



**APPLICATION #16-05 MORGAN ESTATES TIME EXTENSION  
APN: 044-051-048 SAUNDERS AVENUE**

**STAFF REPORT  
PLANNING COMMISSION MEETING OF MAY 24, 2016**

**RECOMMENDATION:** Approve Resolution #16-05 extending the expiration date for the Morgan Estates Tentative Subdivision Map for one (1) year to June 17, 2017.

**REQUEST:** Mark Morgan, the property owner and applicant, is requesting a one-year extension of time for an approved tentative subdivision map project (Morgan Estates, north of Saunders Avenue).

**SUBDIVISION MAP INFORMATION:** The Subdivision Map Act 66452.6 (e) and the Town Subdivision Ordinance allows for extensions for a total of 5 years to allow the developer/owner time to record the Final Map. An extension of time is not automatic. The Town has the ability to review whether or not an approval should be extended given any changes in circumstances that might have occurred in the intervening years. The conditions of approval cannot be changed during an extension request.

The applicant submitted his request for an extension prior to the expiration of the Morgan Estates Tentative Subdivision Map (June 17, 2016).

**BACKGROUND:** The Morgan Estates Tentative Subdivision Map was approved on June 17, 2008 with a Mitigated Negative Declaration and was set to expire on June 17, 2010.

The Subdivision Map Act 66452.6 (e) and the Town Subdivision Ordinance allows for extensions for a total of five (5) years to allow the developer/owner time to record the Final Map. The California Legislature previously approved AB 233 (2009, 12 months) and AB 208 (2001, 24 months) that automatically extended the Morgan Estates Tentative Map 36 months beyond the original expiration date of June 17, 2010 (setting a new expiration date of June 17, 2013). The applicant submitted a request and was approved for a one year extension prior to the expiration date of June 17, 2013 (setting a new expiration date of June 17, 2014) and prior to enactment of AB 116 (2013, 24 months) which extended the Morgan Estates Tentative Map an additional 24 months beyond the June 17, 2014 expiration date. With enactment of AB 116 the new expiration date for the Morgan Estates Tentative Map is June 17, 2016. The Applicant is requesting for his last time extension approval per the Subdivision Map Act 66452.6 (e) and the Town Subdivision Ordinance which would extend the Morgan Estates Tentative Map an additional 12 months with a new expiration date of June 17, 2017. This time extension would be the last available to the applicant under the Subdivision Map Act 66452.6 (e) and the Town Subdivision Ordinance.

**RECOMMENDATION:** Approve Resolution #16-05 extending the expiration date for the Morgan Estates Tentative Subdivision Map for one (1) year to June 17, 2017.

**ATTACHMENTS**

1. Draft Resolution #16-05
2. #16-05 Findings
3. Application, Statement of Justification and Extension request letter
4. Approved Morgan Estates Tentative Subdivision (reduction)
5. PC Resolution #08-05 with findings and conditions of approval

**RESOLUTION NO. 16-05**

***A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF LOOMIS APPROVING A ONE-YEAR EXTENSION OF TIME FOR THE MORGAN ESTATES TENTATIVE SUBDIVISION MAP LOCATED ON A 10-ACRE PARCEL NORTH OF SAUNCERS AVENUE, IDENTIFIED AS ASSESSOR PARCEL NUMBER: 044-051-048***

**WHEREAS**, Mark Morgan, the owner, has requested a one-year extension of an 8 lot clustered Tentative Subdivision Map approval on a 10 acre site located at Assessor Parcel Number 044-051-048, off of Saunders Avenue and across from Wine Way, such application being identified as #16-04; and

**WHEREAS**, on May 24, 2016, the Planning Commission of the Town of Loomis conducted a public hearing on the extension, at which time any person interested in the matter was given an opportunity to be heard; and

**WHEREAS**, the Planning Commission of the Town of Loomis reviewed and considered the staff report relating to said application, the plans, the written and oral evidence presented to the Planning Commission in support of and in opposition to the application; and

**NOW THEREFORE**, the Planning Commission of the Town of Loomis, at its meeting of May 24, 2016, did resolve as follows:

1. The Planning Commission of the Town of Loomis hereby makes the finding that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the Town of Loomis General Plan and the Zoning Ordinance.
2. A one-year extension of the Morgan Estates Tentative Subdivision Map approval #16-04 is hereby approved and will expire on June 17, 2017.

ADOPTED this 24<sup>th</sup> day of May, 2016, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAINED:

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Michael Hogan, Chairman

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Chris Graham, Staff Planner

**#16-05  
FINDINGS  
PLANNING COMMISSION 05/24/2016**

**FINDINGS:**

Subdivision

1. The proposed subdivision is, together with the provisions for its design and improvement, consistent with the general plan and any applicable specific or community plan.

*This finding was confirmed with the original approval date for the Project on June 17, 2008.*

2.The effect of this decision on the housing needs of the region and balancing these needs against the public service needs of its residents and available fiscal and environmental resources has been considered.

*This finding was confirmed with the original approval date for the Project on June 17, 2008.*

3.The tentative map is consistent with the General Plan and that the site is physically suitable for the type of development.

*This finding was confirmed with the original approval date for the Project on June 17, 2008.*



# TOWN OF LOOMIS

6140 Horseshoe Bar Rd, Suite K  
Loomis, CA 95650  
(916) 652-1840 FAX (916) 652-1847

For Town Use

File Number \_\_\_\_\_

Application Fee(s) \$ 390

Receipt # \_\_\_\_\_ Date 4/29/16

Date Received 4/29/16 *cfan*

Paid \$ 390.00

## PLANNING DEPARTMENT

## Planning Application

- Project Title: Morgan Estates
- Street Address/ Location: Saynders Ave
- APN(s): 044-051-048 Acreage: 10.16 acres  
Zoning: Rural Residential General Plan Designation: \_\_\_\_\_  
Current Site Use: Acreage, raw land  
Surrounding Land Use(s): Residential and raw land
- Property Owner: Mark Morgan, Trustee; The Morgan Trust  
Address: Po Box 3185 San Clemente, CA 92674  
City State Zip  
Telephone: (714) 313-9700 email: mdm3691@gmail.com
- Project Applicant: Same  
Address: \_\_\_\_\_  
City State Zip  
Telephone: \_\_\_\_\_ email: \_\_\_\_\_
- Project Engineer/Architect: Bill Mitchell - Land Development Services  
Address: 4240 Rocklin Rd Rocklin CA 95677  
City State Zip  
Telephone: \_\_\_\_\_ email: \_\_\_\_\_

7. What actions, approvals or permits by the Town of Loomis does the proposed project require?

- |                                     |  |                          |                           |
|-------------------------------------|--|--------------------------|---------------------------|
| <input type="checkbox"/>            | Appeal   | <input type="checkbox"/> | Miscellaneous Permit      |
| <input type="checkbox"/>            | Certificate of Compliance  | <input type="checkbox"/> | Planned Development       |
| <input type="checkbox"/>            | Conditional Use Permit   | <input type="checkbox"/> | Second Unit Permit        |
| <input type="checkbox"/>            | Design Review  | <input type="checkbox"/> | Sign Review               |
| <input type="checkbox"/>            | Development Agreement  | <input type="checkbox"/> | Tentative Review          |
| <input type="checkbox"/>            | Environmental Review   | <input type="checkbox"/> | Minor Land Division       |
| <input type="checkbox"/>            | General Plan Amendment   | <input type="checkbox"/> | Subdivision               |
| <input type="checkbox"/>            | Hardship Mobile Home Permit                                      | <input type="checkbox"/> | Variance                  |
| <input type="checkbox"/>            | Lot Line Adjustment  | <input type="checkbox"/> | Zoning Amendment (Rezone) |
| <input checked="" type="checkbox"/> | Other <u>Request of Current Tentative Map Extension - 1 year</u> |                          |                           |

8. Does the proposed project need approval by other governmental agencies?

Yes  no if yes, which agencies? \_\_\_\_\_

9. Which agencies/utilities provide the following services to the project? (Please note if not hooked up to sewer or water)

Electricity	<u>Not Known</u>	Natural Gas	<u>Not Known</u>
Fire Protection	_____	Water/Well	_____
Sewer/Septic	_____	Telephone	_____

10. The Town had informed me of my responsibilities pursuant to California Government Code, Section 65962.5(f), regarding notifying the Town of hazardous waste and/or hazardous substance sites on the project site. I have consulted the lists consolidated by the State Environmental Protection Agency dated \_\_\_\_\_ and find: Regulatory identification number \_\_\_\_\_

Date of list N/A No problems identified \_\_\_\_\_

Type of problem \_\_\_\_\_

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct.

Dated \_\_\_\_\_ Applicant \_\_\_\_\_

11. Project Description (Describe the project so that a person unfamiliar with the project would understand the purpose, size, phasing, duration, required improvements, duration of construction activities, surrounding land uses, etc. associated with the project. Attach additional pages as necessary.)

This parcel currently has a Tentative Map that has been approved by the Loomis Planning Commission which expires on June 17, 2016. I am requesting a 1 year extension on this existing map.

12. Owner Authorization:

I hereby authorize \_\_\_\_\_, the above-listed applicant, to make applications for project approvals by the Town of Loomis, regarding the above-described project and to receive all notices, correspondence, etc., from the Town regarding this project. I also hereby authorize the town staff to place a noticing board (approximately 4' x 3') on my property, visible from the street, at least ten (10) days prior to the first hearing on my project, and for subsequent hearings as determined necessary by the Planning Director.

Signature(s) of Owner(s)

Printed Name(s)

N/A \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

13. Applicant and/or Owner Hold Harmless:

Owner, and Applicant (if different from Owner), agrees to hold Town harmless from all injuries, damages, costs and expenses, including attorney's fees resulting from the negligence of owner, and Applicant (if different from Owner), and their employees, contractors, subcontractors and agents, in connection with any proceeding brought in any State or Federal court with respect to the applicant's project.

Signature(s) of Owner(s)

Printed Name(s)

[Signature] Mark A. Morgan 4/26/16  
\_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

14. Applicant and/or Owner Acknowledgment:

Owner/Applicant expressly agree they are solely responsible for assuring compliance with all applicable laws, rules, regulations, and practices required to implement this development, and that Town staff's errors or omissions in explaining what is required, whether on this application form or otherwise, do not establish a basis for Owner/Applicant failing to comply with all such laws, rules, regulations and practices.

Signature(s) of Owner(s) and/or Applicant

Printed Name(s)

[Signature] Mark A. Morgan 4/26/16  
\_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

RECEIVED

APR 29 2016

TOWN OF LOOMIS

April 26, 2016

Town of Loomis Planning Commission  
Town of Loomis  
3665 Taylor Road, PO Box 1330  
Loomis, CA 95650

Attn: Chris Graham – Staff Planner

Dear Chris:

Please accept this formal request for extension of the existing Tentative Map on the Morgan Estates Project, APN number 044-051-048. As you know this map has an expiration of June 2016. I am requesting an additional 1 year extension of this Tentative Map till June of 2017. Due to the prior collapse of the Real Estate market and with prices dropping accordingly my family was unable to take the next steps on the development of this project. We are currently in the process of marketing this property and are hopeful of a sale commencing within the next 6 – 12 months. This extension of the existing map will better allow us the ability to continue to market this property and provide the Town of Loomis with a desirable Rural residential development dedicated to Open Space as was previously approved by the Loomis Planning Commission and which is consistent with the Loomis General Plan and Zoning Ordinance.

The consideration of the Planning Commission is greatly appreciated. Thank you so much for your time and assistance in working with me.

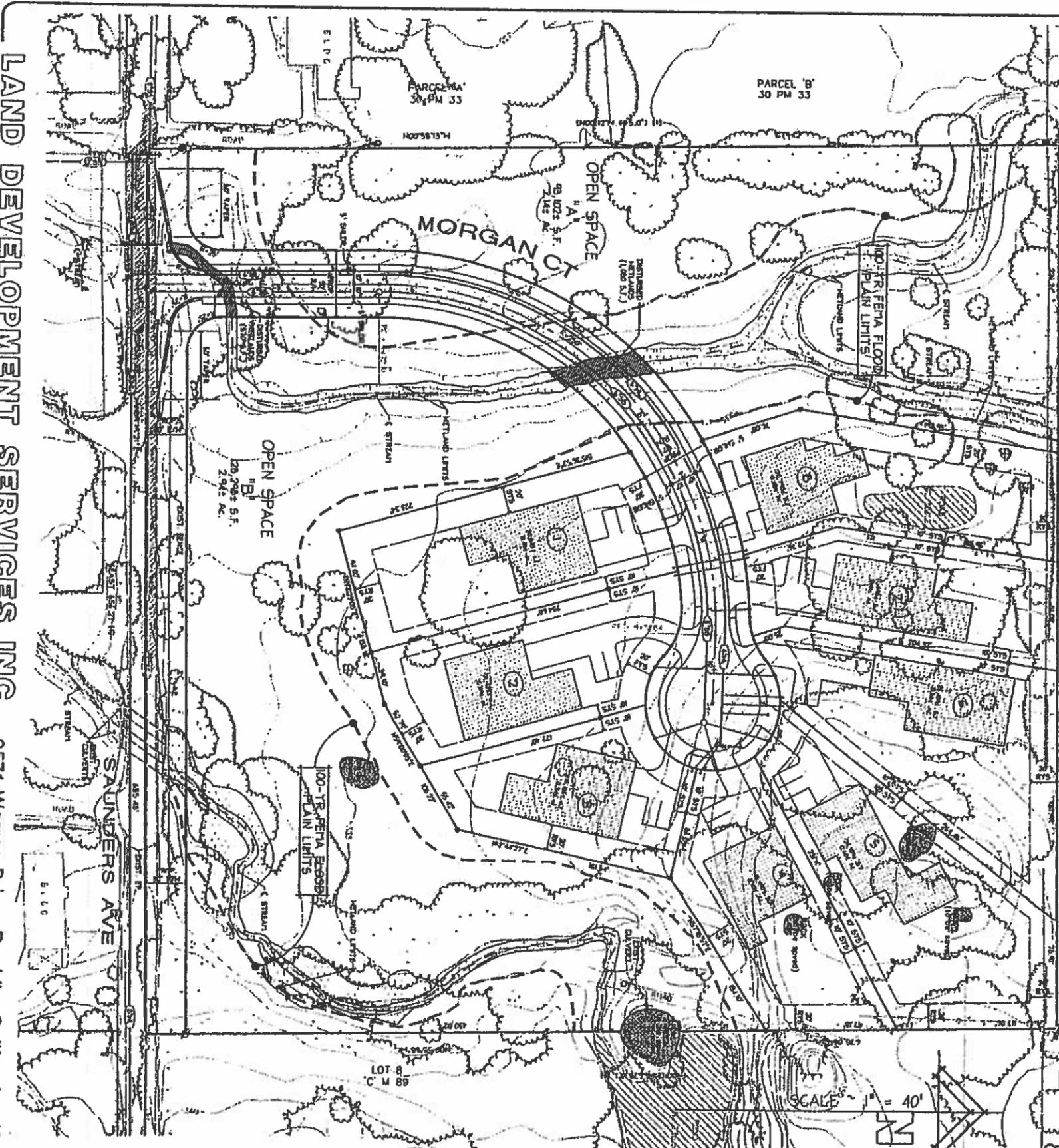
Sincerely,

A handwritten signature in black ink, appearing to read "Mark D. Morgan". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mark D. Morgan  
Trustee of The Morgan Trust – Parcel Owner

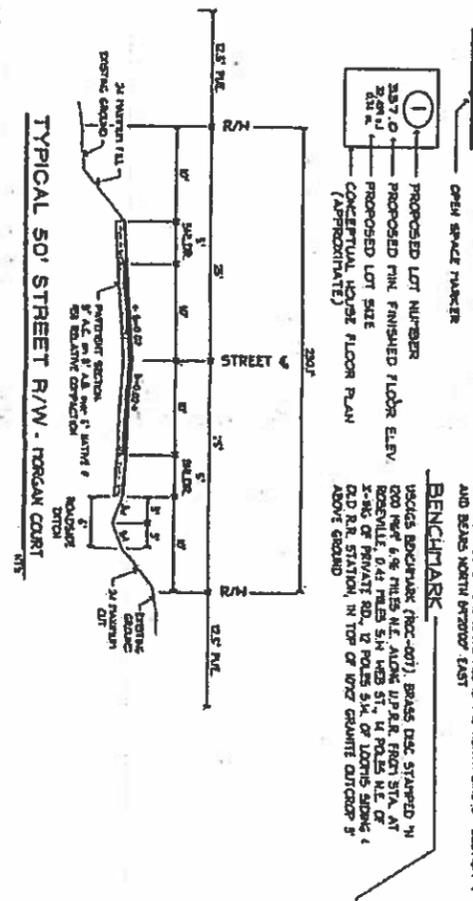
# MORGAN ESTATES

TENTATIVE MAP AND PRELIMINARY SITE PLAN for  
 ALL OF LOT 7 OF SAUNDERS COLORADO SECTION ON  
 BOOK C OF MAPS, PAGE 84, SECTION 9, T.11 N., R.7 E., 104th  
 TOWN OF LOOMIS, COUNTY OF PLACER, CALIFORNIA



LAND DEVELOPMENT SERVICES INC. 2571 Warren Drive, Rocklin, California (916) 624-1629

Contact: BILL MITCHELL



TYPICAL 50' STREET R/W - MORGAN COURT

Scale: 1" = 40'

OWNER: TARA MORGAN, Contact: TARA MORGAN, PO Box 8974, AREA CA 95622, Phone: (916) 257-4402, Fax: (916) 257-4491

ENGINEER: LAND DEVELOPMENT SERVICES, Contact: BILL MITCHELL, 2571 WARREN DRIVE, ROCKLIN, CALIFORNIA 95677, Phone: (916) 624-1629, Fax: (916) 624-7962

TOTAL ACRES: 10.157

GENERAL PLAN DESIGNATION: Existing - RURAL RESIDENTIAL, Proposed - PLANNED DEVELOPMENT

ZONING DESIGNATION: Existing - RURAL RESIDENTIAL (40,000 S.F. MIN), Proposed - PLANNED DEVELOPMENT (10,000 S.F. MIN)

PROJECT SUMMARY: LOTS 1 THRU 6, GROSS AREA - 3.24 ACRES, RIGHTS OF WAY, GROSS AREA - 1.27 ACRES, OPEN SPACES AT 10%, GROSS AREA - 3.14 ACRES, GROSS AREA - 2.24 ACRES, TOTAL PROJECT AREA - 10.14 ACRES

COMMUNITY SERVICES: WATER, SEWER, STORM DRAIN, ELECTRIC, TELEPHONE, CABLE TV, NATURAL GAS, FIRE PROTECTION, SOLID WASTE, HIGH SCHOOL, ELEMENTARY SCHOOL

RECORD REFERENCES: 110 BOOK C MAPS, PAGE 84 P.C.R., 121 BOOK 11 P.M., PAGE 110 P.L.R.

BASIS OF BEARINGS: THE BASIS OF BEARINGS OF THIS MAP IS CRITICAL TO THAT AS SHOWN ON THAT CERTAIN MAP ON FILE IN BOOK 11 OF PLACED MAPS...

BENCHMARK: BRIDGE BENCHMARK (REC-007), BRASS DISC STAMPED 'N', 6000 FEET 6 1/2 FEET N.E. ALONG UPPER FRONT STA. AT 5-8-82...

LEGEND: ROAD FRONTAGE AS NOTED, SET 1/2" IRON PIPE TAGGED 'L.S. 3475', DIMENSION POINT NOTHING FOUND OR SET P.U.E., PUBLIC UTILITY CASSEMENT, P.T.S. - BUILDING FRONT YARD SETBACK, P.T.S. - BUILDING REAR YARD SETBACK, P.T.S. - BUILDING SIDE YARD SETBACK, DISTING & STRAIN, DILATED METALS, FEMA - 10 TO 15 FLOOD PLAIN LIMITS, OPEN SPACE PARKER

DESIGNED: JAMES, DRAWN: JAMES, CHECKED: JAMES, APPROVED: JAMES, DATE: 10/12/00, U.S.A.

REGISTERED PROFESSIONAL ENGINEER & ARCHITECT WILLIAM MITCHELL, No. 2320, Exp. 12/31/00, CIVIL, STATE OF CALIFORNIA

MORGAN ESTATES, 474-044-051-040, 1561 SAUNDERS AVENUE, TOWN OF LOOMIS

TENTATIVE MAP and PRELIMINARY SITE PLAN

DATE: 10/12/00

**RESOLUTION NO. 08-05**

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF LOOMIS APPROVING A CONDITIONAL USE PERMIT AND TENTATIVE SUBDIVISION MAP ON SAUNDERS AVENUE, APN 044-051-048.

**WHEREAS**, Mark Morgan, the applicant, has proposed to divide a 10.2+-acre parcel into a clustered residential development project consisting of 8 lots (Parcels ranging between 15,156-326,109 sf. On Saunders Avenue across from Wine Way, Assessor's Parcel Number 044 -051-048, such application being identified as #06-15; and

**WHEREAS**, on May 20 and June 17, 2008, the Planning Commission conducted a public hearing of the application, at which time any person interested in the matter was given an opportunity to be heard; and

**WHEREAS**, the Planning Commission reviewed and considered the staff report relating to said application, the plans, the written and oral evidence presented to the Planning Commission in support of and in opposition to the application; and

**WHEREAS**, the Planning Commission of the Town of Loomis hereby makes the findings attached herein as Exhibit A in connection with the Morgan Conditional use permit and tentative map, project being #06-15; and

**NOW THEREFORE**, based upon the findings set forth hereinabove, the Planning Commission of the Town of Loomis, at its meeting of June 17, 2008 did resolve as follows:

1. An initial study has been conducted by the Town to evaluate the potential for adverse environmental impact of the proposed project. Considering the record as a whole, there is not evidence before the Commission that the proposed project will have potential for an adverse effect on wildlife resources or the habitat upon which the wildlife depends.
2. The proposed Project is consistent with the goals, policies and land uses in the Town of Loomis General Plan and Zoning Ordinance.
3. The Conditional Use Permit and tentative map application #06-15 is hereby approved per the findings set forth in Exhibit A and the conditions set forth in Exhibit B.

ADOPTED this 17<sup>th</sup> day of June, 2008, by the following vote:

AYES: Thew, Obranovich, Wilson, Hogan, Arisman

NOES: None

  
Ryan Wunsch, Assistant Planner

  
Michael Hogan, Planning Commission Chairman

**#06-15 EXHIBIT A  
FINDING  
PLANNING COMMISSION 06/17/2008**

**FINDINGS:**

Conditional Use Permit

1. The proposed project will be more compatible with existing and future land uses adjacent to the site and in the vicinity than a conventional subdivision of the site in that it will retain significant open space and vegetation and limit the size of homes proposed in the development;
2. The proposed project will more effectively and appropriately mitigate environmental impacts, including the avoidance and preservation of environmentally sensitive areas on the site than a conventional subdivision of the site; and
3. The proposed project will more effectively and appropriately maintain the rural character of Loomis in terms of the visibility of proposed structures and site improvements from public roads and adjacent parcels than a conventional subdivision of the site.

Subdivision

1. The proposed subdivision is, together with the provisions for its design and improvement, consistent with the general plan and any applicable specific or community plan.
2. The effect of this decision on the housing needs of the region and balancing these needs against the public service needs of its residents and available fiscal and environmental resources has been considered.
3. The tentative map is consistent with the General Plan and that the site is physically suitable for the type of development.

**#06-15 EXHIBIT B  
CONDITIONS OF APPROVAL  
PLANNING COMMISSION 06/17/2008**

This Conditional Use Permit, Subdivision and Mitigated Negative, application #06-15, is approved for the division of a 10.2± acre parcel, APN 044-051-048, located off of Saunders Avenue per the following conditions. The owner has two (2) years in which to record the Final Map. The approval expires on June 17, 2010, unless extended by the Planning Commission. The parcels shall be in accordance with the tentative map dated May 2008 and received May 14, 2008 and the following conditions.

**GENERAL CONDITIONS**

1. Owner shall comply with all provisions of the Town of Loomis Municipal Code.
2. The project shall proceed only in accordance with approved plans on file in the Planning Department, the conditions contained herein and the Town of Loomis Municipal Code. Approval of this project, subject to said plans, conditions and Code(s), shall not be interpreted as the Town having waived compliance with any sections of the Town of Loomis Municipal Code (Zoning, Building Codes, etc.), Loomis General Plan, or applicable Plans.
3. Development shall be substantially in accordance with the plans entitled "Morgan Estates Tentative Map and Preliminary Site Plan", as prepared by Land Development Services consisting of three (3) sheets, dated received May 14, 2008, except as may be modified by the conditions stated herein.
4. When submitting for Plan Check the owner must provide to the Planning Department a copy of the final conditions of approval with a cover letter specifying how and where the revised plans address each of the conditions. Plan Check by the Planning Department and Town Engineer will not be initiated without compliance with this condition. All plans shall be consistent with that approved by the Planning Department. The owner shall be responsible for correcting any inconsistency which may occur through error or omission during plan preparation or construction.
5. The conditions of approval of the application shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, which may or may not be shown on the map or improvement plans.

**CONDITIONAL USE PERMIT CONDITIONS**

6. Recordation of a final map, and where applicable, the installation of required improvements shall not exceed June 17, 2010 without an extension.
7. Date for expiration of town approvals in event the subdivision and development is not completed within the specified schedule is June 17, 2010.

## IMPROVEMENTS (ROADWAY, DRAINAGE, GRADING AND PARKING DESIGN)

8. The owner shall record a 50' private access and utility easement for the proposed access road on the final map.
9. The owner shall record an irrevocable offer of dedication for 30' or ½ of the right-of-way for the Saunders Avenue frontage for a total 60-foot right-of-way.
10. The owner shall enter into, and record, a road maintenance agreement, in a form acceptable to the Town Attorney, for the eight parcels prior to recordation of the Final Map.
11. The owner shall construct Class C (H-17) 20' wide, 6" thick aggregate base with 2" of asphalt with 5' aggregate base shoulder along the access road, plus the turn around as shown on the tentative map prior to parcel map recordation.
12. The owner shall construct a Loomis detail H-15 Roadway connection onto Saunders Avenue.
13. The owner shall obtain an encroachment permit prior to any work within public rights-of-way.
14. Existing public facilities, and real and personal property, damaged during the course of construction shall be repaired by the owner at his sole expense, to the reasonable satisfaction of the Town Engineer.
15. The owner shall construct all improvements required as a condition of approval of this project or enter into a contract agreement with the Town to construct all improvements, and shall post bond, cash deposit, or instrument of credit, guaranteeing the construction of all improvements within the time period specified herein or an approved time extension in accordance with the provisions of the Loomis Municipal Code and other applicable laws.
16. The plans for improvements required as a condition of approval of this project shall be prepared by a California Registered Civil Engineer and shall be approved by the Town Engineer prior to any construction.
17. The owner shall submit certified as-built plans and computer generated design files on disk detailing the improvements prior to final acceptance of improvements.
18. Cost of all inspections related to on-site and off-site improvements shall be borne by the owner and shall be paid prior to completion of the improvements.
19. The owner shall indemnify, exonerate and hold harmless the Town of Loomis and all officers and employees thereof against all claims, demands and causes of action arising out of or related to this project.

20. The owner shall dedicate all necessary right-of-way or easements for streets, alleys, sewers, water facilities, utilities, drainage facilities, and other facilities as required by the Town on the final map.
21. The owner shall be responsible for all actions of his contractors and subcontractors until such time as the improvements have been accepted as complete by the Town.
22. A fence and wall plan shall be submitted to the Planning Director and Town Engineer for approval prior to approval of the improvement plans or issuance of any permits.
23. The owner shall prepare and install erosion control along the delineated boundary of the riparian zone during all demolition/construction activities per State Water Resources Handbook.
24. All grading shall conform to the Town Grading Ordinance, and/or as recommended by a soils report prepared by, with prior review and approval by the Town Engineer. A Grading Permit shall be obtained prior to building permit issuance.
25. Both on-site and off-site drainage facilities shall be designed and constructed as directed and approved by the Town Engineer in compliance with the Drainage Manual and best engineering practices prior to issuance of building permits. Prior to onsite construction, the owner shall submit a grading and drainage plan to the Town Engineer for review and approval that addresses the impacts to the drainage patterns and runoff increases. On-site detention shall be provided on each project, for which a building permit is issued, for the increased runoff rate caused by project development in accordance with the Placer County Flood control District Storm Water Management Manual and the Loomis Land Development Manual.
26. Drainage facilities for the site shall be designed and constructed as directed and approved by the Town Engineer according to good public engineering practices and the Town's Dry Creek standards prior to occupancy.
27. No on-street parking on Saunders Avenue is permitted in conjunction with this permit.
28. Prior to recordation of the Parcel Map, the owner shall submit documentation from a licensed engineer, for review and approval by the Town Engineer, which indicates the elevation of the 100 year flood throughout the site. The flood plain shall be delineated on the miscellaneous sheet of the Parcel Map. On each building permit and prior to final building approval, an engineer shall certify that the finished floor elevation is a minimum of 2' above the base flood elevation. An elevation certificate shall be prepared for each building site.
29. The Town reserves the right to upgrade or add to Town Standard Plates and Standard Land Development Specifications.

30. The owner shall set all monuments required by the Subdivision Map Act including one benchmark monument located at the entrance of the project and shall submit certified as-built Mylar plans, and computer generated design files, on disk prior to final acceptance of improvements.

#### AGENCIES

31. The owner shall provide will-serve letters from all applicable utilities, the franchised refuse collector, the post office, and the fire department for the review and approval of Town staff, to the extent legally required. The owner shall complete all legally enforceable requirements or conditions imposed upon the project by these agencies to the satisfaction of the agencies prior to any building permits being issued.
32. The owner shall provide will-serve letters from the school districts in which this property is located and shall pay the impact fees as determined by the two school districts at building permit issuance, to the extent legally required.
33. The owner shall install sewer service per South Placer Municipal Utility District requirements prior to occupancy.
34. The owner shall install water service per Placer County Water Agency requirements prior to occupancy.
35. All utility facilities shall be placed underground in accordance with the Loomis Municipal Code.
36. The owner shall insure that adequate dust controls are implemented during all phases of project construction and operation. Dust controls must be reviewed and approved by the Placer County Air Pollution Control District prior to groundbreaking. A booklet on Fugitive dust is available from the Placer County Air Pollution Control District.
37. The owner shall insure that the project conforms with all Placer County Air Pollution Control District Rules and Regulations.
38. The owner shall comply with the requirements of the Loomis Fire Protection District prior to recordation of Final Map.
39. Per the Loomis Fire Protection District, prior to building permit issuance, an all-weather access driveway shall be provided to any new development, which shall be properly graded, culverted (if necessary), and surfaced with a 4-6 inch base material to allow emergency vehicle access to the parcels
40. Improvement plans shall show the location and size of fire hydrants and water mains in conformance with the standards and requirements of the Loomis Fire District and Placer

Placer County Water Agency.

41. The owner shall confer with local postal authorities regarding mailbox clustering and turnouts. A letter from the Post Office indicating their conditions are satisfied must be submitted prior to issuance of building permits

#### GENERAL PLANNING

42. The division of a 10.2+-acre parcel shall be conducted in accordance with the tentative map dated received May 14, 2008 and prepared by Land Development Services and approved by the Planning Commission at its meeting on May 20, 2008. The lots, including the open space parcel, may not be further subdivided. This shall be noted on an explanatory page of the subdivision map or within a portion of the CC&Rs to be approved by the town which cannot be amended without approval of the town.
43. The project shall conform to the General Plan, including the Noise Element standards, State Noise Insulation Standards (CA Code of Regulations, Title 24) and Chapter 35 of the Uniform Building Code. Noise generated by the project shall not cause the Ldn to exceed 60 dBA at the property line during or after construction, nor shall it cause the noise level at the property line to exceed 75 dBA at any time during or after construction.
44. The project shall conform to the Zoning Ordinance land use noise compatibility standards.
45. The property owner shall be responsible to ensure all conditions to this permit are binding on all successors-in-interest (e.g. by incorporating into the standard provisions of any sale, lease and/or rental agreements, etc.).
46. The grading plan shall show appropriate fencing and protection measures for the trees to the satisfaction of the Town Engineer in accordance with best practices. A grading permit shall be obtained prior to any onsite construction. Every attempt shall be made to retain as many existing trees on-site as possible.
  - *Owner shall protect the trees and area within the dripline from damage during grading and construction.*
  - *Prior to on-site construction, the owner shall deposit funds with the Town to pay for a certified arborist to provide periodic inspection of the site during grading and construction, and verification to the Planning Director that the approved protection measures are properly implemented.*
  - *Prior to issuance of any grading permit the owner shall have his arborist meet with his grading contractor to discuss the various arborist requirements during construction.*
  - *The owner shall be required to plant one fifteen gallon in-kind tree for each heritage tree removed and/or submit a replacement tree amount to be set by the Planning Director at the time of development (based on the cost of a 15 gallon in-kind tree, installation and 5 years of maintenance) into the town's tree replacement fund.*

- *A tree protection plan (including a list of removed trees, replacement trees, their irrigation and maintenance) prior to any on-site construction/issuance of any permit or recordation of map.*

47. The hours for on-site construction, shall be limited to Monday through Friday, 7 AM to 7 PM, and Saturday, 8 AM to 5 PM to assure public health, safety and welfare. No work shall occur on Sundays.
48. All lighting shall be shielded and directed on-site. All street lighting must be night sky compliant.
49. If archaeological, historical, or paleontological features are discovered during construction, work within 50 feet of the find shall be halted, and the Town of Loomis Planning Department shall be notified. A qualified archaeologist, historian, or paleontologist shall be retained at the developer's expense to conduct an on-site evaluation and provide recommendations for removal and/or preservation.
50. The developer shall record an open space easement on the Final Map, to include the 20' Structural Setback Area and the Riparian Zone area [as shown on the Tentative Map dated received April 2008, prepared by Land Development Services] to protect the wetland and riparian areas on the site. Deed restrictions shall be recorded concurrent with recordation of the Final Parcel Map, which state, "Within the wetland and drainage non-development easement there shall be no grading, filling or construction of any structures with the exception of open wire fences designed in accordance with Town requirements. There shall be no temporary or permanent storage of materials or equipment and no dumping of trash, lawn or garden trimmings, oil, chemicals, or other toxic materials into the easement." The easement shall be marked in the field with 4" x 4" redwood posts and cable or other suitable and permanent markers. These sections of the deed restrictions shall not be modified without the consent of the Town.
51. The owner shall install and maintain a erosion control barrier along the delineated boundary of the riparian zone during all demolition/construction activities. Following completion of demolition activities the silt fencing barrier can be removed. Silt fencing the barrier shall be installed in accordance with Best Management Practices (BMP) State Water Resources Handbook.

#### FEES

52. The owner shall pay the development fees (e.g. road circulation fees, drainage fees, community facilities fee, master plan fees and fire fees) in effect at the time of building permit issuance.
53. Pursuant to Government Code Chapter 5 - Planning and Land Use 66000, the owner shall be responsible for reimbursement of all monitoring costs to insure compliance with conditions imposed upon the project incurred by the Town.