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FINAL DEVELOPMENT ENTITLEMENTS

The fourth phase in the Placer Vineyards Development process is the approval of Final Development Entitlements. As provided in the Development Agreements no Final Development Entitlements (as defined in the DA) shall be approved for any portion of the Property until after approval of a Development Phase and Phasing Plan (refer to DA Section 3.5.1.4). Final Development Entitlements are governed by the following conditions:

6.1 DEVELOPMENT OF APPROVED DEVELOPMENT PHASE

After approval by the County of a Development Phase and Phasing Plan, the following provisions shall generally apply to the development of such approved Development Phase:

6.1.1 ISSUANCE OF BUILDING PERMITS UPON COMPLETION OF PHASED IMPROVEMENTS

If the Phasing Plan requires completion of all Phased Improvements prior to the issuance of building permits for development within any portion of the property within the Development Phase, then the County may, in its sole discretion and in lieu of requiring completion of all of the Phased Improvements, allow for development to proceed provided that all conditions described in DA Section 3.5.2.1 are satisfied prior to issuance by the County to Developer of the first building permit (refer to DA Section 3.5.2.1).

6.1.2 ISSUANCE OF BUILDING PERMITS UPON COMMENCEMENT, BUT PRIOR TO COMPLETION, OF PHASED IMPROVEMENTS

If the Phasing Plan allows building permits to be issued for development within any portion of any property within the Development Phase upon commencement, but not necessarily completion, of construction of any Phased Improvement(s), then prior to the issuance of building permits within any portion of property within a Development Phase, excluding permits for model homes, that requires such commencement of phased improvements, the County may, in its sole discretion and in lieu of requiring completion of all of the Phased Improvements, allow for development to proceed provided that the conditions in DA Section 3.5.2.2 are satisfied (refer to DA Section 3.5.2.2).

6.1.3 COMPLETION OF IMPROVEMENTS

The Phasing Plan may, as determined by the County in its sole discretion, allow the issuance of a maximum number of building permits, excluding permits for model homes, upon commencement of construction of the Phased Improvements as described above but prior to completion and acceptance thereof but thereafter require that the issuance of any additional building permits in excess thereof may be issued within the Development Phase or Sub-Phase thereof only if and when all Phased Improvements related thereto are determined by County to be fully complete and accepted for public use by County utilizing its standard procedures for acceptance of public improvements (refer to DA Section 3.5.2.3).

6.1.4 ADDITIONAL CONDITIONS

The forgoing conditions precedent to development within a Development Phase or Sub-Phases pursuant to an approved Phasing Plan are not intended to be exhaustive and shall not limit the discretion of the County to include additional or alternative terms and conditions to development within a Development Phase as part of its approval of a Phasing Plan (refer to DA Section 3.5.2.4).

6.2 FUNDING OF FAIR SHARE FOR DEVELOPMENT PHASE

By electing to include the Property, or portion thereof, in an application for development within a Development Phase, if the application is approved by the County prior to any withdrawal therefrom by Developer, Developer shall be obligated to support development of the Development Phase consistent with the approved Phasing Plan, including funding its fair share of the construction of the required Phased Improvements (refer to Section DA 3.5.3).

6.3 CONCURRENT PROCESSING OF FINAL DEVELOPMENT ENTITLEMENTS

During the design and permitting process for the Phased Improvements, Developer shall have the right to submit and process for approval improvement(s) plans and/or final small lot maps for the Property, or portion thereof, within the Development Phases consistent with the Entitlements. No tentative small lot map or any Final Development Entitlement for any portion of any property within a proposed Development Phase shall be approved prior to the approval of such Development Phase and corresponding Phasing Plan (refer to DA Section 3.5.4).

6.4 COMPLETION OF CORE BACKBONE INFRASTRUCTURE

Development Group and Developer each acknowledge and agree that, prior to the issuance of the building permit creating the 10,500th residential unit anywhere within the Plan Area, including the Property but excluding the Special Planning Area, all Core Backbone Infrastructure set forth in DA Exhibit 3.6.1 shall be: (i) determined by County to be fully complete; and, (ii) accepted for public use by the County utilizing its standard procedures for acceptance of public improvements (refer to DA Section 3.5.5).

6.5 LOCUST ROAD CIRCULATION STUDY

Prior to approval of improvement plans for any Phased Improvement(s) to be constructed as part of the first Development Phase approved by the County, the Developer and/or the Development Group shall fund a study to be undertaken by the County to identify and review the feasibility of alternatives to retaining Locust Road as a through roadway between Baseline Road and West Town Center Drive (refer to DA Section 3.5.6).

6.6 BACKBONE INFRASTRUCTURE

Developer shall be obligated, in accordance with the requirements of the Phasing Plan for each Development Phase that includes the Property or any portion thereof, to install any and all Core Backbone Infrastructure and Remaining Backbone Infrastructure or applicable components thereof that are included in the list of Phased Improvements for such approved Development Phase. The Core Backbone Infrastructure consists of major roadway improvements, sewer, water and recycled water improvements within such roadways, and certain off-site sewer and water improvements as described in the Public Facilities Financing Plan and summarized in DA Exhibit 3.6.1. Remaining Backbone Infrastructure consists of additional major roadway improvements, and sewer, water, drainage and utility improvements within such roadways as described in DA Exhibit 3.6.2.

6.7 ROAD IMPROVEMENTS

In addition to the construction of the Backbone Infrastructure if and when required by each Phasing Plan for a Development Phase, development of the Property shall, as determined to be necessary by the County, be subject to completion of the additional specific improvements for the Property listed in the Secondary Road Improvement Table described in DA Exhibit 3.7.1 and frontage improvements described in DA Section 3.7.2.

6.8 COUNTY DISCRETION TO DEFER, REVISE OR DELETE IMPROVEMENTS

The County, in its sole discretion, acting through the County Executive Officer or designee, may elect to defer the timing for the installation of or advance funding for any component of: the Backbone Infrastructure, the Secondary Road Improvements, the County Facilities or the Park Facilities and Trail Improvements so long as such deferral does not impair Developer's right to develop or continue development of the Property as if such deferred improvement were then completed (refer to DA Section 3.8).

6.9 WATER SUPPLY

Water transmission and storage facilities to be installed by Developer as part of the Core Backbone Infrastructure and the Remaining Backbone Infrastructure will be owned and operated by the Placer County Water Agency (PCWA) or California American Water (Cal-Am) and the design of these facilities shall be subject to the approval of the PCWA or Cal-Am (refer to DA Section 3.9).

6.10 COUNTY FACILITIES

Consistent with the Specific Plan, Developer shall dedicate to the County any lands located within the Property that are planned for public facilities to be owned and operated by the County, and construct or cause to construct the applicable public facilities thereon as described on DA Exhibit 3.10 and the County Facilities Master Plan.

6.11 IMPROVEMENT PLAN PROCESS

Following approval of the Phasing Plan the Developer may prepare and submit to the Community Development/Resource Agency improvement plans which must conform to the County's Land Development Manual. The improvement plans shall include detailed plans which comply and incorporate all conditions attached to the Development Plan approval, such as grading and landscaping plans, and shall be accompanied by the plan check fee, engineer's estimate and preliminary progress schedule.

http://gcode.us/codes/placercounty/view.php?topic=16-16_12-16_12_130&frames=on

6.12 FINAL MAPS

Final map requirements are governed by Article 16.16 of the Placer County Code. Additional documents included with final maps include a subdivision agreement, security for construction of improvements, payment of taxes and assessments, payment of all fees, evidence of legal entities and copies of the executed CC&Rs.

http://gcode.us/codes/placercounty/view.php?topic=16-16_12&frames=on

6.13 BUILDING PERMITS

Building permits are governed by Article 15.04 of the Placer County Code as well as DA Sections 3.5.2.1 and 3.5.2.2.

http://gcode.us/codes/placercounty/view.php?topic=15-15_04&frames=on