

RESOLUTION NO. 2022-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKLIN APPROVING  
A SMALL LOT TENTATIVE SUBDIVISION MAP

(Whitney Ranch Unit 49 / SD2021-0003)

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. Tentative Subdivision Map (SD2021-0003) allows the subdivision of approximately 19.9 gross acres into sixty (60) single-family residential lots and three (3) lettered landscape lots to be dedicated to the City.

B. The City Council has considered the effect of the approval of this subdivision on the housing needs of 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 the construction of sixty (60) additional single-family home sites on a property which was originally designated for a school with underlying single-family zoning. The construction of these units would increase housing availability.

C. The proposed subdivision, together with the provisions for its design, is consistent with the proposed zoning classification, Planned Development 3.3 dwelling units per acre (PD-3.3C), and with the concurrent North West Rocklin Annexation Area General Development Plan Amendment (PDG2021-0003) proposed for the property.

D. The proposed subdivision, together with the provisions for its design, is consistent with the objectives, policies, general land uses and programs in the City of Rocklin's General Plan as modified by the concurrent Whitney Ranch Unit 49 General Plan Amendment (GPA2021-0004). The project site currently has a land use designation of Public/Quasi Public (PQP). The creation of sixty (60) lots would be consistent with the proposed Low Density Residential (LDR) land use designation.

E. The site is physically suitable for the proposed type and density of development. The site slopes generally north-south/east-west. All utilities and other services are available and located within close proximity to the site.

F. The design of the subdivision is not likely to cause substantial environmental damage, nor will it substantially and avoidably injure fish or wildlife or their habitat. The

project is on an infill site substantially surrounded by single-family homes and accessed by existing roads.

G. The design of the subdivision will not cause serious public health problems. The project would facilitate construction of sixty (60) additional single-family residential homes on an approximately 19.9-acre site. The site is bordered on all sides by existing single-family residential neighborhoods and is served by existing roadways. Construction of sixty (60) additional single-family homes would be consistent with surrounding development and would not cause serious public health problems.

H. 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. Future development would be consistent with easements and surrounding residential neighborhoods.

I. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities. Future construction of homes would be required to be consistent with then current energy requirements.

Section 2. The proposed Whitney Ranch Unit 49 project, including its related land use entitlements, was analyzed as required by the California Environmental Quality Act (CEQA) as a part of the Northwest Rocklin Annexation Area EIR and associated Addendum, approved and certified by City Council Resolutions No. 2002-230 and 2008-252, respectively. Pursuant to Public Resources Code Section 21166 and Section 15162 of California Code of Regulations, Title 14, Division 6, Chapter 3 (CEQA Guidelines), no further environmental review of the Whitney Ranch Unit 49 project is required, nor should be conducted, since the project is within the scope of the Northwest Rocklin Annexation Area EIR and associated Addendum which adequately describes these activities for purposes of CEQA for the following reasons:

A. No new significant environmental effects nor any substantial increase in the severity of previously identified significant effects will occur from the Whitney Ranch Unit 49 project;

B. No substantial changes occur with respect to the circumstances under which the project will be undertaken which will require major revisions of the previous EIR or Addendum due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

C. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR or Addendum were certified as complete, shows any of the following:

i) That the project will have one or more significant effects not discussed in the previous EIR;

ii) That significant effects previously examined will be substantially more severe than shown in the previous EIR;

iii) That mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.

iv) That mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects of the environment, but the project proponents declined to adopt the mitigation measure or alternative.

Section 3. The tentative subdivision map (SD2021-0003) as depicted in Exhibit A, attached hereto and by this reference incorporated herein, is recommended for approval by the City Council subject to the conditions listed below. Unless otherwise expressly stated, the subdivider is solely responsible for satisfying each condition, and each of these conditions must be satisfied prior to or concurrently with the submittal of each final map with the City Engineer for the purpose of filing with the City Council.

The approved Exhibit A shall govern the design and construction of the project. Any condition directly addressing an element incorporated into Exhibit A shall be controlling and shall modify the Exhibit. All other plans, specifications, details, and information contained within Exhibit A shall be specifically applicable to the project and shall be construed as if directly stated within the condition for approval. Unless expressly stated otherwise, the applicant is solely responsible for satisfying each condition prior to approval of each final map.

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 Surewest 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)

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. (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 Placer County Water Agency. (FIRE, PCWA)

- 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. Alternatively, at the discretion of the City Engineer the subdivider may be permitted to execute the City's standard form subdivision improvement agreement and provide 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. The complete text of the project's Subdivision conditions of approval.
- b. 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. Project drainage and stormwater treatment shall be provided consistent with the Northwest Rocklin Master Drainage Plan. Project drainage shall be collected and treated prior to discharging to the applicable drainage basin per the Master Drainage Plan.
  - ii. A grading plan and final geotechnical investigation/report shall be included with the subdivision improvement plans. The grading of the lots often involves a cut/fill situation that has the possibility to result in differential settlement. The geotechnical investigation/report shall specifically explore this issue and provide recommendations as applicable in the report to

ensure that structures constructed on the lots do not experience significant differential settlement. The geotechnical investigation shall be prepared by a professional engineer or geologist registered in the State of California in accordance with State regulations and to the satisfaction of the City. The City shall ensure recommendations pertaining to site preparation, construction, and building and roadway design are identified in the geotechnical report and are incorporated into each project design through the plan check and inspection process. (ENGINEERING)

- iii. Development, through onsite or offsite retention or detention or otherwise, shall not result in a net increase in the volume of stormwater flows, as compared to undeveloped conditions downstream. Development (including preliminary development activity on the site) that will result in a net increase in the volume of stormwater flows, as compared to undeveloped conditions, downstream shall be prohibited until appropriate detention/retention facilities designed to accommodate the increased flow is available to receive the flow or on or off-site retention or detention is provided. To be “available to receive the stormwater flows” from the site of the development, the detention/retention facility must be constructed and in operation, and the owner of the development site must have the right to use the facility on a permanent basis for this purpose. (ENGINEERING)
- iv. The storm drainage plan shall be prepared and submitted prior to or concurrently with the subdivision improvement plans. The plan shall contain the following: (ENGINEERING)
  - A) Provisions for detaining run off at pre-development levels;
  - B) Individual lot drainage, with individual lot drainage features, such as lined drainage swales, being included in the improvement plans;
  - C) Location and specifications of on-site or off-site detention/retention basins.
- v. All necessary drainage easements shall be shown and offered for dedication (or Irrevocable Offer of Dedication provided) on or with the final map. (ENGINEERING)
- vi. All storm drainage run-off from site shall be collected into a City standard sand and oil trap manhole, approved vegetated swale (or an equal as approved by the City Engineer) prior to discharge of storm run-off offsite. Applicant shall design storm drain facilities to the satisfaction of the City Engineer.

- vii. 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.
- viii. 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 runoff, consistent with goals and standards established under Federal and State non-point source discharge regulations (National Pollutant Discharge Elimination System permit) and Basin Plan water quality objectives. Storm water runoff 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.

- ix. 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.
- x. Flat top drainage inlets will not be accepted unless approved by the City Engineer. Drainage inlets shall be placed at lot lines. Drainage inlets placed in front of driveways will not be accepted. (ENGINEERING)
- xi. All drain pipe outfalls at detention/retention ponds shall be designed per City Engineer requirements. (ENGINEERING)
- xii. All drainage outfalls must go through sand and oil separators or other water quality treatment system acceptable to the City. (ENGINEERING)
- xiii. As determined appropriate, some water quality treatment facilities can be storm drain inlet type storm water quality control structures. (ENGINEERING)

- xv. 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.
  - xvi. 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.
- c. 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.
- d. 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, if applicable.
- e. 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, sewer, 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.
- f. The following subdivision improvements shall be designed, constructed, and/or installed:
- i. The following on-site improvements:

*Retaining Walls*

- A) Individual lot side yard and rear yard retaining walls may be tan or grey segmental block or concrete masonry unit (CMU) if they are not visible from the public or private right-of-way or a public vantage point (such as trails). Retaining walls located within any street side yards shall be split face in appearance on the side exposed to public view. Wood retaining walls are not allowed in any locations where retaining walls are installed by the subdivider.
- B) All retaining walls within City public rights-of-way shall have a design to convey base of wall drainage such that no drain water will

flow over the sidewalk. Each situation will be evaluated based on specific site characteristics. Possible solutions could include under sidewalk drains or connection to the adjacent street storm drain system.

- C) All retaining walls in individual lots within street side yards, side yards between individual lots and at the rear of lots shall contain drains with drain stub outs. All drain stub outs shall be as-built to provide the home builder with accurate information so the home builder can connect the retaining wall drain to the lot drain system.

#### *Streetlights*

- D) Decorative residential street lights as used in Whitney Ranch Phases I and II shall be installed on all streets within the subdivision. Lighting installation and wiring shall comply with all applicable City standards. Replacement parts shall also be provided to the City to the satisfaction of the Director of Public Services. (PUBLIC SERVICES)
  - 1) If needed, additional streetlights (e.g. at the knuckle of Streets B and C) and/or pedestrian level lighting (e.g. lighted decorative bollards) shall be installed in conjunction with the pedestrian ramp to ensure the minimum required footcandles for path of travel on the ramp is provided. (BUILDING, PLANNING)
  - 2) Consistent with the Northwest Rocklin General Development Plan (Ord. 858) Exhibit B Conditions of Approval, Condition J. Visual Resources, lighting shall be designed to the extent practicable to incorporate downcast lighting, shielding, and other measures commonly employed as “dark sky” provisions. Lighting shall be reviewed by the Community Development Director for compliance with this condition. (PLANNING)

#### *Street Sign Poles and Brackets*

- E) Decorative street sign poles and brackets consistent with those installed in Whitney Ranch Phases I and II shall be installed on all streets within the subdivision. Replacement parts shall also be provided to the City to the satisfaction of the Director of Public Services.

*Walls and Fences*

- F) All masonry walls shall be in substantial compliance with Exhibit A, with pilaster spacing no greater than 80 feet on center.

*Bollards*

- G) Bollards consistent with those installed in Whitney Ranch Phases I and II shall be installed.

*No Parking Signs*

- H) No parking signs shall be provided at the two entries, consistent with similar entry configurations in earlier phases. No parking signs shall also be provided at the knuckle intersection of Streets B and C in the vicinity of the paseo/pedestrian ramp.

ii. The following off-site improvements:

- A) Frontage improvements along Songbird Way and Whitney Ranch Parkway in substantial compliance with Exhibit A to the satisfaction of the City Engineer and Director of Public Services.
- B) Decorative arterial street lights as used in Whitney Ranch Phases I and II shall be installed on all streets which the project fronts on. Lighting installation and wiring shall comply with all applicable City standards. Replacement parts shall also be provided to the City, to the satisfaction of the Director of Public Services.
- C) Details for decorative paving, ramp railings, and pedestrian bench elements of the pedestrian ramp and paseo shall be consistent with similar features in other areas of Whitney Ranch Phases I and II and shall be included in the improvement plans for review and approval by staff prior .
- D) Intersection improvements along Old Ranch House Road including the installation of a 3-way stop and a crosswalk at the Creek Hollow Road/Old Ranch House Road intersection and installation of a crosswalk at the Songbird Way/Old Ranch House Road intersection, and any advanced warning signs for the crosswalks, if required per the California Manual of Uniform Traffic Control Devices based on the sight distance and geometry of the roadway, generally consistent with Exhibit A and to the satisfaction of the City Engineer and Director of Public Services.

iii. Landscape and irrigation plans shall be in substantial conformance with Exhibit A and shall comply with the following, to the satisfaction of the Director of Public Services: (ENGINEERING, PUBLIC SERVICES, PLANNING)

A) Landscaping to be installed in the following areas:

- 1) Lots A, B, and C
- 2) Project frontage along Songbird Way and Whitney Ranch Parkway
- 3) Within the median(s) in Songbird Way

B) 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.
- 4) Use of granite or moss boulders along the planting areas.
- 5) Six (6) inch mow strips as needed at property boundaries to delineate the public right-of-way.

- 6) Certification by the landscape architect that the landscape plans meet the requirements of the Water Conservation in Landscaping Act. (Government Code §65591, et seq.)
  - 7) 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.
  - 8) Landscaping in the open space areas adjacent to the public rights-of-way shall provide for a mix of drought tolerant trees, shrubs, and groundcovers.
- C) All landscaping improvements shall be constructed and/or installed prior to submitting the final map for filing with the City Council, unless, at the City Engineer's discretion, 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.
  - D) The subdivider shall maintain the landscaping and irrigation systems for one year from the date the landscaping is accepted by the City, without reimbursement. The subdivider shall apply for and obtain an encroachment permit to do any maintenance in the public right-of- way until such time as the City takes over maintenance of the landscaping.
- g. 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), including landscape Lots A, B, and C. (ENGINEERING)
  - h. Improvement plans shall contain provisions for dust control, revegetation of disturbed areas, and erosion control. If an application for a grading permit is made prior to execution of a subdivision improvement agreement, it shall include an erosion control plan and shall be accompanied by financial security to ensure implementation of the plan. (ENGINEERING)

i. 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 (PCAPCD).
- ii. Prior to approval of Grading or Improvement Plans, whichever occurs first, the applicant shall provide a written calculation to the 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)
- iii. Provisions for dust control, re-vegetation of disturbed areas, and erosion control, in conformance with the requirements of the City of Rocklin, and the Northwest Rocklin General Development Plan (Ord. 858) Exhibit B Conditions of Approval, Condition D. Air Quality, including but not limited to the following (which shall be included in the project notes on the improvement plans): (ENGINEERING, PCAPCD)
  - A) The prime contractor shall submit to the 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 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 PCAPCD with the anticipated construction timeline including start date, name, and phone number of the property owner, project manager, and on-site foreman.

- B) 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.
- C) During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel powered equipment.
- D) Traffic speeds on all unpaved road surfaces shall be posted at 15 mph or less.
- E) 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.
- F) 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.
- G) 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.
- H) The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) are excessive and dust is impacting adjacent properties.
- I) 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.
- J) All construction equipment shall be maintained in clean condition.

- K) 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).
- L) All exposed surfaces shall be revegetated as quickly as feasible.
- M) 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.
- N) 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.
- O) 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.
- P) 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).
- Q) 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.
- R) 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.
- S) Any diesel-powered equipment used during project construction shall be Air Resources Board (ARB) certified.

j. Noise

- i. The following shall be conditions of construction activity and included in the Improvement Plan Notes, consistent with the Northwest Rocklin General Development Plan (Ord. 858) Exhibit B Conditions of Approval, Condition E. Noise: (ENGINEERING, PUBLIC SERVICES, BUILDING)
  - A) All heavy construction equipment and all stationary noise sources (such as diesel generators) shall have manufacturer installed mufflers.
  - B) Equipment warm up areas, water tanks, and equipment storage areas shall be located in an area as far away from existing residences as feasible.
  - C) Those engaged in construction activity shall comply with 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 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.
- ii. The developer shall provide a Noise Coordinator and adhere to the following: (ENGINEERING, BUILDING)
  - A) 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.
  - B) 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 Section 3.B.4.j.i.C of this Resolution above), and reporting complaints to the City with documented noise levels at the time of complaint via email.

- C) 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 required by the City or utility companies, approval from the Community Dev 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.

k. Public Safety and Hazards

The following shall be conditions of construction activity and included in the Improvement Plan Notes, consistent with Exhibit B Conditions of Approval for the Northwest Rocklin General Development Plan (Ord. 858), Condition I. Public Safety and Hazards: (ENGINEERING, PUBLIC SERVICES)

- i. If evidence of soil contamination, such as stained or odorous soils, or other evidence of hazardous materials is encountered during construction or development activities, work shall cease until an environmental professional, retained at the applicant's expense, has evaluated the situation and identified necessary and appropriate follow-up actions. As part of this process, the City shall ensure that any necessary investigation and/or remediation activities conducted in the project area are coordinated with Placer County Division of Environmental Health, and, if needed, other appropriate State agencies. (PLACER COUNTY DIVISION OF ENVIRONMENTAL HEALTH)
- ii. If, during construction in the project area, groundwater is encountered and dewatering activities are required, the water shall be analyzed by an environmental professional, retained at the applicant's expense, to determine if the water contains unsafe levels of pesticides, herbicides, nitrates, or other contaminants. Work shall not continue until results of the water analyses have been reported and the Placer County Division of Environmental Health has been informed of the results and has provided guidance. (PLACER COUNTY DIVISION OF ENVIRONMENTAL HEALTH)
- iii. All applicable recommendations of the Phase I Environmental Site Assessment prepared for the project site (Sunset Ranchos) shall be implemented to ensure that the potential environmental conditions associated with the properties do not present a health and safety hazard to the environment, the site workers, or the public. The recommendations include, but are not limited to, confirmation as to whether illegally applied

pesticides, herbicides, or nitrates are present in soil and water on the property, investigation of potential heating oil tanks or hazardous building materials associated with on-site residences, and further investigation of trash pits at the development site. Additional site investigations shall be coordinated with the Placer County Division of Environmental Health and any required remediation shall be completed. (PLACER COUNTY DIVISION OF ENVIRONMENTAL HEALTH)

I. Geology, Soils, and Seismicity

- i. The following shall be conditions of construction activity and included in the Improvement Plan Notes, consistent with the Northwest Rocklin General Development Plan (Ord. 858) Exhibit B Conditions of Approval, Condition L. Geology, Soils, and Seismicity: (ENGINEERING, PUBLIC SERVICES)
  - A) 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.
- ii. 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. Construction Traffic

Construction traffic associated with development of the Whitney Ranch Unit 49 shall utilize Whitney Ranch Parkway from the west to access the site. This route is to be used by both heavy equipment and individual construction workers. Limited construction access on West Oaks Boulevard may be permitted for special activities subject to approval in advance by the City of Rocklin Public Services Director. Information regarding these restrictions and requirements shall be included in all improvement plans and contractor agreements. (ENGINEERING, PUBLIC SERVICES)

n. Cultural Resources

The following shall be conditions of construction activity and included in the Improvement Plan Notes, consistent with Exhibit B Conditions of Approval for the Northwest Rocklin General Development Plan (Ord. 858), Condition K.  
Cultural Resources: (ENGINEERING, PUBLIC SERVICES)

- i. If, during construction, the project applicant, any successor in interest, or any agents or contractors of the applicant or successor discovers a cultural resource that could qualify as either an historical resource or a unique archaeological resource, work shall immediately stop within 100 feet of the find, and both the City of Rocklin and a representative of the Indian Community shall be immediately notified. Work within the area surrounding the find (i.e., an area created by a 100-foot radius emanating from the location of the find) shall remain suspended while a qualified archaeologist, retained at the applicant's expense, conducts an onsite evaluation, develops an opinion as to whether the resource qualifies as either an historical resource or a unique archaeological resource, and makes recommendations regarding the possible implementation of avoidance measures or other appropriate mitigation measures. Based on such recommendations, as well as any input obtained from the Indian Community within 72 hours (excluding weekends and State and federal holidays) of its receipt of notice regarding the find, the City shall determine what mitigation is appropriate. If the discovered cultural resource is not a Native American artifact, a Native American site, an historical resource, or a unique archaeological resource, the City shall not require any additional mitigation, consistent with the policies set forth in Public Resources Code sections 21083.2 and 21084.1.

At a minimum, any Native American artifacts shall be respectfully treated and offered to the Indian Community for permanent storage or donation, at the Indian Community's discretion, and any Native American sites, such as grinding rocks, shall be respectfully treated and preserved intact. In considering whether to impose any more stringent mitigation measures, the City shall consider the potential cost to the applicant and any implications that additional mitigation may have for project design and feasibility. Where a discovered cultural resource is neither a Native American artifact, a Native American site, a historical resource, nor a unique archaeological resource, the City shall not require any additional mitigation, consistent with the policies set forth in Public Resources Code sections 21083.2 and 21084.1.

ii. If, during construction, the project applicant, any successor in interest, or any agents or contractors of the project applicant or successor discovers any human remains, the following steps should be taken:

A) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

1) The project applicant or its successor in interest contacts the Placer County Coroner so that the Coroner can determine whether any investigation of the cause of death is required, and

B) If the Coroner determines the remains to be Native American:

1) The Coroner shall contact the Native American Heritage Commission within 24 hours (excluding weekends and State and federal holidays). After hearing from the Coroner, the project applicant or its successor in interest shall immediately notify the City of Rocklin and a representative from the Indian Community of the Coroner's determination, and shall provide the Indian Community the opportunity, within 72 hours thereafter, (excluding weekends and State and federal holidays) to identify the most likely descendant.

2) The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.

3) The most likely descendent, as identified by either the

Native American Heritage Commission or the Indian Community, may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code section 5097.98, or

- C) Subject to the terms of paragraph (D) below, where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.
  - 1) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours (excluding weekends and State and federal holidays) after being notified by the Commission.
  - 2) The Indian Community is unable to identify a most likely descendent, or the most likely descendant identified by the Indian Community failed to make a recommendation within 72 hours (excluding weekends and State and federal holidays) after the project applicant or its successor notified the Indian Community of the discovery of human remains; or
  - 3) The landowner or its authorized representative rejects the recommendation of the descendant identified by the Commission, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.
- D) In the event that the Coroner determines that the remains are Native American in origin, and the Native American Heritage Commission and the Indian Community agree that the remains are of a person associated with the historic United Auburn Indian Community, the project applicant or its successor, if permitted by state law, shall provide the remains and any associated grave goods to the Indian Community with the understanding that the Indian Community will provide for burial with appropriate dignity at an appropriate location that will not be subject to future disturbance.

5. Improvements in the Public Right-of-Way

The applicant shall obtain an encroachment permit for all improvements within the public right-of-way and/or other lands owned by the City of Rocklin. 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. (ENGINEERING, PUBLIC SERVICES)

6. Park, Trail, and Recreation Fees

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. Unless specifically exempted by the applicable development agreement or other City Council action in effect when the fee is to be paid, 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)
- For a residential unit that is greater than 1,500 and up to 2,500 square feet: \$5340.83 Park Improvement Fee, \$237.75 Trail Fee, and \$1,031.46 Community and Recreation Fee. (BUILDING)

- For a residential unit that is greater than 2,500 and up to 3,500 square feet: \$6,269.67 Park Improvement Fee, \$279.10 Trail Fee, and \$1,210.85 Community and Recreation Fee. (BUILDING)

7. Public Facilities Impact Fees

Unless specifically exempted by the applicable development agreement or other City Council action in effect when the fee is to be paid, 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 Public 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 Public Facilities Fees, as applicable to the project as proposed, are as follows:

- For a residential unit that is between 600 and 1,000 square feet: \$1,025.67 Public Facilities fee.
- For a residential unit that is greater than 1,000 and up to 1,500 square feet: \$1,637.77 Public Facilities fee. (BUILDING)
- For a residential unit that is greater than 1,500 and up to 2,500 square feet: \$2,282.95 Public Facilities fee. (BUILDING)
- For a residential unit that is greater than 2,500 and up to 3,500 square feet: \$2,679.99 Public Facilities fee. (BUILDING)

8. Air Quality

Consistent with the Northwest Rocklin General Development Plan (Ord. 858) Exhibit B Conditions of Approval, Condition D. Air Quality, the following conditions shall apply to the project:

- a. Residential subdividers shall record the following separate instrument with their final map(s): (ENGINEERING, PLANNING)

A document prepared by or on behalf of the subdivider for the education of all residents within the project addressing the following air quality concerns:

- i. Open burning, wood burning, and air pollution: problems and solutions.

- ii. Transportation control measures: ride sharing, mass transit availability/schedules, computerized ride-matching services, and other measures designed to reduce both the use of single-occupancy vehicles and vehicle miles traveled.
- b. The Subdivider(s) shall participate in the Placer County Air Pollution Control District's (PCAPCD) Offsite Mitigation Program. Fees for single-family residential units shall be collected at the time of each respective small lot Final Map. (ENGINEERING, PCAPCD)

9. 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. (PLANNING, ENGINEERING)

10. Indemnification and Duty to Defend

Within 15 days of approval of the tentative subdivision map or tentative parcel map 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 subdivision or parcel map 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 subdivider 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)

11. Validity

- a. All portions of this entitlement for which a final map has not been recorded shall expire three (3) years from the date of approval. (PLANNING)
- b. This entitlement shall not be considered valid and approved unless and until the concurrent entitlements, General Plan Amendment (GPA2021-0004), General Development Plan Amendment (PDG2021-0003), and Rezone (Z2022- 0002) have been approved. (PLANNING)

PASSED AND ADOPTED this 13<sup>th</sup> day of December, 2022, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

---

, Mayor

ATTEST:

---

Hope Ithurnburn, City Clerk

EXHIBIT A

Whitney Ranch Unit 49

(SD2021-0003)

Available at the Community Development Department,  
City of Rocklin