RECOMMENDED CONDITIONS OF APPROVAL – MINOR USE PERMIT "MILE RESIDENTIAL CARE FACILITY " (PMPB 20120102)

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

1. This Minor Use Permit (PMPCT20120102) is approved to allow for the a residential care facility for up to 12 residents, to be housed in an existing 1,187 square-foot residential structure and an existing 3,260 square-foot residential structure. Each structure will be limited to a capacity of six residents.

2. This Variance (PMPC 201520102) is approved to allow for the Guest House to remain at 41 feet from the edge of easement of Rasmussen Road.

3. The applicant shall construct one parking stall for every two residents (six parking stalls). This shall include one ADA parking stall.

4. Prior to approval of grading plans, the applicant shall obtain a building permit for any necessary conversions of the Guest House or Secondary Dwelling.

5. Prior to building permit application or any site disturbance, including grading or tree removal activities, during the raptor nesting season (March 1 - September 1), a focused survey for raptor nests shall be conducted by a qualified biologist. A report summarizing the survey shall be provided to Placer County and the California Department of Fish & Game (CDFG) within 30 days of the completed survey. If an active raptor nest is identified appropriate mitigation measures shall be developed and implemented in consultation with CDFG. If construction is proposed to take place between March 1st and September 1st, no construction activity or tree removal shall occur within 500 feet of an active nest (or greater distance, as determined by the CDFG). Construction activities may only resume after a follow up survey has been conducted and a report prepared by a qualified raptor biologist indicating that the nests (or nests) are no longer active, and that no new nests have been identified. A follow up survey shall be conducted 2 months following the initial survey, if the initial survey occurs between March 1st and July 1st additional follow up surveys may be required by the DRC, based on the recommendations in the raptor study and/or as recommended by the CDFG. Temporary construction fencing and signage as described herein shall be installed at a minimum 500 foot radius around trees containing active nests. If all project construction occurs between

September 1st and March 1st no raptor surveys will be required. Trees previously approved for removal by Placer County, which contain stick nests, may only be removed between September 1st and March 1st. A note which includes the wording of this condition of approval shall be placed on the Improvement Plans. (MM IV.1) (PLN)

6. Any disturbance of areas qualifying as Waters of the U.S. require a water quality certification from the Regional Water Quality Control Board pursuant to Section 401 of the federal Clean Water Act. (MM IV.2) (PLN)

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

a. For each diameter inch of a tree removed, replacement shall be on an inch-for-inch basis. For example, if 100 diameter inches are proposed to be removed, the replacement trees would equal 100 diameter inches (aggregate). If replacement tree planting is proposed, the tree replacement/mitigation plan must be shown on Improvements Plans and must be installed by the applicant and inspected and approved by the Development Review Committee (DRC). At its discretion, the DRC may establish an alternate deadline for installation of mitigation replacement trees if weather or other circumstances prevent the completion of this requirement.
b. In lieu of the tree planting mitigation for tree removal listed above, a tree replacement mitigation fee of $100 per diameter inch at breast height for each tree removed or impacted or the current market value, as established by an Arborist, Forester or Registered Landscape Architect, of the replacement trees, of the replacement trees, including the cost of installation, shall be paid to the Placer County Tree Preservation Fund. (MM IV.3) (PLN)

8. Provide an on-site water storage tank with a capacity of at least 6,000 gallons. A fire Department suction connection must be piped from the tank to an appropriate location for fire department use as it might relate to any structure on the property. (MM XIV.1)(PLN)

9. Provide a turn-out for vehicles in front of the property. This may essentially involve provision of a 20-foot wide section of roadway at least 30-feet long with a taper at each end. (MM XIV. 2)(PLN)

10. Conform to the requirements contained in the California Building Code for a R3.1 occupancy. (MM XIV. 3)(PLN)

11. Prior to commencement of use, or final occupancy of any building permit, whichever occurs first, the applicant shall prepare and submit Grading Plans (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 Division (ESD) for review and approval. 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. The applicant shall pay minimum 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, including obtaining an encroachment permit for any work within the public right-of-way. Record drawings shall be prepared and signed by the applicant and shall be submitted to, and approved by the ESD prior to acceptance by the County of the site improvements. (MM)(ESD)

12. All proposed grading, drainage improvements, vegetation and tree removal shall be shown on the Grading Plans and all work shall conform to provisions of the County Grading Ordinance (Ref. Article 15.48, Placer County Code) that are in effect at the time of submittal. No grading, clearing, or tree disturbance shall occur until the Grading Plans are approved and all temporary construction fencing has been installed and inspected by a member of the DRC. All cut/fill slopes shall be at 2:1 (horizontal:vertical) unless a soils report supports a steeper slope and the Engineering and Surveying Division (ESD) concurs with said recommendation. (MM)(ESD)

13. Prior to Grading Plan approval, or final occupancy of any building permit, whichever occurs first, provide the ESD with a letter from the appropriate fire protection district (s) describing conditions under which service will be provided to this project. (ESD)

14. The Grading 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 Division (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), Velocity Dissipation Devices (EC-10), and revegetation techniques. (MM)(ESD)

15. The west half of the existing residential driveway connecting to the county maintained highway (Rasmussen Road) shall be constructed to a Plate R-17, LDM (Minor) standard. The design speed of the roadway is 25 mph or as otherwise specified by the DPW. The Plate R-17 structural section within the main roadway right-of-way shall be designed for a Traffic Index of 7.0, but said section shall not be less than 3 inches Asphalt Concrete (AC) over 8 inches Class 2 Aggregate Base (AB) unless otherwise approved by the ESD and/or DPW. An Encroachment

Permit shall be obtained from DPW and the work shall be completed prior to commencement of use, or final occupancy of any building permit, whichever occurs first. (ESD)

16. Construct/reconstruct the road connection of Rasmussen Road onto Val Verde Road to a Plate R-17 (Minor), LDM standard. The design speed of Val Verde Road shall be 35 mph, unless an alternate design speed is approved by the Department of Public Works (DPW). The improvements shall begin at the outside edge of any future lane(s) as directed by the DPW and ESD. An Encroachment Permit shall be obtained by the applicant or authorized agent from DPW. The Plate R-17 structural section within the main roadway right-of-way shall be designed for a Traffic Index of 7.50, but said section shall not be less than 3" AC/8" Class 2 AB unless otherwise approved by the ESD. (ESD)

17. The first 50' of the existing County maintained highway (Rasmussen Road) between Val Verde Road and the project site shall be constructed and/or reconstructed to a Standard Plate R-3 road standard that provides a minimum width of 24'. The improvement shall provide a 75' transition to conform to the existing edge of pavement, unless otherwise approved by the serving fire agency and ESD. The roadway structural section shall be designed for a Traffic Index of 7.0, but said section shall not be less than 3 inches Asphalt Concrete (AC)/8 inches Class 2 Aggregate Base (AB) unless otherwise approved by the ESD and DPW. Note: As a result of the required widening, an existing power pole will need to be relocated. The applicant shall coordinate with the overhead utility companies to relocate the pole to be a minimum of 6' from the ultimate edge of pavement, unless otherwise approved by ESD. (MM)(ESD)

18. Construct a minimum of two roadway turnouts adjacent to the County maintained road (Rasmussen Road) to the satisfaction of the serving fire agency and ESD. The roadway turnouts shall be a minimum of 10 feet wide and 30 feet long with a minimum 25 foot taper on each end. Minimum surfacing shall not be less than 3 inches Asphalt Concrete (AC)/8 inches Class 2 Aggregate Base (AB) unless otherwise approved by the ESD and the fire serving agency. (MM)(ESD)

19. A portion of the existing fence is located within the County maintained highway of Rasmussen Road. Prior to commencement of use, or final occupancy of any building permit (whichever occurs first), the applicant shall remove the portion of fence that is located within the public right-of-way.

As an alternative to removing the private improvements located within the County right-of-way of Rasmussen Road, the applicant may obtain from the Department of Public Works an encroachment permit for the existing fence and, if applicable, for doing any work within the County's right-of-way (Rasmussen Road). (ESD)

20. Prior to Grading Plan approval or Business license approval, whichever occurs first, this project shall be subject to the payment of traffic impact fees that are in effect for the Newcastle/Horseshoe Bar/Penryn Fee District, pursuant to applicable Ordinances and Resolutions. The applicant is notified that the following traffic mitigation fee(s) shall be required and shall be paid to Placer County DPW:

A) County Wide Traffic Limitation Zone: Article 15.28.010, Placer County Code
B) South Placer Regional Transportation Authority (SPARTA).

The current total combined estimated fee is $1,363.23 (based on 12 residential care units, and including a credit for the secondary dwelling being converted). The fees were calculated using the information supplied. If the use or the square footage changes, then the fees will change. The actual fees paid will be those in effect at the time the payment occurs. (MM)(DPW)

21. The septic tank serving the existing second residence shall be evaluated by a licensed septic tank pumper, who shall submit to Environmental Health Services for review and approval, a report of its capacity, structural condition, materials and necessity for pumping. In lieu of having the tank evaluated at this time, the applicant may submit proof that the septic tank has been pumped within the last three (3) years. Other report information listed above is still required.

22. Submit to Environmental Health Services, for review and approval, a water quality analysis report on the water from the two existing wells onsite. The report must be prepared by a State Certified Laboratory and include at a minimum: total Coliform, fecal coliform and chlorine residual.

23. Prior to approval of Grading Plans, on project sites greater than one acre, 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 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. (MM III.1)(APCD)

24. Include the following standard notes on the Grading Plans:

a. The contractor shall use CARB ultra low diesel fuel for all diesel-powered equipment.
b. In order to control dust, an operational watering truck 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 dust as approved by the individual jurisdiction) if silt, dirt, mud or debris is carried over to adjacent public thoroughfares. *(Based on APCD Rule 228 / section 401.5)*

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. *(Based on APCD Rule 228 / section 401.1, 401.4)*

e. During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less. *(Based on APCD Rule 228 / section 401.5)*

f. The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) are excessive and dust is impacting adjacent properties. *(Based on APCD Rule 228)*

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). *(Based on APCD Rule 228 / section 402)*

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. *(Based on APCD Rule 228)*

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. *(Based on APCD Rule 202)*

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. *(Based on APCD 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. *(Based on APCD Rule 310)* (MM III.1)(APCD)

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

26. This approval shall expire on December 23, 2014 unless previously exercised.