



**COUNTY OF PLACER**  
**Community Development/Resource Agency**

**PLANNING SERVICES**  
**DIVISION**

Michael J. Johnson, AICP  
Agency Director

Paul Thompson  
Deputy Director of Planning

**HEARING DATE:** October 10, 2013

**TIME:** 10:05 a.m.

**ITEM NO.:** 1

**TO:** Placer County Planning Commission

**FROM:** Development Review Committee

**SUBJECT: CONDITIONAL USE PERMIT MODIFICATIONS (PCPM 20120208) TO:  
MORGAN (RIOLO) GREENS CONDITIONAL USE PERMIT (CUP 1843A)  
AND MORGAN CREEK CONDITIONAL USE PERMIT (CUP 1844A)  
ADDITION OF VEHICULAR GATED ENTRANCES  
MITIGATED NEGATIVE DECLARATION**

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**COMMUNITY PLAN AREA:** Dry Creek West Placer Community Plan

**COMMUNITY PLAN DESIGNATION:** Low Density Residential 1- 2 dwelling units/acre minimum

**ZONING:** RS-AG-B-40, PD =1 and PD =2 (Residential Single Family, combining Agriculture, combining a minimum Building Site of 40,000 square feet, combining Planned Residential Development of either one or two dwelling units per acre).

**STAFF PLANNER:** Lisa Carnahan, Associate Planner

**LOCATION:** The project includes four separate vehicular gated entrances located within the Morgan Creek and Morgan Greens (previously Riolo Greens) subdivisions: Morgan Creek Lane at Vineyard Road, Waterstone Drive at Walerga Road, Pinehurst Drive at PFE Road and Jimmy Way at Cook Riolo Road.

**APPLICANT:** John Hodgson, on behalf of the Morgan Creek and Morgan Greens Community Homeowner's Associations.

**PROPOSAL:** The applicant requests approval of Conditional Use Permit (CUP) Modifications to both the Morgan Creek and Morgan Greens CUP's in order to allow for the installation of electronic vehicular gated entrances and security systems at three existing entrances to the Morgan Creek subdivision, and at the one existing entrance to the Morgan Greens subdivision. The Homeowner's Associations of the two subdivisions are working together to create one cohesive security system which will benefit both subdivisions. Operation of all four gates would be controlled through one central location at the Vineyard Road entrance to the Morgan Creek subdivision. Construction of the Morgan Greens gated entrance at Jimmy Way would require the purchase of adjacent land from Placer County. A

condition of approval has therefore been added which requires the applicant to process and record a Minor Boundary Line Adjustment as part of the entitlement process.

**CEQA COMPLIANCE:**

A Mitigated Negative Declaration has been prepared for this project consistent with the requirements of the California Environmental Quality Act (CEQA), and is included with this staff report as Attachment D. The Mitigated Negative Declaration was prepared pursuant to Section 15070 of the CEQA Guidelines and Section 18.16.010 of the Placer County Environmental Review Ordinance (Negative Declarations). The public comment period for the Mitigated Negative Declaration closed on June 10, 2013. At the time this staff report was prepared, only one comment had been received on the Mitigated Negative Declaration. In their letter received on June 19, 2013, the United Auburn Indian Community requested language to be added to ensure consideration of potential effects to cultural resources. The requested standard language has been added as recommended Condition of Approval number 86 for Morgan Greens. A copy of the letter is included as Attachment E. The Mitigated Negative Declaration is attached and must be found adequate to satisfy the requirements of CEQA by the Planning Commission. Recommended findings for this purpose are attached.

**PUBLIC NOTICES AND REFERRAL FOR COMMENTS:**

Public notices were mailed to property owners of record within 300 feet of the project site. Other appropriate public agencies, interest groups, and citizens were sent copies of the public hearing notice. Community Development Resource Agency staff and the Departments of Public Works, Environmental Health, Air Pollution Control District, and the West Placer Municipal Advisory Council (MAC) 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. No public comments have been received.

**SITE CHARACTERISTICS:**

The four areas proposed for gates currently provide the entrances to the Morgan Creek and Morgan Greens subdivisions.

**EXISTING LAND USE AND ZONING:**

Location	Zoning	General Plan/Community Plan Designations	Existing Conditions and Improvements
Site	RS-AG-B-40 PD = 1 and PD = 2 (Residential Single-Family, combining Agriculture, combining Minimum Building Site of 40,000 square feet, combining Planned Residential Development with either 1 or 2 Dwelling Units Per Acre)	Placer County General Plan/ Dry Creek West Placer Community Plan Low Density Residential 1-2 Dwelling Units/Acre and Rural-Low Density Residential 1-2.3 acre minimum	Two entrances for the northern portion of Morgan Creek subdivision and one entrance for southern portion of Morgan Creek subdivision and one entrance for the Morgan Greens subdivision
North	RA-B-X 2 ac. min (Residential-Agricultural, combining Minimum Building Site of 2 acres)	Same as project site	Rural residential and undeveloped sites
South	RS-AG-B-20 PD = 2 (Residential Single-Family, combining Agriculture, combining Minimum Building	Placer County General Plan/ Greenbelt and Open Space; Dry Creek West	Rural residential and undeveloped sites

	Site of 20,000 square feet, combining Planned Residential Development with 2 Dwelling Units Per Acre); O PD = 2 (Open Space, combining Planned Residential Development with 2 Dwelling Units Per Acre)	Placer Community Plan	
East	RS-AG-B-20 PD = 2, RS-AG-B-20 (Residential Single-Family, combining Agriculture, combining Minimum Building Site of 20,000 square feet)	Same as project site	Morgan Greens subdivision, rural residential sites, and undeveloped sites
West	RS-AG-B-40 PD = 1, RS-AG-B-100 (Residential Single-Family, combining Minimum Building Site of 100,000 square feet)	Same as project site	Subdivisions and rural residential sites

**BACKGROUND:**

The Morgan Greens subdivision is fully built out, and approximately 95 percent of the homes in the Morgan Creek subdivision have been constructed. Both the Morgan Creek and Morgan Greens Subdivisions were approved with a Condition of Approval which specifically prohibited gated entries, but allowed for gatehouses at the entrances. Currently, the three Morgan Creek entrances have gatehouses and are manned by greeters 24 hours a day. Once visitors are interviewed by the greeter at the entrance, they are allowed to proceed into the community. The Morgan Greens entrance has a gatehouse which is not regularly manned.

In the past, the direction of both the West Placer Municipal Advisory Committee (MAC) and the Planning Commission was to not support proposals for gated communities within the Dry Creek West Placer Community Plan area. However, within the past few years, two other subdivisions within the Plan area have been approved for gated entries: the American Vineyard Village subdivision, located approximately two miles to the east on Vineyard Road, and this past August, the Cabral Ranch subdivision, which is located on Cook Riolo Road, in between the Morgan Creek and Morgan Greens subdivisions.

**PROJECT DESCRIPTION:**

The project consists of adding electronic vehicular access gates and an electronic security system at three entrances to the Morgan Creek community (at Walerga, Vineyard and PFE Roads) and at the one entrance to the Morgan Greens community (at Cook Riolo Road).

The proposed projects incorporates the three entrances into the Morgan Creek subdivision and the single entrance into the Morgan Greens subdivision in the same request, as all four gates will be controlled at various times by the entrance greeter at the Vineyard Road entrance. The project would modify the existing entrance requirement with the installation of gates that would be opened and closed by a greeter manning the entrance, or remotely by an electronic system manned by a greeter at the Vineyard entrance. The proposed gates would be located further into the subdivisions than the existing guardhouses. The proposed gates would be constructed of a decorative wrought iron, painted black, and would be a maximum of ten (10) feet tall at the highest point and two feet wider in width than the roadway served. Pillar support columns for the gates would match the existing structural columns near each of the entrances.

The Vineyard entrance would continue to have 24 hour manned access. The Walerga gate would be manned until 6:00 PM daily (even though the Morgan Creek golf course may close earlier during the winter) and during special hours for scheduled events at the golf course. When not manned, this Walerga gate would be monitored and controlled electronically by the greeter at the Vineyard entrance. The PFE gate entrance to Morgan Creek and the Cook Riolo Road (Jimmy Way entrance) to the Morgan Greens community would be electronically monitored and controlled 24 hours a day by the Morgan Creek Vineyard entrance greeter.

The project would not bisect or block any pedestrian access, paths, or walkways into the community or the Dry Creek corridor. Only minor construction is anticipated for the three Morgan Creek entrances in order to install the gates, cameras and associated electrical telecommunications. The Cook Riolo entrance to Morgan Greens would require minor widening of the private Jimmy Way and removal of a portion of the current median to provide the required turnaround. To reduce the amount of impacts to existing residential and subdivision improvements, the applicant requested County approval in order to obtain a portion of the County-owned property to the north. To that end, the Board of Supervisors will be presented with a resolution on October 8, 2013 to abandon a small portion of a Multi Purpose Easement (MPE) and Multi Purpose Trail Easement (MPTE) owned by the County, and to adopt a resolution authorizing the Agency Director to execute all documents necessary to transfer approximately 0.05 acres (2,000 square feet) of the County's 46.7 acre property, to the Final Map for the Morgan (Riolo) Greens Phase 1. A copy of the Minor Boundary Line Adjustment exhibit is included as Attachment C.

No public improvements are needed in the portion of the property that is proposed to be transferred to the applicant. A minor amount of fill within the shallow fringe of the floodplain is required to construct the proposed improvements, however the project will be providing volumetric compensation (additional floodplain storage), to offset the reduction caused by the improvements. The Morgan (Riolo) Greens subdivision created open space in excess of the required minimum, therefore the loss of this area does not violate the conditions of approval. To remove any possibility the applicant will be receiving a separate legal parcel of land, a Minor Boundary Line Adjustment (MBLA) is required for this transfer.

The proposed improvements to the four areas have been designed to include separate entry lanes for residents and visitors to reduce the number of stacked vehicles, and the entrances will be widened as necessary to provide sufficient room for a vehicle to turn around and exit if necessary. Construction of the roadway modifications and installation of the new gates and security equipment is anticipated to take no more than 30 days.

## **DISCUSSION OF ISSUES:**

### **Zoning/Community Plan Consistency**

Installation of entrance features, including gates, is consistent with the Planned Residential Development zoning of the entrance areas. The entrance character of the subdivisions will not be substantially altered with the addition of gates to the existing guardhouses. While the Dry Creek West Placer Community Plan does not specifically prohibit gates, Goal 6 on page 51 of the Plan states that "It is a goal to create residential development which allows the following elements: Human interaction, bicycle and pedestrian circulation, an

appropriate relationship to existing development in the area....". Even with the proposed vehicular gates, unimpeded pedestrian and bicycle access to the subdivisions will still be maintained. The question of whether or not vehicular gates are appropriate within the Dry Creek West Placer Community area is a policy question, ultimately determined by the Planning Commission. As stated earlier, two other subdivisions within the Dry Creek West Placer Community Plan area have been approved for gated entries within the past few years. As the Conditions of Approval for both the Morgan Creek and Morgan Green subdivisions specifically prohibit gates, the Conditional Use Permits associated with each subdivision require modification subject to Planning Commission approval. Recommended revisions to the conditions of approval for both subdivisions are included as Attachment B, and reflect the allowance for gated entries.

### **Aesthetics**

All four entrances currently have guardhouses, and the proposed gates would be located further back into the subdivisions than the guardhouses. The proposed gates would be constructed of a decorative wrought iron, painted black, and would be a maximum of ten (10) feet tall at the highest point and two feet wider in width than the roadway served. Pillar support columns for the gates would match the existing structural columns near each of the entrances. At the Jimmy Way entrance, minor widening of the existing entrance and exit areas will need to occur in order to accommodate adequate turn around space for the gated entry. As a result, some of the existing landscaping and fencing will need to be removed and replaced, and approximately 700 square feet of grading and paving of the adjacent floodplain will be required. Both the fencing and landscaping will be replaced in kind, and the minor modifications to the adjacent floodplain, which currently consists of grasses and weeds will not cause any significant aesthetic impacts. Photo simulations included with the application (Attachment A) showed very minimal changes to the existing visual character of the areas. Staff has determined that the inclusion of gated entries would not create a significant visual impact on the four entry areas.

### **Land Use Consistency/Compatibility with Adjacent Uses**

The applicants have stated that the purpose of installing the gates is to improve entry control at the four entrances and to save money by reducing the number of greeters needed. Currently, the three Morgan Creek entrances are manned by greeters 24 hours a day. Greeters cannot prevent vehicles from entering the subdivision, but all vehicles are screened before allowing entrance. Installing vehicular gates at these entrances will not change the screening of vehicles prior to their entry, but will prevent motorists from driving into the subdivisions without checking in with a greeter. Pedestrian and bicycle access would not be changed with the installation of the vehicle access gates. The Morgan Greens community entrance would have a gate installed which is similar to the three Morgan Creek gates. This gate would be monitored by the Morgan Creek greeter at the Vineyard entrance.

Given that there have been two relatively recent Planning Commission approvals for gated entries to subdivisions within the Dry Creek West Placer Community Plan area, and the fact that pedestrian and bicycle access for the general public will be maintained, staff recommends that the Planning Commission approve the applicants' requests.

### **Environmental Review**

The Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan (Attachment D) address any potential environmental impacts from the installation of the gates. The proposed gates do not result in any potential significant impacts that cannot be mitigated to a less-than-significant level.

### **Minor Boundary Line Adjustment**

As previously discussed, the Jimmy Way entrance construction will require approval of a Minor Boundary Line Adjustment. An exhibit showing the area to be transferred is included with this staff report (Attachment C).

### **WEST PLACER MUNICIPAL ADVISORY COUNCIL RECOMMENDATION:**

The proposed project was presented before the West Placer Municipal Advisory Council (MAC) as an informational item on December 12, 2012. The project returned to the MAC as an action item on February 13, 2013, at which time the MAC voted unanimously to recommend approval to the Planning Commission.

### **RECOMMENDATION:**

The Development Review Committee recommends that the Planning Commission:

1. Adopt the Mitigated Negative Declaration and the Mitigation and Monitoring Reporting Program as set forth in Attachment D; and
2. Approve Conditional Use Permit Modifications (PCPM 20120208) to the Morgan (Riolo) Greens Conditional Use Permit (CUP 1843A) and to the Morgan Creek Conditional Use Permit (CUP1844A) to allow for gated entries at all four entrances to the subdivisions, subject to the following findings and attached recommended conditions of approval in Attachment B.

### **FINDINGS:**

#### **CEQA:**

The Planning Commission has considered the Mitigated Negative Declaration for the proposed Conditional Use Permit Modifications, the staff report and all comments thereto, and hereby adopts the Mitigated Negative Declaration based upon the following findings:

1. The Mitigated Negative Declaration has been prepared as required by law. With the incorporation of all mitigation measures, the project is not expected to cause any significant adverse impacts. Additionally, mitigation measures are applied to address aesthetics, flood plain loss and construction practices to ensure water quality is maintained. Furthermore, to avoid any noise impacts the project is limiting hours of construction.
2. There is no substantial evidence in the record as a whole that the Project as mitigated may have a significant effect on the environment.
3. The Mitigated Negative Declaration, as adopted for the Project, reflects the independent judgment and analysis of Placer County, which has exercised overall control and direction of its preparation.

4. The Mitigation Monitoring Program prepared for the Project as set forth in Attachment D is approved and adopted.
5. The custodian of records for the Project is the Placer County Planning Director, 3091 County Center Drive, Auburn, CA 95603.

**CONDITIONAL USE PERMIT MODIFICATIONS:**

Having considered the staff report, supporting documents and public testimony, the Planning Commission hereby finds that:

1. The installation of gates for the communities is consistent with the objectives, policies, general land uses and programs as specified in the Placer County General Plan, the Dry Creek West Placer Community Plan, and the surrounding community.
2. The proposed Conditional Use Permit Modifications are consistent with the Placer County Zoning Ordinance (Residential-Agricultural - Section 17.44.010 and Planned Residential Development – Section 17.52.120).
3. The proposed gates will be consistent with the character of the immediate area, where other subdivisions have similar gated entrances, and will not be contrary to its orderly development.
4. The installation of gated entries will not be detrimental to the health, safety, and general welfare of people residing or working in the neighborhood of the proposed use, and will not be detrimental or injurious to property or improvements in the neighborhood or the general welfare of the County.

Respectfully submitted,



Lisa Carnahan, Chairperson  
Development Review Committee

**ATTACHMENTS:**

Attachment A – Site Plans and Photo Simulation

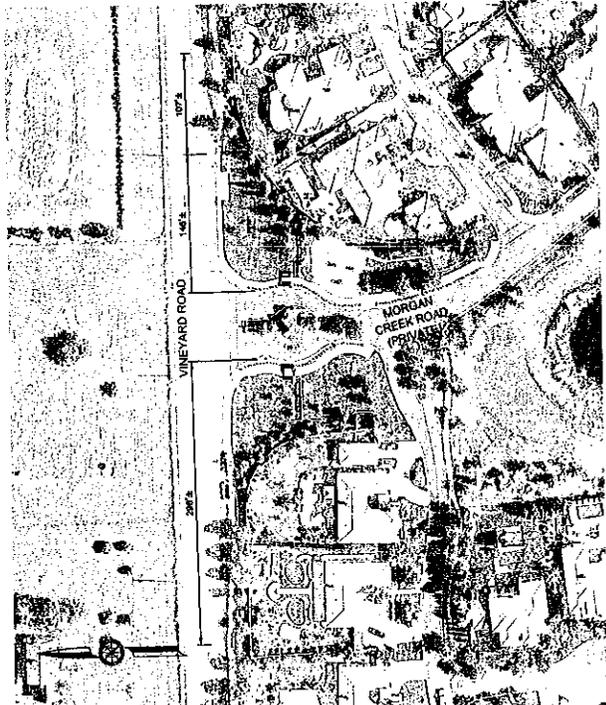
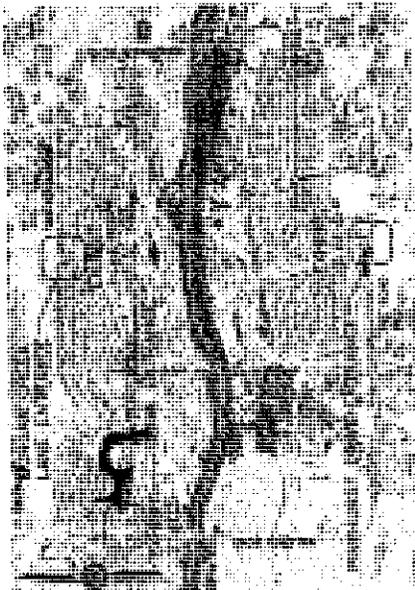
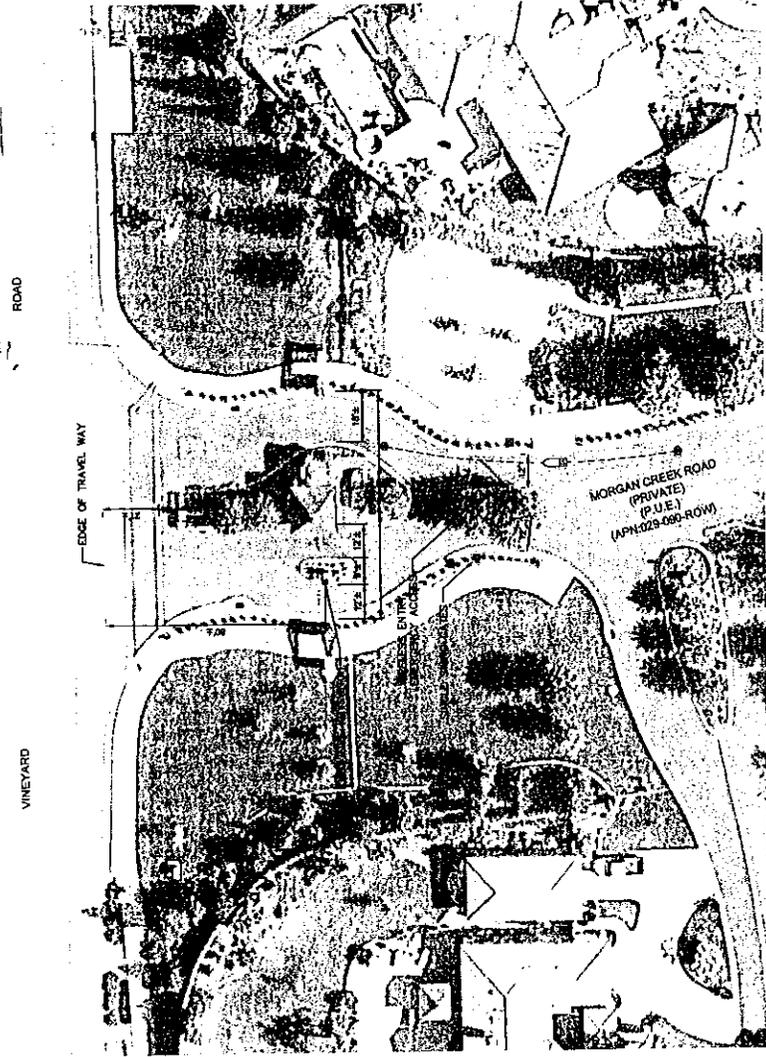
Attachment B - Recommended Modifications to Conditions of Approval (Morgan Greens CUP 1843A and Morgan Creek CUP 1844A)

Attachment C – Minor Boundary Line Adjustment Exhibit

Attachment D – Mitigated Negative Declaration/Mitigation Monitoring and Reporting Program

Attachment E – United Auburn Indian Community Letter, dated June 4, 2013

cc: Michael Johnson - Agency Director  
Paul Thompson - Deputy Planning Director  
Karin Schwab - County Counsel's Office  
Rick Eiri - Engineering and Surveying Department  
Laura Rath - Environmental Health Services  
Mike DiMaggio - CALFire  
Angel Rinker - APCD  
John Hodgson – Applicant  
Diane Howe – Secretary, West Placer MAC



CONCEPTUAL DRAWING  
NOT FOR CONSTRUCTION

PROJECT No. 13276

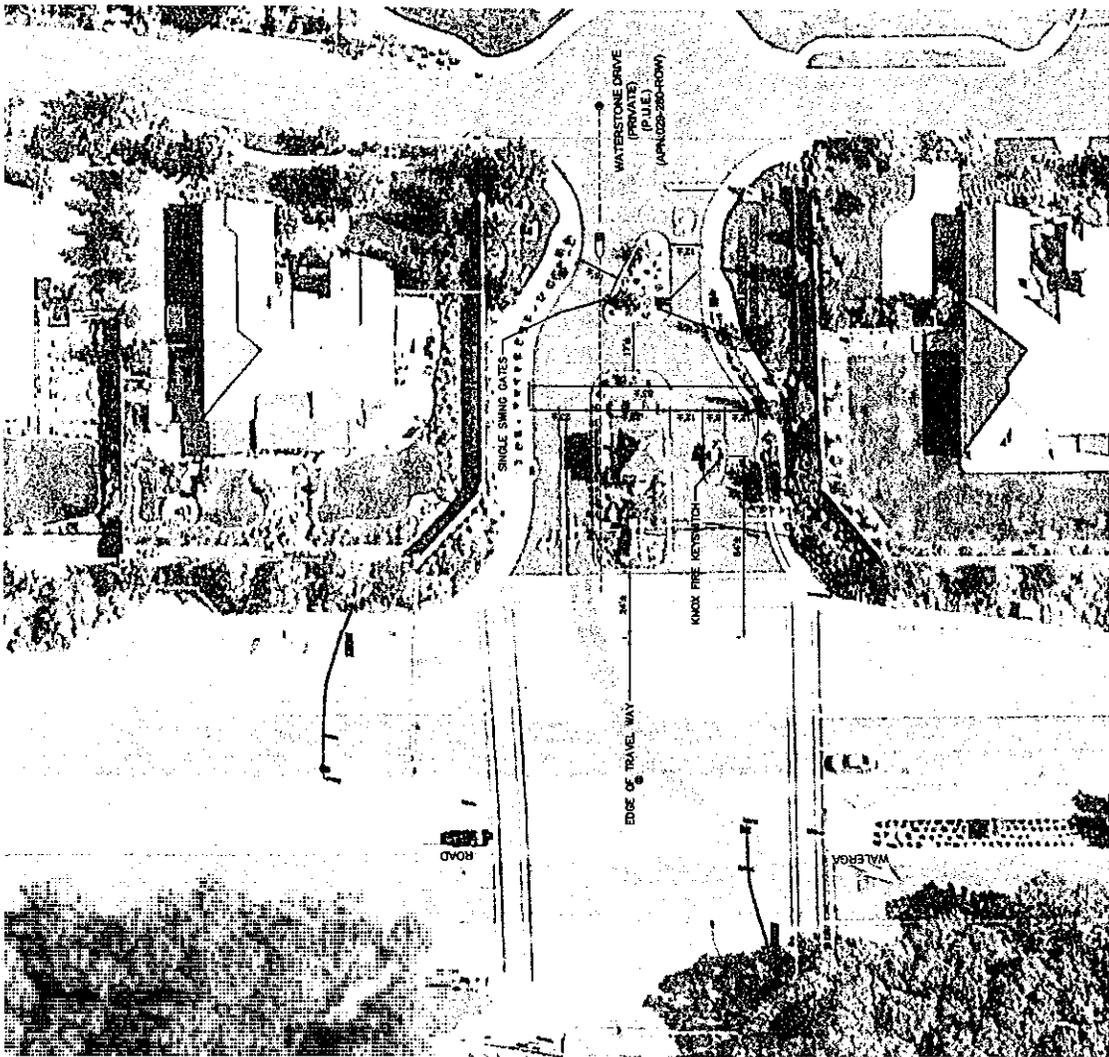
SHEET 1 OF 5

**MORGAN CREEK ROAD ENTRANCE**

OCTOBER 2012



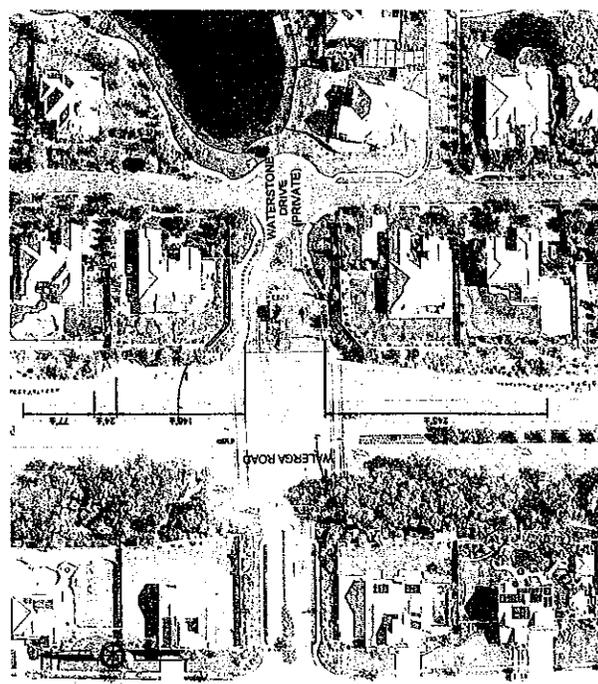
8



GATE LOCATIONS  
SCALE 1" = 20'



KEY MAP  
SCALE 1" = 1000'



WATERSTONE DRIVE AT WALEGRA ROAD  
SCALE 1" = 80'

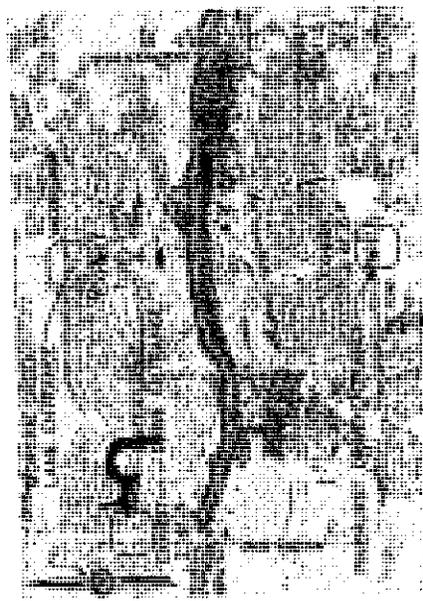
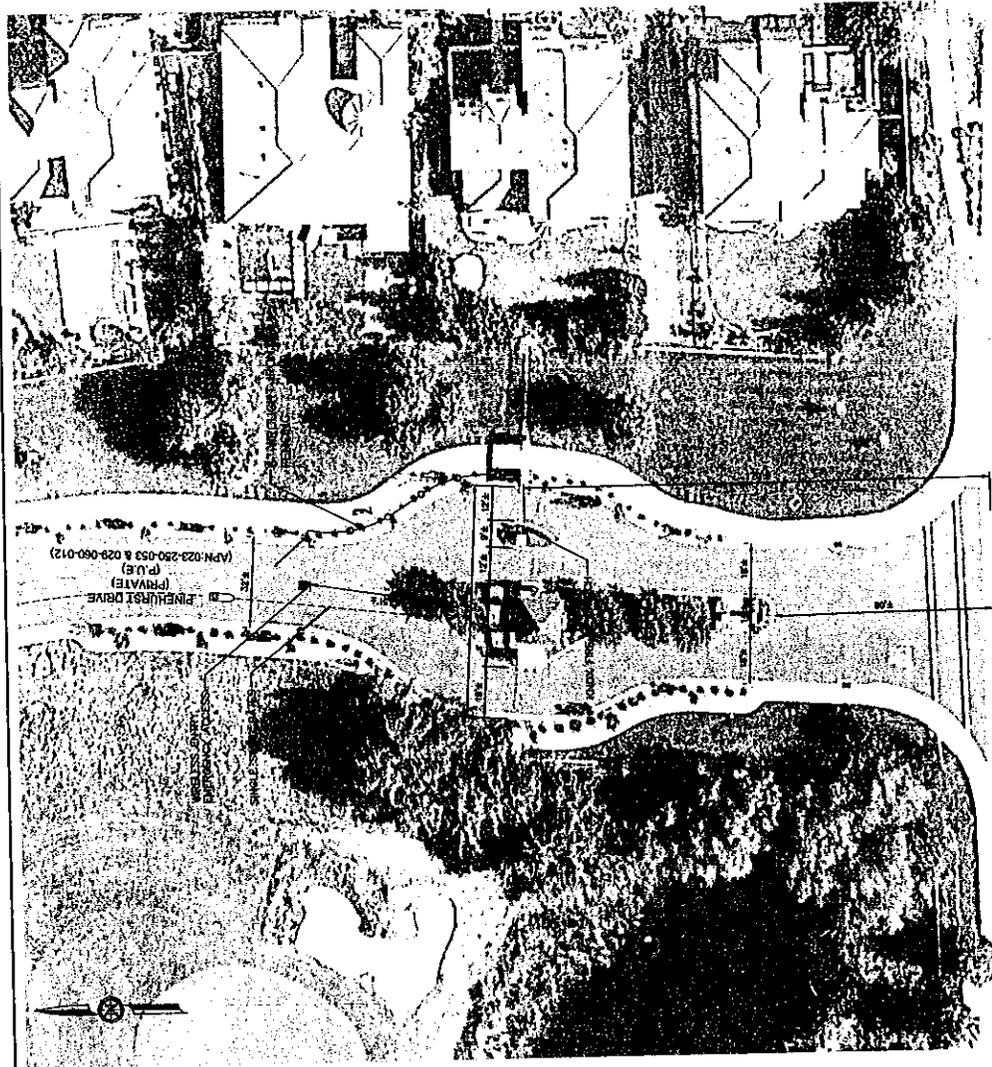
WATERSTONE DRIVE ENTRANCE

CONSULTANT DRAWING  
NOT FOR CONSTRUCTION

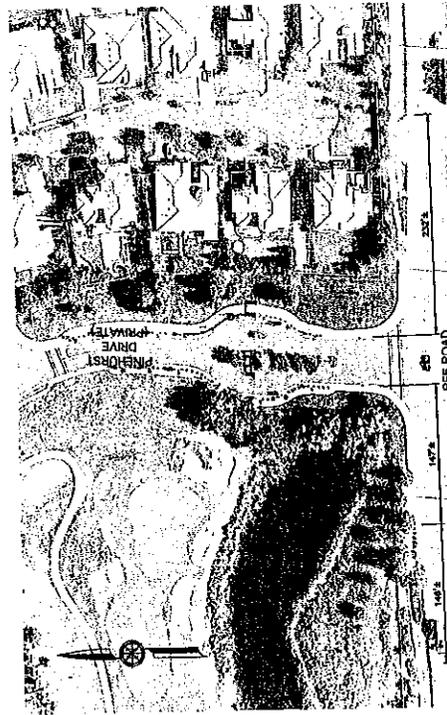
PROJECT No. 12426 SHEET 2 OF 5

OCTOBER 2012





KEY MAP  
SCALE 1" = 1000'



PINEHURST DRIVE AT PFE ROAD  
SCALE 1" = 60'

EDGE OF TRAVEL WAY  
PFE ROAD

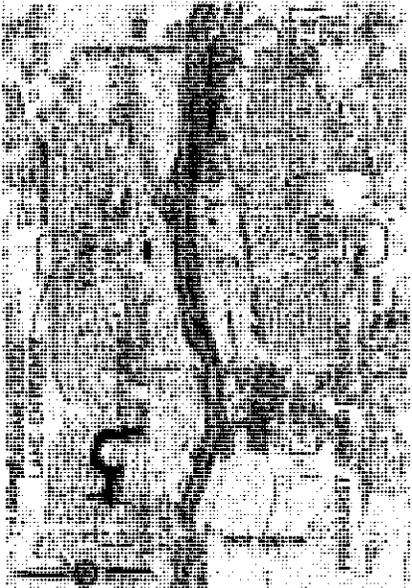
GATE LOCATIONS  
SCALE 1" = 20'

PINEHURST DRIVE ENTRANCE

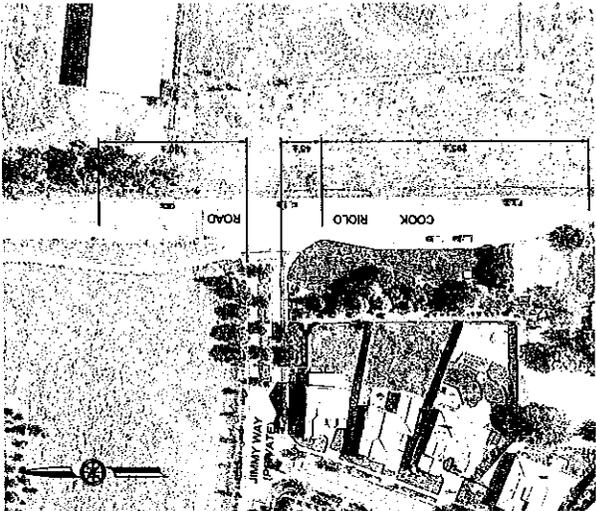
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PROJECT No. 14226  
SHEET 3 OF 5

OCTOBER 2012

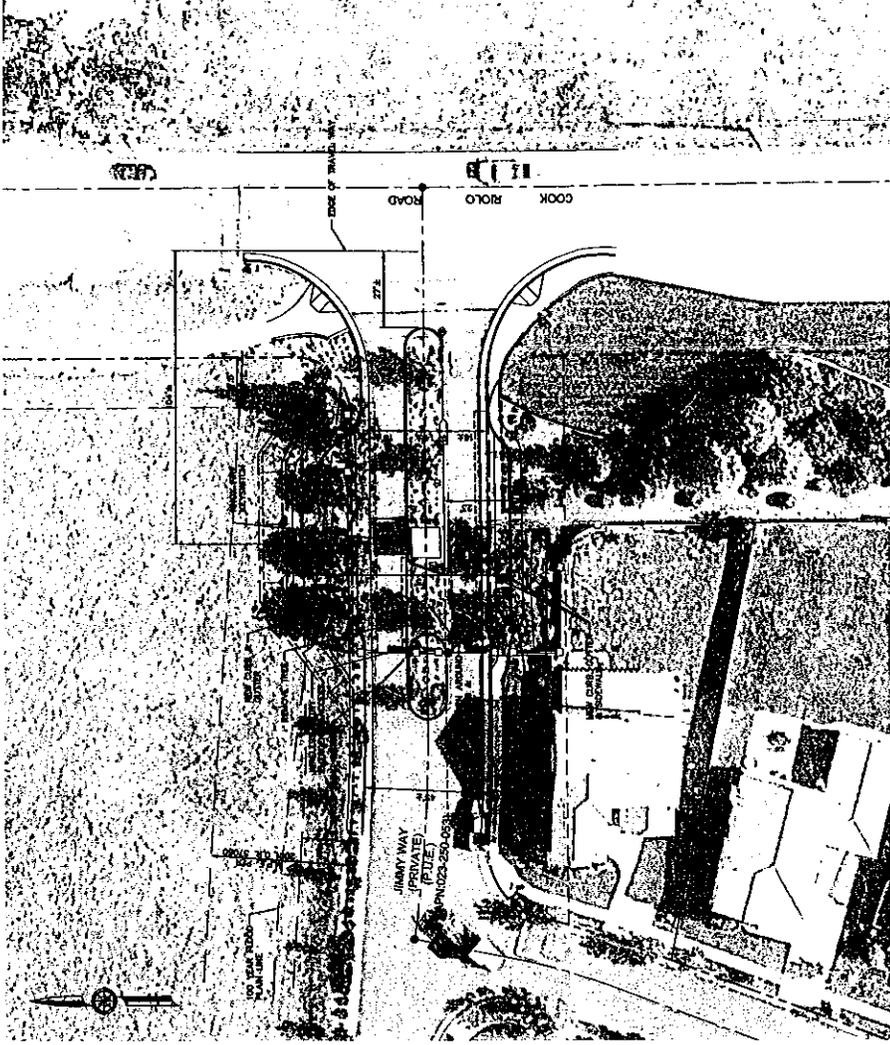




VICINITY / KEY MAP  
SCALE: 1" = 1000'



JIMMY WAY AT COOK RIOLO ROAD  
SCALE: 1" = 80'



GATE LOCATIONS  
SCALE: 1" = 20'

# JIMMY WAY ENTRANCE

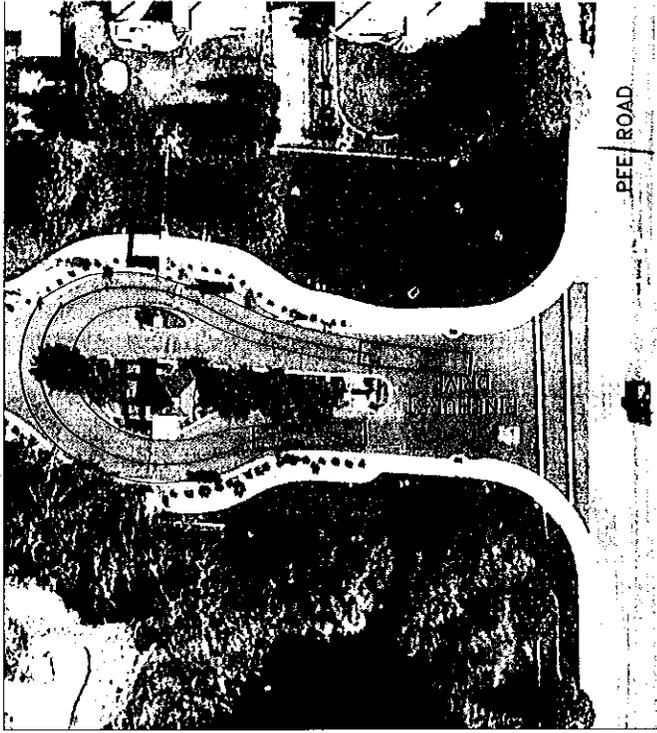
OCTOBER 2012



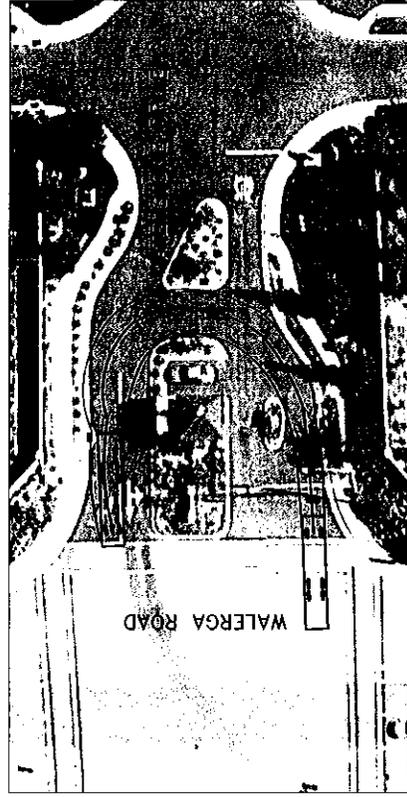
ORIGINAL SCALE 8" X 11"

CONCEPTUAL DRAWING  
NOT FOR CONSTRUCTION

PROJECT No. 12429 SHEET 4 OF 5



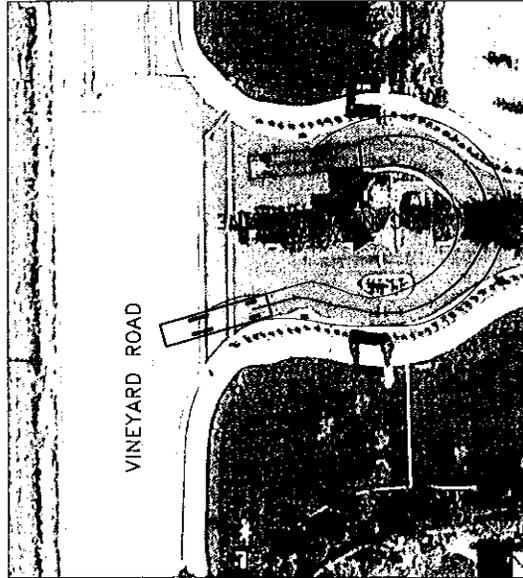
PINEHURST DRIVE AT PFE ROAD  
SCALE: 1" = 20'



WATERSTONE DRIVE AT WALEGRA ROAD  
SCALE: 1" = 20'



JIMMY WAY AT COOK RIOLO ROAD  
SCALE: 1" = 20'



MORGAN CREEK LANE AT VINEYARD ROAD  
SCALE: 1" = 20'

**TURNING EXHIBIT**  
(FIRE TRUCK VEHICLE)

CONCEPTUAL DRAWING  
NOT FOR CONSTRUCTION

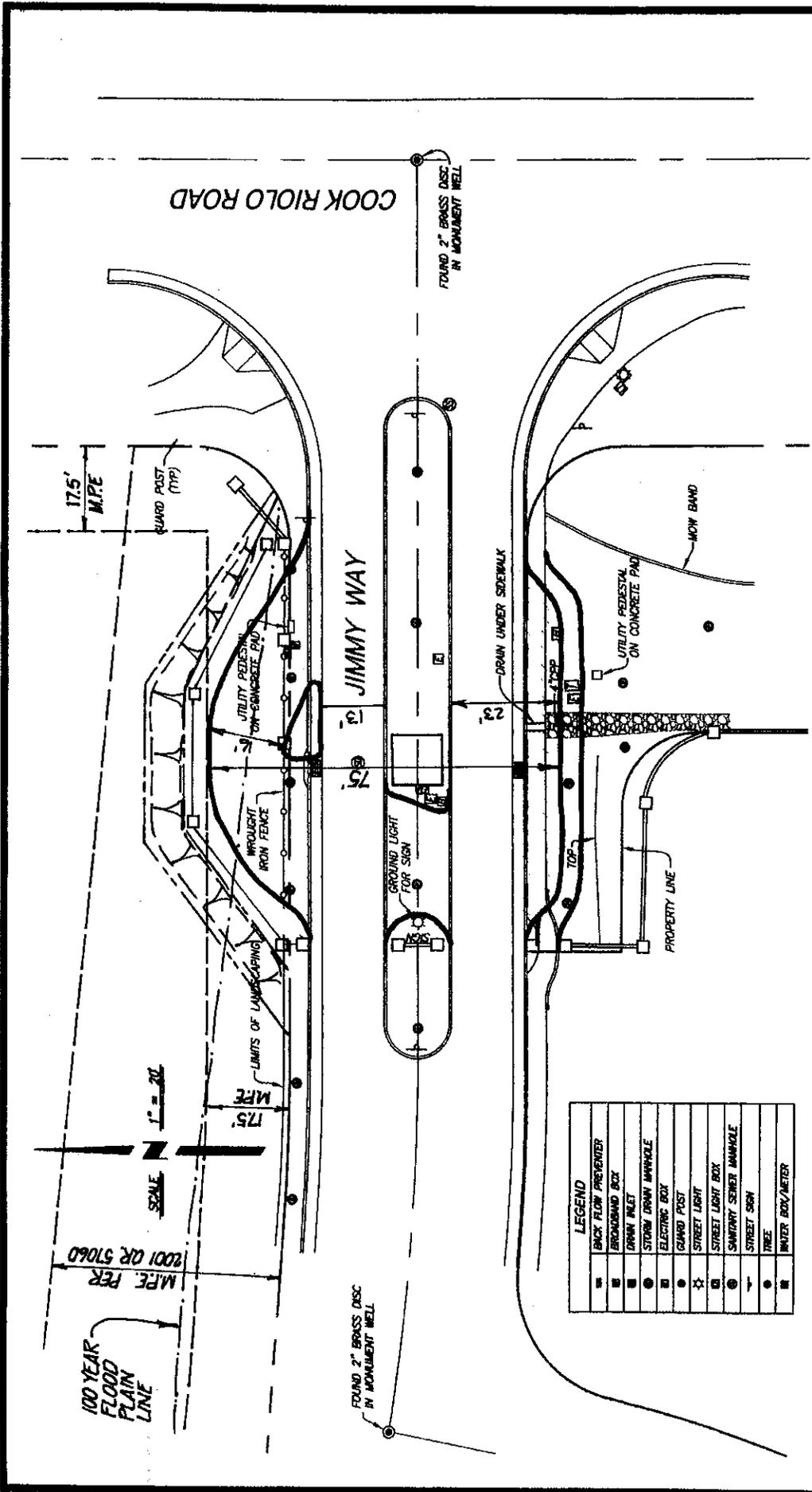
PROJECT No. 19298 SHEET 5 OF 5



DATE: OCTOBER 2012  
SCALE: AS SHOWN

OCTOBER 2012

**BEN EN**  
PROJECT MANAGER



**NOTES:**  
 THE VERTICAL DATUM IS ASSUMED. ELEVATION=100.00  
 THE BASIS OF BEARINGS IS THE CENTER LINE OF JIMMY WAY  
 BETWEEN THE FOUND MONUMENTS SHOWN HEREON PER BOOK  
 Y OF MAPS, PAGE 54.

**BENIEN**  
 TRUSTED ENGINEERING ADVISORS

Bennett Engineering Services  
 1082 Sunrise Avenue, Suite 100  
 Roseville, California 95661  
 T 916-783-4100  
 F 916-783-4110

**TOPOGRAPHIC SURVEY**  
**JIMMY WAY ENTRY GATE**  
 RIOLO GREENS PHASE 1, Y.B.M. 54  
 CITY OF ROSEVILLE, COUNTY OF PLACER  
 STATE OF CALIFORNIA

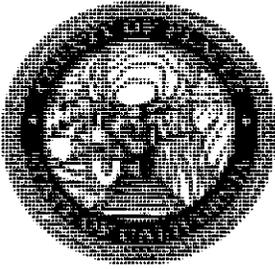
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 SHEET: 1 OF 1  
 PROJECT: 133600



VINEYARD ROAD ENTRANCE



VINEYARD ROAD ENTRANCE w/NEW GATES



**RECOMMENDED REVISED –CONDITIONS OF APPROVAL -  
VESTING TENTATIVE MAP/CONDITIONAL USE PERMIT -  
"MORGAN GREENS "(originally approved as RIOLO GREENS)  
(SUB-324/CUP-1843A)**

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

1. This project is approved as a 117-lot single-family Planned Residential Development on 87 acres, with a temporary real estate sales office. This project may be built in two (2) phases as depicted on the Vesting Tentative Map. Modifications to phasing may be approved by the DRC.

On September 10, 1998, the Planning Commission approved a modification to allow for revised interior road standards (Conditions 1, 17, 22, 24.A) & B), 29.A) & J), 31, 33, 34, 35, 36, 37, 38, 39.A)-C), 65A) & B), 66.K), 66.N),77.D), 77.E), 82, were modified; Condition # 29.L was added; Condition #57 was deleted & replaced with old Condition #83; Condition #84 was renumbered to #83).

On November 16, 2000, the Planning Commission approved a 2-year Extension of Time. (Conditions 1, 14, 19, 25, 31, 32, 34, 35, 37, 38, 39C, 43, 44, 45, 58, 66K, 66L, 78, 80, 81, & 83 were modified).

On October 24, 2002, the Planning Commission approved a 2-year Extension of Time. (Conditions 1, 10, 29, 31, 32, 34, 35, 46, 48, 50, 51, 53, 55, 82 and 83 were modified; condition 54 deleted).

On July 8, 2004, the Planning Commission modified conditions #1 and #74 in regards to construction hours and noise.

On July 21, 2005, the Zoning Administrator modified condition #79 modifying maximum site coverage for two story structures for lot 52 only.

On October 10, 2013, the Planning Commission took action to modify the Conditions of Approval (PCPM 20120208) to incorporate a gated entry for the private subdivision roadway. (Conditions 1, 5 and 63 (B) were modified, and Conditions 81, 82, 83, 84, 85 and 86 were added.) (PD/ESD)

2. The following Standard Condition #'s ip 8, 17, 22, 23, 26, 27, 29, 30, g 2, rt 12, 13, 15, 19, ws 4, 5, v 4, 5, mc 2, 13, cr 2, and f 14, apply to this project as printed in Volume 3, Number 2, dated July 28, 1994 and as listed below 2. A) thru U):

A) 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 (Chapter 29, Placer County Code). No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved and all temporary construction fencing has been installed and inspected

**MARCH, 1995 - BOS  
SEPTEMBER, 1998  
NOVEMBER, 2000  
OCTOBER, 2002  
JULY, 2004  
JULY, 2005-ZA  
OCTOBER, 2013**

15

5. The applicant shall prepare and submit Improvement Plans, specifications and cost estimates (per Section II of the Land Development Manual [LDM]) to the DPW 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, shall be shown on the plans. The applicant shall pay plan check and inspection 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. "As built" plans shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the DPW prior to acceptance by the County of site improvements.

A) Staging Areas: Stockpiling and/or vehicle staging areas shall be identified on the Improvement Plans and located a minimum of 100' from Dry Creek, the southwest drainage swale, and preserved wetlands; and a minimum of 500' from any existing residences.

B) Recreational Facilities: The Improvement Plans shall provide details of the construction of the proposed recreational facilities per Condition #24 as depicted on the Tentative Map for the review and approval of the DRC and County Parks Division. Approval shall be evidenced by signature of a Parks Division representative on the Improvement Plans.

C) Equestrian/Pedestrian Trails: The Improvement Plans shall provide details of the location and specifications of all equestrian/pedestrian trails per Conditions 17 and 24, for the review and approval of the DRC and Parks Division. Said trails shall be installed prior to the County's acceptance of the subdivision's improvements, and all easements shall be shown on the Final Map.

(mmp) D) Landscape Plan: The Improvement Plans shall provide details of the location and specifications of all proposed landscaping and irrigation per Condition #36, for the review and approval of the DRC. A vegetation monitoring report shall also be submitted to DRC with the Improvement Plans to ensure on-going success of the plantings. Said landscaping shall be installed prior to the County's acceptance of the subdivision's improvements. Improvement plans shall include provisions for an irrigation system under sidewalks connecting residential lots to proposed street tree locations.

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

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

MARCH, 1995 - BOS  
SEPTEMBER, 1998  
NOVEMBER, 2000  
OCTOBER, 2002  
JULY, 2004  
JULY, 2005-ZA  
OCTOBER, 2013

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

Storm drainage from on- and off-site impervious surfaces (including roads) shall be collected and routed through specially designed catch basins, vegetated swales, vaults, infiltration basins, water quality basins, filters, etc. for entrapment of sediment, debris and oils/greases or other identified pollutants, as approved by the Engineering and Surveying Department (ESD). BMPs shall be designed at a minimum in accordance with the Placer County Guidance Document for Volume and Flow-Based Sizing of Permanent Post-Construction Best Management Practices for Stormwater Quality Protection. Post-development (permanent) BMPs for the project include, but are not limited to: Extended Detention/Water Quality Basins (TC-22), 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 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. Failure to do so will be grounds for permit revocation. Prior to Improvement Plan 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.

6. Prepare and submit with the project Improvement Plans, a drainage report (per Section 5 of the LDM) to the DPW 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 address storm drainage during construction and thereafter and shall propose "Best Management Practice" (BMP) measures to reduce erosion, water quality degradation, etc. Said BMP measures for this project shall include: Minimizing drainage concentration from impervious surfaces, construction management techniques, erosion protection at culvert outfall locations and those noted Conditions #7 & 9, subject to DRC review and approval.

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62. All structures with plumbing fixtures, including model homes/trailers shall be connected to public sewer and treated domestic surface water as approved by the Division of Environmental Health.

63. All temporary real estate sales uses approved by this action expire two (2) years from the issuance of the building permit for each temporary sales unit. Applicant may apply for an extension of this permit.

A) Private streets, as shown on the approved Tentative Map, shall be constructed to provide connections to the "Morgan Creek" subdivision to the west. No barriers or gatehouses of any kind are to be constructed on these connecting roads at the boundary between the subdivisions which would inhibit vehicular or pedestrian flow between the subdivisions.

B) A "Guest Services" building (gatehouse) may be constructed at the project's entrance on Cook-Riolo Road. The design of any "Guest Services" building shall be subject to DRC review and approval. No gated access is approved as part of this action. On October 10, 2013, the Planning Commission approved a modification to the Conditional Use Permit to allow for the construction of a gated entry for the private on-site roadway. The following minimum design standards shall be satisfied:

a. Gates shall be constructed of decorative wrought iron, painted black, and shall be a maximum of ten feet tall at the highest point and two feet wider in width than the roadway served.

b. Gate pillar support columns shall match the existing structural columns near each of the entrances.

c. Any pedestrian gate shall remain unlocked between dawn and dusk.

d. The applicant shall process a Minor Boundary Line Adjustment prior to approval of the improvement plans for the turn-around.

e. The applicant shall abandon the Irrevocable Offers of Dedications (IOD's) over the onsite roadways prior to Building Permit Issuance. Contact John Weber with the Department of Public Works. This condition supersedes prior conditions requiring IOD's being dedicated over onsite roadways.

C) **ADVISORY COMMENT:** A condition has been placed on the Morgan Creek project to allow the construction of a similar "Guest Services" building at the entrance of that project onto PFE Road and to provide the connecting roadway within that project.

64.(mm) Conditions, Covenants, and Restrictions (CC&R's) shall be prepared and submitted to and approved by the DPW, County Counsel, and other appropriate County Departments and shall contain provisions for:

A) A homeowners' association

B) A CSA to provide for items noted in Condition #30 above and maintenance of public trails, road maintenance; storm drainage maintenance; street lighting maintenance at the project entrance only; water quality enhancement facilities (BMPs) maintenance. In the event that the CSA is abolished by the Board of Supervisors, or the CSA is otherwise not able to function, the

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Violation of any components of the approved MMIP may result in enforcement activities per Placer County Environmental Review Ordinance Section 31.870. An agreement between the applicant and County shall be prepared which meets DRC approval that allows the County use of the deposit to assure performance of the MMIP in the event the homeowners' association reneges.

- 2-80. A) Show the limits of the future, unmitigated 100-year floodplain for Dry Creek, on-site ponds and significant drainageways on the Improvement Plans and in the project notebook and Informational Sheet(s) filed with the appropriate Final Map(s) and designate same as a building setback line unless greater setbacks are required by other conditions contained herein.
- B) All construction within areas subject to known historical flooding shall conform to the Placer County Flood Damage Prevention Ordinance (Chapter 15, Placer County Code).

81. Prior to approval of a Improvement Plans, the applicant shall submit a Construction Emission / Dust Control Plan to the Placer County APCD. To download the form go to [www.placer.ca.gov/apcd](http://www.placer.ca.gov/apcd) and click on Dust Control Requirements. If the APCD does not respond within twenty (20) days of the plan being accepted as complete, the plan shall be considered approved. The applicant shall provide written evidence, provided by APCD to the County, that the plan has been submitted to APCD. It is the responsibility of the applicant to deliver the approved plan to the County. The applicant shall not break ground prior to receiving APCD approval of the Construction Emission / Dust Control Plan, and delivering that approval to the County.

82. Prior to the approval of a Improvement Plans, the applicant shall provide a written calculation to the APCD demonstrating that the heavy-duty (greater than 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 of 20% of NOx and 45% of Diesel Particulate Matter (DPM) reduction as compared to CARB statewide fleet average emissions. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. The following link shall be used to calculate compliance with this condition and shall be submitted to the District as described above: <http://www.airquality.org/ceqa/> (click on the current "Roadway Construction Emissions Model").

83. Include the following standard notes on the Improvement Plans:
- A. The contractor shall use CARB ultra low diesel fuel for all diesel-powered equipment.
  - B. In order to control dust, operational watering trucks shall be on site during construction hours. In addition, dry, mechanical sweeping is prohibited. Watering of a construction site shall be carried out in compliance with all pertinent APCD rules.
  - C. The prime contractor shall be responsible for keeping adjacent public thoroughfares clean of silt, dirt, mud, and debris, and shall "wet broom" the streets (or use another method to control

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dust as approved by the individual jurisdiction) if silt, dirt, mud or debris is carried over to adjacent public thoroughfares

D. The contractor shall apply water or use other method to control dust impacts offsite. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site.

E. During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less.

F. The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) are excessive and dust is impacting adjacent properties.

G. In order to minimize wind driven dust during construction, the prime contractor shall apply methods such as surface stabilization, establishment of a vegetative cover, paving, (or use another method to control dust as approved by the individual jurisdiction).

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

I. Construction equipment exhaust emissions shall not exceed Placer County APCD Rule 202 Visible Emission limitations. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified by APCD to cease operations and the equipment must be repaired within 72 hours.

J. A person shall not discharge into the atmosphere volatile organic compounds (VOC's) caused by the use or manufacture of Cutback or Emulsified asphalts for paving, road construction or road maintenance, unless such manufacture or use complies with the provisions of Rule 217.

K. During construction the contractor shall utilize existing power sources (e.g., power poles) or clean fuel (i.e. gasoline, biodiesel, natural gas) generators rather than temporary diesel power generators.

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

M. During construction, no open burning of removed vegetation shall be allowed unless permitted by the PCAPCD. All removed vegetative material shall be either chipped on site or taken to an appropriate recycling site, or if a site is not available, a licensed disposal site.

3. The prime contractor shall submit to the APCD a comprehensive inventory (e.g., make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used in aggregate of 40 or more hours for the construction project. If any new equipment is added after submission of the inventory, the prime contractor shall contact the APCD

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prior to the new equipment being utilized. At least three business days prior to the use of subject heavy-duty off-road equipment, the project representative shall provide the APCD with the anticipated construction timeline including start date, name, and phone number of the property owner, project manager, and on-site foreman.

84. A. Prior to Improvement Plan approval for the private gated entrance, the Applicant/Home Owners' Association shall provide to the Placer County Department of Facility Services Environmental Engineering Division (EED) and assign a combination/code as identified by the EED for utility crews to access through the proposed private vehicle entry gate. Provide a signature block on the Improvement Plans for EED's approval. Access shall be provided to the Placer County Department of Facility Services utility crews on a 24-hour basis for regular sewer maintenance and emergency response (a note to this effect shall be provide on the Improvement Plans and in the CC&Rs). Include a note on the Improvement Plans to contact Facility Services (Heather Knutson) at (530) 886-4987 to coordinate the utility crew's access. The combination/code identified by the EED shall not be changed unless otherwise approved by the EED prior to the change occurring. Prior to the final acceptance of the project improvements, the required access code shall be implemented by the applicant and verified by the EED. (DFS)

85. The gated entrance posts or supports shall not be installed within the trench width of any public sewer in order to maintain sewer access for future maintenance. (DFS)

86. A. In the event that prehistoric archaeological resources are discovered during ground disturbing activities, all work in the vicinity of the find shall be halted and the County of Placer shall consult a professional archaeologist to assess the significance of the find. The UAIC should also be contacted immediately. If the find is determined to be legally significant by the archaeologist, or culturally important to the Tribal community, project representatives shall meet with the archaeologist and the Tribe to determine the appropriate course of action.

B. If human remains are discovered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the county coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the coroner determines that the remains are of Native American origin, the coroner will notify the Native American Heritage Commission, which will notify a Most Likely Descendant (MLD). The MLD shall be responsible for recommending the appropriate disposition of the remains and any grave goods at that time.

4-87. This Vesting Tentative Map/Conditional Use Permit extension of time shall be approved for 24 months and shall expire on October 6, 2004, unless exercised before that date. (The original expiration date was March 28, 1998 - one additional year was added per Government Code Section 66452.13 effective 5/14/96; an additional 80 weeks was added per settlement agreement, an additional 2 years was added per Commission action of November 16, 2000, and an additional 2 years was added per Commission action of October 24, 2002).

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**RECOMMENDED REVISED CONDITIONS OF APPROVAL -  
VESTING TENTATIVE MAP/ CONDITIONAL USE PERMIT -  
"MORGAN CREEK GOLF & COUNTRY CLUB" (SUB-325/CUP-  
1844A)**

***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.***

**KEY**

S = Conditions that apply to the Vesting Tentative Map only (residential subdivision)

G = Conditions that apply to the Golf Course Conditional Use Permit

C = Conditions that apply to the Planned Development Conditional Use Permit

mm = Mitigation Measure from the Final EIR

MMP = Mitigation Monitoring Program

1. (SCG) This Planned Development is approved for 515 single-family residences and 64 condominium units, with an 18-hole regulation golf course and driving range on a total of 546 acres. The project also contains country club facilities, a public park site, open space amenities, habitat mitigation areas and a private lake. The Vesting Tentative Map creates the residential subdivision and the Conditional Use Permit authorizes the following uses:

A) Planned Development - The project is divided into three general areas as defined by the Dry Creek/West Placer Community Plan and by the land uses.

1) Lake Community, Rural Low Density Residential - 130 dwelling units on 81 acres with a 6.8-acre lake.

2) North Golf Course Community, Rural Low Density Residential (north side of Dry Creek) - 195 dwelling units on 120.2 acres with 9 holes of the golf course driving range, and clubhouse.

3) Golf Residences, Rural Low Density (north side of Dry Creek) 64 condominium dwelling units on 19 acres, including a putting course.

4) South Golf Course Community, Low Density Residential (south side of Dry Creek) - 190 dwelling units on 73.6 acres with 9 holes of the golf course.

B) Golf Course - An 18-hole, 72 par, approximately 7,200+/- yard golf course is to be constructed on 186.2 acres on the north and south side of Dry Creek. Additional facilities include a

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driving range, putting green, pitching green, golf cart storage, maintenance building and yard, restroom facilities on the course, pedestrian and golf cart paths, a bridge crossing of the Creek, ponds and waterways and a clubhouse (including a bar and grille, dining room, pro-shop, locker rooms, banquet rooms, administrative offices, and a snack bar). The clubhouse shall not exceed 2 stories in height nor 25,000 square feet in area.

C) Temporary Sales Offices - A maximum of six temporary sales offices for residential lot sales are permitted as part of a model home sales complex, at locations approved by DRC. Four on the north side, and two on the south side of the Creek are permitted. In addition, a temporary sales office for the golf course use is permitted at the "Schnell residence" (AP #023-240-030), which may be relocated to the clubhouse after construction begins. In addition to the above, a maximum of two (2) temporary sales trailers are permitted on the project site at any given time for lot sales purposes. A temporary sales trailer may also be used for maximum two years for a temporary golf clubhouse. The location of said trailer shall be within the vicinity of the golf clubhouse as approved by DRC.

D) Private Recreational Facilities - 2 tennis courts and a swimming pool will be located in the vicinity of the clubhouse on the north side of the Creek.

On August 30, 2001, the Planning Commission approved a modification to Condition 98 E regarding garage setback.

On July 25, 2002 the Planning Commission approved a one-year extension of time. (Conditions 1, 3, 61(L)(R), 85(C), 88, 92 and 118 were modified; old conditions 61 (Q)(S) and 86 were deleted.

On July, 2004, the Planning Commission modified conditions #1 and #2 U) in regards to construction hours and noise.

On August 16, 2007, the Zoning Administrator approved a modification of the Conditional Use Permit to allow an outdoor patio structure on Lot 147 to be constructed with a 9-foot setback from the south property boundary.

**On October 10, 2013, the Planning Commission took action to modify the Conditions of Approval to incorporate three gated entries for the private subdivision roadways. Conditions 1 and 45 (B) were modified and Conditions 118 and 119 were added. (PD)**

2.(SCG) The following Standard Conditions apply to this project:

A) This project is subject to construction-related stormwater 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 EPA and a copy thereof submitted to DPW prior to Improvement Plan approval, if available. Improvement Plans shall reflect the erosion control measures identified in the permit unless otherwise approved by DPW.

B) If diversion of surface waters from existing channels and/or if existing or proposed reservoirs are to be included within this project, clearance for such works from the State Water Resources Control Board, Division of Water Rights, shall be obtained by the applicant and

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association shall be responsible for the maintenance of these lights, and shall be located outside the public easement.

**ADVISORY COMMENT:** Streetlights shall be of a type, height, and design to direct lighting downward, shielding to the greatest extent practical, light exposure beyond that needed for proper intersection lighting.

B) The location and number of streetlights within the subdivision shall be kept at a minimum to minimize night pollution. If the developer desires to use private streetlights on the interior of the subdivision, they shall be high pressure sodium fixtures and the homeowners' association and/or golf course operator shall be responsible for the maintenance of these lights and consideration shall be given to the installation of timers on each light such that they are not illuminated after 11:00 P.M. All lighting shall be depicted on the Improvement Plans and subject to DRC review and approval.

43.(SC)(mm) A "Park and Ride" shelter shall be included in the design of the project improvements at a location adjacent to the golf course clubhouse parking lot. Said location and design of the shelter shall be reviewed and approved by DRC. This shelter shall be indicated on the Revised Tentative Map and shown on the Improvement Plans and constructed with the clubhouse parking lot.

44.(SC) Delineate a Class II bikeway along the project's frontage on Walerga Road and PFE Road and a Class III bikeway along the project's frontage on Vineyard Road, pursuant to the Placer County Bikeways Master Plan, when improvements to these roads are required. The location, width, alignment, and surfacing of the bikeway shall be subject to DPW/DRC review and approval.

45. A) In addition to the project access points to the County roads, private streets, as shown on the approved Tentative Map, shall be constructed to provide connections to other properties and public roads.

1) Construct a street to the "Riolo Greens" subdivision to the east of the southerly portion of the project. If the street through Riolo Greens subdivision has not been completed, the developer shall obtain any necessary easements and construct an 18' minimum road width across the Riolo Greens subdivision to Cook-Riolo Road concurrent with construction of either Phase "F" or "G". The road section shall be a minimum of 6" AB.

2) Construct an emergency access road from Y Drive between Lots 78 and 79, to PFE Road. The road shall be constructed with a pavement width of 12' (or as directed by DPW, fire department, and Sheriff).

3) Construct an emergency access road from S Way to Almond Blossom Lane with a 12' minimum pavement width (or as directed by DPW, fire department, and Sheriff). Developer shall submit proof of a right-to-use Almond Blossom Lane prior to approval of the first set of Improvement Plans on the portion of the project.

4) Construct an emergency access road from O Way to Vineyard Road at

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Crowder Lane, between Lots 167 & 168. The road shall be constructed to a 12' minimum pavement width (or as directed by DPW, fire department, and Sheriff).

5) Construct an emergency access road from S Way to adjoining property to the east of the northerly portion of the project (AP #023-240-040) with a 12' minimum pavement width (or as directed by DPW, fire department, and Sheriff).

6) No barriers or gatehouses of any kind are to be constructed on these connecting roads at the boundary between Morgan Creek with Riolo Greens which would inhibit vehicular or pedestrian flow between the subdivisions.

7) The emergency access roads shall be gated as approved by the fire district and DPW. Gate locations and details shall be shown on the Improvement Plans for the appropriate phase.

B) "Guest Services" buildings (gatehouses) may be constructed at project entrances on PFE Road, Walerga Road, and Vineyard Road. ~~Gates shall not be constructed at these entrances.~~ The design of any "Guest Services" buildings shall be subject to DRC review and approval.

On October 10, 2013, the Planning Commission approved a modification to the Conditional Use Permit to allow for the construction of three gated entries for the private on-site roadways. The following minimum design standards shall be satisfied:

1) Gates shall be constructed of decorative wrought iron, painted black, and shall be a maximum of ten feet tall at the highest point and two feet wider in width than the roadway served.

2) Gate pillar support columns shall match the existing structural columns near each of the entrances.

3) Any pedestrian gate shall remain unlocked between dawn and dusk.

4) Gates and turn-arounds shall meet the serving fire district's requirements.

5) The applicant shall abandon the Irrevocable Offers of Dedications (IOD's) over the onsite roadways prior to Building Permit Issuance. Contact John Weber with the Department of Public Works. This condition supersedes prior conditions requiring IOD's being dedicated over onsite roadways.

**ADVISORY COMMENT:** A condition has been placed on Riolo Greens to allow the construction of a similar "Guest Services" building at the entrance of that project onto Cook-Riolo Road and to provide a through-connecting roadway within that project.

46. If the applicant constructs the second two lanes on Walerga Road as noted in Condition #39, a cash payment or letter of credit in lieu of the construction of the Walerga Road improvements

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•116.(C) The condominium plan to be recorded for the “Villas” shall identify the “exclusive use common area” for each unit not to exceed a maximum of 5,000 sq. ft. All improvements, including residential units, garages, private yard areas, decks, fencing, and accessory structures for each unit shall be restricted to this area (does not include driveways). The habitable space for each home, including covered patios or decks, shall not exceed 3,200 sq. ft. No fencing shall be allowed except for privacy fencing around decks, patios, spas, and accessory structures. No fencing shall be allowed connecting house-to-house nor within any required building separation area. The above information shall be included in the Development Notebook, and provided to each unit owner, and included in CC&R’s.

117.(SC) **ADVISORY COMMENT:** Some of the conditions of approval contained herein apply to the subdivision maps and/or the Conditional Use Permit for the Planned Development and/or the golf course.

118. Prior to Building Permit approval for the private gated entrances, the Applicant/Home Owners’ Association shall provide to the Placer County Department of Facility Services Environmental Engineering Division (EED) and assign a combination/code as identified by the EED for utility crews to access through the proposed private vehicle entry gates. Access shall be provided to the Placer County Department of Facility Services utility crews on a 24-hour basis for regular sewer maintenance and emergency response (a note to this effect shall be provided on the Building Permit and in the CC&Rs). Include a note on the Building Permit to contact Facility Services (Heather Knutson) at (530) 886-4987 to coordinate the utility crew’s access. The combination/code identified by the EED shall not be changed unless otherwise approved by the EED prior to the change occurring. Prior to the final sign off of the Building Permit, the required access code shall be implemented by the applicant and verified by the EED. (DFS)

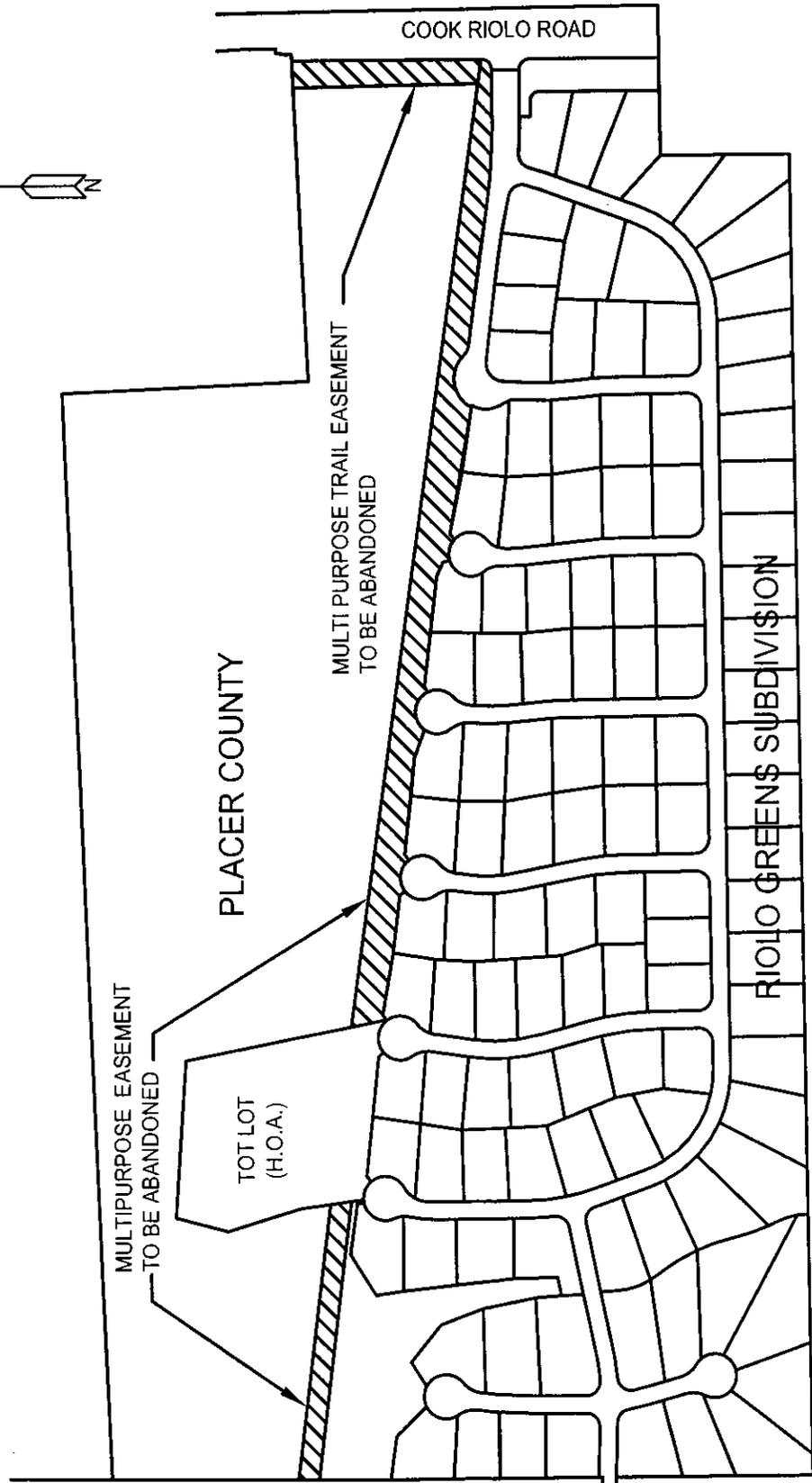
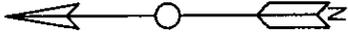
119. The gated entrance posts or supports shall not be installed within the trench width of any public sewer in order to maintain sewer access for future maintenance. (DFS)

120. (SCG) This Vesting Tentative Map and Conditional Use Permit shall be approved for 36 months and shall expire on July 13, 2002, unless exercised before that date. Upon the final effective date of these Permits, the previously-approved Chamonix Golf & Country Club (Vesting Tentative Map & Use Permit) shall be rendered null-and-void, pursuant to the Subdivision Map Act. On July 25, 2002 the Planning Commission approved a one-year extension of time which extended the Vesting Tentative Map and Conditional Use Permit through July 13, 2006.

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EXHIBIT B





**COUNTY OF PLACER**  
**Community Development Resource Agency**

**ENVIRONMENTAL  
COORDINATION  
SERVICES**

Michael J. Johnson, AICP  
Agency Director

E. J. Ivaldi, Coordinator

**NOTICE OF INTENT  
TO ADOPT A MITIGATED NEGATIVE DECLARATION**

The project listed below was reviewed for environmental impact by the Placer County Environmental Review Committee and was determined to have no significant effect upon the environment. A proposed Mitigated Negative Declaration has been prepared for this project and has been filed with the County Clerk's office.

**PROJECT:** Morgan Creek/Morgan Greens Gated Vehicular Entrances (PCPM 20120208)

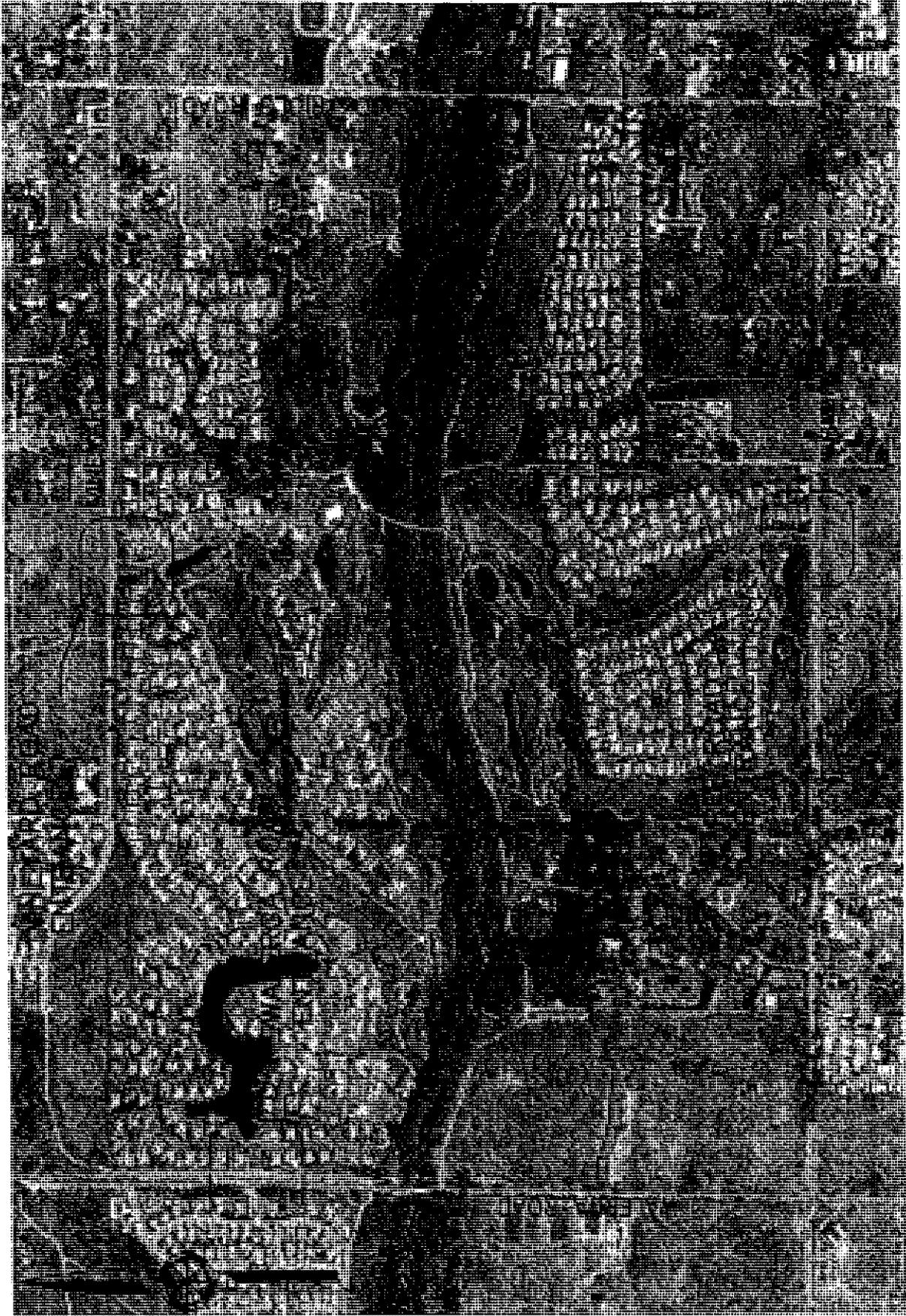
**PROJECT DESCRIPTION:** The project proposes modifications to the existing Conditional Use Permit to add electronic vehicular gates and security system at three entrances to the Morgan Creek community (at Walerga, Vineyard and PFE Roads) and at the one entrance to the Morgan Greens community (at Cook Riolo Road).

**PROJECT LOCATION:** at the existing entrances to the Morgan Creek and Morgan Greens Subdivisions, west Placer, Placer County

**APPLICANT:** John Hodgson, The Hodgson Company, 1117 18<sup>th</sup> Street, Sacramento, CA 95811

The comment period for this document closes on **June 10, 2013**. A copy of the Negative Declaration is available for public review at the County's web site <http://www.placer.ca.gov/Departments/CommunityDevelopment/EnvCoordSvcs/NegDec.aspx> Community Development Resource Agency public counter, and at the Roseville Public Library. Property owners within 300 feet of the subject site shall be notified by mail of the upcoming hearing before the Planning Commission. Additional information may be obtained by contacting the Environmental Coordination Services, at (530)745-3132, between the hours of 8:00 am and 5:00 pm, at 3091 County Center Drive, Auburn, CA 95603.

Published in Sacramento Bee on Monday, May 13, 2013



VICINITY MAP



**COUNTY OF PLACER**  
**Community Development Resource Agency**

**ENVIRONMENTAL  
COORDINATION  
SERVICES**

Michael J. Johnson, AICP  
Agency Director

E. J. Ivaldi, Coordinator

**MITIGATED NEGATIVE DECLARATION**

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

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

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

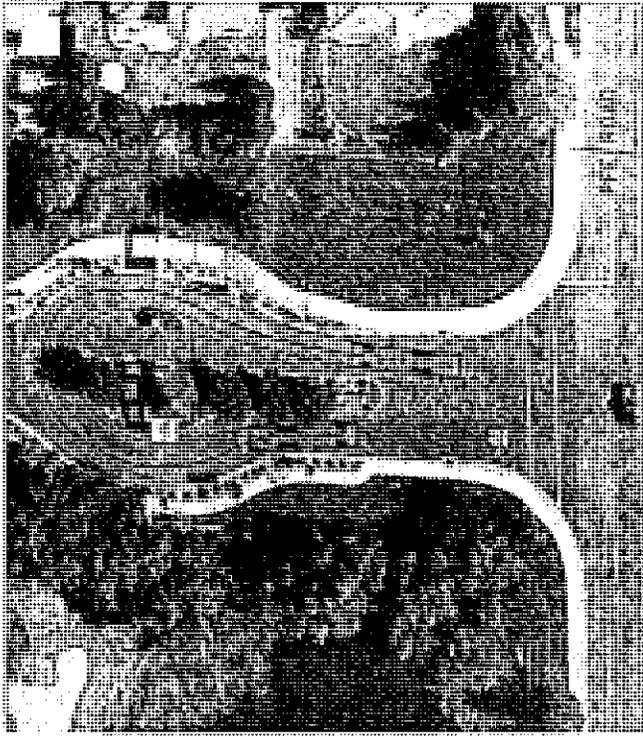
**PROJECT INFORMATION**

<b>Title:</b> Morgan Creek/Morgan Greens Gated Vehicular Entrances	<b>Plus#</b> PCPM 20120208
<b>Description:</b> The project proposes modifications to the existing Conditional Use Permit to add electronic vehicular gates and security system at three entrances to the Morgan Creek community (at Walerga, Vineyard and PFE Roads) and at the one entrance to the Morgan Greens community (at Cook Riolo Road).	
<b>Location:</b> at the existing entrances to the Morgan Creek and Morgan Greens Subdivisions, west Placer	
<b>Project Owner:</b> Morgan Creek Community Homeowners Association, 925 Highland Pointe, Suite 400, Roseville, CA 95678	
<b>Project Applicant:</b> John Hodgson, The Hodgson Company, 1117 18 <sup>th</sup> Street, Sacramento, CA 95811	
<b>County Contact Person:</b> Lisa Carnahan	530-745-3067

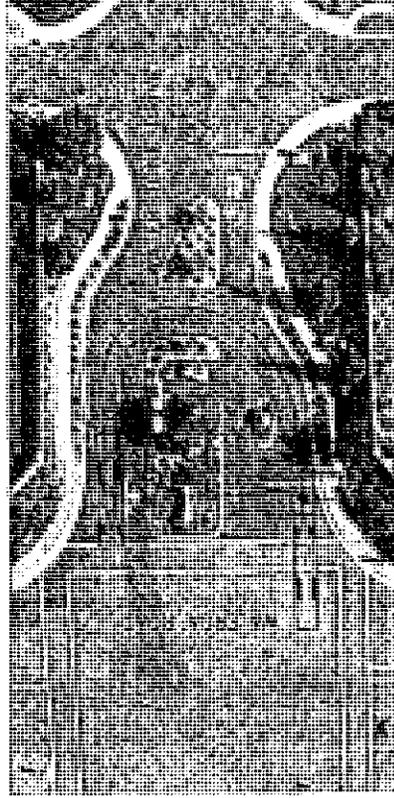
**PUBLIC NOTICE**

The comment period for this document closes on **June 10, 2013**. A copy of the Negative Declaration is available for public review at the County's web site (<http://www.placer.ca.gov/Departments/CommunityDevelopment/EnvCoordSvcs/NegDec.aspx>), Community Development Resource Agency public counter, and at the Roseville Public Library. Property owners within 300 feet of the subject site shall be notified by mail of the upcoming hearing before the Planning Commission. Additional information may be obtained by contacting the Environmental Coordination Services, at (530)745-3132 between the hours of 8:00 am and 5:00 pm at 3091 County Center Drive, Auburn, CA 95603. For Tahoe projects, please visit our Tahoe Office, 775 North Lake Blvd., Tahoe City, CA 96146.

If you wish to appeal the appropriateness or adequacy of this document, address your written comments to our finding that the project will not have a significant adverse effect on the environment: (1) identify the environmental effect(s), why they would occur, and why they would be significant, and (2) suggest any mitigation measures which you believe would eliminate or reduce the effect to an acceptable level. Regarding item (1) above, explain the basis for your comments and submit any supporting data or references. Refer to Section 18.32 of the Placer County Code for important information regarding the timely filing of appeals.



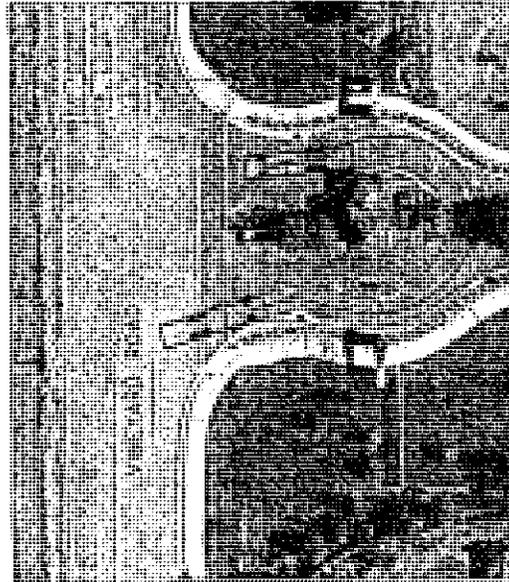
PINEHURST DRIVE AT PFE ROAD  
SCALE: 1" = 20'



WATERSTONE DRIVE AT WALEGRA ROAD  
SCALE: 1" = 20'



JIMMY WAY AT COOK RIOLO ROAD  
SCALE: 1" = 20'



MORGAN CREEK LANE AT VINEYARD ROAD  
SCALE: 1" = 20'

**TURNING EXHIBIT**  
(FIRE TRUCK VEHICLE)

CONCEPTUAL DRAWING  
NOT FOR CONSTRUCTION

PROJECT No. 17426 SHEET 5 OF 5



BEN EN  
DESIGN, SCALE & PLOT

OCTOBER 2012

BEN EN  
REGISTERED PROFESSIONAL ARCHITECT

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**COUNTY OF PLACER**  
**Community Development Resource Agency**

**ENVIRONMENTAL  
COORDINATION  
SERVICES**

Michael J. Johnson, AICP  
Agency Director

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3091 County Center Drive, Suite 190 • Auburn • California 95603 • 530-745-3132 • fax 530-745-3080 • www.placer.ca.gov

**INITIAL STUDY & CHECKLIST**

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

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

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

Project Title: <b>Morgan Creek/Morgan Greens Gated Vehicular Entrances</b>		Plus# PCPM 20120208
Entitlement(s): Conditional Use Permit Modifications (CUP-1844A and CUP-1843A)		
Site Area: Four separate areas totaling approximately 69,000 square feet	APNs: 029-ROW (Jimmy Way Entrance at Cook Riolo Road), 023-250-053-000 (Pinehurst Drive Entrance at PFE Road), 029-090-ROW-000 (Morgan Creek Lane Entrance at Vineyard Road), and 029-280-ROW-000 (Waterstone Drive Entrance at Walerga Road)	
Location: The vehicular gates would be installed at the following existing entrances to the Morgan Creek and Morgan Greens Subdivisions: Morgan Creek Lane at Vineyard Road; Waterstone Drive at Walerga Road; Pinehurst Drive at PFE Road; Jimmy Way at Cook Riolo Road, West Placer		

**A. BACKGROUND:**

**Project Description:**

The project consists of adding electronic vehicular access gates and an electronic security system at three entrances to the Morgan Creek community (at Walerga, Vineyard and PFE Roads) and at the one entrance to the Morgan Greens community (at Cook Riolo Road).

Currently, the three Morgan Creek entrances are manned by greeters 24 hours a day. Once visitors are reviewed by the greeter at the entrance, they are allowed to proceed into the community. This project would modify the entrance requirement by having a gate that would be opened and closed by the greeter manning the entrance, or remotely by an electronic system manned by the greeter at the Vineyard entrance. The proposed gates would be further back into the subdivisions than the guardhouses. The proposed gates would be constructed of a decorative wrought iron, painted black, and would be a maximum of ten (10) feet tall at the highest point and two feet wider in

width than the roadway served. Pillar support columns for the gates would match the existing structural columns near each of the entrances.

The Vineyard entrance would continue to have 24 hour manned access. The Walerga gate would be manned until 6:00 PM daily (even though the Morgan Creek golf course may close earlier during the winter) and during special hours for scheduled events at the golf course. When not manned, this Walerga gate would be monitored and controlled electronically by the greeter at the Vineyard entrance. The PFE gate and the Morgan Greens community entrance at Cook Riolo Road would be electronically monitored and controlled 24 hours a day by the Morgan Creek Vineyard entrance greeter.

The project would not bisect or block any pedestrian access, paths, or walkways into the community or the Dry Creek corridor. Only minor construction is anticipated for the three Morgan Creek entrances in order to install the gates, cameras and associated electrical telecommunications. The Cook Riolo entrance to Morgan Greens would require minor widening of the private Jimmy Way and removal of a portion of the current median to provide the required turnaround. The proposed improvements have been designed to include separate entry lanes for residents and visitors to reduce the number of stacked vehicles and the entrances will be widened as necessary to provide sufficient room for a vehicle to turn around and exit if necessary.

Construction of the roadway modifications and installation of the new gates and security equipment is anticipated to take no more than 30 days.

**Project Site** (Background/Existing Setting):

The four areas proposed for gates provide the entrances to the Morgan Creek and Morgan Greens subdivisions.

**B. ENVIRONMENTAL SETTING:**

Location	Zoning	General Plan/Community Plan Designations	Existing Conditions and Improvements
Site	RS-AG-B-40 PD = 1 and PD = 2 (Residential Single-Family, Combining Agriculture, Combining Building Site of 40,000 square feet minimum, Combining Planned Residential Development with either 1 or 2 Dwelling Units Per Acre)	Placer County General Plan/ Rural Low Density Residential 1-2.3 acre minimum; Dry Creek West Placer Community Plan	Two Entrances for Northern Portion of Morgan Creek Subdivision and One Entrance for Southern Portion of Morgan Creek Subdivision
North	RA-B-X 2 ac. min (Residential-Agricultural, Combining Building Site of 2 acres minimum)	same as project site	Rural Residential and Undeveloped Sites
South	RS-AG-B-20 PD = 2 (Residential Single-Family, Combining Agriculture, Combining Building Site of 20,000 square feet minimum, Combining Planned Residential Development with 2 Dwelling Units Per Acre); O PD = 2 (Open Space, Combining Planned Residential Development with 2 Dwelling Units Per Acre)	Placer County General Plan/ Greenbelt and Open Space; Dry Creek West Placer Community Plan	Rural Residential and Undeveloped Sites
East	RS-AG-B-20 PD = 2, RS-AG-B-20 (Residential Single-Family, Combining Agriculture, Combining Building Site of 20,000 square feet minimum)	same as project site	Morgan Greens Subdivision, Rural Residential Sites, and Undeveloped Sites
West	RS-AG-B-40 PD = 1, RS-AG-B-100 (Residential Single-Family, Combining Building Site of 100,000 square feet)	same as project site	Subdivisions and Rural Residential Sites

**C. PREVIOUS ENVIRONMENTAL DOCUMENT:**

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

contained in the General Plan and Specific Plan Certified EIRs, and project-specific analysis summarized herein, is sustained by Sections 15168 and 15183 of the CEQA Guidelines.

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

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

- ➔ Placer County General Plan EIR
- ➔ Dry Creek/West Placer Community Plan EIR

Section 15183 states that "projects which are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified shall not require additional environmental review, except as may be necessary to examine whether there are project-specific significant effects which are peculiar to the project or site." Thus, if an impact is not peculiar to the project or site, and it has been addressed as a significant effect in the prior EIR, or will be substantially mitigated by the imposition of uniformly applied development policies or standards, then additional environmental documentation need not be prepared for the project solely on the basis of that impact.

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

#### D. EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

**I. AESTHETICS – Would the project:**

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

**Discussion- All Items:**

All four entrances currently have guardhouses, and the proposed gates would be further back into the subdivisions than the guardhouses. The proposed gates would be constructed of a decorative wrought iron, painted black, and would be a maximum of ten (10) feet tall at the highest point and two feet wider in width than the roadway served. Pillar support columns for the gates would match the existing structural columns near each of the entrances. At the Jimmy Way entrance, minor widening of the existing entrance and exit areas will need to occur in order to accommodate adequate turn around space for the gated entry. As a result, some of the existing landscaping and fencing will need to be removed and replaced, and approximately 700 square feet of grading and paving of the adjacent floodplain will be required. Both the fencing and landscaping will be replaced in kind, and the minor modifications to the adjacent floodplain, which currently consists of grasses and weeds will not cause any significant aesthetic impacts. Photo simulations included with the application showed very minimal changes to the existing visual character of the areas. There would be no effect on a scenic vista or scenic resource, nor would the project substantially degrade the existing character or quality of the site and its surroundings, or create light or glare. No mitigation measures are required.

**II. AGRICULTURAL & FOREST RESOURCES – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (PLN)				X
2. Conflict with General Plan or other policies regarding land use buffers for agricultural operations? (PLN)				X
3. Conflict with existing zoning for agricultural use, a Williamson Act contract or a Right-to-Farm Policy? (PLN)				X
4. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (PLN)				X
5. Involve other changes in the existing environment which, due to their location or nature, could result in the loss or conversion of Farmland (including livestock grazing) or forest land to non-				X

agricultural or non-forest use? (PLN)				
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**Discussion- All Items:**

As the proposal entails the construction of four vehicle access gates on sites which are existing paved entrances to subdivisions, there would be no impact on agriculture or forest resources. The minor changes required in the floodplain for the Jimmy Way entrance would not affect agricultural or forest resources.

**III. AIR QUALITY – Would the project:**

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

**Discussion- Item III-1:**

The project is located within the Sacramento Valley Air Basin (SVAB) portion of Placer County and is under the jurisdiction of the Placer County Air Pollution Control District (APCD). Although the SVAB is designated as nonattainment for federal and state ozone (O<sub>3</sub>) standards, nonattainment for the federal particulate matter standard (PM<sub>2.5</sub>) and state particulate matter standard (PM<sub>10</sub>), the project will not contribute a significant impact to the Region given that the project related emissions are below the District's thresholds of significance. Therefore the project will not result in a significant obstruction to the Sacramento Regional Air Quality Plan. No mitigation measures are required.

**Discussion- Items III-2,3,4:**

As stated above, the SVAB is designated non-attainment for the federal and state ozone standards (Reactive Organic Gases (ROG) and Oxides of Nitrogen (NO<sub>x</sub>)), nonattainment for the federal particulate matter standard (PM<sub>2.5</sub>) and non-attainment for the state particulate matter standard (PM<sub>10</sub>).

According to the project description, the project will result in an incremental increase in regional and local emissions from construction of the project. The short-term increase of air pollutants generated by construction of the project could potentially adversely affect sensitive receptors like children and senior citizens living in the vicinity of the project. The project's related short-term construction air pollutant emissions will result primarily from diesel-powered construction equipment, trucks hauling supplies, and worker vehicle exhaust. In order to reduce construction related air emissions, associated grading plans shall list the District's Rules and State Regulations. A Dust Control Plan shall be submitted to the Placer County Air Pollution Control District for approval prior to the commencement of earth disturbing activities demonstrating all proposed measures to reduce air pollutant emissions. With the implementation of the following mitigation measures, impacts related to construction activities will be reduced to a less than significant level.

**Mitigation Measures- Items III-2,3,4:**

MM III.1

- Prior to approval of a Improvement Plans, the applicant shall submit a Construction Emission / Dust Control Plan to

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the Placer County APCD. To download the form go to [www.placer.ca.gov/apcd](http://www.placer.ca.gov/apcd) and click on Dust Control Requirements. If the APCD does not respond within twenty (20) days of the plan being accepted as complete, the plan shall be considered approved. The applicant shall provide written evidence, provided by APCD to the County, that the plan has been submitted to APCD. It is the responsibility of the applicant to deliver the approved plan to the County. The applicant shall not break ground prior to receiving APCD approval of the Construction Emission / Dust Control Plan, and delivering that approval to the County.

- Prior to the approval of a Improvement Plans, the applicant shall provide a written calculation to the APCD demonstrating that the heavy-duty (greater than 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 of 20% of NOx and 45% of Diesel Particulate Matter (DPM) reduction as compared to CARB statewide fleet average emissions. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. The following link shall be used to calculate compliance with this condition and shall be submitted to the District as described above: <http://www.airquality.org/ceqa/> (click on the current "Roadway Construction Emissions Model").

*Include the following standard notes on the Improvement Plans:*

1. The contractor shall use CARB ultra low diesel fuel for all diesel-powered equipment.
2. In order to control dust, operational watering trucks shall be on site during construction hours. In addition, dry, mechanical sweeping is prohibited. Watering of a construction site shall be carried out in compliance with all pertinent APCD rules.
3. The prime contractor shall be responsible for keeping adjacent public thoroughfares clean of silt, dirt, mud, and debris, and shall "wet broom" the streets (or use another method to control dust as approved by the individual jurisdiction) if silt, dirt, mud or debris is carried over to adjacent public thoroughfares
4. The contractor shall apply water or use other method to control dust impacts offsite. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site.
5. During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less.
6. The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) are excessive and dust is impacting adjacent properties.
7. In order to minimize wind driven dust during construction, the prime contractor shall apply methods such as surface stabilization, establishment of a vegetative cover, paving, (or use another method to control dust as approved by the individual jurisdiction).
8. The contractor shall suspend all grading operations when fugitive dust exceeds Placer County APCD Rule 228 (Fugitive Dust) limitations. The prime contractor shall be responsible for having an individual who is CARB-certified to perform Visible Emissions Evaluations (VEE). This individual shall evaluate compliance with Rule 228 on a weekly basis. It is to be noted that fugitive dust is not to exceed 40% opacity and not go beyond the property boundary at any time. Lime or other drying agents utilized to dry out wet grading areas shall not exceed Placer County APCD Rule 228 Fugitive Dust limitations. Operators of vehicles and equipment found to exceed opacity limits will be notified by APCD and the equipment must be repaired within 72 hours.
9. Construction equipment exhaust emissions shall not exceed Placer County APCD Rule 202 Visible Emission limitations. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified by APCD to cease operations and the equipment must be repaired within 72 hours.
10. A person shall not discharge into the atmosphere volatile organic compounds (VOC's) caused by the use or manufacture of Cutback or Emulsified asphalts for paving, road construction or road maintenance, unless such manufacture or use complies with the provisions of Rule 217.
11. During construction the contractor shall utilize existing power sources (e.g., power poles) or clean fuel (i.e. gasoline, biodiesel, natural gas) generators rather than temporary diesel power generators.
12. During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel powered equipment.
13. During construction, no open burning of removed vegetation shall be allowed unless permitted by the PCAPCD. All removed vegetative material shall be either chipped on site or taken to an appropriate recycling site, or if a site is not available, a licensed disposal site.
14. The prime contractor shall submit to the APCD a comprehensive inventory (e.g., make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used in aggregate of 40 or more hours for the construction project. If any new equipment is added after submission of the inventory, the prime contractor shall contact the APCD prior to the new equipment being utilized. At least three business days prior to the use of subject heavy-duty off-road equipment, the project representative shall provide the APCD with the anticipated construction timeline including start date, name, and phone number of the property owner, project manager, and on-site foreman.

**Discussion- Item III-5:**

The project would result in additional air pollutant emissions generated by diesel-powered construction equipment, and vehicle exhaust from traffic that could create odors. However, the long-term operational emissions (vehicle traffic) from this project alone will not exceed the District's significant thresholds. Therefore, potential impacts from odors will be less than significant. No mitigation measures are required.

**IV. BIOLOGICAL RESOURCES – Would the project:**

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

**Discussion- Items 1,2,3,6,7,8:**

The project proposes to construct electronic gated entries at four existing entrances at the Morgan Creek and Morgan Greens subdivisions. All existing entrances are paved and landscaped. The installation of vehicle access gates at these existing entrances and the minor changes to the floodplain area at the Jimmy Way entrance will not have any impact on biological resources.

**Discussion- Items 4,5:**

The project proposes approximately 700 square feet of paving, curbing, and grading within the shallow fringes of the Dry Creek 100-year floodplain, that equates to approximately 90 cubic feet of floodplain storage. The potential

impacted area currently consists of grasses and weeds. Although this change is considered to be a less than significant impact to the Dry Creek floodplain, the applicant is proposing to construct in-kind volumetric compensation within the adjacent area. Therefore, any potential impacts are considered less than significant. No mitigation measures are required.

**V. CULTURAL RESOURCES – Would the project:**

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

**Discussion- All Items:**

As discussed above, the project proposes to construct electronic gated entries at four existing entrances at the Morgan Creek and Morgan Greens subdivisions. All existing entrances are currently paved and landscaped. The only grading will occur with the minor changes proposed in the floodplain adjacent to the Jimmy Way entrance. The installation of vehicle access gates at these existing entrances will not have any impact on cultural resources.

**VI. GEOLOGY & SOILS – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Expose people or structures to unstable earth conditions or changes in geologic substructures? (ESD)				X
2. Result in significant disruptions, displacements, compaction or overcrowding of the soil? (ESD)		X		
3. Result in substantial change in topography or ground surface relief features? (ESD)				X
4. Result in the destruction, covering or modification of any unique geologic or physical features? (ESD)				X
5. Result in any significant increase in wind or water erosion of soils, either on or off the site? (ESD)		X		
6. Result in changes in deposition or erosion or changes in siltation which may modify the channel of a river, stream, or lake? (ESD)				X

7. Result in exposure of people or property to geologic and geomorphological (i.e. Avalanches) hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? (ESD)				X
8. Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? (ESD)				X
9. Be located on expansive soils, as defined in Chapter 18 of the California Building Code, creating substantial risks to life or property? (ESD)				X

**Discussion- Items VI-1,3,4,6,7,8,9:**

The project proposes to construct electronic gated entries at four existing intersections; Morgan Creek at Vineyard, Waterstone at Walerga, Pinehurst at at PFE and Jimmy Way at Cook-Riolo. All intersections, with the exception of Jimmy Way have sufficient pavement available to meet Placer County's Gated Entry detail. Some improvements, such as additional paving and curbing, will be required at the Jimmy Way/Cook Riolo intersection. There are no structures proposed for the road improvements required to the Jimmy Way/Cook-Riolo entry. Therefore, there is no impact.

**Discussion- Items VI-2,5:**

The project proposes to construct electronic gated entries at four existing intersections; Morgan Creek at Vineyard, Waterstone at Walerga, Pinehurst at at PFE and Jimmy Way at Cook-Riolo. All intersections, with the exception of Jimmy Way have sufficient pavement available to meet Placer County's Gated Entry detail. Some improvements, such as additional paving and curbing, will be required at the Jimmy Way/Cook Riolo intersection. The project's site specific impacts associated with soil disruptions and erosion can be mitigated to a less than significant level by implementing the following mitigation measures:

**Mitigation Measures- Items VI-2,5:**

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

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

MM VI.2 The Improvement Plans shall show all proposed grading, drainage improvements, vegetation and tree removal and all work shall conform to provisions of the County Grading Ordinance (Ref. Article 15.48, Placer County Code) and Stormwater Quality Ordinance (Ref. Article 8.28, Placer County Code) that are in effect at the time of submittal. No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved and all temporary construction fencing has been installed and inspected by a member of the Development Review Committee (DRC). All cut/fill slopes shall be at a maximum of 2:1 (horizontal: vertical) unless a soils report supports a steeper slope.

and the Engineering and Surveying Department (ESD) concurs with said recommendation. Fill slopes shall not exceed 1.5:1 (horizontal: vertical)

The applicant shall revegetate all disturbed areas. Revegetation, undertaken from April 1 to October 1, shall include regular watering to ensure adequate growth. A winterization plan shall be provided with project Improvement Plans. It is the applicant's responsibility to ensure proper installation and maintenance of erosion control/winterization before, during, and after project construction. Soil stockpiling or borrow areas, shall have proper erosion control measures applied for the duration of the construction as specified in the Improvement Plans. Provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of the Engineering and Surveying Department (ESD).

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

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

**MM VI.3** The Improvement Plans shall show that water quality treatment facilities/Best Management Practices (BMPs) shall be designed according to the guidance of the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development / Redevelopment, and for Industrial and Commercial (or other similar source as approved by the Engineering and Surveying Department (ESD) such as the Stormwater Quality Design Manual for the Sacramento and South Placer Regions.

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

**VII. GREENHOUSE GAS EMISSIONS – Would the project:**

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

**Discussion- All Items:**

Greenhouse gas (GHG) emissions of primary concern from land use projects include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), and nitrous oxide (N<sub>2</sub>O). Construction related activities resulting in exhaust emissions may come from fuel combustion for heavy-duty diesel and gasoline-powered equipment, portable auxiliary equipment, material delivery trucks, and worker commuter trips. With regards to operational-related emissions, the traffic analysis conducted for the project indicated that the installation of the gates would not generate any new vehicle trips, nor would it decrease the Level of Service of area roadway segments or intersections. Thus, the construction and operation of the project would not generate substantial greenhouse gas emissions, either directly or indirectly, which may be considered to have a significant impact on the environment, nor conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases and is therefore considered to have a less than significant impact. No mitigation measures are required.

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**VIII. HAZARDS & HAZARDOUS MATERIALS – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Create a significant hazard to the public or the environment through the routine handling, transport, use, or disposal of hazardous or acutely hazardous materials? (EHS)				X
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (EHS)			X	
3. Emit hazardous emissions, substances, or waste within one-quarter mile of an existing or proposed school? (PLN, Air Quality)				X
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (EHS)				X
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (PLN)				X
6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing in the project area? (PLN)				X
7. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (PLN)				X
8. Create any health hazard or potential health hazard? (EHS)				X
9. Expose people to existing sources of potential health hazards? (EHS)				X

**Discussion- Item VIII-1:**

This project will not create a significant hazard to the public or the environment through the routine handling, transport, use, or disposal of hazardous materials.

**Discussion- Item VIII-2:**

Construction of the proposed project would involve the short-term use and storage of hazardous materials typically associated with grading, such as fuel and other substances. All materials would be used, stored, and disposed of in accordance with applicable federal, state, and local laws including Cal-OSHA requirements and manufacturer's instructions. Therefore, the proposed project does not pose a risk of accident or upset conditions involving the release of hazardous materials. No mitigation measures are required.

**Discussion- Item VIII-3:**

The Cook Riolo entrance to Morgan Greens is approximately .35 miles southwest of Creekview Ranch Middle School, and approximately .37 miles north of Dry Creek Elementary School. While these schools are in the vicinity of the construction areas, the proposed project will not emit hazardous emissions, substances, or waste within one-quarter mile of either school or any proposed school.

**Discussion- Item VIII-4:**

This project will not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**Discussion- Items VIII-5, 6:**

The proposed project is not located within an airport land use plan, within two miles of a public airport, or within the vicinity of any known private airstrip.

**Discussion- Item VIII-7:**

The proposed project will not expose people or structures to a significant risk due to wildland fires.

**Discussion- Item VIII-8:**

The project will not create any health hazard or potential health hazard with respect to Environmental Health Services.

**Discussion- Item VIII-9:**

The project will not expose people to existing sources of potential health hazards.

**IX. HYDROLOGY & WATER QUALITY – Would the project:**

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

**Discussion- Item IX-1:**

The project will not violate any potable water quality standards as there is not a potable water supply proposed with this project.

**Discussion- Item IX-2:**

The project will not substantially deplete groundwater supplies as it does not propose utilizing a groundwater source for its water usage.

**Discussion- Items IX-3,4:**

The project proposes minor improvements to an existing road. The small amount of paving and curbing proposed and/or required will not significantly alter any drainage patterns, increase any surface runoff, increase polluted runoff, or degrade water quality. Therefore, these impacts are considered less than significant. No mitigation measures are required.

**Discussion- Items IX-5,6:**

The construction of the proposed improvements has the potential to degrade water quality. Stormwater runoff naturally contains numerous constituents; however, urbanization and urban activities including development and redevelopment typically increase constituent concentrations to levels that potentially impact water quality. Pollutants associated with stormwater include (but are not limited to) sediment, nutrients, oils/greases, etc. The proposed project's impacts associated with water quality can be mitigated to a less than significant level by implementing the following mitigation measures:

**Mitigation Measures- Items IX-5,6:**

Refer to text in MM VI.1, MM VI.2, and MM VI.3

MM IX.1 The Improvement Plans shall show that water quality treatment facilities/Best Management Practices (BMPs) shall be designed according to the guidance of the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development / Redevelopment, and for Industrial and Commercial (or other similar source as approved by the Engineering and Surveying Department (ESD) such as the Stormwater Quality Design Manual for the Sacramento and South Placer Regions.

Storm drainage from on- and off-site impervious surfaces (including roads) shall be collected and routed through specially designed catch basins, vegetated swales, vaults, infiltration basins, water quality basins, filters, etc. for entrapment of sediment, debris and oils/greases or other identified pollutants, as approved by the Engineering and Surveying Department (ESD). BMPs shall be designed at a minimum in accordance with the Placer County Guidance Document for Volume and Flow-Based Sizing of Permanent Post-Construction Best Management Practices for Stormwater Quality Protection. Post-development (permanent) BMPs for the project include, but are not limited to: Extended Detention/Water Quality Basins (TC-22), 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 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. Failure to do so will be grounds for permit revocation. Prior to Improvement Plan 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.

**Discussion- Item IX-7:**

Standard Best Management Practices (BMPs) will be used as required by the Placer County Engineering and Surveying Division during construction of the project. Examples of construction BMPs include but are not limited to: waddles, fiber rolls, straw mats, revegetation, and silt fencing. With the addition of BMPs, the impact for substantially degrading groundwater quality is less than significant. No mitigation measures are required.

**Discussion- Items IX-8,10,12:**

The project improvements are minimal. The project development area is not located within any levee or dam failure inundation area or will impact any surface water resources. Therefore, there is no impact.

**Discussion- Item IX-9:**

The project proposes minor improvements to an existing road to allow for an adequate turn around for a gated entry. Approximately 700 square feet of paving, curbing, and grading is proposed within the shallow fringes of the Dry Creek 100-year floodplain, which translates to approximately 90 cubic feet of floodplain storage. Although this is considered to be a less than significant impact to the Dry Creek floodplain, the applicant is proposing to construct in-kind volumetric compensation. Therefore, these impacts are considered less than significant.

**Mitigation Measures– Item IX-9:**

Refer to text in MM VI.1, MM VI.2, and MM VI.3

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

**Discussion- Item IX-11:**

This project will not be using a groundwater source for its water supply needs. Thus, the likelihood of altering the direction or rate of flow of groundwater is null.

**X. LAND USE & PLANNING – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Physically divide an established community? (PLN)			X	
2. Conflict with General Plan/Community Plan/Specific Plan designations or zoning, or Plan policies adopted for the purpose of avoiding or mitigating an environmental effect? (EHS, ESD, PLN)			X	
3. Conflict with any applicable habitat conservation plan or natural community conservation plan or other County policies, plans, or regulations adopted for purposes of avoiding or mitigating environmental effects? (PLN)				X
4. Result in the development of incompatible uses and/or the creation of land use conflicts? (PLN)				X
5. Affect agricultural and timber resources or operations (i.e. impacts to soils or farmlands and timber harvest plans, or impacts from incompatible land uses)? (PLN)				X
6. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? (PLN)			X	
7. Result in a substantial alteration of the present or planned land use of an area? (PLN)			X	
8. Cause economic or social changes that would result in significant adverse physical changes to the environment such as urban decay or deterioration? (PLN)				X

**Discussion- Items X-1,2,6,7:**

The applicant's stated purpose of installing the gates is to improve entry control at the four entrances and to save money by reducing the number of greeters needed. Currently, the three Morgan Creek entrances are manned by greeters 24 hours a day. Greeters cannot prevent any vehicle from entering the subdivision, but all vehicles are reviewed before allowing entrance. Installing gates at these entrances will not change the review of vehicles prior to their entry, but will prevent motorists from driving into the subdivisions without checking in with a greeter. Pedestrian and bicycle access would not be changed with the installation of the vehicle access gates. The Morgan Greens community entrance would have a gate installed which is similar to the three Morgan Creek gates. This gate would be monitored by the Morgan Creek greeter at the Vineyard entrance.

While the Dry Creek West Placer Community Plan does not specifically prohibit gates, Goal 6 on page 51 of the Plan states that "It is a goal to create residential development which allows the following elements: Human interaction, bicycle and pedestrian circulation, an appropriate relationship to existing development in the area...". The question of whether or not gates are appropriate within the Dry Creek West Placer Community area is a policy question, not an environmental question. Additionally, as the Conditions of Approval for both the Morgan Creek and Morgan Green subdivisions specifically prohibit gates, the Conditional Use Permits associated with each subdivision would require modification subject to a hearing body approval. With regards to the actual environmental impacts of the gates, the impacts were found to be less than significant. No mitigation measures are required.

**Discussion- Item X-3:**

The proposed project will not conflict with any locally adopted conservation plans.

**Discussion- Item X-4:**

The proposed project will not result in the development of incompatible uses and/or the creation of land use conflicts.

**Discussion- Item X-5:**

The proposed project will have no impact on agricultural and timber resources or operations.

**Discussion- Item X-8:**

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

**XI. MINERAL RESOURCES – Would the project result in:**

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

**Discussion- All Items:**

As this project consists of installing gates in areas already paved and utilized as entrances to established communities, there will be no impact to mineral resources. The minor changes proposed for the Jimmy Way entrance will not result in a loss of any know mineral resource.

**XII. NOISE – Would the project result in:**

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

**Discussion- Items XII-1,3:**

Installation of the gates at all four locations, and the minimal pavement and landscape work required at the Cook Riolo entrance will temporarily increase ambient noise levels. Any nearby residences may be negatively impacted in the short term. However, this impact is considered to be temporary and less than significant. A condition of the project will be to comply with the Placer County Noise Ordinance. Additionally, the following standard note will be required on Improvement Plans and will reduce any potential impact from construction noise to less than significant:

*Construction noise emanating from any construction activities for which a Grading Permit or Improvement Plans are required is prohibited on Sundays and Federal Holidays, and shall only occur:*

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

*In addition, temporary signs 4 feet x 4 feet shall be located along the perimeter of the project, as determined by the Development Review Committee, 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.*

No mitigation measures are required.

**Discussion- Item XII-2:**

The project will not create a substantial, permanent increase in ambient noise levels in the project vicinity.

**Discussion- Item XII-4:**

The proposed project is not located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport.

**Discussion- Item XII-5:**

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

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**XIII. POPULATION & HOUSING –** Would the project:

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

**Discussion- All Items:**

The project will not directly or indirectly induce population growth in the area nor will it displace housing or require construction of replacement housing.

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

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Fire protection? (ESD, PLN)				X
2. Sheriff protection? (ESD, PLN)				X
3. Schools? (ESD, PLN)				X
4. Maintenance of public facilities, including roads? (ESD, PLN)				X
5. Other governmental services? (ESD, PLN)				X

**Discussion- All Items:**

The proposed project does not generate the need for new fire protection facilities, sheriff protection facilities, school facilities, public facilities, or other governmental services as a part of this project. Therefore, there is no impact.

**XV. RECREATION –** Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (PLN)				X

2. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (PLN)				X
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**Discussion- All Items:**

The proposed project will not increase the use of existing neighborhood and regional parks or other recreational facilities, as no new housing is proposed. The project itself does not include any recreational facilities.

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

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

**Discussion- Items XVI-1,2:**

The proposed project will construct vehicular entry gates at the four existing entrances to the development. The installation of the gates will not generate any new vehicle trips nor will it decrease the Level of Service of area roadway segments or intersections. Therefore, there is no impact.

**Discussion- Item XVI-3:**

The proposed project will construct vehicular entry gates at the four existing entrances to the development. Three of the existing entries currently utilize manned booths to screen entering vehicles. One of the entries will be manned at all times and will have a live video feed to each of the other entries so visitors can be screened and the gates remotely operated. The proposed improvements have been designed to include separate entry lanes for residents and visitors to reduce the number of stacked vehicles and the entrances will be widened as necessary to provide sufficient room for a vehicle to turn around and exit if necessary. A traffic analysis was prepared and based on existing counts and the proposed design of the entry system the analysis determined that sufficient storage space was being provide at each entry so that vehicles would not queue into the adjacent public road. Therefore, there is no impact.

**Discussion- Item XVI-4:**

The gate installation will include an emergency radio gate opening device that the servicing fire district will be able trigger from their vehicles and County service vehicles will be provided with the gate codes so there will be no significant impacts to emergency access or access to nearby uses that would result in any physical change to the environment. Therefore, this impact is less than significant.

**Discussion- Item XVI-5:**

As proposed, the installation of the gates would have no effect on the parking capacity on-site or off-site.

**Discussion- Item XVI-6:**

The existing entrances accommodate pedestrians and bicyclists and the proposed improvements will not change these facilities. Therefore, there is no impact.

**Discussion- Item XVI-7:**

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

**Discussion- Item XVI-8:**

The proposed project will not cause a change in air traffic patterns.

**XVII. UTILITIES & SERVICE SYSTEMS – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (ESD)				X
2. Require or result in the construction of new water or wastewater delivery, collection or treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (EHS, ESD)				X
3. Require or result in the construction of new on-site sewage systems? (EHS)				X
4. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (ESD)				X
5. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (EHS)				X
6. Require sewer service that may not be available by the area's waste water treatment provider? (EHS, ESD)				X
7. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs in compliance with all applicable laws? (EHS)				X

**Discussion- Items XVII-1,2,4,6:**

The proposed project will result in the construction of roadway improvements to the existing Jimmy Way. These roadway improvements are required to provide sufficient vehicle turn around in front of the proposed gated entry. The proposed project does not create any wastewater and will not exceed any wastewater requirements of the Regional Water Quality Control Board and will not require any new or expanded wastewater services. Therefore, there is no impact.

**Discussion- Item XVII-3:**

The project will not require or result in the construction of new on-site sewage disposal systems.

**Discussion- Item XVII-5:**

The project will not be utilizing a potable water supply, thus there was no determination of whether there is a sufficient potable water supply.

**Discussion- Item XVII-7:**

The project will be served by the Western Regional Sanitary Landfill in Roseville. There is sufficient capacity to accommodate the project's solid waste disposal needs.

**E. MANDATORY FINDINGS OF SIGNIFICANCE:**

Environmental Issue	Yes	No
1. Does the project have the potential to degrade the quality of the environment, substantially impact biological resources, or eliminate important examples of the major periods of California history or prehistory?		X
2. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)		X
3. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?		X

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

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

**G. DETERMINATION –** The Environmental Review Committee finds that:

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

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

Planning Services Division, Lisa Carnahan, Chairperson  
 Planning Services Division, Air Quality, Lisa Carnahan  
 Engineering and Surveying Division, Richard Eiri  
 Department of Public Works, Transportation  
 Environmental Health Services, Laura Rath  
 Flood Control Districts, Andrew Darrow  
 Facility Services, Parks, Andy Fisher  
 Environmental Engineering Division, Janelle Heinzler  
 Placer County Fire/CDF, Bob Eicholtz/Brad Albertazzi

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Signature \_\_\_\_\_ Date May 2, 2013  
 E. J. Ivaldi, Environmental Coordinator

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

<b>County Documents</b>	<input checked="" type="checkbox"/> Air Pollution Control District Rules & Regulations	
	<input checked="" type="checkbox"/> Dry Creek West Placer Community Plan	
	<input checked="" type="checkbox"/> Environmental Review Ordinance	
	<input checked="" type="checkbox"/> General Plan	
	<input checked="" type="checkbox"/> Grading Ordinance	
	<input checked="" type="checkbox"/> Land Development Manual	
	<input checked="" type="checkbox"/> Stormwater Management Manual	
	<input checked="" type="checkbox"/> Noise Ordinance	
<b>Site-Specific Studies</b>	Planning Services Division	<input checked="" type="checkbox"/> HOA Bylaws dated 9/22/03
		<input checked="" type="checkbox"/> Entrance View Exhibits
		<input type="checkbox"/> Visual Impact Analysis
	Engineering & Surveying Department, Flood Control District	<input type="checkbox"/> Phasing Plan
		<input checked="" type="checkbox"/> Preliminary Grading/Drainage Plan
		<input checked="" type="checkbox"/> Traffic Feasibility Assessment Study dated 10/3/12
		<input checked="" type="checkbox"/> Utility Plan
	Fire Department	<input type="checkbox"/> Emergency Response and/or Evacuation Plan
<input checked="" type="checkbox"/> Traffic & Circulation Plan		

**Mitigation Monitoring Program –  
Mitigated Negative Declaration PLUS # PCPM 20120208  
for Morgan Creek/Morgan Greens Gated Vehicular Entrances Project**

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

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

**Standard Mitigation Monitoring Program (pre project implementation):**

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

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

Mitigation Measures #'s: III.1, VI.1, VI.2, VI.3, IX.1, and IX.2.



MIWOK United Auburn Indian Community  
 MAIDU of the Auburn Rancheria

Gene Whitehouse  
 Chairman

John L. Williams  
 Vice Chairman

Danny Rey  
 Secretary

Brenda Adams  
 Treasurer

Calvin Moman  
 Council Member

June 4, 2013

RECEIVED  
 JUN 19 2013

E.J. Ivaldi, Coordinator  
 County of Placer  
 Community Development Resource Agency  
 3091 Country Center Drive, Suite 190  
 Auburn, California 95603

PLANNING DEPT.

Subject: Notice of Intent to Adopt a Mitigated Negative Declaration for the Morgan Creek/Morgan Greens Gated Vehicular Entrances Project

Dear Mr. Ivaldi,

Thank you for providing a copy of the above referenced document. The United Auburn Indian Community (UAIC) is comprised of Miwok and Maidu people whose traditional homelands include Placer County, as well as some surrounding areas. The Tribe is concerned about development projects in ancestral territory that have potential to impact culturally important sites and landscapes. We appreciate the opportunity to comment on the proposed project.

Based on the information contained in the CEQA Initial Study/Proposed Negative Declaration, the UAIC understands that no prehistoric cultural resources have been observed within the study area, nor were any identified as part of the record search process. However, the Tribe would like to express concern regarding the possibility for discovery of previously unidentified cultural resources and/or subsurface remains, particularly in the case of ground disturbing activities such as those proposed.

An inadvertent discovery could potentially have a significant effect on cultural resources, including possible human remains. We concur with the County of Placers' decision and consider a "Mitigated Negative Declaration" as the appropriate level of analysis for the proposed project. As a proposed mitigation measure, we suggest that the following language be added to the CEQA document to ensure proper consideration of potential effects to cultural resources during project implementation:

1. In the event that prehistoric archaeological resources are discovered during ground disturbing activities, all work in the vicinity of the find shall be halted and the County of Placer shall consult a professional archaeologist to assess the significance of the find. The UAIC should also be contacted immediately. If the find is determined to be legally significant by the archaeologist, or culturally important to the Tribal community, project representatives shall meet with the archaeologist and the Tribe to determine the appropriate course of action.

2. If human remains are discovered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the county coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the coroner determines that the remains are of Native American origin, the coroner will notify the Native American Heritage Commission, which will notify a Most Likely Descendant (MLD). The MLD shall be responsible for recommending the appropriate disposition of the remains and any grave goods at that time.

Thank you again for taking these matters into consideration, and for involving the UAIC early in the planning process. Please contact Marcos Guerrero, Cultural Resources Manager, at (530) 883-2364 or email at [mguerrero@auburnrancheria.com](mailto:mguerrero@auburnrancheria.com) if you have any questions.

Sincerely,



Gene Whitehouse,  
Chairman

CC: Marcos Guerrero, CRM