



COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, AICP
Agency Director

PLANNING

E.J. Ivaldi, Deputy Director

Date: February 4, 2015
Time: 1:30 PM

DATE: January 28, 2015
TO: Zoning Administrator
FROM: Development Review Committee
SUBJECT: PLN 14-00159 - Minor Use Permit
OWNERS AND APPLICANTS: Tucker Haus, LLC and Roland Au
STAFF PLANNER: Allen Breuch, Supervising Planner
ZONING: Resort combining Design Scenic Sierra (RES – Ds)
LOCATION: 1111 Soda Springs Road, Soda Springs
APN: 069-490-018-000

PROPOSAL:

The applicants are requesting the approval of a Minor Use Permit (PLN 14-00159) for the conversion of the existing Ice Lakes Lodge to allow for up to four residential apartment units with new decking and a 24' x 48' attached four car garage.

CEQA COMPLIANCE:

This project is categorically exempt per Sections 18.36.050.B and E: Class 3, New construction or conversion of small structures of the Placer County Environmental Review Ordinance and CEQA Guideline Sections 15303(b) and (e).

BACKGROUND/EXISTING CONDITIONS:

The approximate 1.2 acre site is currently developed with the existing "Ice Lakes Lodge" restaurant, bar, 26-unit lodge and on-site parking within the Resort combining Design Scenic Sierra (RES – Ds) zoning district. The original entitlements for the lodge include Conditions of Approval (SUB-360/CUP-2232/VAA-3046) for a Vesting Tentative Map to allow a nine lot subdivision that included the lodge site and eight individual single-family residential lots, and a Variance to the front setback requirement of 60 feet from edge of easement in order to allow the proposed lodge to be located 33 feet from edge of easement on Soda Springs Road.

The entitlements were approved on March 24, 1998 with a condition subject to an approval of the Board of Supervisors of a General Plan Amendment to Resorts and Recreation (for portions of APN 069-020-041-000 only) and a Rezone to RES-Ds for the lodge, and RS-B-X-6,500 sq.ft. min for the proposed residential subdivision (GPA-322/REA-876), which was approved on June 16, 1998 by the Board. Soon thereafter the construction of the new Ice Lakes lodge was started.

Since then the lodge has had several business operators and eventually ceased operations over two years ago where the building has remained vacant.

The Serene Lakes community is predominantly developed with single-family lots that were created as part of the Serene Lakes Unit No.1 Subdivision in July of 1966. The creation of the Ice Lakes Lodge parcel (Lot 9) in 1998 was portioned into three areas at the intersection of Serene Road, Baker Ranch and Soda Springs Road. Combining the entire three portions of Lot 9 would give a total lot size of approximately 2.5 acres. The subject portion of Lot 9 where the Ice Lakes Lodge remains is 1.2 acres in size and is bounded by Serene Lake to the north, a lake outlet flowing in a southerly direction to the west, Serene Road to the south, and Soda Springs Road to the east. Part of the original Ice Lakes Lodge approval is a southerly paved parking lot (Portion of Lot 9) across Serene Road to handle up to 16 overflow parking for the lodge. The applicants are not proposing anything at this time for this portion of Lot 9. The eight residential lots that were created in 1988 are located immediately to the east and south of the proposed project site. The last and third portion of lot 9 is at the south east intersection of Soda Springs Road and Baker Ranch and will remain unimproved with no proposed uses at this time by the applicants.

Staff conducted a field visit of the site on November 26, 2014. The existing site has one +/- 20,000 square foot four story structure with a front entrance facing to the south. Access to the site includes two 26 feet wide driveways from Soda Springs Road and Serene Road with 29 paved parking spaces that were originally built to accommodate the lodge. This property currently remains vacant and there is some demolition work being conducted within the lodge building.

ANALYSIS:

General Plan and Zoning Consistency

The Ice Lakes Lodge facility is considered within the medium density residential 3,500 - 10,000 square feet land use designation which promotes and encourages multi-family housing. The applicants are proposing multi-family development with four units on a portion of the Lot 9 (1.2 acres) within the existing lodge building which would maintain a residential density of 13,068 square feet per unit.

Project Description

The property was recently purchased by the current owners who are proposing to convert the existing lodge structure to allow up to four residential apartment units for their two families, adding new decking to the north and south sides of the building and adding an attached four car garage to the western side of the building. This project once completed would replace the Ice Lakes Lodge use with up to four apartment units and supersede the lodge, restaurant and bar use that was originally approved in 1998. The applicants have stated the one story four car garage (24-feet x 48 feet) would accommodate their families during the winter months with protected parking and the decking improvements and expansion would bring the decks into compliance with current building codes for egress requirements and be enlarged for their family use.

Besides adding the decking and four car garage, the applicants are proposing interior modifications to allow the residential apartment units with minor changes to the exterior which may include enlarging or removing windows. No change is proposed to the materials or colors of the lodge structure. The applicants are considering adding additional landscaping and earth berms along the street for additional privacy screening from Serene Road and Soda Springs Road. The decking, garage, landscaping and new windows will require Design/Site Review approval which is a recommended condition of approval for this project.

Project Analysis

Even though a majority of the existing site and building improvements will remain, the applicants are proposing to convert the lodge, restaurant and bar into residential apartment units that can accommodate up to four units entirely within the confines of the existing building. Multi-family and their accessory uses like decks and garages within the Resort (RES) zoning district require a Minor Use Permit to be reviewed and approved by the Zoning Administrator.

The existing Conditional Use Permit (CUP-2232) has remained active with the implementation of the Certificate of Occupancy for the lodge and on-site improvements. Therefore the existing conditions will remain active (SUB-360/CUP-2232/VAA-3046), but the proposed multi-family use, if approved by the Zoning Administrator, will supersede the Lodge ,restaurant and bar use on Lot 9. All previous conditions would remain unless the current property owners for all affected properties decided to modify the conditions under a separate application to the County.

The proposed four unit complex with two or more bedrooms requires a total of two parking spaces per unit and one off-street guest parking space, requiring a total of nine off street parking spaces for the proposed residential complex. The applicants are proposing to construct the one story four car garage at the south westerly side of the existing building that would impact six existing paved parking spaces and potentially a drainage easement recorded on Book V of Maps Page 26.

A total of 28 paved parking spaces exist on Lot 9 where the lodge is currently located. With the proposed four car garage, aisle width and vehicle back up impacting the westerly parking lot, the applicant would be maintaining 12 on-site surfaced parking spaces on the eastern and southern side of the lot and adding the four car garage to be above the required 9 parking spaces needed for the project. Engineering and Surveying has also added a proposed Condition of Approval requiring prior to building permit issuance, the applicant shall confirm the location of the easement in relationship to the proposed garage and if it's in conflict, the easement shall be abandoned.

The zoning setbacks include a 60 foot front setback from property line on Soda Springs Road and Serene Road, and a 30-foot side setback on the sides since the subject site is greater than an acre. VAA-3046 allowed the existing Lodge 33 feet from property line along Soda Springs Road. The proposed garage and decking are proposed outside the zoning setbacks.

DONNER SUMMIT MUNICIPAL ADVISORY COUNCIL

The Lodge at Ice Lakes Project was presented to the Donner Summit MAC on its January 15, 2015 meeting as an informational non-action item. Staff provided the project description with the entitlements requested with the applicant's present. In general, the Committee and the public that was present acknowledged the difficulty in maintaining the previous Lodge use and it would be difficult to have the existing lodge "pencil out" and continue to survive. Ultimately the MAC in general thought the two families being allowed to live in the existing building made sense rather than see it abandoned. The MAC informed staff to send public notices for the proposal to the eight other lots that were originally a part of the previous entitlements. Upon this MAC recommendation, staff provided public notices to the current property owners of the eight lots.

Summary:

The Development Review Committee (DRC) has reviewed the proposed project and supports the conversion of the existing Lodge, restaurant and bar within the existing structure with up to four residential apartment units and adding the decking and accessory garage and using the existing vehicle access and on-site improvements.

RECOMMENDATION:

Staff recommends the Zoning Administrator (ZA) determine the project to be categorically exempt from the California Environmental Quality Act (CEQA). Staff recommends approval of the Minor Use Permit (PLN 14-00159), for the conversion of the existing Ice Lakes Lodge into four (4) residential apartment units with new decking and a 24' x 48' attached four car garage Assessor's Parcel Number 069-490-018-000 subject to the following findings and conditions.

FINDINGS:

Environmental Review / California Environmental Quality Act (CEQA):

1. This project is categorically exempt from the provisions of CEQA per Sections 18.36.050.B and E: Class 3, New construction or conversion of small structures of the Placer County Environmental Review Ordinance and CEQA Guideline Sections 15303(b) and (e). Specifically, for the conversion

of the existing Ice Lakes Lodge to allow for up to four (4) residential apartment units with new decking and a 24' x 48' attached four car garage.

Minor Use Permit Findings:

1. The site for the proposed use is consistent with applicable policies and requirements of the Placer County General Plan and Land Use Ordinance as multi-family use on a 1.2 acre parcel provides adequate land in a range of residential densities to accommodate the housing needs located along existing transportation routes and infrastructure and typical accessory uses such as residential garages will provide the necessary off street parking for the residences, and the Lot is physically suitable for the type and density/intensity of development being proposed and adequate in size and shape to accommodate the four (4) residential apartment units, landscaping, parking, yards, and other features required by the Zoning Ordinance in that the conversion of the lodge to the residential apartment units is located entirely within the existing building, and the four car garage and decking are proposed within the confines of the existing parcel would not create an inconsistency with the policies and requirements of the applicable General Plans in that the physical building impacts will virtually remain the same.

2. The establishment, maintenance and operation of the proposed use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of people residing or working in the neighborhood of the proposed use, or be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the County; approval and enable the making of specific findings in that the conversion of the four apartment units will be located entirely within the confines of the existing lodge and subject parcel and will provide for parking and a new compliant residential building that meets building and seismic requirements.

3. The proposed project to convert the existing lodge building to an apartment complex will be consistent with the character of the immediate neighborhood and will not be contrary to its orderly development in that the type of use will remain within the existing building with no increase in size. Furthermore, the project proposes to retain the existing improvements to the extent feasible and provide for additional landscaping will provide screening which will blend into the neighborhood.

4. The proposed project will not generate additional volume of traffic beyond the design capacity of all roads providing access to the project, either those existing or those to be improved with the previous lodge project unless a specific design deficiency is acknowledged and approved in conjunction with the adoption of a general plan or land use plan applicable to the area in question in that the conversion of the lodge building will not require additional trips above and beyond that was previously reviewed or acknowledged.

ATTACHMENTS:

- Attachment A - Planning Service Division Conditions of Approval
- Attachment B - Engineering and Surveying Division Memorandum
- Attachment C - Environmental Health Services
- Attachment D - Project Plans
- Attachment E - Existing Conditions of Approval SUB-360/CUP-2232/VAA-3046

**PLANNING SERVICES DIVISION
RECOMMENDED CONDITIONS OF APPROVAL
APPLICATION NO. 14-00159
LODGE AT ICE LAKES**

1. The Minor Use Permit (PLN 14-00159) for the conversion of the existing Ice Lakes Lodge to allow up to four residential apartment units with new decking and a 24' x 48' attached four car garage and as shown on the approved site plan and project description on file with the Community Development Resource Agency.
2. The project shall receive any required approvals from the appropriate Fire Protection District and any other department or agency having jurisdiction over this project.
3. The applicant shall, upon written request of the County, defend, indemnify, and hold harmless the County of Placer, the County Board of Supervisors, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorney's fees awarded by a certain development project known as the Lodge at Ice Lakes PLN14-00159. The applicant shall, upon written request of the county, pay or, at the County's option, reimburse the County for all costs for preparation of an administrative record required for any such action, including the costs of transcription, County staff time, and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision. This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the county relating to the approval of the Project. Upon request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provision of this condition (County Counsel).
4. With approval of this Minor Use Permit, the previous SUB-360/CUP-2232/VAA-3046 Condition of Approval 1. has been superseded with the following modification (~~added removed~~):

"The Vesting Tentative Map is approved for development of a 9-lot subdivision with 8 lots proposed for residential development (0.94 ac. av. ea. – 7 acres total) and 1 lot (**APN 069-490-018-000**) proposed for the **conversion of the existing Ice Lakes Lodge to allow for up to four (4) residential apartment units with new decking and a 24' x 48' attached four car garage** ~~development the lodge (2.81 acres). Also approved is a Use Permit for construction of a lodge/restaurant/bar~~ and a Variance to the front setback requirement of 60' from edge of easement in order to allow the **existing structure (APN 069-490-018-000)** ~~proposed lodge~~ to be located 33' from edge of easement."
5. Any exterior work at the site such as building materials and colors, landscaping, decking, and garage shall obtain County Design/Site Review approval prior to any work being started at APN 069-490-018-000.



COUNTY OF PLACER
Community Development/Resource Agency

Michael Johnson, AICP
Agency Director

**ENGINEERING AND
SURVEYING DIVISION**

Richard Eiri, Deputy Director

MEMORANDUM

TO: ALAN BREUCH, PLANNING DIVISION **JANUARY 28, 2015**
NICOLE HINKLE, PLANNING DIVISION

FROM: ED STANIFORTH, ENGINEERING AND SURVEYING DIVISION

**SUBJECT: PLN 14-00159: THE LODGE AT ICE LAKES; 1111 SODA SPRINGS ROAD; SODA
SPRINGS (APN: 069-490-018)**

The project requests approval to convert an existing hotel/restaurant/bar to a four (4) unit residential apartment with new decking and a 24' x 48' attached garage. The Engineering & Surveying Division supports the Development Review Committee's (DRC) recommendation for this Minor Use Permit application subject to the following conditions of approval:

1. A portion of the proposed garage may be affected by an existing 10' drainage easement (ref. as shown on Ice Lakes Lodge & Lots, recorded in Book V of Maps, Page 26). Prior to Building Permit issuance, the applicant shall provide an exhibit map prepared by a licensed surveyor showing the location of the easement in relationship to the proposed structure. Should the easement and structure be in conflict, the applicant shall process an abandonment of the public interest in the portion of the easement affected (contact John Webber at DPW 530-745-7564).
2. The project will be required to maintain a 22' minimum parking lot drive aisle width adjacent to the existing perpendicular parking spaces on both the western and eastern sides of the proposed garage.
3. Entry gates and/or privacy walls are not approved as part of this permit. Any future gate or wall proposals shall conform to all applicable County and Fire District standards and be approved by the Design Review Committee.



Placer County Health and Human Services Department

Jeffrey S. Brown, M.P.H., M.S.W.
Department Director

Wesley G. Nicks, R.E.H.S.
Environmental Health, Director

MEMORANDUM

OFFICE OF THE PLACER COUNTY HEALTH AND HUMAN SERVICES Division of Environmental Health

To: Zoning Administrator

From: Justin Hansen
Land Use and Water Resources Section

Date: November 21, 2014

Subject: **The Lodge at Ice Lakes, PLN14-00159, APN 069-490-018**

Environmental Health Services has reviewed the above referenced project. We recommend the following conditions of approval:

1. Bear resistant garbage containers required per Placer County Code, Section 8.16.
2. The existing commercial kitchen must be separated from any living or sleeping quarters by complete partition. No door or other opening shall be permitted in the partition that separates the food facility from the living or sleeping quarters.

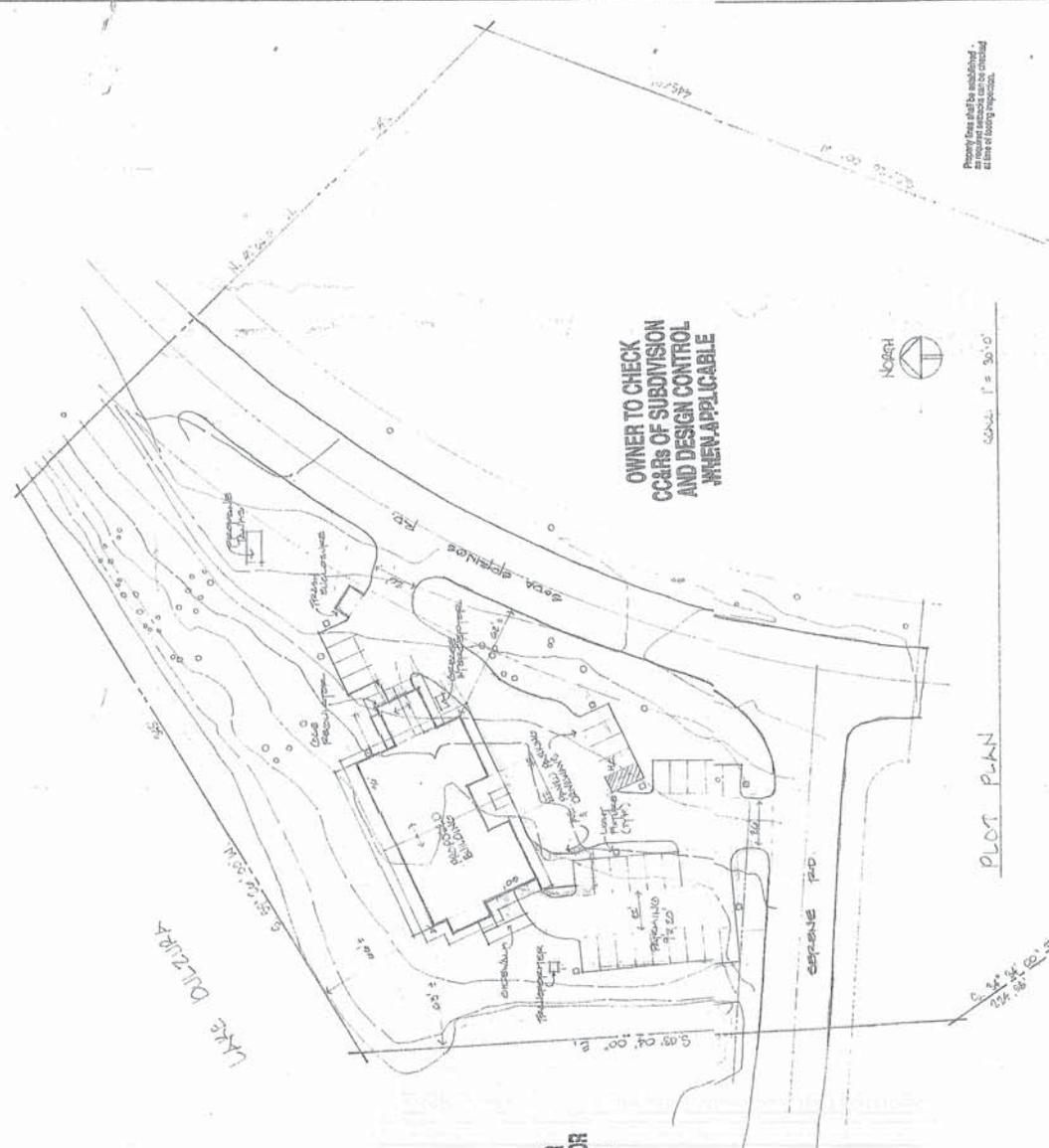
Perspective, Hope, and Opportunity



PROPOSAL
ITB LANE L200B
SODA SPRING, CA.



no.	revision	by	date
1	REVISED	HT	12/17/14

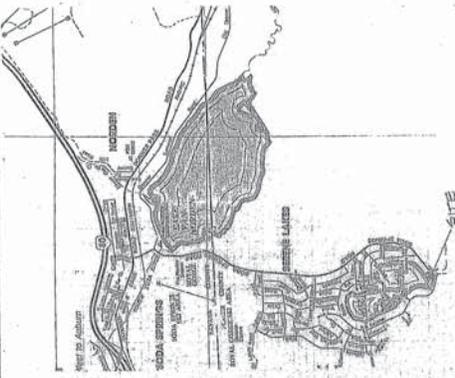


Property lines shall be established as shown unless otherwise indicated. An easement reference may be checked at the time of filing requirements.

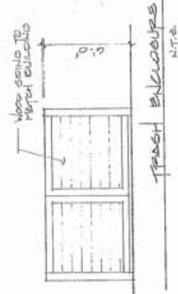
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PLOT PLAN

GAS & ELECTRIC METER LOCATIONS REQUIRE PRIOR APPROVAL FROM YOUR UTILITY COMPANIES



VICINITY MAP



TRASH ENCLOSURE

PROPERTY PROFILE
 ADDRESS: 1111 Soda Springs Rd
 Soda Springs, CA 95728
 APN: 069-490-018
 ZONING: Resort (RES)
 TOTAL AREA: 1.5-acres

OWNER/APPLICANT
 Robert A. Tucker, Manager
 Tucker Hous, LLC
 14867 Fine Drive
 Grass Valley, CA 95949

Roland Au
 335 Shiloh Valley Court
 Santa Rosa, CA 95403



**CONDITIONS OF APPROVAL—VESTING TENTATIVE MAP/
CONDITIONAL USE PERMIT/VARIANCE— "ICE LAKES LODGE
& LOTS" (SUB-360/CUP-2232/VAA-3046)**

THE FOLLOWING CONDITIONS SHALL BE SATISFIED BY THE APPLICANT, OR AN AUTHORIZED AGENT. THE SATISFACTORY COMPLETION OF THESE REQUIREMENTS SHALL BE DETERMINED BY THE DEVELOPMENT REVIEW COMMITTEE (DRC), COUNTY SURVEYOR, AND/OR THE PLANNING COMMISSION.

1. The Vesting Tentative Map is approved for development of a 9-lot subdivision with 8 lots proposed for residential development (0.94 ac. av. ea. - 7 acres total) and 1 lot proposed for the development of the lodge (2.81 acres). Also approved is a Use Permit for construction of a lodge/restaurant/bar and a Variance to the front setback requirement of 60' from edge of easement in order to allow the proposed lodge to be located 33' from edge of easement.

2. The following Standard Condition #'s ip3, 8, 12, 13, 15, 20, 23, 24, 27; g2, 4; v10; cr2; ap1, 2a, 3, 4; mc2, 9, 20; ep1, apply to this project as printed in Volume 6, Number 1, dated March 3, 1997, and as listed below 2. A) thru U):
 - A) Staging Areas: Stockpiling and/or vehicle staging areas shall be identified on the Improvement Plans and located as far as practical from existing dwellings and protected resources in the area (*i.e.*, infill projects only). (CR/MM) DPW
 - B) All proposed grading, drainage improvements, vegetation and tree removal shall be shown on the Improvement Plans and all work shall conform to provisions of the County Grading Ordinance (Chapter 29, Placer County Code) that are in effect at the time of submittal. No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved and all temporary construction fencing has been installed and inspected by a member of the DRC. All cut/fill slopes shall be at 2:1 (horizontal:vertical) unless a soils report supports a steeper slope and DPW concurs with said recommendation.

The applicant shall revegetate all disturbed areas. Revegetation undertaken from April 1 to October 1 shall include regular watering to ensure adequate growth. A winterization plan shall be provided with project Improvement Plans. It is the applicant's responsibility to assure proper installation and maintenance of erosion control/winterization during project construction. Provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of the DPW.

Submit to the DPW a letter of credit or cash deposit in the amount of 110% of an approved engineer's estimate for winterization and permanent erosion

control work prior to Improvement Plan approval to guarantee protection against erosion and improper grading practices. Upon the County's acceptance of improvements, and satisfactory completion of a one-year maintenance period, unused portions of said deposit shall be refunded to the project applicant or authorized agent.

If, at any time during construction, a field review by County personnel indicates a significant deviation from the proposed grading shown on the Improvement Plans, specifically with regard to slope heights, slope ratios, erosion control, winterization, tree disturbance, and/or pad elevations and configurations, the plans shall be reviewed by the DRC/DPW for a determination of substantial conformance to the project approvals prior to any further work proceeding. Failure of the DRC/DPW to make a determination of substantial conformance may serve as grounds for the revocation/modification of the project approval by the appropriate hearing body. (SR/CR) (DPW)

C) Storm water run-off shall be reduced to pre-project conditions through the installation of retention/detention facilities. The DPW may, after review of the project drainage report, delete this requirement if it is determined that drainage conditions do not warrant installation of this type of facility. In the event on-site detention requirements are waived, this project may be subject to payment of any in-lieu fees prescribed by County Ordinance. No pond construction shall be permitted within any identified wetlands area, except as authorized by project approvals. (CR/MM) (DPW)

D) Storm drainage from on-site impervious surfaces shall be collected and routed through specially designed catchbasins, vaults, filters, etc. for entrapment of sediment, debris and oils/greases as approved by DPW. Maintenance of these facilities shall be provided by the project owners/permittees unless, and until, a County Service Area is created and said facilities are accepted by the County for maintenance. Contractual evidence of a monthly parking lot sweeping and vacuuming, and catchbasin cleaning program shall be provided to DPW upon request. Failure to do so will be grounds for Conditional Use Permit revocation. Easements shall be created and offered for dedication to the County for maintenance and access to these facilities in anticipation of possible County maintenance. (CR/MM) (DPW)

E) **ADVISORY COMMENT:** This project is subject to construction-related storm water permit requirements of the Federal Clean Water Act National Pollutant Discharge Elimination System (NPDES) program. Any required permits shall be obtained through the State Regional Water Quality Control Board or EPA. (FR/SR) (DPW)

F) Provide the DPW with a letter from the appropriate fire protection district describing conditions under which service will be provided to this project. Said letter shall be provided prior to the approval of Improvement Plans, and a fire protection district representative's signature shall be provided on the plans. (CR) (DPW)

G) Submit to DPW, for review and approval, a geotechnical engineering report produced by a California Registered Civil Engineer or Geotechnical Engineer. The report shall address and make recommendations on the following:

- A) Road, pavement, and parking area design
- B) Structural foundations, including retaining wall design (if applicable)
- C) Grading practices
- D) Erosion/winterization
- E) Special problems discovered on-site, (*i.e.*, groundwater, expansive/unstable soils, etc.)
- F) Slope stability

Once approved by the DPW, two copies of the final report shall be provided to the DPW and one copy to the Building Department for their use. If the soils report indicates the presence of critically expansive or other soils problems which, if not corrected, would lead to structural defects, additional investigations, prior to issuance of Building Permits, may be required for subdivisions. This shall be so noted in the CC&R's and on the Informational Sheet filed with the Final Map(s). It is the responsibility of the developer to provide for engineering inspection and certification that earthwork has been performed in conformity with recommendations contained in the report. **(SR/CR/MM)** (DPW)

H) The Improvement Plans shall be approved by the water supply entity for water service, supply, and maintenance. The water supply entity shall submit to the Departments of Health and Public Works a "will-serve" letter or a "letter of availability" from the water district indicating that the agency has the ability and system capacity to provide the project's domestic and fire protection water quantity needs. **(CR)** (DPW/EHS)

D) Submit, for review and approval, a striping and signing plan with the project Improvement Plans. The plan shall include all on- and off-site traffic control devices and shall be reviewed by the County Traffic Engineer. **(CR)** (DPW)

J) Any proposed subdivision grading beyond that necessary for construction of streets, utilities, and drainage improvements (*i.e.*, mass grading, residential pad grading) must be approved by DRC prior to approval of project Improvement Plans. The intent of this condition is to allow detailed DRC review of lot or contour grading impacts, and to ensure that grading activities do not exceed those indicated on the preliminary grading plan for this project. Grading plans, of a suitable scale and providing specific engineering detail, including limits of grading, identification of trees, existing and proposed contours, drainage patterns, etc., shall be prepared and submitted for DRC review. If significant grading, beyond that indicated on the preliminary grading plan, and/or environmental documents is proposed with subdivision construction, the matter shall be referred back to the Planning Commission for consideration. **(CR)** (DPW/P)

K) In order to protect site resources, no grading activities of any kind may take place within the 100-year flood plain of the stream nor within the watershed of the vernal pool(s), unless otherwise approved as a part of this project. **(CR/MM)** (DPW/P)

L) Temporary Construction Fencing: The applicant shall install a 4' tall, brightly colored (usually yellow or orange), synthetic mesh material fence (or an

equivalent approved by the DRC) at the following locations prior to any construction equipment being moved on-site or any construction activities taking place:

1) Adjacent to any and all wetland preservation easements that are within 50' of any proposed construction activity;

2) At the limits of construction, outside the dripline of all trees 6" dbh (diameter at breast height), or 10" dbh aggregate diameter for multi-trunk trees, within 50' of any grading, road improvements, underground utilities, or other development activity, or as otherwise shown on the Tentative Map;

3) Around any and all "special protection" areas as discussed in the project's environmental review documents.

No development of this site, including grading, will be allowed until this condition is satisfied. Any encroachment within these areas, including driplines of trees to be saved, must first be approved by the DRC. No grading, clearing, storage of equipment or machinery, etc., may occur until a representative of the DRC has inspected and approved all temporary construction fencing. This includes both on-site and off-site improvements. Efforts should be made to save trees where feasible. This may include the use of retaining walls, planter islands, pavers, or other techniques commonly associated with tree preservation.

Said fencing and a note reflecting this condition shall be shown on the Improvement Plans. (CR/MM) (ED/DPW)

M) If any archaeological artifacts, exotic rock (non-native), or unusual amounts of shell or bone are uncovered during any on-site construction activities, all work must stop immediately in the area and a qualified archaeologist retained to evaluate the deposit. The Placer County Planning Department and Department of Museums must also be contacted for review of the archaeological find(s).

If the discovery consists of human remains, the Placer County Coroner and Native American Heritage Commission must also be contacted. Work in the area may only proceed after authorization is granted by the Placer County Planning Department. A note to this effect shall be provided on the Improvement Plans for the project. (SR/CR/MM) (PD)

N) The applicant shall submit a dust control plan to the APCD no later than 45 days prior to groundbreaking. The applicant shall not break ground prior to receiving APCD approval of the dust control plan. (MM) (APCD)

O) The applicant shall ensure that no open burning occurs on this property during the development of this project. (CR/MM) (DPW)

P) The applicant shall insure that the project conforms with all APCD Rules and Regulations. Contact the APCD to review any rules that may apply to specific types of projects. (CR) (APCD)

Q) All woodburning devices installed in the project must be EPA-certified Phase II. Any fireplaces installed must have EPA-certified Phase II inserts. (FR) (APCD)

R) No lot shall be further divided. (CR) (ED)

S) This project is located within a "State Responsibility Area" and, as such, is subject to fire protection regulations established by the State Board of Forestry. Compliance with these regulations shall be evidenced by submittal of a letter from California Department of Forestry (CDF) to the Department of Public Works prior to Improvement Plan approval/Building Permit issuance. CC&R's shall include notification to future lot owners that said regulations include provisions applicable to residential construction. (SR/CR) (DPW)

T) The project applicant shall execute a hold harmless and indemnification agreement to protect, defend, indemnify, and hold Placer County free and harmless from any and all losses, claims, liens, demands, and causes of action of every kind and character including, but not limited to, the amounts of judgements, penalties, interest, court costs, legal fees, and all other expenses incurred by Placer County arising in favor of any party, including claims, liens, debts, personal injuries, death, or damages to property (including employees or property of the County) and without limitation be enumeration, all other claims or demands of every character occurring or in any way incident to, in connection with or arising directly or indirectly out of, the activities engaged in by applicant and/or any and all others under the terms of, and/or the duration of, this Use Permit. Project applicant agrees to investigate, handle, respond to, provide defense for, and defend any such claims, demand, or suit at the sole expense of the project applicant. The project applicant also agrees to bear all other costs and expenses related thereto, even if the claim or claims alleged are groundless, false, or fraudulent. This provision is not intended to create any cause of action in favor of any third party against project applicant or the County or to enlarge in any way the project applicant's liability, but is intended solely to provide for indemnification of Placer County from liability for damages or injuries to third persons or property arising from project applicant's activities pursuant to this Use Permit.

A) The County of Placer, its officers, agents, employees, and volunteers are to be covered as insured for all liability arising out of the operations by or on behalf of the named insured in the activities engaged in pursuant to this Use Permit.

B) As used above, the term Placer County means Placer County or its officers, agents, employees, and volunteers. (cc)

U) The applicant shall prepare and submit to the Department of Public Works (DPW), a Final Subdivision Map which is in substantial conformance to the approved Tentative Map in accordance with Chapter 19 of the Placer County Code; pay all current map check and filing fees. (SR/CR) (DPW)

IMPROVEMENTS/IMPROVEMENT PLANS

3. The applicant shall prepare and submit Improvement Plans, specifications and cost estimates (per the requirements of Section II of the Land Development Manual [LDM] that are in effect at the time of submittal) to the DPW for review and approval. The plans shall show all conditions for the project as well as pertinent topographical features

both on- and off-site. All existing and proposed utilities and easements, on-site and adjacent to the project, which may be affected by planned construction, shall be shown on the plans. All landscaping and irrigation facilities within the public right-of-way (or public easements), or landscaping within sight distance areas at intersections, shall be included in the Improvement Plans. The applicant shall pay plan check and inspection fees. The cost of the above-noted landscape and irrigation facilities shall be included in the estimates used to determine these fees. It is the applicant's responsibility to obtain all required agency signatures on the plans and to secure department approvals. If the Design/Site Review process and/or DRC review is required as a condition of approval for the project, said review process shall be completed prior to submittal of Improvement Plans. "As built" plans shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the DPW prior to acceptance by the County of site improvements.

ADVISORY COMMENT: Conceptual landscape plans submitted prior to project approval may require modification during the Improvement Plan process to resolve issues of drainage and traffic safety. (SR/CR/MM) (DPW)

4. The connection of each residence within this project to public sanitary sewers is required, shall be shown on the Improvement Plans, and shall be included in the engineer's estimate of costs for subdivision improvements. (CR) (EHS/DPW)
5. Prepare and submit with the project Improvement Plans, a drainage report (per the requirements of Section 5 of the LDM that are in effect at the time of submittal) to the DPW for review and approval. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: A written text addressing existing conditions, the effects of the improvements, all appropriate calculations, a watershed map, increases in downstream flows, proposed on- and off-site improvements and drainage easements to accommodate flows from this project. The report shall address storm drainage during construction and thereafter and shall propose "Best Management Practice" (BMP) measures to reduce erosion, water quality degradation, etc. Said BMP measures for this project shall include: Minimizing drainage concentration from impervious surfaces, construction management techniques, erosion protection at culvert outfall locations, infiltration trenches, straw bales, filter fences; seeding, mulching of disturbed areas. (CR/MM) (DPW)
6. The following off-site drainage facilities shall be evaluated in the drainage report for condition and capacity and shall be upgraded or replaced as specified by DPW:
 - A) 12" C.M.P. crossing Soda Springs Road, north of the intersection with Serene Road. (CR/MM) (DPW)

GRADING

7. Prior to the issuance of any Building Permits, Grading Permits shall be required for all lots on the approved Tentative Map. No concrete slab foundations, except for garages and basements, shall be permitted where existing slopes are 10% or greater. The intent of this condition is to limit the extent of grading to that reasonably necessary for residential construction.

The Grading Permit shall also provide for temporary protective fencing a minimum of 4' high with warning signs placed within 50' of any proposed construction activities. Such fencing shall be in place prior to, and during any on-site construction activities.

Grading plans shall be prepared in accordance with requirements of the County's Grading Ordinance and submitted to DPW for review and approval. Fees for said review shall be based upon actual time spent by Staff.

The requirement for Grading Permits and foundation restrictions shall be noted on the Information Sheet and/or within the development notebook described elsewhere in these conditions of approval for each affected lot. (CR/MM) (DPW/T)

ROADS/TRAILS

8. Provide a 0.3' AC overlay on Serene Road and Soda Springs Road within the proposed subdivision limits. All work shall conform to requirements of County general specifications. (CR) (DPW)

9. All on-site parking and circulation areas for the lodge parcel shall be improved with a durable, all-weather surface capable of supporting anticipated vehicle loadings.

ADVISORY COMMENT: It is recommended that the pavement structural section be designed in accordance with recommendations of a soils/pavement analysis and should not be less than 2" AC over 4" Class 2 AB, or the equivalent. (CR) (DPW)

PUBLIC SERVICES

10. Provide to DRC "will-serve" letters from the following public service providers prior to Improvement Plan and Final Map approvals, as required:

- A) Pacific Bell
- B) PG&E
- C) Water - Sierra Lakes County Water District
- D) Sewer - Sierra Lakes County Water District

If such "will serve" letters were obtained as a part of the environmental review process, and are still valid, they shall not be required again. (CR) (DPW)

11. Prior to the approval of the Improvement Plans, provide the DRC with proof of notification (in the form of a written notice or letter) of the proposed project to:

- A) Tahoe-Truckee Unified School District
- B) Tahoe-Truckee Sierra Disposal
- C) Placer County Sheriff's Office (CR) (DPW)

GENERAL DEDICATIONS/EASEMENTS

12. Provide the following easements/dedications on the Improvement Plans and Final Map to the satisfaction of the DPW and DRC:(CR)
- A) Dedicate to Placer County a 60'-wide highway easement (Ref. Chapter 19, Placer County Code) for the extension of Soda Springs Road south of the Serene Road intersection for road and utility purposes. (CR) (DPW)
 - B) Public utility easements as required by the serving utilities, excluding wetland preservation easements (WPE). (CR) (DPW)
 - C) Dedicate multi-purpose easements 12.5' adjacent to all highway easements. (CR) (DPW)
 - D) Slope easements for cuts and fills outside the highway easement. (CR) (DPW)
 - E) Meandering drainage easements over existing drainage swales as appropriate. (CR) (DPW)
 - F) Snow storage easement 30' in width adjacent to residential lot frontages along Serene Road and Soda Springs Road. (CR) (DPW)

VEGETATION AND OTHER SENSITIVE NATURAL AREAS

13. A Landscape Plan, prepared by a licensed landscape architect or similar professional, shall be submitted and approved by the DRC (and Parks Division if maintenance is provided through a CSA) which: Mitigates for the removal of trees in connection with the development of the project.

Said Plan shall be submitted with the project's Improvement Plans and the landscaping shall be installed to the satisfaction of the County prior to the County's acceptance of the subdivision's improvements. All landscaping shall consist of native-appearing drought-tolerant plant species with a water-conserving drip irrigation system to be installed by the developer prior to acceptance of the subdivision's improvements. The homeowners' association shall be responsible for the maintenance of said landscaping and irrigation.

All areas that are disturbed as part of subdivision improvements, shall be re-established with hydroseeding and planting. A vegetation monitoring program report, prepared by a licensed landscaping architect, shall be submitted annually to the Planning Department for a 3-year period. Said report will define areas that have been disturbed/replanted with a description of the seeding and/or planting materials, and status of re-established vegetation, including survival rate. Any corrective actions required are the responsibility of the homeowners' association.

A letter of credit or cash deposit in the amount of 125% of the accepted proposal shall be deposited with the Placer County Planning Department to assure performance of the monitoring program. Evidence of this deposit shall be provided to the satisfaction of the DRC. Violation of any components of the approved MMIP may result in enforcement activity per Placer County Environmental Review Ordinance Section 31.870. An agreement between the applicant and the County shall be prepared which meets DRC approval that allows the County use of the deposit to assure performance of the MMIP in the event the homeowners' association reneges. (CR/MMIP) (PD/DKS)

14. Trees identified for removal, and/or trees with disturbance to their driplines, shall be replaced on-site, in an area to be reviewed and approved by the DRC, as follows: (CR/MM)
- A) One, 15-gallon native tree for each tree removed, or equivalent (*i.e.*, two, 5-gallon trees or three, 1-gallon trees.) (CR/MM)

FEES

15. **ADVISORY COMMENT:** This project as proposed is not subject to payment of traffic impact fees as prescribed by the Placer County Road Network Traffic Limitation Zone and Traffic Fee Program due to credits received for the previous uses on the property. However, future changes to the proposed project could result in traffic impact fees being required. (CR) (DPW)
16. Fees shall be paid to Placer County for the development of park and recreation facilities pursuant to Section 19.107, Section 19.343, and/or Section 12.90.2 of the *Placer County Code*. This fee is to be paid prior to the recordation of the Final Map for use in Recreation Area #16, and is based on the project approval for 8 lots. The amount to be paid shall be the fee in effect at the time the Final Map is recorded (for guidance, if the map were recorded today, the fee would be \$1,225 per residential lot). (CR) (PD)
17. Pursuant to Section 21089 (b) of the California Public Resources Code and Section 711.4 et. seq. of the Fish and Game Code, the approval of this permit/project shall not be considered final unless the specified fees are paid. The fees required are \$880 for projects with Environmental Impact Reports and \$1,280 for projects with Negative Declarations. Without the appropriate fee, the Notice of Determination (which the County is required to file within 5 days of the project approval) is not operative, vested or final and shall not be accepted by the County Clerk. (SR) (PD)

AIR POLLUTION

18. Electrical outlets shall be installed on the exterior walls of all buildings to promote the use of electric landscape maintenance equipment. (APCD)

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MISCELLANEOUS CONDITIONS

19. No lot shall be divided by a tax district boundary. (CR) (PD)
20. The applicant shall designate the lodge parcel as Lot #9 on the Final Map.
21. Approval of this Vesting Tentative Map, Conditional Use Permit, and Variance is subject to the approval of the Board of Supervisors of a General Plan Amendment to Resorts & Recreation (for a portion of AP #069-020-041 only), and a Rezoning to RES-Ds for the lodge, and RS-B-X-6,500 sq. ft. min. for the proposed subdivision. (SR) (PD)
22. The applicant shall obtain an abandonment of the access easement as described by the Sierra Lakes County Water District prior to recordation of the Final Map for this project.

CONDITIONS, COVENANTS, & RESTRICTIONS

23. Prior to the filing of the Final Map, Conditions, Covenants, and Restrictions (CC&R's) shall be prepared and submitted to and approved by the DPW, County Counsel, and other appropriate County Departments and shall contain provisions/notifications related to those issues raised in Conditions 13, 24, 25, & 28. (CR) (PD/DPW/EHS/APCD)
 - A) The applicants shall create a homeowners' association with certain specified duties/responsibilities. (CR) (DPW/PD)
 - B) None of the provisions required by this condition of approval shall be altered without the prior written consent of Placer County. (CR) (PD/DPW/EHS/APCD)

NOTIFICATION TO FUTURE BUYERS

24. The notification to lot owners that construction of driveways that exceed 12% gradient (gravel surface) or 15% (all weather surface) may impair emergency and construction vehicle and equipment access to building sites. (CR) (DPW)
25. Notification to all future owners of residential lots that Grading Permits are required prior to the start of any construction or the issuance of any Building Permits. Further notification that no concrete slab foundations are permitted on these lots except for garages and basements. (CR/MM) (DPW)
26. Each new lot owner shall be provided with a copy of the Development Notebook page(s) applicable to the subject lot, including plot plans and all use restrictions. (CR)

DEVELOPMENT STANDARDS

27. Prior to recordation of the Final Map(s), a Development Notebook shall be submitted to the Planning Department staff which shall include plot plans for each lot in the project, depicting all dimensions, easements, setbacks, height limits, landscaping and driveway requirements, and other restrictions which might affect the construction of structures on said lot. No Building Permits may be issued for the project until this Notebook is provided to and accepted by the DRC for format and content requirements. (CR) (PD)

MITIGATION MONITORING

28. A Mitigation Monitoring Implementation Program (MMIP) for the replacement of native trees, prepared by an ISA certified arborist, Registered Forester, or Landscape Architect, shall be submitted to the Planning Department, in conjunction with the project's Improvement Plans for review and approval by the DRC. Said plan shall provide for trees to be planted by the project developer within Common Area Lots and any residential lots determined appropriate by the DRC. The Plan shall include a site plan that indicates the trees' location, installation and irrigation requirements and other standards to ensure the successful planting and continued growth of these trees.

Installation of all trees and irrigation systems must be completed prior to the County's acceptance of the subdivision's improvements. Access rights for monitoring and maintenance, if necessary, shall be provided to the homeowners' association.

An annual monitoring report for a minimum period of 3 years from the date of installation, prepared by an ISA certified arborist, shall be submitted to the DRC for review and approval. Any corrective action shall be the responsibility of the homeowners' association. A note shall be included on the Information Sheet described in Condition #13 herein, which indicates the requirements of this condition.

Prior to the approval of the Improvement Plans, a Letter of Credit, Bond, or cash deposit in the amount of 125% of the accepted proposal shall be deposited with the Placer County Planning Department to assure on-going performance of the monitoring program. Evidence of this deposit shall be provided to the satisfaction of the DRC. An amount equal to the cost for administrative and program review by the County shall be paid to Placer County and deducted from this deposit before the balance is returned to the applicant.

Violation of any components of the approved MMIP may result in enforcement activities per Placer County Environmental Review Ordinance, Section 31.870. An agreement between the applicant and County shall be prepared which meets DRC approval that allows the County use of this deposit to assure performance of the MMIP in the event the homeowners' association reneges. (SR/CR/MMIP) (PD)

EXERCISE OF PERMIT

29. This Vesting Tentative Map/Conditional Use Permit/Variance shall be approved for 36 months and shall expire on March 24, 2001, unless exercised before that date.
(SR/CR) (PD)



**MODIFICATION CONDITIONS OF APPROVAL - FINAL MAP
MODIFICATION - "ICE LAKES SUBDIVISION" - VARIANCE -
KOLBE RESIDENCE (SUB-360/VAA-3751)**

THE FOLLOWING CONDITIONS SHALL BE SATISFIED BY THE APPLICANT, OR AN AUTHORIZED AGENT. THE SATISFACTORY COMPLETION OF THESE REQUIREMENTS SHALL BE DETERMINED BY THE DEVELOPMENT REVIEW COMMITTEE (DRC), COUNTY SURVEYOR, AND/OR THE PLANNING COMMISSION.

1. This modification approves an amendment to the Ice Lakes Subdivision No. 2 Final Map to modify the 20' front setback line shown on Lot #3 and a Variance to the front setback requirement of 30' from front property line in order to allow for a front setback of 12' to structure in order to permit the construction of a two-car garage with living area above at an existing residence.
On March 13, 2003 the Planning Commission allowed for a setback of 15' to permit the construction of an entry porch on the south side of the garage and to allow for a setback of 25' to permit the construction of a deck on the north side of the residence.
2. The applicant shall obtain a Building Permit for the proposed construction.
3. Prior to Building Permit issuance, the applicant shall prepare and submit to the Planning Department a revised exhibit map for the Certificate of Variance to modify the building setback lines for this lot, as shown on the Ice Lakes Subdivision No. 2 (Book G, Page 1), and to conform with the approval of this application.
4. The garage structure, entry porch and deck shall be designed so as to be architecturally compatible with the existing residence on the site.
5. Prior to Building Permit issuance, the applicant shall obtain from the Department of Public Works an encroachment permit for locating the proposed building and deck structures within the setback and/or snow storage easement and, if applicable, for doing any work within the County's right-of-way. Said permit shall be in recordable form and hold Placer County harmless from any damage resulting to the structure. *(Refer to E.P. #944R for previously approved encroachments)*
6. Prior to Building Permit issuance, dedicate to Placer County a 30' wide snow storage easement along the property frontage on Allen Drive & Hemlock Drive. The County Surveyor will prepare the legal description of the Snow Storage Easement and the

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description can be obtained by contacting the DPW. The easement needs to be signed and notarized by the applicant prior to Building Permit issuance. *(Completed: 05/21/02)*

7. The face of the garage shall be a minimum of 20' from the edge of pavement of the street. *(Verified at time of Building Permit issuance: 09/11/02)*
8. Construct a public road entrance (driveway) onto Hemlock Drive to a Plate 27, LDM standard for a residential unit. The design speed of the roadway is 25 mph or as otherwise specified by the DPW. The improvements shall begin at the outside edge of any future lane(s) as directed by the DPW. An Encroachment Permit shall be obtained by the applicant or authorized agent from DPW and a copy of said permit shall be provided prior to Building Permit issuance. *(Refer to E.P.#944R)*
9. Prior to Building Permit issuance, the applicant shall process an abandonment of the area associated with the structure and deck's footprint that is within the 20' wide Light and Air Space Easement and/or 15' wide Utility Easement, dedicated to Placer County, that is shown on Ice Lakes Subdivision No.2 (Book G of Maps, Page 1). Contact John Webber at DPW (530) 889-7564.
10. The March 13, 2003 modification approval shall expire on March 24, 2005, unless exercised before that date.

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