadways two weeks prior to roadway closures.

4950. **MM 4.3.6** Before approval of road extension and intersection improvement plans, the project applicant shall provide a traffic control plan that ensures safety of pedestrians, cyclists, and vehicle traffic to the satisfaction of the Placer County Department of Public Works and the Engineering and Surveying Department. **(ESD)**

5051. **MM 4.4.10i** Prior to occupancy of the 1,430th dwelling unit, the applicant shall be required to construct the improvements to the intersection of Northstar Drive/SR 267 as identified in Table 4.4-23 of the Draft EIR and the traffic studies included in the Addendum EIR. Prior to the recordation of any Final Map creating the 1,430th unit, the applicant shall construct or secure the improvements to the intersection of Northstar Drive/SR 267 as identified in Table 4.4-23 of the Draft EIR and the traffic studies included in the Addendum EIR. **(ESD)**

5152. **MM 4.4.10g / MM 4.4.10h** Construct an all-season pedestrian access from the proposed 32-unit employee housing project to the nearest shuttle stop. The shuttle stop shall not result in a decrease in the amount of available parking. **(ESD)**

5253. **MM 4.4.5a** Construction traffic shall be prohibited from exiting and entering Northstar Drive during peak winter skier traffic periods. Specifically, construction traffic shall not be allowed along Northstar Drive or along SR 267 from 7 A.M. to 9:30 A.M. and 3:30 P.M. to 6 P.M. on peak holiday weekends and any peak skier day from Christmas through President's Day weekend except when chain control is implemented. **(ESD)**

5354. **MM 4.4.5b** Coordinate construction activities associated with the Highlands project with other non-Highlands construction activities within Northstar California-at-Tahoe. In particular, overlapping of excavation activities for Highlands Phase 4-I and the Northstar Northside project shall be avoided, to the greatest extent feasible. The applicant shall submit a traffic management plan as part of improvement plans for Highlands Phase 2-II development phases, and explicitly list work activities ongoing for any other permits. **(ESD)**

5455. **MM 4.4.6b** Prior to approval of Improvement Plans/Final Maps for each phase, the project applicant shall join and maintain membership in perpetuity in the Truckee-North Tahoe Transportation Management Association (TNT/TMA). Once commercial and homeowner associations have been formed, the project applicant shall shift the TNT/TMA membership to the associations and the associations shall maintain membership in perpetuity. **(ESD)**

5556. **MM 4.4.10c** All Northstar California-at-Tahoe employees who live in the Northstar California-at-Tahoe employee housing shall be required to use transit to travel to Northstar -at-Tahoe-Village; employees shall be prohibited from parking in Northstar-at-Tahoe Village. The applicant shall submit a transit and parking management program to the County along with project plan. The program shall designate employee parking areas within Northstar and shall identify incentives for employee use of shuttles and disincentives to parking employee vehicles within Northstar other than in designated employee parking locations (e.g. permits or parking fees). The shuttles will operate, at a minimum, as follows **(ESD)**:

- A) 7:00 a.m. – 10:00 a.m. 3 shuttles per hour
- B) 10:00 a.m. – 3:00 p.m. Dial-a-Ride
- C) 3:00 p.m. – 6:00 p.m. 3 shuttles per hour
- D) After 6:00 p.m. Dial-a-Ride.

5657. Prior to recordation of any Final Map, construct or secure subdivision road(s) on- and off-site to either a Minor Land Division, Rural Minor or Rural Secondary (Plates R-1, R-3 or R-4 LDM) standard depending on the number of units being served by the road as shown on the Vesting Tentative Map. The road(s) and storm drainage shall be maintained by the Homeowners Association. All subdivision streets shall be designed to meet 25 mph design speed criteria, as specified in the latest version of the Caltrans *Highway Design Manual* unless otherwise approved by DPW. The roadway structural section(s) shall be designed for a Traffic Index of 6.5 (Ref. Section 4, LDM). **(ESD)**

5758. Prior to recordation of any Final Map creating condominium Lots or employee housing, construct or secure on site improvements required to support the proposed development. **(ESD)**

5859. Construct public road entrances/driveways onto Highlands View Road and Ridgeline Drive (Sawmill Flat Road) to a Plate R-17, LDM standard. The design speed of Highlands View Road

and Ridgeline Drive (Sawmill Flat Road) for Plate R-17 encroachments shall be 25 mph, unless an alternate design speed is approved by the DPW. The improvements shall begin at the outside edge of any future lane(s) as directed by the DPW and the Engineering and Surveying Department (ESD). An Encroachment Permit shall be obtained by the applicant or authorized agent from DPW. The Plate R-17 structural section within the main roadway right-of-way shall be designed for a Traffic Index of 7.0, but said section shall not be less than 3" AC/8" Class 2 AB unless otherwise approved by the ESD. **(ESD)**

5960. On lots where subdivision roadway cuts/fills exceed 4' in vertical height (as measured from finished road grade) or driveway grades would exceed 12% at any reasonable access location, the driveways shall be shown on the Improvement Plans and constructed with subdivision improvements, or specific development standards for that lot shall be established for inclusion in the Development Notebook and with appropriate CC&R restrictions and notification to the satisfaction of DRC. Said driveways shall have a paved width of not less than 10', a minimum structural section of 2" AC/4" AB, and shall extend from the roadway edge not less than 50' into the lot, or as deemed appropriate by the Engineering and Surveying Department (ESD). These driveways shall be constructed such that the slope between the street and building site does not exceed 16%, or as otherwise approved by the servicing fire district and the ESD. **(ESD)**

6061. All on-site parking and circulation areas shall be improved with a minimum asphaltic concrete or Portland cement surface capable of supporting anticipated vehicle loadings.

It is recommended that the pavement structural section be designed in accordance with recommendations of a soils/pavement analysis and should not be less than 2" AC over 4" Class 2 AB, or the equivalent. **(ESD)**

6162. 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)**

6263. Provide school bus/transit turnout(s) to the satisfaction of the California Highway Patrol, local busing provider, and the Engineering and Surveying Department. A letter shall be provided from the CHP and local busing provider which addresses the need for a turnout and the turnout design (if required) and the turnout shall be as shown on the project Improvement Plans prior to their approval. **(ESD)**

6364. An Encroachment Permit shall be obtained from the Department of Public Works prior to Improvement Plan approvals for any landscaping within public road rights-of-way. **(ESD)**

6465. Proposed road names shall be submitted to the Engineering and Surveying Department (ESD) - Addressing (530-745-7530) for review and shall be approved by the ESD prior to Improvement Plan approval. **(ESD)**

PUBLIC SERVICES

6566. Prior to Improvement Plan approval for each phase, the applicant shall prepare a fire management plan. The plan shall include: internal building sprinklers; on-site fire hydrants; unobstructed access to all buildings by emergency vehicles; fire retardant construction materials; fuel buffer zones; forest thinning; removal of dead and down under story fuels and thinning; removal of flammable vegetation; and an emergency plan for guests residents and visitors. The plan shall be subject to review and approval by the NCSD, CDF, and NFD. **(ESD)**

6667. **MM 4.11.1.1a** The project applicant shall maintain emergency access to California Department of Forestry and Northstar Community Services District Fire Department specifications during all phases of construction. **(NCSD)**

6768. **MM 4.11.1.1.d** The proposed buildings shall be required to meet the following applicable requirements established by state and local laws and regulations, as well as measures required by the Northstar Community Service District **(NCSD)**:

- Emergency vehicle access to rear of occupied structures shall be required. Standards shall be set by the Northstar Community Services District Fire Department.
- An approved construction site safety and access plan shall be required.
- A fuel reduction zone shall be provided and maintained as specified by the Northstar Community Service District that includes all lands within 300 feet of residential or commercial parcels.
- Automatic external defibrillators shall be provided. Strategic locations shall be determined by the Northstar Community Services District Fire Department.

6869. Prior to the approval of the Improvement Plans, submit to EHS a "will-serve" letter from Northstar Community Service District indicating that the district can and will provide sewerage service to the project. Connection of each lot in this project to sanitary sewers is required. **(EHS)**

6970. Prior to the approval of the Improvement Plans, submit to EHS a "will-serve" letter from the franchised refuse collector for weekly or more frequent refuse collection service. **(EHS)**

7071. Prior to the approval of the Improvement Plans, submit to EHS, for review and approval, a "will-serve" letter from Northstar Community Service District for domestic water service. The applicant shall connect the project to this treated domestic water supply. **(EHS)**

7172. Provide to DRC "will-serve" letters from the following public service providers prior to Improvement Plan and Final Map approvals, as required **(ESD)**:

- A) Sierra Pacific Power Company
- B) Southwest Gas Corporation
- C) Truckee Sanitary District (TSD)
- D) AT&T (SBC/Pacific Bell)
- E) Tahoe-Truckee Unified School District (TTUSD)
- F) Placer County Sheriff's Office
- G) California Department of Forestry
- H) Northstar Community Services District (NCSD) (Water, sewer and fire)

- I) Tahoe-Truckee Sanitary Agency (T-TSA)
- J) Tahoe-Truckee Sierra Disposal (TTSD)

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

7273. Emergency access during all construction activities of all phases shall be maintained to NCSD/CDF/NFD specifications. **(NCSD/CDF/NFD)**

7374. Prior to the approval of the Improvement Plans, confer with local postal authorities to determine requirements for locations of cluster mailboxes, if required. The applicant shall provide a letter to DRC from the postal authorities stating their satisfaction with the development box locations, or a release from the necessity of providing cluster mailboxes prior to Improvement Plan approval. If clustering or special locations are specified, easements, concrete bases, or other mapped provisions shall be included in the development area and required improvements shall be shown on project Improvement Plans. **(ESD)**

GENERAL DEDICATIONS/EASEMENTS

7475. Provide the following easements/dedications on the Improvement Plans and Final Map to the satisfaction of the Engineering and Surveying Department **(ESD)** and DRC:

- A) A 40'-wide private road, public utility, public support, and emergency access easement (Ref. Chapter 16, Article 16.08, Placer County Code) from Highlands View Drive along all on-site and off-site subdivision roadways to each created Lot as shown on the Tentative Map or as otherwise approved by the ESD.
- B) Public utility easements as required by the serving utilities, excluding wetland preservation easements (WPE).
- C) Dedicate 12.5' multi-purpose easements adjacent to all highway, public road, and emergency access easements, unless all the serving utilities provide written confirmation that other acceptable easements have been provided to their satisfaction.
- D) Slope easements for cuts and fills outside the highway easement.
- E) An Irrevocable Offer of Dedication for drainage easements as appropriate, including any off site drainage easements.
- F) If not already recorded, the applicant shall record an Irrevocable Offer of Dedication to Placer County for a minimum 30' wide emergency access, public utility, and transit easement from the end of the proposed Highlands View Road to the existing terminus of Big Springs Drive as shown on the Tentative Map.
- G) Open Space and common space Lots shall include rights appurtenant to all units served for private road, public utility, and emergency access.

7576. Prior to or concurrent with the recordation of each Final Map resulting from this Tentative Map, the applicant shall make the following modifications to the easement rights contained in the agreement recorded as document 2000-0077973 Official Records of Placer County to the satisfaction of the ESD **(ESD)**:

- A) Extinguish all easement rights from the saleable lot(s) proposed by such Final Map.

- B) Extinguish or amend all easement rights to the satisfaction of ESD from the common area lot(s) proposed by such Final Map.
- C) If deemed appropriate by ESD, the applicant shall extinguish or amend all easement rights to the satisfaction of ESD over all “off-site” easements required for said map approval. This requirement is not intended to extinguish or amend any private rights or easements associated with the use of the existing EVA connecting Highlands View Drive with Big Springs Drive.

A preliminary title report shall be submitted as evidence of these extinguishments or amendments.

VEGETATION AND OTHER SENSITIVE NATURAL AREAS

~~7677~~. **MM 4.9.2a** Prior to approval of improvement plans, the project applicant shall have the existing wetland delineations verified by the USACE to confirm the exact boundaries of jurisdictional features within the project study area. The project applicant shall redesign/refine the project to avoid and/or minimize all impacts on riparian vegetation and jurisdictional Waters of the United States, including wetlands, and Waters of the State to the maximum extent practicable.

If, based on the verified delineation, it is determined that fill of Waters of the U.S., including wetlands, would result from project implementation, authorization for such fill shall be secured from USACE via the Section 404 permitting process prior to project implementation.

As part of the Section 404 permitting process, a qualified wetland biologist shall develop a conceptual wetlands mitigation plan. The acreage of Waters of the U.S., including wetlands and riparian habitat that would be removed shall be replaced or restored/enhanced on a “no-net-loss” of function and value in accordance with USACE and CDFG regulations and Placer County General Plan provisions. The mitigation plan shall quantify the total jurisdictional acreage lost or indirectly affected, describe creation/replacement ratios for acres filled, annual success criteria, potential mitigation sites, and monitoring and maintenance requirements. The applicant shall ensure that no less than 1.2 acre of wetlands shall be created for each acre loss and no less than 1.2 acres of other Waters of the U.S. will be restored for each acre lost or degraded. The applicant shall also ensure that for each created and or restored waters, the waters will be achieve no less than 80% functional success for at least three consecutive years during the monitoring period for the mitigation to be considered complete. The plan shall be prepared by a qualified wetland biologist pursuant to, and through consultation with, USACE. Implementation of the plan would create or restore/enhance jurisdictional Waters of the U.S., including wetlands to compensate for the loss of jurisdictional Waters of the U.S., including wetlands and riparian habitat.

If a Section 404 permit were required from the USACE, a Section 401 permit would be required from the Lahontan RWQCB. If it is determined by a qualified wetland biologist and through consultation with Lahontan RWQCB that features that qualify as Waters of the State will be affected, the applicant would be required to obtain authorization from Lahontan RWQCB to fill/disturb these features prior to project implementation. **(USACE/CDFG/LAHONTAN RWQCB/PD)**

~~7778~~. **MM 4.9.2b.** A 1602 Streambed Alteration agreement for removal of or disturbance to riparian habitat and Waters of the U.S (i.e., stream, lake, or river) shall be required from CDFG prior to approval of improvement plans. **(CDFG/PD)**

~~7879~~. **MM 4.9.2c.** In addition to the requirements of the mitigation plan referenced under MM 4.9.2a, the applicant shall prepare and implement a riparian vegetation mitigation and monitoring plan for disturbed riparian vegetation that does not fall within the USACE jurisdiction. "Disturbed riparian vegetation" refers to those trees and shrubs that have been completely removed, or do not tend to re-grow after pruning. The plan shall include: (a) onsite and/or offsite location(s) for replacement shrubs and trees, based on a replacement ratio of 1.2-inch stem/trunk diameter (or as otherwise approved by CDFG) replacement for every inch diameter of stem/trunk affected; (b) protection measures for replacement shrubs and trees that shall ensure that 80 percent of replacement plantings are alive and vigorous 3 years following site revegetation; (c) monitoring measures including construction monitoring to ensure disturbance is minimized and replacement monitoring for a minimum of 3 years by a qualified restoration ecologist, arborist or biologist; (d) replacement plantings for any lost shrubs or trees below an 80% survival rate during the monitoring period, and an additional monitoring period of 3 years by a qualified restoration ecologist, arborist or biologist following this subsequent replanting; and (e) identification of shrubs/trees that will be pruned at the completion of construction to enhance re-growth to pre-construction conditions (these shrubs/trees will not require replacement unless the 3 year monitoring under (c) determines that these shrubs/trees are not growing back to pre-disturbance conditions. The plan shall be submitted as an element of the 1602 Streambed Alteration Agreement for removal of or disturbance to riparian habitat and Waters of the U.S (i.e., stream, lake, or river) as required from CDFG prior to project implementation. The long-term effect of this mitigation shall ensure a no-net loss of riparian habitat due to the project. **(PD/CDFG)**

~~7980~~. **MM 4.9.5** To the extent that it is feasible, the project applicant shall avoid removing vegetation during the nesting season (March 1st through September 1st). If vegetation that could support nesting birds will be removed during the nesting season, the project applicant shall retain a qualified biologist approved by the County to conduct focused preconstruction surveys for active nest sites of special-status birds, raptors, and migratory birds. These surveys shall be conducted within 30 days of the onset of each construction phase initiated during the nesting season.

For special-status birds and raptors, surveys shall be conducted within 500 feet of active construction areas. If an active special-status bird or raptor nest is located during the preconstruction surveys, the County, CDFG, and/or USFWS shall be notified, appropriate. Construction shall be delayed within a minimum of 500 feet (or at a distance directed by the appropriate regulatory agency) of the nest to avoid disturbance until the nest is no longer active. The 500-foot buffer may be reduced through consultation with the County and/or the appropriate agency.

For migratory birds, the survey area shall be limited to the areas where vegetation removal could lead to direct destruction of active nests. If an active migratory bird nest is located during the preconstruction survey, the County shall be notified. Measures to reduce impacts, to the extent feasible, such as avoiding the nest until it is no longer active, shall be developed and implemented by a qualified biologist. **(PD/CDFG)**

8081. **MM 4.9.3** Prior to approval of improvement plans for areas not previously surveyed for special-status plant species during the blooming period, including the employee housing site and Parcel 2 a qualified botanist acceptable to the County shall conduct presence/absence surveys for special-status plants in the area during the appropriate blooming/identification period. If individuals or populations of special-status plants are found, they shall be avoided to the greatest extent practicable during all project phases (design, construction, operation). For each phase of the Highlands project, the project applicant shall submit the special status plant survey report, an explanation of how special status plants have been avoided to the greatest extent feasible and a detailed mitigation plan for plant populations that cannot be avoided, to the County. The mitigation plan shall be reviewed and approved by the County and CDFG before issuance of building permits for Phase 1 and each subsequent phase.

If the particular plant species has any federal status, the USFWS shall also review and approve the mitigation plan. Mitigation will be developed specific to the requirements of affected plant species and the form of impact and may include transplanting individuals of the affected species, collecting seed and creating populations elsewhere, contributing to the protection and enhancement of other known populations, or other methods based on the ecology and conservation needs of the species and site specific conditions to ensure that a viable plant population will survive. Mitigation lands containing any relocated/created special-status plant populations shall be permanently designated as open space. **(PD/USFWS/CDFG)**

8182. A Landscape Plan, prepared by a licensed landscape architect or similar professional, shall be submitted and approved by the DRC. The landscape plan shall address all trees to be saved and protected and include a plan to stabilize lands disturbed by construction within all off-site locations affected by this approval.

Said Plan shall be submitted with the project's Improvement Plans and the landscaping shall be installed to the satisfaction of the County prior to the County's acceptance of the subdivision's improvements. All non-turf landscaping shall consist of native-appearing drought-tolerant plant species with a water-conserving drip irrigation system to be installed by the developer prior to project level improvements. If draught tolerant landscaping is used, permanent irrigation may not be required.

The property owners association shall be responsible for the maintenance of said landscaping and irrigation. **(PD)**

8283. All areas that are disturbed as part of subdivision and on-site phased improvements shall be temporarily re-established with hydro seeding and planting at the end of each construction season. A vegetation monitoring program report, prepared by a licensed landscaping architect, shall be submitted annually to the Planning Department during the life of the construction phases and for two years afterward. Said report will define areas that have been disturbed/replanted with a description of the seeding and/or planting materials, and status of re-established vegetation, including survival rate. Any corrective actions required are the responsibility of the applicant.

A letter of credit, cash deposit or as otherwise approved security in the amount of 125 percent of the accepted proposal shall be deposited with the Placer County Planning Department to assure performance of the monitoring program. Evidence of this deposit shall be provided to the satisfaction of the DRC. Violation of any components of the approved MMIP may result in enforcement activity per Placer County Environmental Review Ordinance Article 18.28.080. An agreement between the applicant and the county, meeting DRC approval, shall be prepared that

allows the County use of the deposit to assure performance of the MMIP in the event the homeowners association or property owner fails to perform. **(CR/MMIP) (PD)**

§384. The applicant shall mitigate tree loss in accordance with County ordinances, subject to the review and approval of the DRC. A Registered Professional Forester (RPF) shall provide the DRC with a silvicultural prescription for the reforestation, including details on the types of seedlings to be used, the density of plantings, species composition, methods of irrigation, and schedule for completion.

The unauthorized disturbance to the drip line of a tree to be saved shall be cause for the Planning Commission to consider revocation of this permit/ approval. **(CR) (PD)**

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

- a. Adjacent to any and all wetland preservation easements that are within 50' of any proposed construction activity;
- b. At the limits of construction, outside the dripline of all trees 6" dbh (diameter at breast height), or 10" dbh aggregate for multi-trunk trees, within 50' of any grading, road improvements, underground utilities, or other development activity, or as otherwise shown on the Tentative Map;
- c. Around any and all "special protection" areas as discussed in the project's environmental review documents.
- d. Around all Open Space lots within 50 feet of any development activity.

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

CULTURAL RESOURCES

§586. **MM 4.10.2.** An inadvertent-discovery plan shall be prepared before construction begins and shall establish a set of protocols to identify, evaluate, and protect prehistoric and/or historic resources accidentally discovered during any project-related activities. This plan shall include the requirements that construction activities are halted in the immediate vicinity of the discovery and that the County is notified regarding the discovery. A qualified archaeologist approved by the County shall be contracted to determine whether the resource is significant and to determine appropriate mitigation. If avoidance is not feasible, any Native American artifacts uncovered shall be recorded and removed to a location to be determined by the archaeologist in consultation with the Washoe Tribe. If avoidance is feasible, the applicant shall develop and implement, in

consultation with the County, the Native American Commission, and the Washoe Tribe, plans to avoid disturbance or damage to the discovered find. If human remains are discovered, all work must stop in the immediate vicinity of the find, and the County Coroner must be notified, according to Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and in consultation with the Washoe Tribe the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed. The requirements of the inadvertent-discovery plan shall be noted on all construction plans. **(PD)**

FEES

8687. Pursuant to County Code Sections 15.34.010, 16.08.100 and 17.54.100 (D), a fee must be paid to Placer County for the development of park and recreation facilities. The fee to be paid is the fee in effect at final map recordation/building permit issuance. (For reference, the multiple-family fee is currently \$430 per lot to be paid at final map and \$2,295 per unit due when a building permit is issued or \$2,725 per unit if no final map is recorded.) (Additional park fee credit may be earned by exceeding the onsite recreation requirements of the Planned Development Ordinance.) **(DFS/PD)**

Pursuant to Article 17.54.100(D) of the Placer County Code, this project's Planned Development status requires that it provide onsite recreation facilities. The provision of 3 tennis courts and approximately 15,000 square feet of homeowner's recreation facilities shall be constructed prior to the issuance of the ~~building permit for the 381st residential unit~~ building permit. At the discretion of the DRC and Parks Division, alternate qualifying recreational amenities constructed within the Northstar Highlands development may be approved in lieu of the tennis courts and/or 15,000 square foot homeowner recreation facilities to fulfill the on site recreational requirements of the Planned Development Ordinance.

The employee housing units also require onsite recreation facilities. However, if those facilities are not provided, the applicant may chose to opt out of this requirement and instead pay an additional park fee based on the percentage of onsite recreation facilities not provided. **(DFS/PD)**

8788. Pursuant to Section 21089 (b) of the California Public Resources Code and Section 711.4 et. seq. of the Fish and Game Code, the approval of this permit/project shall not be considered final unless the specified fees are paid. Without the appropriate fee, the Notice of Determination (which the County is required to file within 5 days of the project approval) is not operative, vested or final and shall not be accepted by the County Clerk. **(PD)**

8889. MM 4.4.4a This project will be subject to the payment of traffic impact fees that are in effect in this area (Tahoe), pursuant to applicable Ordinances and Resolutions. The applicant is notified that the following traffic mitigation fee(s) will be required and shall be paid to Placer County DPW prior to issuance of any Building Permits for the project:

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

The current total combined estimated fee is ~~\$4,475~~\$4,587 per Dwelling Unit Equivalent (DUE). The fees were calculated using the information supplied. If either the use or the square

footage changes, then the fees will change. The actual fees paid will be those in effect at the time the payment occurs. **(ESD)**

~~8990.~~ **MM 4.4.4a** Prior to Building Permit issuance, the project applicant shall pay its “fair share” for necessary intersection improvements within the Northstar California-at-Tahoe development as identified in Tables 4.4-23 and 4.4-24 of the Draft EIR. **(ESD)**

~~9091.~~ **MM 4.4.10a** Prior to Building Permit issuance for each phase within the Program Area, the project applicant shall pay their proportional fair share of roadway improvements within the Northstar California-at-Tahoe development, as shown in Tables 4.4-36 and 4.4-37. **(ESD)**

ENVIRONMENTAL HEALTH

~~9192.~~ **MM 4.5.1a** The project applicant shall prepare construction specifications that require the construction contractor to implement noise reduction measures during construction when within 500 feet of noise sensitive receptors. The construction specifications shall be submitted to the County for review and approval before improvement and/or construction plans are approved. The construction specifications shall include the following measures:

- a. Locate fixed construction equipment such as compressors and generators as far as feasibly possible from sensitive receptors. Muffle or shield all intakes and exhaust ports on power construction equipment.
- b. All construction equipment using internal combustion engines shall be in proper tune.
- c. All construction equipment used for intersection improvement activities shall have factory installed muffler systems.
- d. Before any particularly noisy activities (e.g., impact pile driving) are performed, written notice of such activities shall be provided to all residences within a 200-foot radius of the development site. Notices shall include specific information about the expected timing of these activities. The construction contractor shall show reasonable flexibility in accommodating affected parties if there are specific, relatively brief time periods for which a major affected party would like to avoid noise disturbance (e.g., special events). **(EH/PD)**

~~92.~~ ~~93.~~ **MM 4.5.1b** The project applicant shall prepare construction specifications that require the construction contractor to limit the hours of construction activities as follows:

- a. Construction activities shall be limited to the hours of 7 A.M. to 6 P.M. on weekdays and the hours of 9 A.M. to 5 P.M. on Saturday. No construction activities shall be performed on any Sunday or Federal holiday.
- b. If necessary, nighttime construction (6 P.M. to 7 A.M.) shall not exceed 70 dB maximum noise level (Lmax) at any of the residential building facades in order to avoid sleep disturbance.

- c. If necessary, exterior nighttime construction (6 P.M. to 10 P.M.) activities shall be limited to no more than three consecutive days with a break of at least three days prior to resuming construction. Interior nighttime construction activities may be conducted from 6:00 P.M. to 7:00 A.M.
- d. Any nighttime construction activities (interior or exterior) shall be subject to the following restrictions:
1. No impact equipment, such as pavement breakers or jackhammers, shall be operated during nighttime construction activities.
 2. No back-up alarms shall be used after 6:00 P.M. All construction vehicles used after 6:00 P.M. shall be use either a strobe light or articulated back-up alarm to provide back-up warning.
 3. Nighttime construction (6 P.M. to 7 A.M.) shall not exceed 70 dB maximum noise level (Lmax) at any of the residential building facades in order to avoid sleep disturbance.
 4. No exterior nighttime construction shall occur on Sundays or Federal Holidays.

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

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

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

9394. **MM.4.5.2a:** The project applicant shall ensure that an onsite monitor is present to provide continuous vibration monitoring during pile driving or blasting activities for any existing building located within 500-foot of any pile driving or blasting activity. **(EHS)**

9495. **MM.4.5.2b:** The project applicant shall inspect any existing buildings located within a 500-foot radius of planned pile driving or blasting activities. The inspection shall document preexisting conditions. The pre-inspection survey of the buildings shall be completed with the

use of photographs, videotape, or visual inventory, and shall include inside and outside locations. All existing cracks in walls, floors, driveways, etc., shall be documented with sufficient detail for comparison during and upon completion of pile driving activities to determine whether actual vibration damage has occurred. The results of both surveys shall be provided to the County for review and acceptance of conclusions. Should damage occur, construction operations shall be halted until the problem activity can be identified. Once identified, the problem activity shall be modified to eliminate the problem and protect the adjacent buildings. Any damage to nearby buildings shall be repaired back to the pre-existing condition. **(EHS)**

9596. **MM.4.5.4:** Noise-attenuating measures shall be identified in a required acoustical analyses in order to reduce noise levels at noise-sensitive land uses, in compliance with applicable standards, including Title 24 of the California Code of Regulations and County standards. The applicant shall implement noise-attenuating measures into the project design. Noise-attenuating measures shall be identified to achieve applicable interior noise standards. Such measures may include, as appropriate, the use of building orientation, building design, or berms, and the standard noise mitigation contained in the County Acoustical Design Manual. If a berm is constructed to reduce noise to an acceptable level, the berm shall be vegetated to blend with the natural landscape and shall be shown on all site plans for the project submitted in accordance with MM 4.13.2 and MM 4.13.3a through 4.13.3h. **(EHS/PD)**

9697. **MM.4.7.1b:** If on-site wells are utilized, they shall be designed in compliance with Section 204(c)1(B) of P.L. 101-618 and/or any subsequent standard set forth in the Truckee River Operation Agreement (if in effect at the time of project construction) and that the well facilities be designed and constructed to avoid substantial effects to surface water flows or conditions to the satisfaction of NCSD. **(EHS/NCSD)**

9798. **MM.4.3.7:** Before demolition of any on-site buildings, the project applicant shall have a qualified consultant investigate whether any of these buildings contain asbestos-containing materials and lead that could become friable or mobile during demolition activities. If found, the asbestos-containing materials and lead shall be removed by an accredited inspector in accordance with EPA and California Occupational Safety and Health Administration (Cal/OSHA) standards. In addition, all activities (construction or demolition) in the vicinity of these materials shall comply with Cal/OSHA asbestos and lead worker construction standards. The asbestos-containing materials and lead shall be properly disposed of at an appropriate off-site disposal facility. **(EHS)**

9899. Prior to Final Occupancy approval, the Occupant shall submit payment of required fees and a business plan to EHS Hazardous Materials Section, for review and approval. **Please Note:** "Hazardous" materials, as defined in 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. **(EHS)**

99100. Prior to Improvement Plans approval, a Note shall be placed on Improvement Plans to indicate that if at any time during the course of constructing the proposed project, evidence of soil and/or groundwater contamination with hazardous material is encountered, the applicant shall immediately stop the project in the vicinity of the impacted area and contact the EHS Hazardous

Materials Section. The project shall remain stopped in the vicinity of the impacted area until there is resolution of the contamination problem to the satisfaction of EHS and to the Lahontan RWQCB. **(EHS)**

~~400~~101. Prior to Building Permit issuance for the public swimming pool or spa, contact EHS, pay required fees, and apply for a plan check. Submit to EHS for review and approval complete construction plans and specifications as specified by EHS. **(EHS)**

~~404~~102. 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)**

~~402~~103. **(111)** The project CC&Rs shall provide for the following:

Notification that the owner or occupant of each residence in this project shall subscribe to weekly mandatory refuse collection services from the refuse collection franchise holder. The Homeowner's association shall be responsible for refuse collection service to all non-residential facilities within the project on the same basis. **(EHS)**

AIR POLLUTION

~~403~~104. **MM 4.6.1a** The project applicant shall submit a Construction Emission/Dust Control Plan to the PCAPCD and receive approval prior to improvement plan approval. At a minimum, the Plan shall include all the requirements of Rule 228 and the following additional measures:

- a. Reduce traffic speeds on all unpaved surfaces to 15 miles per hour or less.
- b. Suspend all grading operations when fugitive dusts exceed District Rule 228 (Fugitive Dust) limitations.
- c. An operational water truck(s) shall be onsite at all times. Apply water to control dust as needed to comply with the District's Fugitive Dust Rule.
- d. Install wheel washers or wash all excavation trucks and equipment leaving the site.
- e. Minimize idling time to five minutes for all diesel-powered equipment.
- f. Use low sulfur fuel for stationary construction equipment.
- g. Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary diesel-powered generators, unless generators are operated with bio-diesel fuel.
- h. Use low emission on-site stationary equipment.
- i. Prohibit burning of construction or vegetative debris.
- j. Determine if serpentine rock is present and, if it is, provide asbestos dust control measures.

- k. No open burning of removed vegetation during construction, unless approved by PCAPCD. Vegetative material may be chipped or delivered to waste or energy facilities.
- l. Contractors shall be responsible for ensuring that adequate dust control measures are implemented in a timely manner during all phases of project development and construction.
- m. Watering of disturbed areas not yet revegetated shall occur as needed to eliminate visible dust emissions.
- n. All inactive portions of the construction site shall be covered, seeded, or watered until a suitable cover is established or, alternatively, non-toxic soil stabilizers are applied.
- o. Paved streets adjacent to construction sites with visible dust shall be swept or washed at the end of each day. No dry mechanical sweeping shall occur.
- p. Properly maintain all mobile and stationary equipment.
- q. Construction equipment exhaust emissions shall not exceed District Rule 202 Visible Emission limitations.
- r. Construction contracts should stipulate that all portable small off-road engines used in construction equipment such as chainsaws meet CARB Tier II standards for this type of equipment.
- s. The project shall provide a plan for approval by the District demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 30 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.
- t. All areas (including unpaved roads and staging areas) with vehicle traffic shall be watered or have a dust palliative applied as necessary for stabilization of dust emissions. The project applicant shall consult with the Lahontan Regional Water Quality Control Board regarding appropriate dust palliatives and their application to avoid surface water quality impacts.
- u. Operators shall avoid over watering disturbed areas, including active roadways.
(PCAPCD/PD)

404105. **MM 4.6.1b** The prime contractor shall submit to the PCAPCD a comprehensive inventory (i.e., make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used an aggregate of 40 or more hours for the construction phase. PCAPCD personnel, with assistance from the California Air Resources Board, will conduct initial Visible Emission Evaluations of all heavy-duty equipment on the inventory list.
(PCAPCD/PD)

~~105~~106. **MM 4.6.1c** An enforcement plan shall be established to evaluate weekly project-related on- and off-road heavy-duty vehicle engine emission opacities, using standards as defined in California Code of Regulations, Title 13, Sections 2180-2194. Construction equipment shall not exceed visible emissions as specified in the Health and Safety Code. Operators of vehicles and equipment found to exceed opacity limits will be notified and the equipment must be repaired within 72 hours or removed from the project. (PCAPCD/PD)

~~106~~107. **MM 4.6.3a** The project applicant shall prepare an air quality mitigation plan that incorporates appropriate measures, including those listed below, from the following Best Available Mitigation Measures into the project design to reduce project emissions through onsite mitigation to the greatest extent possible. The following measures shall be implemented:

- a. Landscape with native drought-resistant species to reduce the demand for gas-powered landscape maintenance equipment.
- b. The project shall purchase the lowest emission maintenance vehicles and equipment commercially available for the intended application at the time of purchase and/or replacement unless the cost of the lowest emission alternative would exceed the cost of the next lowest emission alternative by a net difference of more than 25% of the purchase price of the next lowest emission alternative, in which case the next lowest emission alternative may be purchased and used instead of the lowest emission alternative. The CC&Rs for this project shall include this requirement.
- c. Improve the thermal integrity of buildings, and reduce the thermal load with automated time clocks or occupant sensors.
- d. Incorporate appropriate passive solar design and solar heaters
- e. Install electrical outlets on exterior walls to promote the use of electric landscape maintenance equipment.
- f. Install gas outlets for gas burning barbeques.
- g. Install low- NOX hot water heaters (beyond District Rule 246 requirements).
- h. Use of low VOC coatings per District Rule 218 (Architectural Coatings).
- i. Open burning shall be prohibited through CC&R's on all lots.
- j. Include multiple use trails in new developments.
- k. If a 50-horse power or larger generator is proposed consultation with the APCD Engineer is required. (PCAPCD/PD/BD)

~~107~~108. **MM 4.6.3b** The conditions of approval and the CC&R's for the project shall explicitly forbid the installation of any wood burning devices and fireplaces in the residential units. Solid fuel burning appliances/fireplaces are prohibited in multi-family land uses. The maximum emission potential from solid fuel EPA Phase 2 wood-burning fireplaces or stoves shall not exceed 7.5 grams per hour. All outdoor burn pits within this project shall be plumbed with natural gas and are prohibited from burning solid fuel. (PCAPCD/PD)

~~108~~109. **MM 4.6.3c** The project applicant shall implement a mitigation program to offset the project's increase in Nitrogen Oxide, Reactive Organic Gas and Particulate Matter emissions.

The Placer County Air Pollution Control District must approve the applicant's mitigation program. In lieu of the applicant implementing their own mitigation program, the applicant can choose to participate in the Placer County Air Pollution District Offsite Mitigation Program by paying offset fees into the District program based on the adjusted trip rates identified in the Northstar Highlands EIR. The in lieu fee shall be calculated at \$13,600 per ton of the ROG & NOx emissions aggregated over the ozone season (May-October) and the annual PM10 emissions generated by the project. The amount of emission reductions achieved through applicant applied mitigation measures may be credited towards the amount of emission reduction needed by this project. If authorized by PCAPCD, all or a portion of these fees may be paid to Northstar Community Services District to offset their street sweeping program **(PCAPCD/PD)**

409110. **MM 4.6.3d** The project applicant and Placer County shall identify a mitigation fee to be paid to offset project road dust impacts. Funds collected would be used for improvement or expansion of street-sweeping programs that reduce re-entrained road dust within the Truckee air basin. If authorized by PCAPCD, all or a portion of these fees may be paid to Northstar Community Services District to offset their street sweeping program.

The fee shall be calculated at \$13,600 per ton of the aggregated annual estimated road dust generated by this project. The amount of emission reductions achieved through applicant applied mitigation measures may be credited towards the amount of emission reductions needed by this project. **(PCAPCD/PD)**

MISCELLANEOUS

410111. The project applicant shall mitigate potential impacts to employee housing through compliance with the Placer County General Plan Housing Element Policy (2.A.14) requiring new Sierra Nevada and Lake Tahoe projects to house 50 percent of the employee housing demand (e.g., FTEE employees) generated by the project. Prior to the approval of a final map, and with submittals of future tentative maps and/or CUP applications, the project applicant shall submit to Placer County an Employee Housing Mitigation Plan that details the method of providing the required employee housing units, proposed occupancy (rental or for-sale), number of employees served by the employee housing units or, in the case of in-lieu fee payment, number of employees credited, transportation to and from the project, timing of the development of employee housing units, and any incentives requested. For each subsequent development phase, the required amount of employee housing shall be accommodated.

This project is intended to provide housing primarily for employees working in the region, including the Northstar Resort. Units or rooms within units are not to be rented on a daily or weekly basis, or as "vacation rentals" or "ski rentals". After the first anniversary of the Certificate of Occupancy for the project, or first phase of the project, the applicants shall supply Placer County with an inventory of the occupants of the project, for purposes of verification of compliance with the conditions of approval. This inventory shall thereafter be provided on a once a year basis. This inventory shall identify the unit number, name of occupant(s), employer, and the length of residency in the project.

To meet Placer County resort housing requirements, tenants of the project must be (a) Northstar employees or employees working at Northstar, or (b) regional employees whose income does not exceed the "moderate" income guidelines for Placer County. **(CR) (PD)**

~~11112.~~ **MM 4.4.2** Prior to the approval of improvement plans for each phase, the project applicant shall identify parking areas and number of spaces for each residential and non-residential facility on the facility site plans. Parking for the project shall be consistent with the parking requirements identified in the Zoning Ordinance in Section 17.54.100(C)(2) for Planned Residential Developments, Section 17.54.060 for individual uses unless applicable parking design and space requirement exceptions are approved for applicable uses by the County as allowed under Section 17.54.100(C)(2) and Section 17.54.070.A.4 for below ground parking garage standards. All fractional ownership or time share units shall meet the standards required in Section 17.56.310. **(PD)**

~~112113.~~ The application shall financially participate in an Open Space Preservation Program. This financial participation shall be as follows: (1) for ~~the first Lots 8A and 8B~~ (60 units) of Highlands II, the payment of \$4,000 per unit, and (2) for all other residential units in Highlands Phase II, the payment of \$5,000 per unit. The payments for residential units are applicable to multi-family, single-family and whole and/or fractional residential units only. The payment shall not be applicable to hotel units. The fee shall be due and payment shall be made prior to issuance of the applicable building permit. In addition, the payment of \$5,000 per acre, or portion thereof, of new impervious surface shall be required for non-residential projects only. Credit, if applicable, will be provided pursuant to that certain Agreement concerning Open Space fees dated February 19, 2009 between the County of Placer and Northstar Mountain Properties.

~~113114.~~ The applicant shall, upon written request of the County, defend, indemnify, and hold harmless the County of Placer (County), the County Planning Commission, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorneys fees awarded by a court, arising out of or relating to the processing and/or approval by the County of Placer of that certain development project known as Northstar Highlands II Modification (the Project). The applicant shall, upon written request of the County, pay or, at the County's option, reimburse the County for all costs for preparation of an administrative record required for any such action, including the costs of transcription, County staff time, and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision. This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the County relating to the approval of the Project. Upon request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provisions of this condition. **(CC)**

~~114115.~~ This project is subject to approval of a Design Site Agreement between the applicant and the Design Site Review Committee, including an evaluation of building architectural style, materials, colors, and lighting, as well as site layout, parking, and landscaping. This DSA shall be completed prior to the issuance of building permits or the approval of Improvement Plans. **(CR) (PD)**

~~115~~116. The applicant shall participate in a comprehensive water quality monitoring program for the Martis Valley area if undertaken by Placer County, Lahontan WQCB, the Placer County Water Agency, Northstar Community Services District, and Truckee Donner Public Utility District. This program entails the preparation and implementation of a comprehensive surface and groundwater management program to ensure the long-term protection and maintenance of surface and groundwater resources. (The fee for preparation of the program is estimated at \$30.82 per dwelling unit equivalent. Fees for implementation of the program shall be established through the engineers report). **(PD)**

Prior to recordation of the first Final Map, the applicant's participation and obligations in the CSA established for this purpose. If this land is already included in that program, the applicant shall provide verification that this condition has been satisfied. **(PD)**

~~116~~117. The 32 unit employee housing complex and development on Parcels 1 and 2 shall maintain a minimum buffer of 100 feet from lands zoned TPZ. **(PD)**

~~117~~118. All new parking lots shall include disabled accessible parking, bicycle racks and other applicable requirements of Section 17.54.050 and meet the design and improvement standards required by Section 17.54.070 of the Placer County Zoning Ordinance. **(PD)**

~~118~~119. Prior to issuance of a building permit for the employee housing complex, obtain an approval letter from FAA and FALUC regarding building in the overflight zone of the Truckee Tahoe Airport if the building height exceeds 35 feet. **(PD)**

~~119~~120. A timberland conversion permit shall be obtained from Calfire on all parcels/lots subject to development, including those two lands subject to rezoning from TPZ (Lot 12, employee housing). **(PD)**

~~120~~121. Any neighborhood identification entrance structure proposed by the applicant shall be reviewed and approved by the DRC, shown on the project Improvement Plans, and shall be located such that there is no interference with driver sight distance as determined by the Engineering and Surveying Department, and shall not be located within the right-of-way unless otherwise approved by the ESD/DPW. **(ESD)**

~~121~~122. Construct a Private Gated Entrance in front of the proposed gates across the on-site subdivision road as shown on the Tentative Map to the satisfaction of the ESD and servicing fire district(s). The turnaround shall provide for a vehicle to turn around within the on-site roadway easement and enter into main access road in a forward direction. The turnaround shall include a minimum paved width of 20' on both sides of a key pad/median island. Any key pad/ median island shall be located entirely outside of the main access roadway and shall be 37.5' from the gate island. If the gate is constructed in any other location from what is shown on the Tentative Map or is not constructed with the project improvements, the new gate location shall be required to obtain approval from the DRC and may require revision to or new submittal of Improvement Plans. Any future gated entry feature not shown on the Vesting Tentative Map and

subsequently proposed by the applicant shall be returned to the Planning Commission for approval of a modification of the discretionary permit. (~~PDES~~ESD)

~~122~~123. 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 (CDF) to the Engineering and Surveying Department prior to Improvement Plan approval. CC&Rs shall include notification to future lot owners that said regulations include provisions applicable to residential construction. (**ESD**)

~~123~~124. During project construction, staking shall be provided pursuant to Section 5-1.07 of the County General Specifications. (**ESD**)

~~124~~125. This map designates a remainder. Pursuant to Government Code, Section 66424.6 the remainder is not being created for the purpose of sale, lease, or financing. Prior to any sale thereof, the owner shall comply with the applicable provisions of Government Code, Section 66424.6. The Placer County standard "remainder note" must appear on the face of the recorded subdivision map. (**ESD**)

~~125~~126. Prior to recordation of every Final Map (or issuance of a Building Permit if there is no Final Map), the applicant shall provide a spreadsheet that identifies the total number of units constructed with previous Northstar Highlands approvals and for the total number of units proposed with the subject Final Map/Building Permit in order to track the total number of units that are constructed within the Northstar Highlands project. (ESD)

VISUAL/AESTHETICS

~~126~~127. **MM 4.13.3g & M.M 4.13.5b** Implement the MVCP Northstar-at-Tahoe Design Guidelines. (**PD**)

~~127~~128. **MM 4.13.2** In addition to the requirements of mitigation measures MM 4.13.3a through h, the project applicant shall provide the County with project design plans for each component of future phases, prior to approval of improvement plans directly relating to that specific project component, showing the use of setbacks, berms, landscaping, and other screening methods that will screen structures and graded areas consistent with County's visual resource policies and ensure that project features do not dominate views from I-80, SR 267, Northstar Drive and Schaffer Mill Road. At a minimum, the project design plans shall demonstrate the following:

- a. Project components do not silhouette against the sky above the ridgelines or hilltops.
- b. Roof lines and vertical architectural features blend and do not detract from the natural background.
- c. Project components fit the natural terrain.
- d. Project components use building materials, colors, and textures that blend with the natural landscape.

- e. Project components visible from I-80, SR 267, Northstar Drive and Schaffer Mill Road are designed to use natural landforms and vegetation for screening structures and access roads.
- f. Tree removal is kept to the minimum level feasible in areas where there is no intervening topography to shield project components from view from the valley floor, and public roads.
- g. A landscaping buffer, to consist primarily of trees native to the area of adequate height and density to screen project components from public views, is provided for areas adjacent open space, undeveloped lands, SR 267, or public roads. Specifically, this screening will be provided along the southern and eastern boundaries of the water tank, intercept lot and the employee-parking site from views from northbound SR 267 and along the northern boundary of the Sawmill Heights/Future Employee Housing site from views from Northstar Drive. These landscape buffers shall be maintained in perpetuity. **(PD)**

~~128~~129. **MM 4.13.3a.** Dominant building materials shall reflect regional vernacular traditions and may include stone, weathered or painted metal, cast integral color concrete, cement plaster stucco, or wood. These materials shall not produce glare and shall be colored to complement and blend in with the natural surroundings. Generally colors will be one to two shades darker than the natural environment and will take into account the different seasons during the year. The project applicant shall incorporate sustainable development measures into the design of all site improvements, buildings, and construction techniques to minimize visual impacts on the surrounding environment. **(PD)**

~~129~~130. **MM 4.13.3b** The project applicant shall prepare and provide to the County design plans of construction staging areas for review and approval showing the use of berms and landscaping and/or other screening methods. The project applicant shall implement the design plan before using construction staging areas. These design plans shall include: staging areas to be placed in previously disturbed areas, or placed in areas that would have minimal impact to topography and vegetation; and a Revegetation Control Plan shall be developed and implemented to ensure that all disturbed areas shall be restored to pre-project conditions. Native seeds shall be used where applicable. Measure 4.13g in Appendix 3.0 addresses the revegetation plan in more detail. **(PD)**

~~130~~131. **MM 4.13.3c** In general, the project site shall be designed to minimize cuts and fills. Effects from grading on hillsides shall be minimized through the retention of the natural shape of the hillside as much as possible. For areas that would be cut, the topography shall be rounded or warped to make the topography appear natural. This would be completed by laying a grid of stakes along the slopes, cutting or filling at the stakes, and blending between the stakes to re-create natural-looking contours. This would enable the slopes to be revegetated, while allowing for erosion control measures and stormwater conveyance. Temporary irrigation shall be used along the revegetated slopes until the vegetation is established. This approach to grading will minimize disturbance and visual impacts to the extent possible. **(PD)**

~~131~~132. **MM 4.13.5a and c** The project applicant shall prepare and implement a lighting plan. Outdoor light fixtures for parking areas, buildings, pedestrian areas, and roadways shall be

shielded, and/or directed down to preserve the night sky and away from residential areas to minimize light and glare effects on adjacent residences. Exterior lighting of areas adjacent to the commercial and residential buildings shall be limited to public safety and security purposes. Lighting fixtures shall be installed and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane. Timers shall be implemented on lighting fixtures at night near buildings, where applicable, to avoid continual lighting of surfaces. Lighting plans shall be provided to the County as part of facility improvement plans and shall include a detailed photometric analysis demonstrating that the illumination of adjacent residential structures and/or properties will not exceed 1.0-foot candles and that light rays will not be emitted from the fixtures at angles above the horizontal plane. **(PD)**

NOTIFICATION TO BUYERS

~~132~~133. Notification to future buyers, tenants, and/or occupants of the property that an overflight easement has been granted to Placer County over the property covered by this project. **(CR) (PD)**

CONDITIONS, COVENANTS AND RESTRICTIONS

~~133~~134. MM.4.5.6b: All property owners potentially affected within the proposed Highlands development shall be provided disclosures within CC&Rs identifying that events at the amphitheatre may generate noise levels that could result in potential annoyance.

~~134~~135. Prior to the filing of the Final Map, Conditions, Covenants, and Restrictions (CC&Rs) shall be prepared and submitted to and approved by the ESD, County Counsel, and other appropriate County Departments and shall contain provisions/notifications related to those issues. **(CR) (PD/ESD/EHS/APC)**

- a. The applicants shall create a Property Owners' or other association to own, maintain and operate all commonly owned parcels with appropriate specified duties/responsibilities. **(CR) (ESD)**
- b. None of the provisions required by this condition of approval shall be altered without the prior written consent of Placer County. **(CR) (PD/ESD/EHS/APCD)**

DEVELOPMENT STANDARDS

~~135~~136. A sign permit pursuant to Section 17.54.170.B shall be required for any signs constructed as a part of this project. A master sign plan approved by the County may be substituted for individual sign permits. **(PD)**

~~136~~137. Comply with the Assessment and Taxation provisions of Section 17.56.310.G for any project phase that includes timeshare units. **(PD)**

~~137~~138. All temporary office/construction uses approved by this action shall expire after the last occupancy permits are issued for the project. The removal of construction trailers and any revegetation of the disturbed areas shall be complete within 60 days of discontinuing the temporary uses or, if use ceases during winter months, within 60 days of the recommencement of

development activities for the new construction season. Applicant may apply for an extension of this permit. (CR) (PD)

138139. The structural setbacks for this Planned Development are as follows for property lines proposed by this Vesting Tentative Map:

- A) Front (street) - 5 feet from property line
- B) Sides - 5 feet
- C) Rear - 5 feet

The setback for property lines created between residential townhome lots shall be 0 feet. Property line setbacks for specific projects may be increased with the applicable Development Notebook and the more restrictive standard shall apply. All residential/townhome driveways shall be a minimum of 20 feet in length from the edge of pavement to the face of the garage. (PD/ESD)

139140. The maximum building height for this Planned Development are as follows:

- A) Lot 10E - 115 feet from average natural grade
- B) Lots 2C, 9B and 9C - 110 feet
- C) Lots 2B, 8B and 9D - 100 feet
- D) Lot 9A - 95 feet
- E) Lot 8A - 90 feet
- F) Lots 9E, 10C and 10D - 85 feet
- G) Lot 4 - 70 feet
- H) Lots 10A and 10B - 45 feet

LARGE LOT VESTING TENTATIVE MAP CONDITIONS

141. Approval of the "Large Lot" portion of this Vesting Tentative Map will allow for the creation of up to Fifteen (15) Large Lots" with development potential. The Large Lots proposed are shown are as follows: 2B&2C (combined), 4, 8A, 8B, 9A, 9C, 9D, 9E, 9F, 10A-I, 10A-II & X-4 (combined), 10C, 10E & X-3 (combined), 10G & X-2 (combined) and 12. Any K Lot may be combined within an adjacent Large Lot listed above. These Large Lots may be created with the filing of one or more Final Maps in conformance with the Large Lot portion of this conditionally approved Vesting Tentative Map (Large Lot Final Map). Since no infrastructure is required for approval of a Large Lot Final Map, any Large Lot created will have no development entitlements. To obtain development entitlements for a given Large Lot, a Final Map must be recorded in conformance with all of the non-Large Lot conditions of approval and the "Small Lot" portion of this conditionally approved Vesting Tentative Map (Small Lot Final Map).

142. The applicant shall prepare and submit to the Engineering and Surveying Division (ESD), a Final Map which is in substantial conformance to the approved Large Lot portion of this Vesting Tentative Map (Large Lot Final Map) in accordance with Chapter 16 (formerly Chapter 19) of the Placer County Code; pay all current map check and filing fees.

143. All property corners shall be set in conformance with Placer County Code or to the satisfaction of the Placer County Surveyor.

144. Prior to approval of the Large Lot Final Map Creating Lot 12 the developer shall demonstrate to the satisfaction of the DRC that condition 1110 can be satisfied prior to the approval of any Small Lot Final Map.

145. Provide the following easements/dedications on the Large Lot Final Map to the satisfaction of the Engineering and Surveying Department (ESD) and DRC:

- A) A 40'-wide private road, public utility, public support, and emergency access easement (Ref. Chapter 16, Article 16.08, Placer County Code) from Highlands View Road along all on-site and off-site subdivision roadways to each created Lot as shown on the Tentative Map or as otherwise approved by the ESD.
- B) Dedicate 12.5' multi-purpose easements adjacent to all highway, public road, and emergency access easements, unless all the serving utilities provide written confirmation that other acceptable easements have been provided to their satisfaction.
- C) All other private easements necessary to obtain development entitlements associated with the "Small Lot" portion of this Vesting Tentative Map. Satisfaction of this condition shall be evidenced by the written certification of the developer.

EXERCISE OF PERMIT

140146. This approval is for a multiple building project. In order to vest the Conditional Use Permit/Design Review, Phase II Building Permits must be issued and construction of the foundation for the first building or structure begun prior to the initial permit expiration date of November 4, 2011 (Meaning that building permits have been obtained and on-site physical construction of the final phase buildings has been uninitiated). From the date construction begins pursuant to the Use Permit, the applicant shall have nine years to complete the project. **(PD/ESD)**

141147. The applicant shall obtain any and all permits required from other Departments or agencies having jurisdiction over this project, and shall comply with all their applicable standards. Such agencies may include, but are not necessarily limited to, the Placer County Building Department, Northstar Community Services District, Caltrans, and the Lahontan Regional Water Quality Control Board. **(CR)**

142148. The applicant shall provide the Planning Department with 5 full-size blue-line prints of the approved Tentative Map and Phase 2-II Conditional Use Permit (including text description) for distribution to other County departments before submittal of Improvement Plans and before commencement of formal design review. **(PD)**

143149. The applicant shall prepare and submit to the Engineering and Surveying Department (ESD), Final Subdivision Maps (Small Lot and Large Lot) which are in substantial conformance to the approved Vesting Tentative Map in accordance with Chapter 16 of the Placer County Code; pay all current map check and filing fees. **(ESD)**

~~144. Should the applicant opt to prepare a Large-Lot Tentative Subdivision Map for the Northstar Highlands Phase II project, the applicant shall submit and record said Large-Lot Final Map prior to the recordation of any Small-Lot Final Map associated with this Phase II project, and said Large-Lot Final Map shall be in substantial conformance with the approved Large-Lot and Small-Lot Tentative Maps. In addition, the applicant shall be responsible for paying all current map check and recording fees associated with the processing of the Large-Lot Final Map. (ESD)~~

145150. All Final Maps for residential and commercial condominium purposes clearly shall state the number of residential and commercial condominium units proposed to be created within each Lot to the satisfaction of the County Surveyor.

146151. The Final Map creating Lot 12 shall not include any property owned by Northstar Mountain Properties as shown on the approved Small Lot Vesting Tentative Map.

~~147. Within 30 days from the approval of the Tentative Map, the applicant shall submit to the satisfaction of the DRC a revised Tentative Map which included the following changes:~~

~~1) Minor Drafting~~

~~1) Identify the location and width of access roads~~

~~2) Identify the number of commercial condominium units requested for each lot.~~

148152. Prior to the recordation of the Final Map creating Lot 2B, the applicant shall process a MBLA to resolve the existing encroachment over the boundary of Lot 2B.

149153. The two-year Extension of Time is approved for the Tentative Subdivision Map. Unless exercised by recordation of a Final Map, the Tentative Subdivision Map will expire on February 10, 2016. This is the first Extension of Time approved with this Map.