

COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, AICP
Agency Director

**PLANNING
SERVICES DIVISION**

Paul Thompson, Deputy Director

MEMORANDUM

TO: Honorable Board of Supervisors

FROM: Michael J. Johnson, AICP
Agency Director

DATE: July 10, 2012

**SUBJECT: TERRACINA SUBDIVISION – SUBDIVISION / CONDITIONAL USE PERMIT
MODIFICATION (PCPM20110367) – APPEAL OF THE PLANNING
COMMISSION DENIAL OF A GATED ENTRY FOR TERRACINA**

ACTION REQUESTED

The Board is being asked to consider an appeal from Tiffany Bell, on behalf of the Terracina Owners' Association, of the Planning Commission's denial of a gated entry for the Terracina Subdivision. Staff recommends that the Board uphold the Planning Commission action and deny the appeal.

BACKGROUND

The Terracina Subdivision consists of 17 lots on 83.2 acres located in Loomis. The subject property is zoned RA-B-X-4.6 PD=0.22 (Residential Agricultural, combining minimum Building Site of 4.6 acres, combining Planned Residential Development 0.22 dwelling units per acre) and is designated Rural Estate (4.6 – 20 acre min.) in the Granite Bay Community Plan.

The Terracina Subdivision was approved on May 27, 2004, by the Placer County Planning Commission as a 17-lot single-family residential planned development on 83 acres. On August 10, 2004, the Placer County Board of Supervisor's approved a rezoning application (RA-B-X-4.6 acres to RA-B-X-4.6 acres PD 0.22) for the subdivision.

In May 2007, an Administrative Approval was granted to allow a gated entry for Terracina Subdivision to exceed the three-foot height limitation within the front setback of the Terracina Lane access road. The Administrative Approval required that the gated entry not block site distance on either Terracina Lane or Laird Road and not be visually obtrusive. The Administrative Approval further required that the gated entry not be within the front setback area of Laird Road and further required that there be adequate stacking for cars outside of the Laird Road right-of-way. These requirements ensured that the gated entry would be unnoticeable to surrounding properties.

After the Administrative Approval expired in 2009, staff determined that it did not have the authority to approve gated entries through the Administrative Approval process. In November 2011, a new variance application for a gated entry was submitted to the County. The variance

application was considered and approved by the Zoning Administrator on February 16, 2012. Staff subsequently determined that the proposed project also required a Subdivision Modification and, as such, must be considered by the Planning Commission.

On February 28, 2012 the Board of Supervisors adopted the Update to the Granite Bay Community Plan. To ensure a smooth and consistent transition between the plans, it was concluded that project applications deemed complete prior the adoption date of the 2012 Plan would continue to be analyzed for consistency with the policies of the 1989 Granite Bay Community Plan. Applications not yet deemed complete by February 28, 2012 or new applications received after that date for projects in the Granite Bay Community Plan area are analyzed for consistency with the 2012 plan. Because the Terracina Subdivision Modification application was submitted prior to February 28, 2012, this application is being reviewed under the previous Community Plan.

Project Description

The applicant is requesting approval for a gated entry that incorporates two pedestrian gates and three pilasters. All of the proposed structures would be located within the right-of-way of Terracina Lane. The entry gates are proposed to be 8-feet, 11-inches in height, the two pedestrian gates are 7-feet, 1-inch in height, and the three pilasters are 10-feet in height. The proposed gates are located approximately 52 feet from the east end of the existing landscaped median near the project's entrance at Terracina Lane and Laird Road.

Granite Bay MAC

On April 4, 2012 the Granite Bay Municipal Advisory Council (MAC) voted 5 to 0 to recommend that the Planning Commission approve the proposed gated entry at the entrance to the subdivision. The MAC supported the proposed gated entry based on comments from property owners in the subdivision and the applicant regarding security issues (theft from new home construction sites; residential burglaries; late night partying/drinking activities) in the western undeveloped cul-de-sac area of the subdivision. The MAC concluded that there are significant extenuating circumstances that would be consistent with Goal 1, Policy 15 of the 1989 Granite Bay Community Plan.

Planning Commission Action

The proposed Terracina Subdivision gated entry application was considered by the Planning Commission at its April 12, 2012 meeting. At the hearing, the applicant and property owners from the Terracina Subdivision provided testimony focused on various security issues at the subdivision to support the gated entry request and to support their argument that the request would be consistent with Goal 1, Policy 15 of the 1989 Granite Bay Community Plan, which states:

Gated subdivisions shall not be allowed unless there are significant extenuating circumstances. New subdivisions shall include roadway connections to adjacent subdivisions or provisions to connect to adjacent vacant lands subject to development. Gated subdivisions that are allowed shall incorporate provisions for emergency service providers to operate the gates automatically from the emergency service vehicle.

Additional testimony in opposition of the project was presented by several Granite Bay residents who did not agree that the security issues presented were "significant extenuating circumstances".

The Planning Commission took action to deny the project (3-2; Commissioners Brentnall, Roccucci and Johnson voted yes to deny; Commissioners Moss and Denio voted no; Commissioners Sevison and Gray were absent). The Planning Commission concluded that the security issues presented by the applicant and property owners at Terracina Subdivision (theft from new home construction sites; residential burglaries; late night partying/drinking activities) did not constitute "significant extenuating circumstances" in order to allow the Commission to find consistency with Goal 1, Policy 15 of the 1989 Granite Bay Community Plan.

Letter of Appeal

On April 17, 2012, an appeal was filed by Tiffany Bell, on behalf of the Terracina Owners' Association, challenging the Planning Commission's denial of the gated entry for the Terracina Subdivision. The appeal states that ongoing security issues at the subdivision in fact are "significant extenuating circumstances" and that the gated entry as proposed would meet the criteria set forth in Goal1, Policy 15 of the 1989 Granite Bay Community Plan.

RESPONSE TO APPEAL LETTER

As identified above, the appeal identifies one issue as the basis for the appeal. A response to that issue is provided below.

Significant Extenuating Circumstances

The appellant asserts that the Planning Commission decision to deny the Subdivision Modification for a gated entry was based on the Commissions conclusion that there were no extenuating circumstances. In contrast, the appellant states, Planning staff, the Granite Bay Municipal Advisory Council, and the Zoning Administrator all concluded that there were "significant extenuating circumstances" to warrant support of the gated entry.

In reaching its decision to deny the Subdivision Modification for a gated entry, the Planning Commission heard testimony from the applicant, Terracina Subdivision property owners, and Granite Bay community members who opposed approval of the request. In addition, the Planning Commission heard the staff presentation and had a copy of the staff report as part of its analysis of the request. In its review of the project, the Planning Commission did not find that the security issues raised by the applicant were "significant extenuating circumstances" and therefore the request was not consistent with Goal 1, Policy 15 of the 1989 Granite Bay Community Plan. It was on this basis that the Planning Commission denied the request for approval of a gated entry.

RECOMMENDATION

Staff recommends that the Board of Supervisors deny the appeal and uphold the Planning Commission's denial of the Subdivision Modification for the Terracina Subdivision gated entry project, based on the following findings:

FINDINGS

SUBDIVISION CONDITIONAL USE PERMIT MODIFICATION

1. The Board has conducted a de novo hearing in this matter. The Board finds that the appellants have failed to satisfy their burden of proof to overturn the Planning Commission's denial of the Terracina Subdivision gated entry project. The Board has found no evidence in either the written or oral record to establish consistency with all applicable goals and policies of the Placer County General Plan and 1989 Granite Bay Community Plan. Specifically, the Board does not find the proposed project consistent with Goal 1, Policy 15 of the 1989 Community Plan because the security issues raised by the appellant do not constitute "significant extenuating circumstances".
2. Under section 15270(a) of the California Environmental Quality Act ("CEQA") Guidelines, CEQA does not apply to projects which a public agency rejects or disapproves.

While it is staff's recommendation that the Board uphold the decision of the Planning Commission and deny the appeal, should the Board decide to grant the appeal and approve the Subdivision and Conditional Use Permit modifications for the Terracina Subdivision gated entry project, staff has prepared Findings and Conditions of Approval (Attachment F).

ATTACHMENTS:

- Attachment A: Planning Appeal dated April 17, 2012
- Attachment B: Vicinity Map
- Attachment C: Gated Entry Plan / February 2, 2012 Letter from Meredith Engineering
- Attachment D: Correspondence
- Attachment E: Planning Commission Staff Report dated April 12, 2012
- Attachment F: Findings and Conditions of Approval

cc: Tiffany Bell, Terracina Owners' Association
Michael Johnson – CD/RA Director
Paul Thompson - Deputy Director of Planning
E.J. Ivaldi - Supervising Planner
Karin Schwab - County Counsel
Phil Frantz - Engineering and Surveying Department
Kenneth Stuart - Environmental Health Services
Andy Fisher - Parks Division
Andrew Gaber - Department of Public Works
Tom Christofk - Air Pollution Control District



PLACER COUNTY PLANNING DEPARTMENT
AUBURN OFFICE
 3091 County Center Dr
 Auburn, CA 95603
 530-886-3000/FAX 530-886-3080
 Web page: www.placer.ca.gov/planning

TAHOE OFFICE
 565 W. Lake Blvd./P. O. Box 1909
 Tahoe City CA 96145
 530-581-6280/FAX 530-581-6282
 E-Mail: planning@placer.ca.gov

Reserved for Date Stamp
RECEIVED
APR 17 2012
CDRA

PLANNING APPEALS

The specific regulations regarding appeal procedures may be found in the Placer County Code, Chapters 16 (Subdivision), 17 (Planning and Zoning), and 18 (Environmental Review Ordinance).

-----OFFICE USE ONLY-----

Date of Appeal 4/22/12 (5 pm) Appeal Fee \$ 520
 Letter _____ Date Appeal Filed 4/17/12
 Oral Testimony Receipt # 12-008096
 Zoning RA-B-X 4.6 AC MIN PD=0.22 Received by EDB.
 Maps: 7-full size and 1 reduced for Planning Commission items Geographic Area _____

-----TO BE COMPLETED BY THE APPLICANT-----

1. Project name Terracine Owners Association
 2. Appellant(s) Tiffany Bell Telephone Number 916/777 3708 Fax Number 916/777 3608
 Address 4120 Douglas Blvd 306-289 Granite Bay CA 95746
 Assessor's Parcel Number(s) PCPMT20110367
 4. Application being appealed (check all those that apply):
 Administrative Approval (AA-_____) Tentative Map (SUB-_____)
 Use Permit (CUP/MUP-_____) Variance (VAA-_____)
 Parcel Map (P-_____) Design Review (DSA-_____)
 General Plan Amendment (GPA-_____) Rezoning (REA-_____)
 Specific Plan (SPA-_____) Rafting Permit (RPA-_____)
 Planning Director Interpretation _____ (date) Env. Review (EIAQ-_____)
 Minor Boundary Line Adj. (MBR-_____) Other: _____

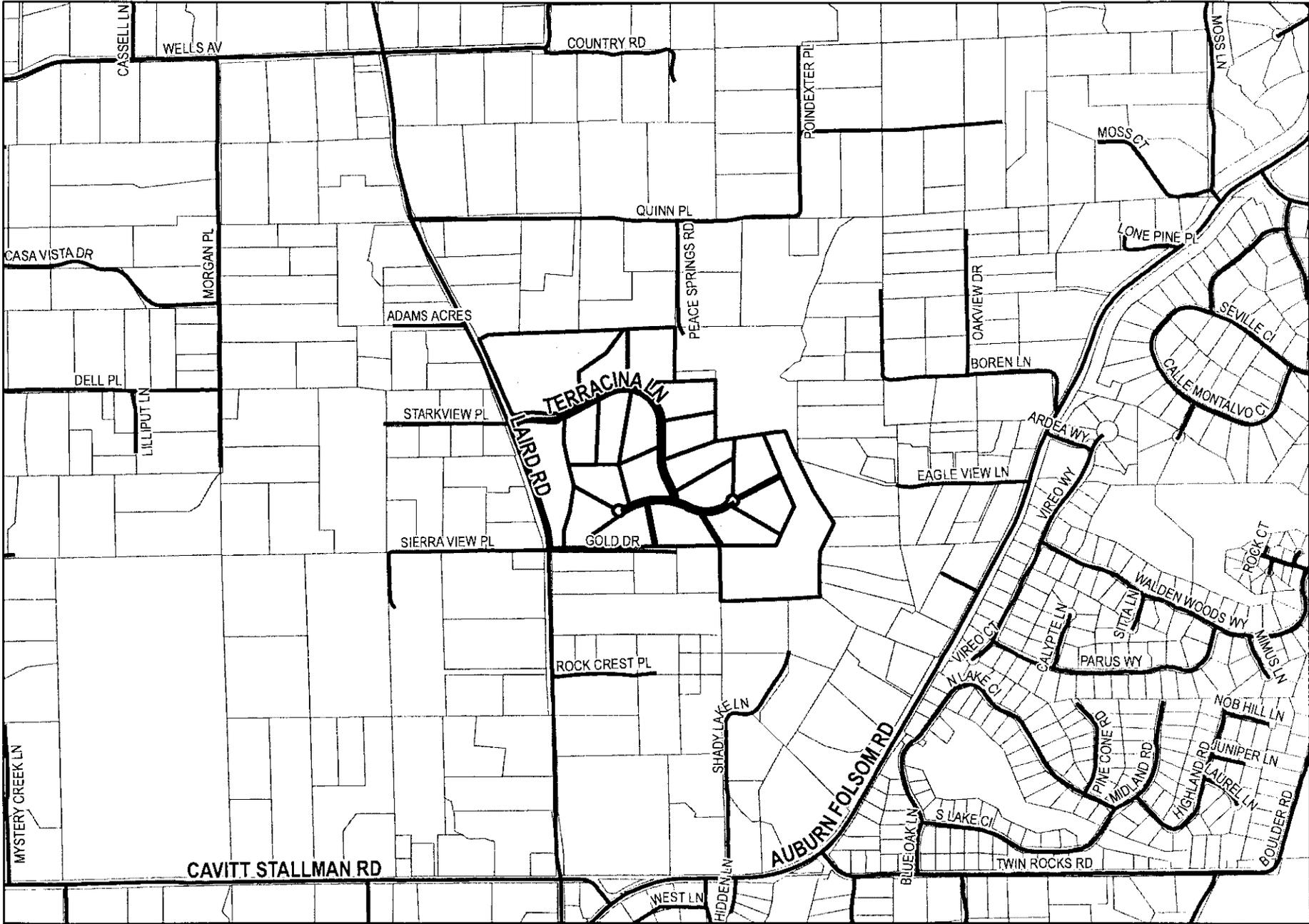
5. Whose decision is being appealed: Ruling by Planning Commission
 6. Appeal to be heard by: Board of Supervisors (see reverse)

7. Reason for appeal (attach additional sheet if necessary and be specific):
The PC decision was based on their conclusion that there were no extenuating circumstances although Planning Staff GBMAC and zoning official did agree with Terracine that there most definitely was

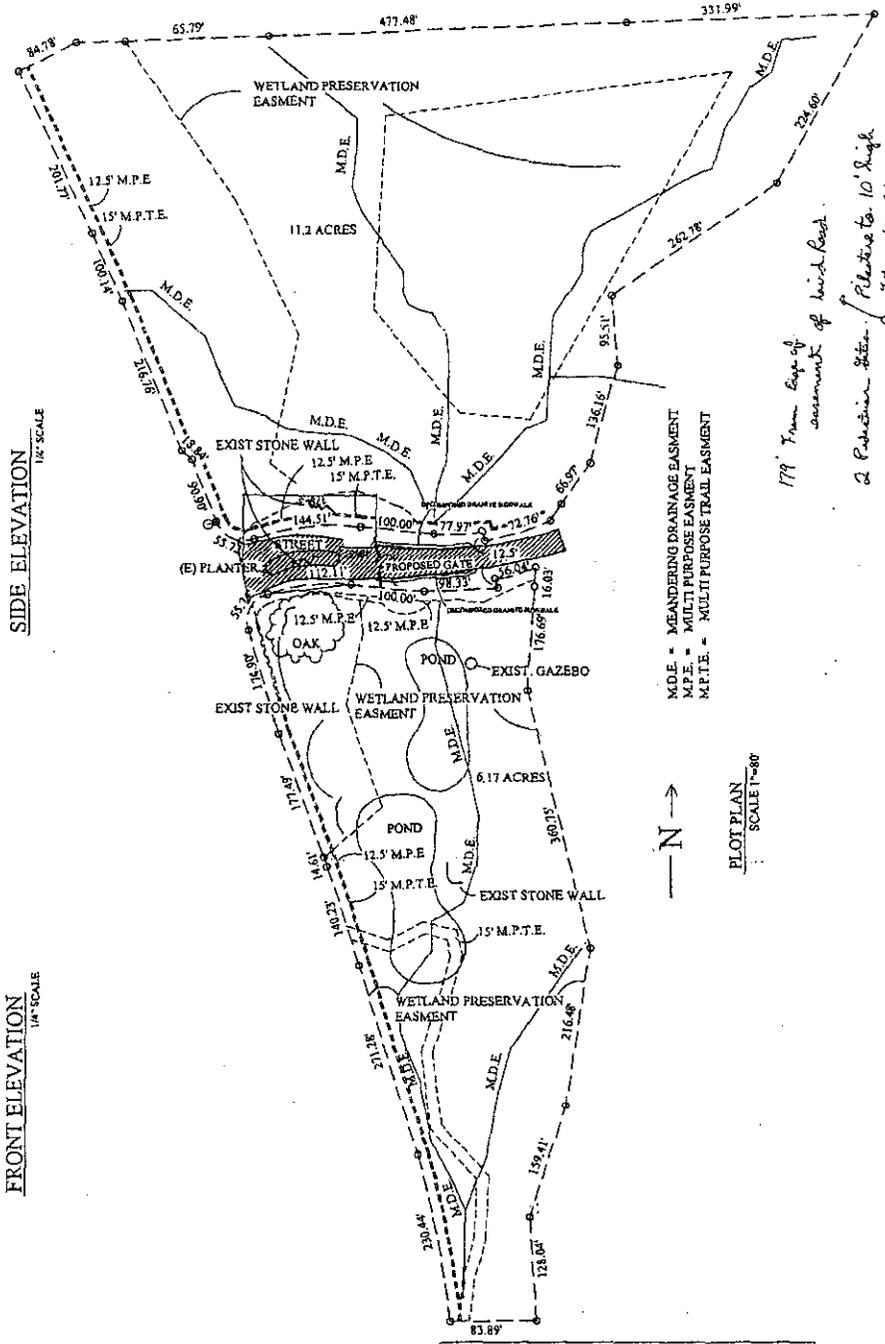
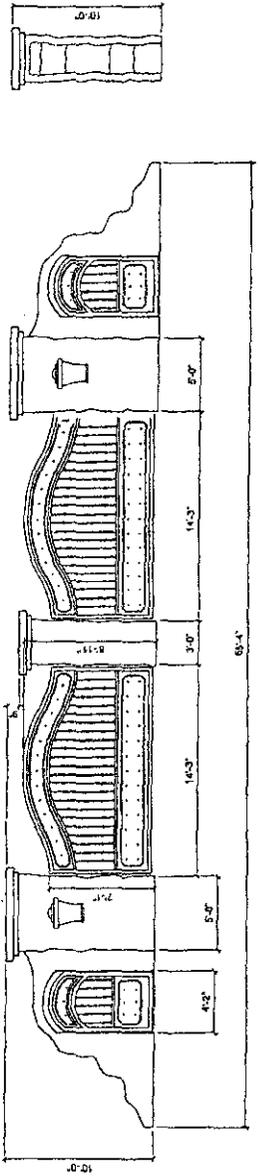
Note: Applicants may be required to submit additional project plans/maps.

Signature of Appellant(s) Tiffany Bell

TERRACINA SUBDIVISION



ATTACHMENT B

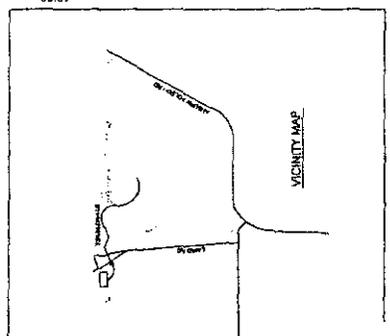


179' From Edge of easement of bird's nest.

2. Retain State of Pleistocene to 10' High
 Alter to 8' - 11"
 in + out width 14' - 3"

RECEIVED
 NOV. 15, 2011
 CORP # 20110367

Pub. site open during flight hours.



Nicole Hagmaier

From: Jane Negri [grammynegri@yahoo.com]
Sent: Tuesday, February 14, 2012 12:55 PM
To: Placer County Planning

Follow Up Flag: Follow up
Flag Status: Completed

George Rosasco
; Feb. 14, 2012

Zoning Administrator/Parcel Review Committee

I will not be able to attend the hearing on Feb. 16th concerning granting Variance (PVAA 20110367) for the Terracina Subdivision to have a gated entrance. I would like to express my concern that this project was approved with no gates and nothing has changed in the area to now warrant a gate. There is no school in the area, a shopping center has not been built across the street, and there is no large church that might use their streets for parking. The area is exactly the same as when the original plan was approved.

The request for this variance is in conflict with the goals of the Granite Bay Community Plan. One of the main goals is, "To protect and preserve the unique rural character of the community and maintain the identity of Granite Bay as a scenic, tranquil, family-oriented rural/residential community compatible with the area's physical constraints and natural features." The addition of an 8-11ft gate and 10ft high pilasters is not in keeping with the surrounding homes. This is a very rural setting and these added structures will stand out and separate this subdivision from the rest of the area. One of the purposes of our Circulation Element as stated on p.1 of Exhibit B in the 2005 update is to, "retain and enhance the rural and scenic qualities of the area". This addition does neither, it is in visual opposition to the rural area and it will detract from the natural scenic beauty of Laird Rd.

The policy in the Circulation Element that directly addresses this is # 15 on p3 of the 2005 update, "Gated subdivisions shall not be allowed unless there are significant extenuating circumstances. New subdivisions shall include roadway connections to adjacent subdivisions or provisions to connect to adjacent vacant lands subject to development. Gated subdivisions that are allowed shall incorporate provisions for emergency service providers to operate the gates automatically from the emergency service vehicle." There are no extenuating circumstances that make it necessary for this subdivision to add gates after their plan was already approved without gates. I would ask that you do not grant their variance.

Thank You, Jane Negri

4502 Olive Ranch Rd

Granite Bay, ca. 95746



COUNTY OF PLACER
Community Development/Resource Agency

Planning Services
Division

Michael J. Johnson, AICP
Agency Director

Paul Thompson
Deputy Director of Planning

HEARING DATE: 04/12/2012
ITEM NO.: 1
TIME: 10:05 am

TO: Placer County Planning Commission
FROM: Development Review Committee
DATE: April 5, 2012
SUBJECT: Subdivision / Conditional Use Permit Modification - SUB-422/CUP-3006
(PCPMT20110367)
Gated Entry for Terracina Subdivision
Categorical Exemption

COMMUNITY PLAN AREA: Granite Bay Community Plan

COMMUNITY PLAN DESIGNATION: Rural Estate (4.6 – 20 acre min.)

STAFF PLANNER: Roy Schaefer, Associate Planner

LOCATION: The project site is located within the Terracina Subdivision which is at the intersection of Laird Road and Terracina Lane, approximately 0.7 miles north of Cavitt Stallman Road in the Loomis area.

APPLICANT: Tiffany Bell on behalf of the Terracina Owners' Association

PROPOSAL: The applicant on behalf of the Terracina Owners' Association is requesting approval of a Gated Entry on Terracina Lane for the Terracina Subdivision.

CEQA COMPLIANCE: The project is categorically exempt from environmental review pursuant to provisions of Section 15303 of the California Environmental Quality Act Guidelines and Section 18.36.050 of the Placer County Environmental Review Ordinance (Class 3 – New Construction or Conversion of Small Structures).

PUBLIC NOTICES AND REFERRAL FOR COMMENTS:

Public notices were mailed to property owners of record within 300 feet of the project site. A public hearing notice was also published in the *Sacramento Bee* newspaper. Community Development/Resource Agency staff and the Departments of Public Works, Environmental Health, Air Pollution Control District, and the Granite Bay Municipal Advisory Council (GBMAC) were transmitted copies of the project plans and application for review and comment. All County comments have been addressed and conditions have been incorporated into the staff report. All public comments received are attached to this staff report.

PROJECT DESCRIPTION:

The applicant is requesting approval for a gated entry that incorporates two pedestrian gates and three pilasters. All of the proposed entry structures would be located within the right-of-way of Terracina Lane. The entry gates are proposed to be 8-feet, 11-inches in height, the two pedestrian gates are 7-feet, 1-inch in height and the three pilasters are 10-feet in height. The proposed gates are located approximately 52 feet from the east end of the existing landscaped median near the project's entrance at Terracina Lane and Laird Road.

BACKGROUND:

Terracina Subdivision was originally approved on May 27, 2004 by the Placer County Planning Commission as a 17-lot single-family planned residential development on 83 acres. On August 10, 2004, the Placer County Board of Supervisor's took action to approve the necessary rezone application (RA-B-X-4.6 acres to RA-B-X-4.6 acres PD 0.22) that allowed the property to be developed as a planned residential development.

EXISTING LAND USE AND ZONING:

Location	Zoning	General Plan/Community Plan	Existing Conditions and Improvements
Site	Residential Agricultural, Combining 4.6 acre minimum, Combining Planned Residential Development 0.22 units per acre (RA-B-X 4.6 AC. MIN. PD=0.22)	Rural Estate (4.6-20 acre minimum)	Residential Subdivision
North	Residential Agricultural, Combining 4.6 acre minimum (RA-B-X 4.6 AC. MIN.)	Rural Estate (4.6-20 acre minimum)	Residential Land Use
South	Residential Agricultural, Combining 4.6 acre minimum (RA-B-X 4.6 AC. MIN.)	Rural Estate (4.6-20 acre minimum)	Residential Land Use
East	Residential Agricultural, Combining 4.6 acre minimum (RA-B-X 4.6 AC. MIN.) & Residential Single-Family, Combining Agricultural, Combining 40,000 sq. ft. minimum (RS-AG-B-40) & Residential Agricultural, Combining 100,000 sq. ft. minimum (RA-B-100).	Rural Estate (4.6-20 acre minimum) & Rural Low Density Residential (0.9-2.3 acre minimum)	Residential Land Use
West	Residential Agricultural, Combining 4.6 acre minimum (RA-B-X 4.6 AC. MIN.)	Rural Estate (4.6-20 acre minimum)	Residential Land Use

ZONING ADMINISTRATOR:

The Zoning Administrator considered the gated entry request on February 12, 2012. During the Public Hearing, the Zoning Administrator listened to reports from the Development Review Committee staff and received testimony (oral and written) from the public and the applicant. The applicant and property owner's from the subdivision raised a number of security issues in support of their request. Public testimony against the proposed gated entry was based on the issue of "significant extenuating circumstances". After consideration of all testimony, staff's comments, and correspondence, the Zoning Administrator took action to approve the gated entry request. After the hearing, and after an appeal had been filed, it was realized by Staff that the project's Conditions of Approval, specifically Condition 73, disallows controlled access gates in this subdivision. The authority to modify conditions of approval for subdivisions falls under the purview of the Planning Commission, not the Zoning Administrator in this particular case.

DISCUSSION OF ISSUES:

GRANITE BAY COMMUNITY PLAN

This application was submitted on November 18, 2011; the revised and updated Granite Bay Community was adopted by the Board of Supervisors on February 28, 2012. It has been determined that this application must be consistent with the Community Plan that was in effect on the date that the application was deemed complete. This application was deemed complete prior to the February 12, 2012 Zoning Administrator hearing.

Goal 1, Policy 15 of the 1989 Granite Bay Community Plan Circulation Element states that "Gated subdivisions shall not be allowed unless there are significant extenuating circumstances". In this particular case, Terracina property owners have provided testimony regarding security issues within the subdivision, including vandalism, break-ins, theft, including recent arrests. It is Staff's opinion that a gated entry at this location would eliminate unauthorized traffic from entering the subdivision and would help to alleviate related security and safety concerns. As such, Staff has concluded that the proposed gated entry would be consistent with the 1989 Granite Bay Community Plan and meet the intent of Goal 1, Policy 15.

GATED ENTRY

The Engineering & Surveying Department's primary concern regarding a gated subdivision road entrance is vehicle safety. A passenger vehicle or single unit delivery truck which cannot gain access through a subdivision gate should be able to safely maneuver in a forward direction and turn around. The safe maneuvering of a vehicle on private roads and County roads is of significant concern to County Registered Civil and Traffic Engineers.

The applicant is proposing to construct a gate across the existing two lane private roadway (Terracina Lane) which would provide for an approximate 49-foot diameter turnaround (face of curb to face of curb) in front of a gate. The applicant proposed turnaround would allow a "typical" vehicle to turnaround between the gate and the call box island and exit onto Laird Road in a forward facing direction. However, larger vehicles, such as delivery trucks (any

vehicles longer than approximately 22 feet) would have to make a three or more point turn within the existing two lane private roadway pavement to turn around. Staff has concluded a three-point turn around for these larger vehicles is an acceptable design solution to this specific proposal.

The proposed gated entry design allows for adequate sight distance and stacking of vehicles along Terracina Lane as the gate would be located approximately 175 feet from the Terracina Lane/Laird Road intersection. Aesthetically, the gated entry would incorporate the same design features that exist at the project's entrance, including the proposed pedestrian gates, which would remain open from dawn to dusk. As proposed, the gated entry would result in minimal sight disturbance and would have limited visibility from Laird Road.

GRANITE BAY MUNICIPAL ADVISORY COUNCIL

On April 4, 2012 the Granite Bay Municipal Advisory Council (MAC) voted 5 to 0 to recommend that the Planning Commission approve the proposed gated entry at the entrance to the subdivision. Approval of the gated entry with a condition that the gate design complies with Section 4.2.6 "Residential Subdivision Gating" of the 2012 Granite Bay Community Plan. (Attachment F)

RECOMMENDATION:

The Development Review Committee recommends **approval** of the Subdivision/Conditional Use Permit modification to allow a gated entry for Terracina Subdivision, including pedestrian gates, pilasters and connecting walls as shown in the Site Plan and as depicted within the right-of-way of Terracina Lane, based on the following findings and recommended conditions of approval.

FINDINGS:

CEQA FINDINGS

1. The project is categorically exempt from environmental review pursuant to provisions of Section 15303 of the California Environmental Quality Act Guidelines and Section 18.36.050 of the Placer County Environmental Review Ordinance (Class 3 – New Construction or Conversion of Small Structures).

SUBDIVISION MODIFICATION FINDINGS

1. The proposed project is consistent with all applicable goals and policies of the Placer County General Plan and 1989 Granite Bay Community Plan. The proposed gated entry located within the existing Terracina subdivision will provide for acceptable vehicle site distance, vehicle stacking, and the 49-foot diameter turnaround would be adequate so that it does not constitute a danger to the public health, safety and welfare.
2. The proposed project is consistent with all applicable goals and policies of the 1989 Granite Bay Community Plan, specifically Goal 1, Policy 15, which states "Gated subdivisions shall not be allowed unless there are significant extenuating circumstances". The applicant has provided evidence into the record that significant extenuating circumstances do exist as they relate to security issues within the Terracina Subdivision

including vandalism, break-ins, and theft, and that a gated entry would increase security and alleviate safety concerns for residents.

CONDITIONAL USE PERMIT MODIFICATION FINDINGS

1. The proposed project is consistent with all applicable provisions of Placer County Zoning Ordinance.
2. The establishment, maintenance or operation of the proposed use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of people residing or working in the neighborhood of the proposed use, or be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the County. The gated entry is designed so as to not block vehicle site distance along Laird Road and will provide for more than adequate stacking of vehicles so as to not impact traffic at the Terracina Lane/Laird Road intersection. Additionally, the gated entry will provide for increased security for Terracina Subdivision residents.
3. The proposed project will be consistent with the character of the immediate neighborhood and will not be contrary to its orderly development as the gated entry is located approximately 175 feet from the right-of-way of Laird Road, and is designed to utilize similar materials and colors as the existing architectural entry features at Terracina Subdivision, consistent with the 1989 Granite Bay Community Plan.
4. The proposed project will not generate a volume of traffic beyond the design capacity of all roads providing access to the project site, as the Terracina subdivision already exists and will not generate any additional vehicle trips.

Respectfully submitted,



Roy Schaefer
Associate Planner

ATTACHMENTS:

Attachment A – Vicinity Map
Attachment B – Site Plan
Attachment C - Meredith Engineering Letter dated February 2, 2012
Attachment D – Public Correspondence
Attachment E – Recommended Terracina Subdivision Conditions of Approval
Attachment F – Section 4.2.6 “Residential Subdivision Gating” of the 2012 Granite Bay Community Plan

cc: Tiffany Bell – Applicant / Terracina Owners’ Association
Phil Frantz - Engineering and Surveying Department
Laura Rath - Environmental Health Services
Lisa Carnahan – Air Pollution Control District
Karin Schwab - County Counsel
Paul Thompson – Deputy Director of Planning

FINDINGS:

CEQA

1. The project is categorically exempt from environmental review pursuant to provisions of Section 15303 of the California Environmental Quality Act Guidelines and Section 18.36.050 of the Placer County Environmental Review Ordinance (Class 3 – New Construction or Conversion of Small Structures).

SUBDIVISION MODIFICATION

1. The proposed project is consistent with all applicable goals and policies of the 1989 Granite Bay Community Plan (Goal 1, Policy 15) and the Placer County General Plan.

CONDITIONAL USE PERMIT MODIFICATION

1. The proposed project is consistent with all applicable provisions of Placer County Zoning Ordinance.
2. The proposed project is consistent with all applicable goals and policies of the 1989 Granite Bay Community Plan (specifically Goal 1, Policy 15 of the 1989 Granite Bay Community Plan Circulation Element that states the following: "Gated subdivisions shall not be allowed unless there are significant extenuating circumstances". In this particular case, significant extenuating circumstances include security issues that have had a negative impact on this residential subdivision) and the Placer County General Plan.
3. The establishment, maintenance or operation of the proposed use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of people residing or working in the neighborhood of the proposed use, or be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the County. Approval of the gated entry for Terracina Subdivision will enhance security, safety, peace, comfort and general welfare of the residence by eliminating unauthorized traffic during the night. In addition, the gated entry design provides a sufficient turnaround that would not negatively impact traffic circulation on Laird Road.
4. The proposed project will be consistent with the character of the immediate neighborhood and will not be contrary to its orderly development because the gated entry is approximately 180 feet from the right-of-way of Laird Road and is designed to be consistent with the existing architectural entry features at Terracina Subdivision.
5. The proposed project will not generate a volume of traffic beyond the design capacity of all roads providing access to the project because the location for the turnaround would not create a stacking issue for Laird Road.

CONDITIONS OF APPROVAL:

The original Conditions of Approval for the TERRACINA PLANNED DEVELOPMENT (SUB-422/CUP-3006) are modified as follows:

The following language is added to Condition 1:

On July 10, 2012 the Board of Supervisors approved the Subdivision and Conditional Use Permit (PCPM20110367) modification to allow an 8-foot 11-inch high gated entry that incorporates three 10-foot high pilasters and two 7-foot 1-inch high pedestrian gates within the right-of-way of Terracina Lane. The pedestrian gates shall remain open to the public from dawn to dusk seven days a week.

Condition 73 is modified as follows:

73. **ADVISORY COMMENT:** Any entrance monument or structure erected within the front setback on any residential lot, shall not exceed 3' in height (Ref. Article 17.54.030, formerly Section 10.030, Placer County Zoning Ordinance). ~~No controlled access gates are approved as part of this project.~~ All entry signage shall be consistent with the Placer County Sign Ordinance. (CR) (PD)

The following Conditions are added with this approval:

1. Prior to Building Permit issuance for the private gated entrance features, the applicant shall process an abandonment of the Irrevocable Offer of Dedication to Placer County for a 42'-wide highway easement along the on-site subdivision roadways for road and utility purposes.
2. Prior to Building Permit issuance for the private gated entrance, the Terracina Home Owners' Association shall assign and provide to the Placer County Department of Facility Services Environmental Engineering Division (EED) a combination/code, as identified by the EED, for utility crews to access through the proposed private vehicle entry gate. Prior to the final acceptance of the gate improvement Building Permit, the required access code shall be implemented by the applicant and verified by the EED. Access shall be provided to the Placer County Department of Facility Services utility crews on a 24-hour basis for regular sewer maintenance and emergency response. The combination/code identified by the EED shall not be changed unless otherwise approved by the EED prior to the change occurring.
3. The applicant shall 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 in any proceeding brought in any State or Federal court, challenging the County's approval of that certain Project know as the PCPM20110367 - Subdivision / Conditional Use Permit modification for a Gated Entry at Terracina Subdivision. The applicant shall, upon written request of the County pay, or at the County's option reimburse the County for, all reasonable costs for defense of any such action and preparation of an administrative record, including the County staff time, costs of transcription 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 written request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provisions of this condition.

4. The gated entry is subject to review and approval by the Development Review Committee (DRC). Such a review shall be conducted prior to the submittal of the Building Permits and shall include, but not be limited to: compatibility of architectural design and exterior colors, parking areas (surfacing & layout) and vehicular circulation; exterior lighting; landscaping, etc.
5. The applicant shall satisfy any conditions set forth by the California Department of Forestry or the serving South Placer Fire Protection District.
6. The applicant shall obtain a Building Permit for the vehicular gates, pilasters and pedestrian gates from the Placer County Building Department.
7. This Subdivision / Conditional Use Permit (PCPM20110367) modification for a Gated Entry at Terracina Subdivision shall expire on April 23 July 10, 2014 unless previously exercised.

