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MEMORANDUM

DATE: September 21, 2007
TO: Board of Supervisors
FROM: Gina Hunter, Principal Planner
SUBJECT: Amendments to Conditions of Approval for TM05-1403/Z05-0019

2007 SEP 21 PM 4:44
RECEIVED
BOARD OF SUPERVISORS
EL DORADO COUNTY

Tentative Map TM05-1403 and Rezoning Z05-0019 were considered and recommended for approval by the Planning Commission on August 23, 2007. Prior to consideration at the Planning Commission, representatives of the applicant met with Planning Services and the Department of Transportation to clarify various Conditions of Approval. Revisions to the Conditions of Approval were agreed to during this time, but were not formalized in time to be included in the version of the Conditions approved by the Planning Commission. The following are the changes proposed to the Conditions of Approval, with discussion and explanation of each change. Each change is shown in strikeout/underline form.

Revised Condition 1

1. This tentative subdivision map and zone change approval is based upon and limited to compliance with the project description, dated September 25, 2007, and Conditions of Approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

The "Project" is for a tentative subdivision map to create 45 lots ranging in size from 7,910 to 97,641 square feet and a zone change from Estate Residential Ten-acre (RE-10) to One-family Residential (R1) and One-half Acre Residential (R20,000). The "Project" includes two design waiver requests to construct a four-foot wide sidewalk in lieu of the six-foot wide sidewalk along the east side of Beasley Drive and both sides of Voltaire Drive, and reduce the right of way along Voltaire Drive and internal streets C and D Drive to 44 feet, as well as a reduction from 60 feet to 50 feet on Beasley Drive, all variations of the requirements of Standard Plan 101B.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

Explanation: The added portion is a standard Planning Services condition required to ensure that the project would be in compliance with the maps and diagrams approved by the County.

Revised Mitigation Measure 2

2. The applicant shall avoid take of any active raptor nests, and pre-construction surveys shall be conducted by a qualified biologist no more than 30 days prior to initiation of the proposed development activities. The survey results shall be submitted to the California Department of Fish and Game (CDFG) and Planning Services prior to issuance of a grading permit. If active raptor nests are found on or immediately adjacent to the site, consultation must be initiated with CDFG to determine appropriate avoidance. The applicant shall follow the appropriate avoidance measures issued by CDFG. If no nesting is found to occur, than necessary tree removal may proceed, without additional notification to CDFG, upon approval by Planning Services.

Monitoring Responsibility: Planning Services

Monitoring Requirement: Planning Services shall ensure that adequate surveys are prepared prior to issuance of grading permit.

Explanation: The added text clarifies the responsibilities of the applicant should nesting surveys on the site reveal no presence of active bird nests. This revised language is consistent with the intent of the Condition, and formalizes the requirements of the State Department of Fish and Game, with regards to the project.

Revised Mitigation Measure 5

5. During preliminary site grading, a cultural resources specialist shall be present on site in the event that subsurface artifacts are uncovered. If a deposit is found to be significant, data shall be collected and consultation shall be initiated with the appropriate agency. Work in the area of the discovery shall be halted until artifacts can be evaluated in accordance with state and ~~fera~~ federal regulations regarding cultural resources. A contract demonstrating that a cultural resources specialist has been retained for site grading activity shall be submitted to Planning Services for review prior to issuance of a grading permit.

Monitoring Responsibility: Building Services

Monitoring Requirement: During grading, building inspector shall ensure that a cultural resource specialist is on site.

Explanation: The revision corrects a typographical error which occurred in the crafting of the condition.

Condition 9

9. The approved traffic study requires that the applicant shall improve the Cambridge Road/ US 50 eastbound on-off ramps. Specific improvements to be provided are limited to signage and striping relating to an all way stop as identified in the approved traffic study. The improvements shall be substantially completed to the ~~approval~~ satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the recordation of the final map. In addition, the applicant shall obtain an approved encroachment permit from Caltrans for the required improvements.

Explanation: This correction clarifies the requirements of the Department of Transportation with regards to the review of improvements made to the on and off-ramps at Cambridge Road and US 50. The improvements must be substantially completed or secured prior to the recording of the Final Map. The review of this action by the Department of Transportation is not part of a formal approval process, thus the term *satisfaction* is more appropriate language for completion of the condition.