RECOMMENDED CONDITIONS OF APPROVAL - TENTATIVE MAP (PSUB 20110108)/CONDITIONAL USE PERMIT/VARIANCE/MINOR USE PERMIT (PMPA 20110145) - "TIMBERLINE AT AUBURN"

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.

SUB = Required for exercising the Subdivision approval.
UP = Required for exercising the Use Permit approval.
MUP = Required for exercising the Minor Use Permit approval.

1. This Conditional Use Permit (PSUB20110108) authorizes the development of a continuing care community including 858 residential units, nine two- and three-story independent living buildings, 72 villa duplexes, 68 detached villas, two independent living buildings, and four retirement "common buildings" that in total equal 780 living units. This CUP also authorizes development of a three multi-story buildings with 33,500 square feet of commercial/retail with 28,500 square feet being used for retail and 5,000 square feet being used for office professional; five multi-story medical office and office professional buildings with a total of up to 90,000 square feet of medical office space, or up to 140,000 square feet of professional office space; 78 residential lofts that occupy the second and third stories of the retail buildings and one of the medical office buildings (note: the 78 lofts are included in the total unit count of 858); RV/ storage facility; and two 22,500-square-foot professional office commercial buildings. Also approved is a Phased Tentative Map that authorizes the entire site to be subdivided into a 54 lot phased map with open space lot (lot2). The following Variances are approved in conjunction with the Timberline at Auburn project: a Variance to increase the allowable fence height from six (6) feet to eight (8) feet surrounding the RV/ storage yard; a Variance to allow perpendicular parking on private streets; a parking Variance to allow the development of one parking space per loft living unit where normally the zoning ordinance would call for on space per room and one space for every four rooms in apartment complex for guest parking; a Variance to the front setback to allow entry way structures at Richardson Drive and Bell and two on Richardson Drive; for two monument multi-tenant signage for the commercial areas of the project, a Variance to allow multi tenants on the sign face, allow them to be no higher than twelve feet where eight is normally allowed, and to be less than 100 from a street corner. A Noise Exception is approved for the Timberline at Auburn project to allow an exception to the Placer County property line exterior noise level standard.

In addition to the above, the following entitlements will need to be approved by the Board of Supervisors as part of the project: a Community Plan Amendment; Rezoning; and a Zoning Text Amendment.

A Minor Use Permit (PMPA 20110145) is approved on Assessor's Parcel Number 051-211-016 which authorizes the project applicant to construct a loop trail and mitigation wetlands on the undeveloped Auburn Recreation Park District lands to the northeast.

2. **SUB/UP** The project is approved as a Phased project. The Development Review Committee (DRC) shall determine when any of the conditions/requirements apply to a given phase of development where such timing is not specified in the condition. Adjustment to conditions/requirements may be considered if said revisions accomplish equivalent or better standards.

3. **SUB/UP** All applicable mitigation measures as stated in the Timberline Environmental Impact Report and Mitigation Monitoring Reporting Plan shall be conditions on each phase of the Timberline Vesting Phased Tentative Subdivision Map. (PD/ESD)

4. **SUB/UP** Every phase of the project is required to construct the infrastructure necessary to serve the phase of the project that is developing in accordance with the infrastructure requirements identified in the approved Infrastructure Phasing Plan dated May 2011. The infrastructure improvements include on and off site roadways, grading, water, sewer, drainage, water quality, and dry utilities. The Improvement Plans for each proposed phase shall include/show the construction of the required infrastructure that is identified for said phase in the Infrastructure Phasing Plan. Improvement Plans for the required infrastructure (on and off site) of each proposed phase (as identified in the Infrastructure Phasing Plan) shall be submitted, reviewed, and approved by the ESD prior to or concurrent with the approval of the site specific Improvement Plans for each said proposed phase. A phase of development is defined by either the recordation of a Final Map to create a Lot the proposed construction of any development/use within what is shown as a "Lot" on the Infrastructure Phasing Plan without the recordation of a Final Map (Use Permit/Building Permit requirements), or the proposed mass grading of the site. In any case, the improvements identified in the Infrastructure Phasing Plan shall be required. **(ESD)**

IMPROVEMENTS/IMPROVEMENT PLANS

5. **SUB/UP** **MM 10-2a** 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 for 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.

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

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

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

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

6. **SUB/UP MM 10-2b** The Improvement Plans for each phase 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. (ESD)

7. **SUB/UP** **MM 10-2e** Staging Areas: The Improvement Plan(s) for each phase shall identify the stockpiling and/or vehicle staging areas with locations as far as practical from existing dwellings and protected resources in the area. **(ESD)**

8. **SUB** Prior to Improvement Plan approval, a sewer service to the property boundary of each proposed Lot to public sanitary sewers shall be shown on the Improvement Plans and shall be included in the engineer's estimate of costs for subdivision improvements. Note: Connection fees are not to be included in the Engineer's Estimate. The connection of each existing residence within this project to public sanitary sewers is required. The model homes proposed on Lot 8 may be allowed to be serviced by a contracted pump out service if the applicant receives prior approval from Environmental Health. Note: A Certificate of Occupancy shall not be authorized until public sewer improvements have been accepted by the County. Public sewer easements shall be depicted on the Improvement Plans and kept free of trees and landscaping except for minor ground cover, shrubs, etc. **(ESD)**

9. **SUB/UP** **MM 11-1b** The Improvement Plan submittal for each phase 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 drainage report for each phase shall be in substantial conformance with the preliminary project drainage report included in the EIR. The report for each phase 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. **(ESD)**

10. **SUB/UP** **MM 11-1a** The Improvement Plan submittal and Drainage Report for each phase shall provide details showing that storm water run-off shall be reduced to pre-project conditions through the installation of retention/detention facilities. Retention/detention facilities shall be designed in accordance with the requirements of the Placer County Storm Water Management Manual that are in effect at the time of submittal, and to the satisfaction of the Engineering and Surveying Department (ESD) and shall be shown on the Improvement Plans. The ESD may, after review of the project drainage report, delete this requirement if it is determined that drainage conditions do not warrant installation of this type of facility. In the event on-site detention requirements are waived, this project may be subject to payment of any in-lieu fees payable prior to Improvement Plan approval as prescribed by County Ordinance. No retention/detention facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals. **(ESD)**

11. **SUB/UP** The Improvement Plans shall show that drainage facilities, for purposes of collecting runoff on individual lots, are designed in accordance with the requirements of the County Storm Water Management Manual that are in effect at the time of submittal, and shall comply with applicable stormwater quality standards, to the satisfaction of the Engineering and Surveying Department (ESD). These facilities shall be constructed with subdivision improvements. Prior to Improvement Plan approval for projects without Final Subdivision/Parcel Maps or Final Subdivision/Parcel Map(s) approval, easements shall be created and offered for dedication as required by the ESD. Maintenance of these facilities shall be provided by the homeowners'/property owners' association and annual notification to the county that annual maintenance of the Stormwater Quality BMPs has occurred is required. **(ESD)**

12. **SUB/UP** **MM 10-2d** The proposed project has a ground disturbance of more than one acre. For each phase, prior to Improvement Plan approval, the applicant shall obtain a State

Regional Water Quality Control Board National Pollutant Discharge Elimination System (NPDES) construction stormwater quality permit and shall provide to the Engineering and Surveying Department evidence of a state-issued Waste Discharge Identification (WDID) number or filing of a Notice of Intent and fees. **(ESD)**

13. **SUB/UP** **MM 11-4b** Show the limits of the future, unmitigated, fully developed, 100-year floodplain (after grading) for the on-site tributaries, as shown in the Preliminary Drainage Report, on the Improvement Plans 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. **(ESD)**

14. **SUB/UP** **MM 11-4c** The drainage report for each phase shall demonstrate that the proposed project will not increase the 100-year floodplain water surface elevation upstream or downstream of the project area. **(ESD)**

15. **SUB/UP** On the Improvement Plans and Informational Sheet(s) filed with the appropriate Final Subdivision Map(s), show finished pad elevations for Lot No's 1A, 1B, 1C, 3, 4, 9, 14, 21, 22, 24, and/or for any Phase adjacent to the 100-year floodplain, a minimum of two feet above the 100-year flood plain line (or finished floor three feet above the 100-year floodplain line). The final pad elevation shall be certified by a California registered civil engineer or licensed land surveyor and submitted to the Engineering and Surveying Department and the Department of Public Works. This certification shall be done prior to construction of the foundation or at the completion of final grading, whichever comes first. No construction is allowed until the certification has been received by the Engineering and Surveying Department and Department of Public Works and approved by the floodplain manager. Benchmark elevation and location shall be shown on the Improvement Plans and Informational Sheet (s) to the satisfaction of Development Review Committee. **(ESD)**

16. **SUB/UP** **MM 11-2a** The location, size, and ownership of any canals (Columbia East Canal) on or adjacent to the property shall be described in the drainage report and shown on the Improvement Plans. The applicant shall provide the Engineering and Surveying Department (ESD) with a letter from the agency(s) controlling the canal(s) describing any restrictions, requirements, easements, etc. relative to construction of the project. Said letter shall be provided to the ESD prior to Improvement Plan approval. During construction, drainage from the project site shall not enter the Columbia East Canal. Measures such as temporary construction fencing shall be placed around the canal to prevent people, animals and debris from entering the canal during construction. Concurrent with the encasement and realignment of the Columbia East Canal, a trash rack and spillway shall be constructed at the downstream end of the encased canal if required by NID. The encasement and realignment of the Columbia East Canal shall be coordinated, reviewed, and approved by the NID. **(ESD)**

17. **SUB/UP** **MM 12-3** Prior to Improvement Plan approval for each phase, provide the Engineering and Surveying Department with a letter from the appropriate fire protection district describing conditions under which service will be provided to each phase of the project. A representative's signature from the appropriate fire protection district shall be provided on the Improvement Plans. **(ESD)**

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

19. **SUB/UP** **MM 10-1** The Improvement Plan submittal for each phase (including mass grading) shall include a geotechnical engineering report produced by a California Registered Civil Engineer or Geotechnical Engineer. The report shall address and make recommendations on the following:

A) Road, pavement, and parking area design;
B) Structural foundations, including retaining wall design (if applicable);
C) Grading practices;
D) Erosion/winterization;
E) Special problems discovered on-site, (i.e., groundwater, expansive/unstable soils, etc.)
F) Slope stability

Once approved by the Engineering and Surveying Department (ESD), two copies of the final report shall be provided to the ESD and one copy to the Building Services Division for its use. If the soils report indicates the presence of critically expansive or other soils problems that, if not corrected, could lead to structural defects, a certification of completion of the requirements of the soils report shall be required for subdivisions, prior to approval of the Improvement Plans. This certification may be completed on a lot- by-lot basis or on a Tract basis. This shall be so noted in the Conditions, Covenants, & Restrictions (CC&Rs) and on the Informational Sheet filed with the Final Subdivision Map(s). It is the responsibility of the developer to provide for engineering inspection and certification that earthwork has been performed in conformity with recommendations contained in the report. **(ESD)**

20. **SUB/UP** **MM 10-2c/MM 11-3a** The Improvement Plans for each phase 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), Hydroseeding (EC-4), Stabilized Construction Entrance (LDM Plate C-4), Straw Bale Barriers (SE-9), Storm Drain Inlet Protection (SE-10), Silt Fence (SE-1), revegetation techniques, dust control measures, and concrete washout areas.

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: water quality inlets (TC-50), wet ponds (TC-20), detention basins (TC-22), and vegetated swales (TC-30). No water quality facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.

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

21. **SUB/UP MM 11-3c** The Improvement Plans for each phase shall include the message details, placement, and locations showing that all storm drain inlets and catch basins within the project area shall be permanently marked/embossed with prohibitive language such as "No Dumping! Flows to Creek." or other language /graphical icons to discourage illegal dumping as approved by the Engineering and Surveying Department (ESD). ESD-approved signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, shall be posted at public access points along channels and creeks within the project area. The Property Owner / Property Owners' association is responsible for maintaining the legibility of stamped messages and signs. **(ESD)**

22. **SUB/UP MM 11-3b** This project is located within the area covered by Placer County's municipal stormwater quality permit, pursuant to the National Pollutant Discharge Elimination System (NPDES) Phase II program. Project-related stormwater discharges are subject to all applicable requirements of said permit. Best Management Practices (BMPs) shall be designed to mitigate (minimize, infiltrate, filter, or treat) stormwater runoff in accordance with "Attachment 4" of Placer County's NPDES Municipal Stormwater Permit (State Water Resources

Control Board NPDES General Permit No. CAS000004, Board Order 2003-005-DWQ) and shall be shown on the Improvement Plans. **(ESD)**

23. **UP** **MM 11-3d** The Improvement Plans shall show that all stormwater runoff shall be diverted around trash storage areas to minimize contact with pollutants. Trash container areas shall be screened or walled to prevent off-site transport of trash by the forces of water or wind. Trash containers shall not be allowed to leak and must remain covered when not in use. **(ESD)**

24. **UP** **MM 11-3e** The Improvement Plans shall show that materials with the potential to contaminate stormwater that are to be stored outdoors shall be placed in an enclosure such as, but not limited to, a cabinet, shed, or similar structure that prevents contact with runoff or spillage to the stormwater conveyance system, or protected by secondary containment structures such as berms, dikes, or curbs. The storage area shall be paved to contain leaks and spills and shall have a roof or awning to minimize collection of stormwater within the secondary containment area. **(ESD)**

25. **UP** **MM 11-3f** The Improvement Plans shall show that loading dock areas shall be covered and run-on and/or runoff of stormwater to the dock area shall be minimized. Direct connections to storm drains or sanitary sewers from depressed loading docks (truck wells or sumps) are prohibited. **(ESD)**

26. **SUB/UP** Install cable TV conduit(s) in accordance with company or County specifications, whichever are appropriate. **(ESD)**

27. **SUB/UP** **MM 7-1** The Improvement Plans shall include both a construction signing plan and a striping and signing plan and said plans shall include all on- and off-site traffic control devices. **(ESD)**

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

29. **SUB/UP** **MM 12-1b** Prior to Improvement Plan approval for each phase of development, NID shall provide a will-serve letter stating that the required fire flow is available for fire protection services to the project and that the agency has the ability and system capacity to provide the project's domestic water quantity needs, to the satisfaction of the servicing fire district

and the County. If an alternative water source to NID is proposed for fire flow, then prior to Improvement Plan approval, the alternative water source shall meet the required fire flows for fire protection services to the project, to the satisfaction of the servicing fire district and the County, and may require additional environmental review. The Improvement Plans shall be approved by the water supply entity for water service, supply, and maintenance. **(ESD)**

30. **SUB/UP** **MM 12-2a** Prior to Improvement Plan approval of the phase of development with a sewer tributary to the Joeger Road Lift Station, the project applicant shall provide a sewer study and Lift Station Design Report for the upsizing of the Joeger Road Lift Station to accommodate the build out flows of the Joeger Road Lift Station tributary area for review and approval by the Facility Services Department, Environmental Engineering Division. The project shall show on the Improvement Plans the construction of the necessary improvements to the Joeger Road Lift Station as identified/required in the sewer study and Lift Station Design Report. The sewer study shall describe the average daily dry weather and peak wet weather wastewater generation from the site, the ultimate sewer shed area and the methodology used to derive the estimates. The applicant shall be responsible for upsizing upstream and downstream pipes to accommodate built-out flows when they are impacted due to the additional flow to the Joeger Road Lift Station from the project.

Prior to Lift Station Design approval for the upsizing of the Joeger Road Lift Station, the project applicant may elect to conduct additional flow monitoring of the Joeger Road Lift Station. The method of monitoring is subject to the review and approval of the Facility Services Department, Environmental Engineering Division. The results of the additional flow monitoring analysis may be used in lieu of the data used in the sewer study to design the upsizing of the Joeger Road Lift Station to accommodate build out flows to the lift station.

If necessary improvements to the Joeger Road Lift Station are determined to be infeasible based on the Lift Station Design Report, the applicant shall provide a sewer study and Lift Station Design Report for an on-site lift station for review and approval, subject to a final determination by the Facility Services Department, Environmental Engineering Division. **(DFS)**

31. **SUB/UP** If a public on-site lift station is approved (per MM 12-2b), then the following shall apply:

Concurrent with or prior to acceptance of the improvements as complete by the County, the property owner shall convey the lift station property in fee title to the County of Placer (County) in conformance with the requirements of the County Department of Facility Services (DFS). Any property that will be transferred to the County must be conveyed to the County with clear and marketable title, free of all title defects, liens, encumbrances, conditions, covenants, restrictions, and other adverse interests of record subject only to those exceptions approved by DFS in writing. Clear and marketable title shall be evidenced by a CLTA standard coverage title insurance policy, which shall be in an amount equal to the value of the property being transferred. Property shall be inspected by DFS prior to transfer and shall be in a physical condition that is acceptable to the County. All actions necessary to convey property to the County, including but not limited to

providing clear and marketable title shall be the developer's responsibility and at the developer's sole expense. Transfer of said property to the County shall not occur until the requirements of this condition are fulfilled to the satisfaction of DFS. **(DFS)**

32. **SUB/UP** **MM 12-2b** Prior to Improvement Plan approval, the project applicant shall submit a sewer study to the Facility Services Department, Environmental Engineering Division for review and approval of each phase of the project, which at a minimum shall include the project phase description, number of EDUs, ADWF, and PWWF. The sewer study shall identify which sections of off-site sewer pipe need to be upsized to accommodate the phase. The required sewer pipe improvements shall be shown on the Improvement Plans for each phase. The District and project applicant will enter into an agreement determining the District's contribution for preparing sewer study and upsizing portions of the Dewitt Trunk line. The applicant shall be responsible for constructing needed improvements. **(DFS)**

33. **SUB/UP** **MM 12-2c** The applicant shall be required to implement an off-site mitigation program that will replace and/or rehabilitate sewer infrastructure in order to reduce inflow and infiltration in areas tributary to the DeWitt trunk line within Sewer Maintenance District No. 1. The off-site mitigation program will create capacity within the existing system equivalent to the project's peak wet weather flows. The off-site mitigation program shall consist of upsizing of the DeWitt Trunk line as shown in Table 12-15 and Table 12-16 and/or other off site replacement and/or rehabilitation projects on existing infrastructure. The off-site mitigation program shall be coordinated, reviewed, and approved by the Facility Services Department, Environmental Engineering Division prior to or concurrent with the Improvement Plan approval of each phase of on-site development projects. The on-site development project sewer improvements shall not be accepted as complete by the County until the County accepts the off-site sewer mitigation program improvements as complete. **(DFS)**

34. **SUB/UP** **MM 12-2d** Sewer connection fees shall be paid at the time of sewer permit issuance. The connection fee is used to offset the project's increase in capacity at the SMD-1 WWTP. The actual fees paid shall be those in effect at the time the payment occurs. **(DFS)**

35. **SUB/UP** Prior to the Improvement Plan approval of the initial phase, the applicant shall submit to the Facility Services Department, Environmental Engineering Division for review and approval, a final sewer master plan prepared by a California Registered Civil Engineer for the ultimate shed area to determine ultimate flows and the required upsizing of the DeWitt Trunk line from the project site to the SMD-1 WWTP. The upsizing of the DeWitt Trunk line as identified in the ECO:LOGIC, Timberline Project, Wastewater Facilities Capacity Study, August 2010 for this project shall be designed and constructed to accommodate build-out development for the ultimate shed area that it will serve. The District and project applicant will enter into an agreement determining the District's contribution for preparing sewer study and upsizing portions of the Dewitt Trunk line. **(DFS)**

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

Landscape Plan: The Improvement Plans shall provide details of the location and specifications of all proposed landscaping and irrigation -- for the review and approval of the Development Review Committee. Said landscaping shall be installed prior to the County's acceptance of the subdivision's improvements.

Major hardscape and park layouts shall be included in the first submittal of Improvement Plans. Remaining landscape features may be included with the second submittal of Improvement Plans.

Landscape Design Considerations: Mature size of all proposed plants and trees shall be shown on the Improvement Plans and spacing shall be designed for maturity. Where applicable, as determined by the Development Review Committee, line of sight modeling exhibits shall be provided at locations where conflict may arise as a result of mature plants and trees. Trees with invasive root potential shall be avoided. Low maintenance plants such as those without excessive droppings shall be preferred. Water efficiency shall be considered in the selection of plant material and irrigation system. If landscaping is to be maintained by a public agency, irrigation systems shall conform to the standards of that agency. Public utility easements shall be depicted on the Improvement Plans and kept free of trees and landscaping except for minor ground cover, shrubs, etc.(MMIP) (PD/DFS)

GRADING

37. **SUB/UP** In order to protect site resources, no grading activities of any kind may take place within the 100-year flood plain of the stream/drainage way nor within the watershed of the vernal pool(s), unless otherwise approved as a part of this project. A note to this effect shall be placed on the Improvement Plans. All work shall conform to provisions of the County Flood Damage Prevention Regulations (Section 15.52, Placer County Code). The location of the 100-year flood plain shall be shown on the Improvement Plans. **(ESD)**

38. **SUB/UP** **MM 10-4b** The preliminary geotechnical engineering report performed by Holdrege & Kull, dated August 14, 2008, indicated the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects.

A) For non-pad graded lots, prior to Improvement Plan approval, the applicant shall submit to the Engineering and Surveying Department (ESD) for review and approval, a soil investigation of each lot in the subdivision produced by a California Registered Civil or Geotechnical Engineer (Section 17953-17955 California Health and Safety Code).

B) For pad graded lots, prior to final acceptance of project improvements or consideration of early Building Permits and after the completion of the pad grading for all lots, the applicant shall submit to the Engineering and Surveying Department (ESD) for review and approval, a soil investigation of each lot produced by a California Registered Civil or Geotechnical Engineer (Section 17953-17955 California Health and Safety Code).

The soil investigations shall include recommended corrective action that is likely to prevent structural damage to each proposed dwelling. In addition, the applicant shall include in the Development Notebook (or modify the Development Notebook to include) the soil problems encountered on each specific lot as well as the recommended corrective actions. A note shall be included on the Improvement Plans, Conditions, Covenants, and Restrictions (CC&Rs), and the Informational Sheet filed with the Final Subdivision Map(s), which indicates the requirements of this condition. Once approved by the ESD, two copies of the final soil investigations for each lot shall be provided to the ESD and one copy to the Building Services Division for its use. **(ESD)**

39. **SUB/UP** **MM 13-3** Prior to Improvement Plan approval, submit Proof of Contract with a State licensed contractor if blasting is required for the installation of site improvements. The developer shall comply with applicable County Ordinances that relate to blasting and use only State licensed contractors to conduct these operations. **(ESD)**

40. **SUB/UP** The project proposes to mass grade the site concurrent with certain phases of development as identified in the Timberline Infrastructure Phasing Plan. The applicant shall prepare and submit a separate Mass Grading Plan to the ESD for review and approval prior to or concurrent with a phase that requires the mass grading unless otherwise approved by the DRC. Separate plan check, inspection and winterization fees shall be required and shall be based on the engineer's estimate. If Design/Site Review process and/or DRC review is required as a condition of approval for this project, said review shall be completed prior to the submittal of the Mass Grading Plan.

ROADS/TRAILS

41. **SUB/UP** **MM 7-2a** Construct the following improvements at the intersection of Bell Road and Richardson Drive with the phase of development that will generate a project total of 123 PM peak hour vehicle trips or more:

A) Install a one lane modern roundabout.

OR

B) Signalize the intersection and widen the southbound and westbound approaches as noted below to accommodate the projected 95th percentile queue lengths:

a. Widen the westbound (Bell Road) approach to include an exclusive right-turn lane; with this improvement the westbound approach will include one left-turn lane, one through lane and one right-turn lane.

b. Widen the southbound (Richardson Drive) approach to include an additional left-turn lane; with this improvement the southbound approach will include one left-turn lane, and one shared through-left-right-turn lane.

The improvements to be constructed shall be shown on the Improvement Plans to the satisfaction of the ESD and DPW and shall meet all current and applicable engineering standards. **(ESD)**

42. **SUB/UP MM 7-2b** Construct a traffic signal at the intersection of Bell Road/First Street/Blue Oaks Drive with the phase of development that will generate a project total of 240 PM peak hour vehicle trips or more. The traffic signal shall be shown on the Improvement Plans to the satisfaction of the Department of Public Works, the Engineering and Surveying Department, and the Department of Facility Services, and shall meet all current and applicable engineering standards. Additional improvements to First Street shall be required to accommodate intersection geometrics, conformance to existing improvements, relocation of existing facilities, and curb, gutter, and 8-foot wide sidewalks. **(ESD)**

43. **SUB/UP MM 7-2c** Improve the intersection of Bell Road and New Airport Road to the following standard with the phase of development that will generate a project total of 106 PM peak hour vehicle trips or more:

A) Widen the New Airport southbound approach to include one left turn lane, one through lane, and one right turn lane.

The improvements shall be shown on the Improvement Plans to the satisfaction of the be required to accommodate intersection geometrics, bicycle lanes, or conformance to existing improvements. The roadway structural section shall be designed for a Traffic Index of 9.0, but said section shall not be less than 3" AC/8" Class 2 AB, unless otherwise approved by DPW and the Engineering and Surveying Department. (Ref Section 4, LDM). This condition requires construction of improvements that allow for supplemental capacity that will partially benefit property not within the limits of this project. The applicant may request a reimbursement agreement be set up to provide for reimbursement of the costs exceeding the project's fair share as outlined by the reimbursement condition contained herein. **(ESD)**

44. **SUB/UP MM 7-2f** Prior to Improvement Plan approval for each phase, the applicant shall submit to the ESD and DPW for review and approval, an accounting of trips prepared by a Registered Traffic or Civil Engineer identifying the number of PM peak hour vehicle trips that the proposed phase will generate along with the total number of PM peak hour trips generated by all phases of the project with approved Improvement Plan approvals. Upon approval of Improvement Plans for the phase that generates a project total of more than 240 PM

peak hour trips, this accounting of trips shall not be required for the development of the remainder of the project phases. **(ESD)**

45. **SUB/UP** **MM 7-11a** Each phase that is developed west of the intersection of Road "A" and Road "C" shall construct a temporary or permanent emergency access road from the off site existing pavement of Golden Eagle Drive (north of the project) to each phase that is developed. The project emergency access roads shall be constructed to be capable of supporting a 40,000-pound load, at a minimum. Construct an emergency access gate(s) on site and across the emergency access road at each end of the emergency access road. All improvements necessary and associated with the emergency access road shall be constructed to the satisfaction of the servicing fire district(s) and the DRC and shall be shown on the Improvement Plans. **(ESD)**

46. **SUB/UP** The phase of development that is required to construct the section of Road "B" accessing the emergency access road shall construct the permanent paved emergency access road from the off site existing pavement of Golden Eagle Drive (north of the project) to Road "B" to a 32' wide paved section as shown on the Vesting Phased Tentative Map concurrent with the construction of the section of Road "B" accessing the emergency access road. If the permanent paved emergency access road is constructed sooner than the timing indentified in this Condition (by a phase not required to construct Road "B"), the same requirements shall apply. Construct an emergency access gate(s) across the project emergency access road at the northern property boundary and on the project site. These improvements shall be constructed to the satisfaction of the servicing fire district(s) and the DRC and shall be shown on the Improvement Plans. **(ESD)**

47. **SUB/UP** **MM 7-11b** The phase required to construct the Richardson Drive/Bell Road intersection improvements (MM 7-2a), shall concurrently restrict Bell Road driveway movements (proposed driveway accessing Lot 33) to right-in right-out only by construction of a raised median within Bell Road. The improvement constructed shall be at the sole discretion of the County. This improvement shall be shown on the Improvement Plans for said phase. **(ESD)**

48. **SUB/UP** **MM 7-12** Each phase constructing Richardson Drive and Education Street roadway improvements shall provide bus/transit turnout(s) to the satisfaction of the California Highway Patrol, local bus service provider, the Engineering and Surveying Department, and the Department of Public Works along both sides of Richardson Drive, south of Education Street, or along both sides of the newly constructed section of Education Street. Turnouts along Richardson Drive shall require the removal of as many on-street parking stalls as necessary to safely access the turnout. Turnouts along Education Street shall consist of a wider roadway cross-section to incorporate 7.5-foot wide bike lanes. A letter shall be provided from the CHP and local bus service provider which addresses the need for a turnout and the turnout design (if required) and the turnout shall be as shown on the project Improvement Plans prior to their approval. **(ESD)**

49. **SUB/UP** **MM 7-13** Prior to Improvement Plan approval for each phase of the project, the project applicant shall ensure that the sidewalk network meets Americans with Disabilities Act (ADA) accessibility requirements, subject to review and approval by the Engineering and Surveying Department and the Department of Public Works. **(ESD)**

50. **SUB/UP** **MM 7-14** The Improvement Plans for the phase that is required to construct the connection of Richardson Drive to the existing northerly, off site, pavement of Richardson Drive (at Park Drive) shall include the removal of all proposed parallel parking spaces (approximately seventeen spaces) along the west side of Richardson Drive, south of Education Street as shown on the Vesting Phased Tentative Map, to the satisfaction of the Engineering and Surveying Department and the Department of Public Works. A note shall be included on the Improvement Plans for the construction of the Richardson Drive roadway segment that connects to the existing Richardson Drive pavement to the north of the project indicating the removal of these parking spaces prior to completion of the improvements. The County, at its sole discretion, shall determine the feasibility of retaining three to four parking spaces on the west side of Richardson Drive immediately south of Education Street. **(ESD)**

51. **SUB/UP** Construct the proposed private, gated entrance feature on the on site subdivision roads (Road "A" and Road "D") at the intersection with Richardson Drive to comply with the County's current Private Gated Entrance standard (Plate R-27) to the satisfaction of the ESD, DPW, and the servicing fire district(s). The entrance shall provide for a vehicle turnaround in front of the gate such that a vehicle can turn around within the on site roadway easement and enter onto Richardson Drive in a forward direction. **(ESD)**

52. **SUB/UP** Construct all public road entrances/driveways onto Richardson Drive, Education Street, and Quartz Drive to a Plate R-13, LDM standard. The improvements shall begin at the outside edge of any future lane(s) as directed by the DPW and the Engineering and Surveying Department (ESD). The Plate R-13 structural section within the main roadway right-of-way shall be designed for a Traffic Index of 7.0, but said section shall not be less than 3" AC/8" Class 2 AB unless otherwise approved by the ESD. Sight Distance Exhibits shall also be required for all public road entrances in accordance with Plate R-17 of the Land Development Manual. **(ESD)**

53. **SUB/UP** Construct Richardson Drive roadway segments to the following standards including vertical curb, gutter, and a minimum 8' sidewalk on one side of Richardson Drive and a 6' pedestrian sidewalk on the other side as shown on the Vesting Phased Tentative Map:

A) 50' of pavement between Bell Road and Education Street.
B) 43' of pavement between Education Street and Road "A" (main project driveway).
C) 38' of pavement between Road "A" (main project driveway) and the northern property boundary.

D) 50' of pavement between the northern property boundary and the existing Park Drive.

Additional widening and/or reconstruction may be required to improve existing structural deficiencies, accommodate auxiliary lanes, intersection geometrics, signalization, bike lanes, or for conformance to existing improvements. Richardson Drive shall be designed to meet a 35 mph design speed criteria, as specified in the latest version of the Caltrans *Highway Design Manual* unless otherwise approved by DPW. The roadway structural section 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. (Ref. Section 4, LDM). **(ESD)**

54. **SUB/UP** Construct Education Street to an Urban Secondary (Plate 10 LDM) standard with a minimum 32' of pavement, curb, gutter, and 6' sidewalks from Richardson Drive to the existing pavement of the off site Education Street and as shown on the Vesting Phased Tentative Map. Additional widening and/or reconstruction may be required to improve existing structural deficiencies, accommodate auxiliary lanes, intersection geometrics, signalization, bike lanes, or for conformance to existing improvements. Education Street shall be designed to meet 35 mph design speed criteria, as specified in the latest version of the Caltrans *Highway Design Manual* unless otherwise approved by DPW. The roadway structural section 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. (Ref. Section 4, LDM). **(ESD)**

55. **SUB/UP** Construct Quartz Drive to an Urban Secondary (Plate 10 LDM) standard with a minimum 32' of pavement, curb, gutter, and 6' sidewalks from Richardson Drive to the existing pavement of the off site Quartz Drive and as shown on the Vesting Phased Tentative Map. Additional widening and/or reconstruction may be required to improve existing structural deficiencies, accommodate auxiliary lanes, intersection geometrics, signalization, bike lanes, or for conformance to existing improvements. Quartz Drive shall be designed to meet 35 mph design speed criteria, as specified in the latest version of the Caltrans *Highway Design Manual* unless otherwise approved by DPW. The roadway structural section 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. (Ref. Section 4, LDM). **(ESD)**

56. **SUB/UP** Construct the "on site" access/roadways (Road "A", "B", "C", "D", "E", and "F") to the following minimum standards and as shown on the Vesting Phased Tentative Map:

A) 24' of pavement width (some sections as wide as 35', see Vesting Phased Tentative Map for approved widths).

B) 3' wide curb/gutter or 2' AB shoulder with 4' wide water quality swale on each side.

C) 6' wide concrete sidewalk on one side.

D) Roads shall be signed "No Parking" or shall provide red painted curbs to the satisfaction of the servicing fire district(s) and the County.

The road(s) and storm drainage shall be maintained by the Property Owner/Property Owner's Association. The "on site" access/roadway shall be designed to meet 15 mph design speed criteria, as specified in the latest version of the Caltrans *Highway Design Manual* unless otherwise approved by DPW. The roadway structural section shall be designed for a Traffic Index of 6.5. (Ref. Section 4, LDM). The "on site" roadways proposed for this project do not meet current County standards for public roadways. The roads and easements shall not be accepted for public maintenance without being modified to meet current County road standards. **(ESD)**

57. **SUB/UP** Construct the Lot 1 (access to Lots 1A-1U) "on site" access/roadway to the following standard and as shown on the Vesting Phased Tentative Map:

A) 25' of pavement width on both sides of the median.

B) 19' wide median.

C) Roads shall be signed "No Parking" or shall provide red painted curbs to the satisfaction of the servicing fire district(s) and the County.

The road(s) and storm drainage shall be maintained by the Property Owner/Property Owner's Association. The "on site" access/roadway shall be designed to meet 15 mph design speed criteria, as specified in the latest version of the Caltrans *Highway Design Manual* unless otherwise approved by DPW. The roadway structural section shall be designed for a Traffic Index of 6.5. (Ref. Section 4, LDM). The "on site" roadways proposed for this project do not meet current County standards for public roadways. The roads and easements shall not be accepted for public maintenance without being modified to meet current County road standards. **(ESD)**

58. **SUB/UP** Construct the access driveways on Lots 15, 21, 22, 23, 26, 27, 28, 29, 30, and 31 per the requirements in the Timberline Infrastructure Phasing Plan to a minimum 25' width as shown on the Vesting Phased Tentative Map and to the satisfaction of the servicing fire district(s). **(ESD)**

59. **SUB/UP** Construct the divided segment of Road "A" located before and after the proposed gated entry to include a minimum of 20' of pavement on both sides of the center median island as shown on the Vesting Phased Tentative Map. **(ESD)**

60. **SUB/UP** Roadway improvements, constructed with each project phase, shall include adequate vehicular turn-around improvements (cul-de-sac or hammerhead) and easements as required by the Engineering and Surveying Department. As each road is extended into other project phases, these turn-around improvements shall be removed or modified as required. **(ESD)**

61. **UP** The Improvement Plans shall show that the minimum width of a two way parking lot aisle with perpendicular parking stalls shall be 25' unless a larger width is specified by the servicing fire district(s) as identified on the Tentative Map. **(ESD)**

62. **UP** The Improvement Plans shall show that each proposed "residential villas" shall be designed and constructed to include a minimum driveway length/depth of 20' as shown on the Tentative Map. **(ESD)**

63. **UP** The Improvement Plans for each phase shall show that all on-site parking and circulation areas shall be improved with a minimum asphaltic concrete or Portland cement surface capable of supporting anticipated vehicle loadings.

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

64. **SUB/UP** The Improvement Plans shall show streetlight(s), designed in accordance with the Caltrans Traffic Manual and Standard Plans and installed to the satisfaction of the Department of Public Works and PG&E at the following intersections pursuant to Section 4.04 of the Placer County Land Development Manual:

A) Bell Road and Richardson Drive
B) Richardson Drive and Education Street
C) Richardson Drive and Road "A" (main project entrance)

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. All CSA maintained street lighting shall be located within an MPE or County maintained right-of-way. All others will be privately maintained. **(ESD)**

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

66. Trail Construction Requirements: A multi-purpose natural surface trail providing connection from Golden Eagle Drive to the ARD Trail/Wetland Area parcel shall be constructed, prior to the completion of improvements for the first phase of the project, to the following standards: construction shall include trail tread, drainage appurtenances, clearing, seeding, and planting as necessary for erosion control. Tread width shall be a minimum of 6' and shall be out sloped at approximately 3%. The trail tread shall be graded and compacted and not exceed 12% longitudinal slope. Water must be diverted from the trail's surface before it builds up to erosive force. To divert water, use outslopes, grade reversals, grade dips, and/or lead ditches, in conjunction with inslopes or culverts. The trail surface shall be graded native earth, or decomposed granite.

Vegetation clearing adjacent to trails should be minimum 10' above ground, and 2' on each side of the trail tread. Excessive clearing is undesirable. Removal of trees should be minimized in favor of limbing, brushing, and meandering of trails around status trees. However, dead and dying trees in proximity of the trail, in the determination of the Development Review Committee and/or a professional

arborist, shall be removed prior to acceptance. (**Option for longer trail segments:** Occasionally widen the cleared area to allow for passing.)

PUBLIC SERVICES

67. **SUB/UP** The Improvement Plans shall show the connection of each phase/lot to public sanitary sewer. The connection of each phase/lot shall be included in the engineer's estimate of costs for subdivision improvements. Note: Hook-up fees are not to be included in the Engineer's Estimate. **(ESD)**

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

A) Nevada Irrigation District (NID)
B) Placer County Sewer Maintenance District No. 1 (SMD-1) (See Requirements for Sewer Service letter dated April 11, 2011)
C) Placer County Fire Department
D) Pacific Telephone
E) Recology Auburn Placer (RAP)
F) Placer County Sheriff's Office
G) California Department of Forestry
H) Pacific Gas & Electric (PG&E)
I) Auburn Union School District (AUSD)
J) Placer Union High School District (PUHSD)

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

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

70. **SUB/UP** Concurrent with the approval of the Final Subdivision Map(s) by the Board of Supervisors, the developer shall establish a new Zone of Benefit (ZOB) within an existing County Service Area (CSA) or annex to a pre-existing ZOB or Lighting and Landscape District (L&L), as directed by County, to provide adequate funding for services to the project. The ZOB shall be created in accordance with the procedures required by Proposition 218 and related statutory provisions. With the proposed Final Subdivision Map(s), the developer shall submit to

the County for review and approval a complete and adequate engineer's report supporting the level of assessments necessary for the establishment of the ZOB. The report shall be prepared by a registered engineer in consultation with a qualified financial consultant and shall establish the basis for the special benefit appurtenant to each lot to be established by the Final Subdivision Map(s).

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

The ZOB shall fund the following services at a service level defined by County: **(DFS)**

A) Street lighting

B) Road maintenance (Richardson Drive, Education Street, and Quartz Drive)

C) Storm drainage maintenance for conveyance facilities located within public easements. Maintenance of Stormwater Quality Best Management Practices (BMPs) facilities within private easements with offers of dedication to the County over said facilities. Maintenance of detention facilities by the Property Owner/Property Owners' association shall be required. Maintenance of Stormwater Quality BMP facilities shall be provided by the Property Owner / Property Owners' Association (POA) unless and until the facilities are accepted by the County for maintenance. The CSA assessments for BMPs shall only be charged if the Property Owner/Property Owners' Assosiation (POA) fails to provide the required maintenance. **(MM)**

D) On site public trails.

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

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

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

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

GENERAL DEDICATIONS/EASEMENTS

75. **SUB/UP** On the Improvement/Grading Plans and Final Subdivision Map(s) for each phase, provide the following easements/dedications to the satisfaction of the Engineering and Surveying Department (ESD) and the Development Review Committee (DRC). The Mass Grading Plan phase will not trigger the dedication of easements included in items A, B, C, D P and Q below. **(ESD)**

A) Prior to Improvement Plan approval for the initial phase of development, provide an Irrevocable Offer of Dedication to Placer County for the following minimum highway easements (Ref. Chapter 16, Article 16.08, Placer County Code) over Richardson Drive from Bell Road to the existing off site Richardson Drive/Park Drive for road and utility purposes as shown on the Vesting Phased Tentative Map. After completion of improvements, said roads may be accepted into the County's maintained mileage system.

a) 64 foot wide highway easement between Bell Road and Education Street.

b) 51 foot wide highway easement between Education Street and Road "A" (main project driveway).

c) 44 foot wide highway easement between Road "A" (main project driveway) and the northern property boundary.

d) 62 foot wide off site highway easement between the northern property boundary and the existing Richardson Drive/Park Drive intersection.

B) Prior to Improvement Plan approval for the initial phase of development, provide an Irrevocable Offer of Dedication to Placer County for the a 50' wide highway easement (Ref. Chapter 16, Article 16.08, Placer County Code) over Education Street for road and utility purposes from the required Richardson Drive right-of-way to the existing off site Education Street right-of-way (eastern project boundary) as shown on the Vesting Phased Tentative Map. After completion of improvements, said roads may be accepted into the County's maintained mileage system.

C) Prior to Improvement Plan approval for the initial phase of development, provide an Irrevocable Offer of Dedication to Placer County for the a 50' wide highway easement (Ref. Chapter 16, Article 16.08, Placer County Code) over Quartz Drive for road and utility purposes from the required Richardson Drive right-of-way to the existing off site Quartz Drive right-of-way (eastern project boundary) as shown on the Vesting Phased Tentative Map. After completion of improvements, said roads may be accepted into the County's maintained mileage system.

D) Prior to Improvement Plan approval for the initial phase of development, provide an Irrevocable Offer of Dedication to Placer County for a minimum of one-half of an 88 foot-wide highway easement (Ref. Chapter 12, Article 12.08, Placer County

Code) where the project fronts Bell Road, as measured from the centerline of the existing roadway, plan line, or other alignment as approved by the Transportation Division of the Department of Public Works. The amount of highway easement dedicated shall be of sufficient width to allow the construction of a roundabout or traffic signal at the Richardson Drive Bell Road intersection.

E) A minimum 24 to 35 foot-wide private road, public utility, public support, and emergency access easement (Ref. Chapter 16, Article 16.08, Placer County Code) along on-site subdivision roadways (Roads "A", "B", "C", "D", "E", and "F") as shown on the Vesting Phased Tentative Map. Easement dedications shall be full width over any constructed portion of the roadway segment.

F) A minimum 25 foot-wide private road/access, public utility, public support, and emergency access easement (Ref. Chapter 16, Article 16.08, Placer County Code) along on-site subdivision access driveways over Lots 15, 22, 23, 26, 27, 28, 29, 30, 31 as shown on the Vesting Phased Tentative Map. Easement dedications shall be full width over any constructed portion of the driveway segments.

G) A 25 to 69 foot-wide private road, public utility, public support, and emergency access easement (Ref. Chapter 16, Article 16.08, Placer County Code) along on-site subdivision roadways from Road "B" to provide access to Lots 1A through 1U as shown on the Vesting Phased Tentative Map. Easement dedications shall be full width over any constructed portion of the roadway segment.

H) A minimum 58 foot-wide private road, public utility, public support, and emergency access easement (Ref. Chapter 16, Article 16.08, Placer County Code) along on-site subdivision Road "A" over the private gated entry and divided roadway from Richardson Drive into the project as shown on the Vesting Phased Tentative Map. Easement dedications shall be full width over any constructed portion of the roadway segment. Additional easement width will be required to include the vehicle turnaround in front of the proposed gate.

I) A 38 foot-wide public utility, public support, and emergency access easement along the Emergency Access Road from Road "B" to the northern property boundary as shown on the Vesting Phased Tentative Map. Easement dedications shall be full width over any constructed portion of the roadway segment.

J) A minimum 25 foot-wide public support and emergency access easement over any emergency access road required to be constructed west of the Road "A" / Road "C" intersection from the on site Road easement to the northern property line at the proposed emergency access road connection with the existing Golden Eagle Drive. Easement dedications shall be full width over any constructed portion of the emergency access road segment.

K) A public utility and access easement from the Road "B" easement to the Sewer Lift Station Lot in the northwest corner of the project to the satisfaction of the Department of Facility Services.

L) A minimum 20 foot-wide sewer and access easement over Lot 17 (adjacent to the Lot 16 boundary) from Road "C" to the western property line over the sewer access road and hammerhead. The easement shall not straddle property lines.

M) A minimum 20 foot-wide sewer and access easement approximately 150' east of the emergency access road from Road "E" to the northern property line over the sewer access road and hammerhead.

N) A minimum 20 foot-wide sewer and access easement on Lot 2 and adjacent to the boundaries of Lots 1A, 1B, and 1C from Road "B" to the western property line. The easement shall not straddle property lines.

O) On site (and any necessary off site) public sewer easements adequate for the public sewer infrastructure and utility vehicle accessibility shall be provided prior to Improvement Plan approval for each phase. Public sanitary sewer easements shall be provided where the sanitary sewer is not within applicable public road or utility easements. These easements shall be a minimum of 20-feet wide (wider easements may be required if the depth of the sanitary sewer line exceeds 10 feet) and shall not straddle property lines. Any necessary off site sewer easements shall be recorded prior to Improvement Plan approval and are to be referenced by document number on the Improvement Plans.

P) Prior to Improvement Plan approval for the initial phase of development, provide an Irrevocable Offer of Dedicaiton for a minimum 12.5 foot-wide multi-purpose easement adjacent to all highway easements.

Q) Prior to Improvement Plan approval for the initial phase of development, dedicate to the Property Owner's association (if applicable) an 8 foot-wide landscape easement adjacent to the side of the Richardson Drive highway easement as shown on the Vesting Phased Tentative Map, if applicable. If the Property Owner's association is not formed with the initial phase of development, the full length landscape easement along Richardson Drive shall be required with the phase that requires/creates the Property Owner's association.

R) Concurrent with the dedication of adjacent portions of the Richardson Drive Road Right or Way, dedicate to Placer County a 15 foot-wide multi-purpose trail easement (MPTE) adjacent to the eastern side of the landscape easement located along the eastern side of Richardson Drive and as shown on the Vesting Phased Tentative Map. The MPTE shall be maintained through a CSA Zone of Benefit.

S) Prior to Improvement Plan approval for the first phase that will incur wetland impacts or the phase that completes the connection of Richardson Drive to the existing Richardson Drive at the north end of the project, whichever comes first, dedicate to Placer County a 15 foot-wide MPTE from Golden Eagle Drive to the ARD Trail/Wetland Area parcel to the satisfaction of the DRC. The MPTE shall be maintained through a CSA Zone of Benefit.

T) Public utility easements (on and off site) as required by the serving utilities, excluding wetland preservation easements (WPE).

U) Slope easements for cuts and fills outside the roadway easement.

V) Drainage easements as appropriate.

X) Provide a "No Access" strip along the frontage of all Lots fronting Bell Road, Richardson Drive, Education Street, and Quartz Drive except where access encroachments are shown on the Vesting Phased Tentative Map.

Y) Dedicate sewer and water easements as necessary over the proposed sewer and water infrastructure as shown on the Vesting Phased Tentative Map, Utility Plan, and Infrastructure Phasing Plan and to the satisfaction of the servicing district(s) and the County.

Z) An Irrevocable Offer of Dedication for easements as required for access to, and protection and maintenance of, storm drainage retention/detention facilities, as well as post-construction water quality enhancement facilities/Best Management Practices (BMPs). Said facilities shall be privately maintained until such time as the Board of Supervisors accepts the offer of dedication.

AA) Dedicate a 15 foot wide off site water easements to the Nevada Irrigation District (NID) on the ARD parcel to the north of the project as shown on the Vesting Phased Tentative Map.

BB) Dedicate a 20 foot wide off site private road, public utility, public support, and emergency access easement (Ref. Chapter 16, Article 16.08, Placer County Code) over the existing driveway/pavement improvements on APN 051-140-182 for temporary access to Lot 18 from Richardson Drive as shown on the Vesting Phased Tentative Map. Said easement shall be abandoned/extinguished and access to APN 051-140-182 from the project site prohibited (with the construction of landscaping and curbing) upon the construction of a permanent access road to Lot 18 or upon the development of Lot 20.

CC) A minimum 20 foot-wide private road/access, public utility, public support, and emergency access easement (Ref. Chapter 16, Article 16.08, Placer County Code) along on-site subdivision access driveways over Lots 20 for temporary access to Lot 18 as shown on the Vesting Phased Tentative Map. Easement dedications shall be full width over any constructed portion of the driveway segments.

DD) Dedicate Wetlands Preservation Easements (WPE) to the property owners' association. Said easements shall be for the protection of wetland habitats and shall be established over an area as determined by the Army Corps of Engineers from all delineated wetlands, for those lots indicated on the approved Tentative Subdivision Map(s). A complete description of the uses/restrictions of the easement shall be included. Specific provisions of the easement restrictions shall be contained within the project Conditions, Covenants, and Restrictions (CC&Rs) as deemed appropriate by the Development Review Committee (DRC). **(MM) (ESD)**

EE) At the time of Final Subdivision Map(s) recordation, dedicate Oak Preservation Easements (OPE) to the property owners' association. Said easements shall be for the protection of native oak woodlands and shall be established across Lot(s) 1, 2, 3, 5, 7, 8, 10, 11, 14, 21, 22, 26, and 33, excluding designated building envelopes and driveways, and Wetland Preservation Easements (WPE) as indicated on the Tentative Subdivision Map(s). A complete description of the uses/restrictions of the easement shall be included. Specific provisions of the easement restrictions shall be contained within the project Conditions, Covenants, & Restrictions (CC&Rs) as deemed appropriate by the Development Review Committee (DRC). **(MM) (PD)**

FF) At the time of Final Subdivision Map(s) recordation, dedicate Open Space Easements (OSE) to the property owners' association. Said easements shall be established as indicated on the Tentative Subdivision Map(s), to implement the Corps of Engineers Permit and as shown on lot 2 and portions of 14. A complete description of the uses/restrictions of the easement shall be included. Specific provisions of the easement restrictions shall be contained within the project Conditions, Covenants, and Restrictions (CC&Rs) as deemed appropriate by the Development Review Committee (DRC). **(MM) (PD)**

GG) Dedicate an easement for Property Owners Association for the off site irrigation line from the pond to the wetlands on ARD's parcel.

76. **SUB/UP** Conditions herein require the acquisition and dedication to the County of off site roadway easements for Richardson Drive. Proof of acquisition of easements for the off site Richardson Drive roadway segment shall be required prior to the ESD approving Improvement/Grading Plans for that phase of the project that requires that portion of Richardson Drive be dedicated. The applicant shall acquire any and all easements necessary to construct the improvements for the off-site Richardson Drive roadway segment without any assistance from the County and, notwithstanding any rights it may have or obligations the County may have under Government Codes section 66452.5, the applicant agrees that the County may deny a Final Map or approval of Improvement Plans for the project unless and until applicant complies with this Condition.

VEGETATION & OTHER SENSITIVE NATURAL AREAS

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

78. Include the following standard note on the Improvement Plans: No watering or irrigation of any kind shall be allowed within the critical root zone of native oak trees within the project boundaries. The unauthorized disturbance to the critical root zone of a tree to be saved shall be cause for the Planning Commission to consider revocation of this permit/ approval. **(MM) (PD)**

79. To mitigate oak woodland losses within the development footprint, the project shall provide mitigation at a 1:1 ratio by either of the following methods: (1) preserve in perpetuity 22.86 acres of oak woodland in Placer County, or (2) make an in-lieu fee payment to the Placer County Tree Preservation Fund equivalent to the fair market value of a conservation easement on 22.86 acres of oak woodland property in Placer County, with such fair market value established via an appraisal within 120 days of the time of approval of the tentative subdivision up for the project, or (3) a combination of these two mitigation methods. Any in-lieu payment shall be paid at the time the first grading permit is issued on the property. Such in-lieu funds shall include both a conservation component and an in-perpetuity management component. These funds will be used by the County to purchase conservation easements for other oak woodland in the County. If changes in the project are required during the Grading Plan process that result in changes in the impact area, the amount of such oak woodland acreage to be mitigated shall be revised accordingly consistent with this Mitigation Measure 5-5(a). **(MM 5-5(a)) (PD)**

80. Each Significant Tree (24 inches dbh or greater) identified for removal (other than those identified by the arborist for removal) shall be mitigated by either of the following methods:

(1) Prior to Grading Plan approval, the applicant shall submit payment to the Placer County Tree Preservation Fund in the amount of $36,000 for impacts to Significant Trees on-site. If changes in the project are required during the Grading Plan process that result in changes in impacts to Significant Trees, this figure shall be revised accordingly consistent with this Mitigation Measure 5-5(b); or

(2) For the 11 Significant Trees to be removed because of project development, the project shall include planting of on-site 24-inch box trees and 15-gallon trees (cumulatively 25%), 5-gallon trees (25 percent) and D-pots (50 percent) at the ratios outlined in Table 5-3 below:

Table 5-3
Proposed Significant Oak Tree Mitigation Ratios

Condition	Replacement Value/ Inch of Impact	Percent of Total Mitigation
24-inch box	1/3	25% Cumulative
15-gallon	½	
5-gallon	2/1	25%

D-pot	5/1	50%

Mitigation tree planting shall occur in two open space areas specified on the project site. These planting areas on-site, once planted with replacement oak trees, will also serve as replacement habitat for oak woodland values lost on the project site. Mitigation tree planting shall be installed by the applicant and inspected and approved by an authorized representative of the DRC prior to acceptance of improvements by the Engineering and Surveying Department. 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. **(5-5(b)) (PD)**

81. Prior to Grading Plan approval, including the off-site sewer improvements and intersections of Bell Road / First Street / Blue Oaks Drive and Bell Road / New Airport Road, the plans shall include a list of tree protection methods, for review and approval by the Planning Department. The list of tree protection methods shall be implemented during construction of off-site improvements. The list of tree protection methods shall include, but not limited to, the following:

A. The applicant shall hire an International Society of Arboriculture (ISA) certified arborist or "Forester" to be present on-site during all grading, construction, and tree removal activities. The arborist shall evaluate all proposed improvements that may affect each native tree to be preserved, make recommendations on these proposed improvements, and oversee construction of these improvements during site development to ensure that the appropriate trees are removed or preserved in compliance with the tree removal permit and approved Improvement Plans.

B. The applicant shall install a four-foot tall, brightly colored (yellow or orange), synthetic mesh material fence around all oak trees to be preserved that are greater than six inches dbh (or 10 inches dbh aggregate for multi-trunked trees). The fencing shall delineate an area that is at least the radius of which is equal to the largest radius of the protected tree's drip line plus one foot. The fence shall be installed prior to any site preparation or construction equipment being moved onsite or any site preparation or construction activities taking place. Development of this site, including grading, shall not be allowed until this condition is satisfied. Any encroachment within the areas listed below, including within driplines of trees to be saved, must first be approved by a designated representative of the Development Review Committee (DRC). Grading, clearing, or storage of equipment or machinery may not occur until a representative of the DRC has inspected and approved all temporary construction fencing. This includes both onsite and offsite improvements. Trees shall be preserved where feasible. This may include the use of retaining walls, planter islands, or other

techniques commonly associated with tree preservation. The Grading/Improvement Plans shall indicate the location of the fencing and include a note describing the fencing requirements consistent with this mitigation measure.

C. The project applicant shall implement the following guidelines before and during grading and construction for protection of all oak trees to be preserved:

a) Plans and specifications shall clearly state protection procedures for oak trees on the project site. The specifications shall also include a provision for remedies if oak trees are damaged;
b) Before construction commences, those oak trees within 25 feet of construction sites shall be pruned and the soil aerated and fertilized;
c) Vehicles, construction equipment, mobile offices, or materials shall not be parked, stored, or operated within the driplines of oak trees to be preserved;
d) Cuts and fills around trees shall be avoided where feasible.
e) Soil surface removal greater than one foot shall not occur within the driplines of oak trees to be preserved. Cuts shall not occur within five feet of their trunks;
f) Earthen fill greater than one foot deep shall not be placed within the driplines of oak trees to be preserved, and fill shall not be placed within five feet of their trunks;
g) Underground utility line trenching shall not be placed within the driplines of oak trees to be preserved where feasible without first obtaining approval from a designated representative of the DRC. If it is necessary to install underground utilities within the driplines of oak trees, boring or drilling rather than trenching shall be used;
h) Paving shall not be placed in the vicinity of oak trees to be preserved (at a minimum, within the dripline of any oak tree) without first obtaining approval from a designated representative of the DRC; and
i) Irrigation lines or sprinklers shall not be allowed within the dripline of native oak trees. **(5-5©) (PD)**

82. Permanent Protective Fencing installation: The applicant shall install permanent fencing along and around all wetland preservation easement boundaries on the ARD property in the northern portion of the project site, and around all detention facilities, to the satisfaction of the DRC. Such fencing shall provide a physical demarcation to future homeowners of the location of protected easement areas or Open Space lots as required by other conditions of this project. **(PD)**

83. Temporary Construction Fencing: The applicant shall install a four (4) foot tall, brightly colored (usually yellow or orange), synthetic mesh material fence (or an equivalent approved by the Development Review Committee (DRC)) at the following locations prior to any construction

equipment being moved on-site or any construction activities taking place:

A) Adjacent to any and all wetland preservation easements that are within 50 feet of any proposed construction activity;
B) At the limits of construction, outside the critical root zone of all trees six (6) inches dbh (diameter at breast height), or 10 inches dbh aggregate for multi-trunk trees, within 50 feet of any grading, road improvements, underground utilities, or other development activity, or as otherwise shown on the Site Plan;
C) Around any and all "special protection" areas as discussed in the project's environmental review documents.
D) Around all Open Space Lots within 50 feet of any development activity.

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

84. Oak Preservation Easements: Areas depicted on the Site Plan for preservation of oak groves shall be defined, field monumented (i.e., wood bollard posts), and dedicated as Oak Preservation Easements (OPE) to the homeowners' association. The purpose of said easements is to protect and preserve existing native oak woodlands and associated wildlife habitat. A note shall be provided on the Final Map(s) prohibiting any disturbance within said easements, excepting for protective wetlands fencing, open-fencing and any other features shown on the Site Plan and approved by Development Review Committee (DRC).

Prohibited disturbances include all structures, accessory structures, placement of fill materials, lawn clippings, trash, oil, chemicals, animal, household, or garden waste, irrigation, domestic landscaping, solid fencing, animal grazing, grading or clearing activities, or vegetation removal. Trimming or other maintenance activities are allowed only for the benefit of fish, wildlife, fire protection and water quality resources, and for the elimination of diseased growth, and only with the written consent of the DRC. **(PD/ESD)**

85. Open Space Easements. Areas on Lots 2 and portion of 14 shall be defined and monumented as open space easements and shown as a building setback line. The purpose of said easements is for the protection of wildlife corridors and water quality. A note shall be provided on the Final Map(s) prohibiting the placement of any fill materials, lawn clippings, oil, or trash within the open space easements, and no grading or alteration shall be permitted in these areas, including accessory structures, swimming pools, but excluding fencing, domestic landscaping and irrigation.

A provision for the enforcement of this restriction by the homeowners' association shall be provided. Maintenance of the open space easement, including domestic landscaping, shall be the lot owners' responsibility. **(PD/ESD)**

86. To the extent feasible, the project shall be designed and constructed to avoid and minimize adverse effects to waters of the United States or jurisdictional waters of the State of California within the project area and adhere to the USACE regulations and guidelines. **(MM 5-6(a)) (PD)**

87. Prior to Grading Plan approval for each phase of the project, a Section 404 permit for fill of jurisdictional wetlands shall be acquired, and mitigation for impacts to jurisdictional waters that cannot be avoided shall conform with the USACE "no-net-loss" policy and the USACE Regulatory Guidance Letter No. 02-2 establishing policies and guidance on appropriate mitigation for impacts to jurisdictional waters. Mitigation for impacts to both federal and State jurisdictional waters shall be addressed using these guidelines.

If a Section 404 permit is obtained, the applicant must also obtain a water quality certification from the Regional Water Quality Control Board (RWQCB) under Section 401 of the Clean Water Act (CWA). **(MM 5-6(b)) (PD)**

88. Prior to Grading Plan approval for each phase of the project, focused surveys shall be performed by a qualified botanist in order to determine the presence or absence of the following special-status plant species: Butte County fritillary, big-scale balsamroot, Brandegee's clarkia, and oval-leaved viburnum. The surveys shall be conducted on-site as well as in off-site improvement areas (off-site sewer alignment, Bell Road / New Airport Road intersection, and Bell Road / First Street intersection), as applicable for each phase, during the identification periods (bloom periods) for all of the special-status plant species listed above. The general bloom periods of each species are as follows: big-scale balsamroot blooms from March to June; Brandegee's clarkia blooms from April to May; Butte County fritillary blooms from March to May; and oval-leaved viburnum blooms from May to June. If any of the special-status plant species are found, a mitigation plan shall be prepared in consultation with the appropriate agencies. The plan shall detail the various mitigation approaches to ensure no net loss of special-status plants. Mitigation could include, but would not necessarily be limited to, avoidance of the plant species, salvage of plant materials where possible, acquisition of credits at an approved mitigation bank, or acquisition and preservation of property that supports the plant species. **(MM 5-1) (PD)**

89. Prior to Grading Plan approval for each phase of the project, pre-construction burrowing owl surveys shall be conducted on the project site and within 250 feet of the boundary of each phase by a qualified biologist no more than 30 days prior to initiation of construction activities for each phase. The surveys shall also be conducted in off-site improvement areas (off-site sewer alignment, Bell Road / New Airport Road intersection, and Bell Road / First Street intersection). Presence or signs of burrowing owls and all potentially occupied burrows shall be recorded and monitored according to CDFG and California Burrowing Owl Consortium guidelines. If

burrowing owls are not detected by sign or direct observation, further mitigation is not necessary. If burrowing owls are detected, the project applicant shall implement Mitigation Measure 5-2(b). **(MM 5-2(a)) (PD)**

90. Prior to initiation of any construction activities, during the non-breeding season (September 1 through January 31) a non-disturbance buffer of 160 feet, and during the nesting season (February 1 to August 31) a non-disturbance buffer of 250 feet shall be established around each burrow with an active nest until the young have fledged and are able to exit the burrow, as determined by a qualified biologist. In the case of occupied burrows without active nesting, active burrows after the young have fledged, or if development commences after the breeding season, passive relocation, which involves installing a one-way door at the burrow entrance to encourage the owls to move from the occupied burrow of the owls, shall be performed. The CDFG shall be consulted for current guidelines and methods for passive relocation of any owls found on the site. **(MM 5-2(b)) (PD)**

91. Prior to Grading Plan approval for each phase of the project, if construction is expected to occur during the raptor nesting season (February 1 to August 31), a pre-construction raptor survey shall be performed to determine if active raptor nests are present within the boundaries of each phase, or within 500 feet of said boundaries, including any off-site impact areas associated with each phase. The survey shall be conducted on-site as well as in off-site improvement areas (off-site sewer alignment, Bell Road / New Airport Road intersection, and Bell Road / First Street intersection). The survey shall be conducted by a qualified biologist not more than 30 days prior to the onset of construction activities for each phase. If active raptor nests are not found on or within 500 feet of the phase area, further mitigation is not necessary. In addition, if construction activities are proposed to occur during the non-breeding season (September 1 to January 31), a survey is not required and further studies are not necessary. However, if active raptor nests are found on or within 500 feet of the phase area, the project applicant shall implement Mitigation Measure 5-3(b). **(MM 5-3(a)) (PD)**

92. Construction activities shall not occur within 500 feet of the active raptor nests until the young have fledged or until the biologist has determined that the nest is not active any longer. **(MM 5-3(b)) (PD)**

93. Prior to Grading Plan approval for each project phase, if any vegetation removal is expected to occur as a result of the project during the typical avian nesting season (February 1 to August 31), a pre-construction survey shall be performed to determine if active migratory bird nests are present on or within 500 feet of the phase area. The survey shall be conducted on-site as well as in off-site improvement areas (off-site sewer alignment, Bell Road / New Airport Road intersection, and Bell Road / First Street intersection). The survey shall be conducted by a qualified biologist not more than two weeks prior to the onset of vegetation removal. If active migratory bird nests are found, disturbance or removal of the nest shall be avoided until the young have fledged and the

nest is not active any longer.

It should be noted that extensive buffers, such as those recommended for nesting raptors, are not necessary for nesting avian species protected solely by the Migratory Bird Treaty Act. However, depending on the bird species, site conditions, and the proposed construction activities near an active nest, a small buffer could be prescribed, as determined by the biologist. Alternatively, vegetation removal could be scheduled to avoid all potential impacts. Vegetation removal conducted between September 1 and January 31 will prevent impacts to nesting birds or unfledged young. **(MM 5-3©) (PD)**

94. Prior to Grading Plan approval for each phase of the project, pre-construction surveys of all potential special-status bat roosting habitat locations on-site shall be conducted by a qualified biologist no more than 30 days prior to initiation of construction activities associated with each phase. The survey shall be conducted on-site as well as in off-site improvement areas (off-site sewer alignment, Bell Road / New Airport Road intersection, and Bell Road / First Street intersection). Any presence and/or signs of the hoary bat, western red bat, Yuma myotis, Townsend's big-eared bat, or the pallid bat shall be recorded and monitored according to CDFG guidelines. If bat species are not detected by sign or direct observation, further mitigation is not necessary. If any of the special-status bat species are detected, the project applicant shall be responsible for implementing Mitigation Measure 5-4(b). **(MM 5-4(a)) (PD)**

95. If bat roosting sites and/or nursing sites of any special-status bat species are identified within the boundaries of each phase, a no-disturbance buffer zone of 250 feet (or as determined in consultation with CDFG) shall be established by a qualified biologist around each identified roosting site during the nursery season (April 1 through August 31). Any required eviction of bat roosts shall be conducted by a qualified biologist during the non-breeding season (September 1 through March 31). Eviction activities shall be conducted using bat exclusion techniques (i.e., exclusionary nets, etc.) developed by Bat Conservation International (BCI) and in consultation with CDFG. **(MM 5-4(b)) (PD)**

96. Prior to recordation of the Final Map(s), Lot(s) 2 and portions of lot 14 shall be defined and monumented as common area lots to be owned and maintained (including the removal of unauthorized debris) by the homeowners' association, except as otherwise required by permits from State or federal agencies.

The purpose of Lot 2 and portions of lot 14 is to: (1) Protect existing wetlands; (2) Provide private recreational facilities for the project residents; (3) Provide landscape screening, utilizing native drought-tolerant plant species; and (4) Protect wildlife and stream corridors. (5) Protect existing oak groves.

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

A. The following are not permitted to be placed in the Open Space parcels: fill materials, yard waste, oil and chemicals and household trash.

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

Evidence that the enforcement of this restriction shall be the responsibility of the owners or homeowners' association shall be provided to the Development Review Committee prior to the filing of the Final Map(s). **(PD/ESD)**

CULTURAL RESOURCES

97. Prior to Improvement Plan approval or recordation of the Final Subdivision Map(s), provide evidence of dedication of Historical/Cultural Preservation Easements (H/CPE) to the owners or homeowners' association. These easements shall be for the protection of any portion of the project which is determined to be historically and/or culturally significant by the Development Review Committee (DRC). Such easements shall be established along the "developmental limits of work" line for those lots so indicated on the approved Tentative Subdivision Map(s). Specific provisions regarding the easement restrictions shall be contained within the project Conditions, Covenants & Restrictions (CC&Rs), and may include a requirement to provide access to the sites for historical research, monitoring, and/or maintenance, as deemed appropriate by the DRC. **(MM) (PD)**

98. The Improvement Plans shall include a note stating that if any archaeological artifacts, exotic rock (non-native), or unusual amounts of shell or bone are uncovered during any on-site

construction activities, all work must stop immediately in the area and a qualified archaeologist retained to evaluate the deposit. The Placer County Planning Services Division and Department of Museums must also be contacted for review of the archaeological find(s).

If the discovery consists of human remains, the Placer County Coroner and Native American Heritage Commission must also be contacted. Work in the area may only proceed after authorization is granted by the Placer County Planning Services Division. Following a review of the new find and consultation with appropriate experts, if necessary, the authority to proceed may be accompanied by the addition of development requirements that provide protection of the site and/or additional mitigation measures necessary to address the unique or sensitive nature of the site. **(MM) (PD)**

99. Prior to Improvement Plan submittal, the applicant shall provide written evidence to the Planning Services Division that a qualified archaeologist has been retained by the applicant to observe grading activities and salvage artifacts as necessary during the grading of lots 1,2,3,4,5, and 6. The cultural/archaeologist shall establish procedures for cultural resource surveillance and shall establish, in cooperation with the project developer, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of artifacts. If major cultural resources are discovered, which require temporary halting or redirecting of grading, the archaeologist shall report such findings to the project developer, and to the Placer County Department of Museums and Planning Services Division.

The cultural/archaeologist shall determine appropriate actions, in cooperation with the project developer, which ensure proper exploration and/or salvage. Excavated finds shall be offered to a State-designated repository. Otherwise, the finds shall be offered to the Placer County Department of Museums for purposes of public education and interpretive displays.

These actions, as well as final mitigation and disposition of the resources shall be subject to approval by the Department of Museums. The archaeologist shall submit a follow-up report to the Department of Museums and Planning Services Division which shall include the period of inspection, an analysis of the artifacts found, and present repository of artifacts. **(MM) (PD)**

FEES

100. Pursuant to Section 21089 (b) of the California Public Resources Code and Section 711.4 et. seq. of the Fish and Game Code, the approval of this permit/project shall not be considered final unless the specified fees are paid. The established fees required are $ 2889.25 for projects with Environmental Impact Reports and $ 2,094.00 for projects with Negative Declarations (Note: the fees include a $50 County Recorder's fee). Without the appropriate fee, the Notice of Determination is not operative, vested or final and shall not be accepted by the County Clerk. **NOTE:** The above fee shall be submitted to the Planning Services Division within five (5) working days after the appeal period has expired (final project approval). NOTE: Projects heard by the Board of Supervisors are not subject to an appeal period (checks made payable to Placer County). **(PD)**

101. This project is subject to the payment of the County's Capital Facilities Impact Fee pursuant to Article 15.30 of the Placer County Code. The applicable fee must be paid prior to issuance of a Building Permit, if required, or prior to issuance of a Business License or commencement of the use, if no Building Permit is required. **(FS/BD)**

102. Participate in the PCAPCD Off-site Mitigation Program by paying the equivalent amount of money that is equal to the project's contribution of pollutants (ROG and NOX) that exceed the cumulative threshold of 10 lbs/day. The estimated total amount of excessive ROG for this project is 7.15 tons (88.60 lbs/day – 10 lbs/day = 78.60 lbs/day x 182 days = 14,305.2 lbs/year / 2,000 lbs/ton = 7.15 tons/year), and the estimated total amount of excessive NOX for this project is 2.03 tons (32.29 lbs/day – 10 lbs/day = 22.29 lbs/day x 182 days = 4,056.8 lbs/year / 2,000 lbs/ton = 2.03 tons/year). The estimated payment for the proposed project is $131,274 based on the amount of $14,300 per ton (7.15 tons ROG + 2.03 tons NOX = 9.18 tons x 14,300 $/ton = $131,274. The actual amount to be paid shall be determined, per current California Air Resource Board guidelines, at the time of recordation of the Final Map. This condition shall be satisfied prior to recordation of a Final Map.

Or

Participate in an offsite mitigation program, coordinated through the PCAPCD, to offset the project's long-term emission of pollutants. Examples include participation in a "Biomass" program, retrofitting mobile sources (i.e. busses, heavy duty diesel equipment), or any other program that is deemed acceptable by the Director of the PCAPCD. Any proposed off-site mitigation shall be located within the same region as the proposed project. The fair-share Off-site Mitigation Fee shall be adjusted accordingly. **(MM 15-8(b)) (APCD)**

103. **SUB/UP** Conditions herein require construction of intersection improvements at the intersection of Bell Road and New Airport Road that allows for supplemental capacity that will partially benefit property not within the limits of this project. Prior to Improvement Plan approval for the phase of development that is required to construct the improvements, at the applicant's request and expense, a reimbursement agreement, in a form approved by County Counsel shall be prepared to provide for reimbursement of the costs exceeding the project's fair share of those costs in an equitable amount to be determined by the Engineering and Surveying Department (ESD) for construction of the intersection improvements, as described in the Conditions herein. The Board of Supervisors must approve the reimbursement agreement and establishment of the associated Benefit District with pro-rata assessments and the Developer must sign the approved agreement. The reimbursement agreement shall provide as follows, unless the Board of Supervisors adopts a policy pertaining to reimbursement agreements prior to Improvement Plan approval, in which case that policy will control:

A) Reimbursement shall be made solely from monies collected from property owners who develop property that is benefited by the improvement as that new development

occurs. The applicant shall provide to the Engineering and Surveying Department for review and approval, an area of benefit map that identifies those properties by Assessor Parcel Number (APN).

B) Costs eligible for reimbursement shall be subject to approval of ESD based upon paid invoices and other written evidence of costs incurred as requested by ESD, and may include: topographic survey, engineering design, legal description preparation, construction staking, hard costs of construction, County plan check and inspection fees, and costs for right-of-way acquisition.

C) The term of the agreement may be limited to ten (10) years or as otherwise approved by the Board, and interest on the amount subject to reimbursement may be limited to the Consumers Price Index or other criterion as approved by the County.

D) The amount collected for reimbursement is dependent on new development within the area of benefit. There is no guarantee by Placer County that any portion of the entire reimbursement amount will be collected.

E) The applicant shall prepare all necessary reports, plans and documents as well as pay any costs incurred by the County. The County will prepare the reimbursement agreement; the costs incurred shall be paid by the applicant.

Include the following standard note on the Improvement Plans: Any construction that is funded by County funds, in whole or in part, may be subject to bidding under the provision of the Public Contract Code and general prevailing wage rate requirements.

County staff has recently reviewed our approach to reimbursement agreements and is considering a request for action by the Board of Supervisors on policy in this regard. Staff has developed an outline of the terms of any reimbursement agreement. These are:

1. The maximum expected amount of any proposed reimbursement must be identified in the agreement.
2. The proposed Area of Benefit, both by legal description and exhibit must be included in the agreement.
3. The term of the agreement (10 years unless specifically approved by the Board) must be identified.
4. No interest shall be attached to any reimbursement
5. Acknowledgement by the developer that the County does not guarantee any reimbursement amount.
6. Payment to the developer of any charges collected by the County shall be made within six months of collection.
7. Publicly owned property shall not be exempted from the agreement.
8. The County will agree to administer the agreement and collect and disburse funds.
9. The developer's address, phone number and contact person shall be identified in the agreement.
10. The developer shall be required to notify the County of any change in address or name.

The party requesting reimbursement shall be expected to prepare all supporting documentation, including, but not limited to, estimates of the cost of improvements to be reimbursed, legal descriptions, maps, reports and exhibits necessary to complete the agreement. The County will review these items and be responsible for determining its adequacy.

The developer must provide an analysis, in compliance with Assembly Bill 1600, to allow the imposition of a charge by the Board of Supervisors. In addition, verification of payment of prevailing wages for the work that was performed is necessary. As stated previously, the ESD expects that the party requesting reimbursement shall prepare all documents, maps, exhibits, estimates, reports and other supporting documents necessary to bring the agreement to the Board. The County will prepare the actual agreement and take it to the Board for its consideration.

104. **UP MM 7-2d** Prior to issuance of any Building Permits, this project shall be subject to the payment of traffic impact fees that are in effect in this area (Auburn Bowman), pursuant to applicable Ordinances and Resolutions. The applicant is notified that the following traffic mitigation fee(s) shall be required and shall be paid to Placer County DPW:

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

The current total combined estimated fee for the entire project is $2,570,234 ($4,705 per DUE). The fees were calculated using the information supplied by the applicant. If the use or the square footage changes, then the fees will change. The applicant should be aware that the County Board of Supervisors annually approves Resolutions amending the Capital Improvement Program and Traffic Mitigation Fee Program to adjust for inflation. The fees to be paid shall be based on the fee program in effect at the time that the application is deemed complete. The fees paid will be based on the Phase of development proposed. **(ESD)**

105 **SUB/UP** The project is required to construct improvements at the Bell Road/Richardson Drive and Bell Road/First Street/Blue Oaks Drive intersections, the pavement construction of the segment of Richardson Drive from just north of the northernmost project driveway (just south of Quartz Drive) to Park Drive, and construction of increased Richardson Drive pavement width (6 total feet) to accommodate the proposed NEV lanes from Bell Road to Park Drive. These improvements are included in the Placer County Department of Public Works 2011 Countywide Capital Improvement Program (CIP). The project is eligible for a fee credit of the costs identified in the CIP (or a portion of the costs for the Richardson Drive segment) towards the required CIP traffic mitigation fees upon construction of the said improvements. The County periodically updates the CIP and may update the Auburn / Bowman Benefit District in the future.

106. **SUB/UP** Prior to Improvement Plan approval for the initial phase, the project applicant shall pay the Placer County Sewer District (SMD No. 1) the required annexation fees pursuant to the Board of Supervisors' previous approval for annexation into the District. The required payment shall be based on the current annexation fee rate, less the $25,000 already paid to the District. Based upon the current annexation fee rate of $5,962.00 per acre at 95.99

acres, the total current estimated fee is $547,292.38 ($572,292.38 - $25,000). The actual fee paid will be based on the rate at the time of payment.

107. Pursuant to County Code Sections 15.34.010 and 16.08.100, a fee must be paid to Placer County for the development of park and recreation facilities. The fee to be paid is the fee in effect at the time of Final Subdivision Map recordation/Building Permit issuance. (For reference, the current fee for single family dwellings is $625 per unit at Final Subdivision Map and $3,295 per unit when a Building Permit is issued. The current fee for age restricted units is $405 per unit at Final Subdivision Map and $2,175 per unit when a Building Permit is issued). If no Final Subdivision Map is recorded for any given unit, the combination of both fees will be due when a Building Permit is issued for each unit. The fee to be paid is the fee in effect at the time of Final Subdivision Map recordation/Building Permit issuance.

Credit against this fee obligation, in an amount not to exceed 50%, will be evaluated by the County for qualifying private recreational improvements. The determination of qualifying amenities and amount of credit due shall be determined in accordance with County Code Sections 15.34.080(E) and 16.08.100(I) **(DFS)**

NOISE

108. Fixed construction equipment, which may include, but not be limited to, compressors and generators, shall be located as far away from sensitive receptors, to the extent feasible. In addition, impact tools shall be shielded or shrouded. Intake and exhaust ports of powered construction equipment shall also be muffled or shielded. **(MM 9-1(b)) (PD)**

109. A disturbance coordinator shall be appointed for the project site who would receive any public noise-related complaints about construction equipment and practices. The disturbance coordinator shall be responsible for determining the cause of the complaint(s) and the implementation of any feasible measures to alleviate the complaint(s). The disturbance coordinator's contact information shall be posted throughout the site and adjacent public spaces. **(MM 9-1©) (PD)**

110. Loading and delivery activities including trash pickup and trash compaction operations will be restricted 7:00 AM to 10:00 PM. **(PD) (MM 9-3(a))**

111. Prior to Improvement Plan approval, a noise barrier shall be shown along the south and east boundaries of the project site to reduce impacts to affected sensitive receptors from increased parking lot noise levels determined in this DEIR (shown conceptually in Figure 9-6), for the review and approval by the Planning Department. A noise barrier six feet in height would be required (minimum) along the south and eastern property boundaries, lots 26, 27, and 28, to reduce future parking lot noise levels below the Placer County Standards. Barriers could take the form of earth berms, solid walls, or a combination of the two. Appropriate materials for noise walls include precast concrete or masonry block. Other materials may be acceptable provided they have a

density of approximately four pounds per square foot. **(MM 9-3(b)) (PD)**

112. Prior to Improvement Plan approval, the project applicant shall be responsible for designing the Central Plant to minimize the ventilation openings facing nearby residences along the project site boundaries. Any openings in the building façade shall require treatment with acoustical silencers/louvers. Additionally, any rooftop ventilation openings or stacks shall be shielded from view with building parapets and may also require treatment with acoustical silencers/louvers. The noise emitted from the mechanical equipment within the Central Plant must comply with the Placer County exterior noise standards (45 dB Leq and 65 dB Lmax respectively) at the nearest sensitive receptors. **(MM 9-3©) (PD)**

113. The emergency backup generator(s) shall be installed with an acoustical enclosure and engine muffler which could reduce noise levels to compliance with the Placer County standards (50 dB Leq daytime exterior noise level standard) at the nearest sensitive receptor. **(MM 9-3(d)) (PD)**

114. Prior to Improvement Plan approval, a noise barrier shall be shown along the boundary of Lot 8 and Lot 19 to reduce impacts to affected sensitive receptors from loading dock noise levels determined in this DEIR (shown conceptually in Figure 9-6), for the review and approval by the Planning Department. A noise barrier six feet in height would be required (minimum) along the boundaries of Lot 8 and Lot 19 and wrap along the east side and a portion of the north side of Lot 8 to shield the rear yard lots of Villa F. Barriers could take the form of earth berms, solid walls, or a combination of the two. Appropriate materials for noise walls include precast concrete or masonry block. Other materials may be acceptable provided they have a density of approximately four pounds per square foot. **(MM 9-4(a)) (PD)**

115. Prior to Improvement Plan approval, the project improvement plans shall show a setback distance of 130 feet from the tennis court, as measured from the center of the tennis court, to the nearest on-site residence, for review and approval by the Planning Department. In addition, a sign shall be posted on the tennis court, limiting tennis court usage to the hours of 7:00 a.m. to 10:00 p.m. and lighting of the tennis court shall automatically shut off at 10:00 p.m. **(MM 9-4(d)) (PD)**

116. Construction noise emanating from any construction activities for which a Grading or Building Permit is 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 throughout 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. This condition shall be included on the Improvement Plans and shown in the development notebook.

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

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

ENVIRONMENTAL HEALTH

117. If graywater harvesting is intended to be used for the proposed project, the project applicant shall submit building plans to the County Building Department in order for the County to review them for compliance with the graywater building standards contained in Chapter 16A of the California Plumbing Code. At the time of final inspection, an operation and maintenance manual shall be produced outlining procedures and systems to ensure graywater system compliance. In addition, graywater shall not be used in spray irrigation or allowed to pond or runoff, and shall not be discharged directly into or reach any storm sewer system or any surface body of water. Graywater shall not be allowed for indoor use, such as flushing toilets and urinals. Prior to the use of graywater for the project, the applicant shall obtain approval from the Placer County Environmental Health Services Department. **(EHS)**

118. During site grading and excavation, discovery of substantial areas that have previously been excavated and filled, or of mining shafts, or of other unanticipated voids shall be reported to the Placer County Environmental Health Services Department. A qualified geotechnical engineer shall consult with the Placer County Environmental Health Services Department and determine whether additional geotechnical studies are required. If so, all recommendations of the geotechnical expert shall be implemented in the final project design and prior to Final Map approval. **(EHS)(MM 13-1)**

119. Prior to the approval of a demolition permit, the project applicant shall provide the Planning Department and the Environmental Health Services Department with a detailed assessment pertaining to the potential presence of asbestos-containing materials in the on-site structure. If asbestos-containing materials are not detected, further mitigation shall not be required. If asbestos-containing materials are detected, the applicant shall prepare and implement an asbestos abatement plan consistent with federal, State, and local standards, subject to the review and approval of the Planning Department prior to the issuance of a demolition permit. **(EHS)(MM 13-2a)**

120. During removal of the existing asbestos cement pipe within the off-site sewer alignment, under the oversight of the Environmental Health Services Department, a licensed asbestos abatement consultant or Certified Inspector shall be retained by the contractor during all asbestos cement pipe removal to provide recommendations or suggestions regarding

maintaining the pipe in a non-friable state, and generally supervise the removal operation. If any pipe becomes friable, the licensed asbestos abatement consultant or Certified Inspector shall conduct perimeter air monitoring, and ensure proper disposal of the friable asbestos. In addition, if more than 260 linear feet of pipe is removed that becomes friable, a NESHAPs notification shall be filed. **(EHS)(MM 13-2b)**

121. Prior to the approval of a demolition permit, the project applicant shall provide the Planning Department and the Environmental Health Services Department with a detailed assessment pertaining to the potential presence of lead-based paint in the on-site structure. If lead-based paint is not detected in the assessment, further mitigation shall not be required. If such paint is found, all loose and peeling paint shall be removed and disposed of by a licensed and certified lead paint removal contractor, in accordance federal, State, and local regulations. The demolition contractor shall be informed that all paint on the buildings shall be considered as containing lead. The contractor shall take appropriate precautions to protect his/her workers, the surrounding community, and to dispose of construction waste containing lead paint in accordance with federal, State, and local regulations subject to review approval of the Planning Department, prior to the issuance of a demolition permit. **(EHS)(MM 13-2c)**

122. In order to minimize potential health hazards related to mosquito breeding, the project proponent will abide by the Placer Mosquito Abatement District construction guidelines for stormwater detention systems. In order to minimize the potential for breeding mosquito disease vectors in the ponds, the project proponent will develop a Mosquito Management Plan with the Placer County Mosquito Abatement District. The project will be conditioned to allow the Placer County Mosquito Abatement District to review the Improvement Plans. **(EHS)(MM VII.1)**

123. If any indication of an abandoned septic system is discovered, it will be properly destroyed under permit with Environmental Health Services. If any indication of abandoned water well is discovered, it will be properly destroyed by a licensed well driller, under permit with Environmental Health Services. **(EHS)(MM VIII.1)**

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

125. Prior to Improvement Plans approval, a Note shall be placed on Improvement Plans to indicate that if at any time during the course of constructing the proposed project, evidence of soil and/or groundwater contamination with hazardous material is encountered, the applicant shall immediately stop the project and contact the EHS Hazardous Materials Section. The project shall remain stopped until there is resolution of the contamination problem to the satisfaction of EHS and to the Central Valley RWQCB. **(EHS)**

126. Prior to Building Permit issuance for any food facility, contact EHS, pay required fees, and apply for a plan check. Submit to EHS for review and approval complete construction plans and specifications as specified by EHS. **(EHS)**

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

AIR POLLUTION

128. Include the following standard note on the Improvement/Grading Plan: The contractor shall apply water or use other method to control dust impacts offsite. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site. *(Based on APCD Rule 228 / section 401.1, 401.4)* **(APCD)**

129. Include the following standard note on the Improvement/Grading Plan: In order to minimize wind driven dust during construction, the prime contractor shall apply methods such as surface stabilization, establishment of a vegetative cover, paving, (or use another method to control dust as approved by the individual jurisdiction). *(Based on APCD Rule 228 / section 402)* **(APCD)**

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

131. Include the following standard note on the Improvement/Grading Plan: Processes that discharge 2 pounds per day or more of air contaminants, as defined by Health and Safety Code Section 39013, to the atmosphere may require a permit. **Permits may be required for both construction and operation.** Developers/contractors should contact the District prior to construction and obtain any necessary permits prior to the issuance of a Building Permit. *(Based on the California Health & Safety Code section 39013:* http://www.leginfo.ca.gov/cgi-bin/displaycode?section=hsc&group=39001-40000&file=39010-39060) **(APCD)**

132. Include the following standard note on all building plans approved in association with this project: Wood burning or Pellet appliances shall not be permitted within this subdivision. Only natural gas or propane fired fireplace appliances are permitted. These appliances shall be clearly delineated on the Floor Plans submitted in conjunction with the Building Permit application. *(Based on APCD Rule 225, section 302.2).* **(APCD)**

133. Include the following standard note on all building plans approved in association with this project: To limit the quantity of volatile organic compounds in architectural coatings supplied, sold, offered for sale, applied, solicited for application, or manufactured for use within the District, all projects must comply with APCD Rule 218. Please see our website for additional information: *(Based on APCD Rule 218)* **(APCD)**

134. Include the following standard note on all building plans approved in association with this project: In order to limit the emission of nitrogen oxides (NOx) from natural gas-fired water heaters, all projects that utilize gas fired water heaters must comply with Rule 246. *(Based on APCD Rule 246).* **(APCD)**

135. As mitigation for air quality impacts, a bike lane is required for this project. Prior to approval of Grading/Improvement Plans and/or Design Review approval, the applicant shall show that a [Class 1, 2, or 3] bicycle lane(s) is provided in areas as approved by the Engineering Division and/or the Department of Public Works (or similar divisions within each jurisdiction) , as defined elsewhere in these conditions of approval. **(APCD)**

136. Prior to Design Review approval, the applicant shall show that on-site bicycle racks, as required by the Placer County APCD, shall be reviewed and approved by the Design Site Review Committee. **(APCD)**

137. As required by the Placer County APCD, Landscape Plans submitted for Design Review shall include native drought-resistant species (plants, trees and bushes) in order to reduce the demand for irrigation and gas powered landscape maintenance equipment. In addition, a maximum of 25% lawn area is allowed on site. As a part of the project design, the applicant shall include irrigation systems which efficiently utilize water (*e.g.*, prohibit systems that apply water to non- vegetated surfaces and systems which create runoff). In addition, the applicant shall install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls, rain "shut off" valves, or other devices as reviewed and approved by the Design Site Review Committee. **(APCD)**

MISCELLANEOUS CONDITIONS

138. The applicant will be required to prepare Design Guidelines. The goal of the Design Guidelines would be to create overall continuity of landscape and architectural themes. The Design Guidelines will provide design concepts for specific elements, including but not necessarily limited to architectural treatments, entrances, streetscapes, intersections, and buffer areas. As is typical, the Design Guidelines for the Timberline Project will supersede and replace conflicting County Guidelines for purposes of the landscape and architectural design of the proposed project. However, where no guidance is provided within the Design Guidelines for specific items, the guidelines contained in the Placer County Landscape Design Guidelines shall

apply. The Design Guidelines shall be submitted to the Development Review Committee prior to issuance of the first Grading permit on the Timberline site and must be approved by the Development Review Committee prior to their implementation.

139. The applicant shall restrict the height of the northern most 150' of the K2 building and the B2 building to a height of 40'. (PD)

140. A model home sales use has been approved as a part of this project. These facilities shall not be granted a certificate of occupancy until all improvements associated with that parcel have been accepted by the County, a Final Subdivision Map(s) has been recorded (for a project "phase", or the entire project), and the proposed project's locations(s), design, proposed parking, etc., have been reviewed and approved by the Development Review Committee. The temporary model home parking lot(s) shall be constructed as an all-weather surface capable of supporting a 40,000 pound fire truck. The temporary model home sales office shall be used solely for the first sale of homes within the project. **(PD)**

141. Temporary sales trailers and model home sales, which have been granted approval of a Minor/Conditional Use Permit, are subject to review and approval of the Development Review Committee. Such a review shall be required prior to the issuance of a Building Permit and shall include, but is not limited to: building colors and materials, landscaping, parking and circulation, lighting, signage, etc. **(PD)**

142. 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 know as the Timberline at Auburn. 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)**.

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

A) Revises the Road "E" easement to connect to Lot 24 along the proposed access to the northern property boundary of Lot 24.
B) Shows and labels a public utility and access easement from Road "B" to the Sewer Lift Station Lot.
C) Relocates the sewer easement that is straddling the Lot 16/17 boundary to be entirely on and within the boundaries of Lot 17.
D) Shows and labels the 15 foot-wide off site water easement on the ARD parcel as proposed to be dedicated to the Nevada Irrigation District (NID).
E) Shows and labels the 15 foot-wide off site irrigation easement on the ARD parcel as proposed.
F) Revises Richardson Drive cross section number 9 to show 22 foot half sections (instead of 21) and 19 feet of pavement (instead of 18).
G) Shows and labels the temporary 20 foot wide private road, public utility, public support and emergency access easement over Lot 20 and the off site APN 051-140-082 for temporary access to Lot 18 from Richardson Drive.
H) Shows a private gated entrance feature and gate at the project entrance at the intersection of Richardson Drive and Education Street.

The copies of the approved revised Vesting Tentative Subdivision Map shall be submitted within 30 days of the original Vesting Tentative Subdivision Map approval.

144. **SUB** Prior to recordation of the Final Subdivision Map(s), the Placer County standard "remainder note" must appear on the face of the recorded subdivision Map(s) to designate a remainder. Pursuant to Government Code, Section 66424.6, the remainder is not being created for the purpose of sale, lease, or financing. Prior to any sale thereof, the owner shall comply with the applicable provisions of Government Code, Section 66424.6. **(ESD)**

145. **SUB/UP** The Improvement Plans shall show for the review and approval by the Development Review Committee the location of any entrance structure(s) proposed by the applicant and shall be located such that there is no interference with driver sight distance as determined by the Engineering and Surveying Department, and shall not be located within the County right-of-way and any Multi-Purpose easement. In addition, they shall not be located within a vehicle's clear recovery zone as determined by the Caltrans Highway Design Manual and Standards.

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

146. **SUB/UP** This project is located within a "State Responsibility Area" and, as such, is subject to fire protection regulations established by the State Board of Forestry. Compliance with

these regulations shall be evidenced by submittal of a letter from California Department of Forestry (CDF) to the Engineering and Surveying Department prior to Improvement Plan approval or recordation of the Final Subdivision Map(s) for each phase. For phases proposing Final Subdivision Maps, the Conditions, Covenants, & Restrictions (CC&Rs) shall include notification to future lot owners that said regulations include provisions applicable to residential construction. **(ESD)**

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

148. **SUB/UP** Any future private gated entrance feature/structure proposed by the applicant (other than the two proposed) shall be returned to the Planning Commission for approval of a modification of the discretionary permit. **(ESD)**

CONDITIONS, COVENANTS AND RESTRICTIONS

149. **SUB** Prior to recordation of the Final Subdivision Map(s), Conditions, Covenants, and Restrictions (CC&Rs) shall be prepared and submitted for review and approval by the Engineering and Surveying Department, County Counsel, and other appropriate County Departments and shall contain provisions/notifications related to those issues raised in the Conditions of Approval set forth herein. They shall be recorded concurrently with the filing of the Final Map(s) and shall contain provisions/notifications for:

A) The applicant shall create a Property Owner's Association with certain specified duties/responsibilities including the enforcement of all of the following notifications.
B) Maintenance of water quality BMPs by the Homeowner's Association.
C) Maintenance of on-site private roadways and easements by the Property Owners' Association.
D) Maintenance and operation of street lighting constructed with the project improvements by the Homeowner's Association.
E) Maintenance of the sidewalks within residential areas and along the east side of Richardson Drive.
F) Maintenance of the Open Space Lots, including landscaping, by the Property Owners' Association. **(PD)**
G) A note shall be included on the Final Subdivision Map(s) which states that: None of the provisions required by the Conditions of Approval shall be altered without the prior written consent of Placer County.

NOTIFICATION TO FUTURE BUYERS

150. Notice of Airport in Vicinity to future buyers, tenants, and/or occupants of the property affected: This property is presently located in the vicinity of an airport, within what is known as

an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. **(PD)**

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

152. Notification to future homeowners and builders that removal or disturbance of oak trees 6 inches diameter at breast height (dbh) or greater or multiple trunk trees with an aggregate diameter of 10 inches dbh or greater and not previously approved for removal by Placer County is prohibited unless prior approval is received by the Placer County Development Review Committee. A provision for the enforcement of this restriction by the Property Owners' association shall be provided. **(MM) (PD)**

153. Notification to future owners and builders that permanent protective fencing around Wetland Preservation Easements (WPE's) shall not be removed or altered without the express written permission of the homeowners' association and the Development Review Committee. **(MM) (PD)**

154. Notification to future owners of lots which have the permanent protective fencing installed adjacent to wetland areas, that no structure shall be located closer than 5 feet to said fencing. **(MM) (PD)**

155. Notification to all future owners that all outdoor lighting shall be shielded such that direct rays from the lamp are directed downward and do not cross property lines. Motion sensor lighting shall be encouraged to minimize night sky light pollution. **(MM) (PD)**

156. Notification to the future owners of affected lots that are located adjacent to common area lots, regarding the provision of an access easement to the homeowners' association for maintaining fencing around the perimeter of such lots. A minimum 24-hour notification to affected homeowners shall be provided prior to any work by the homeowners' association. **(PD)**

157. Notification to future owners and occupants that the keeping of horses and other livestock is prohibited within the project site. **(PD)**

158. Notification to future owners within 500 feet of a public park both in-tract and adjacent to the development that the park is a public congregation area, and they may experience noise associated with park use and traffic related to public ingress and egress On-street parking in the vicinity of the park by park users will be allowed.) **(PD)**

159. Notification to future owners of the location of all public trail easements within and adjacent to the development both constructed and vacant. Placement of any amenities within public trail easements (including but not limited to landscaping, irrigation lines, driveways, retaining walls, gates, and fencing) that impede the public use, construction, or maintenance of the trail is prohibited and may result in removal or destruction at the owner's expense. Ongoing maintenance activities will result in vegetation clearing and grading within the trail easement. Public trail construction and maintenance may be performed by agency staff, volunteers, contractors, and/or inmate/probationary forces. No debris, including vegetative material, shall be discarded in public trail easements and may result in removal at the owners' expense. Public agencies are generally not obligated to provide visual screening or fencing along public trail easements. **(FSD)**

160. **SUB** Notification to future owners of Lots that have permanent Best Management Practices (BMPs) installed on the Lot, of the annual maintenance requirements and that BMPs shall not be removed unless to replace with a more efficient BMP as approved by the County. **(ESD)**

161. **SUB** Applicant or Property Owners' Association shall distribute printed educational materials highlighting information regarding the stormwater facilities/BMPs, recommended maintenance, and inspection requirements, as well as conventional water conservation practices and surface water quality protection, to future buyers. Copies of this information shall be included in the Development Notebook and/or CC&Rs. **(ESD)**

162. **SUB** Notification to future Lot owners of the potential through road connections or roadway extensions for streets or easements stubbed to the project boundary. **(ESD)**

163. **SUB** Notification to future owners that inspections of stormwater facilities/Best Management Practices (BMPs) shall be conducted by the Property Owners' Association at least annually. Maintenance records and proof of inspections shall be retained and provided to Engineering and Surveying Division upon request. **(ESD)**

164. **SUB** Notification shall be made to all future property owners within 500 feet of the sewer lift station via CC&Rs and Developer's Notebook, that they may experience some unwanted elements associated with the maintenance of the lift station (i.e. truck traffic, noise, alarms, odors, etc.). **(DFS)**

165. **SUB** The Property Owner/Property Owners' Association/applicant shall provide notification to the future owners that no structures, including solid fencing over three feet in height, may be installed in front setback areas, including any property frontages along roadways

(unless otherwise allowed under section 17.54.030B1 of the Placer County Zoning Ordinance). **(ESD)**

166. The residential portion of the Timberline project, except the 78 residential lofts, shall only be occupied by individuals 55 years or older. In the case of double occupancy of a unit, only one resident is required to be at least 55 years or older. However, no one less than18 years of age shall be permitted as a resident, with the exception that people who are relatives of the occupants of residences in the Timberline project may stay for no more than two weeks in any six month period (no part of this condition is intended to apply to the 78 residential lofts).

DEVELOPMENT STANDARDS

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

MITIGATION MONITORING

168. Prior to Improvement Plan submittal, a Mitigation Monitoring Implementation Program (MMIP) for the replacement of native oaks and other trees, prepared by an International Society of Arboriculture (ISA) certified arborist, Registered Forester, or Landscape Architect, shall be submitted to the Planning Department, for review and approval by the Development Review Committee (DRC). For the 11 Significant Trees to be removed because of project development, the project shall include planting of on-site 24-inch box trees and 15-gallon trees (cumulatively 25%), 5-gallon trees (25 percent) and D-pots (50 percent) at the ratios outlined in Table 5-3 (See Chapter 5, Biological Resources, of the Draft EIR), and shall be planted by the project developer within Open Space/Common Area Lots and any other areas determined appropriate by the DRC. The Plan shall include a site plan that indicates the trees' location, installation and irrigation requirements and other standards to ensure the successful planting and continued growth of these trees.

Installation of all trees and irrigation systems must be completed prior to the County's acceptance of the subdivision's improvements. Access rights for monitoring and maintenance, if necessary, shall be provided to the homeowners' association.

An annual monitoring report for a minimum period of five (5) years from the date of installation, prepared by the above-cited professional, shall be submitted to the DRC for review and approval. Any corrective action shall be the responsibility of the homeowners' association.

Prior to the Improvement Plan approval, a Letter of Credit, Certificate of Deposit, or cash deposit in the amount of 100 percent of the accepted proposal shall be deposited with the Placer County Planning Department to assure on-going performance of the monitoring program.

Evidence of this deposit shall be provided to the satisfaction of the DRC prior to the approval of Improvement Plans. For the purposes of administrative and program review by Placer County, an additional 25 percent of the estimated cost of the Monitoring Program shall be paid to the County, in cash, at the time that the 100 percent deposit is made. With the exception of the 25 percent administrative fee, 100 percent of the estimated costs of implementing the monitoring program shall be returned to the applicant once the applicant has demonstrated that all five (5) years of monitoring have been completed to the satisfaction of the DRC. Refunds will only be available at the end of the entire review period.

It is the applicant's responsibility to ensure compliance with the MMIP. Violation of any components of the approved MMIP may result in enforcement activities per Placer County Environmental Review Ordinance, Article 18.28.080 (formerly Section 31.870). If a monitoring report is not submitted for any one year, or combination of years, as outlined in these conditions, the County has the option of utilizing these funds and hiring a consultant to implement the MMIP.

Failure to submit annual monitoring reports could also result in forfeiture of a portion of, or all of, the deposit. An agreement between the applicant and County shall be prepared which meets DRC approval that allows the County use of this deposit to assure performance of the MMIP in the event the homeowners' association reneges. The oak tree mitigation and monitoring requirements will not be required if the applicant pays in lieu of fees to the County. **(PD)**

169. Prior to Improvement Plan approval, a Mitigation Monitoring Implementation Program (MMIP) for the on-going maintenance and protection of the on-site pond, per the approved Pond Management Plan (PMP), shall be prepared by a licensed civil engineer and/or qualified wetlands biologist and submitted to the Development Review Committee (DRC) for review and approval. Project construction and monitoring shall comply with the criteria defined in the approved PMP, Article 18.28 of the Placer County Environmental Review Ordinance, and any requirements of the California Department of Fish and Game.

Installation of any and all PMP components/improvements must be completed prior to the County's acceptance of the subdivision improvements.

An annual monitoring report shall be submitted to the DRC and Department of Fish and Game for a minimum period of five (5) years from the date of installation. Said reports shall be prepared by a qualified wetlands biologist and/or a licensed civil engineer as determined appropriate by the DRC. Any corrective action shall be the responsibility of the owner or homeowners' association.

Prior to the Improvement Plan approval, a Letter of Credit or cash deposit in the amount of 100 percent of the accepted proposal shall be deposited with the Placer County Planning Services Division to assure on-going performance of the monitoring program. Evidence of this deposit shall be provided to the satisfaction of the DRC prior to Improvement Plan approval. For the purposes of administrative and program review by Placer County, an additional 25 percent of the estimated cost of the Monitoring Program shall be paid to the County, in cash, at the time that the 100 percent deposit is made. With the exception of the 25 percent administrative fee, 100 percent of the estimated costs of implementing the monitoring program shall be returned to the applicant

once the applicant has demonstrated that all five (5) years of monitoring have been completed to the satisfaction of the DRC. Refunds will only be available at the end of the entire review period.

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

170. Prior to Improvement Plan approval, the applicant shall submit a copy of their Army Corp 404 permit that established mitigation for filling of the on site wetlands. As part of that permit's conditions the applicant will either purchase wetland mitigations from an Army Corp approved wetland bank or to establish a newly created wetlands on the ARD parcel. Evidence of the Army Corp approval of the offsite mitigation area or purchase of wetland mitigations credits shall be submitted to the Planning Department. **(PD)**

171. MM 8-1(a) Prior to approval of Grading or Improvement Plans, the applicant shall submit a Construction Emission / Dust Control Plan to the Placer County APCD. This plan must address the minimum Administrative Requirements found in section 300 and 400 of PCAPCD Rule 228, Fugitive Dust.

172. MM 8-1(b) Include the following standard note on the Grading Plan or Improvement Plans: The prime contractor shall submit to the District a comprehensive inventory (i.e. make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower of 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 District with the anticipated construction timeline including start date, name, and phone number of the property owner, project manager, and on-site foreman.

173. MM 8-1(c) Include the following standard note on the Improvement/Grading Plan: Construction equipment exhaust emissions shall not exceed Placer County APCD Rule 202 Visible Emission limitations. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified by APCD to cease operations and the equipment must be repaired within 72 hours. *(Based on APCD Rule 202)* **(APCD)**

174. MM 8-1(d) Include the following standard note on the Improvement/Grading Plan: The

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

175. MM 8-1(e) Prior to the approval of Grading Plans, an enforcement plan shall be established, and submitted to the PCAPCD for review, in order to weekly evaluate project-related on-and-off road heavy-duty vehicle engine emission opacities, using standards as defined in California Code of Regulations, Title 13, Sections 2180-2194. An Environmental Coordinator, CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate project related off-road and heavy duty on-road equipment emissions for compliance with this requirement. Operators of vehicles and equipment found to exceed opacity limits will be notified and the equipment must be repaired with 72 hours.

176. MM 8-1(f) Include the following standard note on the Improvement/Grading Plan: During construction, no open burning of removed vegetation shall be allowed unless permitted by the PCAPCD. All removed vegetative material shall be either chipped on site or taken to an appropriate recycling site, or if a site is not available, a licensed disposal site. *(Based on APCD Rule 310)* **(APCD)**

177. MM 8-1(g) Include the following standard note on the Improvement/Grading Plan: The prime contractor shall be responsible for keeping adjacent public thoroughfares clean of silt, dirt, mud, and debris, and shall "wet broom" the streets (or use another method to control dust as approved by the individual jurisdiction) if silt, dirt, mud or debris is carried over to adjacent public thoroughfares. *(Based on APCD Rule 228 / section 401.5)* (APCD)

178. MM 8-1(h) Include the following standard note on the Improvement/Grading Plan: During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less. *(Based on APCD Rule 228 / section 401.5)* (APCD)

179. MM 8-1(i) Include the following standard note on the Improvement/Grading Plan: The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) exceed 25 mph and dust is impacting adjacent properties. *(Based on APCD Rule 228)* (APCD)

180. MM 8-1(j) In order to control dust, operational watering trucks shall be on site during construction hours. In addition, dry, mechanical sweeping is prohibited. Watering of a construction site shall be carried out in compliance with all pertinent APCD rules (or as

required by ordinance within each local jurisdiction). (APCD)

181. MM 8-1(k) Include the following standard note on the Improvement/Grading Plan: During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel powered equipment. **(APCD)**

182. MM 8-1(l) Include the following standard note on the Improvement/Grading Plan: The contractor shall use CARB ultra low diesel fuel for all diesel-powered equipment. In addition, low sulfur fuel shall be utilized for all stationary equipment. The requirement may be reconsidered if the equipment manufacturer states that said use will void equipment warranties.

183. MM 8-1(m) Include the following standard note on the Improvement/Grading Plan: During construction the contractor shall utilize existing power sources (e.g., power poles) or clean fuel (i.e. gasoline, biodiesel, natural gas) generators rather than temporary diesel power generators. (APCD)

184. MM 8-1(n) Include the following standard note on all building plans approved in association with this project: Stationary sources or processes (i.e. certain types of engines, boilers, heaters, etc.) associated with this project shall be required to obtain an Authority to Construct (ATC) permit from the Placer County Air Pollution Control District prior to the construction of these sources. In general, the following types of sources shall be required to obtain a permit: 1). Any engine greater than 50 brake horsepower, 2). Any boiler that produces heat in excess of 1,000,000 Btu per hour, or 3) Any equipment or process which discharge 2 pounds per day or more of pollutants. Note that equipment associated with residential structures containing no more than 1 to 4 residential units are exempt from this requirement. Developers / contactors should contact the District prior to construction for additional information. *(Based on APCD Rule 501 and the California Health & Safety Code, Section 39013).* **(APCD)**

185. MM 8-1(o) Prior to approval of Improvement/Grading Plans, the applicant shall provide a written calculation to the Placer County APCD for approval by the District demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average at the time of construction. 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 Placer County APCD as described above: http://www.airquality.org/ceqa/ (click on the current "Roadway Construction Emissions Model").(APCD)

186. MM 8-4 Prior to Improvement Plan and/or Design Review approval, the applicant shall show on the plans incorporation of mitigation measures to reduce the impact to the highest degree feasible. The plans shall be reviewed and approved by the PCAPCD to ensure proper incorporation of the following measures:

A. MM 8-4(a)Provide bicycle lanes, sidewalks and/or paths, connecting project residences to adjacent, parks, the nearest transit stop and nearby commercial areas.

B. MM 8-4(b)Wood burning or pellet appliances shall not be permitted for the entire planning area with the single exception of only one wood burning fireplace appliance which meets the APCD Rule 225 in the common building "A". Only natural gas or propane-fired fireplace appliances are permitted. These appliances shall be clearly delineated on the floor plans submitted in conjunction with the building permit application. (APCD)

C. MM 8-4(c)Install an exterior outlet in the front and rear of each dwelling unit for use of electric lawn and garden equipment.

D. MM 8-4(d)Construct transit amenities such as bus turnouts/bus bulbs, benches, shelters, etc. in coordination with Placer County Transit.

E. MM 8-4(e)Include shade trees near buildings to shield them from the sun's rays and reduce local air temperature and cooling energy demand.

F. MM 8-4(f) Electrify service equipment where feasible.

G. MM 8-4(g)Install energy-efficient appliances, such as water heaters, refrigerators, furnaces and boiler units that meet or exceed Title 24 requirements.

H. MM 8-4(h)Install automatic lighting on/off controls and energy-efficient lighting.

I. MM 8-4(i) Landscape trees should have low ozone-forming potential.

J. MM 8-4(j) Landscape with drought-resistant species, using groundcover rather than pavement where feasible.

K.MM 8-4(k)Provide information to homebuyers about available local electric lawn and garden equipment exchange program.

L. MM 8-4(l) Prior to the approval of the improvement plans for the

commercial portion of the project, the plans shall show provisions for construction of the following trip reduction strategies:

M. MM 8-4(m)Construction of physical improvements, such as sidewalk improvements, landscaping and bicycle parking.

N. MM 8-4(n)Connect site with a regional bikeway/pedestrian trail system.

O. MM 8-4(o)Provide secure and conveniently located bicycle parking for workers and patrons.

187. MM 8-5 Odor-emitting facilities proposed to occupy space in the retail and restaurant portions of the project site shall install odor control devices prior to the issuance of an occupancy permit.

188. MM 15-8(a) Low or No- VOC paints, adhesives and sealants shall be used during the construction of all proposed onsite structures.

189. MM 15-8(b) The applicant shall participate in the PCAPCD Off-site Mitigation Program by paying the equivalent amount of money that is equal to the project's contribution of pollutants (ROG and NOx) that exceed the cumulative threshold of 10 lbs/day. The actual amount to be paid shall be determined, per current California Air Resource Board guidelines, at the time of recordation of the Final Map or issuance of a building permit. Or,

The applicant can participate in an offsite mitigation program, coordinated through the PCAPCD, to offset the project's long-term emission of pollutants. Examples include participation in a "Biomass" program, retrofitting mobile sources (i.e. buses, heavy duty diesel equipment), or any other program that is deemed acceptable by the PCAPCD Officer. Any proposed off-site mitigation shall be located within the same region as the proposed project. The fair-share Off-site Mitigation Fee shall be adjusted accordingly.

190. MM 15-9(a) Prior to the approval of Design Review approval, the applicant shall submit, for review and approval by the Placer County Planning Department and APCD, building and landscaping plans demonstrating compliance with the following measures set forth in Table 15-12 of the DEIR:

A. MM 15-9(a-1) Landscaping plans will provide for tree planting throughout all parking areas to attain 50 percent shading of parking areas within 15 years of building permit issuance. Landscaping plans will incorporate native and/or drought-resistant species (plants, trees, and bushes) to reduce the demand for use of landscape maintenance equipment;

B. MM 15-9(a-2) Design buildings to be as energy efficient as possible, including the incorporation of solar energy to the maximum extent feasible. Where solar systems cannot feasibly be incorporated into the project at the outset, best efforts should be made so the buildings shall be constructed as "solar ready," as described in the U.S. Department of Energy's "A Homebuilder's Guide to Going Solar," available at http://eere.energy.gov/solar;

C. MM 15-9(a-3) Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings;

D. MM 15-9(a-4) Install light colored "cool" roofs where feasible, including the flat or low-slope roofs of the commercial buildings; cool pavements where feasible, including the parking lot of common building "A", the entry way near Richardson Drive, and the paths along the large stormwater lake; and strategically placed shade trees;

E. MM 15-9(a-5) Install energy efficient heating and cooling systems, appliances and equipment, and control systems;

F. MM 15-9(a-6) Install light emitting diodes (LEDs) for traffic, street, and other outdoor lighting;

G. MM 15-9(a-7) Create water-efficient landscapes;

H. MM 15-9(a-8) Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls;

I. MM 15-9(a-9) Design buildings to be water-efficient. Install water-efficient fixtures and appliances;

J. MM 15-9(a-10) Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff;

K. MM 15-9(a-11) Implement low-impact development practices that maintain the existing hydrologic character of the site to manage storm water and protect the environment (Retaining storm water runoff on-site can drastically reduce the need for energy-intensive imported water at the site);

L. MM 15-9(a-12) Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, and concrete, lumber, metal, and cardboard);

M. MM 15-9(a-13) Provide interior and exterior storage areas for

recyclables and green waste and adequate recycling containers located in public areas;

N. MM 15-9(a-14) Prior to Improvement Plan approval, the applicant shall Demonstrate that improved accessibility to the existing pathway infrastructure that leads to and from local services will be provided along the southern boundary of the project site;

O. MM 15-9(a-15) Demonstrate on Improvement Plans that the site will provide maximum access and connectivity to the existing Placer County bus shelter at the entrance of the project site;

P. MM 15-9(a-16) Limit idling time for commercial vehicles, including delivery and construction vehicles;

Q. MM 15-9(a-17) Provide the necessary facilities and infrastructure to encourage the use of low or zero-emission vehicles (e.g. electric vehicle charging facilities and conveniently located alternative fueling);

R. MM 15-9(a-18) For commercial uses, provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including, e.g., locked bicycle storage or covered or indoor bicycle parking;

S. MM 15-9(a-19) Create bicycle lanes and walking paths directed to the location of schools, parks, and other destination points; and

T. MM 15-9(a-20) Prior to the issuance of a building permit for a Stationary Source, demonstrate compliance with the requirements within the Regulation for the Management of High Global Warming Potential Refrigerants for Stationary Sources in order to reduce the project's potential emissions of high GWP refrigerants.

191. MM 15-9(b) Prior to the issuance of building permits and/or approval of Design Review, the project applicant shall submit for review and approval by Placer County Planning and PCAPCD, building plans that demonstrate compliance with the following mitigation measures:

All homes shall include energy-efficient appliances, such as water heaters, refrigerators, furnaces and boiler units that meet or exceed Title 24 requirements; **and**

All villas shall be constructed to meet the California Green Building Standards Code "CALGreen" and obtain certification of the Tier 1 Requirements (see Attachment: "Appendix A4 Residential Voluntary Measures, Division A4.6 –Tier 1 and Tier II).

Or

All villas within the proposed project shall comply with the following:

a). Utilize AC units that are two points above the Seasonal Energy Efficient Ratio (SEER) energy efficiency rating in effect at the time of the approval of the Tentative Subdivision Map. Any plans submitted to the Building Division must clearly show that this condition is being met;

b). All villas shall include "whole house fans," as feasible. Any plans submitted to the Building Division must clearly show that this condition is being met; and

c). All villas shall include, at the builder's discretion, one of the following two options:

1. A "tankless" water heater, or
2. Upgraded insulation in all walls and ceilings to exceed the Title 24 requirements in place at the time of building permit issuance. Any plans submitted to the Building Division must clearly show that this condition is being met.

EXERCISE OF PERMIT

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

Multiple Final Subdivision Maps may be filed in conformance with this Vesting Tentative Subdivision Map. All requests to file multiple Final Subdivision Maps shall be reviewed and approved by the DRC prior to Improvement Plan or Final Subdivision Map submittal and shall be consistent with the Vesting Phased Tentative Subdivision Map and the EIR. The DRC may only place reasonable conditions on each proposed phase to ensure consistency with project documents/plans and to ensure that each proposed phase constructs adequate infrastructure (Ref. Section 66456.1, Subdivision Map Act and Atricle 16.16.070, County Code). Contained in these conditions are requirements relating to phasing; if multiple Final Maps are requested, these requirements shall serve to assist the DRC with the imposition of appropriate conditions for such phasing. **(ESD)**

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

Information System (GIS). The recorded map filed at the Placer County Recorder's Office will be the official document of record. **(ESD)**

194. The applicant shall have 36 months from the date of approval to exercise the 54 lot phased Vesting Tentative Map, Conditional Use Permit for the Timberline at Auburn and Variances. Upon recordation of a lot (phase) as shown on the Vesting Tentative Map and/or the construction of the required infrastructure for that phase that phase and that portion of Conditional use permit entitling the improvement associated with said phase shall be exercised in perpetuity. The above entitlements shall run concurrently with the approval period of the phased Vesting Tentative Map. The phased Vesting Tentative Maps map may have initial approval period of 13 years due to the time frames associated with phased maps and offsite improvements in the California Subdivision Map Act.**(PD)**

195. The Noise Exception shall be deemed exercised upon approval by the Planning Commission.

MINOR USE PERMIT (MUP)

196. The trail and wetlands construction on the Auburn Recreation District parcel shall require the issuance and of either Improvement Plans or a Grading Permit from the Engineering and Survey Division. The appropriate process (Improvement Plans or Grading Permit) shall be determined by the Engineering and Survey Division.)

197. This Minor Use Permit shall be considered exercised upon completion of the construction of the trail.

198. This use permit shall be valid for thirteen years from May 12, 2011.