

RESOLUTION NO 2021-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKLIN APPROVING A TENTATIVE
SUBDIVISION MAP TO DIVIDE A 7.4-ACRE SITE INTO 74 SINGLE-FAMILY LOTS AND AN
OAK TREE PRESERVATION PERMIT
(Quarry Row Subdivision / SD2016-0003; TRE2016-0002)

Section 1. The City Council of the City of Rocklin finds and determines that:

A. The Tentative Subdivision Map and Oak Tree Preservation Plan Permit (SD2016-0003 and TRE2016-0002) allows the subdivision of an approximately 7.4-acre site into 74 medium high density single-family residential lots, with associated streets and related improvements, and the removal of five oak trees.

B. The street identified as “Quarry Row” on the Tentative Subdivision Map, as depicted in Exhibit A, shall be a public street; all other project improvements including but not limited to alleys and landscaped areas are to be owned and maintained by the project Home Owners Association.

C. An Environmental Impact Report prepared for this project has been certified via City Council Resolution No. .

D. The Planning Commission recommended the tentative subdivision map and oak tree preservation permit for approval at its regular meeting of December 15, 2020 with a vote of 5-0.

E. The City Council has considered the effect of the approval of this subdivision on the housing needs of the City and the region, and has balanced those needs against the public service needs of its residents and available fiscal and environmental resources. The subdivision would facilitate construction of 74 single-family residential units on an approximately 7.4 acre site, which has remained primarily vacant and underutilized for decades. The construction of these residential units would increase housing availability. Approximately 10 percent of the units would be set aside for low income buyers, thereby assisting to meet additional needs of the region.

F. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the proposed General Plan Amendment (GPA2016-0001), General Development Plan Amendment (PDG2016-0001) and Rezone (Z2016-0001) for the property being processed concurrently. As part of the project, the site has been redesignated to Medium High Density Residential (MHDR) in the General Plan land use map and rezoned to Planned Development Residential 10.5 dwelling units per acre (PD-10.5) as part of the Quarry Row General Development Plan. The proposed 74-unit

subdivision on an approximately 7.4 acre site is consistent with the MHDR designation and the PD-10.5 zoning district.

G. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the objectives, policies and programs in the City of Rocklin's General Plan. General Plan Housing Element Policy 3.4 states that the City should work with developers requesting General Plan Amendments converting a higher density residential category to a lower density residential category to incorporate affordable housing as a component of the overall development. The project proposes to initially sell approximately 10 percent of the units to a person or family earning 80 percent or less Area Median Income (AMI). The project will therefore benefit the City by helping it to meet its Regional Housing Needs Assessment (RHNA) obligations.

H. The site is physically suitable for the proposed type and density of development. The project site is largely flat and is devoid of any wetlands or other environmental constraints. All utilities and other services are available and located within close proximity to the site.

I. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage, nor will they substantially and avoidably injure fish or wildlife or their habitat. There are no sensitive environmental features on the site. The site does not contain any known habitat or wetland areas. Prior to construction, the project will implement mitigation measures included in the project's Environmental Impact Report to reduce any potential impacts to the environment to a less than significant level.

J. The design of the subdivision and type of improvements will not cause serious public health problems. The project would facilitate construction of 74 single-family residential units on an approximately 7.4 acre site, which has remained primarily vacant and underutilized for decades. The site is bordered on the east and south by single-family residential neighborhoods, on the west by an existing mobile home park, and on the north by various nonresidential uses. The proposed subdivision is consistent with surrounding uses.

K. The design of the subdivision and type of improvements will not conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision, because none exist on this project site.

L. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities by laying out lot on a north/ south or east/ west orientation to better allow future homes to take advantage of solar exposure for heating and the westerly delta breeze that typically blows in from the coast on summer evenings for cooling.

Section 2. The Quarry Row Tentative Subdivision Map (SD2016-0003) as depicted in Exhibit A and Oak Tree Preservation Permit (TRE2016-0002) as depicted in Exhibit B, attached hereto and by this reference incorporated herein, are hereby approved, subject to the conditions listed below. The approved Exhibits A and B shall govern the design and construction of the project. Any condition directly addressing an element incorporated into Exhibits A and B shall be controlling and shall modify Exhibits A and B. All other plans, specifications, details, and information contained within Exhibits A and B shall be specifically applicable to the project and shall be construed as if directly stated within the conditions for approval. Unless otherwise expressly stated, the applicant / developer shall be solely responsible for satisfying each condition, and each of these conditions must be satisfied prior to or concurrently with the submittal of the final map with the City Engineer for the purpose of filing with the City Council. The agency and / or City department(s) responsible for ensuring implementation of each condition is indicated in parenthesis with each condition.

A. Notice to Applicant of Fees & Exaction Appeal Period

The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code §66020(d), these conditions constitute written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions.

The applicant is hereby notified that the 90-day protest period, commencing from the date of approval of the project, has begun. If the applicant fails to file a protest regarding any of the fees, dedication requirements, reservation requirements or other exaction contained in this notice, complying with all the requirements of Government Code §66020, the applicant will be legally barred from later challenging such exactions.

B. Conditions

1. Utilities

- a. Water – Water service shall be provided to the subdivision from Placer County Water Agency (PCWA) in compliance with all applicable PCWA standards and requirements. PCWA shall verify ability to serve the subdivision by signing off on the subdivision improvement plans. All necessary easements shall be shown and offered (or Irrevocable Offer of Dedication provided) on or with the final map. All necessary improvements shall be included on the subdivision improvement plans. (PCWA, ENGINEERING)
- b. Sewer – Sewer service shall be provided to the subdivision from South Placer Municipal Utility District (SPMUD) in compliance with all applicable SPMUD standards and requirements. SPMUD shall verify ability to serve

the subdivision by signing off on the subdivision improvement plans. All necessary easements shall be shown and offered (or Irrevocable Offer of Dedication provided) on or with the final map. All improvements shall be included on the subdivision improvement plans. (SPMUD, ENGINEERING)

Copies of any required permits from federal, state, and local agencies having jurisdiction over wetland/riparian areas, which may be impacted by the placement of the sewer system within the plan area, shall be submitted to SPMUD prior to approval of the sewer plan for the project. (ENGINEERING)

- c. Telephone, Gas, and Electricity – Telephone, gas and electrical service shall be provided to the subdivision from Consolidated Communications / Pacific Bell, and Pacific Gas & Electric (PG&E). (APPLICABLE UTILITY, ENGINEERING)
- d. Postal Service – Mailbox locations shall be determined by the local postmaster. A letter from the local postmaster verifying all requirements have been met shall be filed with the City Engineer. (ENGINEERING)
- e. Prior to recordation of final map, the project shall be included in the appropriate City financing districts as needed to most efficiently provide for public maintenance of public landscaping, improvements such as sound walls, and provision of new or enhanced services such as street lighting to the satisfaction of the City Finance Manager. (FINANCE, ENGINEERING, PUBLIC WORKS)

It is anticipated that the following will be necessary:

Annexation into: CFD No. 1 and CFD No. 5
Detachment from: LLMD No. 1

2. Schools

To mitigate the impact of the proposed development on school facilities, at the time of issuance of a building permit, the developer shall pay to the Rocklin Unified School District all fees required under Education Code section 17620 and Government Code Section 65995, to the satisfaction of the Rocklin Unified School District. (ROCKLIN UNIFIED SCHOOL DISTRICT, BUILDING)

3. Fire Service

- a. Proposed street names shall be reviewed and approved by the Rocklin Fire Chief. (ENGINEERING, FIRE)

- b. Improvement plans shall show the location and size of fire hydrants and water mains in conformance with the standards and requirements of the Rocklin Fire Chief and PCWA. (PCWA, ENGINEERING, FIRE)
- c. Improvement plans shall reflect a looped water supply main to the satisfaction of the Rocklin Fire Chief and PCWA. (PCWA, ENGINEERING, FIRE)

4. Improvements/Improvement Plans

Prior to any grading, site improvements, or other construction activities associated with this project improvement plans shall be prepared consistent with the exhibits and conditions incorporated as a part of this entitlement, and in compliance with all applicable city standards, for the review and approval of the City Engineer.

Improvement plans shall be valid for a period of two years from date of approval by the City Engineer. If substantial work has not been commenced within that time, or if the work is not diligently pursued to completion thereafter, the City Engineer may require the improvement plans to be resubmitted and/or modified to reflect changes in the standard specifications or other circumstances.

All improvements shall be constructed and/or installed prior to submitting the final map with the City Engineer for the purpose of filing with the City Council, unless the subdivider executes the City's standard form subdivision improvement agreement and provides the financial security and insurance coverage required by the agreement, prior to or concurrent with submitting the final map with the City Engineer.

The project improvement plans shall include the following:
(ENGINEERING, PLANNING)

- a. A detailed grading and drainage plan prepared by a registered civil engineer, in substantial compliance with the approved project exhibit(s) and in accord with the City of Rocklin Post-Construction Manual. The grading and drainage plan shall include the following:
 - i) Stormwater Management
 - 1) Prior to issuance of improvement plans, to ensure compliance with the National Pollutant Discharge Elimination System MS4s General Permit and the regulations and orders of the State Water Resources

Control Board, the applicant shall prepare and implement a Stormwater Management Facility Operation and Maintenance Plan for the on-site treatment systems and hydromodification controls (if any), or an acceptable alternative, to the satisfaction of the City Engineer. All specified treatment systems and hydromodification controls shall be privately owned and maintained. (BUILDING, PUBLIC SERVICES)

- 2) Prior to issuance of improvement plans, unless waived by the City Engineer, the developer shall grant a Stormwater Management Compliance Easement over the project site to the City of Rocklin, in a form acceptable to the City Attorney. The Stormwater Management Compliance Easement shall be recorded with the County Clerk's office and a copy of the recorded document shall be provided to the Environmental Services division. Said easement shall provide for the following: (CITY ATTORNEY, BUILDING, PUBLIC SERVICES)
 - A. Grant site access to City employees for the purpose of performing operations and maintenance inspections of the installed treatment system(s) and hydromodification control(s) (if any).
 - B. Grant site access to City employees for the purpose of performing operations and maintenance work on the installed treatment system(s) and hydromodification control(s) (if any) in the event that that the Director of Public Services determines, based upon the inspection results, that said work is not being performed adequately and has or will compromise the system's ability to function as required.
 - C. A statement that the City may, at its option, cause the operational and maintenance responsibilities set forth in the Stormwater Management Facility Operation and Maintenance Plan to be performed and place a special assessment against the project site to recover the costs to the City in the event the project is not operated and maintained in accord with the approved Stormwater Management

Facility Operation and Maintenance Plan. (RMC §8.30.150).

- 3) All storm drainage inlets shall be stamped with City Engineer approved wording indicating that dumping of waste is prohibited and identifying that the inlets drain into the creek system.
- 4) Provisions for detaining run off at pre-development levels including the location(s) and specifications of on-site or off-site detention basins, if any. If a detention basin is a part of the project drainage system the following shall be provided:
 - A. Prior to or concurrently with the approval of the final map an appropriate restriction shall be recorded over the detention basin(s) to assure their availability and use for this purpose and use in perpetuity.
 - B. Prior to or concurrently with the approval of the improvement plans a detention basin maintenance plan shall be developed by the subdivider and submitted to and approved by the City Engineer and Environmental Services Manager. The plan shall provide for private ownership of the detention basin/drainage/LID facility.
- 5) Individual lot drainage management areas including, as applicable, individual drainage features, such as lined drainage swales.
- 6) Prior to the recordation of the final map, the applicant/subdivider shall submit a final Stormwater Management Facility Operation and Maintenance Plan for the on-site treatment systems and hydromodification control(s), if any, that includes as-built documentation of how the facilities are constructed.
- 7) The developer shall prepare a Storm Water Pollutant Protection Plan (SWPPP) for review and approval by the State Regional Water Quality Control Board as part of the project's drainage improvement plans.

- 8) Prior to any on- or off- site grading or construction activities, including issuance of improvement plans, for any phase of the project a Storm Water Management plan for preventing noncompliant storm water runoff at all times but especially during the rainy seasons shall be incorporated into the improvement plans. The Storm Water Management plan would also need to cover the time period of the project after the subdivision improvements are installed and construction of the houses commences on disturbed soils. The Storm Water Management plan shall be prepared by a qualified storm water management professional.
- b. If at any time during the course of grading or construction activities evidence of the existence of old wells, septic systems or other similar features or any other evidence of soil and/or groundwater contamination with hazardous material is encountered, work shall be halted within 100 feet of the find and the City of Rocklin Engineer shall be notified. The City Engineer shall make a determination as to the nature of the feature(s) ~~and/or~~ contamination, the appropriate size for a buffer around the feature beyond which work could continue on the balance of the site, and which outside agencies, if any, should be notified and involved in addressing and / or remediation of the feature or contamination. At the discretion of the City Engineer and at the applicant's expense, a qualified consultant(s) shall be retained to assess and characterize the feature or contamination and to determine appropriate remediation, if any. Remediation of the feature including obtaining any special permits and/or approvals as needed shall be completed and documented to the satisfaction of the City Engineer and any responsible agencies, such as but not limited to the Placer County Department of Environmental Health, and the Central Valley Regional Water Quality Control Board, prior to completion of grading / construction in the affected area.
 - c. All drainage/stormwater runoff from the site shall be collected into a City standard sand and oil trap manhole and a water quality treatment structure (and/or equals as approved by the City Engineer) prior to the offsite discharge of the runoff.
 - d. Construction related and permanent Best Management Practices (BMPs) and Best Available Technologies (BATs) shall be incorporated into the final project design and / or noted on the Improvement Plans as appropriate to reduce urban pollutants in run-off, consistent with goals and standards established under Federal and State non-point source discharge regulations (NPDES permit) and Basin Plan water quality

objectives. Stormwater run-off BMPs selected from the Storm Water Quality Task Force, the Bay Area Storm Water Management Agencies Association Start at the Source – Design Guide Manual, the Sacramento Stormwater Quality Partnership’s Stormwater Quality Design Manual for the Sacramento and South Placer Regions, and/or the City’s Post-Construction Manual, or equally effective measures shall be identified prior to final design approval and shall be incorporated into project design and / or noted on the Improvement Plans as appropriate.

To maximize effectiveness, the selected BMPs shall be based on finalized site-specific hydrologic conditions, with consideration for the types and locations of development. Mechanisms to maintain the BMPs shall be identified in on improvement plans.

Provisions for the maintenance and periodic inspection of permanent facilities shall be addressed to the satisfaction of the City Engineer and the Public Services Director and shown on the improvement plans. These provisions shall include periodic inspection, cleaning, and the replacement of filter materials, as necessary, to retain the integrity of the BMP/BAT. (ENGINEERING, PUBLIC SERVICES)

- e. Prior to any grading or construction activities, the subdivider shall:
 - i) Obtain a General Construction Activity Storm Water Permit as a part of the National Pollutant Discharge Elimination System (NPDES) permit process from the Regional Water Quality Control Board.
 - ii) Submit verification from the U.S. Army Corp of Engineers and the California Department of Fish and Wildlife that the project meets all regulations and that the subdivider has obtained all required permits relating to wetlands and waterways.

- f. All on-site standard improvements, including but not limited to:
 - i) Paving, curbs (including concrete curbs to contain all landscape areas adjacent to vehicle parking areas or travel lanes), gutters, sidewalks, drainage improvements, irrigation improvements (main lines and distribution where located under paved areas), utility improvements, street lights, fire hydrants, retaining walls, fences, walls and pilasters, enhanced pavement treatments, etc.

- ii) All necessary easements for drainage, access, utilities, etc. shall be shown and offered for dedication (or Irrevocable Offer of Dedication provided) with the improvement plans.
 - iii) To the extent possible underground facilities such as but not limited to electrical, gas, water, drainage, and irrigation lines shall be located outside of or to the edge of areas designated for landscaping so as to minimize impacts to the viability of these areas.
- g. The following subdivision improvements shall be designed, constructed, and/or installed:
- i) The following on-site improvements:
 - 1) An HOA owned and maintained street light shall be installed to illuminate the parking area on Parcel N.
 - ii) The following off-site improvements:
 - 1) In order to prohibit left turns into and out of the site, the project shall construct a median in Pacific Street across from the Quarry Row Entrance, consistent with Exhibit A. A “No Left Turn” sign shall be installed in the existing median to prevent westbound traffic on Pacific Street from turning into the site. A second “No Left Turn” sign shall be installed at the project entrance to prevent exiting traffic from turning left onto Pacific Street.
- h. Landscape and irrigation plans, in substantial conformance with Exhibit A, shall be included with the project improvement plans (ENGINEERING, PUBLIC WORKS, PLANNING)
- i) The landscaping plan shall be prepared by a landscape architect and shall include:
 - 1) A legend of the common and botanical names of specific plant materials to be used. The legend should indicate the size of plant materials at maturity and container size: shrubs shall be a minimum 5 gallon and trees a minimum of 15 gallon and meet the minimum height specified by the American Standards for Nursery Stock.

- 2) A section diagram of proposed tree staking.
 - 3) An irrigation plan including an automatic irrigation system. The plan shall include drip irrigation wherever possible. Irrigation for Lots A and B shall have a separate controller and POC.
 - 4) Certification by the landscape architect that the landscape plans meets the requirements of the Water Conservation in Landscaping Act. Government Code §65591, et seq.
 - 5) Certification by the landscape architect that the soil within the landscape area is suitable for the proposed landscaping and / or specify required soil treatments and amendments needed to ensure the health and vigor of landscape planting.
- iii) All landscaping improvements shall be constructed and/or installed prior to submitting the final map for filing with the City Council, unless the subdivider executes the City's standard form subdivision landscaping agreement and provides the financial security and insurance coverage required by the subdivision landscaping agreement, prior to or concurrent with submitting the final map.
- i. All rights-of-way and easements associated with the subdivision improvements shall be offered on, or by separate instrument concurrently with, the final subdivision map; provided, that street rights-of-way shall be offered by means of an irrevocable offer of dedication (IOD). (ENGINEERING)
- j. Air Pollution Control
- i) Prior to commencement of grading, the developer shall submit a Construction Emission / Dust Control Plan for approval by the City Engineer and the Placer County Air Pollution Control District.
 - ii) Prior to approval of Grading or Improvement Plans, whichever occurs first, the applicant shall provide a written calculation to the Placer County Air Pollution Control District (PCAPCD) for approval demonstrating that the heavy-duty (>50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet average of at least 25% of NOx and 45% of diesel PM

reduction as compared to CARB statewide fleet average emissions. Acceptable options for reducing emissions may include use of late model engines, low emission diesel products (e.g., CARB approved High Performance Renewable Diesel), alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. The Construction Emissions Mitigation Tool developed by the Sacramento Air Quality Management District may be used to calculate compliance with this condition and shall be submitted to the PCAPCD as described above. Prior to the start of grading or construction activities, the applicant shall submit documentation of PCAPCD approval of the verification of construction emissions calculations. (PCAPCD, ENVIRONMENTAL SERVICES, ENGINEERING)

- k. If blasting activities are to occur in conjunction with site development, the contractor shall conduct the blasting activities in compliance with State and local regulations. The contractor shall obtain a blasting permit from the City of Rocklin prior to commencing any blasting activities. Information submitted to obtain a blasting permit shall include a description of the work to be accomplished and a statement of necessity for blasting as opposed to other methods considered, including avoidance of hard rock areas, safety measures to be implemented, such as blast blankets, and traffic groundshaking impacts. The contractor shall coordinate any blasting activities with police and fire departments to ensure proper site access control, traffic control, and public notification including the media and affected residents and businesses, as appropriate. Blasting specifications and plans shall include a schedule that outlines the time frame that blasting will occur to limit noise and traffic inconveniences.

- l. Prior to any grading or construction activities including issuance of improvement plans, the developer shall submit a design-level soil investigation for the review and approval of the City Engineer and Chief Building Official that evaluates soil and rock conditions, particularly the potential for expansive soils. The professional engineer that prepared the soil investigation shall recommend appropriate roadway construction and foundation techniques and other best practices that are to be implemented by the project during construction. These techniques and practices shall address expansive soils or other geological concerns requiring remediation, including but not limited to:
 - Recommendations for building pad and footing construction;
 - Use of soil stabilizers or other additives; and
 - Recommendations for surface drainage.

- m. The following biological resource condition shall be included in the project notes on the improvement plans, to the satisfaction of the City Engineer:

The applicant/developer shall attempt to time the removal of potential nesting habitat for raptors, migratory birds and bat species to avoid the nesting season (February – September 15). If tree and vegetation removal would occur during the nesting season for raptors and/or migratory birds (February-September 15), the developer and/or contractor shall hire a qualified biologist approved by the City to conduct pre-construction surveys no more than 14 days prior to initiation of demolition activities. The survey shall cover all areas of suitable nesting habitat within 500 feet of project activity and shall be valid for one construction season. Prior to the start of removal activities, documentation of the survey shall be provided to the City of Rocklin Building Department and if the survey results are negative, no further mitigation is required and necessary structure removal may proceed. If there is a break in demolition activity of more than 14 days, then subsequent surveys shall be conducted.

If the survey results are positive (active nests are found), impacts shall be avoided by the establishment of appropriate buffers. The biologist shall consult with the California Department of Fish and Wildlife (CDFW) and the City to determine the size of an appropriate buffer area (CDFW guidelines recommend implementation of 500-foot buffers). Monitoring of the nest by a qualified biologist may be required if the activity has the potential to adversely affect an active nest.

If demolition activities are scheduled to occur during the non-breeding season (September 16-January), a survey is not required and no further studies are necessary.

{MM IV-1(a)} (ENVIRONMENTAL SERVICES, ENGINEERING)

- n. The following biological resource condition shall be included in the project notes on the improvement plans, to the satisfaction of the City Engineer:

Prior to removal of the existing building, a survey for bats shall be prepared by a qualified biologist. If bat roosting sites are identified within the survey area, then they shall be avoided during the nursery season (April 1st through August 31st). The bats may be evicted from the building between September 1 and March 31, which is outside of the nursery season. Eviction of bats shall be conducted using bat exclusion

techniques, developed by Bat Conservation International (BCI) and in consultation with the CDFW, that allow the bats to exit the roosting site but prevent re-entry to the site. This would include, but not be limited to the installation of one way exclusion devices. The devices shall remain in place for a minimum of seven days and then the exclusion points and any other potential entrances shall be sealed immediately following the removal of the devices. This work shall be completed by a BCI recommended exclusion professional.

{MM IV-1(b)} (ENVIRONMENTAL SERVICES, ENGINEERING)

- o. The following biological resource condition shall be included in the project notes on the improvement plans, to the satisfaction of the City Engineer:

Prior to the issuance of Improvement Plans or Grading Permits, the applicant shall:

- i) Clearly indicate on the construction documents that oak trees not scheduled for removal will be protected from construction activities in compliance with the pertinent sections of the City of Rocklin Oak Tree Preservation Ordinance.
- ii) Mitigate for the removal of oak trees on the project site consistent with the requirements of the City's Oak Tree Preservation Ordinance (Rocklin Municipal Code Section 17.77.080.B). The required mitigation shall be calculated using the formula provided in the Oak Tree Preservation Ordinance and to that end the project arborist shall provide the following information:
 - The total number of surveyed oak trees;
 - The total number of oak trees to be removed;
 - The total number of oak trees to be removed that are to be removed because they are sick or dying, and
 - The total, in inches, of the trunk diameters at breast height (TDBH) of all surveyed oak trees on the site in each of these categories.

{IV.-2} (ENVIRONMENTAL SERVICES, ENGINEERING, PLANNING)

- p. The following cultural resource condition shall be included in the project notes on the improvement plans, to the satisfaction of the City Engineer:

If an inadvertent discovery of cultural materials (e.g., unusual amounts of shell, charcoal, animal bone, bottle glass, ceramics, burned soil, structure/building remains) is made during project-related construction activities, ground disturbances in the area of the find shall be halted and a qualified professional archaeologist, the Environmental Services Manager and the Native American Heritage Commission shall be notified regarding the discovery. The archaeologist shall determine whether the resource is a historical resource or a unique archaeological resource (as defined by CEQA) and shall develop specific measures to ensure preservation of the resource or to mitigate impacts to the resource if it cannot feasibly be preserved in light of costs, logistics, technological considerations, the location of the find, and the extent to which avoidance and/or preservation of the find is consistent or inconsistent with the design and objectives of the project. Specific measures would include, but are not necessarily limited to, preservation in place, in-field documentation, archival research, subsurface testing, and excavation. The specific type of measure necessary would be determined according to evidence indicating degrees of resource integrity, spatial and temporal extent, and cultural associations, and would be developed in a manner consistent with CEQA guidelines for preserving or otherwise mitigating impacts to archaeological and cultural artifacts.

In the event of the accidental discovery or recognition of any human remains, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains, until compliance with the provisions of Sections 15064.5 (e)(1) and (2) of the CEQA Guidelines, as well as Public Resources Code Section 5097.98, has occurred. If any human remains are discovered, all work shall stop in the immediate vicinity of the find and the County Coroner shall be notified, according to Section 7050.5 of the California Health and Safety Code. The City's Environmental Services Manager shall also be notified. If the remains are Native American, the Coroner will notify the Native American Heritage Commission, to request the names of the most likely descendant. The descendant will then recommend to the landowner appropriate disposition of the remains and any grave goods, and the landowner shall comply with the requirements of AB 2641 (2006).

{MM 4.1-1(a)} (ENVIRONMENTAL SERVICES, ENGINEERING)

- q. Prior to issuance of a demolition permit for the Coker Plaza (a.k.a. Pleasure Hall), the building's use and history shall be documented in a Historic American Building Survey (HABS), including photographs, plans,

drawings, interviews and written documentation, to preserve a definitive history of the building and its uses. The HABS report shall be provided to the appropriate depository or depositories (e.g., the Rocklin Historical Society and the Placer County Archives) and proof of receipt by the inventory(ies) provided to the City.

{4.1-2} (ENVIRONMENTAL SERVICES, PLANNING, ENGINEERING)

- r. If paleontological resources (e.g., fossils) are discovered during construction, the contractor shall immediately cease all work activities in the vicinity (within approximately 100 feet) of the discovery. After cessation of excavation the contractor shall immediately contact a qualified paleontologist and the City of Rocklin Environmental Services Manager. The potential paleontological resource(s) discovered during construction shall be evaluated by the qualified paleontologist. If it is determined that the project could damage a unique paleontological resource (as defined pursuant to the CEQA Guidelines), mitigation shall be implemented in accordance with PRC Section 21083.2 and Section 15126.4 of the CEQA Guidelines. If avoidance is not feasible, the paleontologist shall develop a treatment plan in consultation with the City's Environmental Services Manager. If determined appropriate by the paleontologist, the find shall be deposited at an appropriate repository, such as Sierra College or the University of California Museum of Paleontology. The contractor shall not resume work until authorization is received from the City's Environmental Services Manager.

{4.1-3} (ENVIRONMENTAL SERVICES, PLANNING, ENGINEERING)

- s. Provisions for dust control, re-vegetation of disturbed areas, and erosion control, in conformance with the requirements of the City of Rocklin, including but not limited to the following (which shall be included in the project notes on the improvement plans):
 - i) The prime contractor shall submit to the District a comprehensive inventory (e.g., make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used in aggregate of 40 or more hours for the construction project. If any new equipment is added after submission of the inventory, the prime contractor shall contact the District prior to the new equipment being utilized. At least three business days prior to the use of subject heavy-duty off-road equipment, the project representative shall provide the District with the anticipated construction timeline including start date, name, and

phone number of the property owner, project manager, and on-site foreman.

- ii) During construction the contractor shall utilize existing power sources (e.g., power poles) or clean fuel (e.g., gasoline, biodiesel, natural gas) generators to minimize the use of temporary diesel power generators.
- iii) During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel powered equipment.
- iv) Traffic speeds on all unpaved road surfaces shall be posted at 15 mph or less.
- ii) All grading operations shall be suspended when fugitive dust emissions exceed District Rule 228-Fugitive Dust limitations. The prime contractor shall be responsible for having an individual who is CARB-certified to perform Visible Emissions Evaluations (VEE). This individual shall evaluate compliance with Rule 228 on a weekly basis.
- vi) Fugitive dust emissions shall not exceed 40% opacity and shall not go beyond the property boundary at any time. If lime or other drying agents are utilized to dry out wet grading areas, the developer shall ensure such agents are controlled so as not to exceed District Rule 228-Fugitive Dust limitations.
- vii) The prime contractor shall be responsible for keeping adjacent public thoroughfares clean of silt, dirt, mud, and debris, and shall “wet broom” the streets (or use another method to control dust as approved by the individual jurisdiction) if silt, dirt mud or debris is carried over to adjacent public thoroughfares.
- viii) The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) are excessive and dust is impacting adjacent properties.
- ix) The contractor shall apply water or use other method to control dust impacts offsite. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site.
- x) All construction equipment shall be maintained in clean condition.

- xi) Chemical soil stabilizers, vegetative mats, or other appropriate best management practices, in accordance with manufacturers' specifications, shall be applied to all-inactive construction areas (previously graded areas which remain inactive for 96 hours).
- xii) All exposed surfaces shall be revegetated as quickly as feasible.
- xiii) If fill dirt is brought to or exported from the construction site, tarps or soil stabilizers shall be placed on the dirt piles to minimize dust problems.
- xiv) Water shall be applied to control fugitive dust, as needed, to prevent impacts offsite. Operational water trucks shall be onsite to control fugitive dust. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site.
- xv) Processes that discharge 2 pounds per day or more of air contaminants, as defined by California State Health and Safety Code Section 39013, to the atmosphere may require a permit. Developers / Contractors should contact the PCAPCD prior to construction or use of equipment and obtain any necessary permits.
- xvi) In order to minimize wind driven dust during construction, the prime contractor shall apply methods such as surface stabilization, establishment of a vegetative cover, paving, (or use another method to control dust as approved by the City).
- xvii) Construction equipment exhaust emissions shall not exceed Placer County APCD Rule 202 Visible Emission limitations. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified by APCD to cease operations and the equipment must be repaired within 72 hours.
- xviii) Open burning of any kind shall be prohibited. All removed vegetative material shall be either chipped on site or taken to an appropriate recycling site, or if a site is not available, a licensed disposal site.
- xix) Any diesel powered equipment used during project construction shall be Air Resources Board (ARB) certified.

6. Construction Noise

- a. All “self-powered” construction equipment and stationary noise sources (i.e. pumps, electrical generators, etc.) shall be equipped with noise control devices (e.g., mufflers). (ENGINEERING, BUILDING)
- b. Equipment “warm-up” areas, water storage tanks, equipment storage areas, and stationary noise-generating machinery (i.e. pumps, electrical generators, etc.) shall be located away from existing residences and other sensitive noise receptors to the extent feasible. (ENGINEERING, BUILDING)
- c. All phases of project development shall be subject to the City of Rocklin Construction Noise Guidelines, including restricting construction-related noise generating activities within or near residential areas to between 7:00 a.m. and 7:00 p.m. on weekdays, and between 8:00 a.m. and 7:00 p.m. on weekends. The Community Development Director may grant exceptions to the Construction Noise Guidelines if, in the opinion of the Community Development Director, special and unusual circumstances exist that make strict adherence to the Construction Noise Guidelines infeasible. (ENGINEERING, BUILDING)

7. Special Provisions/Subdivision Design

- a. Prior to recordation of a final map or issuance of improvement plans the subdivider shall provide documentation verifying that all applicable utilities have approved the reduced Public Utility Easements (PUE) indicated on Exhibit A. Failure to obtain said approvals will require modification of the tentative subdivision map. (PLANNING, ENGINEERING)
- b. Prior to the approval of improvement plans or the recordation of the final map, the following conditions shall be satisfied, to the satisfaction of the South Placer Municipal Utility District (SPMUD): (ENGINEERING, SPMUD)
 - i) There shall be no grading within the SPMUD existing sewer easements without prior written approval by SPMUD. If grading is approved within the easement(s) existing manholes shall be adjusted to grade per SPMUD Standards and Specifications.

8. Improvements in the Public Right-of-Way

The applicant shall obtain an encroachment permit for all improvements within the public right-of-way. Applicant shall post a performance bond and labor and materials payment bond (or other equivalent financial security) in the amount of 100% of the cost of the improvements to be constructed in the public right-of-way as improvement security to ensure the faithful performance of all duties and obligations required of applicant in the construction of the improvements. Such improvement security shall be in a form acceptable to the City Attorney. Such security shall be either a corporate surety bond, a letter of credit, or other instrument of credit issued by a banking institution subject to regulation by the State or Federal government and pledging that the funds necessary to carry out this Agreement are on deposit and guaranteed for payment, or a cash deposit made either directly with the City or deposited with a recognized escrow agent for the benefit of the City. (PUBLIC WORKS)

9. Landscaping Maintenance Agreement

Prior to approval of a final map the subdivider shall enter into an agreement with the City of Rocklin providing for the maintenance of landscaping within the public right-of-way along Pacific Street and Grove Street. The agreement shall stipulate that the applicant/subdivider/HOA shall maintain the irrigation system and all plant materials. The agreement shall also indemnify the City against claims arising from developer's activities and shall be recorded and binding on successors in interest of the developer.

10. Parks

- a. Park fees shall be paid as required by Rocklin Municipal Code Chapter 17.71 and Chapter 16.28. (ENGINEERING)
- b. Community Park Fees shall be paid as required by City Council Resolution #99-82. (BUILDING)

11. Open Space -- Common Areas -- Maintenance

Prior to or concurrently with the recordation of the final map, the subdivider shall provide for the ownership and maintenance of those portions of the project to be commonly owned and / or maintained by the residents of the subdivision as specified herein through formation of a homeowner's association. The documents creating the homeowner's association shall meet the following requirements and minimum provisions: (ENGINEERING, CITY ATTORNEY)

- a. Parcels I, J, K, L, M, N, O, P, Q, and R, as well as Alleys A through H of the subdivision shall be owned and maintained by the homeowners association for the community.
- b. Assignment to the homeowner's association responsibility for the maintenance of common areas and commonly maintained areas including but not limited to structures, landscaping, private utility services, alleys and parking areas, outdoor lighting, recreational facilities, detention and drainage facilities, and all project landscaping within the City right-of-way on Pacific Street, Grove Street, and Quarry Row.
- c. Assignment to the homeowner's association responsibility to monitor and provide quarterly reports to the Community Development Director on activities and violations of any of these conditions, easement restriction, or any other ordinance, rule or regulation of the City occurring within the common areas.
- d. A statement that the City may, at its option, cause the maintenance responsibilities set forth in the documents creating the homeowner's association to be performed and assess (lien) the cost to the homeowner's association in the event the project is not maintained in accordance with the approved plans. (RMC §17.60.040)
- e. A statement expressly prohibiting modification or deletion of any portion of the homeowner's association documents which specifically address City conditions of approval, City requirements, or termination of the HOA in its entirety, without the express written consent of the City.
- f. The documents creating the homeowner's association shall specifically include the following condition(s) for enforcement by the homeowner's association:
 - i) A "parking enforcement plan" that includes guarantees, to the satisfaction of the Community Development Director, that garages shall be used for the parking of automobiles; and ensures that roll-up garage doors, with automatic garage door openers are used throughout the project.
- g. A notice shall be included in the subdivision's CC&R, and recorded by separate instrument with the final map, stating that individual lot and building design shall be subject to City approved design guidelines available from the City of Rocklin Department of Community Development.

12. Affordability Requirement

The project shall to record an affordability regulatory agreement for these lots, or equivalent, to the satisfaction of the City Attorney, prior to approval of the Final Map. Said contract shall include the following provisions:

1. The Developer would be required to initially sell a minimum of seven (7) of the units to a person or family earning (80% or Less AMI) and at a price affordable to said persons as calculated by the City. Both the actual sales price and income eligibility of the buyers to be verified by the City.
2. The contract or deed restriction over the affordable properties is to run with the land and obligate the buyer(s) of each of the affordable properties.
3. Subsequent to the original sale of each affordable unit by the developer to a qualified buyer, further sales of each affordable property would be permitted at market rates provided any sale of one of the properties before five (5) years from the original sell date would entitle the City to 100% of any equity that is created between the then applicable affordable sale price and whatever market rate price the property sells for at the time it is first resold. A sale after five (5) years of ownership would entitle the City to 50% of the equity created between the then applicable affordable sale price and whatever market rate price the property sells for at the time it is first resold. Subsequent sales of each affordable unit beyond the original first resale by the original purchaser (or heir) would not trigger an equity share requirement with the City.

13. Phasing

Multiple final maps may be recorded subject to the filing of a Phasing Plan, to the satisfaction of the City Engineer. (ENGINEERING, PLANNING)

14. Monitoring

Prior to recording of the first final map or any grading on the property, the subdivider shall deposit with the City of Rocklin the current fee to pay for the City's time and material cost to administer the Mitigation Monitoring Program. The Community Development Director shall determine if and when additional deposits must be paid for administering the Mitigation Monitoring Program, including additional deposits on subsequent phase final maps. These amounts shall be paid prior to recording subsequent final maps on this project. (ENGINEERING)

15. Indemnification and Duty to Defend

Within 15 days of approval of this entitlement by the City, the subdivider shall execute an Indemnity Agreement, approved by the City Attorney's Office, to indemnify, defend, reimburse, and hold harmless the City of Rocklin and its agents, officers and employees from any claim, action, or proceeding against the City of Rocklin to set aside, void or annul an approval of the entitlement by the City's planning commission or City Council, which action is brought. The City will promptly notify the applicant of any such claim, action or proceeding, and the City will cooperate in the defense of the claim, action or proceeding. Unless waived by the City, no further processing, permitting, implementation, plan checking or inspections related to the subdivision or parcel map shall be performed by the City if the Indemnity Agreement has not been fully executed. (CITY ATTORNEY)

16. Validity

- a. All portions of this entitlement for which a final map has not been recorded shall expire three years from the date of approval, unless prior to that date a time extension has been granted. (PLANNING)
- b. This entitlement shall not be considered valid and approved unless and until the concurrent General Plan Amendment (GPA2016-0001), General Development Plan (PDG2016-0001), Rezone (Z2016-0001), General Oat Tree Preservation Plan Permit (TRE2016-0002), and Design Review (DR2016-0003) have been approved. (PLANNING)
- c. In order to comply with the requirements of Senate Bill 330, this entitlement shall not become valid, approved, and effective until the approval and adoption of the separate application known as Rocklin Corporate Center, which includes a General Plan Amendment (GPA2020-0003), a General Development Plan Amendment (PDG2020-0001), and a Rezone (Z2020-0001), by the City Council of the City of Rocklin by resolution(s) and/or ordinance(s). (PLANNING)

PASSED AND ADOPTED this 26th day of January, 2021, by the following
vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

ABSENT: Councilmember(s):

ABSTAIN: Councilmember(s):

Jill Gayaldo, Mayor

ATTEST:

Hope Ithurburn, City Clerk

EXHIBIT A

Quarry Row Tentative Subdivision Map (SD2016-0003)

EXHIBIT B

Quarry Row Oak Tree Preservation Permit (TRE2016-0002)