

## RESOLUTION NO. 18-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF LOOMIS APPROVING LOT MERGER\LOT LINE ADJUSTMENT #17-11 AND MINOR LAND DIVISION #17-12.

**WHEREAS**, the property has requested approval of Lot Merger\Lot Line Adjustment #17-11 and Minor Land Division Application #17-12 subject to the attached findings (Exhibit A) and Conditions of Approval, (Exhibit B); and

**WHEREAS**, on August 28, 2018, the Planning Commission of the Town of Loomis conducted a public hearing on Lot Merger\Lot Line Adjustment #17-11 and Minor Land Division Application #17-12, at which time any person interested in the matter had an opportunity to be heard; and

**WHEREAS**, the Planning Commission of the Town of Loomis reviewed and considered the staff report relating to the 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 following findings to approve Lot Merger\Lot Line Adjustment #17-11 and Minor Land Division Application #17-12.

**NOW THEREFORE**, based on the findings set forth herein the Planning Commission of the Town of Loomis, at its meeting of August 28, 2018, did resolve as follows:

1. Pursuant to CEQA Guidelines **Section 15070 Decision to Prepare a Negative or Mitigated Negative Declaration** the Town of Loomis prepared an Initial Study Mitigated Negative Declaration (IS\MND). Mitigation measures were identified to reduce potential impacts to a level of less than significant in the IS\MND and the Mitigation Monitoring Report Plan (MMRP) and is hereby adopted.
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 Lot Merger\Lot Line Adjustment (Application #17-11) and the Minor Subdivision (Application #17-12) are hereby approved per the findings set forth in Exhibit A and the Conditions of Approval set forth in Exhibit B.

ADOPTED this 28th day of August 2018, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAINED:

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Carol Parker, Secretary to the  
Planning Commission

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Greg Obranovich,  
Planning Commission Chairman

**EXHIBIT A**  
**FINDINGS: KING ROAD–MERGER\LOT LINE ADJUSTMENT #17-11 AND;**  
**MINOR LAND DIVISION #17-12.**  
**PLANNING COMMISSION, AUGUST 28, 2018**

Pursuant to Section 66474 of the Subdivision Map Act, the Planning Commission makes the following findings:

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 single-family residences, and there are no environmental constraints.
4. The site is physically suitable for the proposed density of development in that the addition of two 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, septic, 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 #17-11/12  
PLANNING COMMISSION, August 28, 2018**

**Parcel Merger and Lot Line Adjustment #17-11 and Minor Land Division #17-12** are approved to Merge APNs 044-051-065 and 044-051-066 into a single parcel, thence through a Lot Line Adjustment reconfigure it with APNs 044-051-018, 044-051-084 and 044-051-047 creating three parcels respectively .81 acres, .49 acres, and 5.05 acres, the latter parcel then being divided into four parcels of approximately 1.26 acres each and provided with a non-exclusive private road easement to access King Road. The applicant\owner has two (2) years in which to record the Merger, Lot Line Adjustment and Final Parcel Map in accordance with the Exhibits and Maps prepared by Mathis Land Surveying dated August 2018 and approved by the Planning Commission on August 28, 2018 and the following conditions of approval.

**GENERAL CONDITIONS**

1. \_\_\_\_ The conditions of approval shall apply as noted by the letters “A”, “B”, “C”, after a condition of approval as follows:
  - “A” – Required by the Applicant\Subdivider\Owner who is the property owner, prior to recordation of the Final Parcel Map;
  - “B” – Required of the property owners of the divided parcels created by the recordation of the Final Parcel Map prior to issuance of building or grading permits; and
  - “C” Conditions required of owners as either “A” and “B”.
2. \_\_\_\_ The owner shall comply with the Town of Loomis Municipal Code. **C**
3. \_\_\_\_ 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 these 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. **C**
4. \_\_\_\_ Development shall be substantially in accordance with the plans as prepared by Mathis Land Surveying , except as may be modified by the conditions stated herein. **C**
5. \_\_\_\_ The owner shall 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. The owner shall be responsible for correcting any inconsistency which may occur through error or omission during plan preparation or construction. **A**
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. **A**
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. **C**

**PARCEL MERGER\LOT LINE ADJUSTMENT #17-11**

8. \_\_\_\_ The owner shall have prepared for recordation in the Placer County Recorder's Office a legal description and exhibit map of the property by a currently licensed Surveyor as required the State Subdivision Map Act. **A**
9. \_\_\_\_ The owner shall provide a non-exclusive roadway easement for resultant Parcel 2 (0.49 acres) to King Road consistent with the requirements of the Town Engineer and South Placer Fire Protection District. **A**

**IMPROVEMENTS (ROADWAY, DRAINAGE, GRADING)**

10. \_\_\_\_ 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 Engineer on the final map. **A**
11. \_\_\_\_ Lots 1, 2, 3, and 4 shall share a common driveway onto King Road through a non-exclusive easement provided by the owners of the parcels north of the approved minor subdivision. **C**
12. \_\_\_\_ The owner\developer shall submit for review and approval by the Town a copy of the terms of the access easement, providing access to King Road for Parcels 1, 2, 3, and 4, as shown on the Tentative Parcel Map. **A**
13. \_\_\_\_ The owner shall record an irrevocable offer of dedication for right-of-way of the King Road frontage as per requirements of the Town Code as determined by the Town Engineer. **A**
14. \_\_\_\_ The owner shall provide street improvements including asphalt, curb, gutter, and sidewalk along the King Road frontage, subject to Loomis Road Standards as determined by the Town Engineer. **A**
15. \_\_\_\_ The owner shall construct all improvements required as a condition of approval of this project or enter into an agreement with the Town to construct all improvements, and shall post a 150% bond, cash deposit, or instrument of credit, guaranteeing the construction of all improvements for a twelve (12) month period. Approved time extensions may be granted in accordance with the provisions of the contract agreement, the Loomis Municipal Code and/or other applicable laws. **A**
16. \_\_\_\_ The owner shall obtain an encroachment permit prior to any work within public rights-of-way. **C**
17. \_\_\_\_ The owner shall be responsible for all actions of their contractors and subcontractors until the improvements are accepted as complete by the Town. **A**
18. \_\_\_\_ 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. **C**
19. \_\_\_\_ 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. **C**

20. \_\_\_\_\_ All grading shall conform to the Town Grading Ordinance (Municipal Code Section 12), and/or as approved by the Town Engineer. All grading 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, in accordance with the Placer County Flood Control District Storm Water Management Manual and the Loomis Land Development Manual. **C**
21. \_\_\_\_\_ The owner shall set all monuments required by the Subdivision Map Act and shall submit certified as-built Mylar plans, and computer generated design files, on disk prior to final acceptance of improvements. **A**

#### **GENERAL PLANNING**

22. \_\_\_\_\_ The 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.). **A**
23. \_\_\_\_\_ Prior to final map approval, the owner shall submit the Covenants, Conditions and Restrictions (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 Planning Director, Town Engineer and Town Attorney. **A**
24. \_\_\_\_\_ 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. **C**
25. \_\_\_\_\_ No request for a Parcel Map, pursuant to this map, shall be approved until all conditions are completed and accepted by the Town. **A**
26. \_\_\_\_\_ The grading plan/improvement plan shall show appropriate fencing and protection measures for the trees (which are shown to be retained in accordance with this approval) to the satisfaction of the Town Engineer in accordance with best practices and the following: A grading permit or improvement plan shall be obtained prior to any onsite construction consistent with the requirements of Section 13.54 "Tree Preservation and Protection" of the Loomis Zoning Ordinance. Every attempt shall be made to retain as many existing trees on-site as possible. **C**
28. \_\_\_\_\_ Lot grading shall be limited to the area necessary for a foundation, garage, pad, and driveway and all structures shall only be permitted within the approved building envelopes shown on the Final Map. Protected trees outside of the envelopes are to be retained and protected even if their dripline encroaches on the envelope. Pads for the new homes shall not exceed 2' from existing natural grade **B**
29. \_\_\_\_\_ 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, and consult with agencies and Native American Tribes, as to the treatment of the discovery. 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 as appropriate with affected tribal groups. **C**

30. \_\_\_\_ 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. **C**
31. \_\_\_\_ The owner shall pay development fees as may be required including the Community Facility Fee, Park & Recreation Fee, and Placer County Capital Facility Impact Fee. **C**
32. \_\_\_\_ The developer shall be required to pay the Road Circulation/Major Roads Fee prior to building permit issuance. **C**
33. \_\_\_\_ 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. **B**

#### **AGENCIES**

34. \_\_\_\_ The owner shall provide will-serve letters from all applicable utilities, Recology, PCWA, SPMUD, and the South Placer Fire Protection District for the review and approval 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. **B**
35. \_\_\_\_ Construction of SPMUD sewer facilities required to serve these parcels shall conform to the Standard Specifications of SPMUD, with improvement plans submitted to SPMUD for review and approval. **A**
36. \_\_\_\_ The applicant shall include the new Preliminary FEMA Flood Insurance Study (FIS) revised floodplain mapping dated November 2, 2018 on the Final Map as required by the Placer County Flood Control and Water Conservation District. **A**
37. \_\_\_\_ The project shall conform to requirements of the Placer County Air Pollution Control District (PCAPCD). Prior to grading, the applicant shall submit a dust control plan for approval by the Town Engineer and PCAPCD. **C**
38. \_\_\_\_ An all-weather access driveway shall be constructed to serve all parcels as shown on the proposed tentative parcel map, to the satisfaction of the South Placer Fire Protection District. **A**

#### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

39. \_\_\_\_ Should the Phase II study identify contaminants in excess of permissible standards, the property owners will follow the requirements of the California Division of Toxic Substances Control (DTSC) remediation requirements to reduce contaminants to acceptable levels prior to the recordation of the final map or issuance of building permits. **A**
40. \_\_\_\_ Mitigation required in the approved Mitigated Negative Declaration (MND) of this project, is incorporated herein by reference as required conditions of approval. **C**