



COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

TO: Tuolumne County Planning Commission
FROM: Quincy Yaley, Community Development Director
RE: Valley Vista Project, Additional Information/Comments

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Below are several points of clarification or revisions to the draft Conditions of Approval that are in the Agenda Packet previously distributed. Updated Conditions of Approval are attached and are edited in “track changes” for quick viewing of the proposed revisions.

1. Tuolumne Utilities District (TUD) will not be extending any infrastructure. All improvements to the District’s water and wastewater infrastructure needed to serve the proposed development will be constructed by the developer at the developer’s expense, to District standards and under the inspection of the District. Please see the attached comment letter from TUD.
2. Condition 7 has been updated to reflect the improvement plans that have been submitted to the County. It eliminated the trail parallel to Golf Links Road. Sufficient width will be provided in the Gold Links Road ROW to accommodate pedestrian traffic. The new language is:
“Road improvement plans shall be submitted to the Engineering Development Division of the Public Works Department for review and approval. A Grading Permit shall be issued in connection with the review and approval of the road improvement plans and for any grading of individual lots. The dry stack stone wall that parallels Golf Links Road shall be retained in its entirety except in the area required for construction of the western entrance road as shown on the Site Plan dated March 19, 2010 and as modified herein. (TCOC, Section 16.06.090)”
3. Condition 12 has been updated to reflect that the project will be phased. The new language is:
“Submit utility improvement plans for each phase of development as they occur to the Engineering Development Division of the Public Works Department for review. (TCOC, Titles 12, 13 and 16)”
4. Condition 21 has been updated to reflect that the “Current Land Value” for 2021 been determined the County Assessor to be \$8,200 which is based upon the average land value of one acre of agricultural land based upon the sales of parcels no larger than forty (40) acres in size during the previous three-year period.
5. Condition 40 has been updated to reflect the location of the proposed bus stops. The new language is:
“Two bus stop areas shall be located in the project. One shall be near the community center and the other shall be located in an area determined by the Public Works Director and

constructed in the appropriate phase of development. The locations shall be subject to the review and approval of the Engineering Development Division of the Public Works Department. (CEQA Section 15041, [Initial Study, "Traffic and Circulation"])"

6. Condition 66c has been updated to reflect the improvement plans that have been submitted to the County. The new language is:

"c. All roads shall be constructed to a minimum of two (2) ten (10) foot wide lanes with three (3) foot wide rolled curb and gutter on both sides, a four (4) foot wide paved sidewalk on one side, and an additional one (1) foot paved width on the opposite side, within a forty-one (41) foot wide road right-of-way, with a ten (10) foot Public Utility Easement outside the right-of-way on both sides. On interior roads where additional parking is provided on one side of the road, the additional one (1) foot wide paved area is expanded to six (6) feet wide."

7. Condition 69a has been updated to reflect the that a hammerhead is an appropriate road terminus. The new language is:

"a. Construct all portions of related onsite roads needed to provide access to the proposed uses as they are proposed. Partial sections of roads shall terminate in a temporary 40-foot radius turning bulb or hammer head and non through roads shall terminate in a 40-foot radius turning bulb. Road segments shall not exceed cul-de-sac length limits specified in Section 11.12.040 of the Tuolumne County Ordinance Code."

8. Condition 73 has been updated to more clearly reflect the areas the HOA or CSA will have responsibility for. The new language is:

"A Home Owners Association or a County Service Area approved by the Board of Supervisors, or as amended, shall be established to provide for the maintenance of street lights, trails, landscaping, on-site recreational facilities, drainage easements and sidewalks located within the road rights-of-way of the interior subdivision roads not accepted into the County Maintained Road System and all O (Open Space) areas. Assessor's Parcel Number 59-020-01, which has access through the subdivision, shall be expressly exempt from participating in the Home Owners Association or County Service Area. If a County Service Area is to be established then application fees and additional submittals required by the Local Agency Formation Commission (LAFCo) to form the County Service Area should be submitted a minimum of 120 days prior to the anticipated date of recording of the Final Map, or as amended. The County Service Area requirement above may be replaced with similar requirements for establishment of a permanent road division if approved by the Director of Public Works and the Board of Supervisors, or as amended. (Resolution 107-09; TCOC, Section 16.06.090; Board of Supervisors, December 7, 2010)"

9. Condition 84 has been updated to reflect the most current plan that locates project amenities. The new language is:

"The mixed use community center building or buildings and other amenities shall be constructed as shown on the Amenities Master Plan, 2021. The recreational amenities shall include: a 0.25± acre neighborhood park and a 2.7± acres Community Center which includes two (2) pickleball courts and three (3) bocce ball courts. Other components of the Community Center site include at least a 3,500 sq. ft. clubhouse, grass areas, landscaping, off-street

parking and bicycle parking. (CEQA Section 15041, [Initial Study Addendum 2021, "Recreation" and "Land Use and Planning"])"

10. Condition 89 has been updated to reflect that a separate pedestrian path, outside of the road right of way, will not be constructed along Golf Links Road. The new language is:

"A pedestrian walkway shall be constructed along one side of all interior roads. (CEQA, Section 15041, [Initial Study, "Traffic and Circulation"])"

11. Condition 133 has been updated to reflect that community garden will not be an amenity because the senior apartments are no longer proposed. The new language is:

"The existing on-site wells may be used for irrigating common area landscaping only."

Quincy Yaley

From: Erik Johnson <EJohnson@tudwater.com>
Sent: Friday, November 12, 2021 11:35 AM
To: Community Development Department; Quincy Yaley
Cc: Don Perkins; Antonio Ramirez; Gaddiel DeMattei
Subject: Comments - Valley Vista Subdivision (TSM 10-010(1)), (PUD 10-001(1)), (CUP10-004(1))

Dear Planning Commissioners and Mrs. Quincy Yaley:

TUD has been notified that the Planning Commission will be considering an addendum to the CEQA document based on proposed amendments to the TSM, PUD, and CUP for the Valley Vista project. We also understand that the following comments will not be read during the meeting but will be entered into the administrative record for the project. TUD staff may or may not participate in the meeting and therefore offer the following comments in advance:

1. Stakeholder Comment 25(b) states that, "The project will be served by Tuolumne Utilities District. The District has agreed to extend infrastructure to the site and is planning on serving the project."

Clarification – TUD itself, will not be extending any infrastructure. All improvements to the District's water and wastewater infrastructure needed to serve the proposed development will be constructed by the developer at the developer's expense, to District standards and under the inspection of the District. Only after all the infrastructure has been constructed to the District's satisfaction, will the District accept and begin operation and maintenance of the facilities. The TUD Board and the developer have entered into a development agreement that stipulates the terms and conditions for TUD to provide service. The original agreement was executed on April 23, 2019 and an amendment was subsequently executed on October 8, 2019.

2. TUD does not oppose the proposed reductions in setbacks and the corresponding reductions in public utility easements (PUEs), provided that the developer can construct water and wastewater pipelines within easement widths that meet current TUD standards.
3. While TUD recognizes that State law coupled with the County's Ordinance Code regulates development of accessory dwelling units (ADUs) and that in certain circumstances, recent law limits TUD's ability to collect capacity fees for ADUs. In general, TUD is opposed to laws and regulations that impose an undue burden on our existing ratepayers and undermine the nexus between cost of service and beneficiaries of service.

Please feel free to contact me if you wish to discuss any of these comments further.

Respectfully,



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**CONDITIONS OF APPROVAL FOR
VESTING TENTATIVE SUBDIVISION MAP T10-010(1) (11/16/21)**

General Conditions:

1. PD As a condition of the grant of approval of the tentative map, and as continuing condition of approval of the parcel or final map (as applicable), Subdivider shall defend, indemnify, and hold harmless the County of Tuolumne, its officers, agents, and employees from any and all claims, actions, proceedings, or liability (including any attorney's fees and costs awards) arising out of the acts or omissions of Subdivider, its agents, employees, or contractors, or seeking to attack, set aside, void or annul, a County approval concerning the subdivision. With respect to acts or omissions of the Subdivider, its agents, employees, or contractors, its obligation hereunder shall apply regardless of whether the County prepared, supplied, or approved plans, specifications or both. With respect to the County's approval, this obligation shall also extend to any contention the subdivision approval is defective because a county ordinance, resolution, policy, standard, or plan is not in compliance with local, state or federal law. If the defense right is exercised, the County Counsel shall have the absolute right to approve any and all counsel employed to defend the County. To the extent the County uses any of its resources to respond to such claim, action or proceeding, or to assist the defense, the Subdivider will reimburse County upon demand. Such resources include, but are not limited to, staff time, court costs, County Counsel's time at its regular rate for non-County agencies, or any other direct or indirect cost associated with responding to, or assisting in defense of, the claim, action, or proceedings. With respect to the County's approval, this obligation applies only to actions or proceedings brought within the time period provided for in Government Code Section 66499.37, and is conditioned on the County promptly notifying the Subdivider of any claim, action, or proceeding and cooperating fully in the defense. For any breach of this obligation the County may, without notice, rescind its approval of the application or project to which this covenant/condition is attached. (TCOC, Section 16.06.090)

Prior to issuance of a Grading Permit for any phase of the project, the following conditions shall be met:

2. ED Submit to the State Water Resources Control Board, Storm Water Permitting Unit, a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit (California's National Pollutant Discharge Elimination System (NPDES) general permit for construction related storm water discharges). (Federal Water Pollution Control Act, State Water Resources Control Board)
3. ED Submit a Preliminary Soils Report to the Engineering Development Division of the Public Works Department for review and approval. The report shall disclose any soil problems that may lead to structural defects. The report should recommend cut and fill ratios, erosion control measures and a typical road structural section for the soils encountered. The report shall be prepared by a registered civil engineer or geotechnical engineer. (TCOC, Section 16.26.020)
4. ED Submit a Grading Plan to the Engineering Development Division of the Public Works Department for review and approval. (TCOC, Section 12.20.050)
5. ED Obtain a Grading Permit from the Engineering Development Division of the

6. ED An Erosion Control Plan shall be submitted to the Engineering Development Division of the Public Works Department for approval and shall be implemented for any construction to take place between October 15 and May 15 of any year. In the absence of such plan, all construction shall cease on or before October 15, except that necessary to implement erosion control measures. (TCOC, Title 12)
7. ED Road improvement plans shall be submitted to the Engineering Development Division of the Public Works Department for review and approval. A Grading Permit shall be issued in connection with the review and approval of the road improvement plans and for any grading of individual lots. ~~The road plans shall include the trail located parallel to Golf Links Road between eastern and western property boundary of the project site if proposed.~~—The dry stack stone wall that parallels Golf Links Road shall be retained in its entirety except in the area required for construction of the western entrance road as shown on the Site Plan dated March 19, 2010 and as modified herein. (TCOC, Section 16.06.090)
8. ED A Road Encroachment Permit shall be obtained from the Engineering Development Division of the Public Works Department for work within and access onto Golf Links Road at the intersection of the proposed access roads, for improvements to Golf Links Road and improvements at the intersection of Golf Links Road and Chabroullian Lane. (TCOC, Section 12.04.010)
9. ED Show proof of an Encroachment Permit obtained from the California Department of Transportation (Caltrans) for any work within the Highway 108/49 Right-of-Way. If the final design of the State Highway 49/108 intersection with Chabroullian Lane requires a design exception from Caltrans, the project proponent shall submit all necessary paperwork to Caltrans in order to obtain the necessary exception. (TCOC, Section 16.06.090; Response To Comments)
10. ED Submit a drainage plan to the Engineering Development Division of the Public Works Department for review and approval. The drainage plan shall incorporate a series of phased on-site detention basins to capture peak flow during heavy storm events and shall include any necessary downstream improvements. The plan shall include down stream improvements necessitated by increased peak flows from the project. (TCOC, Title 11; CEQA, Section 15041, [Initial Study, "Hydrology and Water Quality"])
11. ED Submit a drainage study to the Engineering Development Division of the Public Works Department for review and approval. The drainage study shall include the following:
 - a. The additional peak storm water runoff and any changes to any downstream drainage channels, culverts, adjoining property, Golf Links Road, Wigwam Road, Chabroullian Lane and State Highway 108/49.
 - b. The additional peak storm water runoff and its relationship to the entire on-site area including the proposed detention basins.
 - c. Identify the need for drainage easements on the entire site.
 - d. The location and construction schedule, in relationship to the phased construction for the project, for the phased detention basins that will be

placed in the on-site drainages. (TCOC, Title 11; CEQA, Section 15041, [Initial Study, "Hydrology and Water Quality"])

12. ED Submit utility improvement plans for each phase of development as they occur to the Engineering Development Division of the Public Works Department for review. Submit utility improvement plans for each proposed phase of development to the Engineering Development Division of the Public Works Department for review.—(TCOC, Titles 12, 13 and 16)
13. ED A Utility Encroachment Permit shall be obtained from the Engineering Development Division of the Public Works Department for utility placement within any County maintained road right-of-way. (TCOC, Section 12.04.010)
14. PD A landscape plan shall be submitted with the utility improvement plans referenced in Condition 12, if above ground propane tanks are installed for the subdivision. The landscape plan shall demonstrate that the tanks are adequately screened by vegetation. (CEQA Section 15041, [Initial Study, "Utilities and Service Systems"])
15. PD/ED A fence plan shall be submitted showing the design of a 6-foot high nonclimbable fence with a 4-inch gap between the ground and the bottom of the fence and the location of the fence extending from the northwest corner of the project site easterly to the western boundary of Assessor's Parcel No. 59-020-01 and extending from the northwest corner of the project site southerly 400-feet along the western boundary of the project site. (CEQA, Section 15041, [Initial Study, "Land Use and Planning"])
16. PD/APCD The property owner shall obtain a Demolition Permit prior to removal of any of the existing structures on the project site. Any demolition or renovation of existing buildings other than residential buildings require notification and inspection for asbestos containing materials, pursuant to 40CFR Part 61, Subpart M – National Emissions Standards for Hazardous Air Pollutants – Asbestos. (TCOC, Section 16.06.090)
17. PD/ED The property owner shall obtain a Streambed Alteration Agreement, or a waiver, from the California Department of Fish and Game prior to disturbance of any streambed located on the project site. (CEQA Section 15041, [Initial Study, "Biological Resources"])
18. PD/ED Obtain a U.S. Army Corp of Engineers permit pursuant to Section 404 of the Federal Clean Water Act (CWA) for any placement of fill in jurisdictional waters of the U.S. and wetlands. If it is determined that a CWA 404 permit (Nationwide or Individual) is required, the applicant shall also secure 401 Certification from the Regional Water Quality Control Board, as it is a condition of the CWA 404 permit. (CEQA, Section 15041, [Initial Study, "Biological Resources"])
19. PD Prior to issuance of a Grading Permit, construction on any lot, or the removal of any oak woodland from the project site, all trees that are proposed for removal shall be flagged or marked to indicate their removal. The project biologist or engineer shall field verify on site that the marked trees and areas are consistent with those identified for removal on the "Oak Woodland Impact Map", prepared by Moore Biological Consultants in coordination with Mid Valley and documented in a Biological Report prepared by Moore Biological Consultants dated November 1, 2021. The project proponent shall submit confirmation to the Community Development Department that the

flagging and marking has been completed. If any oak woodland area identified on the above referenced plan cannot be protected as stated above, the developer shall submit a tree removal and mitigation plan to the Community Development Department and the California Department of Fish and Wildlife for review and approval. If it has been determined that a greater area of Oak Woodlands have been impacted, then additional off-site mitigation shall be required consistent with the mitigation formula mentioned in Condition 21 below. (CEQA Section 15041, [Initial Study Addendum 2021, "Biological Resources"])

20. PD

Approximately 16.82+/- acres of the existing oak woodland on the site will be retained and preserved in areas previously zoned Open Space (Attachment E). The Valley Vista Development has 28.91 acres of the project site zoned Open Space. Site development of the Valley Vista project will address long-term maintenance of the open space areas by promoting defensible space techniques consistent with CALFIRE PRC 4291 (removing ladder fuels and overly dense understory vegetation, etc.) and liming up oaks and other tree vegetation to 10+/- feet. The applicant is required to prepare a Habitat Management Plan which will prescribe Best Management Practices (BMP's) for the Open Space zoning areas described above. The management of the Open Space zoning areas will be for fire prevention purposes only. Vegetation removal in the Open Space zoning area shall be limited only to that required by the Habitat Management Plan to address fuel management. Oak woodlands outside of the Open Space zoning areas shall be preserved in place so the health and vigor of these remaining oak woodland stands can be preserved long-term. The Habitat Management Plan shall comply with PRC 4291.

The Valley Vista Homeowner's Association (HOA) will finance the management of the Open Space zoned land to ensure compliance with the Habitat Management Plan (HMP). The HMP will address the management of fire ladder fuels, noxious weeds, and the understory vegetation in the open space zoned areas in accordance with PRC 4291. The HMP will prescribe activities such as removal of dead trees and fall branches, clearing newly grown brush, small trees, and mowing the grasslands in the understory of the oak woodlands. (CEQA Section 15041, [Initial Study Addendum 2021, "Biological Resources"])

21. PD

The developer shall participate in an oak woodland conservation program. A mitigation fee will be contributed to the Tuolumne Oak Woodland Conservation Fund using the following formula:

$$\text{Fee} = 1.0 \times \text{Net Acres of Impacted Land} \times \text{Current land value}$$

The "Current Land Value" for 2021 has ~~yet to be been~~ determined by the County Assessor to be \$8,200 per acre, which is and will be based upon the average land value of one acre of agricultural land based upon the sales of parcels no larger than forty (40) acres in size during the previous three-year period. This value will be used for the purpose of the in-lieu fee. -The amount of acres estimated to be impacted by development of the Valley Vista Project, beyond what is being mitigated onsite in the Open Space Zoning areas, and thus subject to the mitigation fee, is 7.7 acres. Payment of the fee shall be paid-in-full prior to issuance of a any Grading Permit for the entire project. (CEQA Section 15041, [Initial Study Addendum 2021, "Biological Resources"])

22. PD/ED Submit a lighting plan for review and approval by the Community Development Department. Exterior lighting of the sidewalks, streets, intersections, parking areas and structures, if provided, shall be designed (aimed down and towards the site) to provide adequate illumination without a glaring effect. Lighting shall not create a glare for traffic along Golf Links Road or neighboring residences. The style of lighting shall reflect a rustic design and shall be subject to the review and approval of the Community Development Department. In any case, the type and location of the lighting chosen shall not be disruptive to surrounding land uses. (CEQA, Section 15041, [Initial Study, "Visual Quality"])
23. PD Submit a fence design plan for installation along the Golf Links Road right-of-way that utilizes a combination of materials such as stone or brick and wood planks. Stone or brick columns may be placed at regular intervals with uniform wood planking between the columns. The fencing design shall be subject to the review and approval of the Community Development Department. If the owners of the individual lots construct a fence along Golf Links Road, the property owners shall be required to construct the fence in accordance with the approved plan. (CEQA, Section 15041, [Initial Study, "Visual Quality"])
24. PD The developer shall submit a plan showing the exact location of the water tank(s) and the existing vegetation to the Community Development Department for review and approval. If it is determined that the existing vegetation is insufficient to screen the tank(s) from neighboring properties, a landscape plan shall be submitted to the Community Development Department for review and approval showing that the water tank(s) will be adequately screened by the landscaping. (CEQA, Section 15041, [Initial Study, "Utilities and Service Systems"])
25. BD/FPD Obtain a Building Permit for the installation of a Community Propane Delivery System. The Community Propane Delivery System shall comply with NFPA 58. (CEQA, Section 15041, [Initial Study, "Utilities And Service Systems"])
26. ED/FPD/BD Engineered system improvement plans for the community propane system shall be submitted to the Engineering Development Division of the Department of Public Works, the Fire Prevention Division and the Building and Safety Division of the Community Development Department for review and approval. (CEQA Section 15041, [Initial Study, "Utilities and Service Systems"])
27. ED A pre-construction meeting shall be held prior to commencement of any grading on site. The meeting shall be attended by contractors involved in site development, the property owners and affected County departments. (TCOC, Section 16.06.090)

Prior to approval of a Final Map for any phase of the project, the following conditions shall be met:

28. SUR The Final Map shall meet all requirements mandated by federal, state or local law. Federal or state law may require additional obligations beyond that required by these conditions or local requirements, including additional analysis of environmental or other issues, over which the County has no control. (TCOC, Section 16.02.040; BOS, December 19, 2006)

29. SUR All existing utilities and facilities shall be shown on the final map. (TCOC, Sections 16.26.080 and 16.26.160)
30. SUR/ED The following easements shall be dedicated for public use:
- a. Public Utility Easements 6-feet in width along interior lot lines and 12 feet along the exterior boundary. with the exception of the age-restricted units in the eastern portion of the project site where the easement will be a maximum of three (3) feet on the sides except where zero lot line units are constructed.
 - b. A Utility Easement on all areas that will contain the community propane tanks and distribution lines. All tank locations shall meet the setbacks of NFPA 58.
 - c. A Road and Public Utility Easement shall be dedicated along Chabroullian Lane within the existing Right-of-Way which is consistent with Chapter 16.26 of the Tuolumne County Ordinance Code or show proof that it already exists.
 - d. Road and Public Utility Easements shall be dedicated along all interior roadways to serve each parcel within the subdivision. The easements shall be a minimum of 50-feet in width and of sufficient additional width to accommodate the entire road section extending to 5-feet beyond the top of cuts and toe of fills. All cul-de-sac roads shall include a dedicated 40 foot radius turning bulb and/or a hammer head turn around. Additional dedication may be required along internal roadways as determined by necessary road improvements.
 - e. Drainage easements shall be shown on the final map as required.
 - f. A road and public utility easement shall be dedicated a minimum of 25 feet in width along the existing centerline (or verify that it has been dedicated) along Golf Links Road as it abuts the project boundary. (TCOC, Title 16)
31. ED/SUR All roads within the subdivision shall be named as required in Tuolumne Ordinance Code Title 12, and the names shall be approved by the Survey Division of the Department of Public Works. (TCOC, Title 12)
32. SUR/ED Submit a letter from the project surveyor or engineer stating that driveways can be constructed to access each lot which meet the requirements of Title 11. (TCOC, Section 16.26.140(E))
33. SUR/ED/EH All lots shall be provided public water by the Tuolumne Utilities District for domestic purposes. Public water service pipelines shall be stubbed to each lot requiring such service. (TCOC, Sections 16.26.200 and 17.18.010)
34. SUR/ED/EH All lots shall be connected to the public sewer system operated by the Tuolumne Utility District. Public sewer service pipelines shall be stubbed to each lot requiring such service. (TCOC, Sections 13.08.150 and 17.18.010)
35. ED A note shall be added to the Final Map stating the following: "All lots within the subdivision shall access onto the interior roads and shall be prohibited

from direct access to Golf Links Road. (CEQA Section 15041, [Initial Study, "Traffic and Circulation"])

36. ED All grading, both on and off site, shall be completed in compliance with the Grading Permit issued by the Engineering Development Division of the Public Works Department. (TCOC, Chapter 12.20)
37. ED Drainage improvements shall be installed in accordance with the approved plans referenced in Condition 10. (TCOC, Section 16.26.180 B)
38. ED Road encroachments shall be constructed as specified in the approved plans referenced in Condition 9. (TCOC, Title 12)
39. ED All soils disturbed by grading shall be reseeded or hydromulched as soon as possible and before October 15 of the construction year. Emergency erosion control measures shall be utilized as requested by County officials. (TCOC, Sections 12.20.310 and 12.20.320)
40. ED "Two bus stop areas shall be located in the project. One shall be near the community center and the other shall be located in an area determined by the Public Works Director and constructed in the appropriate phase of development. The locations shall be subject to the review and approval of the Engineering Development Division of the Public Works Department. (CEQA Section 15041, [Initial Study, "Traffic and Circulation"])"
~~Two bus stop areas shall be located in a central area in the eastern portion of the site near the community center in the western portion of the site and the second location shall be determined by the Public Works Director. The locations shall be subject to the review and approval of the Engineering Development Division of the Public Works Department. (CEQA Section 15041, [Initial Study, "Traffic and Circulation"])~~
41. ED The location of any common driveways shall be subject to approval by the Director of Public Works and shall be constructed or bonded for construction prior to approval of the final map. (TCOC, Title 11)
42. PD/ED Street lighting shall be installed in compliance with the approved lighting plan referenced in Condition 22. (CEQA Section 15041, [Initial Study, " Visual Quality"])
43. BD/ED All water, sewer and other utility improvements shall be installed in accordance with approved plans referenced in Conditions 13, 24 and 27. Work performed within the Golf Links Road right-of-way shall require an Encroachment Permit from the Engineering Development Division of the Department of Public Works. (TCOC, Titles 12, 13 and 16)
44. SUR/PD No parcel less than five acres in area shall be created with an average ratio of length to width exceeding 4 to 1, except where the length is adjacent to a road easement. (TCOC, Section 16.26.190)
45. PD If a subdivision sign is proposed for any of the entrances to the subdivision, the developer shall submit a sign design prior to installation of the sign(s) to the Community Development Director for review and approval prior to installation of the sign(s) to insure the compatibility of the design with the existing neighborhood. (CEQA, Section 15041, [Initial Study, "Visual Quality"])

46. PD The property owner shall provide 1.7± miles of recreational trails on the project site to serve the residents of the subdivision. The trails shall be 6- to 10-foot wide within a 15-foot corridor. Trails shall be provided as reflected on in the Community Trails Plan in the 2021 CEQA Initial Study Addendum and shall be allowed within the O (Open Space) zoning on the project site. Trails to serve each applicable phase of the subdivision shall be constructed during the construction of the respective phase. (TCOC, Section 16.26.120 and CEQA, Section 15041, [Initial Study Addendum 2021, "Recreation"]).
47. PD/SUR A statement shall be added to the Final Map to read: "Building setbacks for the single family residential units shall be five (5) feet and ten (10) feet on the front and rear. (CEQA, Section 15041, [Initial Study Addendum, "Land Use and Planning"]; Planned Unit Development Permit PUD10-002(1))
48. PD/SUR A statement shall be added to the Final Map to read: "Assessor's Parcel Number 34-270-05, an agricultural parcel consisting of 39.0± acres, is subject to Chapter 5.20 of the Tuolumne County Ordinance Code which is known as the "Tuolumne County Right to Farm Ordinance". (Response To Comments)
49. PD A recreational easement shall be granted to Assessor's Parcel Number 59-010-13 containing the Mother Lode Gun Club to preserve the right of the gun club to continue to use its site for gun-related recreational activities. (CEQA Section 15041, [Initial Study, "Land Use and Planning" and "Noise"])
50. PD If needed, all replacement oak trees along Golf Links Road shall be maintained for a seven year period. The seven year period shall begin upon verification that the planting is complete by Community Development Department staff. The oak trees shall be monitored for 7-years or until the success criteria is met by a qualified biologist or arborist annually. The inspection shall include an assessment of success criteria. The assessment shall be detailed in an annual report submitted to the Community Development Department prior to December 31st of each year. At least eighty percent (80%) of the replacement trees shall survive; replacement oak trees shall be planted on a yearly basis to maintain the 80% survival rate. The property owner(s) or Homeowners Association has the option to plant additional oak trees over and above the replacement requirement to allow for some mortality and the additional trees will not be subject to the same conditions unless they are needed and used to meet the 80% criteria. At the end of the seven (7) year time period, if the existing and replacement trees are in good health, a qualified biologist or arborist shall conduct a site inspection and provide a report to the Community Development Department for review and approval. (CEQA, Section 15041, [Initial Study, "Biological Resources"])
51. FPD The project site is located in an area that is rated as a very high fire hazard by the California Department of Forestry and Fire Protection (CalFire). The fire hazard shall be reduced through a fuel modification program approved by the Tuolumne County Fire Prevention Division. The fuel modification program shall provide for the reduction of flammable vegetation by the thinning of brush, small trees and the removal of piles of dead brush from the project site. The fuel modification plan shall be completed by the property owner and inspected by the Fire Prevention Division prior to approval of the Final Map. (TCOC, Section 15.20.060)

52. PD/FPD/SUR Defensible Space Building Setback of 30 feet shall be provided from all residential property boundaries on all parcels over one acre. All existing parcel boundaries, proposed parcel boundaries and building setbacks shall be recorded and shown on the final map in order to ensure minimum defensible space around future structures on the proposed parcels. (TCOC, Section 15.20.060)
53. FPD The minimum required fire flow for the commercial structures shall be 1,500 gallons per minute (gpm) at 20-psi for 2 hours with Type V-B construction. If the building's construction type changes, the required fire flow shall also change. Fire flow is determined by the square footage of the largest building on site including all horizontal projections. A reduction of up to 75%, as approved, is allowed when the building is provided with an approved automatic sprinkler system. The resulting fire-flow shall not be less than 1,500 gpm. (CFC, Section 508.3)
54. FPD Fire flow requirements for new residential development shall be 1,250 gallons per minute at 20-psi for 2 hours. (CFC, Section 508.3)
55. FPD Fire hydrant installations with required fire flow and locations in commercial and residential areas shall meet all requirements of Tuolumne County Ordinance Code 15.20.030. (TCOC, Section 15.20.030)
56. FPD All proposed access to the project shall be constructed to meet current road requirements. Fire apparatus access roads shall be provided, constructed and maintained as follows: the roads shall be constructed to have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 15 feet. The roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide all-weather driving capabilities. All cul-de-sac roads shall terminate in a 40-foot radius turn bulb. (CFC, Section 503; TCOC, Title 11)
57. FPD The property owner/developer shall dedicate land, if determined to be needed by the County, as specified by the Tuolumne County Fire Prevention Division, to the County for future development of a fire station. The Tuolumne County Fire Prevention Division shall determine the need for the fire station and the location and size of the site prior to approval of the first Final Map for the subdivision. If the Fire Prevention Division has not determined the need for a fire station prior to the first Final Map, the developer shall no longer be obligated to dedicate land for a fire station. (CEQA Section 15041, [Initial Study, "Public Services"]; Board of Supervisors, December 7, 2010)
58. EH If any abandoned wells exist on the property, they shall either be brought into a usable condition or a permit shall be obtained from the Environmental Health Division and the well(s) shall be destroyed by a licensed water well contractor. Destruction of any abandoned septic tanks shall be done in compliance with Section 13.08.290 of the Tuolumne County Ordinance Code to eliminate health and safety hazards. (TCOC, Sections 13.16.050, 13.16.070 and 13.08.290)
- PD A note shall be added to the Final Map stating the following: "A recreational easement shall be granted to Assessor's Parcel Number 59-010-13 containing the Motherlode Gun Club to preserve the right of the

gun club to continue to use its site for gun-related recreational activities.” (CEQA Section 15041, [Initial Study, “Noise”])

59. PD Plans to develop recreational facilities in the community center area shall be submitted to the Community Development Department for review and approval. The plans shall be accompanied by an engineer’s cost estimate for construction to determine compliance with the provision of recreational facilities for the subdivision. (TCOC, Section 16.26.120 and CEQA, Section 15041, [Initial Study, “Land Use and Planning”])
60. PD A 200-foot building setback shall be shown on the Final Map from the northern boundary as it adjoins Assessor’s Parcel Number 34-070-05. (CEQA Section 15041, [Initial Study, “Agricultural Resources”])
61. PD A habitat management plan shall be prepared to establish ongoing maintenance methods to be employed in the Open Space zones on the project site. The Habitat Management Plan will address fire fuel loading concerns expressed by Cal Fire and include fire fuel loading concerns for the Open Space zoning areas. The Homeowner’s Association (HOA) will be responsible for the funding and the on-going maintenance of the designated Open Space zoning areas including the Oak Woodland mitigation area in the Open Space zoning area according to Best Management Practices prescribed in the Habitat Management Plan. (CEQA Section 15041, [Initial Study Addendum 2021, “Biological Resources”])
62. PD Twenty (20) bird nesting boxes shall be constructed and installed in scattered locations throughout the proposed O (Open Space) area on the project site. The boxes shall be made of wood and constructed to provide an enclosed area measuring approximately 4-1/2” x 8-1/2” x 6”. Entry to the enclosed space shall be by a 1-1/2” diameter hole drilled in the upper portion of the box. The cover for the box shall be hinged to allow for easy cleaning of the interior contents following each season’s use. The boxes shall be cleaned annually to remove old nest material or other debris between November 1 and January 31 each year. (CEQA Section 15041, [Initial Study Addendum 2021, “Biological Resources”])

The following improvements shall be completed prior to approval of any Final Map to the applicable phase, or the developer shall execute a subdivision agreement in accordance with Section 16.06.110 of the Tuolumne County Ordinance Code and provide security to guarantee completion of such improvements. The amount of such security shall be 100 percent of the estimated cost of monumentation and 175 percent of the estimated cost for all other improvements:

63. SUR Monuments shall be placed at all corners as required by the County Surveyor. (TCOC, Section 16.26.100)
64. ED All intersections shall be required to be designed to create a T-intersection or a four-way intersection per California Department of Transportation (Caltrans) standards. (TCOC, Title 11)
65. ED/PD All roads serving the subdivision shall be improved or constructed to meet current Title 11 and Title 16 road standards and as required by the approved traffic study, with the exception of the internal roads described below, which shall be allowed within the O (Open Space) zoning:
- a. All roads within the subdivision shall be paved.

- b. All cul-de-sac roads shall terminate in a 40 foot radius turning bulb which shall be surfaced in the same manner as the roadway.
- c. All roads shall be constructed to a minimum of two (2) ten (10) foot wide lanes with three (3) foot wide rolled curb and gutter on both sides, a four (4) foot wide paved sidewalk on one side, and an additional one (1) foot paved width on the opposite side, within a forty-one (41) foot wide road right-of-way, with a ten (10) foot Public Utility Easement outside the right-of-way on both sides. On interior roads where additional parking is provided on one side of the road, the additional one (1) foot wide paved area is expanded to six (6) feet wide.
- d. The access roads shall have a minimum vertical clearance of 15 feet and shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface that will provide all-weather driving capabilities.
- e. Access roads or related parking areas shall be provided within 150 feet of all portions of the exterior walls of any proposed building as measured by an approved route around the exterior of the building.
- f. For dead-end access roads in excess of 150 feet in length, an area shall be provided to allow fire apparatus to turn around as approved by the Fire Prevention Division.
- g. Stop signs shall be installed as required on all access roads.

ALL TITLE 11 STANDARD ROADS SHALL MEET THE FOLLOWING REQUIREMENTS:

- All cul-de-sac roads shall meet the maximum allowed cul-de-sac limit length established in Section 11.12.040 of the Ordinance Code. The limit length is based on the property zoning along that roadway.
- The Engineering Development Division of the Public Works Department shall be notified when construction staking, including slope staking, for the road is completed, prior to commencement of road improvements. Schedules for periodic inspections will be established by quality control personnel at the time the construction staking is inspected. Roads constructed without proper periodic inspections or not in conformance with approved plans are subject to rejection.
- A turning bulb or hammerhead turn around shall be constructed wherever roads do not continue through to adjoining property.
- The applicant shall provide adequate traffic striping, marking and signs during and after construction.
- The roads shall have a minimum design speed of 25 mph for local roads. Golf Links Road shall have a minimum design speed of 25 mph unless otherwise specified and/or approved. The structural section of the roads shall be determined by the project engineer

based on stabilimeter R-value tests performed at the developer's expense. The Traffic Index used to determine the structural section shall be as required in Title 11.

- The developer shall give reasonable advance notice of commencement of construction and keep the Engineering Development Division of the Public Works Department informed of all changes in the construction schedule.
- After improvement plans have been approved, the applicant shall submit a mylar copy of such plans to the Engineering Development Division of the Public Works Department. After completion of the work, the applicant shall submit as-built plans.
- Plan check and inspection fees, as required by Ordinance, shall be submitted to the Engineering Development Division of the Public Works Department prior to approval of improvement plans.
- The developer shall remedy any defect in the improvements on any county road arising from any faulty or defective materials or workmanship occurring within 12 months of the Public Works Department's acceptance of the work or formal acceptance by the Board of Supervisors. A maintenance warranty agreement shall be enacted when applicable.

(TCOC Title 11; CEQA, Section 15041, [Initial Study, "Traffic and Circulation,"])

66. ED Road encroachments shall be installed in accordance with the approved plans and Encroachment Permit provisions referenced in Condition 8. All roads and driveways shall meet safe sight distance requirements. (TCOC, Section 12.04.020)

Prior to recording of a Final Map for each Phase of the project, the following conditions shall be met:

67. ED The property owner shall apply for an Encroachment Permit from the California Department of Transportation (Caltrans) and or the County as applicable prior to any work within the Caltrans or County road right-of-way. (CEQA Section 15041, [Initial Study, "Traffic and Circulation"])

68. ED Golf Links Road to McKibbin Drive, adjacent to the proposed development area, shall be constructed to a minimum of two (2) ten (10) foot wide lanes with one four (4) foot paved shoulder on one side with 2-inch overlay and leveling course minimum over paving fabric and a Traffic Index of 5.0. The shoulder shall require an asphalt curb. The four (4) foot wide paved shoulder shall include legend and line stenciling for bicycle and pedestrian travel per Caltrans standards. (TCOC Title 11; CEQA, Section 15041, [Initial Study, "Traffic and Access"]; JAPC, April 25, 2007)

69. ED The following road improvements shall be completed:

- a. Construct all portions of related onsite roads needed to provide access to the proposed uses as they are proposed. Partial sections of roads shall terminate in a temporary 40-foot radius turning bulb and or hammer head non through roads shall terminate in a 40-foot radius turning bulb. Road segments shall not exceed cul-de-sac

length limits specified in Section 11.12.040 of the Tuolumne County Ordinance Code.

- b. Offsite road improvements would be based on the number of trips generated from the proposed onsite uses for each submitted phase of development. The following Trip Generation Factors would be used in determining trips associated with various phases:
Single family residence - 7.5 trips/day (10 trips/day for Caltrans 108 improvement calculations)
Condominium / Apartment unit (non-age restricted) – 5.4 trips/day
Secondary units (on same lot as primary residence) - 7.5 trips/day

- c. The following road improvements would be based on the total trip generation per submitted phase added to the cumulative total from previous submitted phase(s). The trip thresholds and related improvements are:

At the 0 trip threshold:

- a. Onsite road improvements necessary for uses proposed;
- b. Golf Links Road improvements in front of submitted phase development area; and
- c. Install advance flashing beacon at WB SR 49-108 / Golf Links Road;

At the 201 trip threshold:

- a. Onsite road improvements necessary for uses proposed;
- b. Golf Links Road improvement in front of submitted phase development area;
- c. Improve Golf Links Road at its intersection with Chabrouillan Lane for sight distance;
- d. Construct a left-turn pocket on Golf Links Road at Chabrouillan Lane;
- e. Chabrouillan Lane shall be widened to a 20-foot minimum width to accommodate 2-way traffic and shall be improved to Title 11 standards from Golf Links Road to the intersection of State Highway 108/49;
- f. Install a streetlight at the intersection of Chabrouillan Lane and SR49/108; and
- g. Request that Caltrans receive a Traffic Safety review for the SR49/108-Golf Links Road intersection to determine the need to restrict to right-turns-only prior to the 401 daily trip thresholds noted below. If requested by Caltrans, implement item "c" of the 401-trip threshold list below;

At the 401 trip threshold:

- a. Onsite road improvements necessary for uses proposed;
- b. Improve balance of Golf Links Road along the project site's frontage; and
- c. Convert SR 49-108 / Golf Links Road to right-turn-only; and
- d. The project proponent shall make improvements to the intersection of Golf Links Road and State Highway 108/49 and shall purchase all signage required to implement right-turn in and right-turn out restrictions at the intersection of Golf Links Road and State Highway 108/49 and work with the California Department of Transportation to ensure that these restrictions are implemented.

At the 801 trip threshold:

- a. On site road improvements necessary for uses proposed;
 - b. Conduct a full traffic signal warrant study to determine if the traffic signal is warranted at SR49/108 and Chabrouillan Lane. If the signal warrants are met and the signal is justified and supported by the engineering study, develop the construction and funding plans and install the traffic signal and improvements to the satisfaction of Caltrans; and
 - c. If intersection is signalized, realign portion of road (in State Route 49/108 ROW) across State Route 49/108 from Chabrouillan Lane to line up with Chabrouillan Lane.
- (CEQA Section 15041, [Initial Study, "Traffic and Circulation"], TCOO 17.68.150)

70. ED The applicant shall submit a maintenance plan to provide for the long term maintenance of the phased detention basins and appurtenant drainage facilities. The maintenance plan shall include all activities required to maintain the basin and facilities along with the estimated cost of such maintenance for a minimum of ten (10) years. At a minimum, the plan shall include vegetation control, erosion control and sediment removal. (CEQA, Section 15041, [Initial Study, "Hydrology and Water Quality"])

71. ED The applicant shall establish a Homeowners Association or a County Service area (CSA) to maintain the detention basins and appurtenant drainage facilities or deposit an amount equal to the cost of ten (10) years of maintenance of the detention basin. With approval of the Director of Public Works, the applicant may substitute a bond or letter of credit equal in value to the maintenance deposit. If the applicant elects to deposit an amount equal to the cost of ten (10) years of maintenance of the detention basin and fails to maintain the basin for the period specified, the County may utilize those funds for maintenance of the basin, including any administrative costs. At such time as the maintenance of the detention basins is turned over to the Homeowner's Association for the project or a County Trust Fund is established as referenced in Condition 74, the applicant may apply to the Director of the Public Works for relief of maintenance, and the return of any unused funds. If the Director of Public Works determines that the state of the detention facility is acceptable, the remaining funds shall be returned or bonds released at that time. (CEQA, Section 15041, [Initial Study, "Hydrology and Water Quality"])

72. ED The applicant shall submit written confirmation regarding the entity that will provide the long term maintenance of the detention basin and shall indicate that one of the following methods will be utilized to provide for that maintenance:

- a. The Homeowners Association (HOA) formed to provide for maintenance of the common areas on the project site shall assume the responsibility of maintenance of the detention basin. If this method is used, the CC&R's shall clearly reflect this obligation and all homeowners shall be notified of the responsibility.
- b. A trust fund shall be established by the County to provide for the maintenance of the basin and facilities. All costs associated with forming and maintaining the fund shall be born by the applicant. Maintenance shall be provided by the County and easements shall

be established to allow for the maintenance. The amount deposited in the fund by the applicant prior to recording the final map, shall be equal to the amount required to fund maintenance to the basin and facilities in perpetuity. Calculation of the required amount shall be based upon funding requirements and costs identified in the approved maintenance plan and shall include allowance for inflation and a contingency for removal of hazardous and/or deleterious waste.

If the trust fund is proposed, the following statement shall be included on the final map and all subsequent deeds: In the event that the trust fund established for the maintenance of the detention basin becomes insolvent, all costs for maintenance of the basin will be born equally by all residential lots within the subdivision.

(CEQA, Section 15041, [Initial Study, "Hydrology and Water Quality"])

73. ED/PD

A Home Owners Association or a County Service Area approved by the Board of Supervisors, or as amended, shall be established to provide for the maintenance of street lights, trails, landscaping, on-site recreational facilities, drainage easements and sidewalks located within the road rights-of-way of the interior subdivision roads not accepted into the County Maintained Road System and all O (Open Space) ~~areas that are not contained within the common areas~~. Assessor's Parcel Number 59-020-01, which has access through the subdivision, shall be expressly exempt from participating in the Home Owners Association or County Service Area. If a County Service Area is to be established then application fees and additional submittals required by the Local Agency Formation Commission (LAFCo) to form the County Service Area should be submitted a minimum of 120 days prior to the anticipated date of recording of the Final Map, or as amended. The County Service Area requirement above may be replaced with similar requirements for establishment of a permanent road division if approved by the Director of Public Works and the Board of Supervisors, or as amended. (Resolution 107-09; TCOC, Section 16.06.090; Board of Supervisors, December 7, 2010)

74. PD/ED

The dry stack stone wall that parallels Golf Links Road shall be retained in its entirety except in the area required for construction of the west entrance road as shown on the Site Plan dated March 19, 2010 and as modified by the road improvement plans referenced in Condition 7 and as provided herein. Retaining walls shall be installed if necessary to minimize cut slopes to reduce disturbance of the stone wall. The retaining walls can incorporate the stones that are removed from the stone wall or the stones shall be incorporated into entry walls and other uses in the development. (TCOC, Section 16.06.090; CEQA Section 15041, [Initial Study, "Cultural Resources"])

75. PD

One twenty-four inch boxed oak tree or two (2) fifteen-gallon oak trees shall be planted along Golf Links Road in a random linear pattern for every 8-inch or larger oak tree that is impacted or removed along Golf Links Road as approved by the Community Development Director. An impacted oak tree is defined as any oak tree that has any grading within 10 percent or more of the drip line of the tree. (CEQA Section 15041, [Initial Study, "Biological Resources"])

76. PD/ED

The nonclimable fence referenced in Condition 15 shall be installed, prior to construction of the first unit, from the northwest corner of the project site

easterly to the western boundary of Assessor's Parcel No. 59-020-01 and extending from the northwest corner of the project site southerly 400 feet along the western boundary of the project site. (TCOC, Section 16.06.090)

77. ED When the final map is submitted for the 30th unit of the project site the developer shall dedicate an area of sufficient size to accommodate the first bus stop in a location to be determined by the Director of Public Works. When the final map is submitted containing the community center in the eastern section of the project site the developer shall dedicate and construct an area of sufficient size to accommodate a bus stop in a location to be agreed to by the Director of Public Works. (CEQA, Section 15041, [Initial Study, "Traffic and Circulation,"])
78. PD/ED Provide safe and convenient bicycle/pedestrian access to transit stop(s) and provide essential transit stop improvements. (CEQA, Section 15041, [Initial Study, "Climate,"])
79. PD Bicycle parking facilities shall be installed in front of the community center, storage area and assisted care facility/condominium/apartment building at a minimum ratio of one bike rack space per 20 vehicle spaces. (CEQA, Section 15041, [Initial Study, "Climate,"])
80. PD/ED Provide a pedestrian access network, such as sidewalks or other pedestrian pathways, that internally links all uses and connects these uses to existing external streets and pedestrian facilities along these roadways. (CEQA, Section 15041, [Initial Study, "Climate,"])
81. PD/ED Provide the minimum amount of parking required per County code. Reduced parking below that typically mandated by County code can be provided if a parking plan is approved that includes trip reduction factors based on the Institute of Transportation Engineers (ITE) Parking generation publication and includes design elements that reduce the need for automobile use. (CEQA, Section 15041, [Initial Study, "Climate,"])

Prior to recording of a Final Map for the 100th unit residential unit of the project, the following conditions shall be met:

82. PD The property owner shall apply for and obtain approval of a Site Development Permit or a Conditional Use Permit to allow the development of a mixed use community center with related office, commercial and residential uses with related recreational amenities. A landscape plan shall be submitted for review and approval to the Community Development Director prior to issuance of the Site Development Permit. (CEQA Section 15041, [Initial Study, "Land Use and Planning" and "Biological Resources"])
83. PD Landscaping plans for areas around the proposed community center area shall be submitted for review and approval to the Community Development Director with the applications for the respective Site Development Permit or Conditional Use Permit. (CEQA Section 15041, [Initial Study, "Biological Resources"])

Prior to recording of a Final Map for the 125th residential unit of the project, the following condition shall be met:

84. PD The mixed use community center building or buildings and other amenities shall be constructed as shown on the Amenities Master Plan, 2021 Improvement Plan received on March 19, 2010. The recreational amenities shall include: a 0.25± acre neighborhood park and a 2.7± acres Community Center which includes two (2) pickleball courts and three (3) bocce ball courts. Other components of the Community Center site include at least a 3,500 sq. ft. clubhouse, grass areas, landscaping, off-street parking and bicycle parking. (CEQA Section 15041, [Initial Study Addendum 2021, "Recreation" and "Land Use and Planning"])

Conditions to be met during the construction phase of the proposed project:

85. PD The property owner shall provide 1.7± miles of recreational trails on the project site to serve the residents of the subdivision. The trails shall be 6- to 10-foot wide within a 15-foot corridor. Trails shall be provided as reflected in the Amenities Master Plan of 2021 and shall be allowed within the O (Open Space) zoning on the project site. Trails to serve each applicable phase of the subdivision shall be constructed with each phase of the Valley Vista development. (TCOC, Section 16.26.120 and CEQA, Section 15041, [Initial Study Addendum 2021, "Recreation"])

86. BD Property owner shall be responsible for dust abatement during construction and development operations. A water truck or other watering device shall be on the construction site on all working days when natural precipitation does not provide adequate moisture for complete dust control. Said watering device shall be used to spray water on the site at the end of each day and at all other intervals, as need dictates, to control dust. (CEQA, Section 15041, [Initial Study, "Air Quality"]; TCOC, Section 12.20.330)

87. BD/PD Install Energy Star labeled roof materials. (CEQA, Section 15041, [Initial Study, "Climate"])

88. BD/PD All project related buildings shall be constructed to either exceed the 2010 Title 24 requirement by 15 percent, as adopted at the time of initial project approval by the Board of Supervisors, or meet current Title 24 energy requirements at the time of the Building Permit for construction, whichever achieves a higher level of energy savings. The applicant shall submit evidence of which standard is being met at the time of the Building Permit. (CEQA, Section 15041, [Initial Study, "Climate"])

89. ED/PD/BD A pedestrian walkway shall be constructed along one side of all interior roads and along Golf Links Road. (CEQA, Section 15041, [Initial Study, "Traffic and Circulation"])

90. FPD Residential fire sprinkler systems that meet the requirements of the California Fire Code and NFPA 13-D shall be installed in each single family and duplex residential structure that exceeds 120 square feet unless otherwise specified by State law. The multifamily residential units in the mixed use (MU) facilities created pursuant to Vesting Tentative Subdivision Map T10-010 will be required to meet the requirements of the Fire Code and NFPA 13-R. The NFPA 13-R fire sprinkler systems are subject to the testing, inspection and approval of the Tuolumne County Fire Prevention Division. The testing and inspection fees shall be determined based upon the hourly fee for Fire Prevention Division staff time. (CEQA, Section 15041, [Initial Study, "Public Services"])

91. FPD Each structure shall have all eaves and soffits protected on the exposed underside by materials approved for a minimum of one-hour rated fire resistive construction. (CEQA, Section 15041, [Initial Study, "Public Services"])
92. FPD Gutters and downspouts shall be constructed of noncombustible materials only. (CEQA, Section 15041, [Initial Study, "Public Services"])
93. FPD All structures shall be designed and constructed with approved one-hour fire resistive materials. (CEQA, Section 15041, [Initial Study, "Public Services"])
94. FPD Accessory structures, such as decks, that are attached to buildings with habitable spaces and projections shall be a minimum of one-hour fire resistive construction, heavy timber construction or constructed of approved non-combustible materials and shall have the under-floor enclosed within six (6) inches of the ground. (CEQA, Section 15041, [Initial Study, "Public Services"])
95. FPD All driveways providing access to any structures located on the project site shall be a minimum of twenty-one (21) feet in length from the edge of pavement of the street. (CEQA, Section 15041, [Initial Study, "Public Services"])
96. PD Creek crossings shall be designed to be substantially perpendicular to the creek channel to help minimize the creek corridor impacts. In order to minimize creek corridor impacts, the crossing shall be constructed while the creekbed is dry to minimize impacts to the creek corridor and reduce downstream siltation. (CEQA Section 15041, [Initial Study, "Biological Resources"])
97. PD/ED All Open Space zoning in the area of development shall be delineated by construction fencing prior to and during all earthmoving and construction activities on the project site. (CEQA Section 15041, [Initial Study, "Biological Resources"])
98. BD Exposed serpentine gravel is prohibited on the construction site. Nonrestrictive material shall be required for surfacing of any road utilizing serpentine gravel. (Health and Safety Code, Section 93106)
99. AG All hay, straw, hay bales, straw bales, seed, mulch or other material used for erosion control or landscaping on the project site shall meet the requirements of Sections 5101 and 5205 of the California Food and Agricultural Code; Certification of Weed Free Forage, Hay, Straw and Mulch. (TCOC, Section 16.06.090)
100. AG All equipment brought to the project site for construction shall be thoroughly cleaned of all dirt and vegetation prior to entering the site, in order to prevent importing noxious weeds. Equipment can be cleaned in accordance with U.S. Forest Service Washington Office contract provision C6.36 – Equipment Cleaning. A cleaning log shall be kept with all equipment capable of transporting soil or vegetative material. The cleaning log shall include the location of origin of the equipment, method of cleaning the equipment and the location where the equipment was transported. The cleaning log shall be maintained at the project site for inspection by County officials throughout the

construction phase of the project. (TCOC, Section 16.06.090 CEQA Section 15041, [Initial Study, "Biological Resources"])

101. AG All material brought to the site, including rock, gravel, road base, sand, and top soil shall be monitored by the property owner or his/her designated representative and maintained free of noxious weeds. The use of Certified Weed Free borrow material is encouraged. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (TCOC, Section 16.06.090)

The following conditions also apply to this project:

102. ED/PD/BD Prior to issuance of any residential Building Permit on the project site, the applicant/property owner shall pay a fair share contribution of \$130.00 per primary dwelling unit for traffic impacts to the eastern end of Golf Links Road. This fair share contribution will go into a trust account to allow for the eventual improvement of Golf Links Road between McKibbin Drive and State Highway 108/49. (CEQA, Section 15041, [Initial Study, "Traffic and Circulation"])
103. PD Two shade trees shall be planted for each parcel with interior street frontage created during each phase. The shade trees may be of an ornamental variety such as Crepe Myrtle or Chinese Pistache that has a lower water usage. The shade trees shall be a minimum 15-gallon size at the time of planting and shall be planted approximately 25-feet on center. Because of the limitation in width of lots, if two shade trees can not be planted approximately 25-feet on center along the road on a particular lot, the property owner shall be required to plant one of the shade trees within the front yard of the proposed lot to eliminate conflicts with lot sizes and driveways. If existing oaks can be retained along the front of a lot then the shade tree shall not be required to be planted for that lot on a one-to-one basis. (CEQA Section 15041, [Initial Study, "Biological Resources"])
104. BD The applicable County Services Impact Mitigation Fee shall be paid to Tuolumne County or a waiver secured for the provision of affordable housing prior to issuance of a Blue Tag or prior to close of escrow if an escrow account has been established prior to issuance of a Building Permit for any new residential construction on a lot created pursuant to this map, or as amended. (TCOC, Chapter 3.50)
105. BD The applicable Traffic Impact Mitigation Fee shall be paid to Tuolumne County prior to issuance of the electrical blue tag, electrical connection of the development, or at closing of escrow if an escrow account is established for any new residential construction on a lot created pursuant to this map. (TCOC, Chapter 3.54)
106. BD The applicable Traffic Impact Mitigation Fee shall be paid to Tuolumne County prior to issuance of a Certificate of Occupancy by the Tuolumne County Division of Building and Safety or date of final inspection whichever occurs first for any new commercial construction on a lot created pursuant to this map. The project will receive traffic impact fee credits for signalization, lighting, turning movement restrictions, lane widening, shoulder widening, drainage improvements and AC dike curbs on the Highway 108 corridor. (TCOC, Chapter 3.54)

107. PD/BD Prior to issuance of a residential Building Permit on each lot, the property owner shall either provide Affordable Housing or pay an in-lieu fee to the Tuolumne County Affordable Housing trust fund, or as amended. (CEQA Section 15041, [Initial Study, "Population and Housing"])
108. FPD/BD Driveways to the proposed home sites shall be at least 12 feet in width, with a minimum surface of four inches of compacted Class II aggregate. The maximum gradient shall be 16 percent. Where residential dwellings are less than 150 feet from the roadway, the driveway grade may exceed 16 percent to a maximum of 22 percent, provided the driveway is paved with asphalt-concrete or concrete. In addition, a parking bay at least 10 feet wide and 40 feet long shall be provided at road grade and shall be surfaced in the same manner as the adjacent roadway. (TCOC, Section 11.12.060)
109. FPD/ED Two parcels may share a common driveway provided that the common portion of the driveway shall be a minimum of 18 feet in width and easements have been established for the use of the driveway by both parcels. (TCOC, Sections 11.02.130, 11.12.060, 15.20.005(c) and 15.20.050)
110. FPD/BD For any driveway, excluding common driveways, that exceeds 150 feet, turnouts shall be provided at the midway point for driveways between 150 feet and 800 feet in length or at 400-foot intervals for driveways over 800 feet in length. Turnouts shall be a minimum of 10 feet wide and 30 feet in length with 25-foot tapers at each end. (TCOC, Section 11.12.060)
111. FPD For any driveway that exceeds 300 feet in length, a turning bulb or circular driveway with a minimum outside radius of 40 feet shall be provided within 50 feet of all building sites. (TCOC, Section 11.12.00(C))
112. FPD The required fire flow shall be on site, tested and approved by the Tuolumne County Fire Prevention Division. (Planned Unit Development Permit PUD10-002; TCOC, Section 15.20.010)
113. FPD All on-site roads constructed pursuant to this map shall be maintained clear of flammable vegetation over 18 inches in height to a distance of 25 feet from the centerline of the road for safe emergency vehicle access during wildland fire situations. This condition does not apply to single specimens of trees, ornamental shrubbery, or similar plants which are used as ground cover. Trees do not need to be removed, but must be limbed up to 6 to 8 feet above ground level, provided however, that pruning of live branches does not extend up the bole more than 1/2 the height of the tree or remove more than 1/3 of the live crown. (CEQA Section 15041, [Initial Study, "Fire Hazard/Protection"])
114. PD If a cultural resource is discovered during the activities authorized by this Map, the person in possession of the real property for which the map was approved and all persons conducting any activity authorized by this map shall comply with the following provisions:
- A. The person discovering the cultural resource shall notify the Community Development Department by telephone within 4 hours of the discovery or the next working day if the department is closed.

- B. When the cultural resource is located outside the area of disturbance, the Community Development Department shall be allowed to photodocument and record the resource and construction activities may continue during this process. On parcels of two or more gross acres, the area of disturbance includes building pads, septic areas, driveways or utility lines, grading and vegetation removal, plus 300 feet. On parcels of less than 2 gross acres, the area of disturbance equals the boundaries of the parcel.
- C. When the cultural resource is located within the area of disturbance, all activities that may impact the resource shall cease immediately upon discovery of the resource. All activity that does not affect the cultural resource as determined by the Community Development Department may continue. A qualified professional, as defined in Section 17.04.657 of the Tuolumne County Ordinance Code, such as an archaeologist or an historian, shall be allowed to conduct an evaluative survey to evaluate the significance of the cultural resource.
- D. When the cultural resource is determined to not be significant, the qualified professional or Community Development Department shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the Community Development Department.
- E. When a resource is determined to be significant, the resource shall be avoided with said resource having boundaries established around its perimeter by a qualified professional archaeologist or historian or a cultural resource management plan shall be prepared by a qualified professional to establish measures formulated and implemented in accordance with Sections 21083.2 and 21084.1 of the California Environmental Quality Act (CEQA) to address the effects of construction on the resource. The qualified professional shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the Community Development Department. All further activity authorized by this permit shall comply with the cultural resources management plan.

A cultural resource is any building, structure, object, site, district, or other item of cultural, social, religious, economic, political, scientific, agricultural, educational, military, engineering or architectural significance to the citizens of Tuolumne County, the State of California, or the nation which is 50 years of age or older or has been listed on the National Register of Historic Places, the California Register of Cultural Resources, or the Tuolumne County Register of Cultural Resources. (TCOC, Section 14.10.150)

115. ED

The detention basins and appurtenant facilities shall be maintained pursuant to the approved maintenance plan referenced in Condition 73 and shall be maintained by the entity identified pursuant to Condition 74. Any additional funds necessary to repair or provide annual maintenance on the detention basins by the County, in excess of the funds placed in the trust fund, if this option is selected, shall be born by the owners of all lots within the subdivision. (CEQA, Section 15041, [Initial Study, "Hydrology and Water Quality"])

116. PD All replacement oak trees along Golf Links Road shall be maintained for a seven year period by the property owners. The seven year period shall begin upon verification that the planting is complete by Community Development Department staff. The oak trees shall be monitored for 7-years, or until the success criteria is met, by a qualified biologist or arborist on the 3rd, 5th and 7th year. The inspection shall include an assessment of success criteria. The assessment shall be detailed in a report submitted to the Community Development Department prior to December 31st on the 3rd, 5th and 7th year. At least eighty percent (80%) of the replacement trees shall survive; replacement oak trees shall be planted on a yearly basis to maintain the 80% survival rate. The property owner(s) or Home Owners Association has the option to plant additional oak trees over and above the replacement requirement to allow for some mortality and the additional trees will not be subject to the same conditions unless they are needed and used to meet the 80% criteria. At the end of the seven (7) year time period, if the existing and replacement trees are in good health, a qualified biologist or arborist shall conduct a site inspection and provide a report to the Community Development Department for review and approval. (CEQA Section 15041, [Initial Study, "Biological Resources"]; Board of Supervisors, December 7, 2010)
117. PD All replacement trees shall be maintained in a healthy condition. If a tree dies or becomes diseased within the seven year monitoring period, it shall be replaced with a tree of similar species and a minimum of 15 gallons in size. (CEQA Section 15041, [Initial Study, "Biological Resources"])
118. PD Any fencing placed along the northern, western and eastern boundaries, shall be smooth or barbed wire fencing. Any fencing placed along stream corridors or adjacent to any Open Space zoning on the project site shall be smooth wire fencing. Any fencing, in addition to the smooth or barbed wire fencing, proposed by the individual lot owners shall be restricted to a height of no more than six (6) feet on all lots and shall only encompass the patio or garden area of the lot. Chain link fencing shall be prohibited on the project site unless it is black in color in order to maintain the rural character of the development. (CEQA, Section 15041, [Initial Study, "Visual Quality"])
119. PD All fencing along Golf Links Road shall comply with the approved fence design referenced in Condition 23. If the owners of the individual lots along Golf Links Road construct a fence, the property owners shall construct the fence in accordance with the approved plan. (CEQA, Section 15041, [Initial Study, "Visual Quality"])
120. PD Two shade trees shall be required for each parcel with interior street frontage prior to a Certificate of Occupancy. The shade trees may be native oaks or of an ornamental variety such as Crepe Myrtle or Chinese Pistache that has a lower water usage. The shade trees shall be a minimum 15-gallon size at the time of planting and shall be planted approximately 25-feet on center. Because of the limitation in width of lots, if two shade trees can not be planted approximately 25-feet on center along the road on a particular lot, the property owner shall be required to plant one of the shade trees within the front yard of the proposed lot to eliminate conflicts with lot sizes and driveways. If existing oaks can be retained along the front of a lot then the shade tree shall not be required to be planted for that lot on a one-to-one basis. Ongoing maintenance of the street trees shall be the responsibility of

the individual homeowner. (CEQA Section 15041, [Initial Study, "Biological Resources"])

121. PD Maintenance of the on-site trail system shall be the responsibility of the Homeowners Association. Any modifications to the trail system shall be subject to the approval of the Community Development Director. (TCOC, Section 16.26.120 and CEQA, Section 15041, [Initial Study, "Land Use and Planning"])
122. PD At the time of sale, property owners shall notify future property owners of the proximity of the Motherlode Gun Club and the potential for noise generated from the Motherlode Gun Club. (CEQA, Section 15041, [Initial Study, "Land Use and Planning" and "Noise"])
123. PD The landscape plan referenced in Condition 14 shall be implemented to adequately screen the propane tanks. (CEQA, Section 15041, [Initial Study, "Visual Quality"])
124. PD All signs on the property shall receive regular maintenance so as to minimize tendencies to decay, fade, warp, chip or otherwise deteriorate in appearance. (CEQA Section 15041, [Initial Study, "Visual Quality"])
125. PD/BD All structures shall utilize tones and colors reflective of the historic architectural character of the Mother Lode Region, such as green, tan and brown colors, and shall be used in moderation. (CEQA Section 15041, [Initial Study, "Visual Quality"])
126. PD/BD All structures shall utilize colors that will blend with the surrounding housing types. Alternative roofing materials, such as metal, or alternative colors in dark tones such as charcoal may be substituted. (CEQA Section 15041, [Initial Study, "Visual Quality"])
127. BD Property owner shall be responsible for dust abatement during construction and development operations. A water truck or other watering device shall be on the construction site on all working days when natural precipitation does not provide adequate moisture for complete dust control. Said watering device shall be used to spray water on the site at the end of each day and at all other intervals, as need dictates, to control dust. (CEQA, Section 15041, [Initial Study, "Air Quality"]; TCOC, Section 12.20.330)
128. APCD/BD Any wood burning stoves or fireplaces installed in any structure shall be certified by the Environmental Protection Agency (EPA) to insure their efficiency. (CEQA Section 15041, [Initial Study, "Air Quality"])
129. APCD The renovation of existing buildings, other than residential buildings, require notification and inspection for asbestos containing materials, pursuant to 40CFR Part 61, Subpart M – National Emissions Standards for Hazardous Air Pollutants – Asbestos. (TCOC, Section 16.06.090)
130. BD/PD The noise levels generated by the project shall be restricted to the following exterior noise limits as measured at the property line:

Zoning Classification of Receiving Property	Noise Level (dB) of Sound Source	
	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
MU, R-3, R-2, R-1, RE-1, RE-2, RE-3, RE-5, RE-10, C-O, C-1, C-S, BP	50 Leq. (1 hour) ¹	45 Leq. (1 hour) ¹

¹Leq. 1 hour refers to the average noise level measured over a one hour period.

- 131. AG Landscaped areas and unimproved areas on the project site shall be maintained free of noxious weeds. The property owner shall abate all noxious weeds from the project site annually prior to completion of the weed life cycle: prior to flowering and seed set. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 450 of the California Code of Regulations and the California Quarantine Policy – Weeds. (TCOC, Section 16.06.090)
- 132. PD The existing on-site wells may be used for irrigating ~~the community garden~~ and common area landscaping only. (TCOC, Section 16.06.090)
- 133. PD The nonclimable fence located in the northwestern area of the project site referenced in Conditions 15 shall be maintained in the same condition as when it was installed by the applicant or subsequent owner(s) of the property on which the fence is located. (TCOC, Section 16.06.090)

MONITORING PROVISION: A Notice of Action shall be recorded for Conditions 1 through 136 to notify all owners of this parcel of the conditions of this entitlement and these responsibilities. Any violations observed by the Community Development Department during regular site inspections or in response to complaints shall be referred to the agency having jurisdiction over the condition for resolution or referred to the Code Compliance Officer for enforcement. (PRC, Section 21081.6)