



**STAFF REPORT  
PLANNING COMMISSION MEETING OF JANUARY 27, 2015**

To: Planning Commission

From: Amanda Rose

Subject: PROJECT #14-09 SIERRA COLLEGE ESTATES SUBDIVISION AND NEGATIVE  
DECLARATION (ND)

Date: January 27, 2015

**REQUEST**

Ron Smith, the applicant, requests a 7-lot subdivision (SUB) approval of the 19.45-acre property located on the northwest corner of Bankhead Road and Sierra College Boulevard, APN: 030-100-017. The request is to subdivide 19.45-acre APN 030-100-017 into seven lots each with a minimum lot size of 2.3 acres. The property is zoned Residential Estate (RE) and designated "RE" in the General Plan. The proposed project, if granted a SUB is consistent with the General Plan and the Zoning Ordinance. A Negative Declaration has been prepared and circulated under CEQA.

**PROJECT DESCRIPTION**

Placer Partners LLC is proposing a 7-lot subdivision of the 19.45-acre property (APN 030-100-017) located on the northwest corner of Bankhead Road and Sierra College Boulevard. The property is zoned Residential Estate (RE) with a minimum parcel size of 2.3 acres. In addition to the seven residential lots, the project includes Lot A (0.2 acre located along the west side of Bankhead Road) as a 30-foot-wide fee title dedication to the Town of Loomis.

The property contains a large area of wetlands and waters of the United States, as delineated and verified by the U.S. Army Corps of Engineers (Corps).

**SITE DESCRIPTION**

The project is located on the northwest corner of Bankhead Road and Sierra College Boulevard on APN 030-100-017. The property contains a large area of wetlands and waters of the United

States, as delineated and verified by the U.S. Army Corps of Engineers (Corps). The property is vegetated with annual and perennial grasses, scattered live and valley oaks, Himalayan blackberry thickets, and riparian vegetation – consisting of mature willows and Fremont cottonwood – along the northern stream course. Large fields of common velvetgrass dominate portions of the property. Velvetgrass is an introduced perennial grass that commonly invades overwatered and overgrazed irrigated pastures.

**General Plan Designation:** Residential Estate

**Zoning:** RE Residential Estate

**Surrounding Uses and Zoning:**

**North** – Residential Estate/ single-family residences

**South** – Sierra College Boulevard beyond which is land zoned Residential Estate

**East** – Residential Estate/ single-family residences

**West** – Antelope Creek and land zoned Residential Agricultural

**Improvements/Utilities/Service Systems:**

**Sewer** – SPMUD

**Water** – PCWA

**Gas/Electric** – PG&E

**Trash** – Recology Auburn Placer

**ENVIRONMENTAL REVIEW**

No significant impacts were identified in the Initial Study. A Negative Declaration has been prepared and circulated under CEQA from December 4, 2014 through January 5, 2015. Four comment letters were received during the public comment period.

The circulated Negative Declaration considered the applicant’s request that the average parcel size (2.61 acres) be allowed to substitute for minimum parcel size (2.3 acres in RE zoning) to allow protection and avoidance of the on-site wetland areas. All but one of the seven parcels (Lot 7 at 1.5 acres) met or exceeded the minimum parcel size. Based on comments received during the 30-day public comment period, the applicant has modified the lot sizes so that all seven lots have a minimum lot size of 2.3 acres (see attached Site Plan). Pursuant to CEQA Guidelines Section 15073.5(c)(2), recirculation of the Negative Declaration is not required when “new project revisions are added in response to written or verbal comments on the project’s effects identified in the proposed negative declaration which are not new avoidable significant effects.”

A Notice of Determination will be filed with the Placer County Clerk upon approval of the project.

## **RECOMMENDATION**

That the Planning Commission approve Resolution #15- [redacted] adopting a Negative Declaration and approving Project #14-09 SUB allowing subdivision of the 19.45-acre APN 030-100-017 into seven lots each with a minimum parcel size of 2.3 acres with the Findings in Exhibit A and the Conditions in Exhibit B.

## **ATTACHMENTS**

1. Resolution #15- [redacted] adopting a Negative Declaration and approving Project #14-09 SUB with Conditions
2. Application
3. Negative Declaration/Environmental Initial Study
4. Letter from Central Valley Regional Water Quality Control Board dated December 23, 2014
5. Letter from Ms. Jan Walczykowski dated December 23, 2014
6. Email from Mr. Shawn Aguilar dated January 2, 2015
7. Email from Ms. Jan Walczykowski dated January 2, 2015
8. Site Plan/Elevation Drawings

RESOLUTION #15-      

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF LOOMIS ADOPTING A NEGATIVE DECLARATION AND APPROVING A SUBDIVISION FOR SIERRA COLLEGE ESTATES (APN 030-100-017)

**WHEREAS**, Ron Smith, the applicant, has proposed to subdivide the 19.45-acre APN 030-100-017 into seven lots each with an average parcel size (2.61 acres), such application being identified as #14-09; and

**WHEREAS**, on January 27, 2015, 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 #14-09 Sierra College Estates Subdivision; and

**NOW THEREFORE**, based upon the findings set forth hereinabove, the Planning Commission of the Town of Loomis, at its meeting of January 27, 2015, 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. The Mitigated Negative Declaration is adopted, and staff is directed to file an appropriate Notice of Determination with the County Clerk.
2. The Mitigation Monitoring Program is adopted,
3. The project, #14-09 SUB, is hereby approved per the findings set forth in Exhibit A and the conditions set forth in Exhibit B.

ADOPTED this 27<sup>th</sup> day of January, 2015, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAINED:

\_\_\_\_\_  
Michael Hogan, Chairman

\_\_\_\_\_  
Amanda Rose, Planner

**EXHIBIT A**  
**PROJECT #14-09**  
**PLANNING COMMISSION HEARING January 27, 2015**

**FINDINGS:**

Negative Declaration

1. The initial study identified possible adverse environmental effects, but conditions of project approval have reduced them to a point where they are not significant.

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.

Subdivision

Pursuant to Section 66474 of the Subdivision Map Act, the Planning Commission hereby finds and determines as follows:

1. The proposed map is consistent with the Town's General Plan and Zoning Ordinance.
2. The design and improvement of the proposed division are consistent with the General Plan because adequate infrastructure and services will be available to serve the demand for services generated by the division, including water, sanitary sewer, and roadways.
3. The site is physically suitable for this type of development in that the site meets the size requirements for seven additional single-family residence, and there are no environmental constraints.
4. The site is physically suitable for the proposed density of development in that the addition of seven single-family residences is consistent with the allowed zoning density.
5. The design of the division or the proposed improvements will not cause substantial environmental damage, or injure fish or wildlife, or their habitat, in that the division is of an existing residential parcel.
6. The design of the division or improvements will not cause serious public health problems since water, sewer, sheriff, fire, and solid waste services will be adequately provided to the project.
7. The design of the project or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed project.

EXHIBIT B  
CONDITIONS OF APPROVAL PROJECT #14-09  
PLANNING COMMISSION, JANUARY 27, 2015

This Subdivision is approved for the division of a 19.45-acre parcel, APN 030-100-017, located at the northwest corner of Bankhead Road and Sierra College Boulevard, per the following conditions. The approval expires on January 27, 2017, unless extended by the Planning Commission.

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. \_\_\_\_\_ The owner shall submit the CC&R's for review and approval (in accordance with these conditions insuring that those parts of the CC&R's that involve these conditions cannot be amended without the consent of the Town) by the Town Engineer and Town Attorney prior to Final Map/Parcel Map approval.
4. \_\_\_\_\_ Development shall be substantially in accordance with the plans entitled "Tentative Parcel Map Sierra College Estates APN 030-100-017-000", as prepared by Rose's Engineering, consisting of one (1) sheet, dated "September 30, 2014" and received "January 20, 2015", except as may be modified by the conditions stated herein.
5. \_\_\_\_\_ 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.
6. \_\_\_\_\_ The owner (sub-divider) shall defend, indemnify, and hold harmless the Town of Loomis and its agents, officers and employees from any claim, action or proceeding against the Town, or its agents, officers and employees to attach, set aside, void, or annul, an approval of the Planning Commission, or Town Council concerning the subdivision that is the subject of this application and which is brought within the time period specified in Section 66499.37 of the Subdivision Map Act.
7. \_\_\_\_\_ 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.

8. \_\_\_\_\_ The owner shall dedicate a one-foot-wide no-access dedication along the property lines adjacent to Bankhead Road and Sierra College Boulevard **on the final map.**

#### IMPROVEMENTS (ROADWAY, DRAINAGE, GRADING)

9. \_\_\_\_\_ The owner shall record an irrevocable offer of dedication for 30' or ½ of the right-of-way for the Bankhead Road 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 seven parcels prior to recordation of the Final Map.
11. \_\_\_\_\_ The owner shall construct Class B (H-0) 50'-wide, 6"-thick aggregate base with 2" of asphalt with 8' aggregate base shoulder access road, plus the turn around (Loomis detail H-26) as shown on the tentative map prior to parcel map recordation.
12. \_\_\_\_\_ The owner shall improve the emergency access easement with a 4" thick aggregate base, 20' in width **prior to issuance of the first building permits.**
13. \_\_\_\_\_ The owner shall construct a Loomis detail H-15 Roadway connection onto Bankhead Road.
14. \_\_\_\_\_ Security gates and/or fences at each end of the emergency vehicle access shall require detailed plans that shall be submitted to the Sheriff's Substation, Fire Department and Planning Department for approval prior to issuance of building permits.
15. \_\_\_\_\_ The owner shall obtain an encroachment permit prior to any work within public rights-of-way.
16. \_\_\_\_\_ 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.
17. \_\_\_\_\_ 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.
18. \_\_\_\_\_ The owner shall submit certified as-built plans and computer generated design files on disk detailing the improvements prior to final acceptance of improvements.
19. \_\_\_\_\_ 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.
20. \_\_\_\_\_ The owner shall dedicate all necessary right-of-way or easements for streets, 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. \_\_\_\_\_ The owner shall prepare and install erosion and sediment control along the delineated boundary of the riparian zone and all disturbed areas during all demolition/construction activities per State Water Resources Handbook.
23. \_\_\_\_\_ 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.
24. \_\_\_\_\_ 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.
25. \_\_\_\_\_ No on-street parking on Bankhead Road is permitted in conjunction with this permit.
26. \_\_\_\_\_ 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.  
  
Prior to recordation of the Parcel/Final 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 Final 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. The boundaries of the flood zone through the site shall be delineated with a post & cable per Loomis detail LSC-25.
27. \_\_\_\_\_ No construction, including but not limited to impenetrable barriers, structures, and/or fencing, shall occur within the area defined as "wetlands" or "restricted area" as delineated on the "Tentative Parcel Map Sierra College Estates APN 030-100-017-000", as prepared by Rose's Engineering, consisting of one (1) sheet, dated "September 30, 2014" and received "January 20, 2015".

#### GENERAL PLANNING

28. \_\_\_\_\_ 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.).

29. \_\_\_\_\_ The owner will be responsible for taking reasonable actions to abate nuisances caused by this project in the project area which are under the owner's control.
30. \_\_\_\_\_ No request for a Parcel Map, pursuant to this map, shall be approved until all conditions are completed and accepted by the Town, acceptable to the Town Attorney, for those conditions not completed, as has been submitted.
31. \_\_\_\_\_ The project shall conform to requirements of the Placer County Air Pollution Control District (PCAPCD). Prior to commencement of grading, the applicant shall submit a dust control plan for approval by the Town Engineer and PCAPCD. The contractor shall apply water to control dust, as required by Rule 228 (Fugitive Dust), to prevent dust impacts offsite. Operational water truck(s) shall be onsite at all times to control fugitive dust. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site. Earth moving construction equipment shall be cleaned with water once per day.
32. \_\_\_\_\_ If project scheduling allows, the removal of trees shall be conducted outside of the Migratory Bird Treaty Act (MBTA) and peak bird nesting seasons (February 15 through September 15). If tree removal must be conducted during the nesting season, the applicant shall hire a qualified Biologist to conduct a survey for active bird nests within 3 days prior to commencement of any construction activities. Should an active nest be identified, restrictions will be placed on construction activities in the vicinity of any active nest observed until the nest is no longer active, as determined by a qualified Biologist. These restrictions may include a 300- to 500-foot buffer zone designated around a nest to allow construction to proceed while minimizing disturbance to the active nest. Once the nest is no longer active, construction can proceed within the buffer zone. A note which includes the wording of this condition of approval shall be placed on the Improvement Plans.
33. \_\_\_\_\_ The project proponent shall submit a complete Tree Permit application for review and approval by the Town of Loomis. Upon review and approval of a complete Tree Permit application, the Town shall issue a Tree Permit.
34. \_\_\_\_\_ In accordance with the Tree Permit, the applicant shall replace the tree with a living tree (or trees) on the same property or within the Town of Loomis, in a location approved by the Town Manager. (Tree Ordinance §13.54.090) The replacement requirement shall be calculated as provided by Table 5-3 of the Tree Ordinance. The property owner will replace the tree(s) and continue to replace the replacement tree(s) if the tree(s) die(s) any time within five (5) years of the initial planting. Annual Arborist monitoring with a written report is required to ensure survival of the trees.
35. \_\_\_\_\_ If prehistoric or historical archaeological deposits are discovered during project activities, all work within 25 feet of the discovery shall be halted and the Town of Loomis Planning Department shall be notified. The archaeologist shall assess the situation, consult with agencies as appropriate, and make recommendations regarding the treatment of the discovery. Impacts to archaeological deposits shall be avoided by project activities, but if

such impacts cannot be avoided, the deposits shall be evaluated for their eligibility on the California Register of Historic Resources (CRHR). If the deposit is not CRHR eligible, then no further protection of the finds are necessary. If the deposits are CRHR eligible, they shall be protected from project-related impacts, or such impacts shall be mitigated. Mitigation may consist of, but is not necessarily limited to, systematic recovery and analysis of archaeological deposits; recording the resource; preparation of a report of findings; and accessioning recovered archaeological materials at an appropriate curation facility. Public educational outreach may also be appropriate.

36. \_\_\_\_\_ The project developer shall construct the project in accordance with the Placer County Storm Water Management Manual prepared by the Placer County Flood Control and Water Conservation District as recognized by the Town. The project shall be constructed in a manner so that post-development runoff flows do not exceed predevelopment flows through the use of a drainage plan that includes provisions for on-site detention of runoff flows and payment of the Town's drainage impact fee. The developer shall submit a drainage plan, subject to review and approval of the Town Engineer. The developer shall pay the Town's Drainage Fee and the Dry Creek Watershed Drainage Improvement Fee prior to building permit issuance.
37. \_\_\_\_\_ No construction work shall begin prior to 7:00 a.m. nor occur after 7:00 p.m. Monday through Friday nor prior to 8:00 a.m. or after 5:00 p.m. on Saturday, with no work to occur on Sundays or holidays.
38. \_\_\_\_\_ The applicant shall be required to pay the Town's development fees consisting of the Community Facility Fee, Park & Recreation Fee, Low Income Density Bonus Fee, and Placer County Capital Facility Impact Fee. In addition the developer shall be required to pay fees to other service providers: Loomis Fire District Fee, Loomis Union School District Fee, Placer Union High School Fee, SPMUD connection fee, and PCWA connection fee prior to building permit issuance.
39. \_\_\_\_\_ The developer shall be required to pay park fees.
40. \_\_\_\_\_ The developer shall be required to pay the Road Circulation/Major Roads Fee prior to building permit issuance.
41. \_\_\_\_\_ A grading and drainage plan, subject to review and approval of the Town Engineer, shall be submitted prior to building permit issuance.
42. \_\_\_\_\_ The owners of all seven parcels shall subscribe to weekly refuse pickup through Auburn Placer Disposal Service.
43. \_\_\_\_\_ The applicant will provide evidence that the property was not historically maintained as an orchard. If such evidence does not exist, the applicant shall conduct a Phase 2 site assessment in order to determine if there is any residual contamination from the use of pesticides.

#### AGENCIES

44. \_\_\_\_\_ The owner shall install sewer service per South Placer Municipal Utility District requirements prior to occupancy.
45. \_\_\_\_\_ The owner shall provide will-serve letters from all applicable utilities, the franchised refuse collector, the post office, and the fire department (including extension of the zone of benefit for the Fire District) for the review and approval of Town staff prior to any building permit issuance. The owner shall complete all requirements or conditions imposed upon the project by these agencies to the satisfaction of the Town and the agencies prior to any building permits being issued.
46. \_\_\_\_\_ The owner shall install water service per Placer County Water Agency requirements prior to occupancy.
47. \_\_\_\_\_ All utility facilities shall be placed underground in accordance with the Loomis Municipal Code.
48. \_\_\_\_\_ The property owner shall coordinate with PG&E on any future development plans which occur within PG&E easements.

FEES

49. \_\_\_\_\_ The owner shall pay the development fees (e.g. road circulation fees, drainage fees, community facilities fee, master plan, Placer County, open space and parks, and fire fees, etc.) in effect at the time of building permit issuance.