

RESOLUTION NO. 2022-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKLIN
APPROVING A DESIGN REVIEW FOR A MULTI-FAMILY RESIDENTIAL PROJECT

(Placer Creek Apartments / DR2017-0006)

The City Council of the City of Rocklin does resolve as follows:

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

A. Design Review (DR2017-0006) approves the building height, site design, landscaping and architectural designs, colors and materials of a 254-unit multi-family apartment project on an approximately 10.4-acre site generally located on the southeast corner of University Avenue and Whitney Ranch Parkway. (APNs 017-084-001 and -011)

B. A Mitigated Negative Declaration has been approved for this project via City Council Resolution No. .

C. The design of the site is compatible with surrounding development, natural features and constraints. The site design provides buffering from the adjacent residential and commercial properties, landscape areas, adequate and safe ingress and egress from the City streets, and appropriate internal circulation.

D. The height, bulk, area, color scheme and materials of the buildings and structures are compatible with surrounding development. The proposed multi-family structures and associated buildings are no more than three stories in height (ranging from approximately fourteen (14) to forty-one (41) feet tall), and are limited to a maximum of fifty (50) feet by the proposed zoning designation (PD-22+). Nearby commercial sites to the east, west, and northwest are limited to a maximum height of 30 feet, unless a conditional use permit is granted allowing up to fifty (50) where not adjacent to State Route 65. Nearby multi-family residential sites to the northeast are limited to a maximum of thirty-five (35) feet. The single-family residential subdivision to the south has a maximum height of 35 feet. The architectural design and colors and materials of the proposed project are appropriate for multi-family development and are consistent with those of the adjacent William Jessup University campus, the University Architectural District, the Northwest Rocklin Design Guidelines for Residential and Non-Residential Development, and with the Citywide Design Review Guidelines.

E. The buildings and structures have been oriented with consideration given to minimizing energy consumption and maximizing use of natural lighting. The proposed multi-family structures have large windows to maximize natural lighting. The carports and garages provide covered parking areas and could support photovoltaic panels. The

building roofs are generally oriented to accommodate efficient layout and installation of photovoltaic panels.

F. Adverse light and glare impacts upon adjoining properties have been eliminated or reduced to a less than significant level by consideration and / or modification of the location and height of light standards, orientation of exterior lighting fixtures, and conditioning the project to use light fixtures that will direct light downward. The proposed lighting is consistent with the Citywide Design Review Guidelines and Architectural District Guidelines. Conditions have been applied to ensure parking lot lights and carport lights are shielded if needed to prevent glare. Building-mounted lighting is conditioned to be down-lit.

G. The dimensions, placement, and design of the signs are compatible with the proposed buildings and structures and the surrounding development and environment. The proposed signs are consistent with the size, design, and location requirements of the Rocklin Municipal Code and the Citywide Design Review Guidelines.

H. The landscaping design is compatible with surrounding development and has been designed with provisions for minimizing water usage and maintenance needs. The project requires installation of an automatic irrigation system and certification by a landscape architect that the landscape plans meet the requirements of the Water Conservation in Landscaping Act. The proposed landscaping is consistent with the requirements of the Citywide Design Review Guidelines and is consistent with the surrounding commercial and residential properties.

I. The parking design, including ingress and egress traffic patterns, is compatible with the surrounding development and the existing street patterns. The proposed parking design and the number of spaces is consistent with the City Improvement Standards and Rocklin Municipal Code. The proposed driveway locations comply with City Improvement Standards with respect to design and location and provide adequate and safe ingress and egress

J. The design of the site and buildings or structures is consistent with the goals, policies, and Mixed-Use land designation in the General Plan, and with the zoning, regulations, standards, and restrictions within the proposed Northwest Rocklin General Development Plan Amendment and Rezone being processed concurrently with this Design Review.

K. The project is required to comply with the Conditions of Approval for the Northwest Rocklin General Development Plan, as applicable. Project specific conditions of approval supersede similar conditions in Exhibit B of the Northwest Rocklin General Development Plan.

Section 2. The Design Review for the Placer Creek Apartments (DR2017-0006) as depicted in Exhibit A and Exhibit B, attached hereto and by this reference incorporated herein, is hereby recommended for approval by the City Council subject to the conditions listed below. The approved Exhibit A and Exhibit B shall govern the design and construction of the project. Any condition directly addressing an element incorporated into Exhibit A and Exhibit B shall be controlling and shall modify Exhibit A and Exhibit B. All other plans, specifications, details, and information contained within Exhibit A and Exhibit 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 either prior to issuance of a Building Permit or prior to a final Building Permit Inspection, or Issuance of a Certificate of Occupancy, as applicable. The agency and / or City department(s) responsible for ensuring implementation of each condition is indicated in parenthesis with each condition.

Further, the project shall be required to comply with the Northwest Rocklin Design Guidelines for Residential and Non-Residential Development (Resolution 2002-233), as applicable. Project specific conditions of approval noted in this Resolution supersede any similar requirements which may exist in City Council Resolution 2002-233.

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)
- c. Telephone, Gas, and Electricity – Telephone, gas and electrical service shall be provided to the subdivision from Consolidated Communications {or other service providers} and Pacific Gas & Electric (Consolidated Communications, PG&E, 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 issuance of a Building Permit for the first building in the multi-building project, 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 Officer. It is anticipated that the project will be required to annex into Community Facilities District No. 1 and Community Facilities District No. 5; no de-annexation is required. (ENGINEERING, FINANCE)

2. Schools

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. 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)
- b. Improvement plans shall reflect a looped water supply main to the satisfaction of the Rocklin Fire Chief and PCWA. (PCWA, ENGINEERING, FIRE)

- c. The road / drive aisle width throughout the project site (excluding the EVA roadway) shall be an unobstructed twenty-six (26) feet minimum width, exclusive of shoulders and an unobstructed vertical clearance of not less than 13 feet 6 inches. Overhead utility and power lines shall not be located over the access road or between the access road and building(s). All fire apparatus access roads, including the Emergency Vehicle Access (EVA), must be designed to support the imposed load of fire apparatus weighing up to 75,000 pounds.
- d. The project driveways and drive aisles shall meet the fire department turning radius of 36 feet inside and 50 feet outside for all fire apparatus access roads, including at the main entrance, south entrance, and EVA.
- e. The EVA roadway shall be a minimum of 20 feet wide and designed to the satisfaction of the Fire Chief.
- f. The EVA gate shall comply with the current California Fire Code Appendix D section for "Fire apparatus access road gates." An Opticom device and low security Knox key switch shall be installed on both sides of the EVA gate.
- g. Private fire service mains shall be submitted for review and approval prior to installation under separate permit. The underground fire system installing contractor shall submit for review and approval a schematic drawing of all the underground piping and appurtenances and a part list with listing information for all parts to the satisfaction of the City Engineer and the Rocklin Fire Chief prior to issuance of the first Building permit for the project.
- h. All buildings are required to be fire sprinklered. Fire sprinkler risers shall be located inside the building in a room which conforms to the requirements of the current California Fire Code section for "Pump and riser room size."
- i. Fire Department Connections (FDC) shall be located within 40 feet of a fire hydrant and on the same side of the fire access road, to the satisfaction of the Fire Chief.
- j. The address numbers, way-finding signage, and unit signage shall be to the satisfaction of the Fire Chief.
- k. A Site Amenities Plan shall be submitted with the building permit submittal.

- I. Prior to final occupancy, the applicant will be required to provide a third-party assessment, by an approved provider, of the radio coverage for emergency responders within the building(s) and, if necessary, be subject to current California Fire Code section for “Emergency Responder Radio Coverage,” to the satisfaction of the Fire Chief.

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.

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
 - A) 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 acceptable alternative to the satisfaction of the City Engineer and Environmental Services Manager). All specified treatment systems and hydromodification controls shall be privately owned and maintained. (BUILDING, PUBLIC SERVICES)
 - B) Prior to issuance of improvement plans, unless waived by the City Engineer and Environmental Services Manager,

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)

- 1) 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).
 - 2) 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.
 - 3) 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).
- C) The Stormwater Control Plan for the project shall be revised, if needed, to the satisfaction of the Public Services Director.
- D) 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.

- E) Site design measures for detaining run off at pre-development levels, including location and specifications of on-site or off-site detention basins, if any.
 - F) Individual lot drainage management areas including individual drainage features, such as lined drainage swales.
 - G) 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.
- ii. Prior to the commencement of grading operations, and if the project site will not balance with respect to grading, the contractor shall identify the site where any excess earthen material shall be deposited. If the deposit site is within the City of Rocklin, the contractor shall submit a report issued by a technical engineer to verify that the exported materials are suitable for the intended fill and show proof of all approved grading plans. Haul routes to be used shall be specified. If the site requires importing of earthen material, then prior to the commencement of grading operations, the contractor shall identify the site where the imported earthen material is coming from and the contractor shall submit a report issued by a technical engineer to verify that the imported materials are suitable for the intended fill and show proof of all approved grading plans. Haul routes to be used shall be specified.
 - iii. 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 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 (or features), 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. 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 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, prior to completion of grading/construction in the affected area.

- b. 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, parking lot lights, fire hydrants (where necessary), retaining walls, fences, pilasters, enhanced pavement treatments, trash enclosures, 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.
- c. A detailed parking lot striping plan designed per City standards, which indicates all parking spaces, aisles, entrances, exits, and fire access lanes.
- d. The following on-site special improvements:
 - i. Along the eastern property line, the proposed eight (8) foot tall masonry wall shall:
 - A) Generally, conform with Exhibit A and shall include decorative wall cap, decorative pilaster cap, stone veneer pilasters, and split-face concrete masonry units (CMU) facing the property to the east.
 - B) Include five (5) pilasters located as follows:
 - 1) The northeasterly terminus of the wall.
 - 2) The southeasterly terminus of the new wall where it connects to the existing masonry wall along the southern boundary .

- 3) Three additional pilasters facing the property to the east, approximately evenly spaced.
- ii. Prior to issuance of improvement plans, the applicant shall demonstrate that the existing masonry wall along the southern property line, shall continue to provide an effective screening height of a minimum of six (6) feet as measured from the higher finished grade on either side of the wall, or provide for effectively equivalent alternative screening to the satisfaction of the Community Development Director. (PLANNING, ENGINEERING)
 - iii. To accommodate possible gating of the project, the improvement plans may incorporate an alternate entry design generally consistent with Exhibit B provided that the applicant is first able to provide documentation to the satisfaction of the City Engineer that the gates would not result in queuing or other traffic conflicts on University Avenue, including taking into account the planned future traffic signal at the southern driveway. The design for the entry gates shall accommodate the following minimum standards:
 - A) Fire apparatus turning radii of 36 feet inside and 50 feet outside;
 - B) Adequate queueing distances to prevent conflicts with traffic on University Avenue;
 - C) Gates shall be electrically operated and must comply with the requirements of ASTM F2200 and be listed in accordance with UL 325;
 - D) Provide for a minimum clear opening width of 20 feet and a clear vertical height of 13 feet six inches; and for dual gates with a median, provide for a minimum clear opening width of sixteen (16) feet and a clear vertical height of thirteen feet six inches (13'6");
 - E) Incorporate an approved traffic pre-emption device on both sides of the gates as well as a Knox key switch. The gate is required to open with a radio frequency controlled by "Click-2-Enter";
 - F) The gate is required to fail in the open position with loss of power;

- G) A pedestrian gate is required within ten feet of the electric vehicular gates;
- H) The gates shall match the tubular steel fencing of the project.

In addition, all residents of the complex shall be provided with an automatic gate opening clicker (or equivalent device), one for each vehicle kept on site, to limit or avoid queueing backlogs for those vehicles trying to enter the complex. All gates and associated improvements shall be to the satisfaction of the Fire Chief, City Engineer and, Community Development Director.

If the applicant elects to not install the gates, the City standard commercial driveway Drawing #3-23 shall be constructed at both project entrances. (FIRE, PUBLIC SERVICES, PLANNING, ENGINEERING)

- e. The following off-site improvements:

As identified in the February 16, 2018 KD Anderson & Associates "Revised Access Assessment for Placer Creek Apartments on University Avenue, Rocklin, CA", left turn lane lengths of 170 feet shall be provided at the southbound left turn pocket at the apartment midblock access, space for 170 feet at the northbound left turn lane shall be reserved for the future retail commercial/office development on the west side of University Avenue, and 245 feet shall be provided at the southbound left turn access at the proposed intersection at the project's southern driveway (the noted turn lane lengths are the sum of the turn lane and bay taper). {MMXVI.-1}

- f. Improvement plans shall include landscape plans for new landscaping and modifications to existing landscaping in the public right-of-way (back of sidewalk and/or curb and the median) along / in University Avenue and Whitney Ranch Parkway.
 - i. The right-of-way landscape plans shall conform to the requirements of Condition 6, below, to the satisfaction of the Director of Public Services.
 - ii. Right-of-way landscaping at the back of walk and/or curb shall conform to Exhibit A and the plant palette shall be consistent with existing right-of-way landscaping in the vicinity, to the satisfaction of the Director of Public Services. Show existing, replaced/

relocated, and new right-of-way landscaping in the plans respectively.

- iii. As part of the median modifications specified in condition e. above, landscaping within the modified median shall be to the satisfaction of the Director of Public Services.
 - iv. Prior to construction of the project driveways on University Avenue, City irrigation mainline, laterals and irrigation wires shall be placed in sleeves and all affected irrigation zones shall be brought back to working order when the project is complete.
 - v. The existing irrigation box northeast of the project site along Whitney Ranch Parkway shall be repaired, to the satisfaction of the Director of Public Services.
 - vi. Existing street trees and plant materials shall be protected in place. If damaged or removed due to construction, they shall be replaced, like for like, as space allows and the irrigation system modified as needed. If existing landscaping, including trees and shrubs, must be removed to provide adequate line of sight from either the southern driveway or the main driveway a revised landscape plan shall be provided with the improvement plans including plants that will not impede line of sight.
 - vii. On the project side and the City side, add Walk-on Bark to existing and new landscape for a uniform look and to help refresh the frontage landscaping.
 - viii. Granite or moss rock boulders along the planting strips, consistent with existing features in the right-of-way landscaping.
 - ix. Before cutting into any City irrigation, the applicant shall contact the Landscape Inspector at least 24 hours in advance at 916-625-5577.
- g. 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.
- h. 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): (ENGINEERING)
- i. The prime contractor shall submit to the Placer County Air Pollution Control District (“PCAPCD”) 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 PCAPCD 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 PCAPCD 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.
 - v. All grading operations shall be suspended when fugitive dust emissions exceed PCAPCD 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 PCAPCD 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 PCAPCD Rule 202 Visible Emission limitations. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified by PCAPCD 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.
- i. The applicant shall comply with the following which shall be included as project notes on the improvement plans:
 - i. Prior to any grading activities or ground/vegetation-disturbing activities and/or prior to the issuance of Improvement Plans, the applicant/developer shall hire a qualified biologist to conduct a burrowing owl pre-construction take avoidance survey between 14 and 30 days prior to the commencement of construction, in accordance with the 2012 California Department of Fish and Wildlife Staff Report on Burrowing Owl Mitigation (2012 Staff Report) (CDFW 2012). The survey area shall include an approximately 500-foot buffer area around the footprint of work activities, where access is permitted. If the surveys are negative (no owls are found), then a letter report documenting the results of the survey shall be provided to the City of Rocklin Environmental Services Division and the project proponent for their records, and no additional measures are required. If construction does not commence within 14 days of the pre-construction survey, or halts for more than 14 days, a new survey shall be required.
 - ii. If active burrows are observed within 500 feet of the footprint of work activities, an impact assessment shall be prepared and submitted to the California Department of Fish and Wildlife (CDFW), in accordance with the 2012 Staff Report. Impacts shall be avoided by the establishment of a 250-foot buffer around each

burrow with an active nest until the young have fledged, or if development commences after the breeding season (typically February-August), passive relocation of the birds shall occur if determined applicable by the CDFW. If it is determined that project activities may result in impacts to nesting, occupied, and satellite burrows and/or burrowing owl habitat, the biologist shall consult with CDFW and develop a detailed mitigation plan such that the habitat acreage, number of burrows, and burrowing owls impacted are replaced. The mitigation plan shall be based upon the requirements set forth in Appendix A of the 2012 Staff Report. Mitigation acreage may be required for project impacts that result in permanent impacts to active burrows and foraging habitat. {MM IV.-1}

- j. The applicant shall comply with the following which shall be included as project notes on the improvement plans:

Prior to the approval of improvement plans or grading activity, the applicant shall mitigate for the loss of Swainson's hawk foraging habitat by providing 0.5 acre of replacement Swainson's hawk habitat land for each acre of land to be developed. The mitigation may be in the form of conservation easements or fee title to an appropriate entity. The location of the habitat area is encouraged, but not required to be within Placer County. Habitats located within the north half of the Central Valley, from the Stanislaus River to Redding shall be deemed acceptable. The applicant shall verify that this condition has been met to the satisfaction of the Community Development Director. {MM IV.-2}

- k. The applicant shall comply with the following which shall be included as project notes on the improvement plans:

- i. The applicant/developer shall attempt to time the removal of potential nesting habitat for raptors and migratory birds to avoid the nesting season (February 1 through September 15.).
- ii. If tree and vegetation removal and/or project grading or construction activities would occur during the nesting season for raptors and migratory birds (February-August), 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 tree and vegetation removal 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 tree and vegetation removal activities,

documentation of the survey shall be provided to the City of Rocklin Public Services Department and if the survey results are negative, no further mitigation is required and necessary tree and vegetation removal may proceed. If there is a break in construction activities of more than 14 days, then subsequent surveys shall be conducted.

- iii. 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 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.
 - iv. If construction 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.-3}
- I. The applicant shall comply with the following which shall be included as project notes on the improvement plans:
- i. 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 potentially significant as per the California Environmental Quality Act (CEQA) (i.e., whether it is a historical resource, a unique archaeological resource, or a unique paleontological resource, or a tribal cultural resource) 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 for significant or potentially significant resources 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 (California Code of Regulations, Title 14, Division 6, Chapter 3) for preserving or otherwise mitigating impacts to archaeological and cultural artifacts and tribal cultural resources.

- ii. 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, which in turn will inform a 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 AB2641 (2006). {MM V.-1}

- m. The applicant shall comply with the following which shall be Included as project notes on the improvement plans:

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.

5. 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 SERVICES)

6. Landscaping

- a. Final landscape plans shall be provided by the developer and approved by the Community Development Director. The landscape plans shall comply with the following requirements: (PLANNING)
 - i. The landscaping plan shall be prepared by a landscape architect and shall include:
 - A) A legend of the common and botanical names of specific plant materials to be used. The legend should indicate the size of plant materials:
 - 1) 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. Plant varieties shall be provided in the largest nursery container locally available regardless of which category and of what size they are shown in the Plant Schedule.
 - 2) To achieve compliance with Exhibit A and the Design Review Guidelines, plant quantities shall be adjusted, if needed, at the determination of the Community Development Director.
 - B) A section diagram of proposed tree staking.

- C) An irrigation plan including an automatic irrigation system. The plan shall include drip irrigation wherever possible.
 - D) Provision for the shading of parking lot pavement, including parking spaces, driveways, drive aisles, and backing and maneuvering areas, by shade trees of appropriate size(s) and characteristic(s) planted in locations to achieve a minimum of 50% shading within 15 years (at maturity).
 - E) If needed to maintain access for SPMUD equipment at manholes, trees shall be shifted to provide 12.5 feet clear diameter of the tree canopy (assumed mature, healthy canopy), measured from the center of the manhole.
 - F) Final planting plans shall be consistent with the approved Plant Legend and shall provide for a mix of plant types and varieties to achieve the same overall visual affect as the approved landscape plan.
 - G) Detailed planting plans for the project entries and the corner at University Avenue and Whitney Ranch Parkway that provide design features to enhance the project's image, consistent with the Design Review Guidelines and to the satisfaction of the Community Development Director.
 - H) Granite or moss rock boulders along the planting strips adjacent to the public street frontages consistent with those in the existing right-of-way landscaping.
- ii. The plan shall be certified by the landscape architect that the landscape plan meets the requirements of the Water Conservation and Landscaping Act (Government Code §65591, et seq.)
 - b. The parking lot lighting plan shall be designed to accommodate the required shade trees and provide for illumination of the parking areas. Light standards and underground utilities shall be located such that required parking lot shade trees can still be planted. (ENGINEERING, BUILDING, PLANNING)
 - c. All landscaping shall be installed and the landscape architect shall certify, in writing, that the landscaping and irrigation system have been installed

in full compliance with the approved plans prior to issuance of a Certificate of Occupancy. (PLANNING)

7. Landscaping Maintenance Agreement

Prior to issuance of the Certificate of Occupancy, the property owner shall enter into an agreement with the City of Rocklin regarding the providing for the maintenance of landscaping within the public rights-of-way along University Avenue and Whitney Ranch Parkway. The agreement shall stipulate that the City of Rocklin shall maintain the irrigation system and the property owner shall maintain 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. (ENGINEERING, PUBLIC SERVICES)

8. Signage

- a. All signs shall conform to the Sign Ordinance of the City of Rocklin, Design Review Guidelines, and the sign design(s) and location(s) as shown on Exhibit A. A third project entry sign is not shown, but would be allowable subject to these conditions of approval. (PLANNING)
- b. Project signage shall be substantially similar to Exhibit A and compatible with the project architecture, to the satisfaction of the Community Development Director. (PLANNING)
- c. If the project signs are to be externally illuminated, ground mounted lighting shall comply with the following, to the satisfaction of the Community Development Director: (PLANNING)
 - i. The light source shall be designed and oriented so that it shines only on the sign itself and not into the sky or elsewhere, and
 - ii. The light source itself shall be screened, with a permanent physical barrier, such that it is not visible from the adjacent streets or driveways.
- d. Internal or integrated light sources shall not create adverse glare on the adjacent public right-of-way or project driveway(s).
- e. Final sign design shall incorporate the project street number to the satisfaction of the Fire Chief. (PLANNING, FIRE)

9. Architecture

The architecture, colors, and materials of the project shall be as shown in Exhibit A, to the satisfaction of the Community Development Director. (PLANNING, BUILDING)

10. Public Art Installation

- a. A public art piece for this project shall be developed and installed in conjunction with a coordinated art program for the “Placer Creek” properties (Placer Creek Apartments and Northwest Rocklin Highway 65 Development Areas 106A and 107A). (PLANNING, BUILDING, PARKS & RECREATION)
- b. Improvement and building permit plans shall reflect the anticipated location of the future public art installation on the project site near the monument sign at the corner of University Avenue and Whitney Ranch Parkway. A change of location shall be approved by the Community Development Director prior to submittal to the Art Task Force or the Parks, Recreation and Arts Commission for approval, whichever comes first, to ensure no conflicts with utilities, other improvements, landscaping, etc., and the installation is in a publicly accessible area. (ENGINEERING, BUILDING, PLANNING)
- c. Illumination, if any, of the public art shall be mounted in-ground (flush) and/or shielded so that the light source and any glare is shielded from University Avenue and Whitney Ranch Parkway and so that the light is projected onto the art element(s) only. (BUILDING, PLANNING)

11. Recreation Amenities

Prior to building permit issuance, the designs, colors and materials for the common areas’ amenities, including but not limited to the pool area enclosure, cascading water feature, outdoor fireplace, dog park fence, cabana, and outdoor kitchen island, shall be reviewed and approved by the Community Development Director. The designs, colors and materials for the common area amenities shall be in substantial compliance with Exhibit A and shall be complementary to the project as a whole. If no building permit is required for an amenity, the applicant shall submit plans including site plan, elevations, and color and material information for review and approval by Planning prior to final inspection of the first building permit. (PLANNING, BUILDING)

12. Screening of Mechanical Equipment

- a. The appearance of large utility features such as double detector check valves shall be minimized through the use of utility blankets or other acceptable screening methods. The developer shall also demonstrate that these facilities have been located as far as possible from the public right-of-way. (PLANNING)
- b. All mechanical equipment, whether ground- or roof-mounted shall be screened from view from all public vantage points, to the satisfaction of the Community Development Director. The design of any screening shall be in harmony with the architectural design of the building; the material(s) shall be durable and low-maintenance, not wood. (PLANNING)

13. Site and Architectural Lighting

The lighting design plan shall be approved by the Community Development Director for compliance with this condition. (PLANNING, BUILDING)

- a. All exterior building, site, and parking lot lighting shall be designed and installed to avoid adverse glare on adjacent properties. Decorative lighting fixtures consistent with Exhibit A, or approved equivalent compatible with the project architecture, shall be used and mounted such that all light is projected directly toward the ground. Parking lot lights shall be shielded if needed to prevent glare.
- b. Light poles shall be a maximum of 20 feet in height as measured from grade to the top of the light fixture (not the arm or the post).
- c. Carport light fixtures shall be recessed within the roof structure such that the source is not visible and does not cause adverse glare from the drive aisles.

14. Air Quality

- a. Electrical receptacles shall be installed in the front and back exterior walls of the buildings to promote the use of electrical landscaping equipment. (BUILDING, PLANNING)
- b. Low nitrous oxide (NO_x) natural gas hot water heaters shall be installed if gas hot water heaters are to be used in this project. (BUILDING, PLANNING)
- c. Prior to the issuance of building permits, the applicant shall demonstrate that exterior woodburning appliances such as fireplaces, pellet stoves,

and woodstoves to be installed are California Environmental Protection Agency (EPA) certified. (BUILDING, PLANNING)

- d. Fireplaces within the residential units shall be plumbed for natural gas and wood-burning fireplaces shall be prohibited. (BUILDING, PLANNING)
- e. Developer shall participate in the Placer County Air Pollution Control District's Offsite Mitigation Program. Fees for Multi-family dwelling units shall be collected by the Placer County Air Pollution Control District prior to building permit issuance. Applicant shall submit a receipt from PCAPCD to the City as proof of fee payment prior to building permit issuance. (BUILDING, PLANNING)

15. Construction Noise and Noise Mitigation

- 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 their opinion, special and unusual circumstances exist that make strict adherence to the Construction Noise Guidelines infeasible. (ENGINEERING, BUILDING)
- d. The developer shall provide a Noise Coordinator and adhere to the following: (ENGINEERING, BUILDING)
 - i. As a function of on-site project management, an on-site Noise Coordinator shall be employed by the developer, and their name and telephone number along with instructions on how to file a noise complaint shall be posted conspicuously around the project site, and at all vehicle entrances to public streets, during all project construction phases. The posted signage shall include the construction hours allowed by City policy and shall be sized large enough to include 3-inch tall lettering.

- ii. The Noise Coordinator's duties shall include fielding and documenting noise complaints, determining the source of the complaint (e.g., piece of construction equipment), determining whether noise levels at the project boundary are within acceptable limits consistent with the General Plan hourly noise standards and with this condition (see 14.c. above), and reporting complaints to the City with documented noise levels at the time of complaint via email.
 - iii. The Noise Coordinator shall work, to the extent feasible, with the surrounding residents and project contractors to schedule activities to minimize disturbance of residents during the daytime hours. Prior to commencement of any night time work, approval from the Community Development Director is required. The request for approval shall be submitted not less than 72 hours in advance of the work commencing and the Noise Coordinator shall provide documentation of notification to the neighboring property owners.
- e. Prior to approval of a building permit, the developer shall demonstrate that the dwelling units directly facing Whitney Ranch Parkway comply with the following: {MM XII.-1} (BUILDING)
- i. Exterior glazing and doors shall have a minimum Sound Transmission Class (STC) rating of 35 for rooms located at the corner of a building;
 - ii. Exterior glazing and doors shall have a minimum STC rating of 33 for rooms that are not located at the corner of a building;
 - iii. Building facades shall include use of three-coat stucco or siding with minimum 1/2" exterior sheathing or equivalent weight;
 - iv. Interior gypsum at exterior walls shall be 5/8" hung on resilient channel (RC);
 - v. Mechanical ventilation shall be installed to allow residents to keep doors and windows closed, as desired for acoustical isolation;
 - vi. No Packaged Terminal Air Conditioners (PTAC) shall be used;
 - vii. In lieu of these measures, an interior noise control report may be prepared by a qualified acoustic engineer demonstrating that the

proposed building construction would achieve the interior noise reduction requirement of 27 dBA.

16. Security

- a. Prior to building permit issuance, the applicant shall prepare a security plan for review by the Rocklin Police Department including the name(s) and telephone number(s) of a responsible party to contact (e.g. the property owner, the property manager, etc.). (POLICE, BUILDING)
- b. Prior to building / unit occupancy the property owner, or each tenant, shall obtain and maintain at all times, an Alarm System Permit for each security system installed and operated in the complex, if any, in accord with the requirements of Chapter 9.44 of the Rocklin Municipal Code. (POLICE)

17. Maintenance

- a. The property owner shall remove within 72 hours all graffiti placed on any fence, wall, existing building, paved area or structure on the property consistent with the provisions of Rocklin Municipal Code Section 9.32. Prior to removal of said graffiti, the property owner shall report the graffiti vandalism to the Rocklin Police Department. (PLANNING, POLICE)
- b. The project, including but not limited to paving, landscaping, structures, and improvements shall be maintained by the property owners, to the standard of similarly situated properties in equivalent use zones, to the satisfaction of the Community Development Director. (PLANNING)

18. Outdoor Storage

All incidental and miscellaneous outdoor storage areas shall be completely screened from public view by a decorative masonry or concrete wall or approved equal. All gates shall be solid and view obstructing, constructed of metal or other durable and sturdy materials acceptable to the Community Development Director. (PLANNING)

19. Parks

- a. Park fees shall be paid as required by Rocklin Municipal Code Chapter 17.71 and Chapter 16.28. The amount of the current fee per multi-family unit is currently \$1,648. (BUILDING)
- b. Community Park Fees shall be paid as required by City Council Resolution No. 99-82. The amount of the fee per multifamily dwelling unit is

currently \$569. If the developer has not applied for the respective building permit on or before December 31, 2022, starting January 1, 2023, the developer shall instead pay the Park Improvement Impact Fee, the Trail Impact Fee, and the Community and Recreation Facilities Impact Fee pursuant to Article VI of Rocklin Municipal Code Chapter 3.16 and City Council Resolution No. 2022-144.

Beginning in 2023, the Park Improvement, Trails, and Community and Recreation Fees, as applicable to the project as proposed, are as follows:

- For a residential unit that is between 600 and 1,000 square feet: \$2,399.50 Park Improvement Fee, \$106.82 Trail Fee, and \$463.41 Community and Recreation Fee.
 - For a residential unit that is greater than 1,000 and up to 1,500 square feet: \$3,831.46 Park Improvement Fee, \$170.56 Trail Fee, and \$739.96 Community and Recreation Fee. (BUILDING)
- c. Northwest Rocklin Community Park Fee shall be paid in the amount of \$2,209 per unit, consistent with the Northwest Rocklin Community Park Fee in the adopted City of Rocklin Fee Schedule. (BUILDING)

20. North West Rocklin Fees

Prior to issuance of a building permit, the developer shall pay all reimbursements associated with the subject property as reflected in the most current version of the North West Rocklin Annexation Area Public Facilities Financing and Phasing Plan and the allocation plan prepared for the Whitney Ranch Professional Park Tentative Parcel Map. (DL-2008-04), including but not limited to:
(PLANNING, FINANCE)

- a. Payment of the Northwest Rocklin Sewer Trunk Line Project Facilities Fee:

Prior to issuance of a building permit, the developer shall pay the Northwest Rocklin Sewer Trunk Line (upgrade) fee of \$268 per residential unit, as required by Resolution 2013-200. (PLANNING, BUILDING, FINANCE)

- b. Payment of Whitney Interchange Fee:

Prior to issuance of a building permit, the developer shall pay the Whitney Interchange fee for BP/C designated parcels within the Highway 65 / William Jessup University Planning Area of \$35,719 per acre, as required by Ordinance 932 and Resolution 2015-2. (PLANNING, BUILDING, FINANCE)

c. Payment of North West Rocklin Reimbursement Obligations:

Prior to issuance of a building permit, the developer shall pay all applicable North West Rocklin Annexation Area (NWRAA) Reimbursement Obligations associated with the subject property as reflected in the most current version of the Northwest Rocklin Annexation Area Public Facilities Financing Plan 2008 Update and Phasing Plan. (PLANNING, BUILDING, FINANCE)

21. Phasing

a. If project site improvements are to be phased, as part of the improvement plans, a phasing plan showing the sequence of site improvements shall be submitted for review and approval by the Community Development Director and the City Engineer. The Community Development Director and the City Engineer may condition the phasing to ensure each phase shall function independently. Landscaping along the entire street frontage(s) may be required for design continuity and consistency of plant growth. (ENGINEERING, BUILDING, PLANNING)

b. Prior to issuance of a building permit for the first building, provide a Project Phasing Plan for approval that shows:
(BUILDING, PLANNING, FIRE, ENGINEERING)

- The building or buildings to be constructed and all appurtenant structures (walls, fencing, site amenities, etc.) with each phase;
- A Temporary Fencing Plan that shows how the residents of the occupied units will be kept from entering active construction areas;
- Emergency Vehicle Access through the site and available fire suppression services for each phase to be approved by the Fire Department;
- The portion of onsite landscaping and irrigation to be completed with each phase;
- Generally, all frontage and entry landscaping at both entries unless it is demonstrated that ongoing construction would damage plants or the irrigation system. Entry landscaping shall be shown as completed no later than the final phase of construction. All of the landscaping within the SPMUD easement shall be installed no later than the adjacent phase of homes. (BUILDING, PLANNING)

22. Special

- a. Prior to Building Permit issuance for the first structure, 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. (PLANNING, BUILDING)
- b. Prior to Building Permit issuance for the first structure, a Lot Line Merger (LLM) shall be approved in a configuration consistent with the approved project and the development standards of the underlying zoning district, as shown in Exhibit A. (PLANNING, BUILDING, ENGINEERING)
- c. If the developer has not applied for the respective building permit(s) on or before December 31, 2022, starting January 1, 2023, the developer shall pay the appropriate Public Facilities Impact Fee required by City Council Resolution 2022-144. The relevant fee per unit which is scheduled to become effective in 2023 is \$1,025.67 per residential unit that is between 600 and 1,000 square feet, and \$1,637.77 per residential unit that is greater than 1,000 and up to 1, 500 square feet. (BUILDING, FINANCE, PLANNING)

23. Monitoring

Prior to approval of the improvement plans or any grading on the property, the developer/owner 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)

24. Indemnification and Duty to Defend

Within 15 days of approval of this entitlement by the City, the developer 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 within the time period provided for in Section 66499.37 of the Government Code. 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 within 30 days. (CITY ATTORNEY)

25. Validity

- a. This entitlement shall expire three years from the date of approval unless prior to that date a building permit has been issued or a time extension has been granted. (PLANNING)
- b. This entitlement shall not be considered valid and approved unless and until the concurrent General Development Plan Amendment (PDG2022-0005) and Rezone (Z2017-0006) have been approved. (PLANNING)

PASSED AND ADOPTED this 25th day of October, 2022, by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:
ABSTAIN: Councilmembers:

Bill Halldin, Mayor

ATTEST:

Hope Ithurnburn, City Clerk

EXHIBIT A

Placer Creek Apartments
DR2017-0006

Available at the Community Development Department, Planning Division