



**CONDITIONS OF APPROVAL - TENTATIVE
SUBDIVISION/CONDITIONAL USE PERMIT - "PENRYN
TOWNHOMES PLANNED DEVELOPMENT" (PSUB 2006 0767)**

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

1. This project is approved as a Planned Residential Development consisting of 23 townhomes, two common-ownership lots for landscaping, passive recreation, and natural resource preservation, and one common-ownership lot for on-site parking and circulation. The approval includes a Tentative Subdivision Map, and a Conditional Use Permit.
2. Following Tentative Map approval, but before submittal of Improvement Plans, the applicant shall provide the Planning Department with five full-size prints of the approved Tentative Map for distribution to other County departments, if the approval of the project requires changes to the map. (PD)

IMPROVEMENTS/IMPROVEMENT PLANS

3. The project is subject to approval of a Design/Site Agreement by the Design/Site Review Committee (D/SRC). The applicant shall submit an application with the Planning Department for a Type C Design/Site Review Agreement. The Design/Site Agreement shall be executed prior to the submittal of the Improvement Plans for the project, unless otherwise specified by the Development Review Committee, and shall include, but not be limited to: Architectural colors, materials, and textures of all structures; landscaping; irrigation; signs; exterior lighting; pedestrian and vehicular circulation; recreational facilities; fences and walls; noise attenuation barriers; all open space amenities; tree impacts, tree removal, tree replacement areas, entry features, and trails. (PD)
4. Prior to Improvement Plan approval, the connection of each existing residence 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: Hook-up 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. (EHS/ESD)
5. 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 DRC (and Parks Division if maintenance is provided through a CSA). Said landscaping shall

be installed prior to the County's acceptance of the subdivision's improvements. (MMIP) (PD/DFS)

6. An agreement shall be entered into between the developer and the utility companies specifically listing the party(ies) responsible for performance and financing of each segment of work relating to the utility installation. A copy of this agreement or a letter from the utilities stating such agreement has been made shall be submitted to the Engineering and Surveying Department prior to the filing of the Final Map(s). Under certain circumstances, the telephone company may not require any agreement or financial arrangements be made for the installation of underground facilities. If so, a letter shall be submitted which includes the statement that no agreement or financial arrangements are required for this development. (ESD)
7. 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. 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. (NOTE: Prior to plan approval, all applicable recording and reproduction cost shall be paid). The cost of the above-noted landscape and irrigation facilities shall be included in the estimates used to determine these fees. It is the applicant's responsibility to obtain all required agency signatures on the plans and to secure department approvals. If the Design/Site Review process and/or DRC review is required as a condition of approval for the project, said review process shall be completed prior to submittal of Improvement Plans. Record drawings shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the ESD 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.

The applicant shall provide 5 copies of the approved Tentative Map and 2 copies of the approved conditions with the plan check application. After the 1st Improvement Plan submittal and review by the ESD, the applicant may submit the Final Map to the ESD for initial technical review. (MM VI.1) (ESD)

8. Staging Areas: Stockpiling and/or vehicle staging areas shall be identified on the Improvement Plans and located as far as practical from existing dwellings and protected resources in the area. (MM VI.4) (ESD)
9. All proposed grading, drainage improvements, vegetation and tree removal shall be shown on the Improvement Plans and all work shall conform to provisions of the County Grading Ordinance (Ref. Article 15.48, Placer County Code) that are in effect at the time of submittal. No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved

and all temporary construction fencing has been installed and inspected by a member of the DRC. All cut/fill slopes shall be at 2:1 (horizontal: vertical) unless a soils report supports a steeper slope and the Engineering and Surveying Department (ESD) concurs with said recommendation.

The applicant shall revegetate all disturbed areas. Revegetation undertaken from April 1 to October 1 shall include regular watering to ensure adequate growth. A winterization plan shall be provided with project Improvement Plans. It is the applicant's responsibility to assure proper installation and maintenance of erosion control/winterization during project construction. Where soil stockpiling or borrow areas are to remain for more than one construction season, proper erosion control measures shall be applied as specified in the Improvement Plans/Grading Plans. Provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of the ESD.

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

If, at any time during construction, a field review by County personnel indicates a significant deviation from the proposed grading shown on the Improvement Plans, specifically with regard to slope heights, slope ratios, erosion control, winterization, tree disturbance, and/or pad elevations and configurations, the plans shall be reviewed by the DRC/ESD for a determination of substantial conformance to the project approvals prior to any further work proceeding. Failure of the DRC/ESD to make a determination of substantial conformance may serve as grounds for the revocation/modification of the project approval by the appropriate hearing body. (MM VI.2) (ESD)

10. If blasting is required for the installation of site improvements, the developer will comply with applicable County Ordinances that relate to blasting and use only State licensed contractors to conduct these operations. (MM VI.5) (ESD)
11. Prepare and submit with the project Improvement Plans, a drainage report in conformance with the requirements of Section 5 of the LDM and the Placer County Storm Water Management Manual that are in effect at the time of submittal, to the Engineering and Surveying Department for review and approval. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: A written text addressing existing conditions, the effects of the improvements, all appropriate calculations, a watershed map, increases in downstream flows, proposed on- and off-site improvements and drainage easements to accommodate flows from this project. The report shall identify water quality protection features and methods to be used both during construction and for long-term post-construction water quality protection. "Best Management Practice" (BMP) measures shall be provided to reduce erosion, water quality degradation, and prevent the discharge of pollutants to stormwater to the maximum extent practicable. (MM VIII.1) (ESD)

12. Water quality Best Management Practices (BMPs) shall be designed according to the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development / Redevelopment, and/or for Industrial and Commercial, (and/or other similar source as approved by the Engineering and Surveying Department (ESD)).

Construction (temporary) BMPs for the project include, but are not limited to: Fiber Rolls (SE-5), Hydroseeding (EC-4), Stabilized Construction Entrance (LDM Plate C-4), Storm Drain Inlet Protection (SE-10), Silt Fence (SE-1), revegetation techniques, gravel bags, diversion swales, dust control measures, limit the soil disturbance, 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 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 treatment structure similar to a Stormceptor or equivalent. 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 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. (MM VI.6, MM VIII.6, MM VIII.7) (ESD)

13. Drainage facilities, for purposes of collecting runoff on individual lots, shall be designed in accordance with the requirements of the County Storm Water Management Manual that are in effect at the time of submittal, and shall be in compliance with applicable stormwater quality standards, to the satisfaction of the Engineering and Surveying Department (ESD). These facilities shall be constructed with subdivision improvements and easements provided as required by ESD. Maintenance of these facilities shall be provided by the homeowners' association. (MM VIII.3) (ESD)

14. 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). The ESD may, after review of the project drainage report, delete this requirement if it is determined that drainage conditions do not warrant installation of this type of facility. In the event on-site detention requirements are waived, this project may be subject to payment of any

in-lieu fees prescribed by County Ordinance. No retention/detention facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals. **(MM VIII.2) (ESD)**

15. Projects with ground disturbance exceeding one-acre that are subject to construction stormwater quality permit requirements of the National Pollutant Discharge Elimination System (NPDES) program shall obtain such permit from the State Regional Water Quality Control Board and shall provide to the Engineering and Surveying Department evidence of a state-issued WDID number or filing of a Notice of Intent and fees prior to start of construction. **(MM VI.7) (ESD)**
16. This project is located within the area covered by Placer County's municipal stormwater quality permit, pursuant to the National Pollutant Discharge Elimination System (NPDES) Phase II program. Project-related stormwater discharges are subject to all applicable requirements of said permit. BMPs shall be designed to mitigate (minimize, infiltrate, filter, or treat) stormwater runoff in accordance with "Attachment 4" of Placer County's NPDES Municipal Stormwater Permit (State Water Resources Control Board NPDES General Permit No. CAS000004). **(MM VIII.7) (ESD)**
17. Provide the Engineering and Surveying Department with a letter from the appropriate fire protection district describing conditions under which service will be provided to this project. Said letter shall be provided prior to the approval of Improvement Plans, and a fire protection district representative's signature shall be provided on the plans. **(ESD)**
18. Extend a pressurized water system into the subdivision to County (Section 7 of the LDM) or fire district standards, whichever are greater. **(ESD)**
19. Submit to the Engineering and Surveying Department (ESD), for review and approval, a geotechnical engineering report produced by a California Registered Civil Engineer or Geotechnical Engineer. 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 ESD, two copies of the final report shall be provided to the ESD and one copy to the Building Department for their use. If the soils report indicates the presence of critically expansive or other soils problems which, if not corrected, could lead to structural defects, a certification of completion of the requirements of the soils report will be required for

subdivisions, prior to issuance of Building Permits. This certification may be completed on a Lot by Lot basis. This shall be so noted in the CC&Rs and on the Informational Sheet filed with the Final Map(s). It is the responsibility of the developer to provide for engineering inspection and certification that earthwork has been performed in conformity with recommendations contained in the report. **(MM VI.3) (ESD)**

20. The Improvement Plans shall be approved by the water supply entity for water service, supply, and maintenance. The water supply entity shall submit to the Department of Environmental Health Services and the Engineering and Surveying Department a "will-serve" letter or a "letter of availability" from the water district indicating that the agency has the ability and system capacity to provide the project's domestic and fire protection water quantity needs. **(ESD/EHS)**
21. An agreement shall be entered into between the developer and the utility companies specifically listing the party(ies) responsible for performance and financing of each segment of work relating to the utility installation. A copy of this agreement or a letter from the utilities stating such agreement has been made shall be submitted to the Engineering and Surveying Department prior to the filing of the Final Map(s). Under certain circumstances, the telephone company may not require any agreement or financial arrangements be made for the installation of underground facilities. If so, a letter shall be submitted which includes the statement that no agreement or financial arrangements are required for this development. **(ESD)**
22. Install cable TV conduit(s) in accordance with company or County specifications, whichever are appropriate. **(ESD)**
23. Submit, for review and approval, a striping and signing plan with the project Improvement Plans. The plan shall include all on- and off-site traffic control devices and shall be reviewed by the County Traffic Engineer. A construction signing plan shall also be provided with the Improvement Plans for review and approval by the County Traffic Engineer. **(ESD)**
24. Prior to Improvement Plan approval, the applicant shall submit an engineer's estimate detailing costs for facilities to be constructed with the project which are intended to be County-owned or maintained. County policy requires the applicant prepare their cost estimate(s) in a format that is consistent with the Governmental Accounting Standards Board, 34th Standard (GASB 34). The engineer preparing the estimate shall use unit prices approved by the Engineering and Surveying Department for line items within the estimate. The estimate shall be in a format approved by the County and shall be consistent with the guidelines of GASB 34. **(ESD)**
25. 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)**

26. All on-site parking and circulation areas shall be improved with a minimum asphaltic concrete or Portland cement surface capable of supporting anticipated vehicle loadings.
It is recommended that the pavement structural section be designed in accordance with recommendations of a soils/pavement analysis and should not be less than 2" AC over 4" Class 2 AB, or the equivalent. (ESD)
27. All storm drain inlets and catch basins within the project area shall be permanently marked/embossed with prohibitive language such as "No Dumping! Flows to Creek" or other language as approved by the ESD and/or graphical icons to discourage illegal dumping. Message details, placement, and locations shall be included on the Improvement Plans. ESD-approved signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, shall be posted at public access points along channels and creeks within the project area. The homeowners'/property owners' association is responsible for maintaining the legibility of stamped messages and signs. (ESD)
28. The connection of each existing residence within this project to public sanitary sewers is required, shall be shown on the Improvement Plans, and 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. (EHS/DPW)
29. The Improvement Plans shall be approved by the water supply entity for water service, supply, and maintenance. The water supply entity shall submit to the Departments of Environmental Health Services and Public Works a "will-serve" letter or a "letter of availability" from the water district indicating that the agency has the ability and system capacity to provide the project's domestic and fire protection water quantity needs. (DPW/EHS)
30. Recreational Facilities: The Improvement Plans shall provide details of the construction of the proposed recreational facilities, public and private, both on- and off-site, for the review and approval of the DRC and County Parks Division. All recreation facilities shall be designed to meet Americans with Disabilities Act (ADA) Federal Guidelines and, where appropriate, the Consumer Product Safety Commission Guidelines, and the requirements of the American Society for Testing and Materials. Approval shall be evidenced by signature of a Parks Division representative on the Improvement Plans. (PD/DFS)
31. Non-Motorized Trails: The Improvement Plans shall provide details of the location and specifications of all proposed non-motorized trails -- for the review and approval of the DRC and Parks Division. Said trails shall be installed prior to the County's acceptance of the subdivision's improvements, and all easements shall be shown on the Final Map. (PD/DFS)

ROADS/TRAILS

32. 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 two inches AC over four inches Class 2 AB, or the equivalent. **(ESD)**
33. Streetlights shall not exceed the minimum number required by DPW unless otherwise approved by the DRC. **(PD)**
34. Where the DRC has approved additional streetlights, the following standards shall apply: All interior street lighting shall be designed to be consistent with the "Dark Sky Society" standards for protecting the night sky from excessive light pollution. Other resources providing technical support include publications of the Illuminating Engineering Society of North America (IESNA) and the IESNA Lighting Handbook, Reference & Application, Ninth Edition and Recommended Practices (RP). The intent of these standards is to design a lighting system, where determined necessary that maintains public safety and security in the project area while curtailing the degradation of the nighttime visual environment through limiting evening light radiation and/or light spill. In addition, metal halide lighting is prohibited unless authorized by the Planning Director. All streetlighting shall be reviewed and approved by the DRC for design, location, photometrics, etc. **(PD)**
35. Construct a public road entrance onto Penryn Road meeting the sight distance requirements for a Plate R-17 Major, 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)**. An Encroachment Permit shall be obtained by the applicant or authorized agent from DPW. The design speed of Penryn Road shall be 45 mph, unless an alternate design speed is approved by the DPW. The structural section within the main roadway right-of-way shall be designed for a Traffic Index of 7.5, but said section shall not be less than 3" AC/8" Class 2 AB unless otherwise approved by the ESD. **(MM XV.2) (ESD)**
36. Construct a two-way left turn lane on Penryn Road from the project entrance to conform to the existing center turn lane south of the project site. Traffic striping shall be done by the developer's contractor. The removal of existing striping and other pavement markings shall be completed by the developer's contractor. The design shall conform to criteria specified in the latest version of the Caltrans Highway Design Manual for a design speed of 45 mph, unless an alternative is approved by DPW. **(MM XV.3) (ESD)**
37. Final approval of on-site and off-site waterline, sewer line, storm drain routes, and road locations must be obtained from the DRC. **(ESD/PD)**
38. Construct one-half of a 70 foot road section including 7 feet of a 14 foot center turn lane/median, two 12 foot travel lanes, a 4 foot bike lane/shoulder, and curb, gutter, and a 4 foot sidewalk where the project fronts Penryn Road, as measured from the existing centerline

thereof or as directed by the Engineering and Surveying Department (ESD) and the Department of Public Works (DPW). 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. The roadway structural section shall be designed for a Traffic Index of 7.5, but said section shall not be less than 3" AC/8" Class 2 AB unless otherwise approved by ESD. (ESD)

39. An Encroachment Permit shall be obtained from the Department of Public Works prior to Improvement Plan approvals for any landscaping within public road rights-of-way. If any portion of the meandering trail crosses into the Placer County right-of-way on Penryn Road, the applicant shall obtain from the Department of Public Works an encroachment permit for locating the proposed improvement within the right-of-way and, if applicable, for doing any work, including maintenance, within the County's right-of-way. Said permit shall be in recordable form and hold Placer County harmless from any damage resulting from operation and maintenance of the trail. (ESD)
40. Delineate a Class II bikeway along the project's frontage on Penryn Road pursuant to the Placer County Bikeways Master Plan. The location, width, alignment, and surfacing of the bikeway shall be subject to ESD/DRC review and approval prior to the approval of Improvement Plans. (ESD)
41. Construct a 20-foot wide all-weather emergency vehicle access road capable of supporting a 40,000 pound emergency vehicle from the northern edge of the on-site circulation drive aisle (immediately east of Lot 2, as shown on the approved Tentative Map) to the existing driveway on the adjacent property to the north to meet the specifications of the ESD and the servicing fire protection district. Off-site pavement reconstruction may be necessary in order to meet the vehicle loading criteria for the existing driveway connection back to Penryn Road. (MM XV.4) (ESD)
42. Construct a public road entrance onto Penryn Road meeting the sight distance requirements for a Plate R-17 Major, 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). An Encroachment Permit shall be obtained by the applicant or authorized agent from DPW. The design speed of Penryn Road shall be 45 mph, unless an alternate design speed is approved by the DPW. The structural section within the main roadway right-of-way shall be designed for a Traffic Index of 7.5, but said section shall not be less than 3" AC/8" Class 2 AB unless otherwise approved by the ESD. (MM XV.2) (ESD)
43. Proposed road names shall be submitted to the Engineering and Surveying Department (ESD) - Addressing (530-889-7530) for review and shall be approved by the ESD prior to Improvement Plan approval. (ESD)

44. Parking in front of driveways and parallel parking along the internal loop road is prohibited. This shall be so noted in the CC&Rs and on the Informational Sheet filed with the Final Map. "No Parking" signs shall be provided along the on-site internal loop road. Red curb with "No Parking" and "Fire Lane" markings shall be provided along both sides of the internal loop road. (MIM XV.5) (ESD)

45. Public multi-use trails shall be provided in conjunction with the project as follows. Maintenance of all trails shall be by the homeowner's association.

A) A minimum 15'-wide (or as otherwise approved by the Parks Division) public multi-use trail easement through Lot A and/or adjacent to the street right-of-way, as conceptually shown on the Tentative Map and approved by the DRC, in consultation with the Parks Division. The trail shall be constructed to the following standards, unless otherwise approved by the Parks Division: A trail tread, drainage appurtenances, clearing, seeding, and planting as necessary for erosion control. Tread width shall be a minimum of 6' (out slope at 3%). The trail tread shall be graded and not exceed 12% slope. Clearing should be 10' above ground, and 1' on each side of the trail tread. Excessive clearing is undesirable. Occasionally widen the cleared area to allow for passing. Water must be diverted from the trail's surface before it builds up to erosive force. To divert water, use out slopes, grade dips, water bars, and lead ditches, in conjunction with in slopes, culverts or bridges.

The trail tread shall be located a minimum of 10' from the edge of pavement of the adjacent street right-of-way. The crossing of any wetland areas shall also be reviewed and approved by the DRC, Parks Division, and the Department of Fish and Game, and shall be bridged (or culvert if approved) to provide public safety while preserving the existing wetlands habitat.

Multi-use trails located along main thoroughfares shall be placed as far as practical from the traveled way. (DPW/PD/DFS)

PUBLIC SERVICES

46. Provide to DRC "will-serve" letters from the following public service providers prior to Improvement Plan and Final Map approvals, as required:

- A) P.G. & E.
- B) SPMUD
- C) PCWA
- D) Auburn Placer Disposal Service
- E) AT&T

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. (ESD)

47. Prior to the approval of the Improvement Plans, provide the DRC with proof of notification (in the form of a written notice or letter) of the proposed project to:

- A) Penryn School District
- B) Placer Union High School District
- C) The Placer County Sheriff's Office (ESD)

48. Prior to the approval of the Improvement Plans, confer with local postal authorities to determine requirements for locations of cluster mailboxes, if required. The applicant shall provide a letter to DRC from the postal authorities stating their satisfaction with the development box locations, or a release from the necessity of providing cluster mailboxes prior to Improvement Plan approval. If clustering or special locations are specified, easements, concrete bases, or other mapped provisions shall be included in the development area and required improvements shall be shown on project Improvement Plans. (ESD)

GENERAL DEDICATIONS/EASEMENTS

49. Provide the following easements/dedications on the Improvement Plans and Final Map to the satisfaction of the Engineering and Surveying Department (ESD) and DRC: (ESD)
- a. A minimum 25-foot wide private road, public utility, and emergency access easement (Ref. Chapter 16, Article 16.08, Placer County Code) along on-site subdivision roadways. (ESD)
 - b. Dedicate to Placer County one-half of an 84-foot wide highway easement (Ref. Chapter 12, Article 12.08, Placer County Code) where the project fronts Penryn Road, as measured from the centerline of the existing roadway, plan line, or other alignment as approved by the Transportation Division of DPW. (ESD)
 - c. An on-site 24-foot wide emergency access easement on Lot A from the northern edge of Street A (immediately east of Lot 2, as shown on the approved Tentative Map) to the adjacent property to the north. An off-site 24-foot wide emergency access easement over the property to the north, APN 043-060-042, from the terminus of the on-site emergency vehicle access easement to the Penryn Road right-of-way, meeting the specifications for emergency vehicle turning radius as required by the servicing fire district. (ESD)
 - d. Public utility easements as required by the serving utilities, excluding wetland preservation easements (WPE). (ESD)
 - e. Dedicate 12.5' multi-purpose easements adjacent to the Penryn Road highway easement. (ESD)
 - f. Drainage easements as appropriate. (ESD)
 - g. An Irrevocable Offer of Dedication for easements as required for access to, and protection and maintenance of, post-construction water quality enhancement facilities (BMPs). Said facilities shall be privately maintained until such time as the Board of Supervisors accepts the offer of dedication. (MM VIII.8) (ESD)

- h. Easements as required for installation and maintenance of neighborhood identification/entrance structures, sound walls, fences and/or gates by the homeowners' association. **(ESD/PD)**
 - i. Landscape easements as appropriate. **(ESD/PD)**
 - j. Slope easements for cuts and fills outside the highway easement. **(ESD)**
 - k. Provide private easements for existing or relocated water lines, service/distribution facilities, valves, etc., as appropriate. **(ESD)**
 - l. Maintenance of detention facilities by the homeowner's association will be required.
50. Dedicate to Placer County a minimum 15'-wide public multi-use trail easement thru Lot A parallel with Penryn Road, as shown on the Tentative Map. **(DPW)**

VEGETATION AND OTHER SENSITIVE NATURAL AREAS

51. Provide the DRC with a tree survey and arborist report (by an ISA Certified Arborist) depicting the exact location of all trees six inches dbh (diameter at breast height) or greater, or multiple trunk trees with an aggregate diameter of ten inches dbh or greater, within 50 feet of any grading, road improvements, underground utilities, driveways, building envelopes etc., and all trees 18 inches dbh or greater, located on the entire site, and any trees disturbed from off-site improvements (*i.e.*, road improvements, underground utilities, etc.). The tree survey shall include the sizes (diameter at 4' above ground), species of trees, spot elevations, and approximate driplines. Trees to be saved, or removed shall be shown on the survey, and superimposed over the site/grading plan, as well as all proposed improvements, including any underground utilities. The survey report shall be reviewed and approved by the DRC prior to the submittal of Improvement Plans or grading plans. Trees may not be disturbed or removed prior to the approval of Improvement Plans. **(MM IV.2)(PD)**
52. Trees identified for removal, and/or trees with disturbance to their driplines, shall be replaced with comparable species on-site, in an area to be reviewed and approved by the DRC, as follows:

For each diameter inch of a tree removed, replacement shall be on an inch-for-inch basis. For example, if 100 diameter inches are proposed to be removed, the replacement trees would equal 100 diameter inches (aggregate). A total of 552 inches will be removed as a result of this project, and an additional 235 inches will be impacted.

If replacement tree planting is required, the trees must be installed by the applicant and inspected and approved by the DRC prior to the 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.

OR

A revegetation plan, as recommended by an ISA-certified arborist or similarly qualified professional, to provide an appropriate level of mitigation to offset the loss of trees, and as approved by the DRC, shall be established in open space lots as shown on the approved Tentative Map.

If replacement tree planting is required, the trees must be installed by the applicant and inspected and approved by the DRC prior to the 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.

OR

In lieu of the tree planting mitigation for tree removal listed above, a contribution of \$100 per diameter inch at breast height for each tree removed or impacted or the current market value, as established by an Arborist, Forester or Registered Landscape Architect, of the replacement trees, including the cost of installation, shall be paid to the Placer County Tree Preservation Fund.

If tree replacement mitigation fees are to be paid in the place of tree replacement mitigation planting, these fees must be paid prior to (Choose one): acceptance of improvements, issuance of a Certificate of Occupancy, issuance of a Building Permit, Grading Permit, or any other discretionary permit issued by Placer County. (MM IV.2)(PD)

53. The unauthorized disturbance to the dripline of a tree to be saved shall be cause for the Planning Commission to consider revocation of this permit/ approval. (PD)
54. No watering or irrigation of any kind shall be allowed within the dripline of native oak trees within the project boundaries. (PD)
55. Temporary Construction Fencing: The applicant shall install a four foot tall, brightly colored (usually yellow or orange), synthetic mesh material fence (or an equivalent approved by the DRC) at the following locations prior to any construction equipment being moved on-site or any construction activities taking place:
 - 1) Adjacent to any and all welland preservation easements that are within 50' of any proposed construction activity;
 - 2) At the limits of construction, outside the dripline of all trees six inches dbh (diameter at breast height), or ten 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 Tentative Map;

- 3) Around any and all "special protection" areas as discussed in the project's environmental review documents.
- 4) Around all Open Space lots within 50 feet of any development activity.

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

Said fencing and a note reflecting this Condition shall be shown on the Improvement Plans. (MM) (PD/ESD)

56. Lots A & B shall be defined and monumented as common area lots to be owned and maintained (including the removal of unauthorized debris) by the homeowners' association.

The purpose of Lot A is to: Protect native oak trees and preserve existing rock outcroppings and provide open space and landscape areas;

The purpose of Lot B is to: Protect native oak trees and preserve existing rock outcroppings, and to provide passive recreational facilities and open space for the project residents.

57. Prior to any grading or tree removal activities, during the raptor nesting season (March 1 - September 1), a focused survey for raptor nests shall be conducted by a qualified biologist. A report summarizing the survey shall be provided to Placer County and the California Department of Fish & Game (CDFG) within 30 days of the completed survey. If an active raptor nest is identified appropriate mitigation measures shall be developed and implemented in consultation with CDFG. If construction is proposed to take place between March 1st and September 1st, no construction activity or tree removal shall occur within 500 feet of an active nest (or greater distance, as determined by the CDFG). Construction activities may only resume after a follow up survey has been conducted and a report prepared by a qualified raptor biologist indicating that the nest (or nests) are no longer active, and that no new nests have been identified. A follow up survey shall be conducted 2 months following the initial survey, if the initial survey occurs between March 1st and July 1st. Additional follow up surveys may be required by the DRC, based on the recommendations in the raptor study and/or as recommended by the CDFG. Temporary construction fencing and signage as described herein shall be installed at a minimum 500 foot radius around trees containing active nests. If all project construction occurs between September 1st and March 1st no raptor surveys will be required. Trees previously approved for removal by Placer County, which contain stick nests, may only be removed between September 1st and March 1st. A note which includes the wording of this condition of approval shall be placed on the Improvement Plans. Said plans shall also show all protective fencing for those trees identified for protection within the raptor report. (MM VI.1)(PD)

CULTURAL RESOURCES

58. 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 an archaeologist retained to evaluate the deposit. The Placer County Planning Department 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 Department. A note to this effect shall be provided on the Improvement Plans for the project.

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 which provide protection of the site and/or additional mitigation measures necessary to address the unique or sensitive nature of the site. (MM V.1) (PD)

59. Prior to submittal of Improvement Plans, the applicant shall provide written evidence to the Planning Department that a qualified paleontologist has been retained by the applicant to observe grading activities and salvage fossils as necessary. The paleontologist shall establish procedures for paleontological 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 fossils. If major paleontological resources are discovered, which require temporary halting or redirecting of grading, the paleontologist shall report such findings to the project developer, and to the Placer County Department of Museums and Planning Department.

The paleontologist 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 such as Museum of Paleontology, U.C. Berkeley, the California Academy of Sciences, or any other 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 paleontologist shall submit a follow-up report to the Department of Museums and Planning Department which shall include the period of inspection, an analysis of the fossils found, and present repository of fossils. (PD)

FEES

60. 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 fees required are \$2,530 for projects with Environmental Impact Reports and \$1,830 for projects with Negative Declarations. 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 Department within 5 days of final project approval. (PD)**

61. This project will be subject to the payment of traffic impact fees that are in effect in this area (Newcastle/Horseshoe Bar Fee District), pursuant to applicable Ordinances and Resolutions. The applicant is notified that the following traffic mitigation fee(s) will be required and shall be paid to Placer County DPW prior to issuance of any Building Permits for the project:

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

- B) South Placer Regional Transportation Authority (SPRTA)
- C) Placer County/City of Roseville Joint Fee

The current total combined estimated fee is \$109,625.54, or \$4,766.33 per townhouse. The fees were calculated using the information supplied. If either the use or the square footage changes, then the fees will change. The actual fees paid will be those in effect at the time the payment occurs. **(MM XV.1) (ESD)**

62. This project is subject to the one-time payment of drainage improvement and flood control fees pursuant to the "Dry Creek Watershed Interim Drainage Improvement Ordinance" (Ref. Article 15.32, formerly Chapter 4, Subchapter 20, Placer County Code.) The current estimated development fee is \$176 per single-family residence, or \$4,048 total for 23 townhomes, payable to the Engineering and Surveying Department prior to each Building Permit issuance. When and if additional entitlements or Building Permits are sought for each parcel, that property will become subject to this Ordinance requirement. The actual fee shall be that in effect at the time payment occurs. **(MM VIII.4) (ESD)**

63. This project is subject to payment of annual drainage improvement and flood control fees pursuant to the "Dry Creek Watershed Interim Drainage Improvement Ordinance" (Ref. Article 15.32, formerly Chapter 4, Subchapter 20, Placer County Code). Prior to Building Permit issuance, each applicant shall cause each subject parcel to become a participant in the existing Dry Creek Watershed County Service Area for purposes of collecting these annual assessments. The current estimated annual fee is \$29 per single-family residence. **(MM VIII.5) (ESD)**

64. Pursuant to County Code Sections 15.34.010, 16.08.100 and/or 17.54.100 (D), a fee must be paid to Placer County for the development of park and recreation facilities. The fee to be paid is the fee in effect at the time of final map recordation/building permit issuance. (For reference, the current fee for multiple-family dwellings is \$430 at final map and \$2,295 per unit when a building permit is issued. If no final map is recorded, \$2,725 would be due at building permit issuance.) **(DFS)**

Pursuant to Article 17.54.100(D) of the Placer County Code, this project's Planned Development status requires that it provide onsite recreation facilities. If adequate onsite recreation facilities are not provided, a portion of an additional park fee, based on the percentage of required recreation facilities not provided, will be required.

ENVIRONMENTAL HEALTH

65. The owner or occupant of each residence in this project shall subscribe to weekly mandatory refuse collection services from the refuse collection franchise holder. (EHS)
66. Prior to Improvement Plan approval, the project owner or authorized managing entity shall insure that all construction vehicles or equipment, fixed or mobile, operated within close proximity of a residential dwelling shall be equipped with properly operating and maintained mufflers at all times during project construction. It is the owner's responsibility to obtain the services of a qualified acoustical professional to verify proper equipment mufflers if concerns relating to the issue arise. A note to this effect shall be added to the Improvement Plans where applicable. (EHS)
67. 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 DRC, at key intersections depicting the above construction hour limitations. Said signs shall include a toll free public information phone number where surrounding residents can report violations and the developer/builder will respond and resolve noise violations. This condition shall be included on the Improvement Plans and shown in the development notebook.

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

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

68. The project shall conform to the Noise Element of the Horseshoe Bar/Penryn Community Plan and the environmental document (Environmental Noise Analysis by J. C. Brennan, December 5, 2006).
- a. Construct a 6-foot tall sound-wall at the patios of Lots 11-13 to the satisfaction of the DRC. Barrier heights are relative to building pad elevations. This noise barrier, including cross section views of relationship to building pad elevations, shall be shown on the Improvement plans. The noise barrier shall be constructed as specified in the Environmental Noise Analysis J.C. Brennan, dated December 5, 2006.
 - b. Use construction techniques as described in the acoustical analysis. Standard residential construction (wood siding or two coat stucco siding, STC-26 windows, door weather-stripping, exterior wall insulation, composition plywood roof, etc.)

results in an exterior interior noise reduction of 25 dB with windows closed and 15 dB with windows open. Construction practices shall be consistent with the Uniform Building Code.

- c. Air conditioning systems are required to allow occupants to close doors and windows to achieve additional interior acoustical isolation. The systems shall allow for the introduction of fresh outside air, without the requirement of open windows. (MM)(EHS)

- 69. Prior to Final Map approval, provide a managing entity to maintain the noise attenuation structures required in the environmental document. (MM)(EHS)
- 70. Prior to Final Map approval, develop a Mosquito Management Plan with the Placer Mosquito Abatement District (PMAD). As detailed by the PMAD and the environmental document, this plan shall include "weekly monitoring of the drain during slow water flow times, where there might be stagnation as well as a routine drain area cleaning to assure that the drain does not clog up with debris from soil, leaves, or trash. Additionally, if such stagnation condition exists where the drain is not sufficiently draining to avoid stagnation and thereby creating a mosquito breeding habitat, then the responsible party should kill the mosquito larvae by appropriately removing the stagnant water or by utilizing other approved methods." The Mosquito Management Plan shall be incorporated into the management plan of the Homeowners Association. Additionally, the project will be conditioned to allow the Mosquito Abatement District to review the Mosquito Management Plan and the Improvement Plans. As a condition of this project, it is recommended that drip irrigation be used for landscaping areas. (MM)(EHS)
- 71. 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 Environmental Health Services Hazardous Materials Section. The project shall remain stopped until there is resolution of the contamination problem to the satisfaction of Environmental Health Services and to the Central Valley Regional Water Quality Control Board. A note to this effect shall be added to the Improvement Plans where applicable. (EHS)
- 72. The project CC&Rs shall provide for the following: (EHS)
 - A) Right of entry by EHS for response to emergencies. (EHS)
 - B) Notification that the owner or occupant of each residence in this project shall subscribe to weekly mandatory refuse collection services from the refuse collection franchise holder. The homeowners' association shall be responsible for refuse collection service to all non-residential facilities within the project on the same basis. (EHS)
- 73. If Best Management Practices are required by the Department of Public Works 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)

MISCELLANEOUS CONDITIONS

74. No lot shall be further divided. (PD)
75. No Lot or Unit shall be divided by a tax district boundary. (PD)
76. Any entrance structure proposed by the applicant shall be reviewed and approved by the DRC, shown on the project Improvement Plans, 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 right-of-way.
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). (PD/ESD)
77. Temporary Sales Trailers have been approved as a part of this project. These facilities shall not be allowed on the project site until all improvements have been accepted by the county, a Final Map has been recorded (for a project "phase", or the entire project), and the proposed trailer's location(s), design, proposed parking, etc., have been reviewed and approved by the DRC. The temporary sales trailer parking lot(s) shall be constructed as an all-weather surface capable of supporting a 40,000 pound fire truck. Prior to construction of the temporary parking lot(s) and the installation of temporary sales trailers the applicant shall provide security to the satisfaction of the DRC, based on an approved cost estimate, sufficient to guarantee removal of these facilities, and any related signage/temporary fencing, and revegetation of the disturbed areas within 30 days of discontinuing their intended use. Said security shall be payable to the Planning Department and released to the applicant upon completion and verification by the County of removal of all facilities. The temporary sales trailer shall be used solely for the first sale of homes within the project. (PD)
78. A model home sales use has been approved as a part of this project. These facilities shall not be allowed on the project site until all improvements have been accepted by the county, a Final Map 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 DRC. 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)
79. Temporary sales trailers and model home sales, which have been granted approval of a Conditional Use Permit, are subject to review and approval of the DRC. 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)

80. All temporary real estate sales uses approved by this action, including temporary sales trailers and/or model homes, shall expire two (2) years from the issuance of a Certificate of Occupancy for each structure. Applicant may apply for an extension of this permit. **(PD)**
81. The applicant shall comply with any conditions imposed by CDF or the serving fire district. **(ES)**
82. Prior to recordation of the Final Map, the applicant shall submit lighting development standards for inclusion in the C.C.&R's. The standards shall be reviewed and approved by the DRC and shall include General Lighting Standards, Street Lighting Standards, Residential Standards, Prohibited Lighting and Exemptions and shall insure that individual fixtures and lighting systems in the Subdivision will be designed, constructed and installed in a manner that controls glare and light trespass, minimizes obtrusive light and conserves energy and resources. **(PD)**
83. During project construction, staking shall be provided pursuant to Section 5-1.07 of the County General Specifications. **(ESD)**
84. A Preliminary Endangerment Assessment (PEA), or equivalent "no further action" letter, and any associated remediation, will be required from state DTSC. The PEA must be submitted to EHS prior to submittal of Improvement Plans and any remedial action or no further action letter from DTSC must be submitted to EHS prior to final map recordation. The Preliminary Endangerment Assessment (PEA) must be performed to the California Department of Toxic Substances Control (DTSC) standards. **(EHS)**
85. A Maintenance and Monitoring Plan (MMP) shall be prepared by a licensed landscape architect or similar professional to provide for the ongoing maintenance and monitoring of landscaping required for this project. The MMP shall include the following required landscaping:
 - A. Within Lot A along the project's frontage on Penryn Road within the 30 foot front setback;
 - B. Within Lot B in the open space/recreation area.

An annual monitoring report for a minimum period of 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 approval of the Improvement Plans, a Letter of Credit, Certificate of Deposit, or cash deposit in the amount of 100% of the accepted MMP shall be deposited with the Placer County Planning Department to assure on-going performance of the MMP for the landscaping.

Evidence of this deposit shall be provided to the satisfaction of the DRC prior to the acceptance of Improvement Plans. For the purposes of administrative and program review by Placer County, an additional 25% of the estimated cost of the MMP shall be paid to the County, in cash, at the time that the 100% deposit is made. With the exception of the 25% administrative fee, 100% of the estimated costs of implementing the MMP shall be returned to the applicant once the applicant has demonstrated that all 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 MMP.

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 (MMIP) (PD)

CONDITIONS, COVENANTS, & RESTRICTIONS

86. Prior to the filing of the Final Map, Conditions, Covenants, and Restrictions (CC&Rs) shall be prepared and submitted to and approved by the Engineering and Surveying Department, County Counsel, and other appropriate County Departments and shall contain provisions/notifications related to those issues raised in Conditions 19, 44, 54, 56, 72, 74, 75, 87 - 98.
87. The applicants shall create a Homeowners' association with certain specified duties/responsibilities including the enforcement of all of the notifications included under the "Notification to Future Buyers" section of the Final Conditions of Approval.
88. None of the provisions required by this condition of approval shall be altered without the prior written consent of Placer County. (PD/ESD/EHS/APCD)

NOTIFICATION TO FUTURE BUYERS

89. Notification to future homeowners and builders that removal or disturbance of oak trees six inch dbh or greater or multiple trunk trees with an aggregate diameter of ten inch 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 Homeowners' association shall be provided. (MM) (PD)
90. Notification to future homeowners that removal or disturbance of native California trees six inch dbh or greater, if single trunk, or ten inch aggregate for multiple trunk, if located within any building setback areas, or areas outside of a recorded building envelope, or other areas not previously approved for tree removal, requires a Tree Permit. (PD)
91. Notification to all future lot owners that the following setbacks apply for this project:
 - A. Front -- from Penryn Road - 30 feet minimum

Front - Garage from interior roadway - 10 feet maximum
Front - Dwelling unit from interior roadway - 5 feet maximum

B. Side - Between Buildings - 20 feet minimum
Side - Between Patios - 8 feet minimum
Side - from project boundaries - 11 feet minimum

92. Notification to future owners that the Homeowner's Association is required to maintain the noise wall at the patio of Lots 11-13. **(EHS)**
93. Notification to future owners of any DTSC remedial action workplan, any related area restrictions on use, or special conditions, if required by DTSC. **(EHS)**
94. Notification to all future lot owners of the tree preservation and maintenance techniques contained in the publication entitled *Living Among the Oaks* by the University of California Cooperative Extension. A copy of this publication shall be distributed by the developer or authorized agent to all new Homeowners. Irrigation under the driplines of oak trees is prohibited, except as otherwise described within this publication. **(PD)**
95. The developer shall be required to notify future owners of the County's Right to Farm Ordinance, which discloses the potential effects of residing near on-going agricultural operations. This statement shall inform lot owners that farm operators have a "right to farm" their lands despite potential nuisance to neighboring residences, including noise, odors, and use of toxic and hazardous materials.
96. Each new lot owner shall be provided with a copy of the Information Sheet recorded with the Final Map for this project. **(PD)**
97. Applicant or Homeowners' 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. **(MM VIII.10) (ESD/EHS)**
98. Inspections of stormwater facilities/BMPs shall be conducted by the Homeowners association at least annually and maintenance records and proof of inspections shall be retained. **(ESD)**

DEVELOPMENT STANDARDS

99. The minimum lot width shall be 20 feet as shown on the Tentative Subdivision Map.
100. Pursuant to the Zoning Ordinance, setbacks apply to all structures and accessory structures. **(PD)**

101. The structural setbacks for this Planned Development are as follows:
 - A. Front – from Penryn Road - 30 feet minimum
 Front – Garage from interior roadway - 10 feet maximum
 Front – Dwelling unit from interior roadway - 5 feet maximum
 - B. Side – Between Buildings - 20 feet minimum
 Side – Between Patios - 8 feet minimum
 Side – from project boundaries - 11 feet minimum
102. The maximum building height for this Planned Development is 30 feet. (PD)
103. The maximum building coverage per residential lot in this Planned Development is per Zoning Ordinance Article 17.54.100, formerly Section 10.064 A. 2. C. (PD)
104. An "Informational Sheet" identifying general and specific lot development restrictions, setbacks, easements, tree protection, architectural guidelines, water conservation, etc., as defined within the conditions herein, shall be prepared, filed, and recorded with the subdivision Final Map. The specific content and form of this information shall be subject to DRC approval. (PD/ESD)

MITIGATION MONITORING

105. A Mitigation Monitoring Implementation Program (MMIP) for the replacement of native oaks and other trees, prepared by an ISA certified arborist, Registered Forester, or Landscape Architect, shall be submitted to the Planning Department, prior to the submittal of the project's Improvement Plans for review and approval by the DRC. Said plan shall provide for the replanting of native oak trees on an inch for inch basis. Trees are to be planted by the project developer within 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 3 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 approval of the Improvement Plans, a Letter of Credit, Certificate of Deposit, or cash deposit in the amount of 100% 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% of the estimated cost of the Monitoring Program shall be paid to the County, in cash, at the time that the 100% deposit is made. With the exception of the 25% administrative fee, 100% of the estimated costs of implementing the monitoring program shall be returned to the applicant once the applicant has demonstrated that all 3 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 (MMIP) (PD)

106. A Preliminary Endangerment Assessment (PEA), or equivalent "no further action" letter, and any associated remediation, will be required from State DTSC. The PEA must be submitted to EHS prior to submittal of Improvement Plans and any remedial action or no further action letter from DTSC must be submitted to EHS prior to final map recordation. The Preliminary Endangerment Assessment (PEA) must be performed to the California Department of Toxic Substances Control (DTSC) standards. (EHS)

EXERCISE OF PERMIT

107. The applicant shall prepare and submit to the Engineering and Surveying Department (ESD), a Final Subdivision Map 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. (FSD)
108. The applicant shall have 36 months to exercise this Vesting/Tentative Map and Conditional Use Permit. Unless exercised, this approval shall expire on October 22, 2010. (PD)