



COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, AICP
Agency Director

PLANNING

Paul Thompson
Deputy Director of Planning

HEARING DATE: July 25, 2013
ITEM: 2
TIME: 10:20 AM

TO: Placer County Planning Commission
FROM: Development Review Committee
SUBJECT: VESTING TENTATIVE SUBDIVISION MAP/CONDITIONAL USE PERMIT
MODIFICATION/ EXTENSION OF TIME (PSM20120079)
NORTHSTAR HIGHLANDS II
INITIAL STUDY TO A PREVIOUSLY CERTIFIED ENVIRONMENTAL IMPACT
REPORT

**** REVISED ****

GENERAL PLAN: Martis Valley Community Plan

GENERAL PLAN DESIGNATION: Tourist Resort Commercial, Medium Density Residential and Forestry

ZONING: FOR-B-X 160 ac. min. (Forestry, combining minimum Building Site of 160 acres), RM-B-X-DS 20 ac.min. PD = 5.8 (Residential Multi-Family, combining minimum Building Site of 20 acres, combining Design Sierra, combining Planned Residential Development of 5.8 units per acre), RM-DS PD = 15 (Residential Multi-Family, combining Design Sierra, combining Planned Residential Development of 15 units per acre), RS-B-X-20 ac.min. PD = 0.72 (Residential Single-Family, combining minimum Building Site of 20 acres, combining Planned Residential Development of 0.72 units per acre), FOR-B-X 160 ac. min. (Forestry, combining minimum Building Site of 160 acres), RES-DS-PD = 5.8, (Resort, combining Design Sierra, combining Planned Residential Development of 5.8 units per acre), TPZ (Timberland Production)

ASSESSOR'S PARCEL NUMBERS: 110-030-079, 110-030-080, 110-050-071, 110-050-072, 110-081-014 and 114-090-001 through 114-090-019

STAFF PLANNER: Gerry Haas, Senior Planner

LOCATION: The project site is located on the west side of State Route 267, at Northstar California in the Martis Valley area.

APPLICANT: Hayes Parzybok, East West Partners

PROPOSAL:

The applicant requests approval of a modification to a Vesting Tentative Subdivision Map and Conditional Use Permit to allow 16 large lots/phases where 17 large lots/phases were previously

approved. The revised project includes the development of 446 residential units where 576 units were previously approved (count does not include the 32 employee housing units for which no change is proposed). The residential units consist of a combination of whole and fractional ownership including 50 townhomes (where 22 townhomes were originally approved), 10 new single-family lots, and 386 condominiums (where 554 were originally approved). The revised project also includes up to 147 non-residential and commercial condominiums (where 200 were originally approved), 4,000 square feet of commercial space (no change from original approval) and 32 employee housing units (no change).

The applicant also requests approval of an Extension of Time to add two additional years to the approved expiration date of the Vesting Tentative Subdivision Map.

CEQA COMPLIANCE: An Initial Study was prepared for this project. The Initial Study relies upon the certified Environmental Impact Report (EIR) prepared for the Northstar Highlands Master Plan (SCH No. 2003012086). The Highlands EIR was prepared as a Project-Level EIR for the first phase of development and a Program EIR which addressed all future phases of the project (including this proposed phase). The Environmental Review Committee (ERC) has determined that, based on the June 20, 2013 Initial Study (Attachment C), all environmental impacts associated with the modification of the Northstar Highlands Phase II project were adequately addressed in the certified EIR for the Northstar Highlands Master Plan, and implementation of the applicable mitigation measures identified in the certified EIR will reduce all identified impacts to less than significant levels.

PUBLIC NOTICES AND REFERRAL FOR COMMENTS:

Public notices were mailed to property owners of record within 300 feet of the project site. A public hearing notice was also published in the *Sierra Sun* newspaper. Community Development Resource Agency staff, Environmental Health Services and the Air Pollution Control District were transmitted copies of the project plans and application for review and comment. All County comments have been addressed and conditions have been incorporated into the staff report. Other appropriate public interest groups and citizens, including representatives of the Northstar Property Owners Association, were sent copies of the Public Hearing Notice.

SITE CHARACTERISTICS:

The project site includes six separate parcels totaling 352 acres in size, although only 49.7 acres are proposed for development. The portions of the site proposed for development are primarily undeveloped with the exception of roadways, ski runs, lifts and associated skier service and maintenance facilities. The surrounding area is mountainous, forested and sporadically developed with accessory facilities for the greater Northstar resort area.

EXISTING LAND USE AND ZONING:

| Location | Zoning | General Plan/Community Plan | Existing Conditions & Improvements |
|----------|---|--|---|
| Site | FOR-B-X 160 ac. min. (Forestry, combining minimum Building Site of 160 acres), RM-B-X-DS 20 ac.min. PD = 5.8 (Residential Multi-Family, combining minimum Building Site of 20 acres, combining Design Sierra, combining Planned Residential Development of 5.8 units per acre), RM-DS PD = 15 (Residential Multi-Family, combining Design Sierra, combining Planned Residential | Tourist Resort Commercial, Medium Density Residential and Forestry | Ski Hill and Highlands Phase I (under construction) |

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| | | | |
|-------|--|--------------------------------------|--|
| | Development of 15 units per acre), RS-B-X-20 ac.min. PD = 0.72 (Residential Single-Family, combining minimum Building Site of 20 acres, combining Planned Residential Development of 0.72 units per acre), FOR-B-X 160 ac. min. (Forestry, combining minimum Building Site of 160 acres), RES-DS-PD = 5.8, (Resort, combining Design Sierra, combining Planned Residential Development of 5.8 units per acre), TPZ (Timberland Production) | | |
| North | RS-PD=1 (Residential Single-Family combining Planned Residential Development of one residential unit per acre), and FOR (Forestry) | Low Density Residential and Forestry | Big Springs subdivision and Highlands future phase |
| South | FOR (Forestry) | Forestry | Ski hill and forestry |
| East | FOR (Forestry) | Forestry | Ski hill and forestry |
| West | FOR (Forestry) | Forestry | Ski hill and forestry |

PROJECT DESCRIPTION:

The applicant proposes a Modification of a previously approved Vesting Tentative Subdivision Map and Conditional Use Permit (PSUB20060609 – Northstar Highlands II) to allow for a reduced density residential development adjacent to the Village at Northstar along its north side. The proposed revision would result in the development of 16 large lot/phases where 17 large lot/phases were previously approved by the Planning Commission. In addition to a reduction in the number of large lots, the project includes the development of 446 residential units where 576 units were previously approved. The residential units consist of a combination of whole and fractional ownership; 50 townhomes (where 22 were originally approved), 10 single-family lots (new proposal), and 386 condominiums (where 554 were originally approved). A final residential component, a 32-unit employee housing facility (no change from original approval), remains in the revised project description.

In addition to the residential uses, several commercial and recreational components of the project are also proposed, including up to 147 non-residential and commercial condominiums (where 200 were originally approved), 15,000 square-feet of common homeowners facilities, three tennis courts, new/relocated ski trails and approximately 4,000 square-feet of commercial retail space (no change from the original approval for any of these components).

The applicant also requests approval of an Extension of Time for the Vesting Tentative Subdivision Map to add two years to the original expiration date.

BACKGROUND:

Northstar

In 1971, the Planning Commission approved a Master Plan for Northstar-at-Tahoe, which allowed for a variety of residential, commercial and public facility improvements within the boundaries of the Northstar-at-Tahoe resort development. The land uses established in the 1971 Master Plan were reflected in the 1975 Martis Valley General Plan and updated in the 2003 Martis Valley Community Plan (MVCP). The MVCP recognizes and plans for the ongoing development of the Northstar-at-Tahoe community as a major ski resort with related year-round and seasonal residential

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development. The Northstar-at-Tahoe community is approximately 8,000 acres in size and can accommodate a full build out of 3,300 units, exclusive of employee housing.

Northstar Highlands

In 2005, the Planning Commission approved a Master Conditional Use Permit and certified a programmatic and project level Environmental Impact Report (EIR) for the Northstar property to guide future expansion of the resort and its surrounding property. The project level analysis allowed for immediate development of the Highlands portion of Northstar. This area included 324 acres of guest lodging, residential development, skier service areas and recreation land uses. The EIR also included a programmatic analysis of future phases of the development, including areas surrounding the original Highlands development.

One of the phases of the Highlands project, Northstar Highlands II, was proposed for development in 2008. At that time, it included 576 residential units, 4,000 square-feet of commercial/skier service, 15,000 square-feet of common homeowner's facilities, construction of tennis courts and new and relocated ski trails. Also proposed with Northstar Highlands II project was a 1,000 square-foot chapel, 32 employee housing units, construction of an 18,000 square-foot mountain maintenance facility, new parking areas and a rezone from TPZ to Forestry and Residential Multi-Family affecting a 4.4 acre area.

Highlands Phase II

In February 2009, the Placer County Board of Supervisors approved a Tentative Subdivision Map, a Conditional Use Permit and a Rezone for the Northstar Highlands II project, clearing the way for all of the above-mentioned improvements. For this approval, an Initial Study was prepared. The Initial Study found that the programmatic EIR sufficiently analyzed potential environmental impacts that could result from the Phase II proposal. In addition, the Initial Study found that, with implementation of mitigation measures contained in the previous EIR, all potential environmental impacts would be reduced to a less than significant level. A Mitigation Monitoring and Reporting Plan was adopted by the Board of Supervisors, which listed all mitigation measures carried forward from the EIR into the Initial Study.

Following approval of the Northstar Highlands II project, one Final Map (Lot 10B) has been recorded and development of 16 townhomes is underway. However, no other project components have progressed. In the last few years the applicant has discovered that the original Phase II vision, which was heavily focused on condominium development, no longer represents the most current real estate trends and demands. Additionally, construction financing for condominiums is more difficult to secure than similar financing for townhomes and single-family residences. Based on these market realities, the project was revised to develop more townhomes and introduce stand-alone single-family residences to replace many of the approved condominium units.

The original Highlands II subdivision (PSUB 20060609) was approved for the development of 17 "large" lots, most of which were approved to be further subdivided into condominium or townhome lots with their own common and open space lots. As a result, the currently approved project allows for up to 51 individual "small" lots within the 17 "large" lots. Although the proposed modification includes a reduction in the total number of "large" lots from 17 to 16, the resultant "small" lot number would increase to 81 due to the shift from individual condominium units, which are not considered parcels within a Tentative Subdivision Map, to townhome and single-family residential units, which each require their own parcel.

Because the applicant may or may not be the ultimate developer of all of the lots in the subdivision, and because the applicant has requested the ability to prepare a Large Lot Final Map for any or all phases of Highlands II that could be recorded only for the purposes of conveyance to the ultimate developer, staff has prepared seven new conditions of approval to ensure that recordation of such

maps will be consistent with the Subdivision Map Act and County requirements for certain parcel specific improvements.

On March 29, 2012, the applicant submitted an Environmental Questionnaire for a revision of the approved project to the County's Environmental Coordination Services. Upon completion of a period of comment and review, County staff prepared a new Initial Study and a revised Mitigation Monitoring and Reporting Program (MMRP) (Attachment C), in June 2013.

The revised project (Northstar Highlands II Modification) was presented to the North Tahoe Regional Advisory Council on June 14, 2012 as an Action Item. The NTRAC voted 6-0 (Kojiane/Siig motion, Vaca, Hymanson, Kupec, McConnell aye) to recommend approval of the project to the Planning Commission.

A public hearing for the Northstar Highlands II Modification request was originally scheduled before the Planning Commission on July 11, 2013. At staff request, the Commission agreed to continue the hearing until the July 25, 2013 hearing date in order to provide a response to a comment letter received prior to the public hearing, but after the preparation of the staff report. The July 8, 2013 comment letter was received by the County from Greg Gatto, attorney for Stoel Rives LLP, representing the Aspen Grove Owners Association.

Aspen Grove is a residential condominium subdivision located immediately northeast and downhill from the lower parking lot serving the Northstar Village. Upon construction of the parking lot as part of the Village expansion in 2004, a water quality basin was installed between the parking lot and the Aspen Grove subdivision. The water quality basin was required in order to treat stormwater and snowmelt runoff from the Village and parking lot prior to its release into West Martis Creek. In 2008, the Aspen Grove Owners Association (AGOA) filed suit against CNL Income Northstar, Trimont Land Company and Northstar Mountain Properties for damages allegedly caused by the increase in water seepage downhill of the water quality basin. This lawsuit did not name the County of Placer.

Mr. Gatto's July 8, 2013 comment letter includes the Placer County Superior Court statement of decision and interlocutory judgment in the water quality basin litigation, dated February 13 and 14, 2013. The judgment states that Aspen Grove is entitled to a permanent injunction protecting it from uphill water diversion and requires that the water quality basin be removed by the defendants. Neither the decision nor the judgment are binding on the County and staff understands that the judgment is under appeal.

Mr. Gatto argues that the finding by the court of "continuing trespass and nuisance" is proof of a nuisance as defined in Section 15.48 of the Placer County Code. Based on this interpretation, Mr. Gatto contends the Planning Commission cannot legally approve a "permit" for the Northstar Highlands II Modification request because Section 15.48.160 prohibits the issuance of any permit if the County concludes a violation of Article 15.48 exists. To determine whether a violation of the Grading Ordinance exists that would preclude the County from processing this Highlands II Modification request, staff reviewed the Highlands II proposed project in light of the requirements of Article 15.48 and the court judgment, based on existing conditions. Staff response is provided in a memorandum prepared by Dan Dottai, Engineering Manager, on July 17, 2013 (Attachment F).

Mr. Dottai's memo concludes that there may or may not be a violation of Article 15.48 in terms of the operation and ancillary effects of the existing Northstar Village water quality basin. However, any such determination will be made separately by the County and will pertain to the parcel or parcels underlying the water quality basin. Neither the judgment nor any such determination, as further explained by Mr. Dottai, precludes the County from processing and taking action on entitlement requests on other parcels and/or projects within the larger Northstar resort area unless a "factual determination" concludes that the same alleged code violations are found to exist on the parcel or

parcels seeking new entitlement requests. As presented in Mr. Dottai's memorandum and based on his review of the pertinent documents and field reconnaissance, no violations of Article 15.48 are present on the Highlands II parcels. As the Northstar Highlands II Modification parcels are not currently in violation of any County code sections, staff has determined that the Planning Commission may move forward to consider the entitlement requests presented in this memorandum.

DISCUSSION OF ISSUES:

Zoning/Community Plan Consistency

The original Highlands II project, approved by the Planning Commission on January 8, 2009, was analyzed for its consistency with the Martis Valley Community Plan (MVCP) and the Placer County Zoning Ordinance. It was determined at the time (through the preparation of an Initial Study) that the project would be consistent with all applicable goals and policies of the MVCP and provisions of the Zoning Ordinance with respect to the various land use designations and zone districts within the Highlands II development area.

With this proposed Modification, the number of residential units would decrease, such that the project area (though not necessarily the overall Highlands development) would experience residential and commercial development at a reduced density when compared to the approved project. The only new use being proposed with this Modification is the ten single-family residences within Lot 10G. However, single-family residences are truly no different than townhomes or residential condominiums in terms of their consistency with underlying zoning or land use designations. As a result, staff has determined that the proposed Modification, like the original approved CUP and Tentative Subdivision Map, is consistent with MVCP and the Placer County Zoning Ordinance.

New Conditions of Approval

As discussed in the Background Section, staff has determined that the Planning Commission may take action on the Highlands II Modification request irrespective of the issues raised by Mr. Gatto associated with the third party lawsuit over the operation and ancillary effects of the water quality basin between the Northstar Village parking lot and the adjacent Aspen Grove Subdivision and provisions of Article 15.48. Beyond these issues Mr. Gatto also states that in the event the County issues approval of a "Northstar project", a condition should be added, prohibiting any diversion of water onto Aspen Grove consistent with the interlocutory judgment. Mr. Dottai's memorandum (Attachment F) recommends two additional Conditions of Approval that, if implemented, will further ensure reduction of post-project stormwater runoff from any Highlands II Modification phase of development to pre-project conditions, resulting in no additional stormwater runoff to any offsite parcels, including the Northstar Village and Aspen Grove properties. Specifically, the Conditions would require a comprehensive drainage study analyzing 2, 5, 10, 25 and 100-year return intervals, construction of retention/detention facilities to reduce post-project runoff levels equal to or less than pre-project conditions, and the preparation and enforcement of a stormwater runoff monitoring program to assure the system functions as designed.

Staff does not recommend these conditions of approval be added as "mitigation measures". The certified Highlands EIR identifies mitigation measures for stormwater runoff which staff concluded in the Initial Study remain appropriate and adequate to reduce any potential impacts to a less than significant level. The additional recommended conditions of approval, agreed to in principal by the applicant, are intended to provide additional assurances beyond the mitigation measures (also incorporated as conditions of approval) given the heightened scrutiny of drainage related to the water quality pond and Aspen Grove. The attached revised recommended Conditions of Approval (Attachment B) include all previously approved conditions, conditions modified to reflect changes in the Vesting Tentative Subdivision Map and the two new stormwater runoff conditions recommended by staff.

Extension of Time

The original Highlands II project was approved by the Planning Commission on January 8, 2009. The Conditional Use Permit for the Planned Residential Development was approved with a nine-year expiration dated, from the time of initial construction. However, the Tentative Subdivision Map was subject to the maximum three years expiration date. Because the associated rezone was adopted by the Board of Supervisors on February 10, 2009, the original expiration date of the Tentative Subdivision Map was February 10, 2012. The project benefitted from a state-approved automatic extension of time for tentative maps (AB208). Therefore, the expiration date for the Highlands II Tentative Subdivision Map is now February 10, 2014.

As a result of the housing market crash of 2008, the applicant has been unable to complete the Final Maps for all but one phase of development within Highlands II. This is because, as explained above, the applicant has shifted the proposed development pattern to include more townhomes and single-family residences in response to changing market demands. The necessary revisions to the Tentative Map required additional review and analysis and it is now unlikely that the Final Map(s) can be recorded prior to the expiration date.

In reviewing the Extension of Time request, staff notes that the current Tentative Subdivision Map is still valid by virtue of state-approved extensions of time, and that the applicant has been diligent in pursuing implementation of the permit, but requires additional time to respond to changes in the housing market.

Unchanged elements

While the project includes shifts in density and lot numbers, certain elements of the modification remain unchanged, to be implemented as originally approved. These elements are carried over as this Conditional Use Permit Modification will still need to include all aspects of the overall project. Because these elements have already been approved, staff provides no further discussion of them.

Unchanged elements include:

- 32 employee housing units
- New and relocated ski trails
- Three tennis courts
- 16 townhomes (Home Run Townhomes, already under construction/completed) on Lot 10B
- 4,000 square feet of commercial/skier service area
- 15,000 square feet of common homeowners recreation facilities
- Rezone of a 4.4 acre portion of the site from TPZ to Residential Multi-Family. Because the Board of Supervisors has already adopted an Ordinance approving the requested rezone, and County records have been updated to reflect the change.

Project Comparison

As mentioned above, the proposed Highlands Phase II Modification would result in a revised overall site plan that would reduce the residential density of the project. While there are no changes to the project components listed above, residential building configurations and locations would be shifted amongst the previously considered large lots/phases. There are four primary changes to the Tentative Map; 1) Lot 10E would be slightly larger than approved, 2) Lot 8B would be slightly larger than approved (and would include recreational facilities, including an indoor gym, game room and outdoor pool, as opposed to the previously approved residential condominiums), 3) Lot 10G is now proposed to include up to ten single-family residences within Phase II, where it was not proposed or considered in the past and 4) Lot 10A is larger and has been broken up into two lots (10A-I and 10A-II), which are now proposed for townhomes as well as the previously approved condominium units.

The expansion of land area for Lots 10A, 10E and 8B, as well as the new proposal for the development of Lot 10G are the only project components that include new land use areas not previously considered with the original Highlands Phase II proposal. However, the area that would be converted was analyzed as part of the Northstar Highlands EIR. The areas have since been analyzed for consistency with the EIR Master Plan and, if approved, this proposed modification would not increase the overall density above what is already approved for this phase of the development.

The following chart illustrates the shift in the development proposal for Highlands Phase II from predominately condominiums to a mix of condominiums, townhomes and some single-family residences.

| | Entitled ¹ | | | | Proposed Revised | | | | |
|------------------------|-----------------------------|------------------|----------------------|------------|-----------------------------|------------------|--------------|-----------|------------------|
| | Residential Units | Commercial Units | Acreage ² | Use Type | Residential Units | Commercial Units | Acreage | Lots | Use Type |
| Lot 2B | 67 | 30 | 1.91 | Condos | 67 | 30 | 1.91 | 1 | Condos |
| Lot 2C | 111 | 30 | 4.60 | Condos | 111 | 30 | 4.60 | 1 | Condos |
| Lot 2 Total | 178 | 60 | 6.50 | | 178 | 60 | 6.50 | 2 | |
| Lot 4 | 32 | 15 | 3.34 | Condos | 32 | 15 | 3.01 | 1 | Condos |
| Lot 4 Total | 32 | 15 | 3.34 | | 32 | 15 | 3.01 | 1 | |
| Lot 8A | 36 | 10 | 2.24 | Condos | 32 | 15 | 2.02 | 2 | Condos |
| Lot 8B | 24 | 10 | 1.22 | Condos | - | - | 0.96 | 1 | Amenity Building |
| Lot 8 Total | 60 | 20 | 3.46 | | 32 | 15 | 2.98 | 3 | |
| Lot 9A | 24 | 10 | 1.32 | Condos | 6 | - | 1.67 | 7 | Townhomes |
| Lot 9B | 43 | 15 | 1.93 | Condos | - | - | - | - | Amenity Building |
| Lot 9C | 43 | 15 | 6.27 | Condos | 10 | - | 4.94 | 12 | Townhomes |
| Lot 9D | 43 | 15 | 2.42 | Condos | 36 | 10 | 2.17 | 2 | Condos |
| Lot 9E | 43 | 15 | 3.73 | Condos | 6 | - | 2.74 | 7 | Townhomes |
| Lot 9F | - | - | 0.90 | Chapel | 36 | 15 | 2.16 | 1 | Condos |
| Lot 9 Total | 196 | 70 | 16.57 | | 94 | 25 | 13.69 | 29 | |
| Lot 10A-I | 6 | - | 2.56 | Townhomes | 36 | 15 | 1.79 | 1 | Condos |
| Lot 10A-II | - | - | - | | 4 | - | 0.93 | 2 | Townhomes |
| Lot 10B - HR Townhomes | 16 | - | 4.28 | Townhomes | 16 | - | 4.28 | 17 | Townhomes |
| Lot 10C | 24 | 10 | 1.14 | Condos | 8 | - | 1.71 | 10 | Townhomes |
| Lot 10D | 21 | 8 | 0.83 | Condos | - | - | - | - | |
| Lot 10E | 43 | 17 | 1.95 | Condos | 36 | 17 | 2.03 | 1 | Condos |
| Lot 10G | - | - | - | | 10 | - | 8.38 | 12 | Single-Family |
| Lot X-2 | - | - | - | | - | - | 1.00 | 1 | Open Space |
| Lot X-3 | - | - | - | | - | - | 1.00 | 1 | Open Space |
| Lot X-4 | - | - | - | | - | - | 0.20 | 1 | Open Space |
| Lot 10 Total | 110 | 35 | 10.76 | | 110 | 32 | 21.34 | 46 | |
| TOTAL | 576 | 200 | 40.63 | | 446 | 147 | 47.52 | 81 | |
| Single-Family | - | - | - | | 10 | - | - | - | |
| Townhomes | 16 | - | - | | 40 | - | - | - | |
| Condos | 560 | - | - | | 396 | - | - | - | |
| TOTAL | 576 | - | - | | 446 | - | - | - | |
| | Employee Housing - Entitled | | | | Employee Housing - Proposed | | | | |
| Lot 12 | 32 | - | 1.92 | Apartments | 32 | - | 1.92 | 1 | Apartments |
| Lot 12 Total | 32 | - | 1.92 | | 32 | - | 1.92 | 1 | |

Key:

1 - As approved by the Planning Commission on January 20, 2009 and the Board of Supervisors on February 11, 2009.

2 - Some of the acreages shown here are inconsistent with the originally approved CUP. The acreages shown here are consistent with the scaled depiction on the originally approved VTM.

Planned Residential Development

The Highlands II project is a Planned Residential Development (PD), which generally results in reduced land coverage to allow for clustered development of residential activity. Sections 17.54.080 through 17.54.110 of the Placer County Zoning Ordinance establish the amount of open space required for PD's proposing the subdivision of land or air space. The project proposes the development of up to



446 residential units on approximately 49.7 acres for an overall density of 8.9 units per acre. Based on the proposed density, the Zoning Code requires that 40 percent of the site be maintained as open space with a maximum building coverage of 28 percent. Overall, the Phase II project area includes 82 percent open space and approximately 18 percent lot coverage. The low lot coverage is attributed to the below-surface parking garages and the more vertical building elevations. While the subterranean parking garages will result in greater excavation, this design solution will reduce the overall footprint, maintain open space and preserve trees to the greatest extent possible.

As mentioned above, Lot 10G is the only single-family residential lot/phase proposed for development within Northstar Highlands II. Staff has determined that the modified Vesting Tentative Subdivision Map submitted with the application (Attachment A) that includes a ten-lot subdivision meets the intent of the PD Ordinance as it includes open space lots as part of its individual development and will utilize a portion of the overall open space provided by the approval of the Highlands II project. It is the applicant's desire to have the entire Phase II project be approved as a Planned Residential Development with the development standards established in the Conditions of Approval (i.e. reduced structural setbacks, increased height standards). In order to ensure that the Modified Highlands II project complies with the PD Ordinance throughout its buildout, staff recommends the following condition:

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.

Staff has concluded that, with the above-mentioned Condition, the proposed Highlands II Modification would comply with the County's Density and Development Standards in all phases.

Section 17.54.100 of the Placer County Code allows Planned Residential Development projects to establish their own setback and height standards. This project proposes setbacks as prescribed on the site development plans as a five-foot setback from all property lines, except for driveway portions (where 20 feet would be required) and height standards of 70 – 110 feet maximum for condominiums, 45 feet maximum for townhomes and 36 feet maximum for single-family residences. Section 17.54.100.B of the Zoning Ordinance permits additional height within the RM and RES zone districts when the additional height is specifically permitted by the conditional use permit. Staff has concluded that due to the project's remote location and proximity to other tall buildings, the additional height allowance would not be inconsistent with the project's surroundings.

Initial Study

The approved Highlands Phase II project relied on an Initial Study to determine that all potential environmental impacts had been analyzed and that the project would not result in new impacts above those anticipated and mitigated in the Northstar Highlands EIR (SCH #2003-012086).

The Northstar Highlands EIR evaluated all applicable environmental impacts associated with the approved project. The analysis concluded that there are six Program level impacts and eight cumulative impacts that are significant and unavoidable, including:

- Short-term Air Quality Construction Related Impacts
- Long-Term Regional Emissions
- Alteration of Scenic Views
- Alteration of Visual Character/Tree Removal
- Noise-Related Impacts
- Conversion of Timber/Forest Resources
- Traffic Levels of Service
- Traffic Noise

- o Impacts on Regional Air Quality
- o Habitat Fragmentation/Wildlife Resource Impacts
- o Cumulative Visual Impacts
- o Cumulative Traffic Impacts

Statements of Overriding Consideration were adopted by the Planning Commission with the certification of the Northstar Highlands EIR in 2005. Impacts associated with the approved project have been found to be within the thresholds identified in the 2005 analysis.

In similar fashion, an Initial Study has been prepared for the Highlands Phase II Modification, which also relies on the Northstar Highlands EIR. In addition, the Initial Study considered all potential environmental impacts and analyzed the impacts through a comparison with the previously approved Tentative Subdivision Map and Conditional Use Permit. Because the approved project can be developed at any time, without further entitlement or environmental review, the resultant environmental setting is considered a baseline by which to evaluate environmental impacts that could result from the proposed Highlands Phase II Modification.

The Initial Study found that, in general terms, the overall reduction in residential density results in a project with reduced demand for on-site parking, as well as a reduction in project-generated traffic below that analyzed for the approved project. In addition, fewer residents equates to a decrease in demand for public utilities and public services. The combined effect of fewer vehicle miles traveled and reduced demand for utilities and services is an overall reduction in air quality impacts, greenhouse gas emissions and use of water resources.

The Initial Study concludes that the Mitigation Monitoring and Reporting Program would sufficiently mitigate all potential impacts of the Highlands Phase II Modification to less than significant levels.

RECOMMENDATION:

Staff recommends that the Planning Commission take the following actions:

1. Accept the Initial Study, as set forth in Attachment C, that relies on the previously certified Northstar Highlands Master Plan EIR (SCH No. 2003-012086) as the appropriate environmental document for this project pursuant to Sections 15063(b)(1)(B) (Initial Study), and approve the Mitigation Monitoring and Reporting Program as set forth in Attachment E, subject to the CEQA Findings contained in Attachment D.
2. Approve the Modification to the Vesting Tentative Subdivision Map and Conditional Use Permit subject to the following findings and modified Conditions of Approval set forth in Attachment B.
3. Approve the Extension of Time to add two years to the expiration date of the Vesting Tentative Subdivision Map.

FINDINGS:

CEQA Findings

The Planning Commission, having considered the Initial Study to the previously certified EIR, set forth in Attachment C, the staff report and comments thereto, hereby adopts the California Environmental Quality Act Findings, as set forth in Attachment D, and finds that all environmental impacts associated with this Phase II project were adequately addressed in the previously certified EIR for the Northstar Highlands Master Plan, and the implementation of the applicable mitigation measures identified in the certified EIR will reduce all identified impacts to less than significant levels.

Vesting Tentative Subdivision Map Modification Findings:

1. The Vesting Tentative Subdivision Map Modification, as set forth in Attachment A, is consistent with the programs and policies set forth in the Placer County General Plan and the Martis Valley Community Plan.
2. The design or improvement of the proposed subdivision modification is consistent with the Placer County General Plan and the Martis Valley Community Plan.
3. The project site is physically suitable for the type and density of development proposed.
4. The design of the subdivision modification and the proposed improvement are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitats. An Environmental Impact Report for the Northstar Highlands Master Plan was certified by the Planning Commission in 2005, and the environmental analysis prepared for this Phase II project concluded that all identified impacts were adequately addressed in the certified EIR. There are no environmental impacts associated with this Phase II project that were not previously considered in the certified EIR.
5. The design of the subdivision modification or type of improvements is not likely to cause serious public health problems. An Environmental Impact Report for the Northstar Highlands Master Plan was certified by the Planning Commission in 2005, and the environmental analysis prepared for this Phase II project concluded that all identified impacts were adequately addressed in the certified EIR. There are no environmental impacts associated with this Phase II project that were not previously considered in the certified EIR.
6. The design of the subdivision modification or the type of improvements will not conflict with easements, acquired by the public at-large, for access through or use of, property within the proposed subdivision. Public roadways have been constructed to provide public vehicular access to the project site, and this proposed project does not propose to modify any of the public or private easements established with the 2005 approval, including no modifications to the emergency vehicle accessway connecting Highlands View Road and Big Springs Drive.

Conditional Use Permit Modification Findings:

1. The proposed modified project and associated land uses are consistent with all applicable provisions of the Placer County Zoning Ordinance and all applicable provisions of other chapters of the Placer Code. Through the use of the Planned Residential Development provisions (Section 17.52.120 of the Placer County Zoning Ordinance), the applicant has designed the proposed modified project to maximize the amount of open space retained within the boundaries of the project, while limiting the amount of land disturbance associated with the proposed land uses.
2. The proposed modified project and associated land uses are consistent with the applicable policies and requirements of the Placer County General Plan and the Martis Valley Community Plan, and any specific findings required by any of these plans are made through this approval.
3. The establishment, maintenance or operation of the proposed uses will not, under the circumstances of this particular project, be detrimental to the health, safety, peace, comfort and general welfare of people residing or working in the area of the proposed modified

project, or be detrimental or injurious to property or improvements in the surrounding vicinity or to the general welfare of the County. With the approval of the original Northstar Highlands Master Plan EIR, the Planning Commission adopted Statements of Overriding Consideration for certain identified impacts, and the impacts associated with this proposed Phase II project are within the parameters established with the certification of the Northstar Highlands Master Plan EIR.

4. The proposed modified project and associated land uses will be consistent with the character of the immediate area surrounding the project site and will not be contrary to the orderly development of the area. This modified project is the second phase of the Northstar Highlands Master Plan, and the modified project is consistent with the previously certified EIR for the Northstar Highlands Master Plan project.
5. The proposed modified project and associated land uses will not generate a volume of traffic beyond the design capacity of all roads providing access to the project, either those existing or those to be improved with the project. All roadways have been designed to County standards, and the roadways associated with this Phase II were analyzed in the traffic analysis prepared for the previously certified Northstar Highlands Master Plan EIR.
6. For the TPZ zoning districts in the project area, the establishment, maintenance and operation of the proposed modified project and associated land uses will not significantly distract from the use of property, or inhibit the growing and harvesting of timber.
7. As required by Section 18.16.040 (Environmental Review) of the Placer County Code, the Final Environmental Impact Report certified by the Planning Commission in 2005 for the Northstar Highlands Master Plan has:
 - a. Eliminated or substantially lessened all of the significant effects on the environment, where feasible (as defined and used in Section 21061.1 of the California Public Resources Code); and
 - b. Determined that any remaining unavoidable significant effects on the environment are acceptable due to specified overriding considerations.

Planned Residential Development Modification Findings

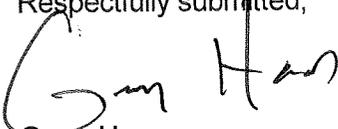
1. The proposed modified project is consistent with the Placer County General Plan and the Martis Valley Community Plan, and the proposed project is consistent with the general land use districts on the project site and the characteristics of the project area. The proposed project is compatible with adjacent properties and their existing/allowed land uses, including the minimum lot sizes proposed.
2. The proposed modified project is consistent with the purposes of Planned Residential Development as specified in Section 17.54.080 (Planned Residential Developments) of the Placer County Code in that the project has been designed in a manner to:
 - a. Reduce the land area dedicated to residential land uses;
 - b. Protect environmentally sensitive areas;
 - c. Preserve natural cultural and historical resources
 - d. Conserve visual and aesthetic resources;
 - e. Maintain the project area's existing quality of life;
 - f. Provide for an increasing variety of housing types, including employee housing;
 - g. Efficiently utilize the land area dedicated to development; and
 - h. Effectively develop and utilize public facilities and services.

3. Any variance from otherwise applicable zoning and subdivision regulations is warranted and in the public interest as the resulting project design allows for a more compact form which results in increased areas dedicated to open space uses.
4. The proposed modified project exceeds the minimum open space requirement (82 percent open space is provided where only 40 percent is required) and provides a reduction in the building coverage (18 percent is provided where up to 28 percent is allowed) over the standards established in the PD regulations. The open space lands provide a mixture of common space, natural space, ski trails and hardscape. A property owners association will be responsible for the maintenance of the common space.
5. The physical design of the proposed modified project promotes a pedestrian-oriented project with a strong connection to the outdoors. Primary vehicular access will be provided to all parking areas, and the resulting design of the project will provide increased light and air due to the open nature of the project.
6. The resort residential character of the proposed modified project is compatible with the balance of the Northstar Highlands Master Plan, as well as all other developments within the Northstar California area, including the Big Springs residential development.
7. The project has multiple construction phases and is planned to be built out over a nine-year period. As the typical year-round residential occupancy of the Northstar community is approximately 10 percent, the everyday exposure of construction activities to permanent residents will be minimal. Consistent with previous approvals, the applicant will maintain a dedicated telephone line to address noise related issues.
8. As detailed in the certified EIR, there are no historical or paleontological resources directly impacted by the project.
9. The applicant is not requesting an increase in density with the proposed project. Through the use of the Planned Residential Development zoning, the mixed-use single-family residential, condominium and townhome project provides a superior design for this location. The project will add up to 446 resort residential units along with 4,000 square feet of new commercial uses.

Extension of Time Findings:

1. No change of conditions or circumstances has occurred that would have been grounds for denying the original application.
2. The applicant has been diligent in pursuing implementation of the permit, but requires additional time to address changes in the housing market following the 2008 recession.
3. Modified conditions have been imposed which update the permit to reflect current adopted standards and ordinance requirements.

Respectfully submitted,


Gerry Haas
Senior Planner

GH:KH

ATTACHMENTS:

- Attachment A – Vesting Tentative Map/Site Plan
- Attachment B – Revised Recommended Conditions of Approval
- Attachment C – Initial Study
- Attachment D – CEQA Findings
- Attachment E – Mitigation Monitoring Program
- Attachment F – Memorandum from Dan Dottai (July 18, 2013)

cc: Applicant – Hayes Parzybok, East West Partners
Phil Frantz – Engineering and Surveying Department
Stephanie Holloway – Department of Public Works
Janelle Heinzler – Special Districts
Justin Hansen – Environmental Health Services
Andy Fisher – Placer County Parks Division
Angel Rinker – Air Pollution Control District
Brad Albertazzi – Placer County Fire/CDF
Karin Schwab – County Counsel's Office
Michael Johnson – C/DRA Director
Paul Thompson – Deputy Planning Director
George Rosasco – Supervising Planner
Subject file

NORTHSTAR HIGHLANDS II

VESTING TENTATIVE SMALL LOT MAP & VESTING TENTATIVE LARGE LOT MAP

JUNE 7, 2013

CONDOMINIUMS PER 2009 VTM

| LOT | RESIDENTIAL UNITS | COMMERCIAL UNITS |
|----------------|-------------------|------------------|
| 1 | 67 | 30 |
| 2 | 111 | 30 |
| 3 | 32 | 15 |
| 4 | 36 | 15 |
| 5 | 24 | 10 |
| 6 | 24 | 10 |
| 7 | 43 | 15 |
| 8 | 43 | 15 |
| 9 | 43 | 15 |
| 10 | 24 | 10 |
| 11 | 31 | 8 |
| 12 | 43 | 17 |
| TOTALS: | 554 | 200 |

CONDOMINIUMS PER 2013 VTM

| LOT | RESIDENTIAL UNITS | COMMERCIAL UNITS |
|----------------|-------------------|------------------|
| 1 | 67 | 30 |
| 2 | 111 | 30 |
| 3 | 32 | 15 |
| 4 | 32 | 15 |
| 5 | 35 | 10 |
| 6 | 35 | 10 |
| 7 | 35 | 10 |
| 8 | 35 | 10 |
| 9 | 35 | 10 |
| 10 | 24 | 10 |
| 11 | 31 | 8 |
| 12 | 43 | 17 |
| TOTALS: | 386 | 143 |

MISC. USE LOT PER 2013 VTM

| LOT | MISCELLANEOUS UNITS |
|----------------|---------------------|
| 1 | 1 |
| TOTALS: | 1 |

EMPLOYEE HOUSING PER 2013 VTM

| LOT | RESIDENTIAL UNITS | COMMERCIAL UNITS |
|----------------|-------------------|------------------|
| 1 | 32 | 0 |
| TOTALS: | 32 | 0 |

RESIDENTIAL LOTS "TOWNHOMES" PER 2009 VTM

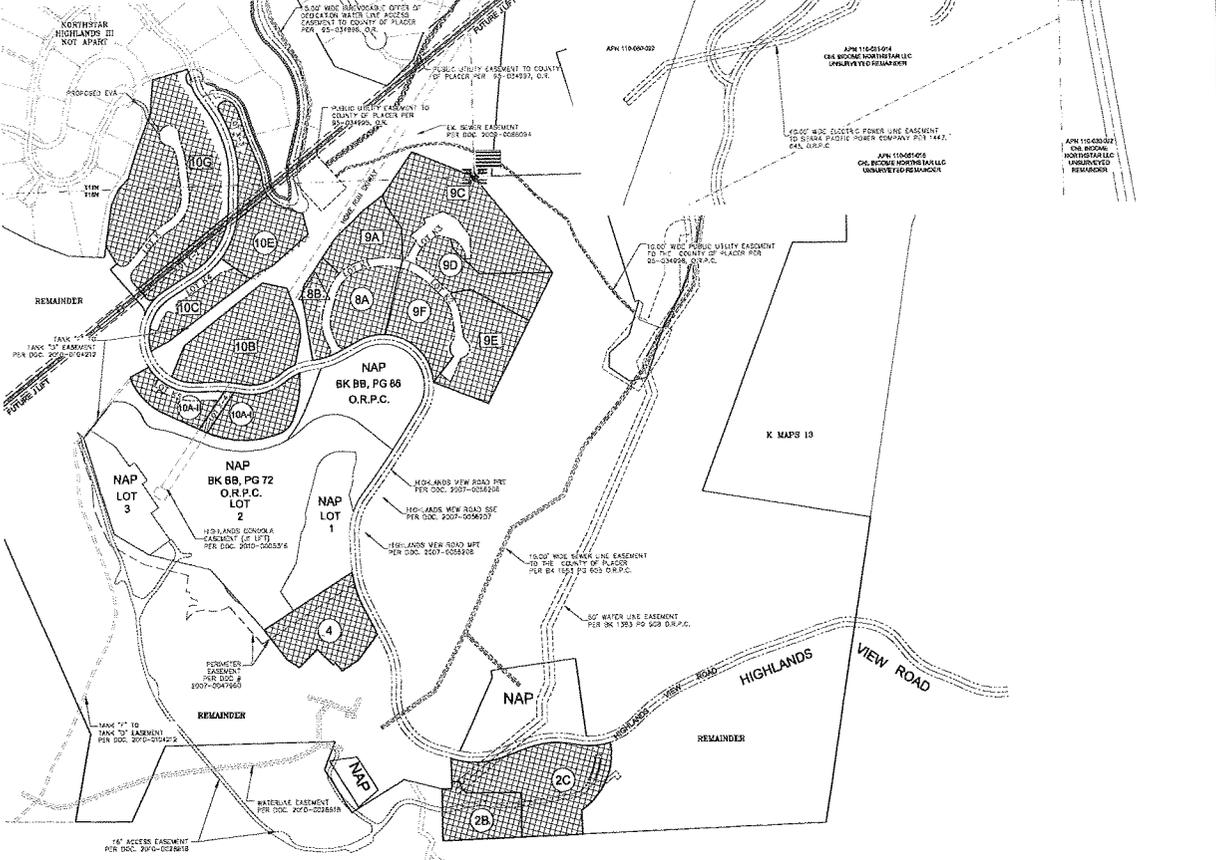
| LOT | RESIDENTIAL UNITS | COMMERCIAL UNITS |
|----------------|-------------------|------------------|
| 100A | 6 | 0 |
| 100B | 16 | 0 |
| TOTALS: | 22 | 0 |

RESIDENTIAL LOTS "TOWNHOMES" PER 2013 VTM

| LOT | RESIDENTIAL UNITS | COMMERCIAL UNITS |
|----------------|-------------------|------------------|
| 100A | 6 | 0 |
| 100B | 4 | 0 |
| 100C | 16 | 0 |
| 100D | 6 | 0 |
| TOTALS: | 32 | 0 |

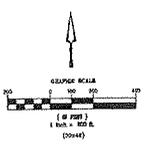
K & X LOTS PER 2013 VTM

| LOT | AREA (SQ) |
|-----|-----------|
| K | 42,203 |
| K1 | 22,710 |
| K2 | 31,900 |
| K3 | 31,898 |
| K4 | 21,240 |
| K5 | 13,800 |
| K-7 | 44,052 |
| K-3 | 47,000 |
| K-4 | 6,780 |



LEGEND

| | | | |
|--|--------------------------------|--|----------|
| | PUBLIC RIGHT-OF-WAY | | EASEMENT |
| | PROJECT BOUNDARY | | EASEMENT |
| | HO ROADWAY ADDRESS | | EASEMENT |
| | VTM PARCEL LOT | | EASEMENT |
| | PROPOSED PRIVATE ROAD EASEMENT | | EASEMENT |
| | NOT A PART | | EASEMENT |
| | CONDOMINIUM LOT | | EASEMENT |
| | SINGLE-FAMILY TOWNHOME PHASE | | EASEMENT |
| | SINGLE-FAMILY DETACHED LOT | | EASEMENT |
| | RESIDENTIAL LOT | | EASEMENT |
| | PROPOSED WALKWAY | | EASEMENT |



- NOTES:**
1. EASEMENT ACCESS AND PUBLIC UTILITY EASEMENTS AND PUBLIC SUPPORT EASEMENTS APPLICANT SHALL PROVIDE TO THE COUNTY OF PLACER AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE COUNTY OF PLACER AND THE STATE OF CALIFORNIA.
 2. APPROVAL OF THE "LARGE LOT" PORTION OF THIS VESTING TENTATIVE MAP SHALL ALLOW FOR THE CONVERSION OF LARGE LOTS TO CONDOMINIUMS, SINGLE-FAMILY DETACHED LOTS, TOWNHOMES, AND SINGLE-FAMILY DETACHED LOTS.

| | | | | |
|--|---|---|--|--|
| | <p>DRAWING TITLE:</p> <p>Proposed Lot Plan</p> | <p>TELESTO</p> <p>TELESTO Northstar II 10000 HIGHLANDS VIEW ROAD TRUCKEE, CA 96161 TEL: (530) 835-3310 FAX: (530) 835-9391</p> | <p>NORTHSTAR HIGHLANDS II</p> <p>VESTING TENTATIVE MAP JUNE 7, 2013</p> <p>Placer County California</p> | <p>east west</p> <p>P.O. BOX 2537 TRUCKEE, CA 96160</p> |
|--|---|---|--|--|

NORTHSTAR HIGHLANDS II VESTING TENTATIVE SMALL LOT MAP & VESTING TENTATIVE LARGE LOT MAP

JUNE 7, 2013

BOUNDARY

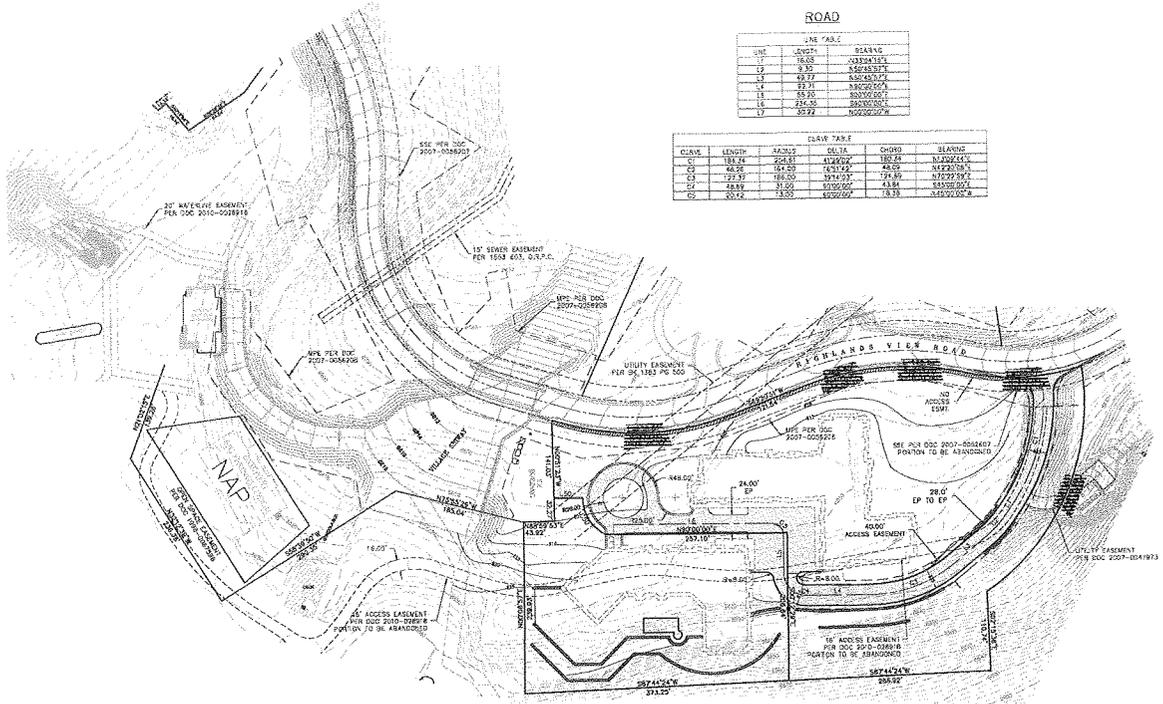
| LINE | LENGTH | BEARING |
|------|--------|-------------|
| 112 | 14.50 | N72°42'34"W |
| 113 | 78.57 | N73°44'34"W |
| 113 | 43.37 | N00°00'00"W |

| CURVE | LENGTH | ARC/S | DELTA | CHORD | BLANKS |
|-------|--------|-------|-----------|-------|------------|
| 036 | 43.32 | 87.64 | 87.64°00' | 62.12 | 630'50.54" |

ROAD

| LINE | LENGTH | BEARING |
|------|--------|-------------|
| 12 | 76.00 | N00°00'00"W |
| 13 | 9.30 | S89°43'37"E |
| 14 | 49.37 | S80°45'14"E |
| 14 | 25.11 | N80°00'00"W |
| 15 | 65.30 | S00°00'00"W |
| 16 | 24.35 | N00°00'00"W |
| 17 | 35.22 | N00°00'00"W |

| CURVE | LENGTH | ARC/S | DELTA | CHORD | BLANKS |
|-------|--------|--------|---------|--------|------------|
| 037 | 181.74 | 204.33 | 172°00' | 182.74 | 3,302.240" |
| 038 | 48.74 | 114.33 | 121°12' | 47.74 | 1,122.708" |
| 039 | 22.37 | 116.50 | 174°37' | 17.44 | 272.779" |
| 040 | 28.89 | 31.00 | 87°00' | 28.84 | 555.000" |
| 041 | 20.12 | 7.50 | 45°00' | 18.33 | 344.000" |



**COUNTY OF PLACER
DEPARTMENT OF PUBLIC WORKS**

ROADWAY CONNECTIONS

DATE: JULY, 2005 [PLATE R-47 (27-1)]

NOTES:

- INTERSECTING R/W LINES AT ROADWAY CONNECTIONS SHALL BE JOINED BY A 24 FT. OR GREATER RADIUS CURVE TO ALLOW FOR ROADWAY IMPROVEMENTS.
- SETBACK = 10 FT. MIN. FROM EDGE OF TRAVELED WAY. THIS ASSUMES 6 FT. TO STOP BAR, 1 FT. FOR STOP BAR, AND 3 FT. FROM THE FRONT OF CURB TO THE DRIVE. THIS SETBACK MAY BE INCREASED TO 30 FT. TO INTERSECTING LANE.
- IN BOTH DIRECTIONS OF TRAVEL ALONG THE CROSSROAD RIGHT OF WAY (R/W) IS TO BE MEASURED ALONG THE CROSSROAD CL FOR THE SAME CROSSROAD, AND ALONG THE CL OF THE NEAREST LANE TO THE ROAD FOR MULTI-LANE ROADS.
- WHERE RESTRICTIVE CONDITIONS DO NOT ALLOW COMPLIANCE WITH THE SPECIFIED SETBACK REQUIREMENTS, THE ENGINEER MAY APPROVE A REDUCTION OF THE SETBACK SETBACK TO NO LESS THAN THE MINIMUM SETBACK SETBACK DISTANCE AS OBTAINED IN THE CALIFORNIA PUBLIC WORKS MANUAL.
- LINE OF SETBACK CLEARANCE SHALL TAKE INTO ACCOUNT EXISTING/FUTURE LANDSCAPING.

ASSUMED TO BE 4.25' ABOVE FINISHED

DESIGN SPEED (MPH):

| DESIGN SPEED (MPH) | 15 | 20 | 25 | 30 | 35 | 40 | 45 | 50 | 55 | 60 |
|----------------------|----|----|----|----|----|----|----|----|----|----|
| MIN. CLEARANCE (FT.) | 10 | 12 | 14 | 16 | 18 | 20 | 22 | 24 | 26 | 28 |
| MIN. CLEARANCE (FT.) | 10 | 12 | 14 | 16 | 18 | 20 | 22 | 24 | 26 | 28 |
| MIN. CLEARANCE (FT.) | 10 | 12 | 14 | 16 | 18 | 20 | 22 | 24 | 26 | 28 |
| MIN. CLEARANCE (FT.) | 10 | 12 | 14 | 16 | 18 | 20 | 22 | 24 | 26 | 28 |
| MIN. CLEARANCE (FT.) | 10 | 12 | 14 | 16 | 18 | 20 | 22 | 24 | 26 | 28 |
| MIN. CLEARANCE (FT.) | 10 | 12 | 14 | 16 | 18 | 20 | 22 | 24 | 26 | 28 |
| MIN. CLEARANCE (FT.) | 10 | 12 | 14 | 16 | 18 | 20 | 22 | 24 | 26 | 28 |
| MIN. CLEARANCE (FT.) | 10 | 12 | 14 | 16 | 18 | 20 | 22 | 24 | 26 | 28 |
| MIN. CLEARANCE (FT.) | 10 | 12 | 14 | 16 | 18 | 20 | 22 | 24 | 26 | 28 |

SEE APPENDIX

BLANKS

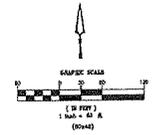
MULTIPLE RESIDENTIAL (RESIDING IN OR MORE LOTS) OR COMMERCIAL DESIGN SPEED (MPH):

| DESIGN SPEED (MPH) | 15 | 20 | 25 | 30 | 35 | 40 | 45 | 50 | 55 | 60 |
|----------------------|----|----|----|----|----|----|----|----|----|----|
| MIN. CLEARANCE (FT.) | 10 | 12 | 14 | 16 | 18 | 20 | 22 | 24 | 26 | 28 |
| MIN. CLEARANCE (FT.) | 10 | 12 | 14 | 16 | 18 | 20 | 22 | 24 | 26 | 28 |
| MIN. CLEARANCE (FT.) | 10 | 12 | 14 | 16 | 18 | 20 | 22 | 24 | 26 | 28 |
| MIN. CLEARANCE (FT.) | 10 | 12 | 14 | 16 | 18 | 20 | 22 | 24 | 26 | 28 |
| MIN. CLEARANCE (FT.) | 10 | 12 | 14 | 16 | 18 | 20 | 22 | 24 | 26 | 28 |
| MIN. CLEARANCE (FT.) | 10 | 12 | 14 | 16 | 18 | 20 | 22 | 24 | 26 | 28 |
| MIN. CLEARANCE (FT.) | 10 | 12 | 14 | 16 | 18 | 20 | 22 | 24 | 26 | 28 |
| MIN. CLEARANCE (FT.) | 10 | 12 | 14 | 16 | 18 | 20 | 22 | 24 | 26 | 28 |
| MIN. CLEARANCE (FT.) | 10 | 12 | 14 | 16 | 18 | 20 | 22 | 24 | 26 | 28 |
| MIN. CLEARANCE (FT.) | 10 | 12 | 14 | 16 | 18 | 20 | 22 | 24 | 26 | 28 |

CONFORM TO 2005 DESIGN

LEGEND

- METEORIT PAVEMENT
- PROJECT BOUNDARY
- NO ROADWAY ACCESS
- PROPERTY/LOT LINE
- PROPOSED PRIVATE ROAD EASEMENT
- NOT APPLICABLE
- CONDOMINIUM LOT
- SINGLE FAMILY/TOWNHOME PHASE
- △ MULTIFAMILY/FLOR LOT
- RESIDENTIAL LOT
- NON-PUBLIC ROAD EASEMENT
- SHOW STORAGE EASEMENT (SHE)
- MULTI-PURPOSE EASEMENT (MPE)
- EASEMENT
- CENTER LINE
- REPAIRED ROAD
- PROPOSED ROAD



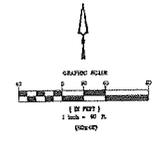
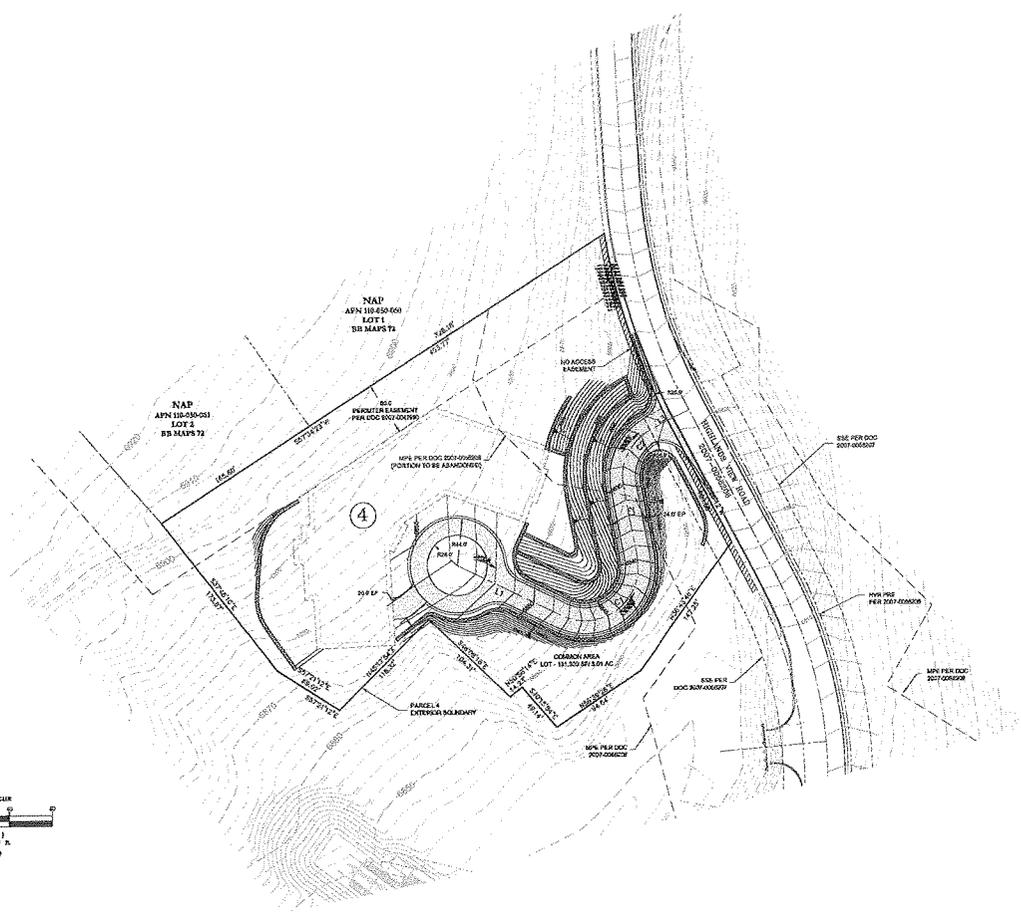
NOTE:
A SOUTHWEST GAS BLANKET EASEMENT COVERED LOTS 2B AND 2C PER DOC 2008-0123603. (SEE NOTE RE SHEET TM-1)

| | | | | |
|--|--|---|--|--|
| | <p>DRAWING TITLE:</p> <p style="text-align: center;">Lots 2B & 2C Layout \ Grading \ Drainage</p> | <p>TELESTO TELESTO Nevada INC. 2480 GREY LANE FURNACEVILLE TEL: (775) 443-7700 FAX: (775) 443-8881</p> | <p>NORTHSTAR HIGHLANDS II VESTING TENTATIVE MAP JUNE 7, 2013 Placer County California</p> | <p style="text-align: center;">east west central P.O. BOX 2537 TRUCKEE, CA 96160</p> |
|--|--|---|--|--|

17

NORTHSTAR HIGHLANDS II VESTING TENTATIVE SMALL LOT MAP & VESTING TENTATIVE LARGE LOT MAP

JUNE 7, 2013



| LAKE TABLE | | |
|------------|---------|-------------|
| LAKE | LENGTH | BEARING |
| 11 | 197.84' | S80°04'42"E |
| 12 | 86.31' | N10°59'36"W |
| 13 | 79.25' | N54°12'36"E |

| CURVE TABLE | | |
|-------------|---------|----------|
| CURVE | LENGTH | RADIUS |
| 1 | 115.43' | 2500.00' |
| 2 | 65.18' | 3000.00' |

LEGEND

| | |
|--|------------------------------|
| | 100' PUBLIC ROAD EASEMENT |
| | 500' STORAGE EASEMENT (SEE) |
| | MULTI-PURPOSE EASEMENT (MPE) |
| | EASEMENT |
| | CENTER LINE |
| | EXISTING WALL |
| | PROPOSED WALKWAY |
| | |
| | |
| | |

APPROVED: DIRECTOR OF PUBLIC WORKS

COUNTY OF PLACER
DEPARTMENT OF PUBLIC WORKS

ROADWAY CONNECTIONS

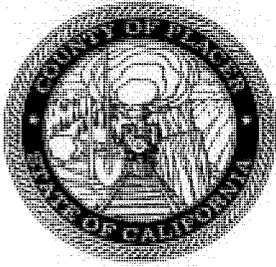
DATE: JULY 2008 [PLATE B-17 (2-1)]

NOTES:

- INTERSECTING ROW LINES AT ROADWAY CONNECTIONS SHALL BE JOINED BY A 25 FT. OR GREATER RADIUS CURVE TO ALLOW FOR ROADWAY IMPROVEMENTS.
- SETBACK = 15 FT. MIN. FROM EDGE OF TRAVELED WAY. THIS ADDRESS IS TO STOP SIGN, 1 FT. FOR STOP SIGN, AND 8 FT. FROM THE FRONT OF BLANKET TO THE DRIVE THRU SETBACK. MAY BE REDUCED TO BE REDUCED UP TO 20 FT. DUE TO INTERSECTION LAYOUT.
- IN BOTH DIRECTIONS OF TRAVEL ALONG THE CROSSROAD, SIGN DISTANCE (L) IS TO BE MEASURED ALONG THE CROSSROAD CL FOR TWO LANE CROSSROADS, AND ALONG THE CL OF THE NEAREST LANE TO THE ROAD FOR BOLT-LANE ROADS.
- WHERE RESTRICTIVE CONDITIONS DO NOT ALLOW COMPLIANCE WITH THE SPECIFIED SIGN DISTANCE REQUIREMENTS, THE ENGINEER MAY APPROVE A REDUCTION OF THE SIGN DISTANCE TO NO LESS THAN THE MINIMUM SIGN DISTANCE AS CALLED BY THE CALIFORNIA HIGHWAY DESIGN MANUAL.
- LINE OF SIGHT CLEARANCE SHALL TAKE INTO ACCOUNT EXISTING/FUTURE LANDSCAPING.

| RESIDENTIAL (SIGNING LESS THAN 8 LOTS) | | MAJOR | |
|--|------|--|------|
| DESIGN SPEED (M.P.H.) | | MULTIPLE RESIDENTIAL (8 SIGNING 8 OR MORE LOTS) OR COMMERCIAL (DESIGN SPEED 30 M.P.H.) | |
| 20 | 30 | 30 | 35 |
| 10' | 15' | 10' | 15' |
| 15' | 20' | 15' | 20' |
| 20' | 25' | 20' | 25' |
| 25' | 30' | 25' | 30' |
| 30' | 35' | 30' | 35' |
| 35' | 40' | 35' | 40' |
| 40' | 45' | 40' | 45' |
| 45' | 50' | 45' | 50' |
| 50' | 55' | 50' | 55' |
| 55' | 60' | 55' | 60' |
| 60' | 65' | 60' | 65' |
| 65' | 70' | 65' | 70' |
| 70' | 75' | 70' | 75' |
| 75' | 80' | 75' | 80' |
| 80' | 85' | 80' | 85' |
| 85' | 90' | 85' | 90' |
| 90' | 95' | 90' | 95' |
| 95' | 100' | 95' | 100' |

| | | | | |
|--------------------------|--|--|--|--|
| TM3 C.M. CHANG | DRAWING TITLE: Lot 4 Layout \ Grading \ Drainage | TELESTO TELESTO Nevada INC 1900 W. WASHINGTON AVE TACOMA, WA 98150 TEL: (206) 835-7315 FAX: (206) 835-9191 | NORTHSTAR HIGHLANDS II VESTING TENTATIVE MAP JUNE 7, 2013 Placer County California | east west architects P.O. BOX 2537 TRUCKEE, CA 96160 |
|--------------------------|--|--|--|--|



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 17-16 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 17-16 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 10-15 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 residential condominium units and 10 commercial condominium units townhome 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 units townhome 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 units townhome 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 1.141.85 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 1.721.92 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, 11, 12, 143 thru 147, and 155 were added. Conditions 6, 7, 13, 29, 37, 54, 55, 56, 58, 59, 77A), 87, 89, 92, 93, 115, 116, 124 and 141 were modified, old Condition 144 and 147 were deleted, numbering changed due to additions and deletions.)

B. CONDITIONS OF APPROVAL

1. The Phase II² 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)

11. Stormwater runoff shall be reduced to pre-project conditions through the installation of retention/detention facilities, or other methods that slow and infiltrate stormwater runoff to levels equal to or less than pre-project conditions. A comprehensive drainage study shall be prepared that identifies pre and post-project peak flows for the 2, 5, 10, 25 and 100-year return intervals in order to assure that post-project peak flows from the site will be equal to or less than pre-project conditions for a broad range of storm events. The retention/detention system shall be designed to the satisfaction of the Engineering and Surveying Division (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.

At the sole discretion of the County, the above condition may be waived for a specific phase of development where that specific phase is wholly contained outside of the 149-acre watershed which feeds the Northstar Village water quality basin, or if the County is presented with sufficient written evidence, to the satisfaction of the County, that the issues related to the Aspen Grove –Northstar Village water quality basin dispute have been resolved through relocation of the basin, settlement of the litigation or final adjudication by a court of law.

12. Prior to Improvement Plan approval, a stormwater runoff monitoring program shall be prepared to assure that the retention/detention system is functioning as designed per the comprehensive drainage study. Prior to County acceptance of the project as complete, an acceptable runoff monitoring program shall be in place. The frequency and intervals of monitoring, as well as monitoring objectives, shall be defined in the program to the satisfaction of the County.

An annual monitoring report shall be provided to the County Development Review Committee (DRC) for a period of four (4) years following project acceptance to confirm ongoing functioning of the system as designed. Any needed changes/modifications to the system as necessary to meet outflow objectives shall be submitted to the DRC for review and approval prior to implementation. Additionally, should the DRC find that changes/modifications are needed based on the annual reporting, the applicant shall implement modifications to the satisfaction of the DRC within 120 days of notification, subject to seasonal grading limitations in effect at the time.

Prior to Improvement Plan approval, a Letter of Credit, Certificate of Deposit, or cash deposit in the amount of 100 percent of the accepted proposal shall be deposited with the Placer County Engineering & Surveying Division, or an acceptable financial institution on behalf of the County, to assure on-going performance of the monitoring program. Evidence of this deposit shall be provided to the satisfaction of the DRC prior to the approval of Improvement Plans. For the purposes of administrative and program review by Placer County, a cash retainer in the amount of 25 percent of the monitoring program deposit shall be paid to the County at the time the deposit is posted. The retainer will be used to pay for any associated County staff time needed to review the monitoring reports, including time to inspect the system in the field as needed. With the exception of the 25 percent retainer, the full deposit shall be returned to the applicant once the applicant has demonstrated four (4) years of successful monitoring have been completed to the satisfaction of the DRC. Any unused retainer funds will likewise be refunded to the applicant.

It is the applicant's responsibility to ensure compliance with the stormwater monitoring program. Violation of any components of the approved program may result in enforcement activities per Placer County Environmental Review Ordinance, Section 18.28.080. If a monitoring report is not submitted for any one year, or combination of years, as outlined in these conditions, the County has the option of utilizing the deposit to hire a consultant to implement the program. Failure to submit annual monitoring reports could also result in forfeiture of all or a portion of the deposit. An agreement between the applicant and County shall be prepared which meets DRC approval that allows the County use of this deposit to assure performance of the program in the event the responsible party fails to perform.

At the sole discretion of the County, the above condition may be waived in part or in its entirety if the County is presented with sufficient written evidence, to the satisfaction of the County, that the issues related to the Aspen Grove-Northstar Village water quality basin dispute has been resolved through relocation of the basin, settlement of the litigation or final adjudication by a court of law.

~~1013.~~ **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)**

~~1114.~~ **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)**

~~1215.~~ **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)**

~~1316.~~ **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)**

~~1417.~~ **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)**

~~1518.~~ **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)**

~~1619.~~ **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~~20. **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~~21. **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~~22. **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~~23. **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)

2424. **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)

2225. **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)

2326. **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)

2427. **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)

2528. **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)

2629. 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)~~

~~2730.~~ 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)

~~2831.~~ Extend a pressurized water system into the subdivision to County (Section 7 of the LDM) or fire district standards, whichever are greater. (ESD)

~~2932.~~ 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)

~~3033.~~ Install cable TV conduit(s) in accordance with company or County specifications, whichever are appropriate. (ESD)

~~3134.~~ 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)

~~3235.~~ 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)

~~3336.~~ 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)

3437. 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)

3538. 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)

3639. 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)

3740. 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)

3841. 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)

3942. 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

4043. **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)**

4144. **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)**

4245. **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)**

4346. **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)

4447. **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)

4548. 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)

4649. **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

4750. **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)

4851. **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.

4952. **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)

5053. **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)

5154. **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)

5255. **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)

5356. **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 ~~1-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)

5457. **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)

5558. **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.

5659. 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)**

5760. 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)**

5861. 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)**

5962. 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)**

6063. 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)**

6164. 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)**

6265. 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)

6366. 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)

6467. 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

6568. 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)

6669. **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)

6770. **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.

6871. 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)

6972. 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)

7073. 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)

7174. 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.

7275. Emergency access during all construction activities of all phases shall be maintained to NCSD/CDF/NFD specifications. (NCSD/CDF/NFD)

7376. 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

7477. 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.

7578. 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

7679. **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)

7780. **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)

7881. **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)

7982. **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)

~~8083~~. **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)

~~8184~~. 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)

8285. 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)**

8386. 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)**

8487. 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

§588. 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

§689. 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)

§790. 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)

8891. 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 \$4,4754,587 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)

8992. 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)

9093. 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

9194. 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. 95 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)

9396. **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)

9497. **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)

9598. **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)

9699. **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)

97100. **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)

~~98~~101. 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)

~~99~~102. 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)

~~100~~103. 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)

~~101~~104. 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)

~~102~~105. (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

~~103~~106. **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 NO_x 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)

~~404~~107. **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)

~~405~~108. **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)

~~406~~109. **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.